

DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
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Introduction

This report has been prepared on behalf of Southlink Investment Properties Pty Ltd trading as Peakstone in support of an Application for Development Approval for a 36 level (excluding basement and plant) mixed use development at 86-90 (Lots 2, 15 and 16) Mill Point Road, South Perth (subject site).

This application is made pursuant to Part 17 Clause 271 of the *Planning and Development Act 2005* and requires determination by the Western Australian Planning Commission (WAPC).

The proposed development accommodates 175 multiple dwellings and ground level commercial tenancies (café, office and small bar).

The project has an estimated value of \$150 million, and would create 1800 jobs during the 28 month construction phase and 29 ongoing jobs. The site is currently cleared and a sales office and car parking is established on the site.

The site is subject to the Schedule 9A provisions of the City of South Perth Town Planning Scheme No.6 (TPS6), however, the City has prepared a draft Activity Centre Plan (ACP) for the area and initiated Amendment No. 61 to supersede the current provisions under TPS6. At the time of lodging this application, Amendment No. 61 and the draft ACP have been adopted/approved by the City and are being considered by the Minister and WAPC.

The applicant seeks the WAPC’s determination under the significant development assessment provisions given:

- The scope of the proposed development (more than \$20 million)
- The employment generation during and after construction (COVID-19 response)
- The site has been cleared ready for development
- The pending determination of the ACP and Amendment No.61 and therefore the WAPC can exercise discretion to resolve anomalies between the existing and proposed planning frameworks

This report will address:

- The site details
- The proposed development
- The planning framework
- An assessment under the statutory planning framework
- Consideration of other factors including, but not limited to, wind, acoustic, landscaping, ESD, shadow, traffic, public art etc.

We are seeking the support of the relevant referral authorities and the approval of the Western Australian Planning Commission.

Key Project Parameters

Landowner	South Link Investments Pty Ltd
Development Manger	Peakstone
Construction Value	\$150 million
Number of Dwellings	175 dwellings
Commercial Floorspace	450m ²
Construction Employment Generation	1800
Operational Employment Generation	29
Anticipated Construction Commencement	March 2022
Anticipated Construction Completion	July 2025

Project Team

Discipline	Company
Landowner	South Link Investments Pty Ltd
Development Manger	Peakstone
Project Manager	NS Projects
Architect	Hassell
Landscape Architect	Plan E
Town Planning	PTS Town Planning
Traffic	Transcore
Surveyor	RM Surveys
Acoustic	Stantec
Economic	Paxon Group
Wind	CPP
ESD	Full Circle Design
Waste Management	Talis Consultants
Universal Access	Resolve Group
Building Services	Floth
ASS and Dewatering	Western Environmental
Public Art	FORM

Subject Site

Site Location and Property Description

The subject site includes three lots as identified in the following table.

Lot	Address	CT	Deposited Plan	Landowner	Area(m²)
2	86 Mill Point Road	1028/610	812	South Link Investments Pty Ltd	2256
15	88 Mill Point Road	1349/97	18674	South Link Investments Pty Ltd	1439
16	90 Mill Point Road	2119/271	18674	South Link Investments Pty Ltd	1060

The total development site area is 4,755m². The site is generally regular in shape with the southern boundary angled. The site has a primary street frontage to Mill Point Road (100.81 metres) and a secondary street frontage to Ferry Street (66.24 metres). The site is relatively flat with a height of 1.61 metres AHD in the north-west corner to 2.18 metres AHD in the south-east corner.

The site is not subject to any limitations, interests, encumbrances or notifications.

Refer to Appendix A – Certificate of Titles

Site Improvements

The previous improvements on the site have been demolished to make way for the development of the site. The site currently accommodates a single story sales office and car parking located near the Ferry Street frontage with the balance of the site vacant.

A mature tree is located adjacent to the car parking area along the Ferry Street frontage. Four (4) mature street trees are located along the Mill Point Road frontage and a mature tree is located in the road reserve at the southern end of the site.

The site has two existing crossovers, one from Mill Point Road and one from Ferry Street.

Refer to Appendix B – Feature Survey

Heritage

The site is not listed as a heritage place under Town Planning Scheme No.6 nor listed on the State Register of Heritage Places.

The adjoining sites are not listed as a heritage place under Town Planning Scheme No.6 nor listed on the State Register of Heritage Places.

Bushfire Prone Area

The site is not located within a bushfire prone area.

Contamination

A search of the contaminated database does not identify the site as a contaminated site.



Site Context

To the south and south-east of the site are recently completed mixed use developments. The Aurelia Development is located to the south and includes a commercial podium and residential above. The mixed use development to the south-east includes a podium and residential above.

To the east of the site is a four storey residential development known as Mortiz Apartments.

To the north of the site on the northern side of Ferry Street are three to four storey residential buildings.

To the west of the site on the western side of Mill Point Road are 3-6 storey residential buildings.



View of recent mixed use developments to the south of the site



View of built form to the east of the site



View of built form on the northern side of Ferry Street



View of interface to the south of the site



View of interface to the east of the site



View of built form on the western side of Mill Point Road

Proposed Development

The proposed development is a 36 level (excluding basement and plant) mixed use development that accommodates 175 multiple dwellings and ground level commercial tenancies (café, office and small bar).

The 175 multiple dwellings include:

- 16 Single bedroom dwellings
- 68 Two bedroom dwellings
- 81 Three bedroom dwellings
- 8 Four bedroom dwellings
- 2 Penthouses

The development includes:

- A wine bar (155.9m²), an office (166.7m²) and a cafe (145.1m²) along Mill Point Road
- Meeting, function and live/work spaces along Ferry Street for the residents and community use
- 360 car parking bays; being
 - o 325 residential bays (includes 118 bays in tandem)
 - o 25 residential visitor bays
 - o 10 commercial bays
- 121 bicycle bays (113 residential and 8 commercial)
- 27 motor bike bays

The following table provides the development detail.

Level	Description
Basement 2	130 residential car parking bays, being: <ul style="list-style-type: none">• 84 single bays• 46 tandem bays 54 residential storerooms (7-3m², 27-4m², 20-5m²) 6 motor cycle parking bays
Basement 1	121 residential car parking bays, being: <ul style="list-style-type: none">• 81 single bays; and• 40 tandem bays. 41 residential storerooms (3-3m², 26-4m², 12-5m²) 14 motor cycle parking bays
Ground	Extensive ground landscaping Two storey high lobby on the corner of Mill Point Road and Ferry Street Wine bar, office (co-working) and café along the Mill Point Road frontage Resident and community meeting and function spaces along Ferry Street A porte cochere from Ferry Street Commercial end of trip facilities (8 bicycle bays) 39 car parking bays (4 residential, 10 commercial and 25 residential visitor bays) Loading bay and waste room 3 motor cycle parking bays

Level	Description
Podium Level 1	Lower level (bedrooms) of 10 two storey two bedroom dwellings over podium levels 1 and 2 70 residential car parking bays, being: <ul style="list-style-type: none">• 38 single bays; and• 32 tandem bays. 71 residential storerooms (6-3m², 12-4m², 53-5m²) 113 residential bicycle parking bays 4 motor cycle parking bays
Podium Level 2	Upper level (living) of 10 two storey two bedroom dwellings over podium levels 1 and 2 9 residential storerooms (3-4m², 6-5m²) Residential amenities, including <ul style="list-style-type: none">• Communal seating area• Theatre• Games room• Gymnasium• Extensive landscape podium
Levels 3-6	4 one bedroom and 4 two bedroom dwellings on each level Pebble roof over podium
Levels 7-14	4 two bedroom and 2 three bedroom dwellings on each level
Levels 15-18	2 two bedroom and 4 three bedroom dwellings on each level
Level 19	2 two bedroom and 2 three bedroom dwellings
Level 20	2 three bedroom (lower level) dwellings and residential amenities, including: <ul style="list-style-type: none">• Swimming pool• Steamroom and sauna• Dining and bar area• Gymnasium and yoga studio
Level 21	2 three bedroom (upper level) and 2 four bedroom dwellings
Levels 22-23	5 three bedroom dwellings on each level
Levels 24-28	4 three bedroom dwellings on each level
Levels 29-31	4 three bedroom dwellings on each level
Levels 32-34	1 three bedroom and 2 four bedroom dwellings on each level
Level 35	2 Penthouses
Roof	PV Solar panels Plant

Vehicle access is provided from Ferry Street, being the secondary street, and includes two crossovers to service the basement and podium levels and the porte cochere.

The balconies to the southern, western and eastern elevations are winter gardens.

The development plans are enclosed as Appendix C.

Architectural Design

An Architectural Design Report considering the principles of SPP7.0 is included in Appendix D.

Landscape Design

“Where the City Meets the Water Edge”, where the design aesthetic, materiality and plant palettes, all reflect this theme.

Design Principles

City Grid

- Respect for the orthogonal City Grid. Just as the Building celebrates the shifting of grids in South Perth, so too the landscape edge responds to this formal layout and geometry.

Water – The River Edge

- The Swan River Foreshore – shaped by both natural and manmade forces represent a unique opportunity to express the landscape layout in an organic and flowing design;
- Just as water flows around static objects and creates ripples and eddies, the landscape form references the forms and shapes created by this natural system, and;
- The “River Edge” is imagined as the transition from the City Grid to Riverine.

Materiality

- Imagined as a transition from City to River in both texture and colour palette, the materiality proposes high-quality precast concrete pavers for the perimeter streetscape, with Donnybrook Sandstone cobbles in both textured and smooth finish to gathering spaces at the building edge. Polished concrete planters with integrated timber seating and screening elements provide informal flexible seating areas with feature sculptural sandstone forms elements, and;
- Materiality for the Podium Level is proposed as a refined version of the Ground Level material palette.

Flora

- This project celebrates the rich diversity of the natural environment by utilising local riverine plantings at both the streetscape and Podium Level. A combination of native Riverine planting with hardy exotics, herbs and fruiting varieties ensure that the local community, residents and visitors, all engage and feel connected with South Perth and its local identity.

