

Perth Local Development Assessment Panel Agenda

Meeting Date and Time: Tuesday, 8 August 2023; 9:30am

Meeting Number: PLDAP/126

Meeting Venue: City of Perth Committee Room 1 Council House,

27 St Georges Terrace, Perth

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Attendance

DAP Members

Jarrod Ross (A/Presiding Member)
Gabriela Poezyn (A/Deputy Presiding Member)
Diana Goldswain (Third Specialist Member)
Cr Catherine Lezer (Local Government Member, City of Perth)
Cr Brent Fleeton (Local Government Member, City of Perth)

Officers in attendance

Item 9.1

Neesha Gomes (Western Australian Planning Commission)

Item 9.2
Julia Kingsbury (City of Perth)
Craig Smith (City of Perth)
Roberto Colalillo (City of Perth)
Dimitri Fotev (City of Perth)

Minute Secretary

Anne Marie Bartlett (City of Perth)

Applicants and Submitters

Item 9.1

Tim Parker (Hatch Roberts Day)

Item 9.2

Kate Bainbridge (Urbis)

Members of the Public / Media

Nil.

1. Opening of Meeting, Welcome and Acknowledgement

The A/Presiding Member declares the meeting open and acknowledges the traditional owners and pay respects to Elders past and present of the land on which the meeting is being held.

2. Apologies

Ray Haeren (Presiding Member)
Cr Liam Gobbert (Local Government Member, City of Perth)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Signed minutes of previous meetings are available on the DAP website



5. **Declarations of Due Consideration**

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

6. **Disclosure of Interests**

Member	Item	Nature of Interest
Ray Haeren	9.2	Direct Pecuniary Interest –
-		Urbis is the applicant for this proposal
		& Ray Haeren is a partner in the
		business.

7. **Deputations and Presentations**

The Western Australian Planning Commission and The City of Perth may be provided with the opportunity to respond to questions of the panel, as invited by the A/Presiding Member.

8. Form 1 – Responsible Authority Reports – DAP Applications

Nil.

9. Form 2 - Responsible Authority Reports - DAP Amendment or **Cancellation of Approval**

9.1 Lot 52 (195) Pier Street, Perth

Mixed Use Development Comprising 186 **Development Description:**

> Apartments, Café/Restaurant, Community Shared Space, Resident Amenities and

Associated Parking

Extension of time to substantially Proposed Amendments:

commence development by two years

Applicant: Hatch Roberts Day Owner: **DevelopmentWA**

Responsible Authority: Western Australian Planning Commission

DAP File No: DAP/19/01584



9.2 168 (Lots 1-18) Broadway, Crawley

Development Description: Proposed Demolition of An Existing Three-

> Level Residential Apartment Building And Construction Of A Nine-Level Residential **Development Comprising Of 21 Multiple** Dwellings And 46 Car Parking Bays (21

dwellings - 9 storey)

Proposed Amendments: Amendments to an approved nine – level

residential development composing of 21 multiple dwellings and 46 car parking bays

Page 4

Edge Visionary Living c/o Urbis Pty Ltd Applicant:

Owner: Edge Holdings No. 20 Pty Ltd

Responsible Authority: City of Perth DAP File No: DAP/22/02297

10. State Administrative Tribunal Applications and Supreme Court Appeals

Nil.

11. **General Business**

In accordance with Section 7.3 of the DAP Standing Orders 2020 only the A/Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. **Meeting Closure**

Version: 1

MIXED USE DEVELOPMENT – Lot 52 (195) PIER STREET, PERTH (EXTENSION OF TIME REQUEST)

Form 2 – Responsible Authority Report

(Regulation 17)

DAP Name:	City of Perth Local Development
	Assessment Panel
Local Government Area:	City of Perth
Proposed Amendments:	Extension of time to substantially
	commence development by two years
Applicant:	Hatch Roberts Day
Owner:	DevelopmentWA
Value of Amendment:	\$50 million
Responsible Authority:	Western Australian Planning Commission
Authorising Officer:	A/ Planning Director, Metro Central
WAPC File No:	10-50134-2
DAP File No:	DAP/19/01584
Date of Original DAP decision:	18 June 2019
Application Received Date:	2 June 2023
Application Statutory Process	60 Days
Timeframe:	
Attachment(s):	Form 1 Approval Letter
	Amended Development Plans
	3. Locality Plan

Officer Recommendation

It is recommended that the City of Perth Local Development Assessment Panel resolves to:

- 1. **Accept** that the DAP Application reference DAP/19/01584 as detailed on the DAP Form 2 dated 2 June 2023 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and
- 2. **Approve** a two-year extension to the date by which DAP/19/01584 is to be substantially commenced, subject to the amended condition and advice note set out below.

Amended Condition

 The development approval is valid until 18 June 2025. If the subject development is not substantially commenced by this date, the approval shall lapse and be of no further effect.

Advice Note

1. All other conditions and requirements detailed on the previous approvals dated 18 June 2019 and 12 December 2019 (DAP/19/01584) remain applicable.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme	
Region Scheme Zone/Reserve	Central City Area	
Local Planning Scheme	City of Perth Local Planning Scheme No.2	
Local Planning Scheme Zone/Reserve	City Centre	
Use Class (proposed) and	Mixed Commercial – "C" Use	
permissibility:	Residential – "C/X(2)" Use	
Lot Size:	3,099m ²	
Number of Dwellings:	186 Apartments	
Existing Land Use:	Vacant	

Proposal:

Hatch Roberts Day, on behalf of Development WA, has submitted a Form 2 application to amend the City of Perth Local Development Assessment Panel's (LDAP) approval of a mixed-use development application at Lot 52 (195) Pier Street, Perth (the site). The application seeks to extend the period by which the approval is to be substantially commenced by an additional two years, until 18 June 2025. No modifications to the approved plans are proposed.

Background:

The LDAP conditionally approved a Form 1 application for a 26-storey mixed use development comprising 184 apartments, a café/restaurant, community shared space, resident amenities and associated parking at the site on 18 June 2019 (Attachment 1 – Form 1 Approval Letter).

The LDAP subsequently approved a Form 2 application for minor amendments to the design on 12 December 2019. The amendments comprised modifications to the podium, an increase in apartment numbers from 184 to 186, reduction in podium height and slight overall building height increase (85.1m to 86.2m), modification to apartment configurations and modification to car parking and bicycle parking (**Attachment 2 – Approved Development Plans**).

The length of the Form 1 approval (as modified) was extended as a result of the introduction of the *COVID-19 Response and Recovery Omnibus Act 2020* (the Recovery Act). Section 33 of the Recovery Act provided an automatic two-year extension for the commencement of development approvals under the Metropolitan Region Scheme (MRS), where an application was valid on 8 April 2020. The development has not commenced and as a result the existing approval lapsed on 18 June 2023, being four years from the date of the Form 1 approval.

The subject Form 2 application proposes an additional two-year extension to the current substantial commencement date until 18 June 2025. Under regulations 17(1)(a) and 17(2)(a) of the Planning and Development (Development Assessment Panels) Regulations 2011, a landowner/applicant is able to apply to extend an approval at any date.

As part of the approved development, 15% of apartments will be provided for social housing purposes and a further 15% for shared equity (affordable) housing purposes. The original application made on behalf of the Department of Communities, as the previous landowner, was consistent with the definition of a 'public work' under the *Public Works Act 1902*. The Department of Communities was therefore exempt from the need to obtain development approval under the City of Perth City Planning Scheme No. 2 (CPS 2) in accordance with sections 5 and 6 of the *Planning and Development Act 2005* (the Act). In accordance with section 6 of the Act, however, public works by a public authority require planning approval from the Western Australian Planning Commission (WAPC) under the MRS.

As the successor of the land and development approval, DevelopmentWA is able to apply for the proposed extension of time to commence the development as a public works proposal, being an entity established to carry out works for public benefit. Further, development approvals run with the land, and DevelopmentWA is able to rely on the current approval obtained over the land.

The site is zoned Central City Area under the MRS. It is zoned City Centre and located within the Stirling Precinct (P3) under CPS 2 (Attachment 3 – Locality Plan).

Legislation and Policy:

Legislation

Planning and Development Act 2005
Metropolitan Region Scheme
Central Sub-Regional Planning Framework
Planning and Development (Local Planning Schemes) Regulations 2015

State Government Policies

State Planning Policy 7.3 – Residential Design Codes Volume 2 - Apartments

Consultation:

The Form 2 application was referred to the City of Perth (the City) for comment. The City supports the application subject to a modified condition of approval and advice note, which are reflected in the recommendation section of this report.

Planning Assessment:

City of Perth Local Planning Strategy

The City's Local Planning Strategy (the Strategy) was approved by the WAPC in May 2023. The development site is located within the Northbridge "Neighbourhood" under the Strategy, which supports high scale mixed use development greater than 16 storeys. The approved development remains consistent with the vision for this area under the Strategy.

Metropolitan Region Scheme

Clause 30(1) of the MRS states the following matters are to be considered when determining a development application:

- the purpose for which the land is zoned or reserved under the MRS;
- the orderly and proper planning of the locality; and
- the preservation of the amenities of the locality.

The planning framework applicable to the development has not meaningfully changed since the previous Form 2 was approved by the LDAP in December 2019, and the development remains consistent with the purpose for which the land is zoned and the orderly and proper planning of the locality, as it will deliver a high quality mixed-use development within the City centre. Providing additional time for the development to occur will improve the amenity of the area by contributing to housing diversity and providing local services in the area.

The proposed extension of time to substantially commence development is required in order to allow for additional time for DevelopmentWA to secure development partnerships; allow for the construction to occur on the project; and find suitable bodies to manage the social and affordable housing component of the development.

Conclusion:

The development remains consistent with the purpose of the Central City Area zone under the MRS; the principles of orderly and proper planning; and the preservation of the amenities of the locality.

Accordingly, the application to extend the time by which the development is substantially commenced is supported. The conditions and advice notes of the LDAP's previous approvals remain appropriate, subject to minor modification of one condition as reflected in the recommendation of this report.



