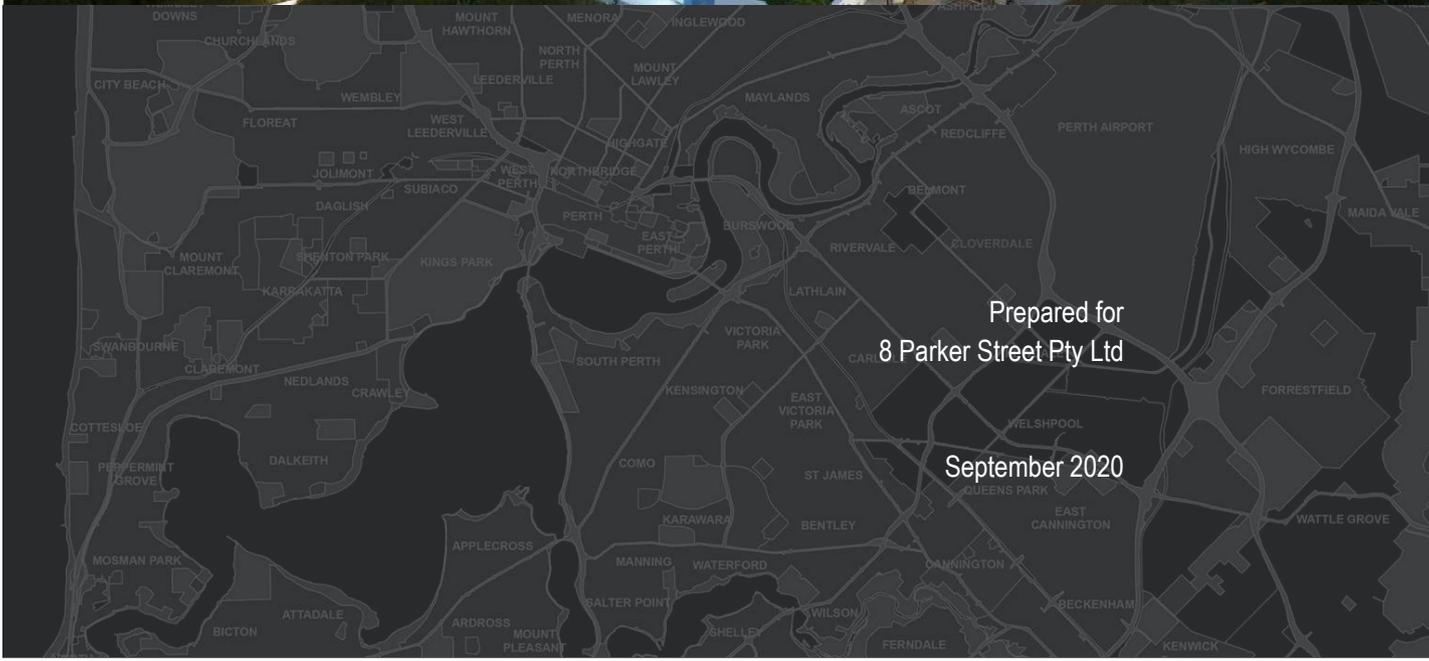


Development Application Report

Application under Section 271 of the Planning and Development Act 2005

26 Multiple Dwellings
Parent Lot 500 (8) Parker Street, South Perth



Prepared for
8 Parker Street Pty Ltd

September 2020

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Executive Summary

This proposal seeks approval for a development comprising 26 apartments across two buildings. The north building is 15 storeys and the south building is four storeys. The proposal is considered to offer a high quality design outcome consistent with the 10 principles of good design and the Residential Design Codes Volume 2. Key information and considerations for the development application include:

- a) A development application for two apartment towers (one 12 storeys and one 4 storeys) comprising 24 apartments was approved by the Metro Central JDAP in January 2019.
- b) This application involves a modified version of the approved design incorporating an additional two apartments across three additional storeys in the north building.
- c) The project has an estimated value of \$40 million, and would create 50-120 jobs during the 22 month construction phase. All apartments have been pre-sold, and the project is ready to commence following approval.
- d) The current height limit is 28 metres (equivalent to 12 storeys). However, Amendment 61 to the City of South Perth Local Planning Scheme proposes additional height and plot ratio which would accommodate the proposed design. Amendment 61 was considered by SPC on 4 August 2020 and is seriously entertained.
- e) The proponent seeks a WAPC determination under the significant development assessment pathway as there is no discretion under the current planning framework due to the 28m height limit. Lodging via this pathway would likely bring the project commencement forward as it would not need to await the final outcome of Amendment 61.

KEY METRICS

Project value	\$40 million
No. of dwellings	26
Construction jobs	20 during site works. 50 – 120 for full construction.
Operational jobs	N/A
Project commencement	Immediately following approval – all apartments are pre-sold.

1 Preliminary

1.1 Introduction

Planning Solutions acts on behalf of 8 Parker Street Pty Ltd, the proponent of the proposed development of Lot 500 (8) Parker Street, South Perth (**subject site**).

Planning Solutions has prepared the following report in support of an application for Approval to Commence Development for an apartment development comprising a 15 storey building on the north side of the site and a four storey building on the south side of the site with a two level basement car park and communal areas. The proposal involves a total of 26 multiple dwellings.

This application is made pursuant to the significant development pathway under s.271 of the *Planning and Development Act 2005* and requires determination by the Western Australian Planning Commission (WAPC).

This report will discuss various elements pertinent to the proposal, including:

- Site details.
- Proposed development.
- Statutory planning framework.
- Development assessment.

This report is accompanied by a Residential Design Codes Volume 2 assessment (refer **Appendix 1**).

2 Project history and previous approvals

2.1 Project background

The redevelopment is proposed by the 11 existing strata owners of the subject site. The previous 1970s townhouses (demolished in June 2020) were experiencing rising maintenance costs and lacked disability access and modern amenities. The 11 owners have enjoyed living in this premium location and wanted to stay but did not want to sell the site to a developer and buy back apartments at inflated costs.

Together with Collière Architecture, the group developed a solution which allowed the existing strata owners to redevelop the site themselves by using the profits from the sale of the surplus apartments to fund the 11 apartments which are to be retained by original owners. In effect, this allows the existing owners to upgrade the 11 townhouses to premium apartments at little to no cost.

2.2 Previous approval

A development application for two apartment towers comprising 24 apartments was lodged with the City of South Perth in October 2018 and approved by the Metro Central Joint Development Assessment Panel (**JDAP**) in January 2019 subject to .

The design involves a 12 storey north building and a four storey south building with a generous communal garden between the two buildings.

The proposal was recommended for approval by the City of South Perth officers and received unanimous approval from the JDAP.

Refer **Appendix 2** for a copy of the approved development plans.

2.2.1 Initial Concept Planning

In initial design concepts, instead of a south building, the proposed development simply included 21 apartments in the northern portion of the site, with the southern portion of the site being dedicated as open space. Internal design reviews by the project team concluded that this offered a detrimental outcome to the streetscape as the southern portion of the site appeared underutilised and lacked engagement with Parker Street. As such, a southern building was added.

A four storey mass was selected for the southern portion of the site, simply to be consistent with the existing four storey streetscape on Parker Street and particularly with the existing four storey development immediately to the south-west of the subject site. This southern building was considered to be a positive outcome, rather than a detrimental outcome to the streetscape, as was demonstrated through the design review process.

2.2.2 Design Review

The initial development application was subject to consideration from the City of South Perth Design Review Panel (**DRP**) with the project being deemed to achieve 'design excellence' (per page 12 of the Responsible Authority Report, 25 January 2019 DAP meeting).

A private design review process was undertaken by Mackay Urban Design through the initial 'concept planning' phases. The feedback from Mackay Urban Design was taken on board wholeheartedly by the project architects, resulting in a well-resolved scheme being presented to the City of South Perth Design Review Panel prior to lodgement.

Table 1 below summarises the design review process of the initial development application and provides the Design Review Panel comments together with the proponent's responses.

Table 1: Design Review Summary (2018-2020)

Design Review Stage	Review Body	Key Feedback	Design Response
DRP 1 (concept plans) August - September 2018	Private Design Review – Mackay Urban Design	<p>Proposal involved one 12 storey north tower with the southern portion of the site set aside for communal open space.</p> <p>Design feedback suggested the inclusion of a small south building to foster better surveillance and engagement with Parker Street.</p>	<p>Four storey south building introduced into the proposed design.</p> <p>Collière Architecture continued to work with Mackay Urban Design to refine the design prior to the first design review by City of South Perth.</p>
DRP 2 (DA plans, pre lodgement) October 2018	City of South Perth Design Review Panel	<p>Strengths of the proposal</p> <ul style="list-style-type: none"> • Overall, appears to be a great scheme. The proposal fits within the existing streetscape, as well as the building height pattern as viewed from the river. • Organic elements of the design. • Good idea to break the development into two buildings, reduces bulk and scale fits within urban framework. • The design rationale is clear. • The design captures view corridors for the southern building, which is a well-considered layout. • The applicant is commended on retaining the mature verge tree. • The design process in terms of the difference of height between buildings is understood and makes sense. • Like the softness of the frame. • A syndicate-led development is a fantastic concept. • Breaking up buildings and having a courtyard between the buildings makes a lot of sense to the design. • Like the sense of luxury in the design layout. • Like that the lift overrun and other fixtures are concealed within the roof space. • Preference for the Landscape plan rather than the ground floor plan, gives better sense of arrival and logic between the outdoor rooms in the communal open space. • Noted that some additional revisions to increase level of activation and surveillance in the southern site floorplan that results in better design outcomes. 	<p>Plans revised including the following modifications:</p> <ul style="list-style-type: none"> • Landscape design revised to include more clear legibility between the street and the entrance, increase greenery and provide 'break out' spaces within the communal areas. • Parker Street pedestrian access redesigned. • South building redesigned to increase setbacks and provide clear view corridors toward the river. • Balconies reviewed with regard to wind impacts. • Vertical elements introduced into the south elevation of the north tower.

- Aerial photographs and elevations in context of established buildings is helpful.
- Noted FORM are engaged to design public art.

Weaknesses of the proposal

- Configuration and legibility of the street entrance is difficult for the pedestrians to read. It should be clearer for pedestrians entering the site.
- Entrance of south building is potentially confusing, particularly for visitors parking in the designated visitor parking bays.
- The location of the stairwell and lift in the southern building obstructs view corridors from habitable rooms of both the two bedroom and single bedroom units.
- The proposal is short on single bedroom dwellings (only 3 out of 24).
- Dislike bathroom doors in the kitchen.

Suggested improvements to the proposal

- A more 'fluid' entry should be created in the northern building by reducing the number of doors in the lobby and adjoining spaces.
- The landscape plan should be more cohesive, with more consistent / uniform hardscape. Also consider use of space for communal facilities, such as a BBQ area. The 6 visitor parking bay version in the landscape plan is the preferable landscaping option, however discuss planning scheme requirements with council.
- There is an opportunity to incorporate more landscaping between the buildings. The current proposal included a large amount of hard-stand space. Add trees for communal purpose – think of multiple purposes.
- Consider how to distinguish between the public and private spaces without creating lots of fences / barriers, particularly relevant on the 'River side' of the development.
- More information required around pedestrian integration with the streetscape as well as to the park / river.
- Consider micro climate for the windy afternoons and the need for screening, particularly from the south-westerly breezes.

		<ul style="list-style-type: none"> Building aesthetics - The building proportions are wide and the bands across the width of the building as well as the balconies emphasise this. Consideration should be given to a vertical element to break it up in order to differentiate the wide and vertical façade treatments. 	
Final Review December 2018	City of South Perth Design Review Panel	The applicant has addressed the minor suggestions to align with the DRP feedback.	N/A

Following the final design review, the proposed development was deemed to achieve ‘design excellence’

2.2.3 Public advertising outcomes

The approved development was advertised for 14 days in October 2018 in accordance with the City’s Council Policy P301 ‘Community Engagement in Planning Proposals’. A total of 362 consultation notices were sent and a total of 32 submissions being received with all 32 of the submissions generally raising objection to the application. This equates to less than one objection for every 10 letters sent. The key issue raised were:

- Impact on significant views of surrounding apartment buildings
- Building bulk would impact on the adjoining sites.
- The plot ratio was in excess of what the site permitted.
- The overall height and scale was excessive and out of character with the surrounding area.
- Excessive overshadowing.
- Concerns about traffic generation, congestion and on-street parking.
- Visual privacy concerns.
- Stability of land due to works at boundaries.

The concerns around the height, plot ratio, overshadowing and traffic were not upheld and the application was approved by the JDAP unanimously.

2.2.4 Amendments to Approved Plans (July 2020)

A DAP Form 2 (amendments) application was approved by the Metro Inner South JDAP on 16 July 2020 comprising minor design changes to the **south building only**. This included raising the finished floor levels of the south building and a subsequent increase in wall height, together with the removal of the roof terrace of the south building.

Refer **Appendix 2** for a copy of the amended approval.

3 Site analysis

3.1 Legal description

The parent lot the subject of this application is known as Lot 500 (No 8), Parker Street which comprises 11 strata titles.

Refer to **Table 2** for a description of the land subject to the proposed development.

Table 2: Lot details

Parent Lot	Strata Lot	Plan/Diagram	Volume	Folio	Total Area (m ²)
500	1	38612	1464	6	2,453
	2	38612	1638	506	
	3	38612	1464	8	
	4	38612	1464	9	
	5	38612	1695	595	
	6	38612	1464	11	
	7	38612	1464	12	
	8	38612	1464	13	
	9	38612	1464	14	
	10	38612	1464	15	
	11	38612	1988	982	

Refer **Appendix 1** for a copy of the Certificates of Title.

3.2 Context

3.2.1 Regional Context

The subject site is located within the municipality of the City of South Perth, in the suburb of South Perth. The subject site is located in a predominately residential area at a distance of approximately 2 kilometres south of the Perth CBD (via Kwinana Freeway).

The subject site is connected to the metropolitan region via access to Kwinana Freeway and Mill Point Road.

3.2.2 Local Context

The subject site is located approximately 300m south-east of the South Shore Shopping Centre and Mends Street activity centre comprising a chemist, convenience store, bank, service station and a number of restaurants and eateries.

The subject site overlooks the South Perth esplanade and foreshore and is located approximately 300m from the Mends Street Jetty. From here, the Transperth ferry services run to and from Elizabeth Quay, providing convenient access to the Perth CBD, and the Elizabeth Quay Bus and Train Stations.

To the north, south and west, the subject site is surrounded by a mix of medium and high density residential development, ranging from two to 20 storeys in height. James Mitchell Park is situated approximately 100m north-east of the subject site.

The subject site is bounded by the following land uses:

- 'Windsor Towers', a 20 storey multiple dwelling development to the north-west;
- A ten storey multiple dwelling development to the south-east (comprising three buildings); and
- A four storey multiple dwelling development to the south-west.

On the north-east boundary of the site is an area of residential zoned land on the same title as Windsor Towers. This land contains a steep embankment to James Mitchell Park and does not contain any development.

Refer to **Figure 2**, aerial photograph.

3.3 Land use and topography

The subject is vacant, having recently been cleared for the purpose of commencing the approved development. The subject site is located on the crest of a hill. The high point of the site is near the middle. From here, it slopes gently to the south and slopes steeply to the north. Between the high point and the low point, there is a level difference of approximately 11m. From the topography of the adjoining properties, it is evident that the northern part of the site was previously an embankment.

Refer to, **Figure 1** site location plan, which maps the subject site including the footprint and topography of surrounding land, and **Figure 2**, which shows an aerial view of the subject site.

Refer to **Photographs 1-5** depicting the subject site and its surroundings.

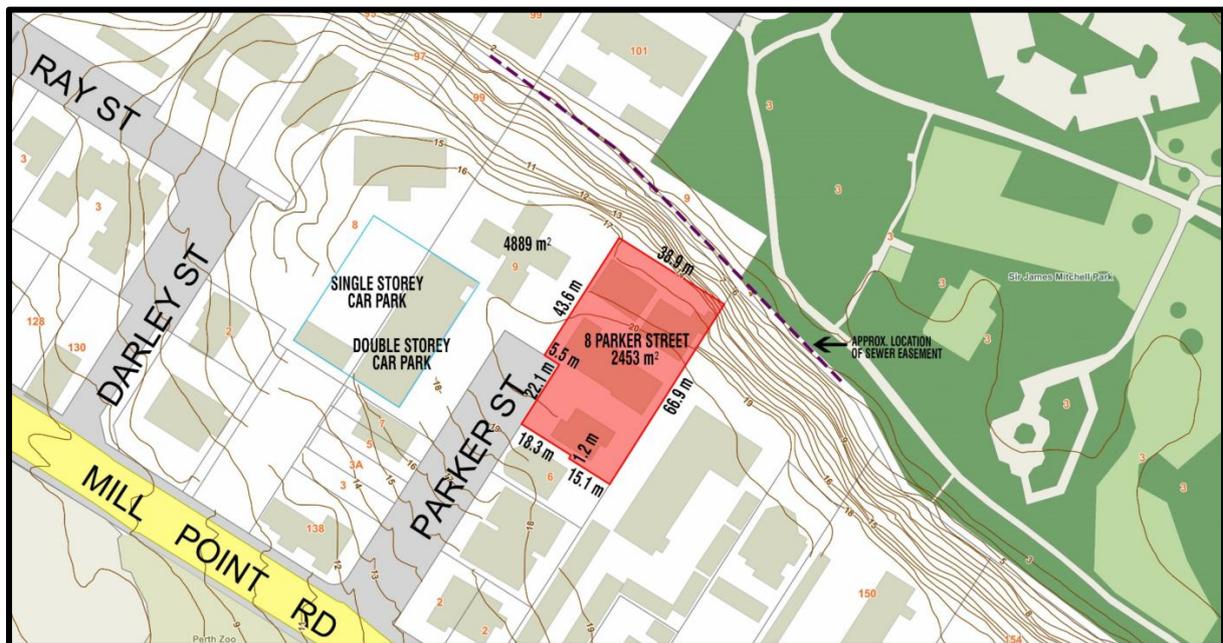


Figure 1: Site Location Map



Figure 2: Aerial map



Photo 1: View of former retaining structure along northern boundary of development from public open space looking south (site now vacant)



Photo 2: Site subject, viewed from Sir James Mitchell Park



Photo 3: Existing mature tree on site (retained), grouped housing now demolished.

4 Proposed development

The proposal seeks to develop the subject site as two apartment buildings in a similar layout to the previously approved design.

The proposed development comprises 26 apartments across the two buildings. The north building is 15 storeys, with the lower basement (which is above ground at the rear of the site) comprising a pool and communal facilities. The upper levels contain one or two apartments per floor, with a penthouse apartment occupying the upper two levels.

The south building is 4 storeys, orientated to Parker Street and comprises three dual-key apartments (one per floor) along with a ground floor car park. Communal outdoor living spaces are provided at Level 1 (north building) and at ground level between the two buildings. Two levels of basement parking are proposed, accommodating 76 car bays, with an additional six bays on the ground level of the south building. Six visitor bays are provided at ground level between the two buildings.

The particulars of the development are listed in **Table 3** below:

Table 3: Development Particulars

Level		Development Particulars	
1	Lower Basement	36 x resident car bays 17 x storerooms 6 x bicycle racks Pool and spa Communal amenities including gym, sauna, kitchenette, lounge, games room and therapy room	
2	Upper Basement	34 x resident car bays 9 x storerooms 6 x bicycle racks Pumps, tanks and exhaust plant Two x three-bedroom, two bathroom apartments on the river side.	
3	Ground Floor	Crossover and driveway from Parker Street 6 x visitor car bays including one car wash bay Landscaped courtyard/open space between the north and the south building.	
		North Building	South Building
		Guest lounge Bin storage area 2 x three-bedroom, two bathroom apartment.	Communal lounge facing Parker Street Entry lobby 6 x residents car bays 3 x storerooms Bin storage area
4	First Floor	2 x three-bedroom, two bathroom apartments (dual key configuration)	One x dual-key apartment (2 bedroom + 1 ancillary apartment)
5	Second Floor	2 x three-bedroom, two bathroom apartments (dual key configuration)	One x dual-key apartment (2 bedroom + 1 ancillary apartment)
6	Third Floor	2 x three-bedroom, two bathroom apartments (dual key configuration)	One x dual-key apartment (2 bedroom + 1 ancillary apartment)
7	Fourth Floor	2 x three-bedroom, two bathroom apartments (dual key configuration)	

8	Fifth Floor	1 x four bedroom, four bathroom apartment
9	Sixth Floor	2 x three-bedroom, two bathroom apartments (dual key configuration)
10	Seventh Floor	2 x three-bedroom, two bathroom apartments (dual key configuration)
11	Eighth Floor	1 x four bedroom, four bathroom apartment
12	Ninth Floor	2 x three-bedroom, two bathroom apartments (dual key configuration)
13	Tenth Floor	2 x three-bedroom, two bathroom apartments (dual key configuration)
14	Eleventh floor	1 x two-level four bedroom penthouse apartment with wrap-around balcony, pool and spa.
15	Twelfth floor	

Vehicle access will be provided from a single access point on Parker Street. The north building will have access to a two level basement car park which sits beneath both buildings. The south building has a separate ground level garage. Uncovered visitor parking is situated at ground level between the two buildings.

Refer **Appendix 6**, development plans and **Appendix 7**, landscaping plans.

4.1 Comparison with approved development

The proposed development generally incorporates the same layout and same site plan as the approved development. This proposal involves an additional three storeys in the north building compared to the approved development. **Figures 3-5** show photomontages and renders some of which include both the approved and proposed development, with both clearly labelled to avoid confusion.



Figure 3: 3D Renders showing the approved development (left) and the proposed development (right).