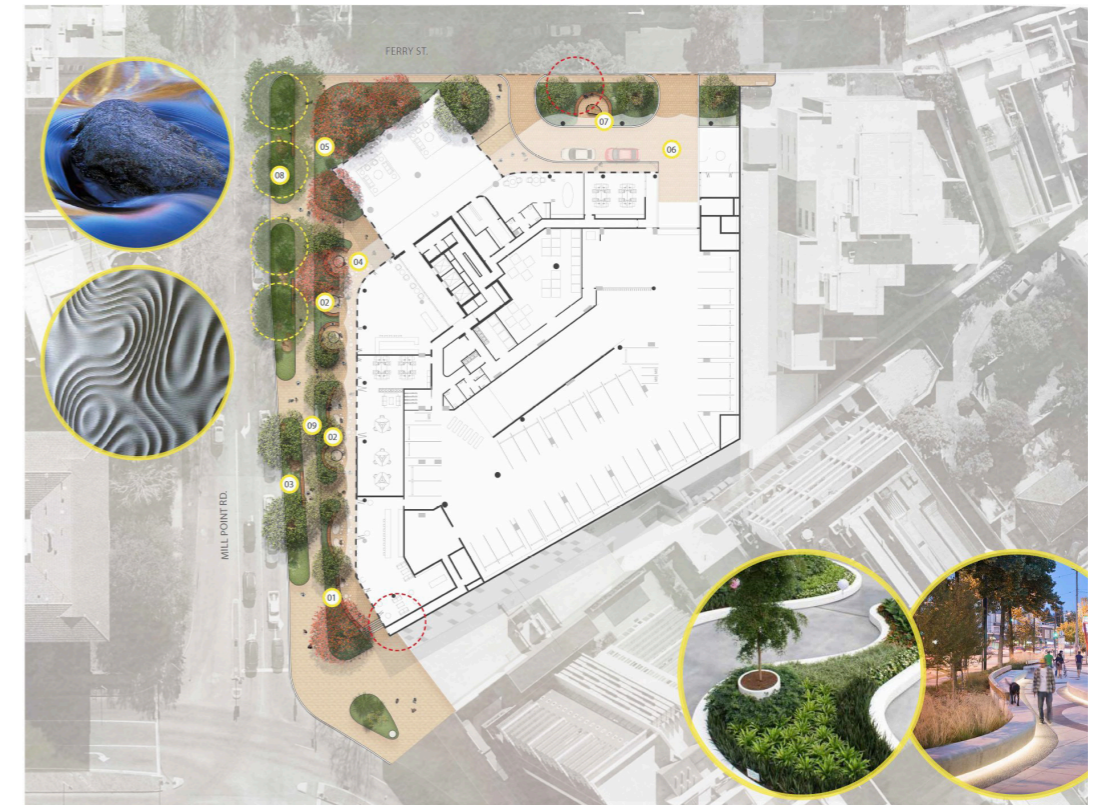
Design Approach

Drop-off Zone

- The drop-off space located along Ferry Street provides direct connection to the carpark and service areas and is imaged as a seamless paved pedestrian court where areas for pick-up and drop-off seamlessly integrate within this shaded green environment, and;
- Built-in seating, benches frames a sculptural feature sandstone artwork. This element anchors the Porte Cochere and enhances the arrival experience. A combination of shade trees and feature plantings further soften the arrival making it an inviting space.

Circulation & Gathering Spaces

- A combination of raised polished concrete and steel planters with riverine textural plantings create intimate seating nooks and lounging spaces. Shade trees, and light weight shade structures create a comfortable microclimate and garden oasis;
- Materials consist of high-quality hardscape of stone and exposed aggregate precast paving, awnings & timber screens with soft war, white feature lighting, and;



- “Carved out” fixed furniture elements that relate to the specific ground floor tenancy uses, together with space for café style flexible furniture, further activates the streetscape.

The Podium

- The “Jewel in the Crown” is where Landscape ‘Rooms’ define the various dining, play and relaxation activities that this tranquil landscape oasis offers;
- A complimentary mix of landscape features, endeavours to evoke a sense of tranquillity and vibrancy, encouraging people to relax, contemplate and enjoy the space. A series of various scaled rooms with integrating seating caters for both small and large groups or even family get togethers’ with children being able to play and interact with the “discovery water play” space, and;
- A rich and varied mix of flexible spaces for lounging, dining, cooking, relaxing, water features, play and structured events are all catered for here.

The Green Common

- This is imagined as an extension of the internal activity space, incorporating an arbor structure, alfresco dining amenities, and a long table for large groups to gather for special events;
- “Scalloped” seating nodes with herb garden and fruit trees, with a backdrop of evergreen screen trees and a small lawn area;
- Feature lighting with Catenary lights creates a magical ambiance at night, encouraging residents to stay longer and enjoy this space in the evening, and;
- Seating pavilions provide shade and comfort all year round.

The Contemplation Garden

- This space incorporates turf play spaces, decking, seating / BBQ nooks with and without shade canopies, extensive plantings and pathways for quiet contemplation, picnicking with friends or just going for a stroll.

Sculptural Water Play

- The interactive water play with small water jets, misters and sculptural elements is designed to cater for all aged groups, whilst also being an elegant backdrop while not being utilized by children;
- Stepping stones, mounded turf areas and seating nooks offer opportunities to explore and play, and;
- Evergreen and deciduous trees provide contrast and soft dappled shade with punches of vivid colour with complimentary textural and flowering exotic & native plantings further reinforces the landscape character.

Technical Requirements

Deep Spoil Areas

- The total site area is 4,755m² with in-ground deep soil of 360m² which is 7.6%;
- A further 242m² of deep soil at 1.0+ metre deep on structure at the Podium Level is provided representing 5.0% of the site area and will accommodate a significant number of trees on site;
- In addition, a further 919m² of planting on structure less than 1 m deep is provided for shrub planting.

Tree Canopy Cover

- 210m² of tree canopy cover is required in accordance with Table 3.3b of the R-codes, whereas 816m² is proposed (4 large, 28 medium and 25 small trees).



Planting on Structure

- The team has extensive experience with delivering major urban projects constructed over structure and on podiums, as such we believe that with the combination of tree plantings in-ground, together with extensive tree planting in deep soil areas on podium, we will achieve a high-quality landscape outcome, and;
- This experience has garnished the team with a detailed understanding of planter drainage requirements, soil volumes and types, appropriate irrigation systems and plant species selections that will be brought to the project.

Drainage Strategy

- The drainage strategy for landscape areas consists of a combination of direct run-off from paved areas at ground floor around the perimeter of the site along Mill Point Road acting as supplementary watering for garden beds, together with planter drains where landscapes are to be built on structure;
- All planters on structure will have drainage outlets connected to the overall stormwater system, however with the proposed planter soil medium and watering regime, the intent is to achieve a balance water-wise design between the minimum required water to sustain plant growth without the need for over engineered drainage systems, and;
- The proposed planter drainage system is designed to cater for major rain events, with minor rain events being absorbed in the soil structure and utilised by the plants.

Sustainability

- As part of the overall sustainability measures adopted for this project, the landscape proposal considers materials, water consumption and maintenance from a life cycle costing viewpoint with the aim of reducing overall resource consumption during the life of the landscape;
- The majority of trees, shrubs and groundcovers will be either endemic WA species or hardy exotics, with low water use and minimal maintenance characteristics;
- Paving, wall and seating materials, together with the street furniture fixtures and fittings will be hard wearing, durable and long-lasting, with the exploration and incorporating or recycled and recyclable materials being a focus, and;
- Generally, paint finishes will be avoided, using raw natural materials which can be left to age naturally and blend with the architecture and landscape.

Irrigation

- The source for irrigation water will be provided from a WAWA Scheme water supply to service new irrigated landscape areas, such as the minimal lawns, garden beds and new tree plantings;
- The proposed irrigation regime will be designed to provide the minimum water application practicable, which would be phased out over an appropriate period following establishment of the landscape where possible. The use of low volume irrigation fittings and night-time watering is also proposed throughout to minimise evaporation and water wastage;
- Soil mixes proposed for both ground and podium levels will have high water retention properties. The watering regime aims to strike a balance between the minimum amount of water required to sustain plant growth without the need for major drainage systems and to minimise site infrastructure requirements.

Ongoing Management / Maintenance

- A detailed maintenance and management plan will be developed for the project to ensure that all aspects and intricacies of the landscape, implementation and on-going maintenance are fully realised and addressed, and;
- In addition, we have provided appropriate landscape budgets to the project QS to ensure that adequate funds have been allocated for both the implementation and ongoing management of the landscape works, ensuring that the landscape will flourish and reach its full potential.

The landscape plans are enclosed as Appendix E.

State Design Review

Preliminary plans of the proposed development were considered by the State Design Review Panel (SDRP) at its meeting held on 20 October 2020. The panel identified that:

The Panel acknowledge that this ambitious project has the potential to be an exemplar of high quality multi-residential design. In order to achieve this outcome, a sophisticated response to this important inner-city urban environment location will be required, including exceeding the requirements of SPP 7.3 as contemplated by the draft TPS provisions.

A rotated tower, with a section brought to the ground could be striking and is contingent on an exemplary ground plane experience, including highest quality public realm, streetscape response and landscape strategy.

Tower composition and façade engineering/refinement will be dependent on progressing an appropriate environmental response (including wind), balcony/winter garden design, materiality and detailing.

Following a review of the comments of the SDRP, the project team refined the proposed development and presented to the SDRP at its meeting held on 1 December 2020. The panel identified that:

‘The site is strategically located, in that immediate surrounds are a hybrid combination of medium, high and finer suburban scale, delivering a particular character. However, the future character of South Perth is moving toward a greater number of higher density developments. Delivering exemplary design is a requirement for this development. This includes the provision of highest quality public realm, which should deliver key amenity benefits and integrate new development with existing streetscapes.

The Panel acknowledges the commissioning of a comprehensive and well-respected project team, the quality of work completed as part of concept design and a well-considered, logical presentation. These are solid steps in achieving a high-quality design outcome for this key site. The delivery of high-quality public realm and well-integrated streetscapes are progressing well, and the Panel looks forward to seeing the next level of consolidation with confirmed glazing and resultant façade engineering.

There is strong support for a bold Public art initiative and well-integrated landscape strategies within this local area that is characterised by a strong and well-established urban tree canopy.’

We provide the following response to the matters raised by the SDRP.

SDRP Comments		Development Response
Context and Character	<p>The Panel supports the vision for a bold, contextually-responsive, active, and accessible tower of exemplary design for this important location.</p> <p>To achieve the required exemplary status and highest-quality ground plane, reconsider bike store location, extend boardroom in plan and remove visitor car bays in Ferry Street setback. Return as much frontage to landscape as possible to ensure a more active and comfortable frontage is delivered.</p>	<p>Noted</p> <p>The Bike Store and visitor parking bays have been removed from the Ferry Street frontage and replaced with active uses including bookable meeting and/or function spaces available to the local community.</p>
Landscape Quality	<p>Strong positive progress has been made in respect of the landscape strategy, including to the important podium level.</p> <p>Consider further resolution of privacy issues between dwelling bedrooms and podium communal open space.</p> <p>The significant southern corner (prominent view when approaching from the freeway) may benefit from a stronger landscape feature although it is acknowledged that this is outside the site and the control of the proponent.</p> <p>The selection of Plane trees in the planting palette is not in keeping with the 'riverine' concept. Pursue a more convincing argument for their inclusion by acknowledging they are the dominant tree species in the existing context. The 'riverine' landscape strategy could be focussed in other parts of the development such as along Ferry Street, instead. Selected trees will take good advantage of deep soil area and will contribute to the area's characteristic urban tree canopy.</p> <p>Reconsider the use of the Queensland Brush box as it may not be accepted by the Local Government due to roots and water use. Citrus trees may be unsustainable due to being short-lived and pragmatically difficult to maintain.</p> <p>While the Panel acknowledges that existing infrastructure is located on the neighbouring Ferry St property that blocks the continuation of the pedestrian footpath, consider future proofing by continuing the pedestrian footpath network along Ferry Street to this point.</p> <p>The use of high-quality materials as part of the landscape design will be critical in delivering a welcoming arrival experience for residents and visitors.</p>	<p>Noted</p> <p>Additional garden bed width and planting has been provided as a buffer between townhouses and the communal space.</p> <p>A transplant Port Jackson Fig is proposed to replace the badly damaged Plane Tree for this location. As this is outside the site boundary, it will be negotiated with the City of South Perth.</p> <p>The proposed new Plane Trees along Mill Point Road continue the existing avenue of trees as they are the dominant tree in this context and align with the "City Grid" thematic.</p> <p>The species have changed species to Weeping Lilly Pilly (<i>Waterhousia floribunda</i>) which is more suited to this location. Our preference is to retain the Citrus species as part of the overall Communal Gardens planting theme and intended to encourage residents to engage with the external environment. A detailed landscape maintenance / management manual will be provided to the Body Corporate to ensure that all planting flourishes and replacements of any species that fails occurs.</p> <p>A new path has been included along Ferry Street.</p> <p>Noted and this will be developed further during the Design Development phase.</p>
Built Form and Scale	<p>The quality of the ground plane remains of paramount importance for new development of this scale in this location. The strong statement of continuing tower to ground is supported, subject to an exceptional, activated ground plan with human scale. Continue to develop the public realm along both streetscapes with integrated landscaping, public art and activated land uses.</p>	<p>Noted, public realm has been further developed as part of the plans and will continue to be developed.</p>