LG Ref: DA-2019/5060
DAP Ref: DAP/19/01584
WAPC Ref: 10-50134-2
Enquiries: (08) 6551 9919

Mr Ryan Darby Roberts Day PO Box 7348 Cloisters Square WA 6850

Dear Mr Darby

CITY OF PERTH LDAP - WESTERN AUSTRALIAN PLANNING COMMISSION (WAPC) - DAP APPLICATION - DA-2019/5060 - DETERMINATION

Property Location:	Lot 52 (No.195) Pier Street, Perth	
	Café/Restaurant, Community Shared Space, Resident	
	Amenities and Associated Parking	

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Perth on 8 March 2019 for the above-mentioned development.

This application was considered by the City of Perth LDAP at its meeting held on 18 June 2019, where in accordance with the provisions of the Metropolitan Region Scheme, it was resolved to **approve** the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, an application may be made to amend or cancel this planning approval in accordance with regulation 17 and 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011.*

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Ms Anika Chhabra on behalf of the WAPC on 6551 9258.

Yours sincerely,

DAP Secretariat

25 June 2019

Encl. DAP Determination Notice

Approved Plans

Cc: Ms Anika Chhabra and PSO Admin

Western Australian Planning Commission (WAPC)

City of Perth



Planning and Development Act 2005

Metropolitan Region Scheme

City of Perth Local Development Assessment Panel

Determination on Development Assessment Panel Application for Planning Approval

Property Location: Lot 52 (No.195) Pier Street, Perth

Application Details: Mixed Use Development Comprising 184 Apartments, Café/Restaurant, Community Shared Space, Resident Amenities and Associated Parking

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 18 June 2019, subject to the following:

Approve DAP Application DAP/19/01584 and accompanying plans date stamped 23 May 2019 in accordance with the provisions of the Metropolitan Region Scheme, subject to the following conditions:

Conditions:

- 1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
- 2. Prior to the commencement of development, updated elevation plans are to be prepared to ensure consistency with the approved floor plans, to the specification of the City of Perth and satisfaction of the Western Australian Planning Commission.
- 3. Prior to the commencement of development, final details of the design consistent with the elevations and perspectives on plans date stamped 23 May 2019 being prepared to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 4. Prior to the commencement of development, a Waste Management Plan being submitted and approved to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission. Once approved, the Waste Management Plan is to be implemented in its entirety.
- 5. Prior to the commencement of development, a Noise Management Plan being submitted and approved to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission. Once approved, the Noise Management Plan is to be implemented in its entirety.
- 6. Prior to the commencement of development, a Construction Management Plan shall be submitted and approved to the specification of the City of Perth and the

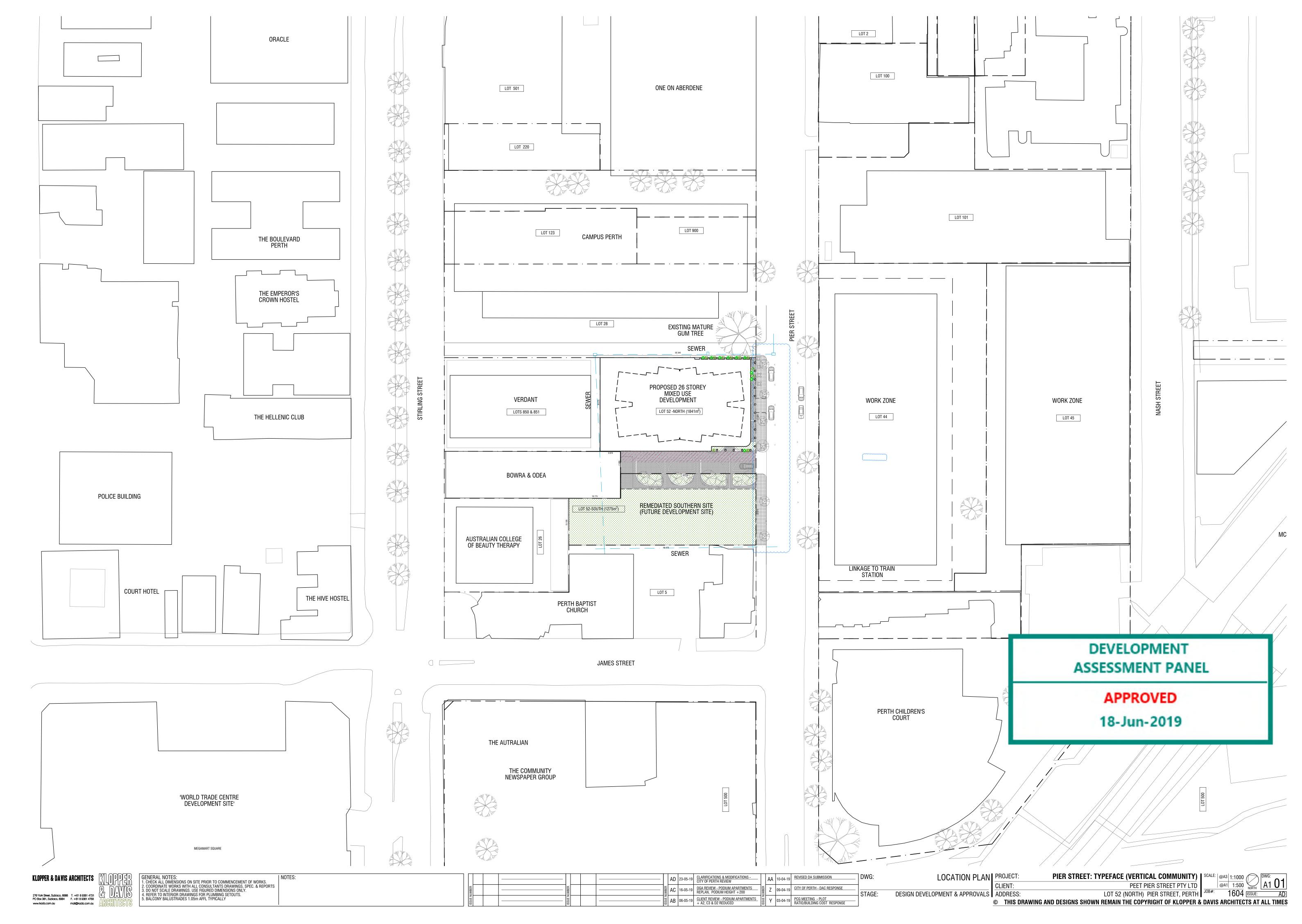


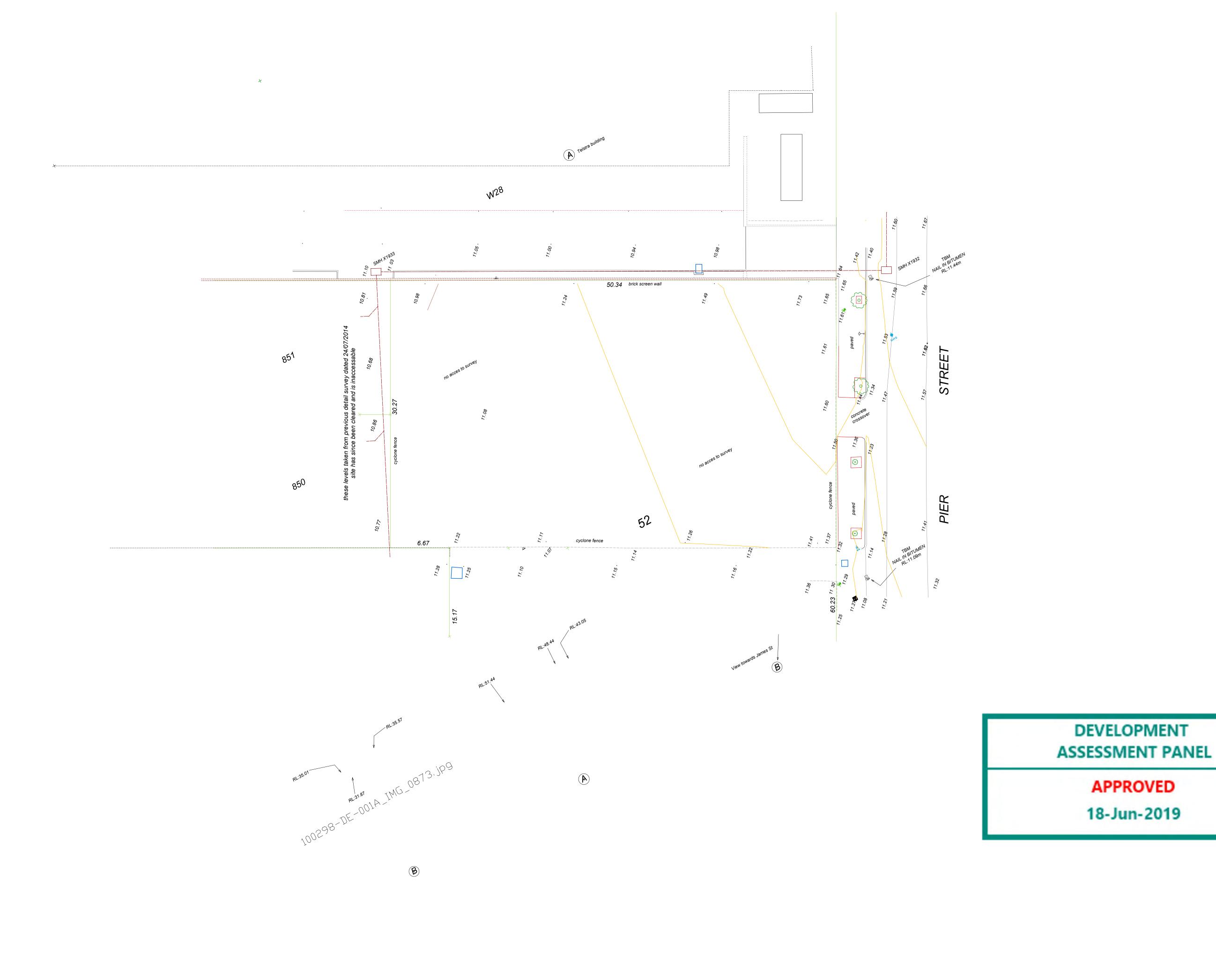
satisfaction of the Western Australian Planning Commission. Once approved, the Construction Management Plan is to be implemented in its entirety.