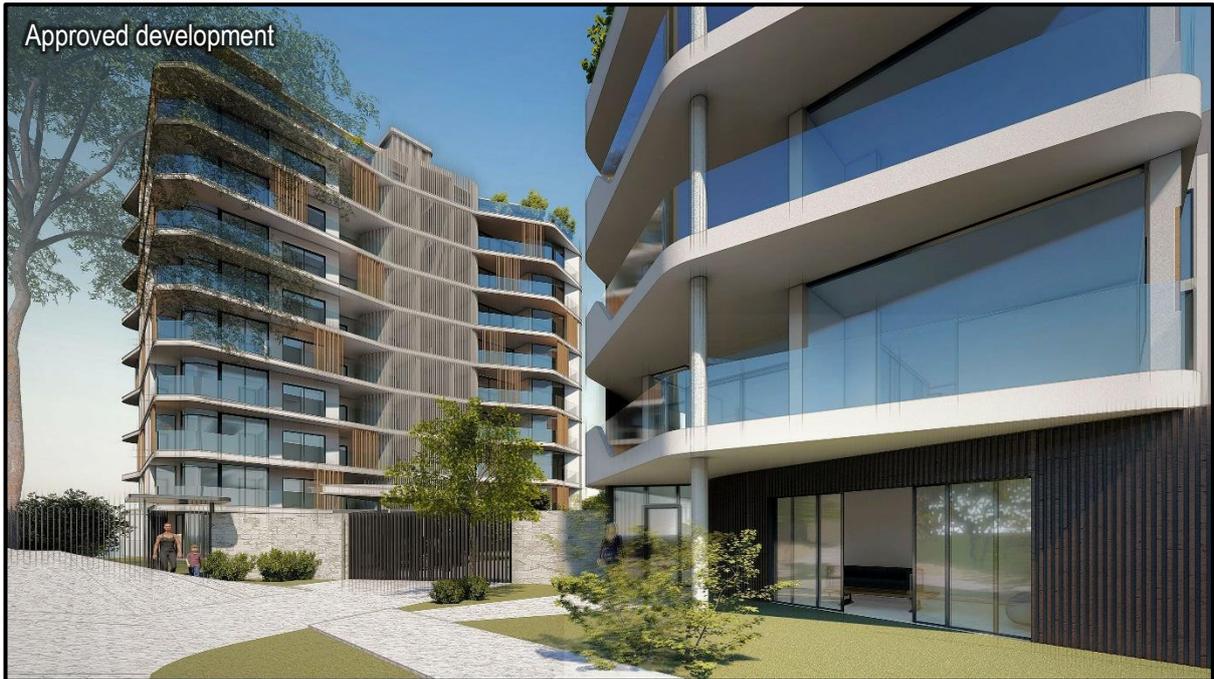


Figure 4: View north-east from Parker Street towards the approved development

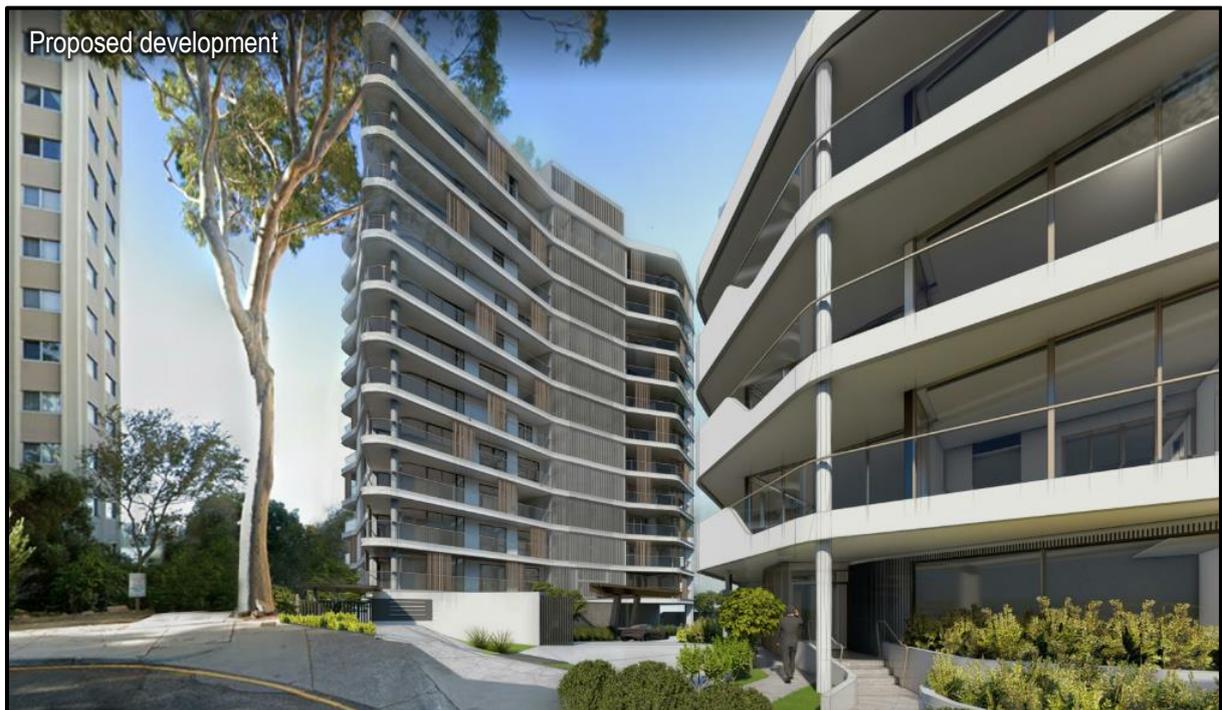


Figure 5: View north-east from Parker Street towards the proposed development

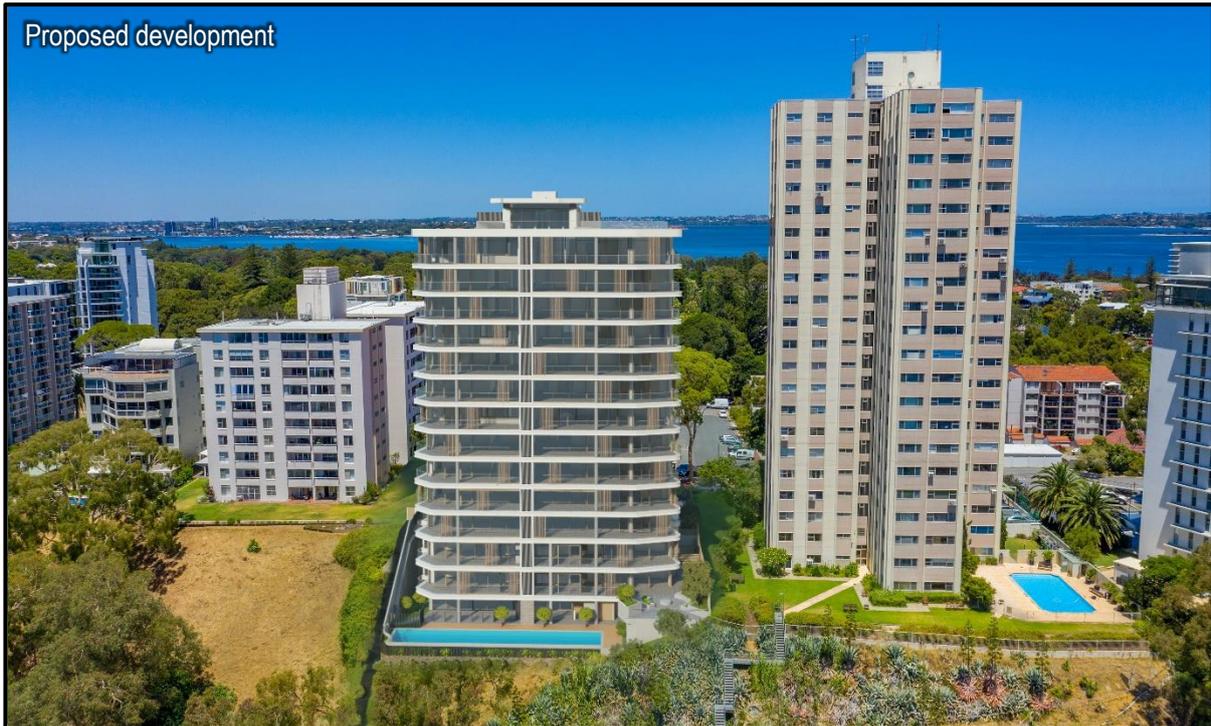


Figure 6: Photomontage looking south towards the proposed development across the peninsula



Figure 7: View south towards basement level swimming pool and concept view of future staircase access to the public open space (stair not included as part of this application)



Figure 8: Visualisation of the communal facilities on the basement level of the north building with city views

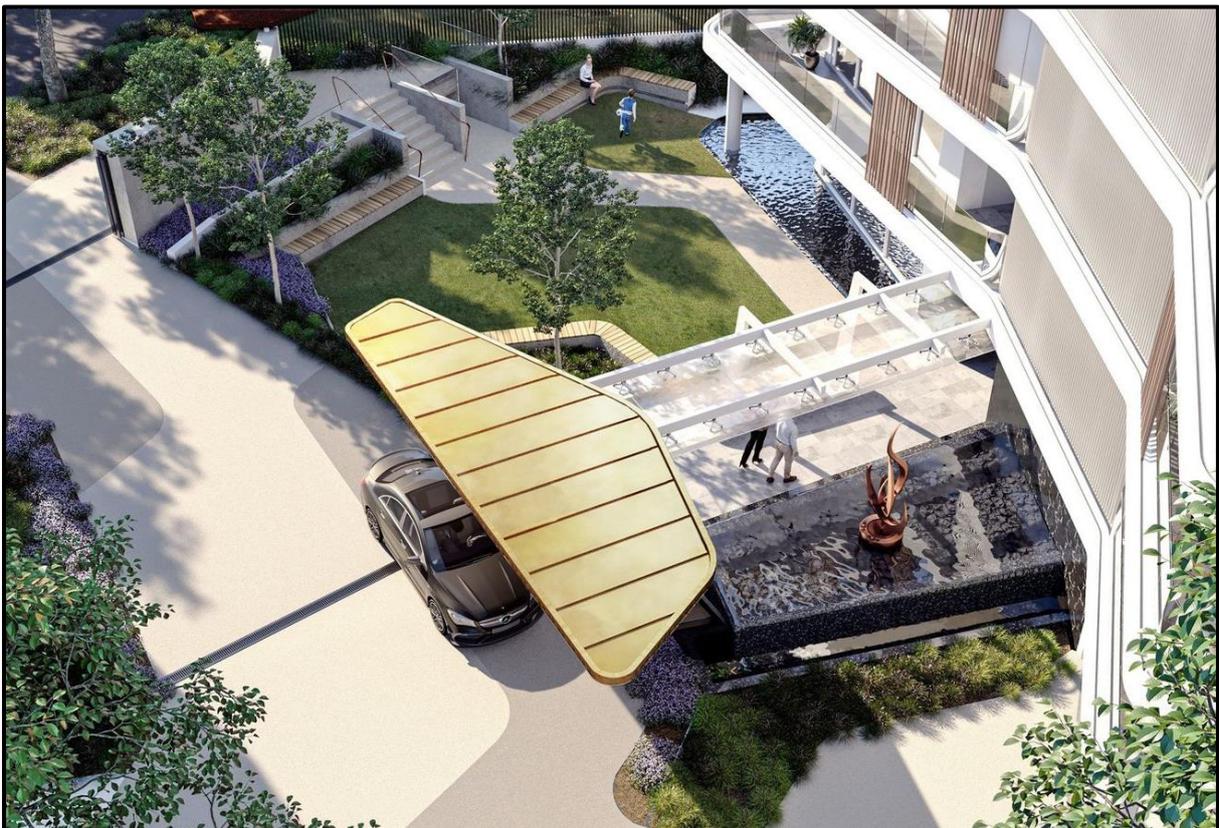


Figure 9: 3D render looking down in a north-west direction at the landscaping and circulation area between the two buildings



Figure 10: Visualisation of the interior of a bedroom in an apartment the north building with city views



Figure 11: Visualisation of the interior of an apartment in the north building with city views

4.2 Design outcomes

The design of the proposed development has been carefully and thoughtfully crafted to create a development of a very high standard, commensurate with the high-amenity nature of the locality.

Some of the key design outcomes include:

- Taking advantage of a wide 38.9m frontage facing the river to provide generous three and four bedroom apartments with spacious internal areas and balcony views over the river (north), and the Perth Zoo (south).
- The composition of the development, with a larger tower to the north, and a smaller building to the south provides a transition between the medium-rise built form of Parker Street to the taller buildings fronting the river.

- The rounded corners, curved balconies and external textures of the north building exhibit a 'softer' architectural profile compared with the flat geometries of the surrounding apartment towers, typically developed in the 1960s or 1970s.
- Dual-key apartments in both buildings provide opportunities for live-in carers or family members to facilitate 'ageing-in-place'.
- The retention of the large gum tree on the north-western boundary is not required, but achieves a superior outcome for the streetscape and local amenity.

A design presentation has been included in **Appendix 4** demonstrating the design considerations.

4.3 Waste collection

Waste is to be collected internally to the site in the area adjacent to the visitor parking space. Provision has been made for rubbish trucks to enter the site and exit in a forward gear. The waste management arrangements have been the subject of detailed review by the City of South Perth through the initial development application.

Refer to the waste management plan in **Appendix 10**.

4.4 Acoustics

Floth has prepared a detailed acoustic specifications document that outlines the minimum acoustic criteria that the development must achieve and provides a basis for the proponent to incorporate acoustic requirements into documentation.

Refer to the acoustic report in **Appendix 11**.

5 Design review

A draft set of drawings were reviewed by the State Design Review Panel on 1 September 2020. The DRP concluded:

“The Panel notes the benefits of a joint owner-driven development model which aims to meet a range of owner/occupier design outcomes, including multi-generational living arrangements. Given the advanced stage of design development, the relatively minor amendments being sought in this DA and the design review process already completed, this review focussed largely on the impacts of the additional 2 floors, while also seeking minor improvements to the design generally.”

Table 4 below summarises the outcomes of the design review process.

Table 4: Summary of design review feedback

Design review progress	
Supported	Pending further attention
Not yet support	Yet to be addressed
Design Principle	DR 1
Principle 1 - Context and character	
Principle 2 - Landscape quality	
Principle 3 - Built form and scale	
Principle 4 - Functionality and build quality	
Principle 5 - Sustainability	
Principle 6 - Amenity	
Principle 7 - Legibility	
Principle 8 - Safety	
Principle 9 - Community	
Principle 10 - Aesthetics	

Minor amendments to the drawings have been including reconfiguration of apartment layouts to ensure no internal studies and removal of the fire pit. Additional information is presented in response to other comments. A detailed response to the DRP feedback is provided in **Appendix 5**.

6 Strategic planning framework

6.1 South Perth Peninsula Place + Design Report (May 2017)

The *South Perth Peninsula Place + Design Report (Design Report)* is a strategic document that presents a stakeholder-led vision for the urban development of the peninsula, and articulates goals, ideas and recommended actions for consideration by the City. These recommendations also reflect the strategic direction of the state and local government in facilitating an increase in population density.

The significance of this document is that it recommends increasing the current TPS6 height limits to enable the subject site be capable of redevelopment to a base (or “as of right”) height of 45m (approximately 14 storeys), with additional bonus height up to 64m (approximately 20 storeys) subject to achieving additional design criteria.

The Design Report is important as it has informed the preparation of Amendment 61 and the South Perth Activity Centre Plan which are discussed further in **Section 9**.

The proposed development is therefore consistent with the height limits entertained by the Design Report.



Figure 12: Proposed height maps from the 2017 Design Report

6.2 Draft Local Planning Strategy (July 2020)

The City’s draft *Local Planning Strategy (Strategy)* has been endorsed by Council and referred to the WAPC for approval. The Strategy recommends the implementation of the South Perth Activity Centre Plan to support an increased residential population in varying housing typologies. Over time, this will form the basis for the expansion of commercial and employment developments, connectivity improvements and an enhanced public realm. Specifically, the Strategy provides a target of an additional 809 dwellings within the ACP area.

The approved development increases the number of approved dwellings on the subject site from 11 to 24. The proposed development will add two additional dwellings and remains consistent with the objectives of the Strategy.

7 Significant development considerations

This development application is made pursuant to Part 17A of the *Planning and Development Act 2005*. Part 17A includes the requirements for what is known as ‘significant development’ applications being those with a construction value over \$20 million in the metropolitan area or \$5 million in a regional area. The following sections discuss the rationale for lodging this application via the Part 17A pathway and provide an analysis against the four considerations under Section 275(6) of the Act.

7.1 Rationale for significant development application

The proposed development is within the City of South Perth municipal area which is within an area defined as ‘the Metropolitan Region’. The project has an estimated development cost of \$40 million and therefore qualifies for the \$20 million minimum threshold.

The permissible building height under LPS6 is 28m (measured from a nominated ground level). The 15-storey development under this proposal would exceed the permissible height under LPS6 by approximately 11.8 metres.

In normal circumstances, pursuant to Clause 7.8 of LPS6, no discretion can be exercised in relation to building heights. Hence, the subject proposal could not be considered by the City under the normal assessment framework. Whilst the WAPC must give due regard to a Local Planning Scheme, it is not bound the Scheme.

Notwithstanding the height limits above, Amendment 61 to LPS6 proposes to increase the permissible building height for the subject site to 50.7m (base height) and up to 123.3m (subject to bonus requirements). Whilst consideration has been given to awaiting the outcome of Amendment 61, the timing is uncertain and the proponent is seeking an approval with more urgency in order to engage builders and commence constructions works.

Amendment 61 was considered by the Statutory Planning Committee of the WAPC on 4 August 2020. Whilst the approval of the amendment is considered ‘imminent’, the timing of the Minister’s consideration of Amendment 61 remains uncertain and the proponent is seeking approval for this 15 storey design as expeditiously as possible.

In summary, the proposed building height is consistent with Amendment 61 which is seriously entertained, yet the development is not capable of approval under the regular development approval pathway. For this reason, consideration via the significant development pathway is considered appropriate.

7.2 Section 275(6) considerations

Pursuant to s.275(6) of the *Planning and Development Act 2005*, in considering and determining the development application, the Commission must have due regard to several key matters. These are addressed in detail as follows:

- (a) The purpose and intent of any planning scheme that has effect in the locality to which the development application relates

The proposed development is subject to the City of South Perth *Town Planning Scheme No. 6 (TPS6)*. Whilst, pursuant to s.275(3) of the Act, the decision-maker is not necessarily bound to make a decision consistent with TPS6, it is required to give due regard to TPS6, being proper, genuine and realistic consideration when considering an application for development approval.

This report contains a detailed assessment against the applicable provisions of TPS6, including, but not limited to land use permissibility, density coding and applicable development standards (refer **section 8.2**). The proposed development is demonstrated to be consistent with TPS6, with the exception of building height and minor variations that have been appropriately justified.

The primary objective of TPS6 is stated as follows:

- (1) *The overriding objective of the Scheme is to require and encourage performance-based development in each of the 15 precincts of the City in a manner which retains and enhances the attributes of the City and recognises individual precinct objectives and desired future character as specified in the Precinct Plan for each precinct.*

The proposed application seeks a performance-based approach to the assessment of the proposed development height, consistent with the draft *South Perth Activity Centre Plan and Amendment No. 61*, which are seriously entertained planning instruments likely to facilitate an increase in the permissible height under TPS6. The proposed development is thus consistent with the primary objective of TPS6.

With regard to the applicable general objectives of the scheme, further comments are provided below as follows:

Table 5: Assessment against applicable general objectives of TPS6

General Objectives	Comments
a) <i>maintain the City's predominantly residential character and amenity;</i>	The proposed development contains 26 residential dwellings and is consistent with the residential character and amenity of the City.
c) <i>facilitate a diversity of dwelling styles and densities in appropriate locations on the basis of achieving performance-based objectives which retain the desired streetscape character and, in the older areas of the district, the existing built form character;</i>	<p>The development is designed to provide existing landowners with new apartments designed around their individual needs, and to meet the broader expectations of the market for premium real estate like the subject site. The apartments are large, and this allows for a high level of adaptability which promotes housing diversity and 'aging in place'.</p> <p>The development retains the desired streetscape character by including a smaller, 4-storey building that preserves the existing character and scale of Parker Street.</p>
f) <i>safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development;</i>	The proposed development replaces an aged grouped housing development dating from the 1970s, with a contemporary residential development comprising two towers that harmonise with the medium density character of Parker Street, and the high-density character of the South Perth foreshore. Potential impacts, including overshadowing and privacy have been extensively considered in this submission with the proposed development demonstrated not to unduly impact on the amenity of the adjoining properties.

In light of the above, the proposed development is consistent with the purpose and objectives of TPS6 and warrants approval accordingly.

- (b) the need to ensure the orderly and proper planning and the preservation of amenity, of that locality

A development application for the subject site was approved by the Metro Central Joint Development Assessment Panel on 25 January 2019. The approved development was for a 12 storey north building and a 4 storey south building. The proposed development was supported by the City of South Perth and the Design Review Panel and approved by the Development Assessment Panel.

The proposed development does not materially change the design of the approved development with the exception of the height of the north building – which is increased from 12 storeys to 15 to accommodate an additional two apartments. In light of the existing approval, it is consistent with the principles of orderly and proper planning to focus the current assessment on the additional height proposed by this application, and not on other design matters which are already approved.

The additional height, whilst not compliant with the maximum height currently imposed under TPS6, is consistent with the height proposed under a seriously entertained planning proposal, being the *South Perth Activity Centre Plan and Amendment No. 61*. Once adopted, the proposed development would be largely compliant were it to be assessed under the modified planning framework.

The proposed development is consistent with the objectives of the local planning framework, including the City's local planning policies.

(c) the need to facilitate development in response to the economic effects of the COVID-19 pandemic

The State Development Unit Guidelines state that a proposed development seeking determination through the WAPC pathway must clearly demonstrate the need for the development in response to the economic effects of the COVID-19 pandemic. In this regard, the following information is provided:

- All strata lots have been transferred into a single entity under the collective control of the landowners for the purpose of implementing the proposed development.
- The previous grouped housing units have been cleared, and works have commenced to prepare the site for construction.
- All apartments within the proposed development have been pre-sold, however construction will not commence until approval for the additional apartments has been granted.
- The proponent seeks a WAPC determination to bring forward the commencement date due to the uncertainty surrounding the timeframe of Amendment 61.
- The proposed development will result in the creation of 50-120 jobs throughout the construction phase of the project. Tenders have already been sought and will be awarded shortly.
- Once completed, the ongoing maintenance of the buildings, landscaping and community facilities will generate a demand for various specialist services including landscaping, property maintenance etc.
- Following approval, the proposed development will commence construction immediately following building permit and clearance of conditions.

With all apartments under this new design having been sold, the development is able to commence almost immediately following approval, providing an immediate benefit to the construction industry and assisting in economic recovery from COVID-19.

Refer to **Appendix 13** for a copy of the Economic Benefits Statement.

(d) any relevant State planning policies and any other relevant policies of the Commission

Relevant state planning policies have been identified in this submission. In particular, a detailed assessment against the element objectives of the R-Codes Volume 2 has been provided in **Appendix 1**. It is demonstrated that the proposed development achieves the element objectives of the R-Codes.

8 Statutory planning framework

8.1 Metropolitan Region Scheme

The subject site is zoned Urban under the provisions of the Metropolitan Region Scheme (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 subject site is not affected by land reserved by the MRS, nor is it subject to any resolution or declaration made under the MRS or the *Planning and Development Act 2005*.

8.2 City of South Perth Town Planning Scheme No. 6

The subject site is zoned Residential pursuant to the provisions of the City's Town Planning Scheme No. 6 (TPS6). The subject site has an applicable density coding of R80/100. The subject site is also located within Precinct 1 – Mill Point Precinct.

Refer to **Figure 13**, zoning map below.