SDRP Comments		Development Response
Functionality and Build Quality	<p>The Panel supports the hybrid approach to carparking with its well-arranged sleeved and subterranean carparking (excluding the at-grade visitor bays in the Ferry St setback area). This is vital in achieving a successful ground plane.</p> <p>Further detail regarding window/door locations and operability is required to demonstrate adequate natural ventilation opportunities. The panel support openable windows to residential spaces including bathrooms/wet areas on the building perimeter. Demonstrate that bedrooms located inboard of winter gardens will achieve adequate solar access.</p> <p>Continue to consider and design a positive microclimate at the ground plane. The Panel looks forward to updated wind modelling for current tower design to better understand any impacts on the important public realm.</p> <p>The Panel support the inclusion of the shared workspace in the building's frontage.</p>	<p>As noted above the visitor bays within the Ferry Street setback have been relocated within the sleeved podium.</p> <p>Further detail has been provided on plans, elevations and visualisations indicating locations of openable windows. Openings onto balcony and winter garden spaces have been indicated in plan. The location and size of openings provides natural ventilation opportunities in line with NCC and R-Code requirements.</p> <p>Noting the location of wintergardens on the south-west side of the tower – the proposed development includes 16 apartments with bedrooms located behind winter gardens. All of these apartments have full height glazed frontages and receive additional natural lighting via full height continuously glazed winter garden side walls. The minimum 2700mm ceiling heights to all apartments ensures all apartments spaces are well lit by natural daylight with a high level of connectivity to external views.</p> <p>The project concept is premised on a holistic and qualitative environmental response. The tower form primarily sits above the three level podium structure which performs as a key mitigation to prevailing wind conditions. A continuous canopy structure along the Mill Point Road frontage provides a sheltered activation zone. The deep soil zone and planting augments the health of existing street trees with additional trees being added to provide a significant tree canopy to both soften the built form interface with the public realm and mitigate wind conditions. (Refer wind report provided for detailed wind modelling analysis)</p> <p>The shared workspace is maintained along the ground floor Mill Point Road frontage.</p>
Sustainability	<p>The Panel looks forward to confirmation of E-rating for chosen glazing.</p> <p>Provide more information on stormwater collection and possible combination with any grey water system.</p>	<p>Refer Full Circle sustainability report provided for detailed strategy (Appendix J).</p> <p>Refer Floth report for strategy in relation to stormwater /groundwater management (Appendix J and N).</p>
Amenity	<p>Apartments appear to be well-organised, functional, and have access to high-quality, well-landscaped communal areas.</p> <p>Apartments also enjoy good access to natural light, as does the lift lobby areas, which are generous, well planned and will deliver exceptional amenity in respect of views, outlook and aspect.</p> <p>The generous main entry area with a strong commitment to a bold public art initiative is commendable, as it provides not only a high-quality architectural and spatial outcome but also a tangible arrival experience.</p> <p>Demonstrate location of doors and openable windows to balcony areas.</p>	<p>Noted - remains consistent with the submitted concept.</p> <p>Noted - remains consistent with the submitted concept.</p> <p>Noted - remains consistent with the submitted concept. Refer public art visioning report.</p> <p>As noted above – the openable windows and door locations have been illustrated on the plans and shown on both elevations and visualisations.</p>
Legibility	<p>Pedestrian network from resident carparking to apartment front doors is improved. Continue to ensure residents' daily route from cars is elevated from a 'back of house' experience by colour, art, and other wayfinding strategies.</p> <p>Continue to strengthen legibility for building entrances on both Ferry Street and Mill Point Road.</p>	<p>Noted - To be considered as part of detailed design.</p> <p>Noted - To be considered as part of detailed design.</p>
Safety	<p>Safety considerations revolve around providing comfortable and safe pedestrian environments through the site and on street interfaces.</p> <p>Clearly defined, well-lit and secure access points will be critical for the ground plane, the design of which is progressing well.</p> <p>Vehicular routes have been well designed so as to avoid negatively impacting on pedestrian amenity.</p>	<p>Noted - Continued improvement as part of detailed design.</p> <p>Noted - Continued improvement as part of detailed design.</p> <p>Noted.</p>

SDRP Comments		Development Response
Community	<p>Interfaces to Ferry Street and Mill Point Road are crucial in defining the public realm for this location. Continue to develop the Ferry Street edge integration to include more landscaping and consolidation of end of trip facilities.</p>	
Aesthetics	<p>The Panel strongly support the inclusion of openable windows for this building typology. Fenestration choices (openings, mullions, transoms, opening and closing mechanisms) will change the texture, pattern and composition of the façade. The Panel looks forward to design development of façade engineering as a critical component of concept design finalisation.</p> <p>Glazing choice is crucially important for this particular architectural approach and will need to balance:</p> <p>Reflectivity: Connection, views and quality of light from inside to outside is important for high density developments. Reflectivity of glazing should be reduced to optimise outcomes whilst reducing 'mirroring' elevations. Identify reflectivity percentage. Reflectivity also impacts on short, medium and long-range views of the development for community and forms a critical part of greater context and character considerations.</p> <p>Colour rendition and tint: Colour control for a largely glazed building (including consideration of colour-accurate outlook) will need judicious consideration.</p> <p>Quality: For a building of this scale and design, high-quality glazing with minimised rippling will be required. Ensure chosen construction procurement methodology does not alter approved glazing specification as the project moves into implementation and construction. This will be critical to project success and achieving 'exemplary design' status. The quality and performance requirements of the glazing will need to be confirmed as part of the Development Application, including detail specifications. The Panel looks forward to more information about glazing at the next review.</p> <p>Design development of public art is progressing well and will form a key component of the public realm, entry experience and overall design.</p>	<p>Refer above.</p> <p>Noted - To be considered as part of detailed design.</p>

Planning Framework

Planning and Development Act 2005

Part 17 of the *Planning and Development Act 2005* contains Special provisions for COVID-19 pandemic relating to development applications. Part 17 facilitates significant development projects which have a value of more than \$20 million (Metropolitan Region). In considering and determining an application, the Western Australian Planning Commission (WAPC) must have due regard to:

- The purpose and intent of the Metropolitan Region Scheme and City of South Perth Town Planning Scheme No.6
- The need to ensure the orderly and proper planning, and the preservation of amenity, of the locality
- The need to facilitate development in response to the economic effects of the COVID-19 pandemic
- Any relevant State planning policies and any other relevant policies of the Commission

Planning and Development (Local Planning Schemes) Regulations 2015 (Regs)

Clause 67 of Schedule 2 of the Planning Regulations outlines the matters to which the determining authority is to have due regard when considering an application for development approval. It is noted that Clause 275 of the Act provides the WAPC the ability to consider non planning considerations.

Metropolitan Region Scheme (MRS)

The subject site is zoned 'Urban' under the Metropolitan Region Scheme. There are no reservations affecting the subject site.

State Planning Policy 4.2 Activity Centres for Perth and Peel

South Perth is identified as a District Centre under SPP4.2. The City of South Perth has prepared a Draft South Perth Activity Centre Plan to guide the development of the activity centre.

State Planning Policy 7.0 Design of the Built Environment

The policy identifies the principles to address design quality and built form outcomes. The principles include: Context and character, Landscape quality, Built form and scale, Functionality and build quality, Sustainability, Amenity, Legibility, Safety, Community and Aesthetics.

State Planning Policy 7.2 Residential Design Codes Volume 2 - Apartments

State Planning Policy 7.3 – R-Codes Volume 2 Apartments (R-Codes) places an increased focus on improving design outcomes for apartments, mixed use developments and activity centres. The R-Codes is a 'performance-based' policy where applications for development approval are to demonstrate that the design achieves the Objectives listed for each of the policy's element objectives.

City of South Perth Town Planning Scheme No. 6

Under Town Planning Scheme No.6 the site is located within the South Perth Station Precinct being Special Control Area No. 1. Within the South Perth Station Precinct, the site is located within the Mends Sub-Precinct. TPS6 has provisions relating the development of the South Perth Station Precinct contained within Schedule 9A of the scheme.

Draft City of South Perth Local Planning Strategy

The draft Local Planning Strategy (LPS) has been endorsed by Council and referred to the WAPC for approval. The LPS recommends the implementation of the South Perth Activity Centre Plan to reinforce the South Perth Activity Centre as the primary activity centre within the City and to accommodate the forecast population growth for the activity centre.

The proposed development increases the number of dwellings in the ACP by 175.

Draft South Perth Activity Centre Plan

The City has prepared the draft South Perth Activity Centre Plan (ACP), which has been adopted by the City and is with the WAPC for consideration. The draft ACP provides the future planning framework to manage development in the South Perth Activity Centre. The ACP aims to achieve a yield of 2,750 dwellings by 2031 and 4,250 dwellings by 2041 within the Activity Centre.

The ACP identifies the site within the Mill Point Activity Centre Plan Area, which has the following description

'The Mill Point character area is a predominantly residential area characterised by green, leafy streets and buildings set back from the public realm. This significant amenity is complemented by its proximity to the South Perth Foreshore and views to the Perth CBD and Swan River. In the future, this character will be enhanced through upgrades to the public realm and new development that responds to and enhances the special amenities that make the area a great place to live.'

The ACP includes provisions relating to land use, housing diversity, built form, car parking etc.

Draft Scheme Amendment No. 61

Associated with the implementation of the proposed ACP, Amendment No. 61 has been prepared to remove the current TPS6 provisions relating to the ACP area and to include new provisions from the ACP in relation to land use, building height, plot ratio, setbacks, site cover and design quality.