- 7. Prior to the commencement of development, details regarding disposal / management of onsite stormwater being submitted and approved to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 8. Prior to the occupation of development, an Operations and Management Plan being submitted for the community co-working hub to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 9. Prior to the occupation of the development, the vacant southern portion of the subject land being landscaped or aesthetically screened to prevent the spread of dust and unauthorised car parking and to enhance the amenity of the location until such time as that land is redeveloped, to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 10. Prior to the occupation of the development, details of all landscaped areas including soil depths, irrigation and plant species being submitted and approved to the specification of the City of Perth and the satisfaction of the Western Australian Planning Commission. Once approved, the landscaping is to be installed and thereafter maintained.
- 11. Existing street trees located in the road verge on Pier Street being retained and protected from damage through demolition and development works, with the establishment of tree protection zones in accordance with AS 4970-2009 to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 12. All parking facilities relating to the development application including parking spaces, parking aisles, access and egress, and circulation areas are to comply with AS 2890.1 to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 13. All redundant crossovers being removed, the verge and footpaths being reinstated, and new crossovers being located and constructed to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.

Advice Notes:

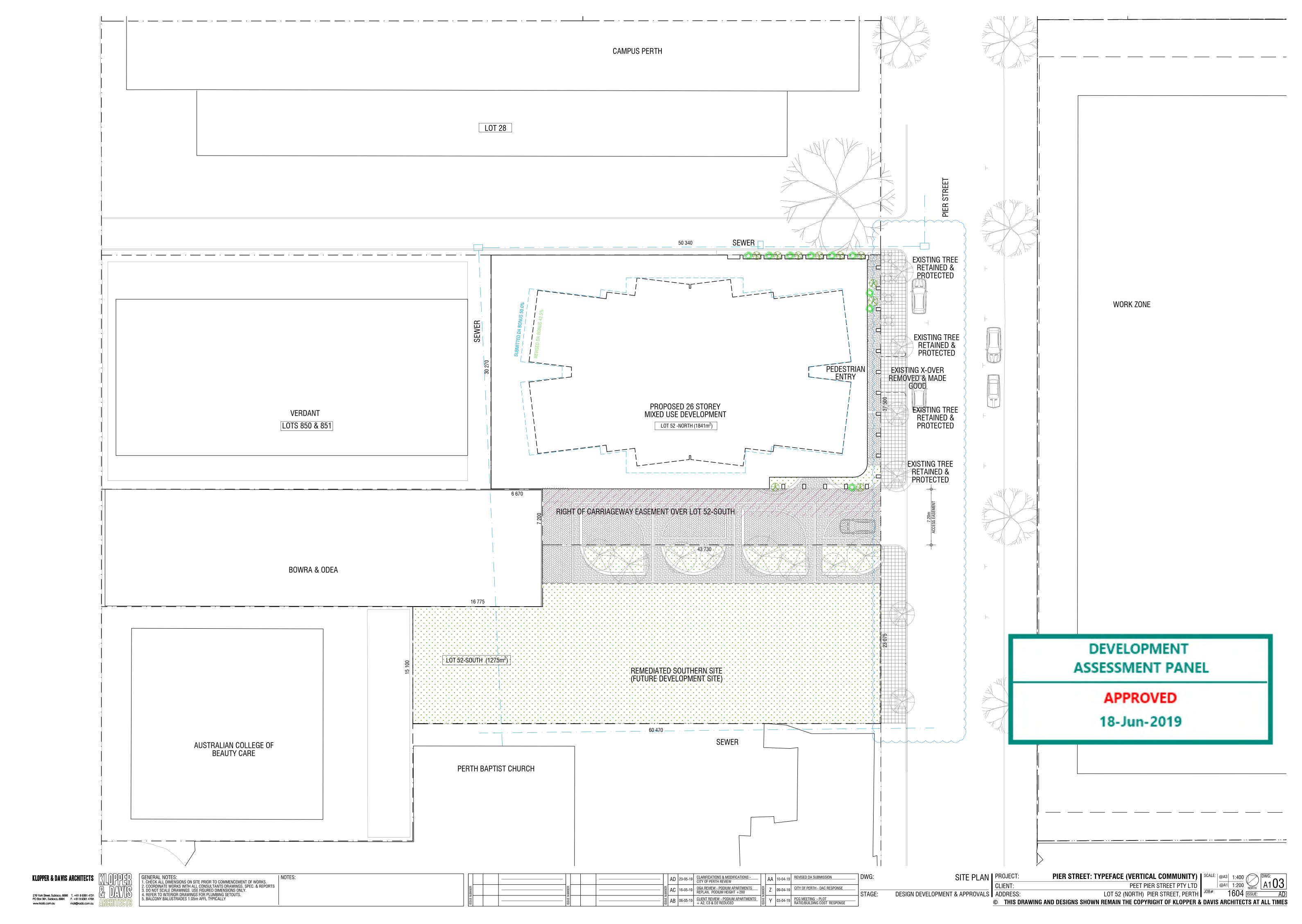
- 1. In regard to Condition 3, the applicant is advised that the detailed design is to include:
 - (a) Aesthetic treatments and finishes to the side and rear boundary walls of the podium levels.
 - (b) Car parking being screened from view from the street and surrounding properties.