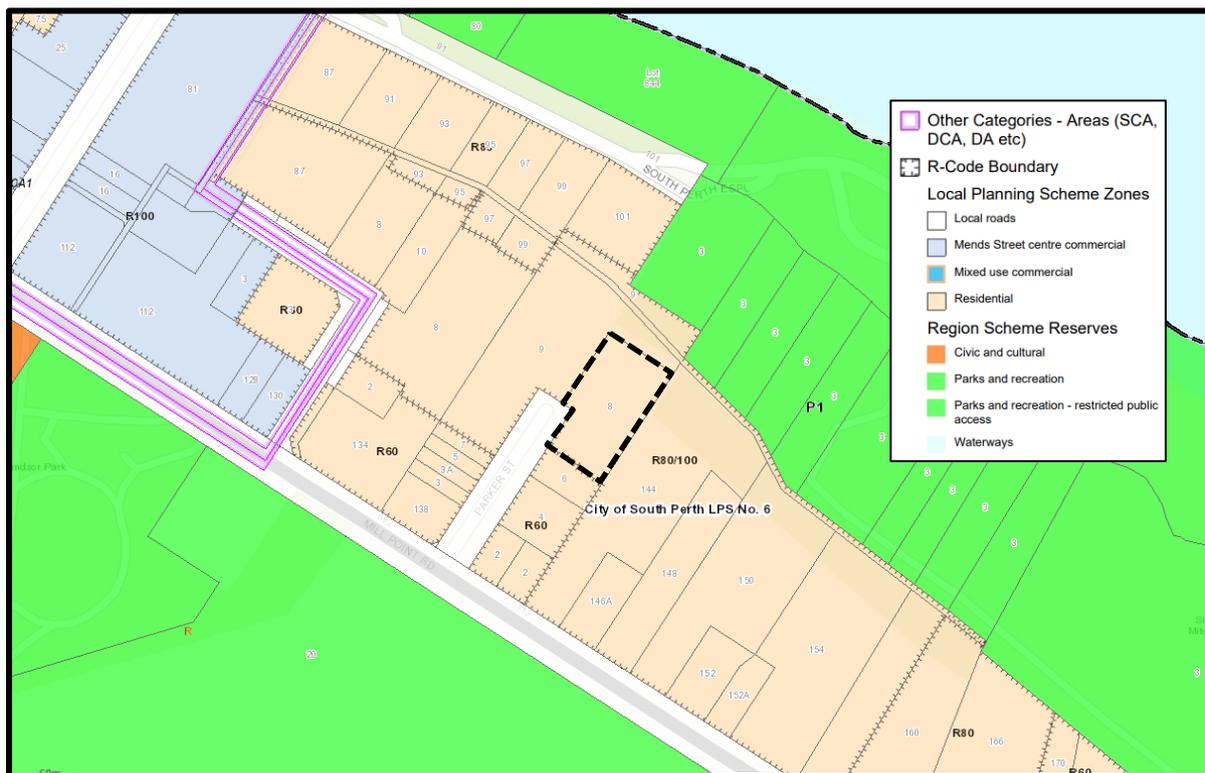


Figure 13: TPS6 zoning map

8.2.1 Use class and permissibility

The proposed use is best classed as 'Multiple Dwelling', which is a Permitted (P) use listed in areas coded higher than R50, pursuant to Table 1 – Zoning Table of TPS6. A 'P' use is permitted 'as-of-right' subject to meeting the relevant development standards.

8.2.2 Dual Density Coding

The subject site is zoned R80/100, meaning that the City may permit a site to be developed to a density coding of R100 subject to meeting at least 4 of 8 historical and design-based performance criteria. An assessment of the higher coding requirements is provided in **Table 6**.

Table 6: Assessment of the R80/100 higher code requirements of TPS6

	Performance Criteria	Response	Compliance
Geographic / Historic Criteria	The site was coded R100 under the No. 5 Scheme.	The site was coded R100 under TPS5.	✓
	The site is adjoined on at least two boundaries by a lot or lots which: (A) have been re-subdivided or redeveloped with; or (B) are the subject of a current development approval for; a greater number of dwellings than previously existed or currently exist on such lots.	The properties to the north-west and south-east have both been redeveloped in the 1960s - 1970s with a greater number of dwellings than previously existed on these lots.	✓
	The site accommodates or is adjoined on at least two boundaries by lots containing a purpose-built office development.		
	The site has a boundary to the Mends Street Centre Zone or is between Harper Terrace and Fraser Lane, east of Mill Point Road.		
	At least 80% of the originally subdivided lots on the same side of the street as the development site and within the same focus area: (A) have been re-subdivided for, or redeveloped with, a greater number of dwellings than were originally constructed on those lots; or (B) are the subject of a current development approval for a greater number of dwellings than were originally constructed or currently exist on those lots.		
Design Quality Criteria	All occupiers' car parking is provided under cover, is situated no closer to any street than any wall of the main building, and is concealed from view from any street.	All resident parking is located in the basement parking structure.	✓
	Visitors' car parking is provided in excess of the number of bays required by the R-Codes	Six visitor bays are provided in lieu of the five visitor bays required by the Acceptable Outcomes of the R-Codes Volume 2.	✓
	Outstanding landscaping is provided in accordance with the provisions of clause 6.14(1)	Plan E landscape architects have developed an outstanding landscape design outcome which includes a large communal open space between the north and south buildings and includes the retention of a mature Eucalyptus tree on the western side of the site.	✓

As per the above assessment, the proposed development meets four of the higher coding criteria and therefore is subject to the R100 coding.

8.2.3 Minimum and Maximum Ground and Floor Levels

TPS6 provides a series of requirements for floor levels of buildings. These are summarised in **Table 7** below.

Table 7: Assessment of TPS6 requirements for floor levels

Clause / sub-clause	Requirement	Proposed	Compliance
6.9 Minimum Ground and Floor Levels			
(1)	<i>Subject to sub-clause (3), a lot shall not be developed unless the ground level is, or is raised to, a level of at least 1.7 metres above Australian Height Datum:</i>	Minimum level = 12.975m AHD.	✓
(2)	<i>Subject to sub-clause (3), the following minimum levels for floors in buildings or additions to buildings erected in the Scheme area are prescribed:</i> (a) <i>the floors of habitable rooms shall be not less than 2.3 metres above Australian Height Datum;</i> (b) <i>the floors of non-habitable rooms shall be not less than 1.75 metres above Australian Height Datum;</i> (c) <i>the floors of any part of a building used for car parking shall be not less than 1.75 metres above Australian Height Datum.</i>	First level of apartments (upper basement) = 16.475 AHD Car park = 12.975m AHD.	✓
6.10 Maximum Ground and Floor Levels			
(1)	<i>The floor level of a building other than a parking structure shall be calculated to generally achieve equal cutting below and filling above the ground level at the perimeter of the building, subject to the following:</i> (a) <i>Such level may be raised by up to 100 millimetres;</i> (b) <i>The Council may permit or require the floor level to be varied to the extent necessary to comply with the following:</i> (i) <i>In no case shall the floor level be lower than required by clause 6.9.</i> (ii) <i>The floor shall not be at a level which, in the Council's opinion, would cause the building to unreasonably adversely affect the amenity of neighbouring properties in relation to visual impact and overshadowing.</i> (iii) <i>The Council may require the floor level to be varied where necessary in the Council's opinion to achieve a visually balanced streetscape, having regard to the floor levels of buildings on adjoining lots.</i>	Noting the significant slope across the land, there is a balanced level of cutting and filling. It is only due to the steeply sloping land along the north-east boundary which cause the non-compliance. Importantly, the existing dwellings already have terraces which are raised approximately 3.0m above the previous natural ground level. As such, the proposal will not substantially change the visual impact of the fill on this corner of the site. The corner fill will not impact the adjoining properties. A small portion of undeveloped land zoned residential is situated adjacent to the north-eastern boundary, however it is unlikely this land could be developed due to its topography and proximity to the Swan River Development Control Area.	✓
(2)	<i>The floor level of any parking structure and the pavement level of any unroofed parking bay shall be calculated to achieve a driveway gradient generally not exceeding 1 : 12 within 3.6 metres of the street alignment and 1 : 8 for the remainder of the driveway.</i>	Curved ramp with gradient of up to 1:5.4.	Variation sought
(3)	<i>The finished ground level beyond the external walls of the building shall be calculated to generally achieve equal cutting below and filling above the natural ground level at the perimeter of the site, provided that the Council may permit or require the finished level to be varied to the extent necessary to comply with the following:</i> (a) <i>The site shall not be filled to a level which, in the Council's opinion, would unreasonably adversely affect the amenity of neighbouring properties in relation to visual impact and overshadowing.</i>	The proposed development offers a balance of cut and fill.	✓

(b) Portions of the site beyond the external walls of the building shall be filled to a level which, in the Council's opinion, is necessary to maintain visual privacy for the occupiers of any adjoining lot, consistent with the provisions of any planning policy.

8.2.4 Variation to the Ramp Gradient

In relation to the non-compliance with the TPS6 ramp gradient, the ramp to the basement car park is proposed at a gradient of 1:5.4. This does not meet the requirements of Clause 6.10(2) of TPS6, which requires a maximum gradient of 1:8.

A variation to the Scheme requirements is justified given that the proposed ramp is consistent with Clause 2.5.3(a) of AS2890.1:2004 – Off-Street Parking, which permits a gradient of 1:5 in certain circumstances. It is considered the requirements in AS2890.1 provide a suitable guide for the ramp gradients, noting the standards apply Australia-wide. Additionally, the ramp is only accessible to residents who will be familiar with the constraints and operations of the car park. The final design of the ramp will be in accordance with AS2890.1.

On this basis, the proposed ramp gradient is appropriate and a variation to Clause 6.10(2) is warranted.

8.3 State Planning Policy 7.3 – Residential Design Codes Volume 2

State Planning Policy 7.3 – R-Codes Volume 2 Apartments (R-Codes Volume 2) became operational on 24 May 2019. The R-Codes Volume 2 policy places an increased focus on improving design outcomes for apartments, and applies to apartments in areas coded R40 and above, and in mixed use developments and activity centres.

An assessment of the development against the element objectives of the R-Codes is provided in **Appendix 1**. As a 'performance-based' policy, applications for development approval are to demonstrate that the design achieves the 'Element Objectives' listed for each of the policy's element objectives.

Refer **Appendix 1** for a full assessment against the R-Codes Volume 2 Element Objectives.

8.4 State Planning Policy No.7 – Design of the Built Environment

State Planning Policy No.7 – Design of the Built Environment (SPP7) is the lead policy that elevates the importance of design quality, and sets out the principles, processes and considerations which apply to the design of the built environment in Western Australia, across all levels of planning and development.

SPP7 establishes a set of ten (10) 'Design Principles', providing a consistent framework to guide the design, review and decision-making process for planning proposals. An assessment against the principles has been provided in **Table 8** below:

Table 8: Assessment against Schedule 1 – Design Principles of SPP 7

Design Principle	Design outcome
<p>1. Context and character Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</p>	<p>The subject site benefits from its location fronting the Swan River on the ridgeline above Sir James Mitchell Park. The proposed development seeks to maximise its outlook to the river including expansive balconies, living rooms and communal open spaces that face north.</p> <p>The proposed development has been designed having regard to the prevailing character. Along the ridgeline above Sir James Mitchell Park, this context includes a row of 10 – 20 storey developments. The proposed development, at a maximum of 15 storeys, will comfortably fit in with this context. The design proposes to create a more organic form with curved</p>

		<p>edges to articulate the building and signify it is of a different architectural era to the prevailing development on the ridgeline.</p> <p>To the south, the proposed development transitions to a four storey tower to respect the existing character and context of Parker Street.</p> <p>In terms of the colours and materials, the architects have taken cues from the surrounding locale, which is represented on the facades of the building. The design features are in a form that remains highly sympathetic to the existing character of the locality.</p>
2.	<p>Landscape quality Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</p>	<p>The proposed development has an emphasis on quality landscaped areas –along street frontages, within side setback areas and internally within the site.</p> <p>The proposal involves the retention of a large Eucalyptus tree in the Parker Street setback area, offering an excellent ecological outcome for the proposed development and ensuring canopy coverage is not lost in the urban environment.</p> <p>The selected species of trees provide canopy and shade in communal outdoor living spaces. Low to medium scale plantings throughout the ground level which will enhance the appearance of the development in its setting.</p> <p>Refer Appendix 7, Landscaping Concept Plan.</p>
3.	<p>Built form and scale 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.</p>	<p>The proposed built form is split into two buildings in order to ‘break down’ the mass and provide permeability through the site. The proposal comprises a 15 storey north building and a four storey south building.</p> <p>The north building considered appropriate for its context, given its location between a 20 storey building and a 10 storey apartment building. A 15 storey development allows for an appropriate transition between these two adjoining buildings. The proposed height is also consistent with the draft South Perth Activity Centre planning framework and is reflective of the objective to increase density in this locality. The building height is not considered to cause undue impacts on its surroundings, as discussed further in Section 10 of this report.</p> <p>The taller north building is well separated from its surroundings – it is at least 4m from property boundaries and 13m to the nearest building (being Windsor Towers to the west). This separation allows for the subject development and the adjoining sites to receive adequate sunlight and ventilation.</p> <p>As outlined above, the south building is proposed at four storeys in order to ensure a sensitive transition between the taller building to the north and the medium-scale buildings which currently occupy Parker Street. The south building provides a more ‘human scale’ in close proximity to the street.</p>
4.	<p>Functionality and build quality Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full lifecycle.</p>	<p>The proposed development has been designed for the existing 11 strata owners to replace their grouped dwellings with modern apartments. The design and provision of apartment layouts has therefore reflected needs and desires of individuals, and the need to create a financially viable development. Functionality and quality is at the core of the proposed design, to ensure the needs of users are met.</p>

		<p>The apartments are large, flexible and adaptable. A number of the dwellings are designed for 'ageing in place' – all units are accessible to people with disabilities and many units are designed as dual key apartments to provide for live in carers in the future.</p> <p>An emphasis on good quality and robust building materials will ensure that the building remains resilient to 'wear and tear' from its intended use.</p>
5.	<p>Sustainability Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</p>	<p>Minimising the need for electric cooling of the building has been a key consideration in this design. All apartments are designed with cross ventilation with openings on more than one wall. All apartments are also designed with their main living spaces and outdoor living areas facing north. Even the apartments in the south building (which are partially shadowed by the north building in winter) are designed to capture sunlight between buildings and receive more than four hours direct sunlight on the winter solstice.</p> <p>The development also achieves an average NATHERs rating of 7 stars, one star above the minimum rating.</p> <p>In addition to the positive environmental aspects, the proposed development will also deliver social benefits and positive economic outcomes by providing construction jobs in an economically challenging time.</p>
6.	<p>Amenity Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.</p>	<p>As outlined above, the apartments have been designed to offer an outstanding outlook and excellent amenity for residents. Each apartments is a corner apartment allowing for good access to sunlight and cross ventilation.</p> <p>Furthermore, the development is separated from the nearest adjoining building by at least 13m, resulting in no undue impacts on the amenity of surrounding developments or their ability to receive natural light and ventilation.</p>
7.	<p>Legibility Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.</p>	<p>The proposed development is legible and easy to navigate for first time users. The entry is located in a prominent position on Parker Street, adjacent to the large Eucalyptus tree. The entry is emphasised by a canopy structure. A separate entry point is also available for the south building – this is clearly located and visible from the Parker Street footpath.</p> <p>With regard to vehicular access, visitor bays are sleeved from the street but will be visible to first time users through signage, line marking and wayfinding.</p>
8.	<p>Safety Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p>	<p>Safety and security is promoted through maximising opportunities for passive surveillance. All three apartments in the south building have a balcony and habitable room facing the street.</p> <p>Within the development, all apartments above the fourth level have a view of the communal open space between the two buildings, allowing for passive surveillance of this space. Similarly, all apartments in the north building are able to look down to the communal open space and swimming pool in the northern setback area.</p> <p>All dwellings are safe and accessible to persons with disabilities despite the challenging topography of the site.</p>

		The external areas of the site will be well lit during night time to enhance safety and security.
9.	Community 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.	<p>The proposal offers accessible housing and ageing-in-place opportunities for residents. The dual key apartment layouts foster diversity and accommodate a range of different residents.</p> <p>As outlined above, the south building interfaces well with the adjoining streetscapes and public realm, providing opportunities for social interaction.</p>
10.	Aesthetics Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.	<p>The building is designed by highly respected and award-winning architecture practice Collière Architecture. The development will be constructed using high quality materials, creating a building that contributes positively to the character of the area.</p> <p>The combination of vertical and horizontal design elements and the balance between solid materials and permeable glazing all contribute to an interesting and attractive development outcome. High quality and robust materials are proposed, as demonstrated in the design presentation (Appendix 4)</p>

In light of the above, the proposed development is considered to satisfy the design principles of SPP7 and warrant approval accordingly.

8.5 City of South Perth Local Planning Policies

8.5.1 Policy No.350.01 – Environmentally Sustainable Buildings

The City's Policy P350.01 Environmentally Sustainable Buildings (**Environmental Sustainability Policy**) applies to development within the City of South Perth with a Gross Floor Area (GLA) of more than 1,000m². The objective of the policy is to create environmentally sustainable building design requirements for new developments.

As the proposed development exceeds a floor area of 1,000m², the Environmental Sustainability Policy requires the proposed development to achieve a certification of at least a four star rating under the relevant Green Star rating tool, or equivalent.

An energy efficiency report is attached in response to the policy requirements (refer **Appendix 12**). The report confirms the proposed development achieves a NATHERs average rating of 7 stars – one star above the minimum rating. The NATHERs assessment is recommended under the R-Codes Volume 2 and is considered an excellent outcome, consistent with the intention of the Environmental Sustainability Policy.

8.5.2 Policy No.350-02 – Lot boundary setbacks (Boundary Walls)

The City's Policy P350.02 Lot Boundary Setbacks – Boundary Walls (**Boundary Walls Policy**) requires that boundary walls are appropriate for the streetscape and do not have any significant impact upon the amenity of adjoining properties. The policy provisions of the Boundary Walls Policy relate to Element 2.4 of the R-Codes. Pursuant to clause 1.2.1 and 1.2.2 of the R-Codes, the Boundary Walls Policy is a pre-existing policy that remains in effect.

The policy states that boundary walls should not be located within the street setback area, and the surface treatment of boundary walls to be matched to the external walls of the neighbour's dwelling. No boundary walls are proposed within the 2m street setback area, and the boundary walls will match the external walls of the neighbours' dwelling.

The proposed development is therefore consistent with the Boundary Walls Policy. The boundary setbacks are discussed further in the R-Codes Volume 2 assessment (refer **Appendix 1**).

8.5.3 Policy No.350.03 – Car Parking, Siting and Design

The City's Policy P350.03 Car Parking Access, Siting and Design (**Parking and Access Policy**) applies to any garage, carport or unroofed car parking bay associated with residential development. The Parking and Access Policy outlines the provisions in place to ensure that parking and associated structures are designed and provided in a way that contributes positively to the streetscape and have regard for the safety and welfare of pedestrians and other road users.

The requirements of the Parking and Access Policy relate to an element of the R-Codes (Element 3.9) which, pursuant to clause 1.2.1 and 1.2.3 of the R-Codes, **prevails over the policy to the extent of any inconsistency**. An assessment against the relevant provisions of Policy P350.03 is incorporated into the R-Codes assessment contained in **Appendix 1**. Additional items not covered by the R-Codes assessment are assessed in **Table 9** below.

Table 9: Assessment against applicable provisions of the Parking and Access Policy

Requirement	Assessment	Compliance
1.3 Minimum Setback of Unroofed Car Bays from the Street Boundary Where car bays are required to satisfy parking requirements under the R-Codes or TPS6 and are proposed to be unroofed, the minimum setback of unroofed car bays from the street boundary shall be: 4.5m from primary streets.	All visitor parking is unroofed.	✓
2.1 Roof Cover to Occupiers' Car Bays At least one occupiers' car bay for each dwelling to be provided with roof cover.	All resident bays located in basement garage or within the ground floor of the south building.	✓
4. Design and Location of Visitor Car Parking 4.1 Retention and Identification All visitors' bays, other than those situated in tandem with a dwelling occupier's bay, shall be (a) Retained permanently for the exclusive use of visitors.	Six visitor parking bays have been provided for the exclusive use of visitors and will be assigned common property on any strata plan.	✓

The proposed development is compliant with the Parking and Access Policy.

8.5.4 Policy No.350.5 – Trees on Development Sites and Street Verges

The City's *Policy P350.5 Trees on Development Sites and Street Verges* (**Trees Policy**) applies where new dwellings are proposed. The Trees Policy seeks to preserve and maintain the City's desirable 'green' character by retaining existing trees, where possible and accommodating the planting of new trees.

The requirements of the Trees Policy relate to an element of the R-Codes (Element 3.3) which, pursuant to clause 1.2.1 and 1.2.3 of the R-Codes, prevails over the policy to the extent of any inconsistency. An assessment against the relevant provisions of Policy P350.5 is incorporated into the R-Codes assessment contained in **Appendix 1**.

The applicable provisions of the Trees Policy are addressed in **Table 10** below.

Table 10: Assessment of the proposed development against the City's Trees Policy.

Clause / sub-clause	Requirement	Proposed	Compliance
6. Development Site Plan to Show All Trees			
	<i>The site plan submitted as part of a development application is to accurately show:</i> (a) any existing tree 3.0 metres or more in height; (b) which existing trees 3.0 metres or more in height the applicant intends to retain and which are proposed to be removed; (c) any trees to be planted on the development site; and (d) all trees on the street verge adjoining the development site.	The survey details the location of all existing trees on site.	✓
7. Trees on Development Sites			
(a) Existing trees to be retained wherever possible	<i>Unless the applicant satisfies the City under clause 7(c) that certain trees should be removed, all existing trees 3.0 metres or more in height are to be retained, provided that the trees are situated at least 3.0 metres from a side or rear boundary of a survey strata lot or 'green title' lot. In the case of trees situated less than 3.0 metres from such a boundary, the applicant has the option as to whether retain or remove those trees.</i>	The application proposes to retain the large Eucalyptus tree situated near the north-west boundary adjacent to the primary street.	✓
(e) Planting of trees on development site	<i>(i) in the case of a development site (A) not containing any trees at the time of submission of the development application or where no existing trees are to be retained; and (B) having a frontage of at least 10.0 metres onto a public street; at least one tree is to be planted within the street setback area or elsewhere on the site. (ii) Local species trees with broad canopies providing maximum shade and bird habitat are encouraged.</i>	The existing Eucalyptus tree is proposed to be retained and is deemed to meet this requirement.	✓
(g) Registered trees not to be removed	<i>Notwithstanding clause 7(f), where a development site contains a tree which is included in the City's Register of Tree Preservation Orders pursuant to clause 6.13 of TPS6, any proposed development is to be designed to ensure that the tree will be preserved without detriment to the tree or structural damage to any adjacent building.</i>	No tree on the subject site is listed in the City's Register of Tree Preservation Orders.	N/A
8. Street Trees			
	<i>The City requires the retention of all street trees.</i>	There are no existing street trees within the adjoining road reserve.	N/A
9. Protection of trees which are to be retained			
	<i>During construction of a development, every tree which is to be retained on a development site or within a road reserve must be protected from root, trunk and canopy damage.</i>	The proponent proposes to comply with this requirement.	✓

8.5.5 Policy No.350.7 – Street Walls and Fences

The City's Policy P350.7 Street Walls and Fences (**Street Walls and Fences Policy**) stipulates requirements to regulate street walls and fencing to ensure the neighbourhood safety and security while maintaining visual privacy to occupants. The policy further focuses on the preservation and re-establishment of desired 'open front garden' streetscape character.