Local Planning Policies

The following Local Planning Policies are applicable to the consideration of the development application:

- P301 Community Engagement in Planning Proposals
- P316 Development Contribution for Public Art and Public Art Spaces
- P317 Licensed Premises
- P318 South Perth Station Precinct Application Requirements
- P350.01 Environmentally Sustainable Building Design
- P350.05 Trees on Development Sites and Street Verges
- P350.09 Significant views
- P353 Crossings and Crossovers
- P354 Stormwater Drainage Requirements for Proposed Buildings

Planning Assessment

Part 17 of the Planning and Development Act 2005

This development application is made pursuant Clause 271 of Part 17 of the *Planning and Development Act 2005*. Part 17 relates to ‘Specific provisions for COVID-19 Pandemic relating to development applications’.

Significant development applications are those with a construction value over \$20 million in the metropolitan area. The following sections discuss the rationale for lodging this application under Clause 271 and provides an analysis against the considerations under Section 275(6) of the Act.

Significant Development Application

The proposed development is within the Metropolitan Region and has a estimated development cost of \$150 million and therefore meets the minimum threshold requirement of \$20 million.

The site is subject to the current planning provisions under the City of South Perth Town Planning Scheme No.6 (TPS6), however, the City has prepared a draft Activity Centre Plan (ACP) for the area and initiated Amendment 61 to supersede the current planning requirements. At the time of lodging this application, Amendment 61 and the draft Activity Centre Plan are being considered by the Minister and WAPC.

There are provisions within the current TPS6 which are not subject to discretion and therefore would limit any redevelopment of the site in line with the future provisions established by the ACP and Amendment, until the documents are adopted/gazetted. The WAPC must give due regard to a Local Planning Scheme, however, it is not bound the Scheme and therefore the application process through the WAPC enables consideration of the application under the proposed planning framework while also resolving anomalies between the current and proposed development requirements.

The subject site is vacant and awaiting development and the landowner wants to progress the development of the site as soon as possible.

The proposed development has been cognisant of both the existing and proposed development provisions, however, has generally based the design of the proposed development on the provisions under the draft ACP and Amendment 61.

Section 275(6) Considerations

Pursuant to clause 275(6) of the Planning and Development Act 2005, in considering and determining the development application, the Commission must have due regard to

- (a) The purpose and intent of any planning scheme that has effect in the locality to which the development application relates; and
- (b) The need to ensure the orderly and proper planning, and the preservation of amenity, of that locality; and
- (c) The need to facilitate development in response to the economic effects of the COVID-19 pandemic; and
- (d) Any relevant State planning policies and any other relevant policies of the Commission.

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

The subject site is appropriately zoned Urban under the MRS for the proposed mixed-use development.

This report contains a detailed assessment against the applicable provisions of TPS6 (Schedule 9A), the draft ACP and Amendment 61.

The objectives of Special Control Area 1 – South Perth Station Precinct are to:

Objective	Development Response
Promote: (i) a diverse range of land uses within the precinct to provide greater employment self-sufficiency in the City and patronage for a future ‘destination’ rail station; (ii) more intensive non-residential land use in developments to ensure the precinct consolidates its role as an employment destination; and (iii) increased residential population.	The proposed development provides a mixed use development including commercial ground level uses and 175 multiple dwellings, which will increase the residential population. The commercial floorspace responds to TPS6, while also being cognisant of Amendment 61 and the ACP.
Create a precinct that offers commercial office space, cafés, restaurants, hotels and tourist accommodation	The proposed development includes office space (co-working), a cafe and small bar (wine bar) along Mill Point Road which is consistent with the objective and also consistent with the proposed planning framework.
Preserve portions of the precinct for predominantly residential, retail and office uses, as appropriate, by the creation of sub-precincts	The proposed development is primarily a residential development which is consistent with the existing form of development along this portion of Mill Point Road and consistent with the proposed planning framework.
Create a high quality inner-city urban character	The proposed building is of exceptional quality in its architectural merit, the provision of amenities for the residents and the contribution to the public domain.
Promote a high level of pedestrian amenity with active street frontages to create a liveable and accessible environment for visitors and residents	The proposed development provides a high level of pedestrian amenity to the street frontages through the setback, landscaping and active uses.
Allow buildings designed to maximise river and city views while maintaining view corridors	The building has been specifically designed and orientated to maximise river and city views and has been cognisant of the view corridors from other developments through its slender nature and orientation to the surrounding development.
Permit additional building height within the Special Design Area in return for meeting all relevant requirements of Table A and all Performance Criteria in Table B; and	The additional height is discussed in this report.
Preserve and protect the integrity of heritage places within the precinct.	The proposed development has no impact on heritage places within the precinct as the site and adjoining sites are not heritage listed.

As identified above, the proposed development is consistent with the purpose and intent of TPS6 as the development meets the objectives relevant to Special Control Area 1 – South Perth Station Precinct.

Given the preparation of the draft ACP and Amendment 61, it is also relevant to consider the objectives of the Mill Point Precinct.

Objective	Development Response
The Mill Point character area will be mainly residential and characterised by green, leafy streets.	The proposed development is predominantly residential and the development includes significant landscaping at ground and podium level to maintain the leafy streets. The street trees are being protected through the setback of the basement and building from the trees and additional trees are being planted.
Development should be predominantly residential, with buildings set back from the street and ground floors activated by street-accessible apartments, lobbies or small scale commercial tenancies where appropriate.	The proposed development is predominantly residential with the podium setback from the streets, and landscaped, with ground level uses including office space (co-working), a cafe and small bar (wine bar).
Limited commercial development, such as small scale local shops or cafes, may be considered appropriate in selected locations.	The proposed development is primarily a residential development with limited commercial development along Mill Point Road.
Architecture should reflect the garden character of the area through the incorporation of green roofs and living walls where appropriate.	The proposed building is of exceptional quality in its architectural merit, the provision of amenities for the residents and the contribution to the public domain and includes significant landscaping at ground level and on the podium to reflect the green character of the area.
Taller buildings should aim to minimise undue impacts on solar access and preserve view corridors between buildings wherever possible.	The building has been specifically designed and orientated to maximise river and city views and has been cognisant of the view corridors from other developments through its slender nature and orientation to the surrounding development.
Building heights should generally step down towards the Northern end of the South Perth Peninsula and the Swan River in accordance with the applicable Building Height and Plot Ratio Limits to establish a cohesive skyline form and preserve view corridors.	The building is at the southern extreme of the precinct which suggests the highest built form, which provides a cohesive skyline to the adjoining precincts.
Mature street trees should be protected and replaced over time as required to maintain greenery in the streets.	The proposed development protects the mature trees along Mill Point Road. The existing mature tree on site and a tree within the road reserve at the southern end of the site will be removed, however, will be replaced by more trees to maintain the greenery of the streets.
The South Perth Esplanade should be upgraded as a low speed waterfront boulevard and park with pedestrian and cyclist movements prioritised.	Not applicable to the proposed development.
Publicly-accessible private open spaces should be provided at key locations along Mill Point Road.	The podium is setback from the streetfront and corner and landscaped providing publicly accessible areas on the site.

Objective	Development Response
Amenity impacts from the freeway should be managed with a visual and physical buffer through the use of landscaping, tree planting and low sound walls.	This objective is not applicable to the site given the separation from the Freeway, however, an acoustic assessment has been undertaken.

As identified above, the proposed development is consistent with the objectives of the Mill Point Precinct.

The proposed development is consistent with the objectives of the current and proposed local planning framework.

The need to ensure the orderly and proper planning, and the preservation of amenity, of that locality

This report contains a detailed assessment against the applicable provisions of TPS6, the draft ACP and Amendment 61 and considers impacts from shadow, visual privacy, built form, wind, traffic etc.

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 and may address matters such as:

- (i) public interest and the delivery of public benefits to the locality or region
- (ii) the creation of jobs in the locality or regional area both during the construction phase and on an on-going basis
- (iii) the extent to which funding for the project is secured, and/or finance is committed
- (iv) the timeframe within which the project is able to commence development following approval
- (v) whether there are any key site or other constraints that might impact the ability of the project to meet the anticipated construction timeframes.

Public interest and the delivery of public benefits to the locality or region

The proposed development will meet the key objectives of the current and proposed planning framework to increase the residential population within the South Perth ACP.

The development is proposing a minimum 5 star (equivalent) sustainability outcome for the site, which exceeds the standard 4 stars under the LPP.

The proposed development is providing a significant benefit through the public/private interface along Mill Point Road and Ferry Street through landscaped open space and additional tree planting.

The proposed development provides facilities at ground level along Ferry Street which will be able to be used by the community.

Therefore there is a public interest and public benefit to the proposed development.

The creation of jobs in the locality or regional area both during the construction phase and on an on-going basis

An economic assessment has been undertaken and can be found in Appendix F. The report identifies the following:

- 1800 jobs created during construction
- 29 ongoing jobs created
- Economic output benefit - \$273.3 million
- Additional benefit (GSP) - \$124.5 million

The extent to which funding for the project is secured, and/or finance is committed

Peakstone is a privately owned, Singapore-headquartered company representing Asian capital. The Peakstone team has a wide range of project experience, including the delivery of premium high-rise mixed-use developments, collaboration with nationwide tier 1 consultants and contractors, and specialised commercial asset management expertise.

Peakstone has recent and relevant experience in the delivery of major residential projects in South Perth having recently completed the development on the corner of Labouchere Road and Charles Street and therefore has a detailed understanding of the market and development timeframes. Peakstone and Finbar are the only developers to have delivered a development of this scale within the Station Precinct. Peakstone actively manages more than \$1.2 billion worth of commercial assets in Perth, Sydney, Melbourne, and Auckland.

The total development value of the project is circa \$280m. Peakstone is the sole owner of the project and is committed to injecting all the required equity into the development.

The timeframe within which the project is able to commence development following approval

Peakstone aims to launch the project as soon as receiving approval. The presales period is 6 months, and the current plan is to achieve \$75m qualified presales. It is anticipated that construction will commence in March-June 2022. The construction period is 28 months.

Whether there are any key site or other constraints that might impact the ability of the project to meet the anticipated construction timeframes

The subject site has been cleared and a sales office is already established on the site. There are no site constraints that would prevent the ability for the project to meet the anticipated construction timeframes.

Any relevant State planning policies and any other relevant policies of the Commission

This report considers the proposed development against the relevant state planning policies. In particular, an assessment has been undertaken against the objectives of State Planning Policy 7.0 Design of the Built Environment and an assessment against the element objectives of State Planning Policy 7.2 – Residential Design Codes Volume 2 – Apartments (Appendix G).

This report demonstrates that the proposed development achieves the objectives of SPP7.0, has the support of the State Design Review Panel and the proposed development achieves the element objectives of SPP7.2.

Metropolitan Region Scheme (MRS)

The subject site is appropriately zoned under the MRS for the proposed mixed-use development.

State Planning Policy 7.0 Design of the Built Environment (SPP7.0)

An Architectural Design Report considering the principles of SPP7.0 is included in Appendix D.