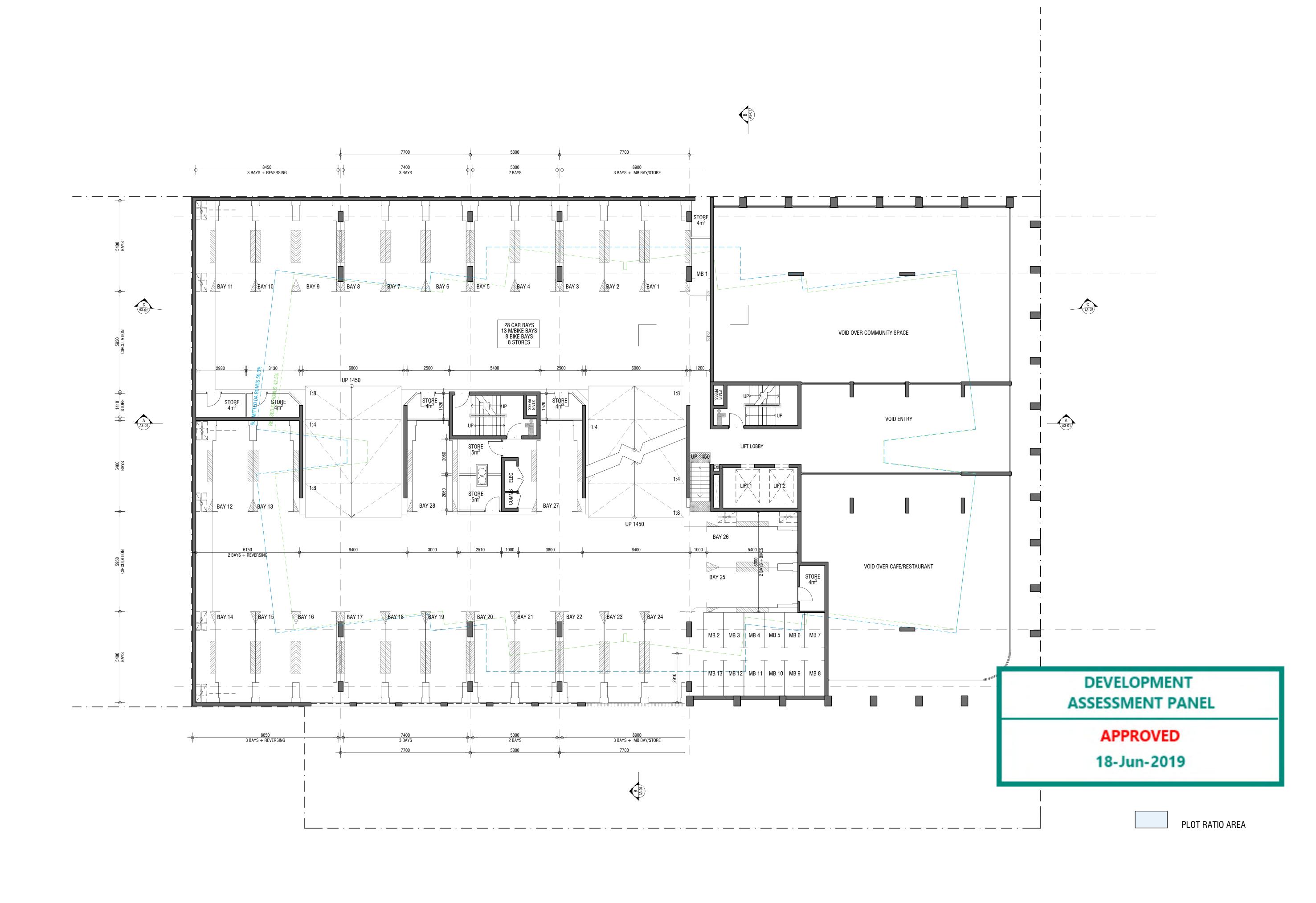


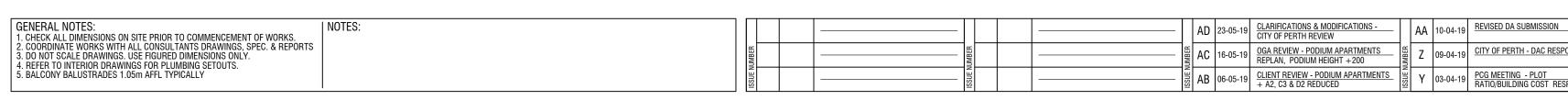
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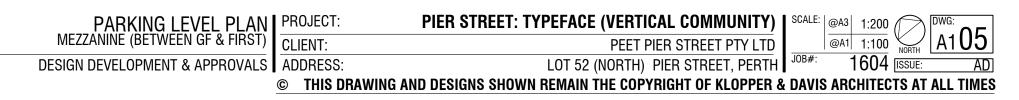
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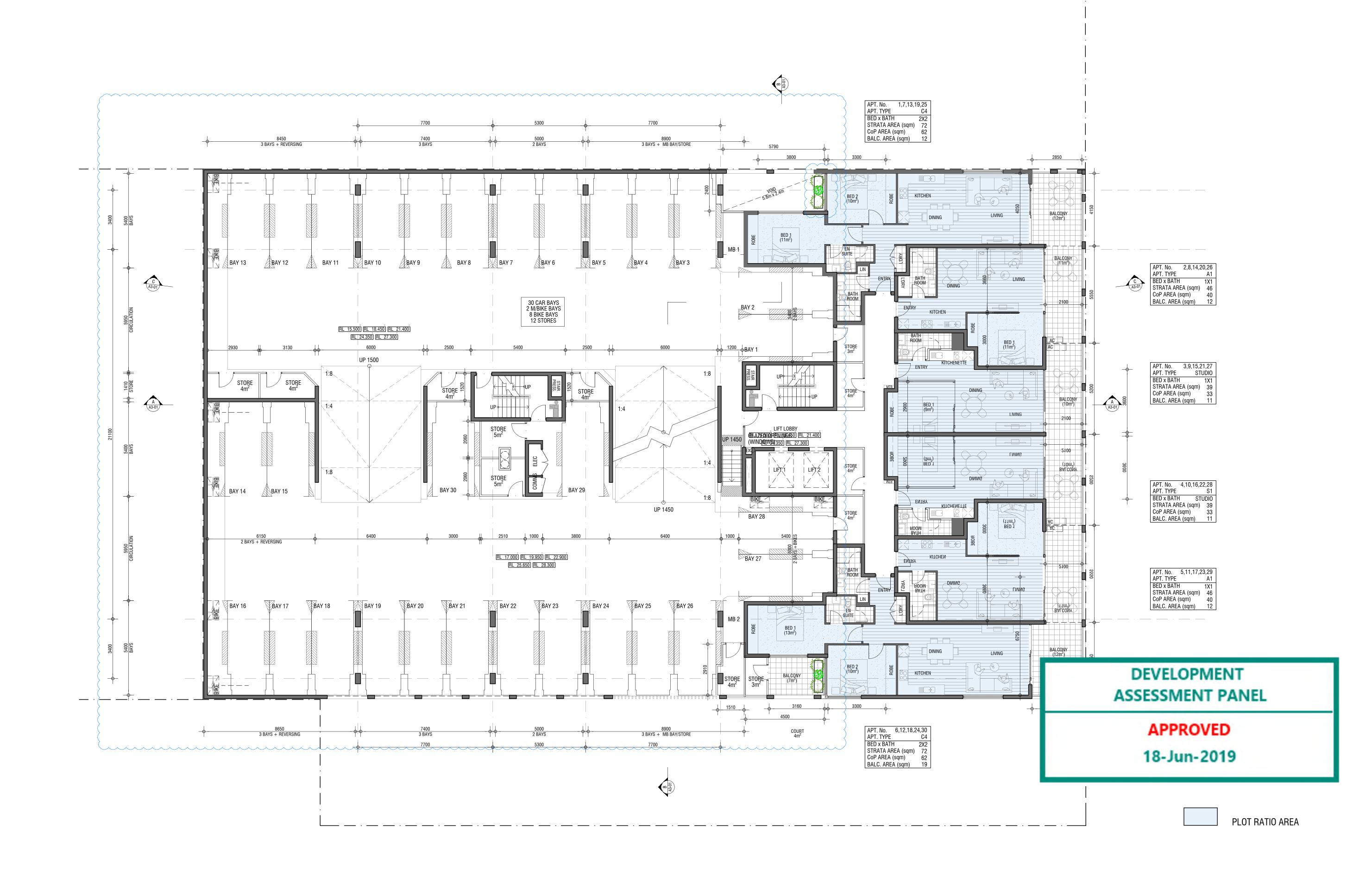


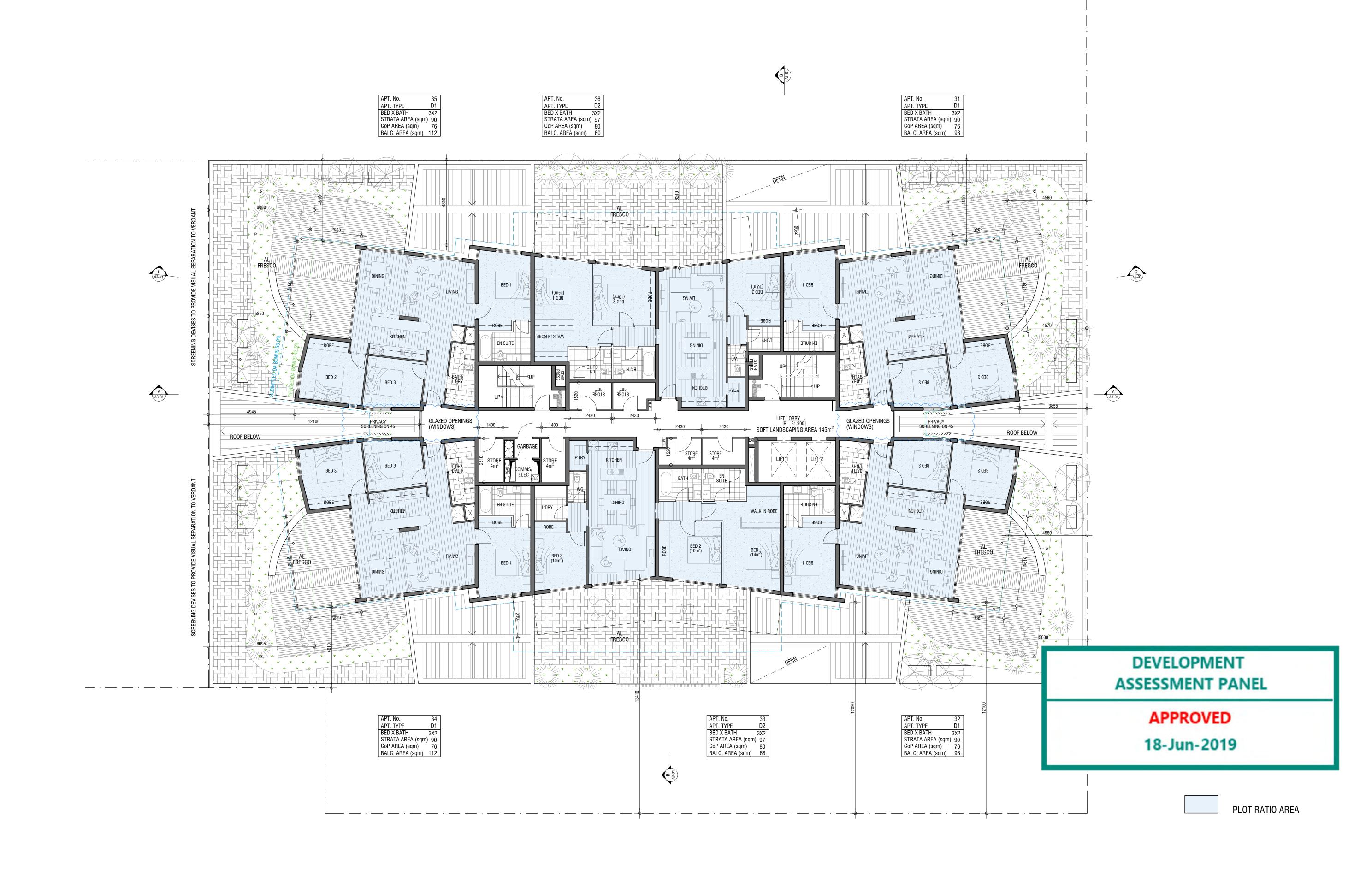














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2. COORDINATE WORKS WITH ALL CONSULTANTS DRAWINGS, SPEC. & REPORTS

3. DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY.

4. REFER TO INTERIOR DRAWINGS FOR PLUMBING SETOUTS.

5. BALCONY BALUSTRADES 1.05m AFFL TYPICALLY

AA 10-04-19 REVISED DA SUBMISSION Z 09-04-19 CITY OF PERTH - DAC RESPONSE AB 06-05-19 CLIENT REVIEW - PODIUM APARTMENTS Y 03-04-19 PCG MEETING - PLOT RATIO/BUILDING COST RESPONSE

CLIENT: DESIGN DEVELOPMENT & APPROVALS | ADDRESS: 

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AD 23-05-19 CLARIFICATIONS & MODIFICATIONS - CITY OF PERTH REVIEW

AC 16-05-19 OGA REVIEW - PODIUM APARTMENTS REPLAN, PODIUM HEIGHT + 200

AB 06-05-19 CLIENT REVIEW - PODIUM APARTMENTS + A2, C3 & D2 REDUCED

AB 06-05-19 CLIENT REVIEW - PODIUM APARTMENTS + A2, C3 & D2 REDUCED

AB 06-05-19 CLIENT REVIEW - PODIUM APARTMENTS + A2, C3 & D2 REDUCED

DWG:

AA 10-04-19 REVISED DA SUBMISSION

CITY OF PERTH - DAC RESPONSE

STAGE:

LOWER TOWER LEVELS FLOOR 8,10,12 (3) FLOOR LAYOUT D
DESIGN DEVELOPMENT & APPROVALS

PROJECT:
PIER STREET: TYPEFACE (VERTICAL COMMUNITY)

PEET PIER STREET PTY LTD
ADDRESS:

PROJECT:
PEET PIER STREET PTY LTD
ADDRESS:

LOT 52 (NORTH) PIER STREET, PERTH

SCALE:

AB 1:200

A1 1:100

A1 10

DWG:
A1 1:100

JOB#: 1604



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AB 06-05-19 CLIENT REVIEW - PODIUM APARTMENTS + A2, C3 & D2 REDUCED

AA 10-04-19 REVISED DA SUBMISSION

DWG:

TOTAL TOT

TYPICAL TOWER FLOOR LAYOUT A (6)

DESIGN DEVELOPMENT & APPROVALS

PROJECT: PIER STREET: TYPEFACE (VERTICAL COMMUNITY)