The policy modifies the corresponding street walls and fences requirements of the R-Codes. Pursuant to clause 1.2.2 of the R-Codes, the policy provisions of the Street Walls and Fences Policy relate to a section of the R-Codes (Element 3.6) that may be amended or replaced by local government, and as such, an assessment against the relevant provisions of the Policy is provided in **Table 11** below:

Table 11: Assessment against applicable provisions of Street Walls and Fences Policy

Requirement	Assessment	Compliance
1.1.1 Fences within primary street setback area or communal street as viewed from the public road or communal street shall achieve 80% visual permeability where above 1.20 metres in height up to a maximum height of 1.80 metres, with piers/pillars not higher than 2.10 metres and not wider than 0.47 metres.	60% of the front fence is visually permeable (6.5m of the front wall is solid masonry).	Variation (see comments below)
1.1.2 Fences within a secondary street setback area shall be a maximum of 1.8 metres in height with any piers/pillars not higher than 2.10 metres.	The front fence is 1.8m in height.	✓
1.2.1 Fences within street setback area(s) (primary and/or secondary street) as viewed from the street, shall be constructed of either timber pickets, masonry materials, open grille metal panels or the like, but shall not be constructed of fibre cement sheeting or metal sheeting.	The fence is constructed of masonry with grilled metal panels.	✓

Justification for front fence variation:

The proposed street wall does not achieve 80% visual permeability above 1.2m due to the presence of 6.5m of solid masonry wall up to 1.8m high. Although the wall does not strictly comply with the Front Fences Policy, the fence involves a mix of solid and permeable materials allowing for a balance between surveillance and privacy. The solid front fence covers only a portion of the front boundary, and there are clear visual sightlines through the front gateway. Surveillance of the street is achieved by apartments located on the second, third and fourth storeys of the south building, with additional surveillance from south-facing windows and balconies in the north building.

8.5.6 Policy No.350.09 – Significant Views

The City's *Policy P350.09 Significant Views (Significant Views Policy)* applies to all proposed residential development which may affect existing significant views available to adjoining properties. The objective is "to give balanced consideration to the reasonable expectations of both existing residents and applicants proposing new development with respect to a significant view".

The proposed development aims to minimise impacts on the three adjoining properties. An assessment against the Significant Views Policy is provided in **Table 6** below, considering the impacts on the properties to the north-west, south-east and south-west of the subject site. A view analysis prepared by Collière Architecture is also included in **Appendix 4**.

Table 6: Significant Views Assessment

Adjoining Property	Context and Impacts
<p>North-West (9 Parker Street – aka Windsor Towers)</p>	<p>Context: 20 storey apartment tower with 79 apartments located in each of the four ‘wings’ facing in all directions.</p> <p>Impacts:</p> <ul style="list-style-type: none"> • The proposed development is situated along the same alignment as Windsor Towers. With views being to the north, toward the City, there is unlikely to be any significant loss of view from Windsor Towers. • The view corridor plan shows that the north facing windows of the Windsor Towers development to the west maintain 180 degree views of the river and the City as the proposed development is situated behind the alignment of Windsor Towers. Furthermore, even the rear portions of Windsor Towers will continue to receive views with a 13m separation between the proposed development and Windsor Towers. • The proposed development achieves the visual privacy objectives of the R-Codes, as demonstrated in Appendix 1. • As the north-east (riverside) setback exceeds that required by the planning framework (8m setback in lieu of 4m), it opens up views across the property which would not be available with a compliant setback.
<p>South-East (144 Mill Point Road)</p>	<p>Context: 10 storey apartment block on the property to the south east of the subject site containing 60 multiple dwellings.</p> <p>Impacts:</p> <ul style="list-style-type: none"> • The property at 144 Mill Point Road is situated behind the alignment of the proposed development due to the angle in the lot boundaries as well as the substantial setback provided between the existing development on 144 Mill Point Road and the northern lot boundary. • The proposed development is unlikely to result in any additional impact on the views compared with the existing approval given that the additional storeys are above the height of the affected property and therefore do not affect any additional dwellings. In simple terms, the proposed additional height affects view of the sky, and not of any area of significance. • The occupants of Lot 101 will maintain good and clear views from their property toward to Swan River and the Perth CBD. • As is demonstrated in the view corridor plan, the north facing windows continue to receive 120 degree views (or broader) towards the Perth CBD. It is noted the proposed development proposes an 8m rear setback in lieu of 4m. Hence, the view received by the property at 144 Mill Point Road is greater than what a compliant development on the subject site could achieve.
<p>South-West (6 Parker Street)</p>	<p>Context: Four-storey development oriented towards Parker Street. It has no balconies facing directly towards the river, although the upper level terrace does receive river views over the top of the subject site.</p> <p>Impacts:</p> <ul style="list-style-type: none"> • The proposed development is likely to affect views from the rooftop terrace located on the upper level of Lot 10, however given that TPS6 permits the subject site to be developed to a height of 28m, the adjoining owners should not have an expectation of uninterrupted views across the subject site. • The property to the south continues to receive a view in the 13m separation space between the subject development and Windsor Towers. This view will catch part of the Perth CBD. Therefore, the view impacts are considered acceptable.

8.5.7 Policy No.350.16 – Variation to Plot Ratio for Multiple Dwellings and Mixed Development

The City’s Policy P350.16 Variation to Plot Ratio for Multiple Dwellings and Mixed Development (**Plot Ratio Variation Policy**) applies to all multiple dwellings and mixed development proposals seeking variations from the deemed-to-comply plot ratio standards set out in Table 4 of the R-Codes. It sets out a series of requirements to

achieve additional plot ratio. For R100 coded sites, the policy allows for a variation of up to 50% subject to meeting the relevant criteria.

The proposed development seeks to vary the plot ratio beyond 50%. As such, it requires assessment against both this policy and the design principles of the R-Codes. A performance assessment of the plot ratio is provided in **Appendix 1** with a detailed summary of key considerations in **section 10**.

The Plot Ratio Variation Policy prescribes a number of criteria which are to be met to achieve the additional plot ratio. An assessment against each of the criteria is provided in **Table 12** below.

Table 12: Assessment against plot ratio variation policy criteria

Variation to Plot Ratio Policy Criteria	Planning Solutions' Comment
<p><i>The architectural design, in the opinion of the Council, is to be exceptional, sensitive and sophisticated, and contribute to the quality of the built environment in the locality. The City's Design Advisory Consultants will be requested to provide advice on the architectural and design quality of all development applications seeking additional plot ratio and their advice will be taken into consideration by the Council.</i></p>	<p>The design of the development has taken into consideration advice received from the City's DRP on 1 October 2018, and the State DRP on 1 September 2020.</p> <p>Refer to Appendix 4 which provides an overview of the design considerations and outcomes.</p>
<p><i>In order to maximise energy efficiency, the building is to be designed to achieve at a 4-star rating under the relevant Green Star rating tool, or equivalent.</i></p>	<p>An energy efficiency report is attached in response to the policy requirements (refer Appendix 12). The report confirms the proposed development achieves a NATHERs average rating of 7 stars – one star above the minimum rating. The NATHERs assessment is recommended under the R-Codes Volume 2 and is considered an excellent outcome, consistent with the intention of this requirement.</p>
<p><i>The development will improve the streetscape and will not result in a significant negative impact on the streetscape character.</i></p>	<p>Within its context, the proposed development is considered to represent a positive addition to the streetscape. At the Parker Street frontage, the proposed development is of a similar size and scale to the adjacent property at 6 Parker Street. Toward the northern portion of the site, the development increases in height, consistent with Windsor Towers and other riverfront properties. The proposed development offers a modern finish and is generally considered an improvement to the visual aesthetic of the street.</p>
<p><i>The development will not adversely affect the amenity of an adjoining property in any way including, but not limited to, incompatible building bulk, obstruction of light and solar access or prevention of adequate ventilation between buildings.</i></p>	<p>The proposed development complies with the maximum building height under TPS6 and is largely achieves the element objectives for lot boundary setbacks (refer Appendix 1).</p> <p><u>Property to the North-West and North-East</u> Lot 501 is a 20-storey apartment tower facing the river. It will not receive overshadowing from the subject site. Windsor Towers is situated closer to the river than the subject site and is not considered to receive any undue impact. Windsor Towers also has a small, vacant portion of land to the north-east boundary of the subject site. This land is undeveloped and is unlikely to be developed due to the topography being a steep riverbank.</p> <p><u>Property to the South-East</u> Lot 101 is a residential tower adjacent to the subject site. It will receive some overshadowing (18.84%) from the proposed</p>

	<p>development. However, the development is well separated from the boundary with a 4m setback for the main tower portion of the building ensuring the adjacent property receives adequate sunlight and ventilation.</p> <p><u>Property to the South-West</u> Lot 10 is a four-storey residential development facing Parker Street. To this boundary, the proposed development is adjoined by the small four storey south building. Whilst a height of up to 28m (or 50.7m under the draft framework) could be approved in this portion of the site, there has been careful consideration given to reducing the scale to ensure this property is not unduly affected.</p>
<i>The development will improve the amenity of the locality.</i>	This proposal will see the replacement of an ageing grouped housing development with luxury apartments that will allow the existing residents to remain, whilst enabling a small increase in new residents to the benefit of local businesses and community. It is considered an improvement to the amenity of the locality.
<i>The development will not affect any significant view from an adjoining property.</i>	The proposed development achieves the acceptable development outcomes under the R-Codes with regard to boundary setbacks and building separation distances. As outlined in Section 8.5.6 above, the additional height of the proposed development does not affect any significant views from adjoining properties.
<i>The development will not result in significant additional traffic in the locality.</i>	The Traffic Impact Statement prepared by Transcore does not identify any site-specific issues resulting from the proposed development and concludes that traffic related impact on the surrounding road network will be marginal.
<i>The development will remove vehicle access from a major road, wherever practicable.</i>	Refer to Appendix 9 . N/A – Parker Street is not a major road.
<i>The development enables removal of a non-conforming use on the subject site, where applicable.</i>	N/A – there is no non-conforming use on the site.

8.5.8 Policy No.316 – Developer Contribution for public art and public art spaces

In accordance with the City's Public Art Strategy this policy requires developers of projects with a value of \$4 million or greater to contribute towards public art within the City of South Perth.

The proponents have engaged Johannes Pannekoek as the artist to design and prepare artwork for this project. Preliminary art concepts prepared by Johannes Pannekoek is included in **Appendix 7**. Part of the artwork is to be provided on public land (part of James Mitchell Park). The proponent is currently engaging in discussions with the City of South Perth regarding the installation.

It should be noted these represent preliminary concepts only. More detailed public art designs will be developed following planning approval.

9 Draft Planning Framework for South Perth Station Precinct

The Draft South Perth Activity Centre Plan and associated Scheme Amendment No. 61 to TPS6 have been considered by the WAPC and are currently with the Minister for consideration.

The draft Activity Centre Plan aims to achieve a yield of 2,750 dwellings by 2031 and 4,250 dwellings by 2041 within the Activity Centre. The 2041 estimated yield is approximately double the current number of dwellings (1,941 dwellings).

The subject site is situated within the Hillside Character Area, which has the following is described as:

“The Hillside character area is a secluded residential area with a wide variety of building styles and dwelling typologies overlooking the Swan River. Despite its close relationship to the Mends area, it maintains a quiet residential character. In the future infill development will complement and supplement existing residential towers, providing additional public benefit through the creation of small green spaces and new public connections to the South Perth Foreshore.”

The accompanying Scheme Amendment No. 61 contains the development standards which are necessary to achieve the estimated yields above. Under the draft Scheme Amendment No. 61, the following development standards would be applicable to the subject site.

- A permitted height of 50.7m, with up to 77.1m permitted for a ‘Tier 1’ building.
- A permitted plot ratio of 7.2, or up to 8.8 for a ‘Tier 1’ building.

Amendment 61 and the ACP has progressed on the following timeframe:

- **Public comment period:** March 2019 - July 2019.
- **City of South Perth Council recommends approval:** December 2019
- **WAPC Consideration:** January 2020 – August 2020

No substantive changes were recommended by the City of South Perth after advertising. Council did not recommend any changes to the advertised heights and plot ratios outlined above. As such, it is considered Amendment 61 and the ACP are ‘seriously entertained’, particularly the height and setbacks which relate to the subject site.

Due to the documents being in draft form, a detailed assessment against the South Perth Activity Centre Plan and Scheme Amendment No. 61 has not been undertaken. However, in relation to the exercise of discretion with regard to key design parameters, consideration has been given to the recommendations contained within these documents.

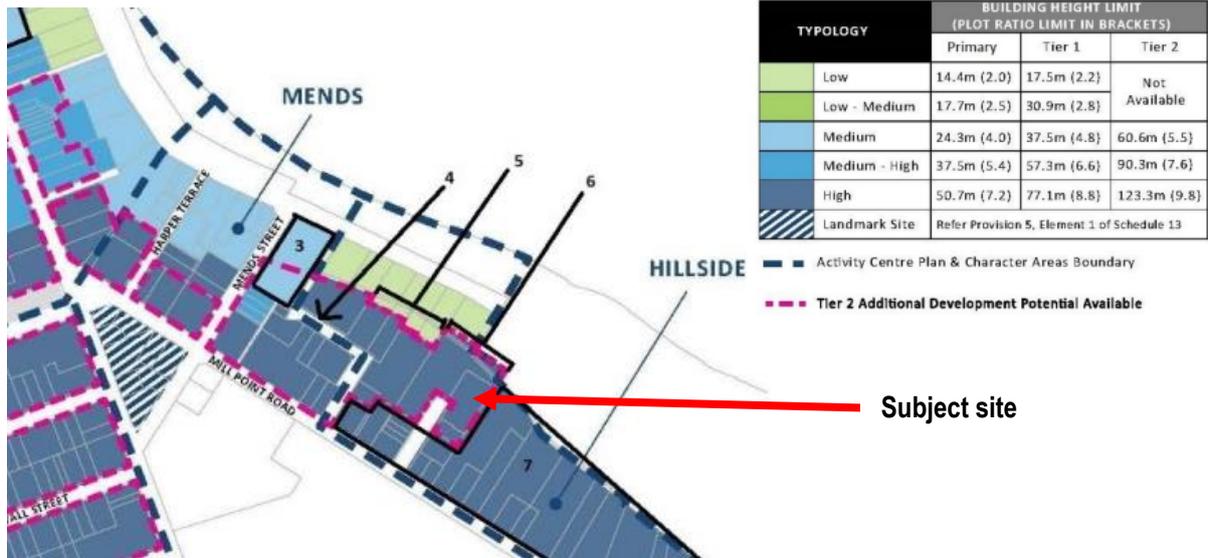


Figure 14: Extract of Map 2 from Amendment 61 showing proposed height and plot ratio limits

The zoning and ‘key development standards’ are detailed in **Table 13** below, demonstrating the changes to the planning framework, together with a comparison between the proposed development and the approved 12 storey development.

Table 13: Comparison of local planning framework and key development metrics

Development Standard	Planning Framework		Development Proposal	
	Existing Local Planning Framework	Amendment 61 to Town Planning Scheme No. 6 (under consideration)	Previous Proposal (approved January 2019)	Proposed
Zoning / Density	Residential R80/100	Centre R-AC0	R100 code achieved	N/A
Height	28m (pursuant to TPS6)	50.7m base height; 77.1m tier 1 bonus height; 123.3m tier 2 bonus height	12 storey north building (28m above LPS6 ground level) + 4 storey south building (14.7m)	15 storey north building (39.8m above LPS6 ground level) + 4 storey south building (14.7m)
Plot Ratio	1.3 + 50% subject to design and other criteria = 1.95	7.2 base plot ratio	2.09	2.47
Street Setback	2m	5m to tower, 8m to base/podium	South building: 2m to balconies, 4m to wall.	South building: 2m to balconies, 4m to wall.
Open Space / Site Cover	N/A	70% podium site cover	58% open space	58% open space

The following section of this report involves a discussion of the key planning considerations.

10 Key planning considerations

10.1 Weight to be applied to current approval

Clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* provides a list of considerations to be made in the consideration of any development application. In particular, Clause 67(w) of the Regulations requires consideration is given to:

‘the history of the site where the development is to be located’.

The history of the site also encompasses approvals which have previously been issued. Whilst acknowledging this application is sought via a different approval pathway (Part 17A of the *Planning and Development Act 2005*), the decision maker should give due regard to the previous approval in any decision. Given the approval has not lapsed and is valid until January 2024, we submit it is appropriate to place a much greater emphasis on this compared to, say, an approval which lapsed five years ago.

The key difference between the approved design and the proposed design is the height of the north building. This height is envisaged in seriously entertained draft planning framework, as outlined above.

10.2 Proposed increase to the north building height

The key consideration in this development is the bulk and scale, recognising the building height is one of the only elements which changes from the previous approval.

The permissible building height under TPS6 as it stands today is 28m (measured from a nominated ground level of 20.5m AHD in accordance with Clause 6.1(A) of TPS6). Using the same methodology, the proposed development would have a height of 39.8m to the top of the exterior walls (and a total height of 44.5m within a 25 degree roof pitch).

Therefore, the proposed 15 storey development increases the building height under TPS6 by approximately 11.84m (an additional 3 storeys) and exceeds the maximum building height under TPS6 by the same amount.

Pursuant to Part 17 s.275(3) of the *Planning and Development Act 2005*, the WAPC is required to give due regard to TPS6, but it not bound by its requirements and can exercise discretion in approving a building height the exceeds the 28m maximum.

Justification for the proposed building height, and more broadly the bulk and scale of the development is provided below.

1. The height is consistent with the future planning framework for the locality

The subject site is located within an area that has been subject to an extensive planning process that proposes an intensification of residential development and overall increase in building heights. The future scale and character of the area is informed by

- Scheme Amendment 61, which proposes a ‘Centre’ zone, R-AC0 coding and maximum base height of 50.7m (with additional height subject to bonus requirements); and
- The South Perth Activity Centre Plan, which provides a framework to guide the exercise of discretion in granting additional height and other concessions.
- The South Perth Peninsula Place and Design Report which recommends a height of 14 – 20 storeys.

As outlined in Section 9 of this report, Amendment 61 is a seriously entertained planning proposal. It has been the subject of detailed consideration by the local government and was recently considered by the WAPC on 4 August 2020. The amendment is now under consideration by the Minister, being the last stage in the scheme amendment process before gazettal.

Throughout the assessment process, the permissible height has remained unchanged. The advertised amendment proposed 50.7m and Council endorsed a base height of 50.7m. Consequently, it is considered the final approval of this building height is near certain. The proposed development is approximately 48m at its highest point above natural ground level, or 40m using the current TPS6 height assessment methodology.

Furthermore, the Amendment contemplates bonus heights of more than double the base height. Specifically, up to 123.3m would be capable of approval for the subject site, albeit needing to address a number of bonus requirements. Plot ratio is also proposed to substantially increase to a permissible plot ratio of 7.2:1. The contemplated plot ratio under Amendment 61 is almost treble the proposed plot ratio.

Clearly, the intended outcome for the locality is high density. The proposed development is less than the proposed base heights, half the proposed bonus heights and slightly more than one third of the permitted plot ratio. In this context, the proposal clearly does not exceed the intended bulk and scale under Amendment 61.

2. The proposed development is consistent with the current scale and character of the local area

It is necessary to consider the height of the proposed development from two public vantage points—the first being the view of the development from Parker Street, and the second being the view of the development from the South Perth foreshore:

- With the exception of Windsor Towers, the existing character and scale of Parker Street can be described a mixture of 3-4 storey buildings. The proposed southern building responds to the existing scale of Parker Street with a 4-storey building in line with the prevailing street setbacks. The height does not exceed the maximum permissible height under TPS6 and enhances the overall streetscape.
- The existing character and scale of the foreshore area is characterised by higher density residential towers of 10-20 storeys sitting atop the ridge, overlooking Sir James Mitchell Park and the foreshore. The proposed 15 storey northern tower sits within the height range of the adjoining buildings. Specifically, it sits below the height of the 20 storey Windsor Towers development to the west, and above the height of the 10 storey apartments to the east. As demonstrated in **Figure 16** below, the proposed tower provides a suitable transition in height between Windsor Towers and the apartment development to the east.



Figure 15: Axonometric view of Parker Street from the south-west



Figure 16: View south across Perth Water towards the South Perth foreshore showing the proposed development

3. The proposed development does not adversely impact surrounding developments

The design carefully considers the context of the subject site and its surroundings. By orientating the larger building to the north-east side of the site, it matches the context of the existing 10-20 storey developments facing the river. Conversely, by reducing the height to four storeys at the rear, the proposal transitions sensitively to the four storey development on the south-west of the site.

The proposed increase in the height and plot ratio of the northern tower (compared with the approved design) is not considered to cause undue impact on the surrounding properties and key elements, including overshadowing, visual privacy and impacts on significant views. Whilst views and privacy impacts have been discussed earlier in this report, overshadowing and receipt of sunlight is one of the key considerations in building height and is discussed further below.

In general terms, the proposed development is designed sensitively to adjoining properties by locating a larger tower to the north of the site, and a smaller building to the south of the site. This ensures that the shadow of the taller building predominately falls within the subject site. Notwithstanding, at midday on June 21, the proposed development will overshadow part of 6 Parker Street to the south-west and part of 144 Mill Point Road to the south-east.

Lot 10 (No. 6) Parker Street, South Perth:

The overshadowing cast by the south building covers 62% of the area of the adjoining property (Lot 10) at midday on June 21. This exceeds the acceptable development outcome of 50% for R60 coded properties.

The shadow involves a minor increase from the previous development approval which overshadowed 58% of this property. The increase has been caused by the increase in height to the north building.

The shadow cast by the proposed development hits the north wall of the adjoining apartment building at 6 Parker Street. This north facing wall is generally limited to obscure glazed windows and minor openings (refer to photograph 4 below). Importantly, the roof terrace on the adjoining development will not be affected by the shadow at midday June 21.

The shadow cast by the proposed additional three levels generally affects the rear setback area of the adjoining property (refer to **Appendix 5**, Drawing No. A452). The rear setback area contains a garage on the north side and a swimming pool on the south side. Whilst the shadow cast by the north building would reach part of the swimming

pool, it is likely this is already overshadowed by the garage. Furthermore, surrounding developments such as the 22 storey Windsor Towers will cast a shadow over this property at different times of the day.

However, the overshadowing analysis demonstrates the rear setback will continue to receive morning sunlight throughout the year with the 10am shadow analysis for 22 June, 22 August, 22 September and 22 October each demonstrating where sunlight is received (refer to Drawing Nos. A460, A461, A462, A463).

Furthermore, the north building is less than with the base height under Amendment 61. It is also positioned in the northernmost portion of the site, meaning overshadowing is far better than an otherwise 'compliant' design.