Design Principle	Comments
Context and character Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.	<p>The proposed development has taken its inspiration from the natural riverine environment on the South Perth peninsula in an urban context.</p> <p>The overall built form context proposes a fluid, dynamic and animated podium with a quiet, reflective and iconic tower for this corner location. The glazed tower facade includes a dynamic scalloped tower form reflective of its riverine context.</p> <p>The tower is aligned to the Mends Street Grid which improves views and maximises solar access while also being respectful of views enjoyed from adjoining properties.</p> <p>The built form responds to the built forms provisions of the draft ACP and Amendment No. 61 including bringing the tower to ground at the corner. The built form responds to the corner context which separates the tower from the adjoining properties.</p>
Landscape quality Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context	<p>The landscape principle reflects “Where the City Meets the Water Edge”, where the design aesthetic, materiality and plant palettes, all reflect this theme.</p> <p>The landscape design respects for the orthogonal City Grid. The landscape edge responds to this formal layout.</p> <p>The landscape layout is an organic and flowing design shaped by both natural and man-made forces The “River Edge” is also imagined as the transition from the City Grid to River.</p> <p>Imagined as a transition from City to River, the materiality proposes high-quality precast concrete pavers for the perimeter streetscape, with Donnybrook Sandstone cobbles in both textured and smooth finish to gathering spaces at the building edge and polished concrete with integrated timber seating and screening elements, together with sculptural sandstone forms.</p> <p>Materiality for the Podium Level is a refined version of the Ground Level treatments.</p> <p>The project celebrates the rich diversity of the natural environment by utilising local riverine plantings at both the streetscape and podium level, in combination with hardy exotics, herbs and fruiting varieties to ensure that the local community, residents and visitors, all engage with this place.</p>

Design Principle	Comments
<p>Built form and scale</p> <p>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</p>	<p>The built form responds to the built form provisions of the draft ACP and Amendment No. 61 including bringing the tower to ground at the corner of Mill Point Road and Ferry Street.</p> <p>The built form responds to the corner context which separates the tower from the adjoining properties.</p> <p>The podium provides active uses at ground level and passive surveillance from the upper levels.</p> <p>The podium setback creates a generous public/private interface as an extension to Mill Point Road and Ferry Street.</p> <p>The tower has been angled to minimise any impacts from shade and views from adjoining properties.</p> <p>The tower form has been made more slender than the planning provisions and is setback more than 17 metres from the adjoining properties.</p> <p>The overall height is consistent with the Tier 2 provisions of the draft ACP and Amendment No. 61.</p>
<p>Functionality and build quality</p> <p>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</p>	<p>The design of the proposed built form with the tower and podium approach is a functional building form.</p> <p>The design and layout of apartments are generous providing flexibility in terms of accessibility and 'aging in place'.</p> <p>The commercial uses are regular in shape and provided with servicing to change use over time.</p> <p>The proposed design is very efficient and the design includes high quality and robust building materials.</p>
<p>Sustainability</p> <p>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes</p>	<p>The development is seeking a 5 star green star (equivalent) outcome on the site.</p> <p>The apartments have been designed with high levels of solar access and cross ventilation.</p> <p>The landscaping has also been design based on sustainability principles including appropriate native plant selection and water wise selections.</p> <p>The proposed development also delivers community benefits, social benefits and positive economic outcomes in an economically challenging time.</p>

Design Principle	Comments
<p>Amenity</p> <p>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy</p>	<p>The apartments have been designed to offer an outstanding outlook and excellent amenity for residents.</p> <p>The tower is separated from the adjoining properties by more than 17 metres, resulting in no undue impacts on the amenity of surrounding developments or their ability to receive natural light and ventilation.</p> <p>The development provides amenities for the community through the ground level public domain, landscaping and the ability to use the facilities at ground level on Ferry Street.</p> <p>The residents will enjoy a very high level of amenity through the facilities provided at podium level and within the tower.</p>
<p>Legibility</p> <p>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around</p>	<p>The proposed development is very legible through its podium and tower approach.</p> <p>The main tower coming to ground at the corner makes the entrance clearly identifiable and memorable.</p> <p>The commercial entrances are at ground level at a similar height to the footpath providing easy access at the interface.</p> <p>The car parking is accessed from Ferry Street with visitor and commercial bays at ground level.</p>
<p>Safety</p> <p>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 via maximising opportunities for passive surveillance.</p> <p>The commercial tenancies provide activity during the day and into the evening providing safety and security to the streets.</p> <p>The podium dwellings provide passive surveillance to the public domain.</p> <p>Within the development, apartments have a view of the communal open space allowing for passive surveillance of this space.</p> <p>The external areas of the site will be well lit during night time to enhance safety and security.</p>
<p>Community</p> <p>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</p>	<p>The proposal offers accessible housing and ageing-in-place opportunities for residents.</p> <p>The ground level setback and landscaping provides a public interface to the site increasing the width of pedestrian access on both Mill Point Road and Ferry Street.</p> <p>The development includes additional tree planting.</p> <p>The spaces at ground level along the Ferry Street frontage will be available for community use, whether this be strata meetings, functions, Christmas parties etc.</p>

Design Principle	Comments
Aesthetics	The building is designed by one of Australia's leading and award-winning architecture studios.
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 development will be constructed using high quality materials, creating a building that contributes positively to the character of the area.</p> <p>The proposed development is of exceptional design excellence through its form, materials and finishes, landscaping and sustainability.</p>

State Planning Policy 7.2 – Residential Design Codes Volume 2 - Apartments

Notwithstanding that Clause 4.3(1)(m) of TPS6 states that *‘For any dwellings within comprehensive new development in Special Control Area SCA1 – South Perth Station Precinct, the applicable development requirements are contained within Schedule 9A and Schedule 13 respectively, and provisions of the R-Codes do not apply except to the extent specified in that Schedule’*, an assessment of the proposed development under State Planning Policy 7.3 – R-Codes Volume 2 Apartments (R-Codes) is included in Appendix G. As identified in the assessment, the proposed development positively responds to the element objectives.

City of South Perth Town Planning Scheme No. 6 / Draft South Perth Activity Centre Plan / Draft Scheme Amendment No. 61

The following table provides an assessment of the proposed development against the current provisions of Schedule 9A of TPS6 and the proposed provisions of the draft ACP and Amendment No.61. The assessment has been considered together in order to understand the current provisions against the proposed provisions and how the development responds.

Development Standard	TPS6	ACP and Amendment No. 61	Proposed Development	Planning Assessment
Preferred Land Uses	Cafe/Restaurant, Office, Multiple Dwelling	Multiple dwelling (P)	Multiple dwellings Café/Restaurant Office (Co-working) Small bar (wine bar)	<p>The proposed uses, with the exception of the small bar, are preferred land uses under TPS6. A small bar is not identified as either a preferred or discretionary land use.</p> <p>Clause 1.5 enables consideration of the small bar where it meets the guidance statements. The guidance statement identifies that commercial uses should be located at ground level and are encouraged. It is considered that the small bar will provide a commercial use for the benefit of the residents and surrounding community and adds to the activation and ground floor commercial uses along Mill Point Road.</p> <p>The proposed uses are either preferred or DC (discretionary land use with consultation) land uses under the ACP/Amendment No. 61. The discretionary uses are considered appropriate given that the uses provide activation to Mill Point Road in accordance with the ACP and comments from SDRP.</p>
Discretionary Land Uses	A small bar (wine bar) is not identified as a discretionary land use.	Café/restaurant (DC), office (DC), small bar (DC).		
Ground Floor Preferred Land Uses	No dwellings permitted. Cafe/Restaurant, Office.	Residential Uses (Multiple Dwelling), with limited retail (Cafe/Restaurant, shop, Local Shop)	Café/Restaurant Office (Co-working)	<p>The proposed uses, with the exception of the small bar, are preferred land uses under TPS6.</p> <p>The office and café are preferred ground floor uses under both TPS6 and the ACP/Amendment No. 61.</p>
Ground Floor Discretionary Land Uses	A small bar (wine bar) is not identified as a discretionary land use.	Small bar (DC)	Small bar (wine bar)	<p>A small bar is not identified under TPS6. Clause 2.5 enables consideration of the small bar where it meets the guidance statements. The guidance statement identifies that commercial uses are expected at ground level and therefore the use is considered appropriate as it provides activation to Mill Point Road and a variety of land uses for the community.</p> <p>A small bar is a DC use under the ACP/Amendment No. 61. The small bar adds to the activation and ground floor commercial uses along Mill Point Road.</p>
Relationship to Street	<p>Encourages shops and other commercial uses at street level. At least one pedestrian entrance and 60% clear glass.</p> <p>Portions of ground floor street facades with no openings shall not exceed 5 metres in length.</p> <p>Primary pedestrian access points shall be visible from buildings and the street. Comprehensive new developments shall, when relevant, incorporate illumination in accordance with the Australian Standards.</p> <p>Security grilles and other security devices that have potential to adversely affect the streetscape are not permitted unless the device satisfies Guidance Statement (a).</p>	<p>Semi-Active Street interface at corner.</p> <p>Passive street interface to balance of Mill Point Road and Ferry Street.</p> <p>The elevation(s) of the base fronting any street shall not exceed a wall length of 20 metres without modulation in the form of a setback or projection with a depth of at least 3 metres and a length of at least 3 metres.</p>	<p>Active Street interface to Mill Point Road and corner through the lobby and passive interface to Ferry Street.</p>	<p>The proposed development seeks to activate the ground level to Mill Point Road through the wine bar, office and cafe.</p> <p>Ferry Street is provided with a passive interface to the resident/community amenities.</p> <p>The corner double height lobby provides a prominent entry to the building which provides a key focal point and activation of the corner.</p> <p>It is considered that the proposed level of activation achieves the outcomes of both TPS6 and the proposed planning framework. The level of activation has been encouraged by the SDRP.</p> <p>The podium design has various design aspects and angles and is designed parallel to the street. The design of the facade includes glazing at ground level and articulation of the podium design to provide interest and a depth to the facade.</p>