CLIENT: PEET PIER STREET PTY LTD

ADDRESS: LOT 52 (NORTH) PIER STREET, PERTH

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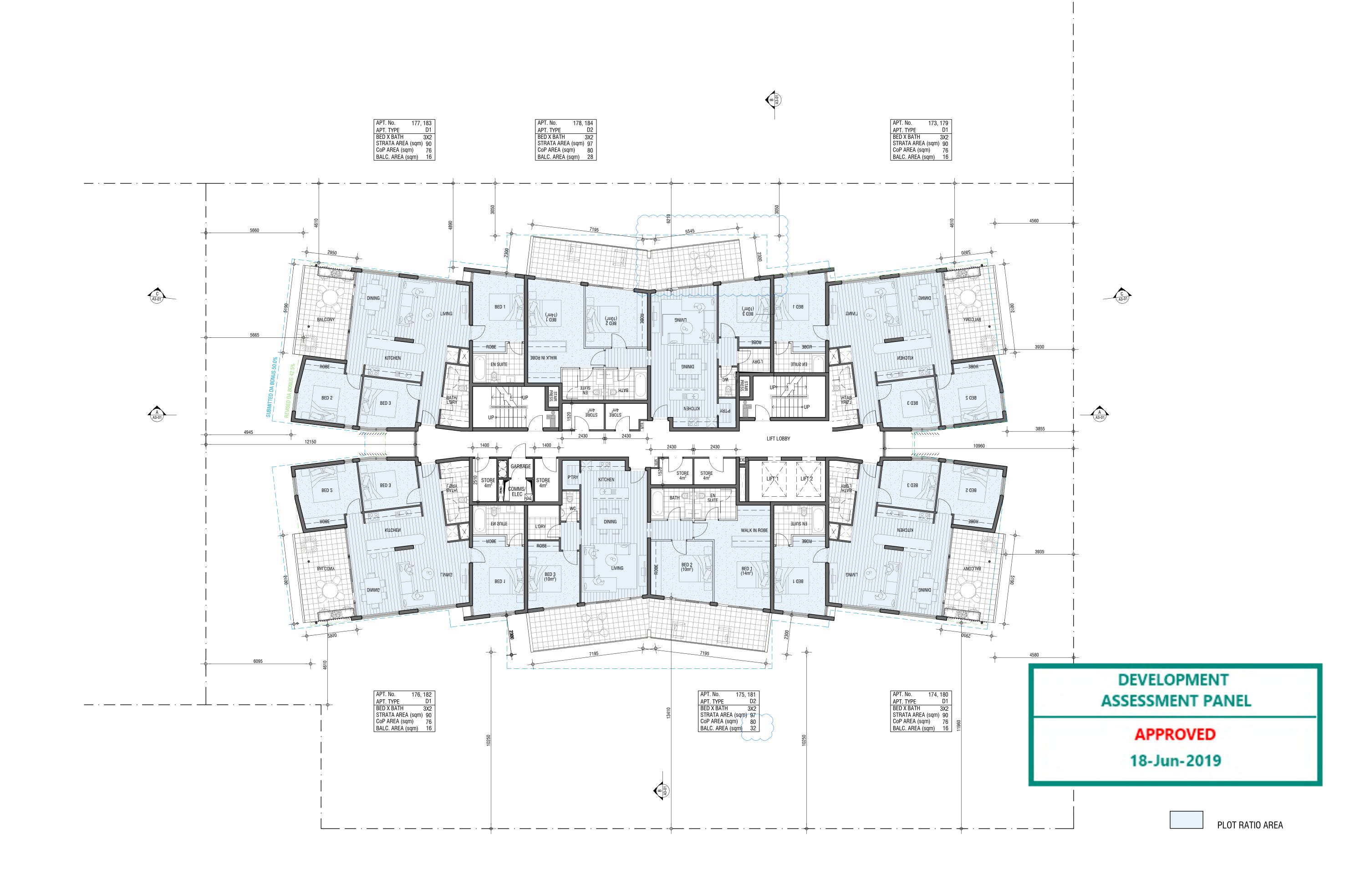
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TYPICAL TOWER FLOOR LAYOUT B (5) PROJECT: CLIENT: DESIGN DEVELOPMENT & APPROVALS | ADDRESS: LOT 52 (NORTH) PIER STREET, PERTH JOB#: 1604 ISSUE:



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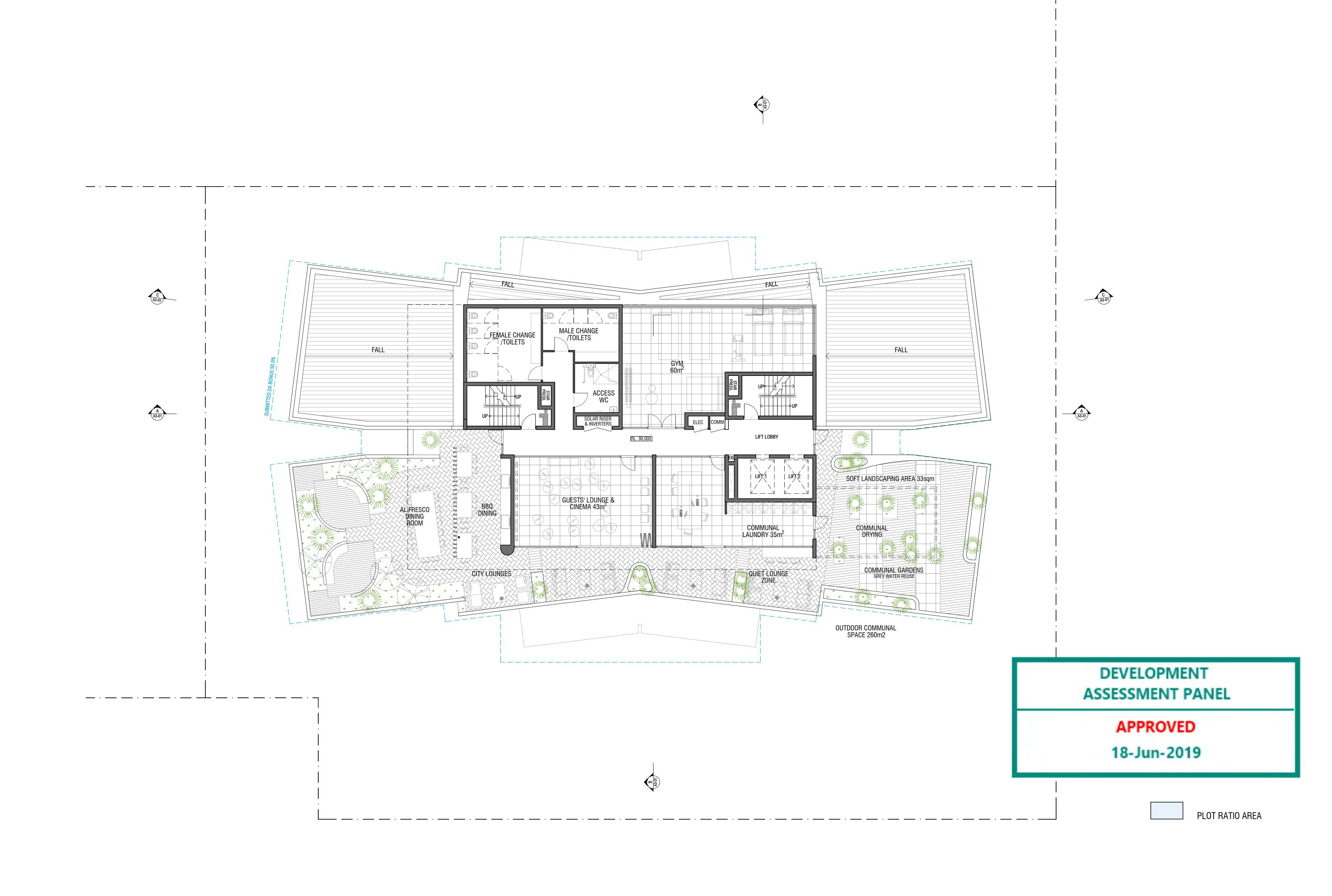
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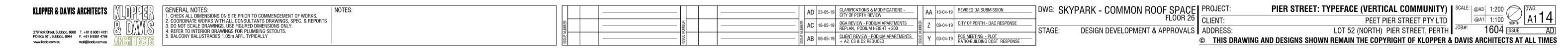
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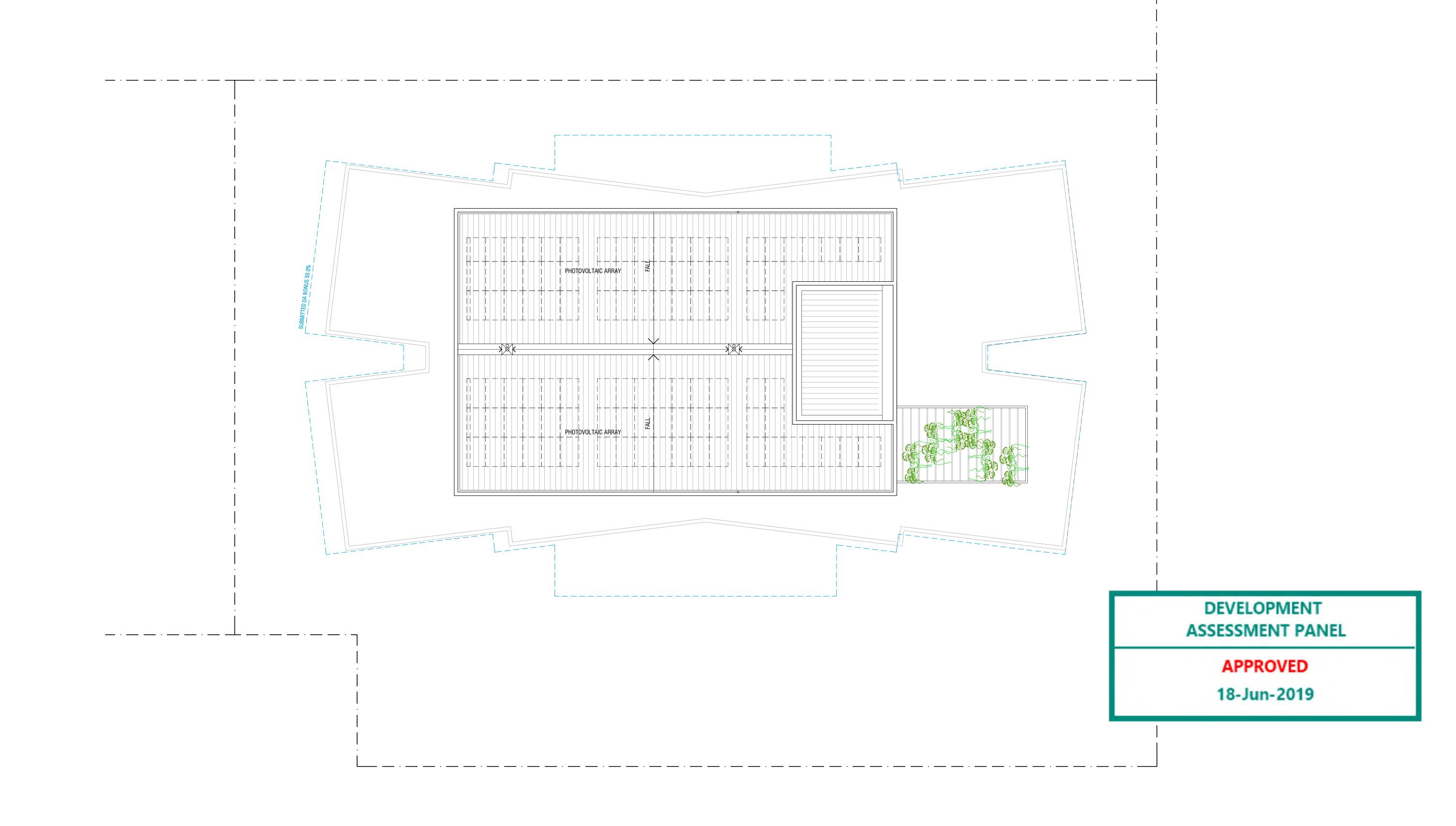
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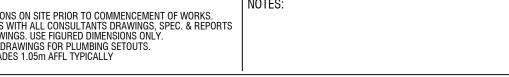
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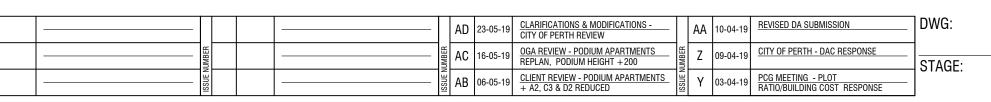