Photo 4: 6 Parker Street as viewed from the north. The balconies are setback approximately 3m from the street

Lot 101 (No. 144 Mill Point Road, South Perth)

The development overshadows Lot 101 to the south-east by 18.9% and achieves the acceptable outcome.

Compared with the approved drawings, the proposed shadow at midday June 21 extends a further 18m in to the adjoining site. This means the shadow hits the lower levels of the west facing apartments on the adjoining property. However, this is considered a minor impact noting the shadow of a building which complies with the base heights under the draft South Perth Activity Centre planning framework casts a broader shadow than the proposed development.

Summary

In a high density area such as this, there must be expectations of shadowing on adjoining properties particularly noting the adjoining properties mentioned above are also subject to the same height allowances (50.7m base height, 123.3m bonus height) under Amendment 61. In this circumstance, the extent of shadowing is considered reasonable and residents of surrounding properties are afforded adequate sunlight during the morning or afternoon.

Owing to the above, the proposed development is considered consistent with the objectives of the R-Codes and the local planning framework with respect to building height and warrants approval accordingly.

10.3 Street setbacks

The south building incorporates a 2m setback to Parker Street measured to the balconies (4m from the building). The proposed street setback requirements are consistent with the primary street setbacks under the R-Codes. However, the most recent version of Amendment 61 advertised to the public proposed increasing this setback to 5m setback to the tower and an 8m setback to the podium/base. Should Amendment 61 be adopted without modification of these setbacks, the proposed would not comply if assessed under the modified planning framework.

If these setback requirements are included in the final version of Amendment 61, a variation would be warranted for the following reasons:

1. The proposed setback is responsive to the site's location at the terminus of the cul-de-sac

The building at No. 6 Parker Street (immediately to the south of the subject site) has a four storey apartment development which is setback approximately 3m from the street boundary (refer to **Photo 4** below). The approved development was designed in response to the setback of this building – the balconies move slightly close to the street in order to compensate for the location being the at the terminus of the cul-de-sac.

The subject site has irregular boundaries which (strictly speaking) would require an L-shaped setback from the street. It is appropriate for the south building to be situated closer to the street in order to have a street presence. This allows visitors to identify the development and occupants have a clear view of the street (for passive surveillance).

2. The proposed setback is consistent with the streetscape

The proposed 5m-8m setback is considered excessive for the subject site as it exceeds the setbacks of existing development along Parker Street. The setbacks along Parker Street are typically in the 3m – 5m, as is illustrated in the analysis by Collière Architecture (refer

Figure 17). The proposed 2m setback is considered appropriate for the subject site noting its location at the terminus of the cul-de-sac.

3. The proposed setback does not affect the existing streetscape

The south building is not overbearing on the street and the four storey scale is consistent with the surroundings. The outcome with the south building and the way in interacts with the street was lauded by the City's Design Review Panel during the course of the initial development application. For a site at the end of a cul-de-sac, it simply would not make sense for the building to be setback behind the line of the building next door and effectively 'hidden' in the corner of the street.

In summary, the proposed setback of 2m is consistent with the current planning framework, allows the development to have a presence to Parker Street and does not adversely affect the amenity or the rhythm of the streetscape. Consequently, the setback is considered acceptable.



Figure 17: Setbacks analysis

11 Conclusion

As detailed in this report, the proposed development seeks to provide a high-quality development comprising 26 apartments in two buildings on the subject site. The proposal is a modified version of a 12 storey development approved in January 2019. This application seeks an additional three storeys compared to the approved development.

The additional height (and the application more generally) is broadly consistent with the statutory planning framework for the subject site. In particular, the proposed height is consistent with a seriously entertained amendment to the Local Planning Scheme which would allow a base height greater than the proposed development and a bonus height more the double the height of the proposed development.

The proposal is also consistent with the four considerations under Section 275(6) of the *Planning and Development Act 2005*. Importantly, the development is 'shovel ready' with all apartments having been pre-sold and will generate 50-120 construction jobs through the 22 month construction period. This will provide significant economic benefits to the construction sector in response to the impacts of COVID-19.

It is considered the proposal warrants approval for the following key reasons:

- The high-quality architectural design, created through the use of quality materials and articulated building form, will positively contribute towards and enhance the amenity of the area and reduce the impact of building bulk to neighbouring properties.
- The development sensibly transitions the built form from 15 storeys at the river frontage (consistent with adjoining properties), then decreasing to four storeys on the south side of the lot, in response to the context of Parker Street. The development offers a well-designed, large and contiguous area of communal open space in between the two buildings, creating a positive design outcome.
- The development provides universal access with all apartments achieving a Silver Level rating under the Liveable Housing Design Guidelines.
- The proposed development retains a large, mature Eucalyptus tree on site providing an excellent ecological outcome for the site.

For the reasons detailed above, it is considered this proposal warrants approval.

**Appendix 1:
R-Codes Volume 2 Assessment**

SPP7.3 R-CODES

VOLUME 2 - APARTMENTS

ASSESSMENT TEMPLATE

Assessment to accompany development application:

15 storey & 4 storey apartment development

Lot 500 (8) Parker Street, South Perth

For the Western Australian Planning Commission

Prepared by:



PART 1 - INFORMATION FOR THE APPLICANT

It is recommended that the following information is provided by the applicant when lodging a development application.

A5 – Development application guidance (1/2)			
<i>This guidance assists proponents in formulating the appropriate materials when submitting a development application. Check with the relevant local authority if there are any additional materials required.</i>			
Documentation	Required Information	Provided?	
Development details	<p>A summary document that provides the key details of the development proposal. It contains information such as the:</p> <ul style="list-style-type: none"> – plot ratio of the development – number, mix, size and accessibility of apartments – number of car parking spaces for use (residential, retail, accessible, visitor etc.) – percentage of apartments meeting cross ventilation and daylight requirements. 	✓	
Site analysis	[Prepared at earlier stage of design development in <i>A3 Site analysis and design response guidance</i>]	✓	
Design statements	<p>An explanation of how the design relates to the Design Principles in State Planning Policy 7.0 Design of the Built Environment.</p> <p>An explanation of how the proposed development achieves the relevant objectives of this policy in <i>A6 Objectives summary</i>.</p> <p>For adaptive reuse projects which affect heritage places, provide a Heritage Impact Statement prepared in accordance with the State Heritage Office's <i>Heritage Impact Statement Guide</i> available at www.stateheritage.wa.gov.au (for state registered places) or the relevant local government guidelines (for other places).</p>	✓	
Site plan	<p>A scale drawing showing:</p> <ul style="list-style-type: none"> – any proposed site amalgamation or subdivision – location of any proposed buildings or works in relation to setbacks, building envelope controls and building separation dimensions – proposed finished levels of land in relation to existing and proposed buildings and roads – pedestrian and vehicular site entries and access – interface of the ground floor plan with the public domain and open spaces within the site – areas of communal open space and private open space – indicative locations of planting and deep soil areas including retained or proposed significant trees. – overshadowing over neighbouring sites – location of adjacent solar collectors. 	✓	
Landscape plan	<p>A scale drawing showing:</p> <ul style="list-style-type: none"> – the building footprint of the proposal including pedestrian, vehicle and service access – trees to be removed shown dotted – trees to remain with their tree protection areas (relative to the proposed development) – deep soil areas and associated tree planting – areas of planting on structure and soil depth – proposed planting including species and size – details of public space, communal open space and private open space – external ramps, stairs and retaining wall levels – security features and access points – built landscape elements (fences, pergolas, walls, planters and water features) – ground surface treatment with indicative materials and finishes – site lighting – stormwater management and irrigation concept design. 	✓	
Other plans and reports	<p>Acoustic Report (or equivalent)</p> <p>Waste Management Plan (or equivalent)</p>	✓	

A5 – Development application guidance (2/2)

Documentation	Required information	Provided?	
Floor plans	<p>A scale drawing showing:</p> <ul style="list-style-type: none"> – all levels of the building including roof plan – layout of entries, circulation areas, lifts and stairs, communal spaces, and service rooms with key dimensions and Real Level (RL) heights shown – apartment plans with apartment numbers and areas, all fenestration, typical furniture layouts for each apartment type, room dimensions and intended use and private open space dimensions – accessibility clearance templates for accessible units and common spaces – visual privacy separation shown and dimensions where necessary – vehicle and service access, circulation and parking – storage areas. 	✓	
Elevations	<p>A scale drawing showing:</p> <ul style="list-style-type: none"> – proposed building height and RL lines – building height control – setbacks or envelope outline – building length and articulation – the detail and features of the façade and roof design – any existing buildings on the site – building entries (pedestrian, vehicular and service) – profile of buildings on adjacent properties or for 50m in each direction, whichever is most appropriate. <p>Samples or images of proposed external materials, finishes and colours of the proposal, keyed to elevations.</p>	✓	
Sections	<p>A scale drawing showing:</p> <ul style="list-style-type: none"> – proposed building height and RL lines – building height control – setbacks or envelope outline – adjacent buildings – building circulation – the relationship of the proposal to the ground plane, the street and open spaces particularly at thresholds – the location and treatment of car parking – the location of deep soil and soil depth allowance for planting on structure (where applicable) – building separation within the development and between neighbouring buildings – ceiling heights throughout the development – detailed sections of the proposed façades. 	✓	
Building performance diagrams	<p>A solar diagram (where required) at the winter solstice (21 June) at a minimum of hourly intervals showing:</p> <ul style="list-style-type: none"> – number of hours of solar access to the principal communal open space – number of hours of solar access to units within the proposal and tabulation of results – overshadowing of existing adjacent properties and overshadowing of future potential development where neighbouring sites are planned for higher density – elevation shadows if likely to fall on neighbouring windows, openings or solar panels. <p>A ventilation diagram (where required) showing unobstructed path of air movements through dual aspect apartments and tabulation of results.</p>	✓	
Illustrative views	<p>Photomontages or similar rendering or perspective drawings illustrating the proposal in the context of surrounding development. Note: Illustrative views need to be prepared using a perspective that relates to the human eye. Where a photomontage is prepared, it should use a photo taken by a full frame camera with a 50mm lens and 46 degree angle of view.</p>	✓	
Models	<p>A three dimensional computer generated model showing views of the development from adjacent streets and buildings.</p> <p>A physical model for a large or contentious development (if required by the consent authority).</p>	✓	

PART 2 - TEMPLATE FOR ASSESSMENT UNDER THE R-CODES VOL. 2

It is recommended that the template is used as follows -

Applicants

- This document is intended to provide a structure to organise and arrange the supporting material and documentation for preparing and submitting a Development Application, with the onus being on the applicant to demonstrate that an Element Objective has been achieved.
- Applicants are encouraged to complete the 'applicant sections' of this document, outlining how the Element Objectives are satisfied. In many (if not most) instances it is expected that written response will be supported by associated drawings or documentation provided by the applicant '*e.g. – refer to Overshadowing Diagrams page 25 of submission package*'.
- The template can then be included in the application to the Responsible Authority.

Responsible Authority

- This document is intended to provide a structure to systematically and holistically undertake a planning assessment against the performance-based approach of R-Codes Vol. 2.
- The Responsible Authority will review the applicant's comments provided in this template and undertake an assessment of the materials provided against the relevant Element Objectives.

Section 1.2 of R-Codes Vol. 2 provides that certain sections of the policy may be amended or replaced by local planning frameworks. Where such local planning frameworks may have effect, this template provides an additional section where the applicable requirements may be stated.

ELEMENT 2.2	BUILDING HEIGHT	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O2.2.1 – The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p> <p>The existing character and scale of the street and local area can be described as a mixture of 3-4 storey buildings fronting Parker Street, and 10-20 storey buildings fronting the foreshore.</p> <p>The desired future scale and character is informed by:</p> <ul style="list-style-type: none"> • The South Perth Peninsula Place + Design Report prepared in May 2017 by Roberts Day which proposed a height of 14 – 20 storeys; and • Scheme Amendment 61, which proposes a ‘Centre’ zone, R-AC0 coding and base height of 50.7m; and • The South Perth Activity Centre Plan, which provides a framework to guide the exercise of discretion in granting additional height and other concessions. <p>The proposed height of the development is 48m (comprising 15 levels) and clearly responds to the future scale proposed by the draft local planning framework currently under consideration by the Minister for Planning, and the WAPC.</p> <p>The bulk and scale of the proposed development is discussed further in Part 10 of the accompanying DA report.</p>	
O2.2.2 – The height of buildings within a development responds to changes in topography.	<p>The subject site is partially located on an embankment that slopes down to the South Perth foreshore. The development responds to the topography by developing apartments in the hillside such that the apartment screen the car park behind.</p>	
O2.2.3 – Development incorporates articulated roof design and/or roof top communal open space where appropriate.	<p>The development incorporates a flat roof that reflects the urban typology commonly found in medium to high density apartment buildings in South Perth.</p> <p>The provision of rooftop communal areas was not considered necessary in this design, given the generous provision of outdoor living/balcony areas for each of the proposed dwellings, the communal recreational area on the basement level of the north building, and the site’s close proximity to high quality public open space. Such a communal area would also remove the opportunity to provide photovoltaic solar panels on the roof of the north building and improve performance against sustainability objectives.</p>	
O2.2.4 – The height of development recognises the need for daylight and solar access to adjoining and nearby residential development, communal open space and in some cases, public spaces.	<p>The 15 storey building is located in the northernmost portion of the site. This means the shadow will primarily fall over the subject site. There is some overshadowing to adjoining properties. However, the impacts are deemed acceptable given the context of the adjoining properties. Specifically:</p> <ul style="list-style-type: none"> • The building to the south-west has a driveway along its northern boundary and the northern elevation is generally limited to obscure glazed windows and minor openings 	

The roof terrace on the adjoining development will not be affected by the shadow cast at midday June 21.

- The building to the south-east (144 Mill Point Road) receives a shadow equivalent to 18% of the site area. This is minor in the context of the high density intended for the locality. The shadow generally affects side setback areas of this adjoining property.

The shadowing impacts are discussed further in Section 3.2 below.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A2.2.1 – Development complies with the building height limit (storeys) set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the building height limit set out in the applicable local planning instrument.

(Excerpt from table 2.1)

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Building height (storeys) <i>refer 2.2</i>	2	3	3	4	4	5	3	6	7	9	

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

- TPS6 Clause 6.1A – Building Height Limits and Methods of Measuring Heights – the Scheme provides for a maximum building height of 28m.
- Scheme Amendment No. 61 proposes to replace current height limits with a base height of 50.7m, with additional heights available subject to meeting bonus criteria.

ELEMENT 2.3

STREET SETBACKS

ELEMENT OBJECTIVES

Development is to achieve the following Element Objectives

APPLICANT COMMENT

ASSESSOR COMMENT

Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.

O2.3.1 – The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.

The southern building has a setback of 2m to Parker Street (measured from balconies) and is consistent with the 2m minimum setback set out in Table 2.1 of the R-Codes. The building is closer to the street compared to other developments on Parker Street. This is appropriate as the site is located at the terminus of a cul-de-sac. A 2m setback allows for a street presence, fostering better visibility and surveillance of the street.

The street setback is discussed further in part 10 of the accompanying DA report.

O2.3.2 – The street setback provides a clear transition between the public and private realm.	The street setback area allows sufficient space for ramps, planter boxes and a staircase to provide a transitional space between the public and private realm, and to soften the interface of the building to the street.	
O2.3.3 – The street setback assists in achieving visual privacy to apartments from the street.	The southern building does not contain any ground level apartments. Upper level apartments achieve visual privacy through their elevated height above street level.	
O2.3.4 – The setback of the development enables passive surveillance and outlook to the street.	The southern building achieves passive surveillance and outlook to the street is maximised through the provision of balconies (with clear glass balustrades on upper levels) and habitable room windows fronting the Parker Street.	

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A3.2.1 – Development complies with the street setback set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the street setback set out in the applicable local planning instrument

(Excerpt from table 2.1)

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Minimum primary and secondary street setbacks <i>refer 2.3</i>	4m ⁴	2m	2m		2m		2m or Nil ⁵	2m or Nil ⁵	2m or Nil ⁵		

(4) Minimum secondary street setback 1.5m

(5) Nil setback applicable if commercial use at ground floor

LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	<ul style="list-style-type: none"> Draft planning framework (Amendment 61) proposes to modify setback requirements – refer to Section 10 of the accompanying DA report.

ELEMENT 2.4	SIDE AND REAR SETBACKS
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ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O2.4.1 – Building boundary setbacks provide for adequate separation between neighbouring properties.	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p> <p>Northern boundary The proposed development incorporates an 8m setback to the northern boundary. The adjoining land is vacant and is part of the Windsor Towers site. However, this land is part of an embankment and is not considered 'developable'. The 8m setback provides sufficient separation and meets Acceptable Outcomes.</p> <p>Western boundary The adjoining property to the west contains Windsor Towers (a 20 storey apartment development). The development is setback 4m to the west side boundary. This exceeds the 3m Acceptable Outcome and exceeds the 4m setback requirement under draft Scheme Amendment No. 61. The separation between the proposed north tower and the Windsor Towers building is 13m which is considered sufficient for light and ventilation to both buildings. The proposed setback to the western boundary is therefore considered acceptable.</p> <p>Eastern boundary To the east, the adjoining site contains a 10 storey apartment development (144 Mill Point Road) with the tower on this site setback approximately 8m from the boundary. The proposed development incorporates the following setbacks:</p> <ul style="list-style-type: none"> • South building – one storey boundary wall with a 5.5m setback to upper floors; • North building – 4m setback <p>The eastern boundary includes a boundary wall to a maximum height of 3m. For the most part, the boundary wall is 1.8m-2.4m above natural ground level and does not result in any significant impacts on the adjoining site as the wall is only marginally higher than a typical dividing fence.</p> <p>Upper levels are setback a minimum of 5.5m from the south building and 4m from the north building, both consistent with the 3m minimum setback set out in Table 2.1 and the 4m setback requirement under the draft Amendment 61 framework.</p> <p>Southern boundary To the south is a four storey apartment development (6 Parker Street). This development predominately comprises a common property access leg on its northern side and the building predominately contains minor openings and screened balconies on its northern façade as depicted in the image below.</p>	
O2.4.2 – Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character.		



View of northern elevation of Lot 10 showing minor openings to apartments.

The proposed development includes a one storey boundary wall to a maximum height of 3.25m. The length exceeds the maximum allowance of 2/3 the length of the boundary. The length of the wall is consistent with the previously approved plans. The wall abuts a common driveway on the adjoining property and the wall is not considered to have any undue impact on the adjoining property.

Upper levels are setback from the boundary a minimum of 4.05m, consistent with the 3m minimum setback set out in Table 2.1.

O2.4.3 – The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.

The existing Eucalyptus tree is retained along the west boundary and provides screening between the subject site and Windsor Towers.

Several deep soil areas have been provided along the eastern boundary providing opportunities for landscape planting.

O2.4.4 –The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.

As addressed above, the design proposes a 15 storey building in the north portion of the site – consistent with the 10-20 storey scale along the ridgeline. The development transitions back to four storeys in the south portion of the site to provide appropriate transition to the medium density-built form along Parker Street.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A2.4.1 - Development complies with the side and rear setbacks set out in Table 2.1, except where:

- a) modified by the local planning framework, in which case development complies with the side and rear setbacks set out in the applicable local planning instrument

AND /OR

b) a greater setback is required to address 3.5 *Visual privacy*.

(Excerpt from table 2.1)

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
	R40	R50	R60	R80	R100	R160			R-AC4	R-AC3	
Boundary wall height (storeys) ^{1,2} <i>refer 2.4</i>	1 ³		1 ³	2 ³	2 ³		2	3	4		
Minimum side setbacks ⁶ <i>refer 2.4</i>	2m	3m	3m		3m		Nil				
Minimum rear setback <i>refer 2.4</i>	3m		3m		6m		6m	Nil	Nil		
Average side setback where building length exceeds 16m <i>refer 2.4</i>	2.4m	3.5m	3.5m	3.5m	3.5m	4.0m	NA	NA	NA		

0

- (1) Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions
- (2) Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code
- (3) Boundary wall only permitted on one boundary, and shall not exceed 2/3 length.
- (6) Boundary setbacks will also be determined by provisions for building separation and visual privacy within this SPP and building separation provisions of the NCC.

A2.4.2 – Development is setback from the boundary in order to achieve the Objectives outlined in 2.7 *Building separation*, 3.3 *Tree canopy and deep soil areas*, 3.5 *Visual privacy* and 4.1 *Solar and daylight access*.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 2.5		PLOT RATIO																																												
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT						ASSESSOR COMMENT																																						
<p>O2.5.1 – The overall bulk and scale of development is appropriate for the existing or planned character of the area.</p>		<p>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</p> <p>A plot ratio of 2.47 is proposed. This exceeds the primary control of 1.3 for R100 coded properties. However, it is substantially less than the proposed 7.2 plot ratio under the seriously entertained draft planning framework.</p> <p>The R100 coding arose from a density control which originally permitted 100 dwellings per hectare. With 26 dwellings on a 2,453m² lot, the proposed development has a density of 105 dwellings per hectare. This is broadly consistent with would have been envisaged by the planning framework. Furthermore, the apartments to the north-west and south-east have a density of approximately 161 dwellings and 105 dwellings per hectare respectively.</p> <p>The bulk and scale fits in with the prevailing heights along the ridgeline of 10-20 storeys, but transitions back to four storeys in response to the scale of Parker Street.</p> <p>The bulk and scale of the proposed development is discussed further in Part 10 of the accompanying DA report.</p>																																												
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>																																														
<p>A2.5.1 – Development complies with the plot ratio requirements set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the plot ratio set out in the applicable local planning instrument.</p> <p><i>(Excerpt from table 2.1)</i></p> <table border="1"> <thead> <tr> <th rowspan="2">Streetscape contexts and character <i>refer A2</i></th> <th colspan="2">Low-rise</th> <th colspan="2">Medium-rise</th> <th colspan="2">Higher density residential</th> <th>Neighbourhood centre</th> <th>Mid-rise urban centres</th> <th colspan="2">High density urban centres</th> <th>Planned areas</th> </tr> <tr> <th>R40</th> <th>R50</th> <th>R60</th> <th>R80</th> <th>R100</th> <th>R160</th> <th>R-AC4</th> <th>R-AC3</th> <th>R-AC2</th> <th>R-AC1</th> <th>R-AC0</th> </tr> </thead> <tbody> <tr> <td>Plot ratio ⁷ <i>refer 2.5</i></td> <td>0.6</td> <td>0.7</td> <td>0.8</td> <td>1.0</td> <td>1.3</td> <td>2.0</td> <td>1.2</td> <td>2.0</td> <td>2.5</td> <td>3.0</td> <td></td> </tr> </tbody> </table> <p>(6) Refer to Definitions for calculation of plot ratio</p>												Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0	Plot ratio ⁷ <i>refer 2.5</i>	0.6	0.7	0.8	1.0	1.3	2.0	1.2	2.0	2.5	3.0	
Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas																																			
	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0																																			
Plot ratio ⁷ <i>refer 2.5</i>	0.6	0.7	0.8	1.0	1.3	2.0	1.2	2.0	2.5	3.0																																				
LOCAL PLANNING FRAMEWORK						REQUIREMENT																																								
<p><i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i></p>						<ul style="list-style-type: none"> The City's Policy P350.16 Variation to Plot Ratio for Multiple Dwellings and Mixed Development. The policy sets out a series of requirements to achieve additional plot ratio. For R100 coded sites, the policy allows for a variation of up to 50% subject to meeting the relevant criteria. 																																								

ELEMENT 2.6 BUILDING DEPTH

ELEMENT OBJECTIVES
Development is to achieve the following Element Objectives

APPLICANT COMMENT

ASSESSOR COMMENT

O2.6.1 – Building depth supports apartment layouts that optimise daylight and solar access and natural ventilation.