Development Standard	TPS6	ACP and Amendment No. 61	Proposed Development	Planning Assessment
Plot Ratio	<p>No maximum plot ratio</p> <p>Where the total plot ratio exceeds 3:1, there is no maximum plot ratio for the residential component.</p> <p>Minimum 1:1 non-residential plot ratio - 4755m²</p>	<p>Primary - 7.2:1 - 34,236m²</p> <p>Tier 1 - 8.8:1 - 41,844m²</p> <p>Tier 2 - 9.8:1 - 46,599m²</p> <p>No minimum non-residential plot ratio required.</p>	<p>Total plot ratio - 27,086m² - 5.7:1</p> <p>Commercial plot ratio - 450m² - 0.1:1</p>	<p>It is noted that the plot ratio definition is proposed to change between TPS6 to Amendment 61. TPS6 is based on the R-Codes while Amendment 61 provides a new definition. The key difference is that the ground level car parking is included under Amendment 61. The plot ratio assessed is based on Amendment No.61. A plot ratio assessment under TPS6 would result in a lower plot ratio.</p> <p>The non-residential plot ratio under TPS6 is to be replaced with no minimum requirement under the ACP/Amendment No. 61. This reflects the traditional and proposed residential nature of this portion of Mill Point Road and the desire to strengthen the commercial uses in Mends Street.</p> <p>The proposed plot is less than the Primary plot ratio under the ACP/Amendment No. 61 and there is no maximum under TPS6.</p>
Dwelling Diversity	R-Codes dwelling size - 20% with different number of bedrooms	<p>20-50% of dwellings single bedroom</p> <p>Minimum 10% three bedroom</p>	<p>9% one bedroom</p> <p>39% two bedroom</p> <p>52% three and four bedroom</p>	<p>The diversity of dwellings meets TPS6 (R-Codes AO) as more than 20% of apartments are provided with different bedroom numbers.</p> <p>The ACP identifies at least 20% one bedroom dwellings and 10% three bedroom dwellings. The development provides 9% one bedroom and 52% three or more bedroom dwellings.</p> <p>The proposed development does provide a range of dwellings types to meet the market including approximately 50% one and two bedroom dwellings and 50% three and four bedroom dwellings. The proposed dwelling mix is a response to the market investigation undertaken as part of the proposed development and seeks to encourage families into the development.</p>
Podium Height	<p>9 metre minimum and 13.5 metre maximum.</p> <p>Corner site may have variation for design feature.</p>	3 storeys and 11.1 metres.	<p>3 storeys and 12.6 metres (including parapet to street frontages and the dwellings on the sides of the podium.</p> <p>2 storeys and 9.35 (including parapet) to the balance of the podium to the sides and rear.</p>	<p>The podium height complies with TPS6.</p> <p>Under the ACP/Amendment No. 61, the height is 1500mm above the maximum along the street and complies with the height to the sides and rear. The podium height responds to the proposed land uses by providing an active commercial uses and upper level residential apartments. The podium height and will not have a negative impact on the adjoining properties or the streetscape.</p> <p>As can be seen from the sections, the podium height is consistent with the height of the surrounding buildings and will therefore maintain the streetscape form and continuity.</p>
Podium/Base Site Cover	Not specified	Maximum 80% of site area	80%	Not specified under TPS6 and complies with the provisions under ACP/Amendment 61.
Building Height	41 metres, which is subject to discretion in the Special Design Area, where a site has an area of not less than 1,700m ² , a frontage of not less than 25 metres, is consistent with the Guidance Statements applicable to those Elements and satisfies all of the Performance Criteria in Table B of this Schedule.	<p>Primary - 50.7 metres</p> <p>Tier 2 - 123.3 metres - Meet elements 5 (gross tower area), 7 (design Quality), 8 (additional height) and plot ratio of 9.8:1.</p>	123.3 metres	<p>The site area is 4755m² and has frontages to Mill Point Road and Ferry Street of more than 25 metres.</p> <p>Refer to discussion on design/height following the table.</p>

Development Standard	TPS6	ACP and Amendment No. 61	Proposed Development	Planning Assessment
Street Setback Podium/ Primary	4 metres	6 metres to Mill Point Road and Ferry Street	6 metres to Mill Point Road and Ferry Street (excludes awning and architectural features). A portion of the Mill Point Road setback is within the 6 metres (nil) at the interface to the property to the south.	The majority of the podium setback complies with both TPS6 and the ACP/Amendment 61. The portion of the podium adjacent to the southern property has a nil setback to enable the built form to align with the existing (and recent) built form to the south, preventing a blank wall and hidden corner. This is considered appropriate to maintain the continuity of the streetscape. (Refer to streetback below for tower to ground setback).
Side and Rear Setbacks Podium/Base	A podium with a zero setback from a side or rear boundary would not adversely affect the amenity of an adjoining property a zero setback from the side or rear boundary is required unless the development satisfies Element 8 Guidance Statement (a). Where there is no prospect of imminent redevelopment of an adjoining site due to the contemporary nature of the existing building and its high monetary value in relation to the current land value, and the local government is of the opinion that a setback of less than 3.0 metres from a side or rear boundary would adversely affect the amenity of the adjoining property.	4 metres to side and rear. Boundary wall height of two storeys and 7.8 metres for two thirds the length of the boundary. Podium side setbacks may be varied down to nil within the Mill Point character area where it can be demonstrated that the variation does not have a detrimental impact on the streetscape character and local amenity.	Boundary wall 2 storeys with front portion at 3 storeys along the eastern boundary for the length of the boundary behind the 6 metre Ferry Street setback. Boundary wall 2 storeys with front portion at 3 storeys along the southern boundary for the length of the boundary behind the nil setback to Mill Point Road.	Refer to discussion on podium side setbacks following the table.
Street Setback Tower	4 metres.	Minimum 3 metres to Mill Point Road and Ferry Street.	4 metres to Mill Point Road and 2.5 metres to Ferry Street.	The Mill Point Road setback complies under both TPS6 and the ACP/Amendment 61. The setback to Ferry Street is 1.5 metres less than under TPS6 and 0.5 metres under the ACP/Amendment 61 requirement. Given the orientation of the building, the setback variation only relates to a very small area of the corner of the tower with the balance of the tower setback significantly more than required. The tower provides a corner statement and the variation does not impact the amenity of the dwellings on the northern side of Ferry Street given the separation and that the building is to the south of Ferry Street. The balance of the frontage to Ferry Street has a significantly greater setback at both podium and to the tower.
Side and Rear Setbacks Tower	Minimum 3 metres for non-residential. R-Codes for residential - 12 metres for 9 storeys and above (building separation).	Minimum 4 metres or 5% of building height (6.2 metres), whichever greater.	17 metres to the east side boundary. 17.9 metres to the southern boundary.	Complies with both TPS6 and the ACP/Amendment 61.
Floor to ceiling heights	Not specified	Residential 2.7 metres Ground level 4 metres	Residential minimum 2.7 metres Ground level 4 metres	Complies with the ACP/Amendment 61.
Tower Gross Floorplate	Not specified	Primary - 50% Tier 2 – 30%	21% proposed	Complies with the ACP/Amendment 61.

Development Standard	TPS6	ACP and Amendment No. 61	Proposed Development	Planning Assessment
Tower Orientation	Not specified	<p>The orientation of towers shall optimise daylight and solar access, provide attractive outlooks from habitable rooms and private open spaces within the development, and minimise overlooking, overshadowing, loss of significant views and significant loss of amenity for neighbouring properties.</p> <p>For the purpose of this requirement a tower elevation that is less than 20 metres in depth will generally be considered to be an acceptable outcome.</p>	The tower is 20.5 metres in depth, however, this includes the scalloped facade and therefore on average would be 20 metres.	<p>The tower while 20.5 metres in depth has an articulated facade which if taken on average would represent 20 metres.</p> <p>The tower is orientated to the north towards the Perth CBD to maximise solar access for the dwellings and provide views towards the CBD, Swan River and Kings Park.</p> <p>The tower is orientated to minimise any loss of views from the adjoining properties to the south. A tower with a traditional orientation parallel to either Mill Point Road and/or Ferry Street would have a greater impact on views from the recent development to the south and south-east.</p> <p>The tower orientation and separation from the buildings to the south and south-east (17 metres) ensures privacy and natural ventilation.</p> <p>The tower also minimises shadow on the surrounding properties as discussed below.</p>
Parking Commercial	<p>1 bay per 50m² GFA (10% visitor) - Bays located behind uses - 10 bays</p> <p>1 bike bay per 200m² GFA - 2 bays</p> <p>1 male and 1 female shower per 10 bays</p>	<p>Min 2 max 3 per 100m² NLA - 10-14 bays</p> <p>Bicycle -1 per 100m² NLA for employee and 1 per 100m² NLA for visitors - 5 plus 5</p> <p>1 scooter per 20 bays - 18 bays</p> <p>1 shower per 10 bays</p>	<p>10 commercial bays.</p> <p>8 employee bike bays. 5 visitor bike bays to be located in ground level front setback area.</p> <p>27 motor bike bays.</p> <p>2 showers provided at Podium 1.</p>	<p>10 commercial bays - complies with TPS6 and ACP/61.</p> <p>The number of commercial bicycle parking and end of trip facilities complies with both TPS6 and ACP/61 provisions noting that 5 visitor bays will be located within the front setback area (condition of approval).</p> <p>The development exceeds the motor cycle provision under the ACP/61.</p>
Parking Residential	<p>Minimum</p> <p>1 bedroom – 0.75 bays - 12 bays</p> <p>2 or more bedrooms – 1 bay - 159 bays</p> <p>Visitor 1 bay per 6 dwellings - 29 bays</p> <p>Total Minimum - 200 bays</p> <p>1 bicycle bay per 3 dwellings (occupants) - 58 bays</p> <p>1 bicycle bay per 10 dwellings (visitors) - 18 bays</p>	<p>1 bedroom – min 0.75-max 1 - 12 to 16 bays</p> <p>2 or more bedrooms – min 1 – max 2 - 159 to 318 bays</p> <p>Visitor 0.15 bays per dwelling = 26 bays</p> <p>Total - 197 to 360 bays</p> <p>1 bicycle bay per dwelling (occupant) - 175 bays</p> <p>1 per 5 dwellings (visitors) - 35 bays</p>	<p>1 bedroom - 16 bays</p> <p>2+ bedrooms - 309 bays</p> <p>Visitor bays - 23 bays in car park and 2 in porte cochere - 25 bays</p> <p>Total - 350</p> <p>113 bicycle bays</p>	<p>1 Bedroom - complies with TPS6 and ACP/61.</p> <p>2+ bedrooms - complies with TPS6 and ACP/61.</p> <p>Visitor - 25 bays - does not comply with TPS6 or ACP/61, however, meets the R-Codes AO. It is not clear why the ACP has adopted a different residential car parking requirement to the R-Codes, however, the provision of 25 bays is considered appropriate for the site and will encourage the use of alternative forms of transport.</p> <p>The bicycle parking is provided in separate facilities and meets the requirements of TPS6 and is based on Green Star provisions. The bicycle parking under the ACP/Amendment 61 is considered particularly onerous requiring 210 bays for the 175 dwellings.</p>
Parking General	<p>Located in basement or behind residential or non-residential floorspace.</p> <p>Visitor bays located near entrance and outside security barrier.</p>	<p>Located behind building façade and screened from view.</p>	<p>Located at ground level, behind residential/ community uses and outside commercial and residential security.</p>	<p>Complies with both TPS6 and the ACP/Amendment 61.</p>
Canopies	Only required where a nil setback	Only required where a nil setback	N/A	N/A