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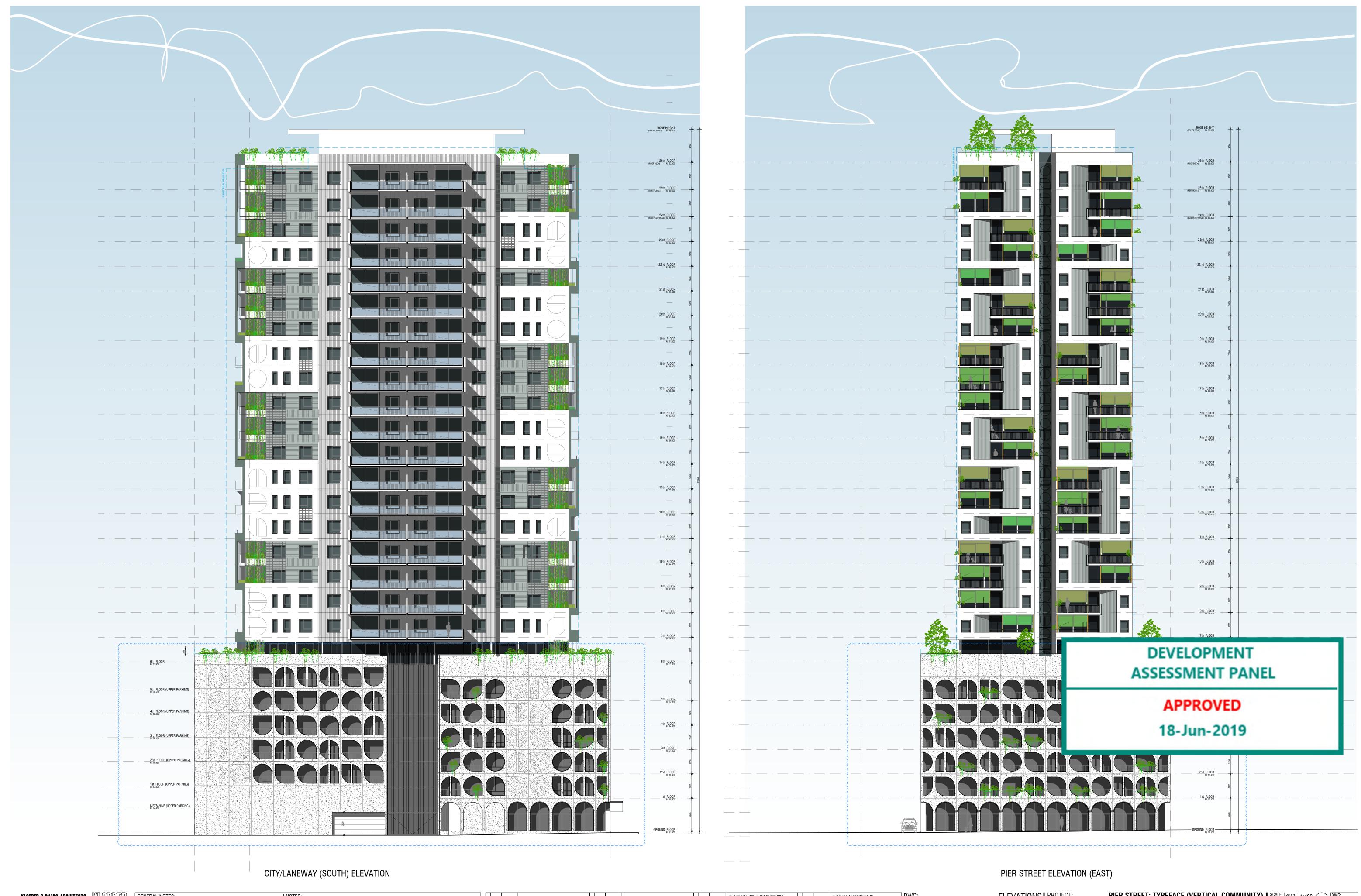
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ELEVATIONS | PROJECT: PIER STREET: TYPEFACE (VERTICAL COMMUNITY) | SCALE: @A3 | 1:400 | CLIENT: PEET PIER STREET PTY LTD | DESIGN DEVELOPMENT & APPROVALS | ADDRESS: LOT 52 (NORTH) PIER STREET, PERTH | DOUBLE OF A DAVIS APCHITECTS



270 York Street, Subiaco, 6908 T. +61 8 9381 4731 PO Box 391, Subiaco, 6904 F. +61 8 9381 4758

GENERAL NOTES:

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3. DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY.

4. REFER TO INTERIOR DRAWINGS FOR PLUMBING SETOUTS.

5. BALCONY BALUSTRADES 1.05m AFFL TYPICALLY

AA 10-04-19 REVISED DA SUBMISSION

ELEVATIONS | PROJECT: CLIENT: DESIGN DEVELOPMENT & APPROVALS | ADDRESS:



KLOPPER & DAVIS ARCHITECTS

AD 23-06-19 CLARIFICATIONS & MODIFICATIONS - MODIF

Attachment 2 - Approved Development Plans

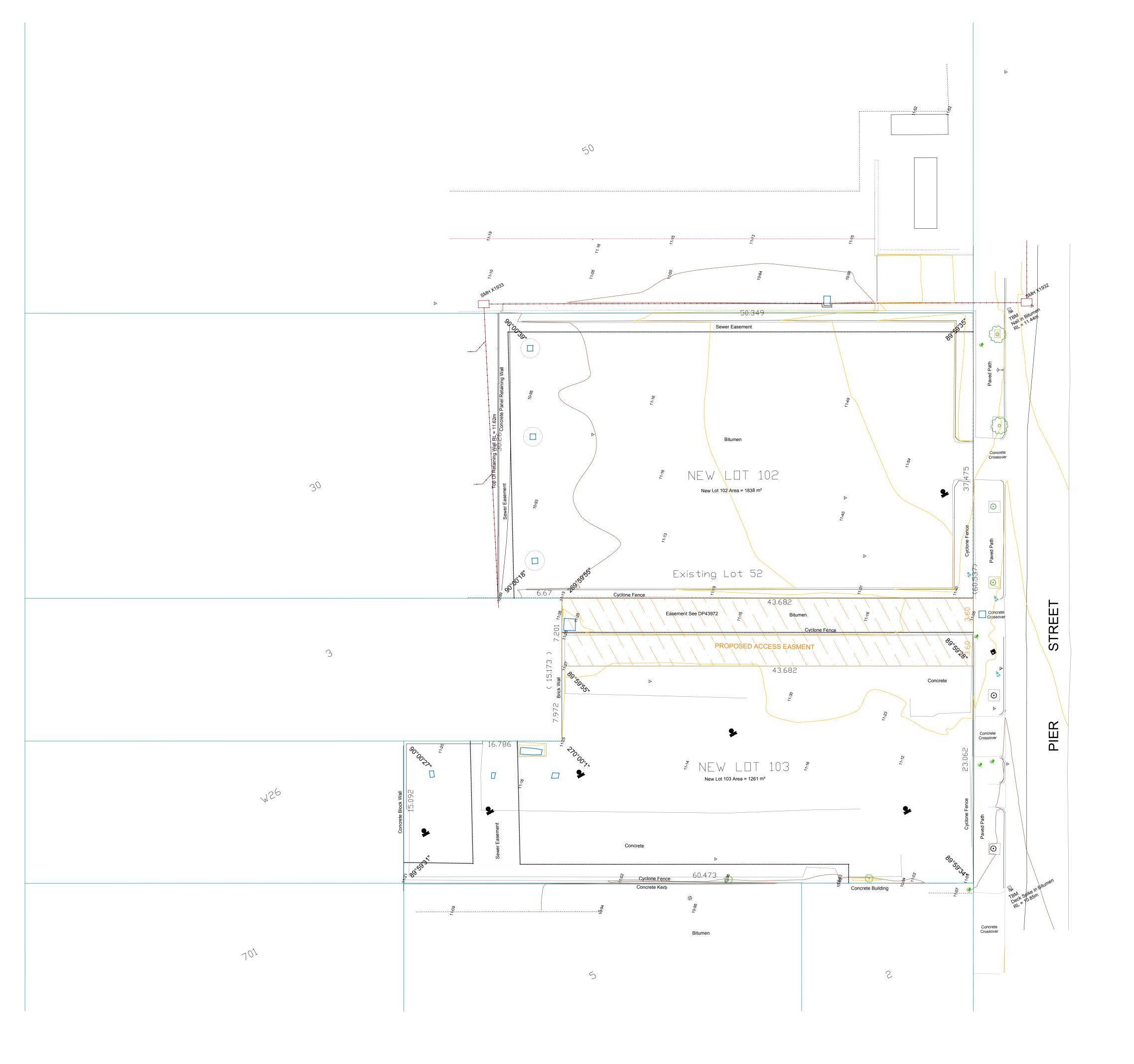
DEPARTMENT OF PLANNING, LANDS
AND HERITAGE