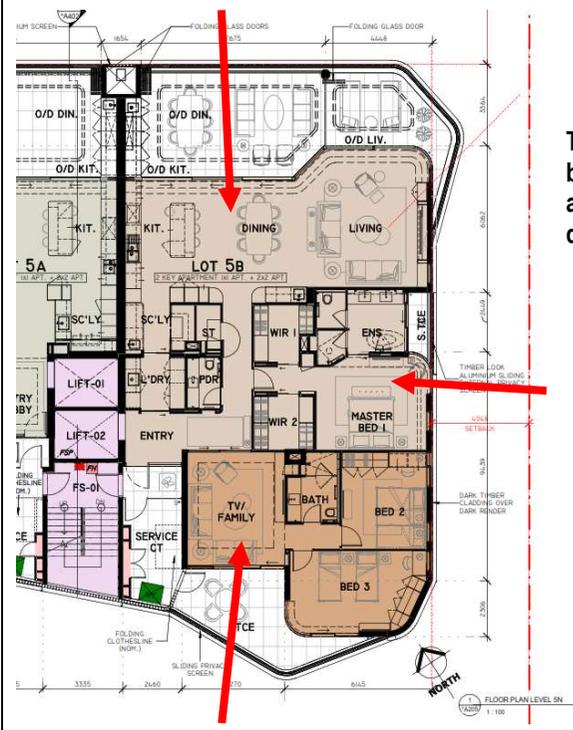
The proposed development incorporates two buildings that contain large, multiple-aspect apartments on each level. The development does not contain any single-aspect apartments and achieve the Acceptable Outcomes in this regard.

O2.6.2 – Articulation of building form to allow adequate access to daylight and natural ventilation where greater building depths are proposed.

Although the apartments are relatively deep (up to 18m), this is offset by all apartments being dual aspect (corner) apartments and most apartments having openings **on at least three sides** as depicted in the figure below. This allows for light and ventilation to the apartment at different times of the day and year.

O2.6.3 – Room depths and / or ceiling heights optimise daylight and solar access and natural ventilation.

The apartments also benefit from generous ceiling heights (2.9m) allowing greater opportunities for light penetration. All apartments feature full height glazed doors onto outdoor living areas that maximise good solar access and natural ventilation, with smaller alcoves and recesses providing additional daylight to interior rooms.



Typical apartment in north building – receives light and ventilation from three different directions.



Full height glazing allows optimal light penetration to the dwellings.

A variety of articulations (including projecting bedroom windows to receive northern sunlight) ensure sufficient daylight to habitable rooms.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A2.6.1 – Developments that comprise single aspect apartments on each side of a central circulation corridor shall have a maximum building depth of 20m. All other proposals will be assessed on their merits with particular consideration to 4.1 Solar and daylight access and 4.2 Natural ventilation.

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

ELEMENT 2.7

BUILDING SEPARATION

ELEMENT OBJECTIVES

Development is to achieve the following Element Objectives

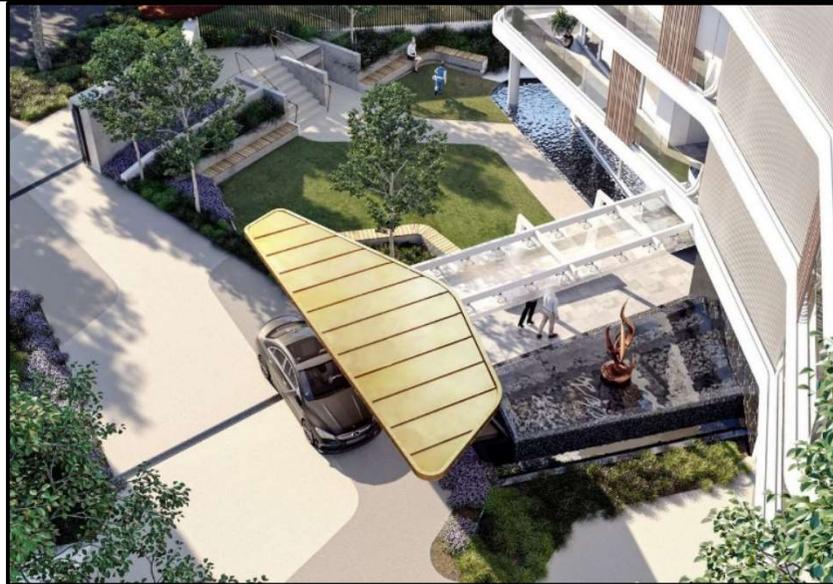
APPLICANT COMMENT

ASSESSOR COMMENT

Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.

O2.7.1 – New development supports the desired future streetscape character with spaces between buildings.

The proposed development contains two buildings designed in a manner which is sensitive to the street and surrounding properties. By distributing the total volume of the development into two individual buildings and orienting the larger building to the north-east side of the site, it fits in with the context of the existing 10-20 storey developments facing the river. Conversely, by reducing the height to four storeys at the rear, the proposal transitions sensitively to the four-storey development on the south-west of the site.



Proposed communal open space between the two buildings.

To adjoining properties:

The Acceptable Outcomes require a 9m – 12m separation to adjoining sites where the development exceeds nine storeys. In this regard, the setback from the 15 storey north building is setback 4m to both side boundaries. The development on the adjoining sites is setback at least 8m on the eastern side and 9m on the western side, allowing 12-13m separation between the existing and proposed buildings.

Whilst the Acceptable Outcomes are not achieved, the separation is considered adequate for the following reasons:

- The siting of the building, with more than 12m separation from the nearest adjoining building, allows view corridors to be maintained between the north building and the adjacent apartment developments;
- The separation allows for sunlight and ventilation between the two buildings.
- There are minimal privacy impacts, as outlined in Section 3.5 of this assessment.

O2.7.4 – Suitable areas are provided for communal and private open space, deep soil areas and landscaping between buildings

The separation distance allows for visitor parking, large landscaping areas between the two buildings and the preservation of views through the subject site. It is considered this provides a high amenity environment for the residents.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A2.7.1 – Development complies with the separation requirements set out in Table 2.7.

Table 2.7 Building separation

	Separation between:	Building height		
		≤ 4 storeys (up to 15m)	5-8 storeys (up to 28m)	≥ 9 storeys (over 28m)
Within site boundary	Habitable rooms/balconies	12m	18m	24m
	Habitable and non-habitable rooms	7.5m	12m	18m
	Non-habitable rooms	4.5m	6m	9m
To adjoining property boundaries	Habitable rooms/balconies and boundary	Refer 2.4 <i>Side and rear setbacks</i> (Table 2.1) and 3.5 <i>Visual privacy</i> (Table 3.5)	9m	12m
Distances apply from major openings of rooms, or the inside of balustrading of balconies. Average dimensions may be applied subject to major openings meeting other requirements for privacy, daylight and the like.				

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 3.2		ORIENTATION	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
03.2.1 – Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.		<p>The development has been designed to interface with the public realm by orienting the northern building towards the South Perth foreshore and the southern building towards Parker Street and incorporating direct access from the street.</p> <p>The design responds to the primary views of the site being across the Swan River, towards the Perth CBD. 23 of 26 apartments (i.e. the north building apartments) have a view over the river. Given the view is north, this conveniently enables winter sunlight to the apartments.</p> <p>The proposed development also responds to the topography of the land with two lower levels of the north building being nestled into the hillside in a manner which screens the car parking. The north building is also setback 8m from the north boundary due to the topography being particularly steep in this portion of the site.</p>	
03.2.2 – Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.		The proposed development will overshadow part of 6 Parker Street to the south-west and part of 144 Mill Point Road to the south-east. The individual impacts are discussed below. In general terms, the proposed development is designed sensitively to adjoining properties by locating a larger tower to the north of the site, and a smaller building to the south of the	

site. This ensures that the shadow of the taller building predominately falls within the subject site.

Lot 10 (No. 6) Parker Street, South Perth

The overshadowing cast by the south building covers 62% of the area of the adjoining property (Lot 10) at midday on June 21. This exceeds the acceptable development outcome of 50%.

The shadow involves a minor increase from the previous development approval which overshadowed 58% of this property. The increase has been caused by the increase in height to the north building.

The shadow cast by the proposed development hits the north wall of the adjoining apartment building on Lot 10. This north facing wall is generally limited to obscure glazed windows and minor openings (refer to photograph below). Importantly, the roof terrace on the adjoining development will not be affected by the shadow at midday June 21.

The shadow cast by the proposed additional three levels generally affects the rear setback area of the adjoining property (refer to Drawing No. A452). The rear setback area contains a garage on the north side and a swimming pool on the south side. Whilst the shadow cast by the north building would reach part of the swimming pool, it is likely this is already overshadowed by the garage. Furthermore, surrounding developments such as the 22 storey Windsor Towers will cast a shadow over this property at different times of the day.

However, the overshadowing analysis demonstrates the rear setback will continue to receive morning sunlight throughout the year with the 10am shadow analysis for 22 June, 22 August, 22 September and 22 October each demonstrating where sunlight is received (refer to Drawing Nos. A460, A461, A462, A463).

Furthermore, the north building is less than with the base height under Amendment 61. It is also positioned in the northernmost portion of the site, meaning overshadowing is far better than an otherwise 'compliant' design.



View of northern elevation of Lot 10 showing minor openings to apartments.

Lot 101 (No. 144 Mill Point Road, South Perth)

The development overshadows Lot 101 to the south-east by 18.9% and achieves the acceptable outcome.

Compared with the approved drawings, the proposed shadow at midday June 21 extends a further 18m in to the adjoining site. This means the shadow hits the lower levels of the west facing apartments on the adjoining property. However, this is considered a minor impact noting the shadow of a building which complies with the base heights under the draft South Perth Activity Centre planning framework casts a broader shadow than the proposed development.

Summary

In a high density area such as this, there must be expectations of shadowing on adjoining properties. In this circumstance, the extent of shadowing is considered reasonable and residents of surrounding properties are afforded adequate sunlight during the morning or afternoon.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A3.2.1 – Buildings on street or public realm frontages are oriented to face the public realm and incorporate direct access from the street.

A3.2.2 – Buildings that do not have frontages to streets or public realm are oriented to maximise northern solar access to living areas.

A3.2.3 – Development in climate zones 4, 5 and 6 shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed:

- adjoining properties coded R25 and lower – 25% of the site area¹
- adjoining properties coded R30 – R40 - 35% of the site area¹
- adjoining properties coded R50 – R60 – 50% of the site area¹
- adjoining properties coded R80 or higher – Nil requirements.

(1) Where a development site shares its southern boundary with a lot, and that lot is bound to the north by other lot(s), the limit of shading at A3.2.3 shall be reduced proportionally to the percentage of the affected properties northern boundary that abuts the development site. (Refer to Figure A7.2 in Appendix 7)

A3.2.4– Where adjoining sites are coded R40 or less, buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 3.3 TREE CANOPY AND DEEP SOIL AREAS		
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<p>ELEMENT OBJECTIVES Development is to achieve the following Element Objectives</p>	<p>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</p>	
<p>O3.3.1 – Site planning maximises retention of existing healthy and appropriate and protects the viability of adjoining trees.</p>	<p>The proposed development retains the large Eucalyptus tree situated near the north-west boundary adjacent to the primary street. Site works have been undertaken with the tree remaining on site.</p>  <p>Aerial photograph showing retention of large Eucalyptus tree (August 2020).</p> <p>There are no significant trees on adjoining sites which would be affected by the proposed development.</p>	

<p>O3.3.2 – Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre-development condition.</p>	<p>The development includes 177m² (7.2%) of deep soil area in accordance with Table 3.3a. The proposed development qualifies for a reduced 7% deep soil requirement due to the retention of the existing tree. The proposal is therefore consistent with the Acceptable Outcomes.</p>	
<p>O3.3.3 – Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.</p>	<p>In addition to the deep soil areas, there are also substantial on-structure planting areas totalling 210m² (8.6%). All on-structure planting is at least 1m deep and can accommodate suitably sized trees and other low level landscaping. This on-structure landscaping enhances the amenity of the space between the two buildings.</p> <p>Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b as follows:</p> <ul style="list-style-type: none"> • 1 x large Eucalyptus tree near the north-west boundary. • 4 x large trees – 3 along the northern setback area and 1 in the south of the site adjacent to the visitor parking. • 18 x medium trees within the communal open space and street, side and rear setback areas. • 6 x small trees within the northern setback area, including the level 2 courtyard. <p>This substantially exceeds the Acceptable Outcomes which recommend a minimum of four large trees and four medium trees.</p>	

ACCEPTABLE OUTCOMES
Acceptable Outcome pathway may not be applicable where a performance solution is provided

A3.3.1 – Retention of existing trees on the site that meet the following criteria:

- healthy specimens with ongoing viability **AND**
- species is not included on a State or local area weed register **AND**
- height of at least 4m **AND/OR**
- trunk diameter of at least 160mm, measured 1m from the ground **AND/OR**
- average canopy diameter of at least 4m.

A3.3.2 – The removal of existing trees that meet any of the criteria at A3.3.1 is supported by an arboriculture report.

A3.3.3 – The development is sited and planned to have no detrimental impacts on, and to minimise canopy loss of adjoining trees.

A3.3.4 – Deep soil areas are provided in accordance with Table 3.3a. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.

Table 3.3a Minimum deep soil area and tree provision requirements

Site Area	Minimum deep soil area	Minimum requirement for trees ¹
Less than 700m ²	10% OR 7% if existing tree(s) retained on site (% site area)	1 medium tree and small trees to suit area
700 – 1,000m ²		2 medium trees OR 1 large tree and small trees to suit area
> 1,000m ²		1 large tree and 1 medium tree for each additional 400m ² in excess of 1000m ² OR 1 large tree for each additional 900m ² in excess of 1000m ² and small trees to suit area

¹ Minimum requirement for trees includes retained or new trees
Refer Table 3.3b for tree sizes

A3.3.5 – Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b.

Table 3.3b Tree sizes

Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided ¹ (min 1m depth)	Indicative pot size at planting
Small	4–6m	4–8m	9m ²	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6–9m	8–12m	36m ²	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m ²	6m	4.5m (DSA) + 1.5m (RSZ)	500L

¹ Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA.

A3.3.6 – The extent of permeable paving or decking within a deep soil area does not exceed 20 per cent of its area and does not inhibit the planting and growth of trees.

A3.3.7 – Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided.

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

- Policy No.350.5 – Trees on Development Sites and Street Verges

ELEMENT 3.4 COMMUNAL OPEN SPACE	
ELEMENT OBJECTIVES	APPLICANT COMMENT
<p><i>Development is to achieve the following Element Objectives</i></p>	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p>
<p>O3.4.1 – Provision of quality communal open space that enhances resident amenity and provides opportunities for landscaping, tree retention and deep soil areas.</p>	<p>The proposed development incorporates communal facilities including a gym, pool and other amenities on Basement levels 1 & 2 of the north building. The communal outdoor space is 265m² in area, far exceeding the Acceptable Outcome of 156m². The communal facilities offer an outstanding level of amenity for residents, providing a view to the City. Additionally:</p>
<p>O3.4.2 – Communal open space is safe, universally accessible and provides a high level of amenity for residents.</p>	<ul style="list-style-type: none"> • The communal open space is open to northern sunlight (receiving full sunlight between 9am and 3pm on June 21).
<p>O3.4.3 – Communal open space is designed and oriented to minimise impacts on the habitable rooms and private open space within the site and of neighbouring properties.</p>	<ul style="list-style-type: none"> • The communal open space is collocated with deep soil areas with trees and garden beds flanking the swimming pool. • The communal areas will be well lit and receive passive surveillance from the balconies above. • The communal areas do not adjoin any sensitive areas of adjoining properties and would not create an undue noise or visual impacts. • The communal facilities are located on a separate level to the residential apartments in the north building and would not pose undue impacts on the residents of the proposed development. <div data-bbox="719 802 1615 1318" data-label="Image"> </div> <p>Communal facilities and swimming pool, with an outlook toward the Swan River and Perth CBD</p> <p>The development also includes a 330m² communal garden between the two buildings incorporating a grassed area and seating. This is likely to be used more as a ‘passive’ space rather than an active space, but adds substantial amenity to the development by creating a green space between the two buildings.</p>

Subject to agreement from adjoining landowners, a future development application will provide for direct pedestrian access between the proposed development and the foreshore area via a staircase over the adjoining Lot 101.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A3.4.1 – Developments include communal open space in accordance with Table 3.4

Table 3.4 Provision of communal open space

Development size	Overall communal open space requirement	Minimum accessible / hard landscape area (included in overall area requirement)	Minimum open space dimension
Up to 10 dwellings	Informal seating associated with deep soil or other landscaped areas	NA	NA
More than 10 dwellings	Total: 6m ² per dwelling up to maximum 300m ²	At least 2m ² per dwelling up to 100m ²	4m

A3.4.2 – Communal open space located on the ground floor or on floors serviced by lifts must be accessible from the primary street entry of the development.

A3.4.3 – There is 50 per cent direct sunlight to at least one communal open space area for a minimum of two hours between 9am and 3pm on 21 June.

A3.4.4– Communal open space is co-located with deep soil areas and/or planting on structure areas and/ or co-indoor communal spaces.

A3.4.5 – Communal open space is separated or screened from adverse amenity impacts such as bins, vents, condenser units, noise sources and vehicle circulation areas.

A3.4.6 – Communal open space is well-lit, minimises places for concealment and is open to passive surveillance from adjoining dwellings and/or the public realm.

A3.4.7 – Communal open space is designed and oriented to minimise the impacts of noise, odour, light-spill and overlooking on the habitable rooms and private open spaces within the site and of neighbouring properties.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	

ELEMENT 3.5		VISUAL PRIVACY	
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT	
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
O3.5.1 – The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of neighbouring properties, while maintaining daylight and solar	The proposed development has generally been designed to orientate the main outlook of dwellings to the north. This allows for a view toward the Swain River and the Perth CBD for the north building, or a view of the internal communal open space (with glimpse of the river) for the south building. This orientation also ensures that adjoining properties do not have their privacy impacted.		

access, ventilation and the external outlook of habitable rooms.

The north building has habitable room windows on the east and west sides which do not meet the Acceptable Outcomes, with windows and balcony corners which have a 4m setback to the east or west boundaries in lieu of the recommended 4.5m – 6m setback. Additionally, the visual privacy setback standards for the fifth storeys and above defer to the building separation requirements of element 2.7 which involve 9m – 12m setbacks. Notwithstanding, the primary orientation of the dwellings is to the north, not to the side boundaries.

The south building is consistent with the Acceptable Outcomes of the R-Codes.

The context and impacts on the adjoining properties are discussed below.

West
To the west, Windsor Towers has a grass and landscaped area of communal open space. This is a non-active space and is not considered sensitive to overlooking. At the upper floors, Windsor Towers has bedroom windows facing the subject site. However, these windows are situated approximately 9m from the boundary meaning there is a 13m separation between the balconies and the windows. This is considered sufficient to maintain privacy between the two properties.

Additionally, the balconies in the proposed development are to have moveable screens. For the most part, this allows the balconies to be screened in a manner which obscures the view to the adjoining properties. The sliding screens allows for sunlight to be received by the balconies, offering a superior design outcome to that of a fixed screen.

East
For the north building, all balconies/windows overlook a portion of the adjoining property which contains a steep embankment. This portion of the site is undeveloped and is unlikely to be developed in the future. As such, it is not considered sensitive to overlooking.

For the south building, the balconies directly face other balconies on the adjoining property. However, the proposed balconies are screened and are deemed not to have any privacy impacts.

South
To the south, all dwellings are setback at least 4m from the boundary, exceeding the Acceptable Outcome by 1m. This setback is considered sufficient to maintain privacy. Additionally, the wall of the adjoining property primarily contains minor openings only.

ACCEPTABLE OUTCOMES
Acceptable Outcome pathway may not be applicable where a performance solution is provided

A3.5.1 – Visual privacy setbacks to side and rear boundaries are provided in accordance with Table 3.5.

Table 3.5 Required privacy setback to adjoining sites

Cone of vision from unscreened:	First 4 storeys		5th storey and above
	Adjoining sites coded R50 or lower	Adjoining sites coded higher than R50	
Major opening to bedroom, study and open access walkways	4.5m	3m	Refer Table 2.7
Major openings to habitable rooms other than bedrooms and studies	6m	4.5m	
Unenclosed private outdoor spaces	7.5m	6m	

A3.5.2 – Balconies are unscreened for at least 25 per cent of their perimeter (including edges abutting a building).

A3.5.3 - Living rooms have an external outlook from at least one major opening that is not obscured by a screen.

A3.5.4 – Windows and balconies are sited, oriented, offset or articulated to restrict direct overlooking, without excessive reliance on high sill levels or permanent screening of windows and balconies.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	

ELEMENT 3.6	PUBLIC DOMAIN INTERFACE
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ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.6.1 – The transition between the private and public domain enhances the privacy and safety of residents.	The development's interface with Parker Street provides a clear transitional space between the private and public domain through the use of ramps, planter boxes, a staircase and semi-permeable fencing. Landscaping planter boxes soften the interface of the building to the street as can be seen in image below.	



Perspective image of proposed development from Parker Street

Private space is demarcated by a semi-permeable fence. Although a section of this fence does not comply with the City's Front Fences Policy (which requires walls to be 80% visually permeable above 1.2m), the fence involves a mix of solid and permeable materials allowing for a balance between surveillance and privacy.

The fencing is discussed further in the accompanying DA report.

O3.6.2 – Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.

The proposed development maintains excellent passive surveillance of the street due to the presence of the south building, where all three apartments have habitable rooms and balconies facing the street. The development also includes a 'waiting lounge' on the ground floor of the south building. This has been designed as a casual lounge space with a view to the street such that it is suitable as an Uber or taxi waiting area. This component of the development offers excellent surveillance to the street.

Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.

Car-parking is located at ground level between the two buildings and behind the street setback. Additional car parking is located in the basement levels. Surface parking is set within landscaped grounds and is not prominent from the Parker Street frontage.

Additionally, in relation to the Acceptable Outcomes:

- Bins are not provided within the street setback area and the bin storage area is located within a portion of the site where it does not impinge on the amenity of apartments.
- Services and utilities are provided in screened service courtyards, and are not visible from outside the apartments.
- Air conditioning units are provided in screened enclosures on the mezzanine level and are not visible from the street or public realm.