Development Standard	TPS6	ACP and Amendment No. 61	Proposed Development	Planning Assessment
Crossover	<p>1 per lot per street - 2 crossovers</p> <p>Two way maximum width 6 metres</p> <p>Sightlines - R-Codes</p>	1 per lot	Two crossovers on Ferry Street	<p>The proposed development will remove the existing crossover to Mill Point Road and provide two crossovers to Ferry Street, which is the secondary street.</p> <p>The main entrance to the car parking is provided from a single crossover from Ferry Street. The crossover is 6 metres in width and enables both ingress and egress.</p> <p>The second crossover provides access from the porte cochere to Ferry Street. The crossover is 4 metres in width and provides only egress from the porte cochere. The second crossover provides an important amenity for the development as it provides an area for drop off and pick up which cannot be accommodated on Ferry Street given its width and that car parking can only be provided on the opposite side of Ferry Street, and is limited.</p> <p>Ferry Street includes a footpath on the northern side of the street and there is not enough land (within the road reserve) for a footpath on the southern side of the street. The development has resolved this issue through the provision of a footpath on the site.</p> <p>While the development provides 2 crossovers, the second is an egress only and the site, while having more than 160 metres of frontage, is only provided with one main crossover.</p> <p>It is considered that the proposed access arrangements are appropriate given the site location, its public street frontage, that the second crossover is egress only and the nature of Ferry Street.</p>
Landscaping/Deep Soil	Landscaping of street setback based on water sensitive design principles.	<p>40% landscape area which can include ground and podium.</p> <p>12% deep soil zone (minimum dimension of 6 metres) at ground level. This allocation may be reduced to 8% where an existing tree worthy of retention is proposed to be retained either on the development site or on a neighbouring property when the deep soil zone protects greater than 30% of the dripline of the tree.</p>	<p>55% of site area.</p> <p>Deep Soil area - 605m² - 12.6% (360m² at ground level and 242m² at podium level) - 10% under R-Codes where podium required is twice the amount.</p> <p>Additional 919m² of planting area.</p> <p>Canopy coverage - 396m² at ground and 432.8m² at podium - Total 816m²</p>	<p>The landscape area complies with ACP/Amendment 61 and TPS6.</p> <p>The proposed landscaping includes waterwise planting and capture of water for use in gardens beds as identified in the landscape statement.</p> <p>The deep soil area has been based on the R-Codes 10% as opposed to the ACP of 12% at ground level.</p> <p>The canopy coverage significantly exceeds the 219.6m² required under the R-Codes.</p>
Outdoor living areas	<p>1 bedroom - 8m² and 2 metres</p> <p>2 bedroom - 10m² and 2.4 metres</p> <p>3 bedroom - 12m² and 2.4 metres</p> <p>All dwellings - 10m² and 2.4 metres</p>	<p>1 bedroom - 8m² and 2 metres</p> <p>2 bedroom - 10m² and 2.4 metres</p> <p>3 bedroom - 12m² and 2.4 metres</p>	<p>1 bedroom - min 9m² and 2.4 metres</p> <p>2 bedroom - min 10m² and 2.8 metres</p> <p>3+ bedroom - minimum 12m² and 3 metres</p>	<p>The outdoor living complies with the ACP/Amendment 61 and R-Codes and TPS6, with the exception that TPS6 is ambiguous as 1 bedroom can be 8m² while also required to be 10m². ACP/Amendment and R-Codes should prevail.</p> <p>The southern, western and eastern facing balconies are winter gardens to control the impact of wind and to make the balconies more usable.</p>

Development Standard	TPS6	ACP and Amendment No. 61	Proposed Development	Planning Assessment
Noise	<p>On sites having a frontage to Melville Parade or other streets and new development containing noise sensitive land uses.</p> <p>A noise assessment shall be undertaken and the findings shall be submitted to the local government with the application.</p>	<p>State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning.</p> <p>Entertainment Noise - Applications proposing a small bar shall be accompanied by a noise management plan.</p>	An acoustic assessment has been prepared to consider the noise impacts from and to the proposed development.	<p>Refer to Acoustic Assessment (Appendix I).</p> <p>Given the scale of the proposed development and that a tenant is not known, it is considered premature to require a noise management plan, which would traditionally be provided when applying for a liquor licence. The requirement for a noise management plan can be a condition of any approval.</p>
Overshadowing	New development shall not cast a shadow over more than 80% of any adjoining lot at 12 noon on 21 June.	<p>New development shall not cast a shadow over more than 80% of any adjoining lot for more than 2 hours between 9am and 3pm on 21 June.</p> <p>Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties on 21 June.</p>	A shadow plan has been prepared and contained in Appendix C.	Complies with both TPS6 and the ACP/Amendment 61.
Sustainability	4 star (LPP P350.01) to 5 star where over 41 metres in height.	4 star (LPP P350.01).	5 star equivalent	Complies with both TPS6 and the ACP/Amendment 61.

Podium Side Setbacks

The TPS6 provisions are ambiguous as to the interpretation of the podium setbacks and the draft ACP/Amendment 61 provides a setback of 4 metres, however includes a boundary wall height of two storeys and 7.8 metres for two thirds the length of the boundary. The ACP/Amendment 61 identifies that podium side setbacks may be varied down to nil within the Mill Point character area where it can be demonstrated that the variation does not have a detrimental impact on the streetscape character and local amenity.

The two setbacks proposed to be nil are the southern podium setback and the eastern podium setback.

Southern Podium Setback

As identified in the site context, the adjoining properties have recently been completed and include a nil setback at three storeys in height for the majority of the boundary length which reduces to single storey and two storeys to the rear.

The proposed podium is to have a nil setback to the boundary at Mill Point Road. The first approximately 18 metres of the boundary will be three storeys (12.6 metres) in height to match the height of the existing wall in order to maintain a consistent built form to Mill Point Road. The frontage to Mill Point Road includes a dwelling providing passive surveillance. Behind the first 18 metres, the height reduces to two storeys (9.35 metres) to be consistent with the height of the walls on the adjoining properties (noting the reduced height to the service area).

Therefore in considering the podium setback, the nil setback is consistent with the established setbacks of the adjoining properties and maintains the podium built form along Mill Point Road. The podium height reduces to the rear of the property consistent with the heights of the adjoining walls. The podium does not impact outdoor area of the adjoining properties and the podium will provide a landscaped setting for the amenity of the residents and adjoining properties.

Eastern Podium Setback

The existing building to the east has a nil setback for the ground level (car parking structure) with the upper levels setback 5 metres to a largely blank wall with highlight windows and 8 metres to the balance of the wall. The outdoor living areas of the development are located on the eastern side of the site away from the proposed development.

The proposed podium is to have a nil setback to the boundary behind the 6 metre setback from Ferry Street. The first 15 metres of the boundary will be three storeys in height to provide a dwelling over the vehicle entrance and to provide passive surveillance to Ferry Street. This matches the setback blank wall with highlight windows on the adjoining site.

Behind the first 15 metres, the height reduces to two storeys which is 9.35 metre in height, between the single storey nil setback and 4 storey blank walls with highlight windows. The height provides an appropriate interface to the adjoining property given the two storeys, that the podium will be landscaped and that there are no overshadowing or privacy issues to the adjoining property. The adjoining property does not have any major openings within 8 metres of the boundary or private open space along the common boundary as the area is used for car parking.

Design Quality/Height

The proposed development seeks approval for a height of 123.3 metres.

TPS6 provides a height of 41 metres with additional height able to be considered where the development meets the Table B Criteria in Schedule 9A.

The Draft ACP and Amendment 61 provides a base height of 50.7 metres with additional height able to be considered up to 123.3 metres (Tier 2). It is noted that the ACP/Amendment 61 also considers increases above the base plot ratio under the design quality criteria, while TPS6 does not, as there is no maximum.

Both TPS6 and the Draft ACP/Amendment No. 61 identify that the design needs to achieve an exemplary standard of

design and in determining this will take into account the advice of the Design Review Panel.

TPS6 has additional provisions for the consideration of additional height as follows:

- Overshadowing - the proposed development meets the provision of no more than 80% of an adjoining lot at 12 noon on 21 June.
- Vehicle Management - the Transport Impact Assessment indicates that the intersections can accommodate the proposed traffic.
- Car Parking - based on the dwelling yield, the proposed development provides more than 1 and 2 bays per dwelling.
- Sustainability - the proposed development has been designed to achieve a 5 Star equivalent.
- Electric cars - the sustainability report identifies the infrastructure for electric car parking. This will exceed 6 bays.
- Landscape area - the landscaping significantly exceeds 40%.
- Occupier benefits
 - Balconies 15m² in area - ranges from 10 to 30m².
 - 10% of dwellings having an internal area of 200m² - 10% greater than 194m².
 - 20% longer and wider car parking bays and silver level liveable housing - 20% silver level liveable housing and tandem bays longer, however, proposed bays not wider.
 - 50% of dwellings having cross ventilation and access to a significant view - 79%.
- Local Community benefits
 - Maintain view corridors - as discussed previously the orientation of the tower maintains, within reason, the view corridors from the properties to the south towards the river and Kings Park.
 - One of more - meeting room, function room etc - Ferry Street has three ground level rooms
 - Public access to terraces or gardens with a cafe - Mill Point Road landscaped terrace with cafe
- Wider Community benefits
 - Commercial use with wider community benefits - not provided, however draft ACP/Amendment 61 minimising commercial on site.
 - Visiting cyclists end of trip - not provided.

With the exception of the car parking numbers and size, balcony size, internal apartment area and the wider community benefits the proposed development meets the provisions under Table B.

We understand that the Table B provisions have not been successful in delivering outcomes within the Precinct and will soon be superseded by Amendment 61.

The draft ACP and Amendment 61 adopts a different approach to consideration of additional height. The Draft ACP/Amendment 61 identifies that if the height is seeking Tier 2, then the proposed development needs to comply with:

- Undertake a competitive design process - this process has not been formalised and therefore cannot be undertaken for the current application.
- The development satisfies the other provisions of Schedule 9B - refer to previous assessment.
- Maintain view corridors - as discussed previously the orientation of the tower maintains, within reason, the view corridors from the properties to the south towards the river and Kings Park.
- A public benefit contribution - it is noted that the contribution has not been formalised. The public benefit is determined based on both height and plot ratio above the base height, which seems a little counter productive as it would then support wider lower buildings in the precinct, which would have a greater impact through setbacks, privacy, overshadowing and building bulk.

The ACP/Amendment 61 adopts the same approach for additional plot ratio, however, as indicated previously the proposed plot ratio is well below the base.

In considering the proposed development and the height, we provide the following submission.

Built Form

Under the draft ACP/Amendment 61, the height and plot ratio are allocated as follows:

- Primary - 50.7 metres and 7.2:1 plot ratio
- Tier 1 - 77.1 metres and 8.8:1
- Tier 2 - 123.3 metres and 9.8:1

The development is proposing a height of 123.3 metres with a plot ratio of 5.69:1. The plot ratio of 5.69:1 is well below the primary plot ratio of 7.2:1. The built form has been based on the creation of a slender tower and while the additional height provides additional project economic benefit, the overall plot ratio is well below the primary maximum and therefore there is floor area that remains unused, this has a reduced economic benefit. The provisions appear to suggest that lower wider buildings are the preferred development outcome, which we do not consider is the right approach. The benefits to the built form approach includes:

- The tower occupies 21% of site area where the provisions enable 30%. The reduced tower coverage has significant benefits in considering shadow, privacy, views and built form impacts on adjoining properties.
- The tower setbacks are significantly increased under the proposed development from 5-6 metres (or 12 metre separation) under the requirements to 17 metres, which has a significant reduction to the impact of the proposed tower on adjoining properties.
- We understand that the SDRP is supportive of the view that the development can achieve an exemplary standard.