DATE 22-Oct-2019 FILE 10-50134-2



REVISED DA - FORM 2: 20TH SEPTEMBER 2019





DEPARTMENT OF PLANNING, LANDS
AND HERITAGE

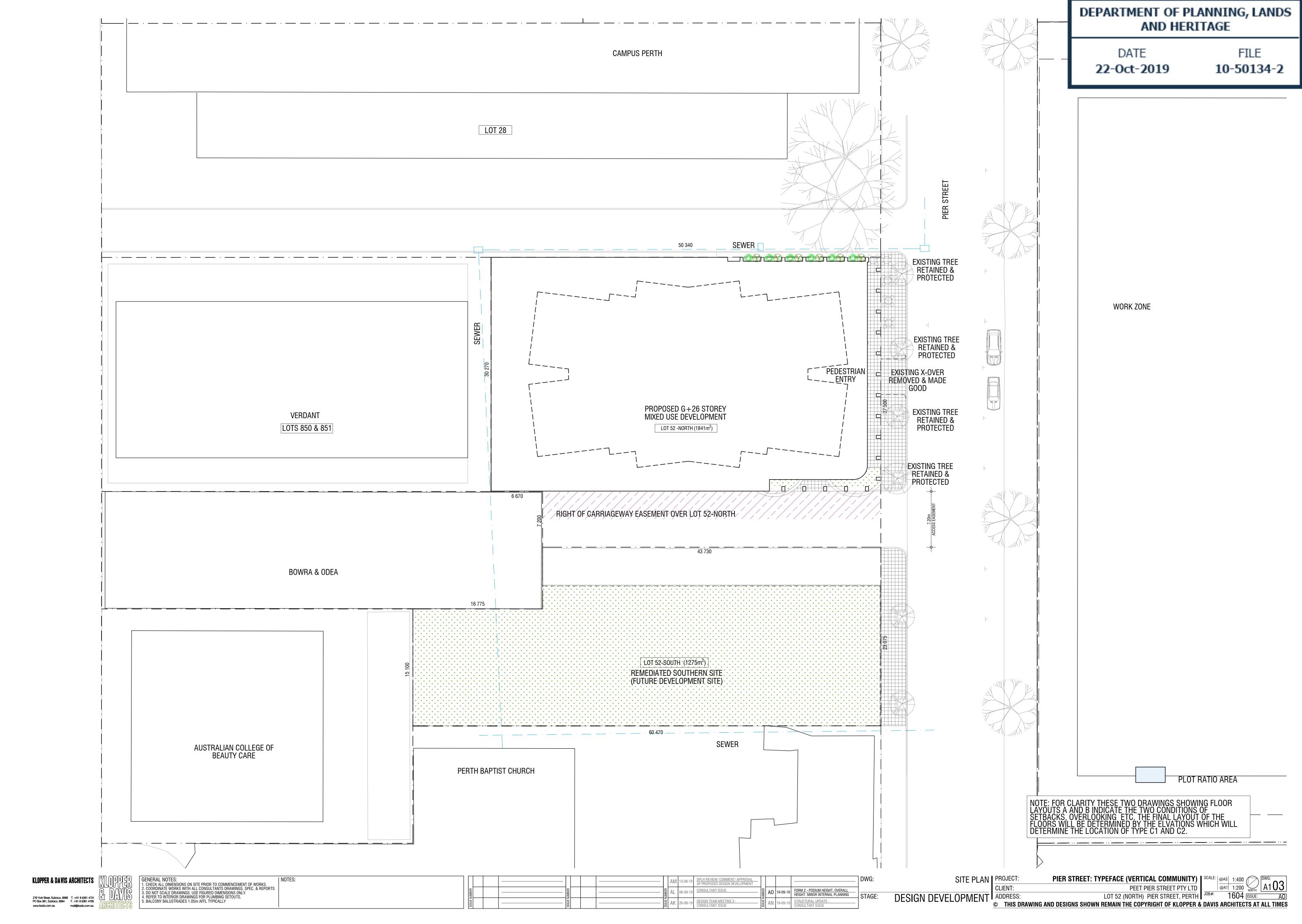
DATE 22-Oct-2019 FILE 10-50134-2

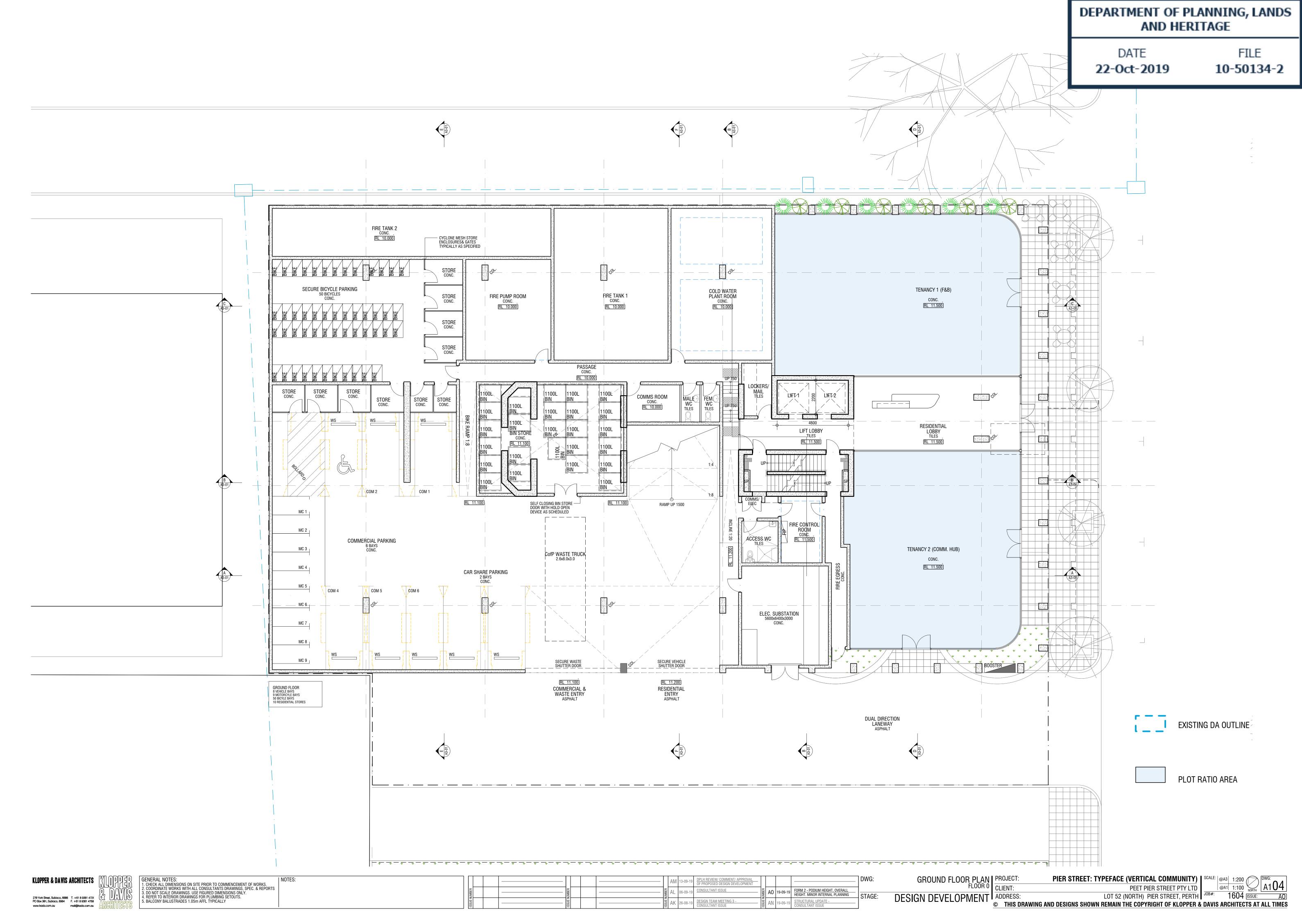
SURVEY PROJECT: PIER STREET: TYPEFACE (VERTICAL COMMUNITY)