ACCEPTABLE OUTCOMES	
<i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>	
A3.6.1 – The majority of ground floor dwellings fronting onto a street or public open space have direct access by way of a private terrace, balcony or courtyard.	
A3.6.2 – Car-parking is not located within the primary street setback; and where car parking is located at ground level behind the street setback it is designed to integrate with landscaping and the building façade (where part of the building).	
A3.6.3 – Upper level balconies and/or windows overlook the street and public domain areas.	
A3.6.4 – Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.	
A3.6.5 – Changes in level between private terraces, front gardens and the ground floor level of the building and the street level average less than 1m and do not exceed 1.2m.	
A3.6.6 – Front fencing includes visually permeable materials above 1.2m and the average height of solid walls or fences to the street does not exceed 1.2m.	
A3.6.7 – Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.	
A3.6.8 – Bins are not located within the primary street setback or in locations visible from the primary street.	
A3.6.9 – Services and utilities that are located in the primary street setback are integrated into the design of the development and do not detract from the amenity and visual appearance of the street frontage. ¹	
<small>(1) Firefighting and access to services such as power and water meters require careful consideration in the design of the front façade. Consult early with relevant authorities to resolve functional requirements in an integrated design solution.</small>	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	<p>Policy P350.7 Street Walls and Fences:</p> <ul style="list-style-type: none"> Fences within the street setback to achieve 80% visual permeability above 1.2m in height up to a maximum of 1.8m, with piers/pillars no higher than 2.1m and not wider than 0.47m. Fences within street setback area(s) (primary and/or secondary street) as viewed from the street, shall be constructed of either timber pickets, masonry materials, open grille metal panels or the like, but shall not be constructed of fibre cement sheeting or metal sheeting. In conjunction with any proposed residential development, the applicant is to provide new fences on the rear boundary and all side boundaries of the site behind the street setback area.

ELEMENT 3.7		PEDESTRIAN ACCESS AND ENTRIES	
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT	
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
O3.7.1 – Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.	The proposed development provides a distinctive entry point with an entry canopy and gate next to the large Eucalyptus tree which is visible from Parker Street.		
O3.7.2 – Entries to the development connect to and address the public domain with an attractive street presence.	<p>Whilst the main entrance provides access to both buildings, the south building also has a separate pedestrian entry pathway with access from Parker Street for easy access to the south building.</p> <p>The pedestrian entry has been designed in accordance with universal design principles. Access to the south building is available from the main entry point, which is at grade with the south building lobby. Access to the north building is at a lower level, due to the substantial slope across the site, but can be accessed via a wheelchair lift which is to be installed next to the main entry (as depicted on the site plan).</p>		

Pedestrian paths provide a legible, well defined, continuous path of travel between the footpath, building entrances, and rear car parking area. Both pedestrian entries and the waiting area are protected from the weather by awnings.

Landscaping in raised planter boxes provides definition to the street edge and a sense of enclosure to the front setback area. The planter will also function as a wind-break improving the pedestrian amenity around the main entry.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

- A3.7.1** – Pedestrian entries are connected via a legible, well-defined, continuous path of travel to building access areas such as lift lobbies, stairs, accessways and individual dwelling entries.
- A3.7.2** – Pedestrian entries are protected from the weather.
- A3.7.3** – Pedestrian entries are well-lit for safety and amenity, visible from the public domain without opportunity for concealment, and designed to enable casual surveillance of the entry from within the site.
- A3.7.4** – Where pedestrian access is via a shared zone with vehicles, the pedestrian path is clearly delineated and/or measures are incorporated to prioritise the pedestrian and constrain vehicle speed.
- A3.7.5** – Services and utilities that are located at the pedestrian entry are integrated into the design and do not detract from the amenity of the entry.
- A3.7.6** – Bins are not located at the primary pedestrian entry.

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

ELEMENT 3.8

VEHICLE ACCESS

ELEMENT OBJECTIVES

Development is to achieve the following Element Objectives

APPLICANT COMMENT

ASSESSOR COMMENT

Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.

O3.8.1 – Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.

Pedestrian and vehicle access are separated by landscaping and clearly differentiated by design, paving materials and location.

In order to allow visitor access behind the security gate, a visitor bay standing area is proposed adjacent to the main entry together with an intercom system which can connect to any of the apartments and be operated remotely from within the apartments. The waiting bay is proposed on the right hand side of the driveway so that the intercom can be located on the same side as the driver of the car.

Vehicles egressing the site have a clear line of sight with no fencing or structures adjoining the vehicle access points where the driveway intersects Parker Street.

The above elements were reviewed extensively in the initial development application in consultation with the City of South Perth. The proposed design is consistent with the layout which the City accepted.

03.8.2 – Vehicle access points are designed and located to reduce visual impact on the streetscape.
 A single vehicle access point providing two-way access, consistent with the existing crossover location, minimises the visual impact on the streetscape. The proposal is consistent with the Acceptable Outcome of one vehicle opening per 20m of street frontage.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A3.8.1 – Vehicle access is limited to one opening per 20m street frontage that is visible from the street.

A3.8.2 – Vehicle entries are identifiable from the street, while being integrated with the overall façade design and/ or located behind the primary building line.

A3.8.3 – Vehicle entries have adequate separation from street intersections.

A3.8.4 – Vehicle circulation areas avoid headlights shining into habitable rooms within the development and adjoining properties.

A3.8.5 – Driveway width is kept to a functional minimum, relative to the traffic volumes and entry/egress requirements.

A3.8.6 – Driveways designed for two way access to allow for vehicles to enter the street in forward gear where:

- the driveway serves more than 10 dwellings
- the distance from an on-site car parking to the street is 15m or more **OR**
- the public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road.

A3.8.7 – Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street and where two streets intersect (refer Figure 3.8a).

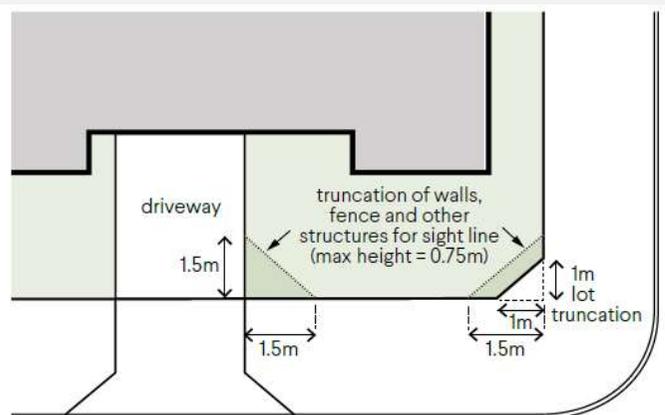


Figure 3.8a Truncation at street corner to provide sightlines (refer A3.8.7).

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

ELEMENT 3.9 CAR AND BICYCLE PARKING

ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT									
<p>O3.9.1 – Parking and facilities are provided for cyclists and other modes of transport.</p>	<p>The proposed development provides the following alternative parking facilities:</p> <p>Bicycle Parking 17 bicycle bays are provided including two spaces at ground level for visitors. Further opportunities for secure bicycle parking are provided in the generously proportioned storerooms provided for dwellings in the basement structure. End of trip facilities are not included in the development as all visitors will be visiting an apartment with a bathroom.</p> <p>Motorcycle Parking No motorcycle parking has been included in the proposed development. The proposal includes more car bays than required by the Acceptable Outcomes and the car spaces could be used by motorcycles if required.</p> <p>Other transport modes The guest lobby on the ground floor of the south building provides an area of residents and visitors to site whilst they wait for ride-sharing and taxi services.</p>	<p>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</p>									
<p>O3.9.2 – Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.</p>	<p>Car Parking 74 secure resident car bays are provided in the basement parking structure. Six uncovered visitor parking bays have been provided in the central parking area on the ground level.</p> <p>The subject site is classified as 'Location B' resulting in a minimum parking requirement of 1.25 bays per dwelling (33 car bays). The Acceptable Outcomes are assessed in the table below:</p> <table border="1" data-bbox="719 1193 1397 1353"> <thead> <tr> <th>Parking Bay</th> <th>Acceptable Outcome</th> <th>Proposed</th> </tr> </thead> <tbody> <tr> <td>Resident</td> <td>33 minimum, 66 maximum</td> <td>74 bays</td> </tr> <tr> <td>Visitor</td> <td>5 bays</td> <td>6 bays</td> </tr> </tbody> </table> <p>Maximum Number of Car Bays While the number of on-site parking bays exceeds the amount typically required (and stipulated in the 'acceptable outcomes' table 3.9), this is considered necessary to cater for the 3 x three-bedroom (family sized) dwellings within the development. It also accommodates dual key apartments, which may be occupied by a separate occupant from the main dwelling. All</p>	Parking Bay	Acceptable Outcome	Proposed	Resident	33 minimum, 66 maximum	74 bays	Visitor	5 bays	6 bays	
Parking Bay	Acceptable Outcome	Proposed									
Resident	33 minimum, 66 maximum	74 bays									
Visitor	5 bays	6 bays									

O3.9.1 – Parking and facilities are provided for cyclists and other modes of transport.

The proposed development provides the following alternative parking facilities:

Bicycle Parking
 17 bicycle bays are provided including two spaces at ground level for visitors. Further opportunities for secure bicycle parking are provided in the generously proportioned storerooms provided for dwellings in the basement structure. End of trip facilities are not included in the development as all visitors will be visiting an apartment with a bathroom.

Motorcycle Parking
 No motorcycle parking has been included in the proposed development. The proposal includes more car bays than required by the Acceptable Outcomes and the car spaces could be used by motorcycles if required.

Other transport modes
 The guest lobby on the ground floor of the south building provides an area of residents and visitors to site whilst they wait for ride-sharing and taxi services.

Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.

O3.9.2 – Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.

Car Parking
 74 secure resident car bays are provided in the basement parking structure. Six uncovered visitor parking bays have been provided in the central parking area on the ground level.

The subject site is classified as 'Location B' resulting in a minimum parking requirement of 1.25 bays per dwelling (33 car bays). The Acceptable Outcomes are assessed in the table below:

Parking Bay	Acceptable Outcome	Proposed
Resident	33 minimum, 66 maximum	74 bays
Visitor	5 bays	6 bays

Maximum Number of Car Bays
 While the number of on-site parking bays exceeds the amount typically required (and stipulated in the 'acceptable outcomes' table 3.9), this is considered necessary to cater for the 3 x three-bedroom (family sized) dwellings within the development. It also accommodates dual key apartments, which may be occupied by a separate occupant from the main dwelling. All

	residents' parking is screened from the street and is predominately provided in a basement so as not to add to the bulk and scale of the development. For these reasons, the proposed supply of parking is considered consistent with the element objectives.	
O3.9.3 – Car parking is designed to be safe and accessible.	<p>The visitor parking bay is clearly visible from the crossover. Signposting/markings will be provided to aid visibility.</p> <p>The ramp to the basement car park is proposed at a gradient of 1:6. This does not meet the requirements of Clause 6.10(2) of TPS6, which requires a maximum gradient of 1:8. The proposed ramp is consistent with Clause 2.5.3(a) of AS2890.1:2004 – Off-Street Parking, which permits a gradient of 1:5 in certain circumstances. The final design of the ramp will be in accordance with AS2890.1. On this basis, we consider the proposed ramp gradient is appropriate.</p>	
O3.9.4 – The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.	<p>Consistent with the City's Policy 350.03, all resident bays are located in the basement garage (policy requires at least one occupiers car bay to be provided with roof cover), and all visitor bays are unroofed.</p> <p>Ground level parking is not prominent from the street. Consequently, the design and location of the parking area will have no adverse impact on streetscape.</p>	

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A3.9.1 – Secure, undercover bicycle parking is provided in accordance with Table 3.9 and accessed via a continuous path of travel from the vehicle or cycle entry point.

Table 3.9 Parking ratio

Parking types		Location A	Location B
Car parking ¹	1 bedroom dwellings	0.75 bay per dwelling	1 bay per dwelling
	2+ bedroom dwellings	1 bay per dwelling	1.25 bays per dwelling
	Visitor	1 bay per four dwellings up to 12 dwellings 1 bay per eight dwellings for the 13th dwelling and above	
Bicycle parking ¹	Resident	0.5 space per dwelling	
	Visitor	1 space per 10 dwellings	
Motorcycle/ Scooter parking ²	Developments exceeding 20 dwellings provide 1 motorcycle/scooter space for every 10 car bays		
¹ Calculations of parking ratios shall be rounded up to the next whole number. ² For each five motorcycle/scooter parking bays provided in accordance with Table 3.9, car parking bays may be reduced by one bay. Definitions: Location A: within 800m walkable catchment of a train station and/or 250m of a transit stop (bus or light rail) of a high-frequency route and/or within the defined boundaries of an activity centre. Location B: not within Location A.			

A3.9.2 – Parking is provided for cars and motorcycles in accordance with Table 3.9.

A3.9.3 – Maximum parking provision does not exceed double the minimum number of bays specified in Table 3.9

A3.9.4 – Car parking and vehicle circulation areas are designed in accordance with AS2890.1 (as amended) or the requirements of applicable local planning instruments.

A3.9.5 – Car parking areas are not located within the street setback and are not visually prominent from the street.

A3.9.6 – Car parking is designed, landscaped or screened to mitigate visual impacts when viewed from dwellings and private outdoor spaces.

A3.9.7 – Visitor parking is clearly visible from the driveway, is signed 'Visitor Parking' and is accessible from the primary entry or entries.	
A3.9.8 – Parking shade structures, where used, integrate with and complement the overall building design and site aesthetics and have a low reflectance to avoid glare into apartments.	
A3.9.9 – Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays.	
A3.9.10 – Basement parking does not protrude more than 1m above ground, and where it protrudes above ground is designed or screened to prevent negative visual impact on the streetscape.	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	<ul style="list-style-type: none"> • Clause 6.10(2) of TPS6 requires a maximum gradient of 1:8. • TPS6 requirements: <ul style="list-style-type: none"> ○ Car parking bays and access ways to be: ○ constructed of hard-stand (dust free) surfaces. ○ Graded and drained to prevent water flowing onto adjoining land; ○ Clearly marked on an approved plan; ○ Maintained in good condition. • Policy 350.03 Parking and Access <p>The above items are discussed further under the corresponding sections of the accompanying DA report.</p>

ELEMENT 4.1 SOLAR AND DAYLIGHT ACCESS		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
04.1.1 – In climate zones 4, 5 and 6: the development is sited and designed to optimise the number of dwellings receiving winter sunlight to private open space and via windows to habitable rooms.	<p>The development is located in climate zone 5. Dwellings with a northern aspect have been maximised with all 26 apartments having living rooms and outdoor living areas that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June, consistent with Acceptable Outcome A4.1.1.</p> <p>In fact, all apartments in the north building receive the full six hours of sunlight between 9am and 3pm due to their northern orientation. Apartments in the south building receive at least four hours sunlight due to the shadow from the north building, but this exceeds the Acceptable Outcome by double.</p>	
04.1.2 – Windows are designed and positioned to optimise daylight access for habitable rooms.	Full height glazing is provided for all windows in all habitable rooms opening onto balconies. Other habitable rooms along the western and eastern elevation are angled towards the north to provide improve daylighting to habitable rooms.	
04.1.3 – The development incorporates shading and glare control to minimise heat gain and glare: <ul style="list-style-type: none"> – from mid-spring to autumn in climate zones 4, 5 and 6 AND – year-round in climate zones 1 and 3. 	<p>Shading and glare control measures have been provided throughout the development, particularly for north facing dwellings. Such measures include:</p> <ul style="list-style-type: none"> • Covered alfresco and balcony areas. • Vertical timber-look louvres screens to balcony areas. 	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		

A4.1.1 – In climate zones 4, 5 and 6 <u>only</u> : a) Dwellings with a northern aspect are maximised, with a minimum of 70 per cent of dwellings having living rooms and private open space that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June AND b) A maximum of 15 per cent of dwellings in a building receiving no direct sunlight between 9am and 3pm on 21 June.	
A4.1.2 – Every habitable room has at least one window in an external wall, visible from all parts of the room, with a glazed area not less than 10 per cent of the floor area and comprising a minimum of 50 per cent of clear glazing.	
A4.1.3 – Lightwells and/or skylights do not form the primary source of daylight to any habitable room.	
A4.1.4 – The building is oriented and incorporates external shading devices in order to: – minimise direct sunlight to habitable rooms: ▪ between late September and early March in climate zones 4, 5 and 6 only AND ▪ in all seasons in climate zones 1 and 3 – permit winter sun to habitable rooms in accordance with A 4.1.1 (a).	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	

ELEMENT 4.2		NATURAL VENTILATION	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
O4.2.1 – Development maximises the number of apartments with natural ventilation.		All apartments within the proposed development have been designed to maximise natural ventilation and contain openings in at least two different orientations. The apartments are less than 20m in depth and receive optimal cross ventilation. Full height glazing and openings are provided in all habitable rooms opening onto balconies.	
O4.2.2 – Individual dwellings are designed to optimise natural ventilation of habitable rooms.			
O4.2.3 – Single aspect apartments are designed to maximise and benefit from natural ventilation.			
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A4.2.1 – Habitable rooms have openings on at least two walls with a straight line distance between the centre of the openings of at least 2.1m.			
A4.2.2 – (a) A minimum 60 per cent of dwellings are, or are capable of, being naturally cross ventilated in the first nine storeys of the building (b) Single aspect apartments included within the 60 per cent minimum at (a) above must have: ▪ ventilation openings oriented between 45° – 90° of the prevailing cooling wind direction AND			

<ul style="list-style-type: none"> ▪ room depth no greater than 3 × ceiling height <p>(c) For dwellings located at the 10th storey or above, balconies incorporate high and low level ventilation openings.</p>	
<p>A4.2.3 – The depth of cross-over and cross-through apartments with openings at either end and no openings on side walls does not exceed 20m.</p>	
<p>A4.2.4 – No habitable room relies on lightwells as the primary source of fresh-air.</p>	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.3 SIZE AND LAYOUT OF DWELLINGS		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
<p>O4.3.1 – The internal size and layout of dwellings is functional with the ability to flexibly accommodate furniture settings and personal goods, appropriate to the expected household size.</p>	<p>The apartment room layouts are functional, well-organised and provide a high standard of amenity. The size of all apartments and bedrooms/living rooms exceed the minimum sizes as set out in the ‘acceptable outcomes’ for this element.</p> <p>The proposed development has been designed for the existing 11 strata owners to replace their grouped dwellings with modern apartments. The design and provision of apartment layouts (particularly the dual key apartment) has therefore reflected needs and desires of individuals.</p> <p>The dual key apartments offer substantial flexibility to residents. Again, this has been proposed to meet the needs of the owns. Each owner has different intentions for the use of the dual key apartments. Most owners will use the ‘larger’ portion of the dual key apartments as their primary residence and use the smaller in a variety of ways including:</p> <ul style="list-style-type: none"> • For live-in carers for elderly residents; • For mature children requiring independence; and • For family members who are staying with the resident on a temporary basis (e.g. visiting from overseas). 	
<p>O4.3.2 – Ceiling heights and room dimensions provide for well-proportioned spaces that facilitate good natural ventilation and daylight access.</p>	<p>Minimum floor to ceiling heights of at least 2.9m have been achieved for all habitable spaces, consistent with acceptable outcome A4.3.3 for this design element. All rooms are well-proportioned and benefit from good ventilation and light access as outlined above.</p>	
<p>ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i></p>		

A4.3.1 – Dwellings have a minimum internal floor area in accordance with Table 4.3a.

Table 4.3a Minimum floor areas for dwelling types

Dwelling type	Minimum internal floor area
Studio	37m ²
1 bed	47m ²
2 bed × 1 bath ¹	67m ²
3 bed × 1 bath ¹	90m ²

¹An additional 3m² shall be provided for designs that include a second or separate toilet, and 5m² for designs that include a second bathroom.

A4.3.2 – Habitable rooms have minimum floor areas and dimensions in accordance with Table 4.3b.

Table 4.3b Minimum floor areas and dimensions for habitable rooms

Habitable room type	Minimum internal floor area	Minimum internal dimension
Master bedroom	10m ²	3m
Other bedrooms	9m ²	3m
Living room – studio and 1 bed apartments	N/A	3.6m
Living room – other dwelling types	N/A	4m

¹Excluding robes

A4.3.3 – Measured from the finished floor level to finished ceiling level, minimum ceiling heights are:

- Habitable rooms – 2.7m
- Non-habitable rooms – 2.4m
- All other ceilings meet or exceed the requirements of the NCC.

A4.3.4 – The length of a single aspect open plan living area is equal to or less than 3 x the ceiling height. An additional 1.8m length may be provided for a kitchen, where the kitchen is the furthest point from the window in an open plan living area provided that the maximum length does not exceed 9m.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O4.4.1 – Dwellings have good access to appropriately sized private open space that enhances residential amenity.	<p>Each dwelling has private open space accessed directly from a habitable room with dimensions that exceeds the 'acceptable outcomes' Table 4.4.</p> <p>Areas of private open space are listed in Drawing A701 (area schedule). The balconies range from 33m² to 177m², far exceeding the minimum areas.</p>	
O4.4.2 – Private open space is sited, oriented and designed to enhance liveability for residents.	<p>Private open spaces are sited, oriented and designed to enhance liveability, and views of the river and the Perth CBD.</p> <p>All apartments have private open space facing north, with dwellings in the southern building also having balcony areas facing west, providing surveillance of Parker Street.</p>	
O4.4.3 – Private open space and balconies are integrated into the overall architectural form and detail of the building.	<p>The balconies and balustrading are predominately glazed and have been carefully designed as part of the overall architectural form of the building as demonstrated in Figure XX below.</p>  <p>Figure 1: Render of north facing façade of development demonstrating integration of balcony into the buildings architectural form.</p>	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.4.1 – Each dwelling has private open space accessed directly from a habitable room with dimensions in accordance with Table 4.4.		

Table 4.4 Private open space requirements

Dwelling type	Minimum Area ¹	Minimum Dimension ¹
Studio apartment + 1 bedroom	8m ²	2.0m
2 bedroom	10m ²	2.4m
3 bedroom	12m ²	2.4m
Ground floor / apartment with a terrace	15m ²	3m

¹ Services and fixtures located within private open space, including but not limited to air-conditioner units and clothes drying, are not visible from the street and/or are integrated into the building design.

A4.4.2 – Where private open space requires screening to achieve visual privacy requirements, the entire open space is not screened and any screening is designed such that it does not obscure the outlook from adjacent living rooms.

A4.4.3 – Design detailing, materiality and landscaping of the private open space is integrated with or complements the overall building design.

A4.4.4 – Services and fixtures located within private open space, including but not limited to air-conditioner units and clothes drying, are not visible from the street and/or are integrated into the building design.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.5 CIRCULATION AND COMMON SPACES		
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.5.1 – Circulation spaces have adequate size and capacity to provide safe and convenient access for all residents and visitors.	<p>Circulation corridors are a minimum 1.5m in width and all circulation corridors and common areas are designed for universal access.</p> <p>The secure ground level lobbies provides safe and convenient access for all residents and visitors. Each building has only one or two apartments per floor, well below the recommended maximum of 12.</p>	
O4.5.2 – Circulation and common spaces are attractive, have good amenity and support opportunities for social interaction between residents.	<p>Circulation spaces along driveway and in rear parking area can be illuminated at night without light spill into the habitable rooms of adjacent dwellings.</p> <p>No apartments in the proposed building have bedroom windows and major openings to living rooms opening directly onto circulation spaces or common areas.</p>	

Opportunities for social interaction between residents are provided via the communal recreational facilities, including the swimming pool, provided in the north building.