Therefore while the tower height is higher than the base identified under TPS6 and the draft ACP/Amendment 61, this is offset by the slender nature of the built form. The plot ratio is lower than the base or primary plot ratio meaning that the development, other than the height, has not sought to maximise floor area.

Therefore in considering the design quality and the height, the proposed built form is an exemplar in terms of the built form and its positive outcomes to the city and to the adjoining property owners.

Sustainability

The development is proposing a 5 star equivalent sustainability outcome.

Contribution to the Public Domain

The proposed development is seeking to design the frontages of the proposed development as an extension to the public domain to significantly improve both Ferry Street and Mill Point Road.

Along Ferry Street it is proposed to include a footpath on the site for public use. The footpath will provide access from the residential properties to the east of the site to Mill Point Road. At the moment the Ferry Street road reserve cannot accommodate a footpath on the southern side of the street given the road reserve width. The proposed development will resolve this access issue. Additionally, it is proposed to plant a number of trees along the Ferry Street frontage which will provide shade and create an improved streetscape.

Along Mill Point Road, it is proposed to create a public domain as an extension to the Mill Point Road reserve, which includes a wider footpath, landscaping, seating etc. At present, the footpath is narrow and uninviting. Additionally, it is proposed to plant additional street trees to continue and compliment the green street nature of Mill Point Road.

The proposed works to Mill Point Road and Ferry Street should be commended as the proposed works resolve the current pedestrian and access limitations experienced in both streets and builds upon the green leafy nature of the area.



Community Facilities

In addition to the public domain works, it is proposed to include meeting, function and live/work spaces along the Ferry Street frontage. These facilities will be for use by the residents as well as the community, whether it be use by other buildings for strata meetings, community Christmas gatherings, community group use etc. The spaces are flexible and appropriately located at ground level providing easy access. The facilities will provide important facilities for the community in the area.

Resident Facilities

The design of the proposed dwellings exceed the requirements with respect to dwelling and living area sizes, solar access, cross ventilation, balcony size etc. The proposed dwellings have a very high level of amenity. The dwellings are also provided with significant residential amenities at podium level and within the tower.

Landscaping

The proposed site landscaping covers more than 55% of the site, through the landscaping at ground level and the landscaping on the podium. These areas all add significantly to the amenity of the site and the amenity when viewed from other sites.

The proposed development includes the planting of three additional street trees and the planting of 4 large trees, 28 medium trees and 25 small trees which increases the canopy cover by 828m² on the site, which is more than 3 times the canopy requirement under the R-Codes AO.

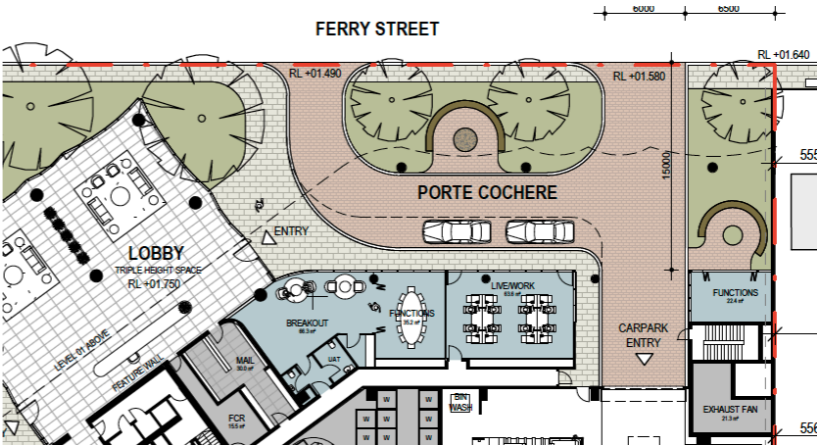
The landscaping and tree provision is a significant outcome for the inner city location.

Public Art

While public art is covered by a planning policy, it needs to be identified that based on the development cost of \$150 million, the public art contribution is \$1.5 million. This is a significant amount of money that will contribute to artists working on site as part of the overall landscape, built form and art strategy.

Therefore in considering the proposed design quality and building height, the development achieves many of the provisions of Table B for additional height noting that the provisions have not been successful in delivering outcomes within the Precinct and will soon be superseded by Amendment 61.

The development will be an exemplar through its built form, contribution to the public domain, contribution to community, the quality of the dwellings and amenities and the contribution to the landscape quality of the site and area.



Local Planning Policies

The following Local Planning Policies are applicable to the consideration of the development application:

- P301 Community Engagement in Planning Proposals
- P316 Development Contribution for Public Art and Public Art Spaces
- P317 Licensed Premises
- P318 South Perth Station Precinct Application Requirements
- P350.01 Environmentally Sustainable Building Design
- P350.05 Trees on Development Sites and Street Verges
- P350.09 Significant views
- P353 Crossings and Crossovers
- P354 Stormwater Drainage Requirements for Proposed Buildings

P301 Community Engagement in Planning Proposals

The Policy provides the basis for community engagement. While the City has a policy it is acknowledged that the WAPC will determine the type and level of consultation for the proposed development. Under the Policy it would be a Level 2 Engagement.

P316 Development Contribution for Public Art and Public Art Spaces

The Policy identifies that projects with a value of \$4 million or greater are to contribute at least 1% of the construction value towards public art. The landowner nominates to provide public art within the development itself.

A Public Art Strategy has been prepared for the site and is contained in Appendix P.

P317 Licensed Premises

The Policy provides provisions for new licensed premises including location and design and information requirements to be submitted.

The proposed small bar (wine bar) is appropriately located within the proposed development as identified in the planning framework which supports commercial ground level activation of Mill Point Road. The tenancy is proposed as a wine bar (small bar) to service the residents in the area.

The Policy contains a number of provisions relating to the proposed use including a Management Plan that addresses number of patrons and hours of operation; an Impact Assessment Report (IAR): an Operational Management Plan; a Traffic and Parking Impact Assessment, a Noise Impact Assessment and a Public Interest Assessment.

Given the scale of the proposed development and than a tenant is not known, it is considered premature to require this information, which would traditionally be provided when applying for a liquor licence. The Policy requirements can be a condition of any approval.

P318 South Perth Station Precinct Application Requirements

The Policy provides the information requirements for development applications with the South Perth Station Precinct. It is noted that the WAPC has its own information requirements for the development application.

The policy identifies the following information: context analysis plan; proposed development site plan; development drawings; 3D computer model; transport impact assessment; wind impacts; waste management plan; etc.

This information is also required by the WAPC and has been provided in this report and the Appendices.

P350.01 Environmentally Sustainable Building Design

The Policy identifies that all development is to achieve and provide certification of at least a four star rating under the relevant Green Star rating tool, or equivalent. The development proposes to achieve a 5 star rating equivalent. A Sustainability Strategy is contained in Appendix J.

P350.05 Trees on Development Sites and Street Verges

The feature survey shows the tree located on site that is required to be removed to facilitate the proposed development. The site plans shows the trees located within the road reserve. One street tree is proposed to be removed, which is located at the southern corner of the site.

The tree located on-site is required to be removed to provide for the development including the basement. The basement has already been reduced in size to provide a root protection zone to the mature street trees along Mill Point Road and deep soil areas.

To offset the loss of the one mature tree one site and the one mature tree within the road reserve, it is proposed to plant an additional 3 street trees along Mill Point Road and 4 large trees, 28 medium trees and 25 small trees on site.

It is acknowledged that during construction each tree within the road reserve will need to be protected from root, trunk and canopy damage. This can be a condition of any approval.

P350.09 Significant Views

The tower is orientated to minimise any loss of views from the adjoining properties to the south. A tower with a traditional orientation parallel to either Mill Point Road and/or Ferry Street would have a greater impact on views from the recent development to the south and south-east.

P353 Crossings and Crossovers

The policy intent is to ensure that vehicle crossings to private land ('crossovers') are constructed in a uniform manner and to an engineering standard that will provide longevity in use.

The construction of the crossovers can be a condition of any approval.

P354 Stormwater Drainage Requirements for Proposed Buildings

The policy sets the standards for stormwater drainage in new developments within the City. The proposed development is identified as a Mixed Residential / Commercial Building. The policy requires that:

- All stormwater drainage for new buildings requiring calculations to be submitted shall be designed in accordance with the current industry standards.
- The overall design should ensure that overflows from the drainage system resulting from storms in excess of the design storm are not directed towards the road reserve any adjacent buildings or properties but retained on site in secure approved areas.
- The ability to store run-off from the design storm on site for re-use is encouraged as the preferred method of stormwater disposal in all drainage precincts. Detention and re-use may also be integrated into other disposal systems.

As identified in the building services report, the stormwater management will meet the requirements of the Policy.

Conclusion

The proposed development seeks to provide an exemplar development at 36 levels (excluding basement and plant) in height to accommodate 175 multiple dwellings and ground level commercial activation.

The project has an estimated value of \$150 million, and would create 1800 jobs during the 28 month construction phase and 29 ongoing jobs.

The site is currently cleared and a sales/site office and car parking is established on the site.

The site is subject to the current provisions under the City of South Perth Town Planning Scheme No.6 (TPS6), however, the City has prepared a draft Activity Centre Plan (ACP) for the area and initiated Amendment No. 61 to supersede the current provisions under TPS6. The proposed development has been based on the proposed provisions under the ACP and Amendment No.61 as they are serious entertained, however, has also been cognisant of the existing planning framework. The proposed development positively responds to the proposed built form and land use provisions.

The applicant seeks the WAPC's determination under the significant development assessment provisions given:

- The scope of the proposed development (more than \$20 million)
- The employment generation during and after construction (COVID-19 response)
- The site has been cleared ready for development and the landowner has provided a timeline for development
- The pending determination of the ACP and Amendment No.61 and therefore the WAPC can exercise discretion to resolve anomalies between the existing and proposed planning frameworks

The proposed development will provide significant benefits to the site and local community through the design of the built form, the improvements to the public domain, the provision of community facilities, the landscaping outcome and the significant resident amenity.

As identified in this report, the proposed development is an exemplar for the future development of the South Perth Station Precinct and will provide an excellent example of the standard of development that the site and area warrants.

For the reasons outlined in this report, we respectfully request development approval by the WAPC.

- Appendix A - Certificates of Title
- Appendix B - Feature Survey
- Appendix C - Development Plans
- Appendix D - Architectural Report (SPP7.0)
- Appendix E - Landscape Plans
- Appendix F - Economic Stimulus and Job Creation Report
- Appendix G - SPP7.3 R-Codes Assessment
- Appendix H - Transport Impact Assessment
- Appendix I - Acoustics Report
- Appendix J - Sustainable Design Strategy
- Appendix K - Wind Assessment
- Appendix L - Waste Management Plan
- Appendix M - Disability Access Statement
- Appendix N - Building Services
- Appendix O - ASS and Dewatering Management Plan
- Appendix P - Public Art Strategy