ACCEPTABLE OUTCOME

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A4.5.1 – Circulation corridors are a minimum 1.5m in width.

A4.5.2 – Circulation and common spaces are designed for universal access.

A4.5.3 – Circulation and common spaces are capable of passive surveillance, include good sightlines and avoid opportunities for concealment.

A4.5.4 – Circulation and common spaces can be illuminated at night without creating light spill into the habitable rooms of adjacent dwellings.

A4.5.5 – Bedroom windows and major openings to living rooms do not open directly onto circulation or common spaces and are designed to ensure visual privacy and manage noise intrusion.

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

ELEMENT 4.6

STORAGE

ELEMENT OBJECTIVES

Development is to achieve the following Element Objectives

APPLICANT COMMENT

ASSESSOR COMMENT

Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.

O4.6.1 – Well-designed, functional and conveniently located storage is provided for each dwelling.

Each dwelling has access to a secure, weatherproof store area located in basement parking area with a minimum area of 4m², with most dwellings having s substantially larger store to accommodate furniture, bicycle parking and the like. All stores have a minimum dimension of 1.5m and a minimum internal height of at least 2.1m in accordance with Acceptable Outcome A4.6.1. Storage rooms are not visible from the public domain.

Additionally, the development includes a communal bulky items store (next to car bay 41). There are also a number of stores for specific strata maintenance items such as pool equipment and furniture for the communal space.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A4.6.1 – Each dwelling has exclusive use of a separate, ventilated, weatherproof, bulky goods storage area. This can be located either internally or externally to the dwelling with dimensions in accordance with Table 4.6.

Table 4.6 Storage requirements

Dwelling type	Storage area ¹	Minimum dimension ¹	Minimum height ¹
Studio dwelling	3m ²	1.5m	2.1m
1 bedroom dwelling	3m ²		
2 bedroom dwellings	4m ²		
3 bedroom dwellings	5m ²		
¹ Dimensions exclusive of services and plant.			

A4.6.2 – Bulky good stores that are not directly accessible from the dwelling/private open space are located in areas that are convenient, safe, well-lit, secure and subject to passive surveillance.

A4.6.3 – Storage provided separately from dwellings or within or adjacent to private open space¹, is integrated into the design of the building or open space and is not readily visible from the public domain.

(1) Storage on/adjacent to private open space is additional to required open space area and dimensions.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.7 MANAGING THE IMPACT OF NOISE		
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<p>ELEMENT OBJECTIVES Development is to achieve the following Element Objectives</p>	<p>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</p>	
<p>O4.7.1 – The siting and layout of development minimises the impact of external noise sources and provides appropriate acoustic privacy to dwellings and on-site open space.</p>	<p>Potential noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of habitable rooms or within 3m of a window to a bedroom.</p> <p>Suitable glazing treatments will be incorporated into the development to reduce sound transfer and transmission from external sources.</p> <p>Refer to the Acoustic Report in Appendix 10 of the DA report for further details.</p>	
<p>O4.7.2 – Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.</p>	<p>Where two dwellings are on the same floor, they are separated by dividing walls with limited opportunities for direct noise impacts between dwellings (e.g. there are no windows in close proximity to one another).</p>	

The bin storage area is separated from Apartment 3B by a full height solid wall, and is not in proximity of other units, meaning there is limited opportunity for noise impacts to occupants.

Air conditioning units are located in screened enclosures on service terraces. These are located away from bedroom windows.

Refer to the Acoustic Report in **Appendix 10** of the DA report for further details.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A4.7.1 – Dwellings exceed the minimum requirements of the NCC, such as a rating under the AAAC Guideline for Apartment and Townhouse Acoustic Rating (or equivalent).

A4.7.2 – Potential noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of habitable rooms or within 3m of a window to a bedroom.

A4.7.3 – Major openings to habitable rooms are oriented away or shielded from external noise sources.

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

ELEMENT 4.8		DWELLING MIX	
ELEMENT OBJECTIVES		APPLICANT COMMENT	ASSESSOR COMMENT
<p><i>Development is to achieve the following Element Objectives</i></p>		<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p>	
<p>O4.8.1 – A range of dwelling types, sizes and configurations is provided that caters for diverse household types and changing community demographics.</p>	<p>The proposed development has been designed for the existing 11 strata owners to replace their grouped dwellings with modern apartments. The design and provision of apartment layouts has therefore reflected needs and desires of individuals, and the need to create a financially viable development.</p> <p>26 apartments have been proposed, broken down as follows:</p> <ul style="list-style-type: none"> • 4 x 3 bedroom apartments. • 16 x 3 bedroom apartments with dual-key configurations (incorporating a separate annex which may or may not be self contained). • 2 x 4 bedroom apartments <p>Because the apartments exceed the minimum size requirements, they allow for a high degree of adaptability.</p> <p>Although the majority of apartments have three bedrooms, 16 of them offer 'dual key' access. This means that whilst the apartments have each been sold as a single strata lot, the apartments are equipped with a separate one-bedroom or two-bedroom space.</p>		

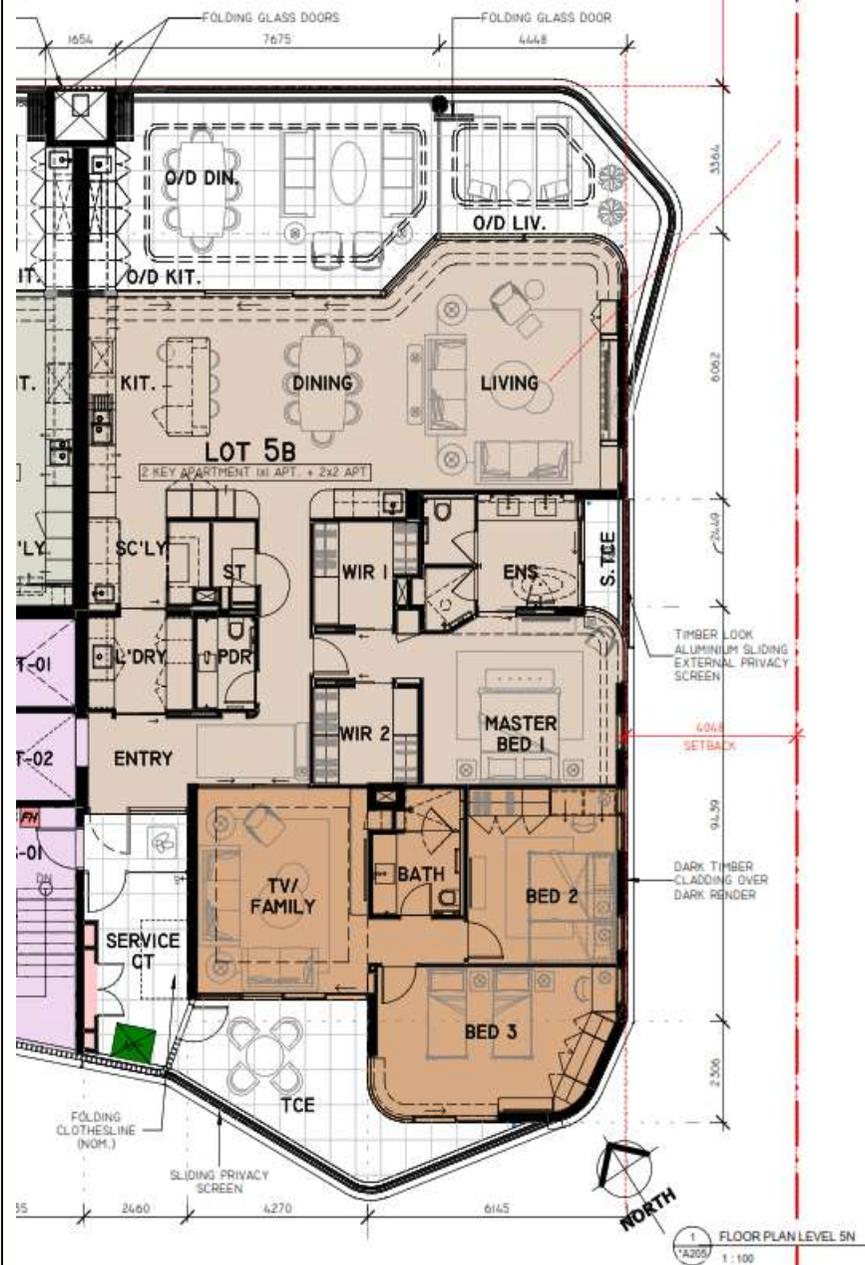


Figure XX: The proposed dual key apartment (the two sections are colour coded) allow for flexible living arrangements with the opportunity for two separate living space.

	<p>Each owner has different intentions for the use of the dual key apartments. Most owners will use the 'larger' portion of the dual key apartments as their primary residence and use the smaller in a variety of ways including:</p> <ul style="list-style-type: none"> • For live-in carers for elderly residents; • For mature children requiring independence; and • For family members who are staying with the resident on a temporary basis (e.g. visiting from overseas). <p>This application seeks to provide more innovate forms of diversity which are responsive to market. Furthermore, when housing diversity is considered within a slightly broader context, a review of real estate websites indicates the surrounding residential apartment towers (including Windsor Towers) contain a very high number of single and two bedroom apartments.</p> <p>The proposed multi-generational design of the development was supported by the SDRP for promoting housing diversity and aging in place.</p> <p>Owing to the above, the proposed development is considered to offer good housing diversity and achieves the element objectives.</p>	
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ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A4.8.1 –

- a) Dwelling mix is provided in accordance with the objectives, proportions or targets specified in a local housing strategy or relevant local planning instrument **OR**
- b) Where there is no local housing strategy, developments of greater than 10 dwellings include at least 20 per cent of apartments of differing bedroom numbers.

A4.8.2 – Different dwelling types are well distributed throughout the development, including a mix of dwelling types on each floor.

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

N/A

ELEMENT 4.9

UNIVERSAL DESIGN

ELEMENT OBJECTIVES

Development is to achieve the following Element Objectives

APPLICANT COMMENT

ASSESSOR COMMENT

Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.

O4.9.1 – Development includes dwellings with universal design features providing dwelling options for people living with disabilities or limited mobility and/or to facilitate ageing in place.

The building is serviced by a central lift shaft that provides direct, universal access to each level.

	All apartment entries have the required latch-side clearances for universal access and all apartments will meet Silver Level requirements as defined in the Liveable Housing Design Guidelines, substantially exceeding the minimum 20% requirement under Acceptable Outcome A4.9.1.	
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ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

- A4.9.1 –**
- a) 20 per cent of all dwellings, across a range of dwelling sizes, meet Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia) **OR**
 - b) 5 per cent of dwellings are designed to Platinum Level as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia).

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

ELEMENT 4.10		FAÇADE DESIGN	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.10.1 – Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.		The building façade is contemporary, incorporating glazing, glass balustrading and vertical timber look elements into a sculptural form framed by striking concrete fascia elements.	
O4.10.2 – Building façades express internal functions and provide visual interest when viewed from the public realm.		<p>The north façade of the north building is visible from the river. This elevation is predominately comprised of balconies, directly accessible from habitable rooms, with glazed balustrading. This is typical of the contemporary high density apartment building typologies found along the Swan River foreshore in the immediate vicinity (particularly South Perth Esplanade to the north of the subject site). To further articulate the north façade, a series of timber look aluminium screens are proposed.</p> <p>The south building is most visible from Parker Street and is designed at a scale consistent with its surroundings. This is designed with a mix of white pre cast concrete and full height glazing.</p>	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A4.10.1 – Façade design includes: <ul style="list-style-type: none"> – scaling, articulation, materiality and detailing at lower levels that reflect the scale, character and function of the public realm – rhythm and visual interest achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour. 			
A4.10.2 – In buildings with height greater than four storeys, façades include a defined base, middle and top for the building.			
A4.10.3 – The façade includes design elements that relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.			
A4.10.4 – Building services fixtures are integrated in the design of the façade and are not visually intrusive from the public realm.			
A4.10.5 – Development with a primary setback of 1m or less to the street includes awnings that: <ul style="list-style-type: none"> – define and provide weather protection to entries – are integrated into the façade design – are consistent with the streetscape character. 			
A4.10.6 – Where provided, signage is integrated into the façade design and is consistent with the desired streetscape character.			
LOCAL PLANNING FRAMEWORK		REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>			

ELEMENT 4.11		ROOF DESIGN	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
04.11.1 – Roof forms are well integrated into the building design and respond positively to the street.		The roof forms of both the southern and northern buildings is flat and reflects the medium-to-high rise, residential character of the surrounding area. No solar panels are proposed on the south building as these would be overshadowed by the taller north building. However, solar panels are proposed on the north building where they will receive optimal sunlight.	
04.11.2 – Where possible, roof spaces are utilised to add open space, amenity, solar energy generation or other benefits to the development.			
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A4.11.1 – The roof form or top of building complements the façade design and desired streetscape character.			
A4.11.2 – Building services located on the roof are not visually obtrusive when viewed from the street.			
A4.11.3 – Useable roof space is safe for users and minimises overlooking and noise impacts on private open space and habitable rooms within the development and on adjoining sites.			
LOCAL PLANNING FRAMEWORK		REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>			

ELEMENT 4.12		LANDSCAPE DESIGN	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
04.12.1 – Landscape design enhances streetscape and pedestrian amenity; improves the visual appeal and comfort of open space areas; and provides an attractive outlook for habitable rooms.		A landscaping plan has been prepared by Plan E and included with this report (refer Appendix 4). The use of landscaping within the front setback, central garden and other areas of the site will serve to enhance amenity within the site and the overall aesthetic presentation to the street. Landscaping within the Parker Street setback area will provide an attractive interface to the street. Extensive landscaping is also proposed within the northern setback area facing the river to provide a high level of amenity around the communal open space and swimming pool.	
04.12.2 – Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.			
04.12.3 – Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.			

<p>O4.12.4 – Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.</p>	<p>The landscaping plan includes a species list that is appropriate to the site context and conditions, providing a variety of textures and colours while being hardy enough to function adequately within common areas.</p> <p>The landscape design is integrated with the building design. Ground level planting helps to delineate space and soften the building’s interface with its surrounds.</p>	
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ACCEPTABLE OUTCOMES
Acceptable Outcome pathway may not be applicable where a performance solution is provided

A4.12.1 – Submission of a landscape plan prepared by a competent landscape designer. This is to include a species list and irrigation plan demonstrating achievement of Waterwise design principles.

A4.12.2 – Landscaped areas are located and designed to support mature, shade-providing trees to open space and the public realm, and to improve the outlook and amenity to habitable rooms and open space areas.

A4.12.3 – Planting on building structures meets the requirements of Table 4.12.

Table 4.12 Planting on structure: minimum soil standards for plant types and sizes

Plant type	Definition	Soil volume	Soil depth	Soil area
Large tree	Over 12m high, crown spread at maturity	76.8m ³	1,200mm	64m ² with minimum dimension 7m
Medium tree	8-12m high, crown spread at maturity	36m ³	1,000mm	36m ² with minimum dimension 5m
Small tree	4-8m high, crown spread at maturity	7.2m ³	800mm	3m × 3m
Small ornamentals	3-4m high, crown spread at maturity	3.2m ³	800mm	2m × 2m
Shrubs	--	--	500-600mm	--
Ground cover	--	--	300-450mm	--
Turf	--	--	200mm	--

A4.12.4 – Building services fixtures are integrated in the design of the landscaping and are not visually intrusive.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
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<p><i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i></p>	
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ELEMENT 4.13	ADAPTIVE REUSE
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<p>ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i></p>	<p>APPLICANT COMMENT</p> <p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p>	<p>ASSESSOR COMMENT</p>
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O4.13.1 – New additions to existing buildings are contemporary and complementary and do not detract from the character and scale of the existing building.	Element not applicable.	
O4.13.2 – Residential dwellings within an adapted building provide good amenity for residents, generally in accordance with the requirements of this policy.		
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.13.1 – New additions to buildings that have heritage value do not mimic the existing form and are clearly identifiable from the original building.		
A4.13.2 – New additions complement the existing building by referencing and interpreting the scale, rhythm and materiality of the building.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>		

ELEMENT 4.14	MIXED USE	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.14.1 – Mixed use development enhances the streetscape and activates the street.	Element not applicable.	
O4.14.2 – A safe and secure living environment for residents is maintained through the design and management of the impacts of non-residential uses such as noise, light, odour, traffic and waste.		
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.14.1 – Where development is located within a mixed use area designated within the local planning framework, ground floor units are designed for future adaption to non-residential uses.		
A4.14.2 – Ground floor uses including non-commercial uses, such as communal open space, habitable rooms, verandahs and courtyards associated with ground floor dwellings, address, enhance and activate the street.		
A4.14.3 – Non-residential space in mixed use development is accessed via the street frontage and/or primary entry as applicable.		
A4.14.4 – Non-residential floor areas provided in mixed use development has sufficient provision for parking, waste management, and amenities to accommodate a range of retail and commercial uses in accordance with the requirements		
A4.14.5 – Mixed use development is designed to mitigate the impacts of non-residential uses on residential dwellings, and to maintain a secure environment for residents.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	
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ELEMENT 4.15	ENERGY EFFICIENCY
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ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O4.15.1 – Reduce energy consumption and greenhouse gas emissions from the development.	<p>In accordance with the City’s Policy No. 350.01, an Environmental Sustainable Design Report has been provided in support of the proposed development (refer Appendix 11).</p> <p>The report benchmarks the proposed development against the ESD criteria and demonstrates that it is capable of achieving 50 points out of 110, which equates to a four star Green Star rating (considered Australian best practice).</p>	

ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>
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<p>A4.15.1 –</p> <p>a) Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Design Guidance) OR</p> <p>b) All dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars.¹</p> <p>Compliance with the NCC requires that development shall achieve an average star-rating across all dwellings that meets or exceeds a nominated benchmark, and that each unit meets or exceeds a slightly lower benchmark. Compliance with this Acceptable Outcome requires that each unit exceeds that lower benchmark by at least half a star.</p>
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LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	<ul style="list-style-type: none"> City’s Policy No.350.01 – Environmentally Sustainable Buildings requires the proposed development to achieve a certification of at least a four star rating under the relevant Green Star rating tool, or equivalent.

ELEMENT 4.16		WATER MANAGEMENT AND CONSERVATION	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
04.16.1 – Minimise potable water consumption throughout the development.		Where possible, water consumption will be minimised through the use of efficient appliances and fittings. Waterwise landscaping and irrigation systems will further minimise consumption.	
04.16.2 – Stormwater runoff from small rainfall events is managed on-site, wherever practical.		Stormwater runoff from small rainfall events is to be managed on site consistent with element objectives.	
04.16.3 – Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.		The Local Planning Scheme provides minimum floor levels to avoid the risk of flooding (refer to DA report). The development complies with all minimum levels.	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A4.16.1 – Dwellings are individually metered for water usage.			
A4.16.2 – Stormwater runoff generated from small rainfall events is managed on-site.			
A4.16.3 – Provision of an overland flow path for safe conveyance of runoff from major rainfall events to the local stormwater drainage system.			
LOCAL PLANNING FRAMEWORK		REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>			

ELEMENT 4.17		WASTE MANAGEMENT	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
04.17.1 – Waste storage facilities minimise negative impacts on the streetscape, building entries and the amenity of residents.		Internal bin stores are screened from the street and accessible from the car park. The bin stores are wholly concealed and cannot be viewed from the street or from habitable rooms within the apartments.	
04.17.2 – Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.		Sufficient area is provided to accommodate the necessary number of bins which has been established in consultation with the City of South Perth. A Waste Management Plan is provided in Appendix 9 of the DA report.	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			

A4.17.1 – Waste storage facilities are provided in accordance with the Better Practice considerations of the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines</i> (or local government requirements where applicable).	
A4.17.2 – A Level 1 Waste Management Plan (Design Phase) is provided in accordance with the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines - Appendix 4A</i> (or equivalent local government requirements).	
A4.17.3 – Sufficient area is provided to accommodate the required number of bins for the separate storage of green waste, recycling and general waste in accordance with the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines - Level 1 Waste Management Plan (Design Phase)</i> (or local government requirements where applicable).	
A4.17.4 – Communal waste storage is sited and designed to be screened from view from the street, open space and private dwellings.	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	

ELEMENT 4.18		UTILITIES	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.18.1 –The site is serviced with power, water, gas (where available), wastewater, fire services and telecommunications/broadband services that are fit for purpose and meet current performance and access requirements of service providers.		The site is serviced with all necessary urban services, fit for purpose and capable of meeting the needs of residents.	
O4.18.2 – All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.		All utilities are located in accessible locations for maintenance, and do not restrict safe movement. The booster cabinet is required to be situated in the street setback area to satisfy DFES requirements for access.	
O4.18.3 – Utilities, such as distribution boxes, power and water meters are integrated into design of buildings and landscape so that they are not visually obtrusive from the street or open space within the development.		The booster cabinet is screened on the three sides to limit the visual impact on adjoining properties and to screen the cabinet from the apartments within the development. The booster cabinet is situated adjacent to an electrical transformer on the adjoining property. The transformer will obscure the view of the booster cabinet from Parker Street, meaning the impact on the adjoining property is negligible and the view of the booster from the street is obscured.	
O4.18.4 – Utilities within individual dwellings are of a functional size and layout and located to minimise noise or air quality impacts on habitable rooms and balconies.		Utilities within individual dwellings have been appropriately designed/sized and located to minimise noise and air quality impacts. Air conditioning units are located within screened service balconies which are not visible from outside of the dwellings.	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			

A4.18.1 – Utilities that must be located within the front setback, adjacent to the building entry or on visible parts of the roof are integrated into the design of the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive.

A4.18.2 – Developments are fibre-to-premises ready, including provision for installation of fibre throughout the site and to every dwelling.

A4.18.3 – Hot water units, air-conditioning condenser units and clotheslines are located such that they can be safely maintained, are not visually obtrusive from the street and do not impact on functionality of outdoor living areas or internal storage.

A4.18.4 – Laundries are designed and located to be convenient to use, secure, weather-protected and well-vented; and are of an overall size and dimension that is appropriate to the size of the dwelling.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	

**Appendix 2:
Approval notice and approved plans
(25 Jan 2019 & 16 July 2020)**

**Appendix 3:
Certificates of Title
and Strata Plan**

Appendix 4: Design Analysis

**Appendix 5:
Design Review Panel Minutes and
Applicant Response**

Appendix 6: Development plans

Appendix 7: Landscaping Plans

**Appendix 8:
Public Artwork Concepts**

**Appendix 9:
Transport Impact Statement**

**Appendix 10:
Waste Management Plan**

**Appendix 11:
Acoustic report**

Appendix 12: Energy Efficiency Report

**Appendix 13:
Economic Benefits Statement**

**Appendix 14:
Communications plan**