CLIENT: PEET PIER STREET PTY LTD

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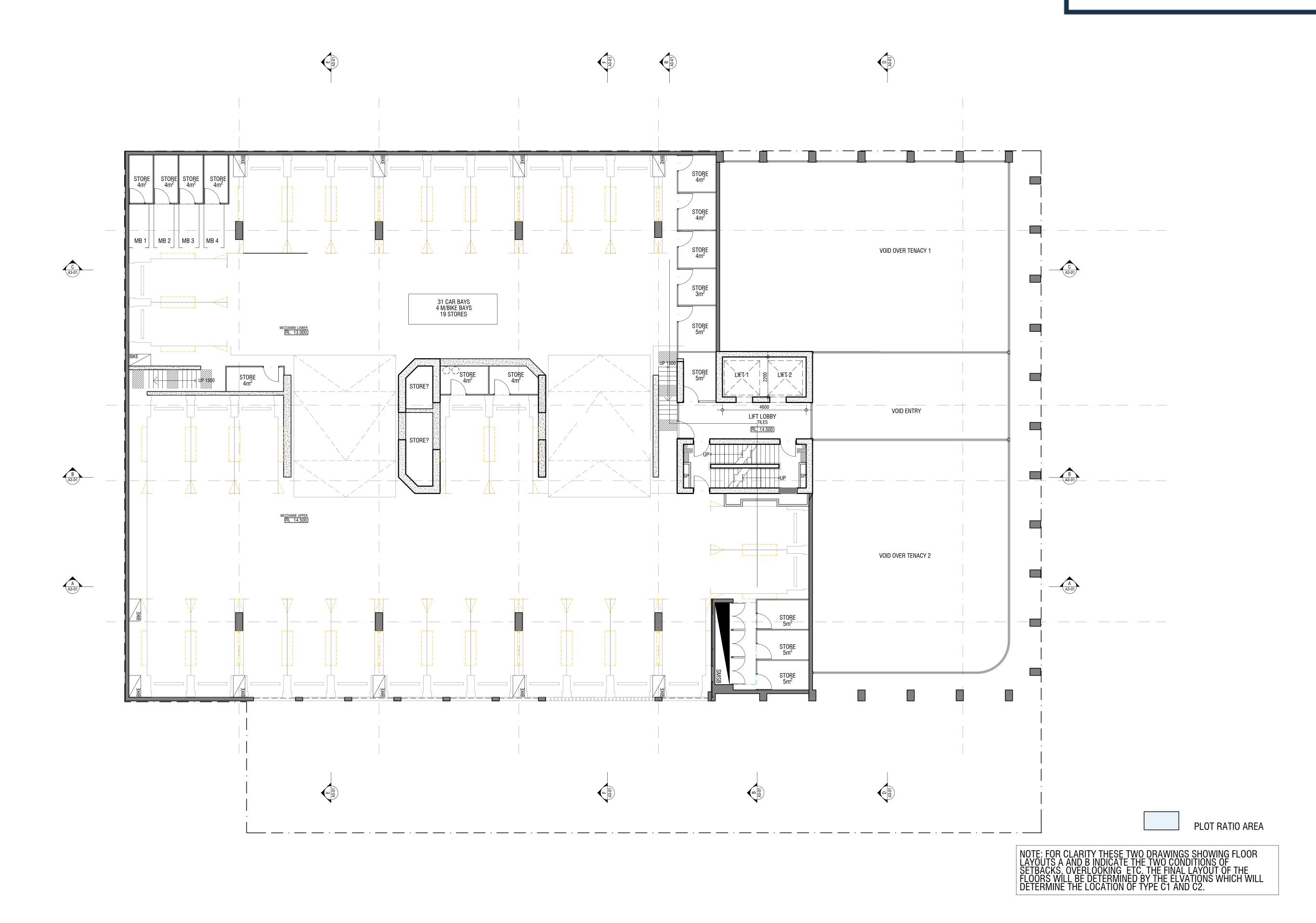


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22-Oct-2019

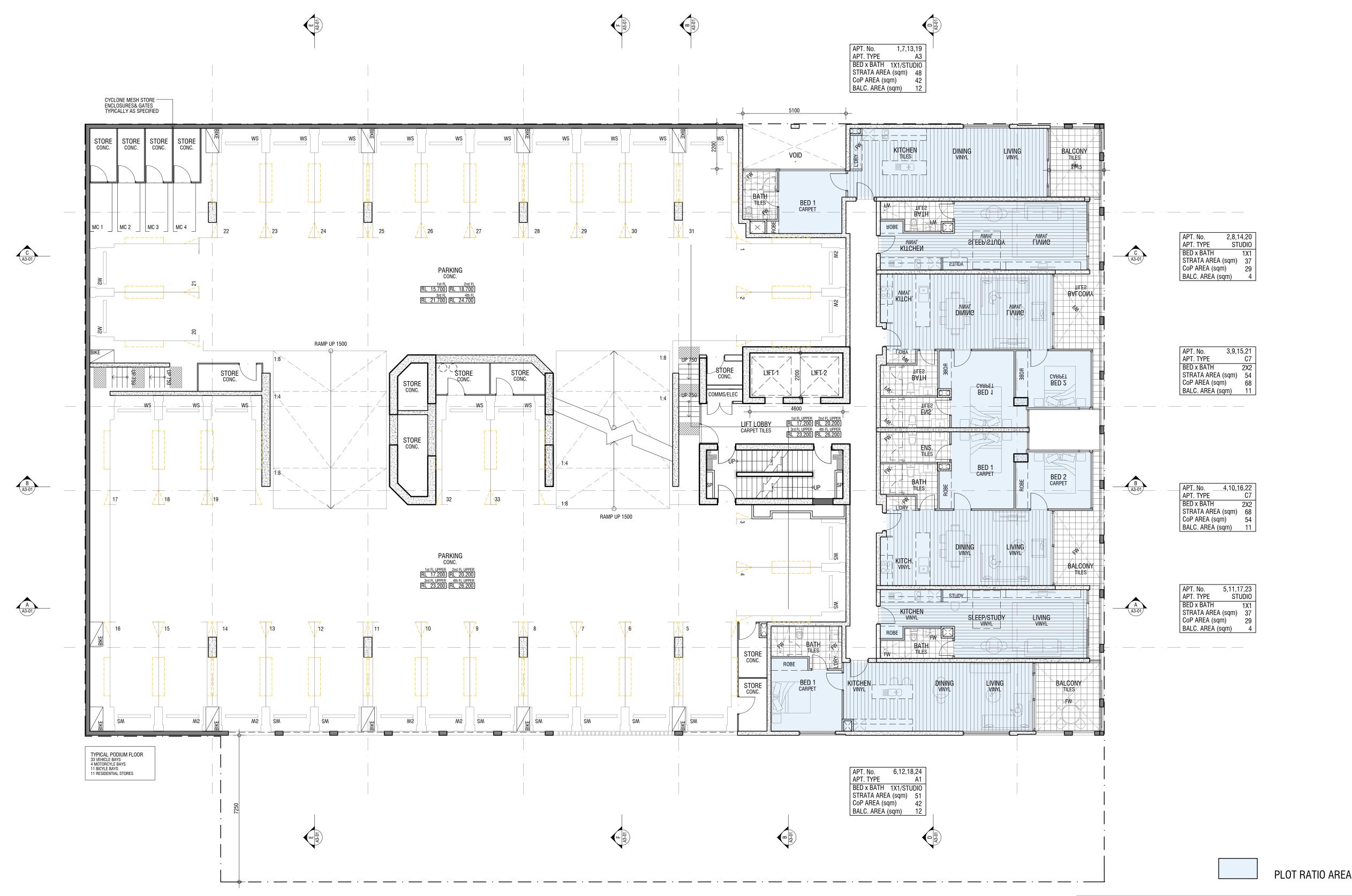
2019 10-50134-2



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FILE

22-Oct-2019 10-50134-2



NOTE: FOR CLARITY THESE TWO DRAWINGS SHOWING FLOOR LAYOUTS A AND B INDICATE THE TWO CONDITIONS OF SETBACKS, OVERLOOKING ETC. THE FINAL LAYOUT OF THE FLOORS WILL BE DETERMINED BY THE ELVATIONS WHICH WILL DETERMINE THE LOCATION OF TYPE C1 AND C2.

DATE

FILE

22-Oct-2019

10-50134-2

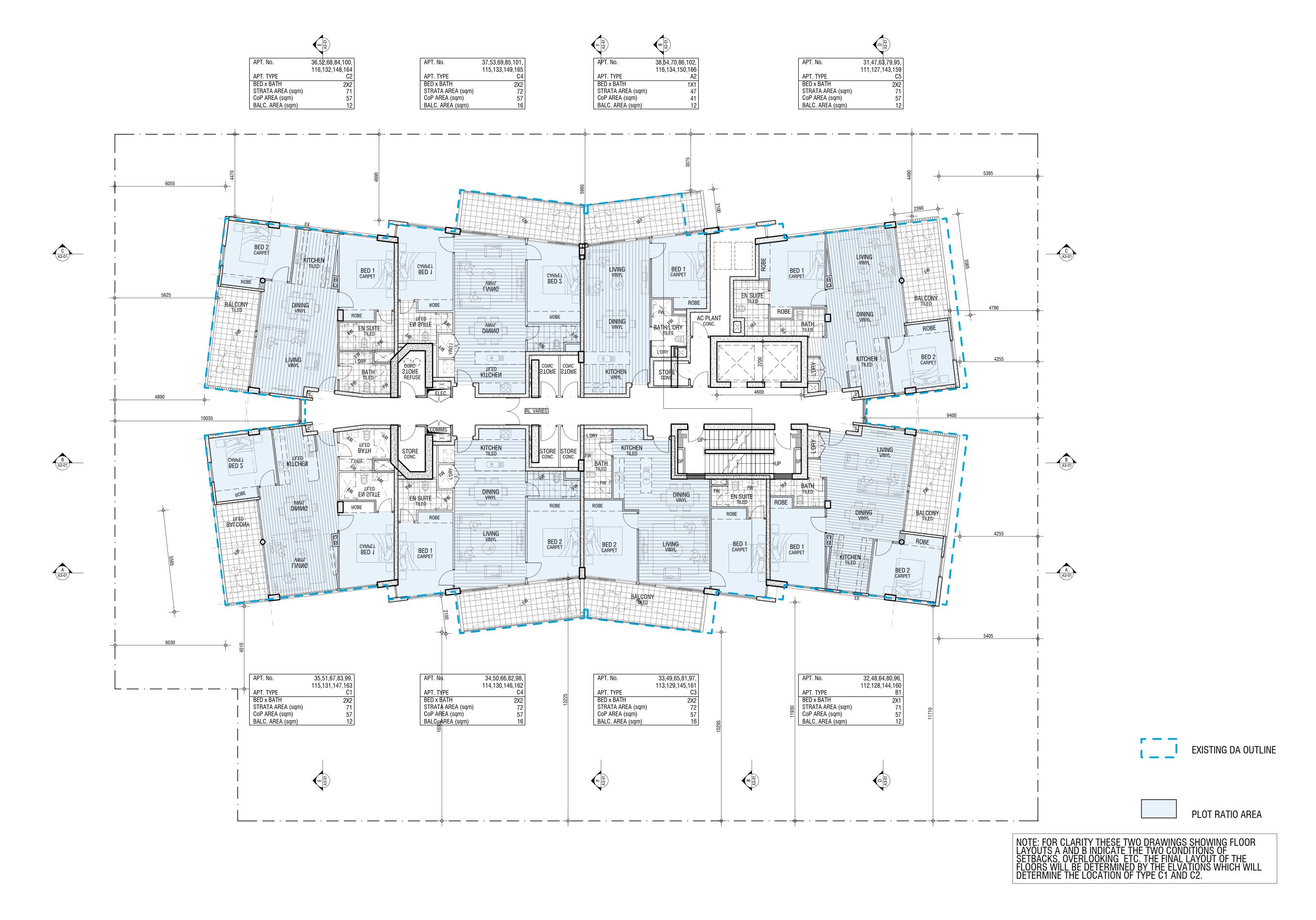


DATE

FILE

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10-50134-2

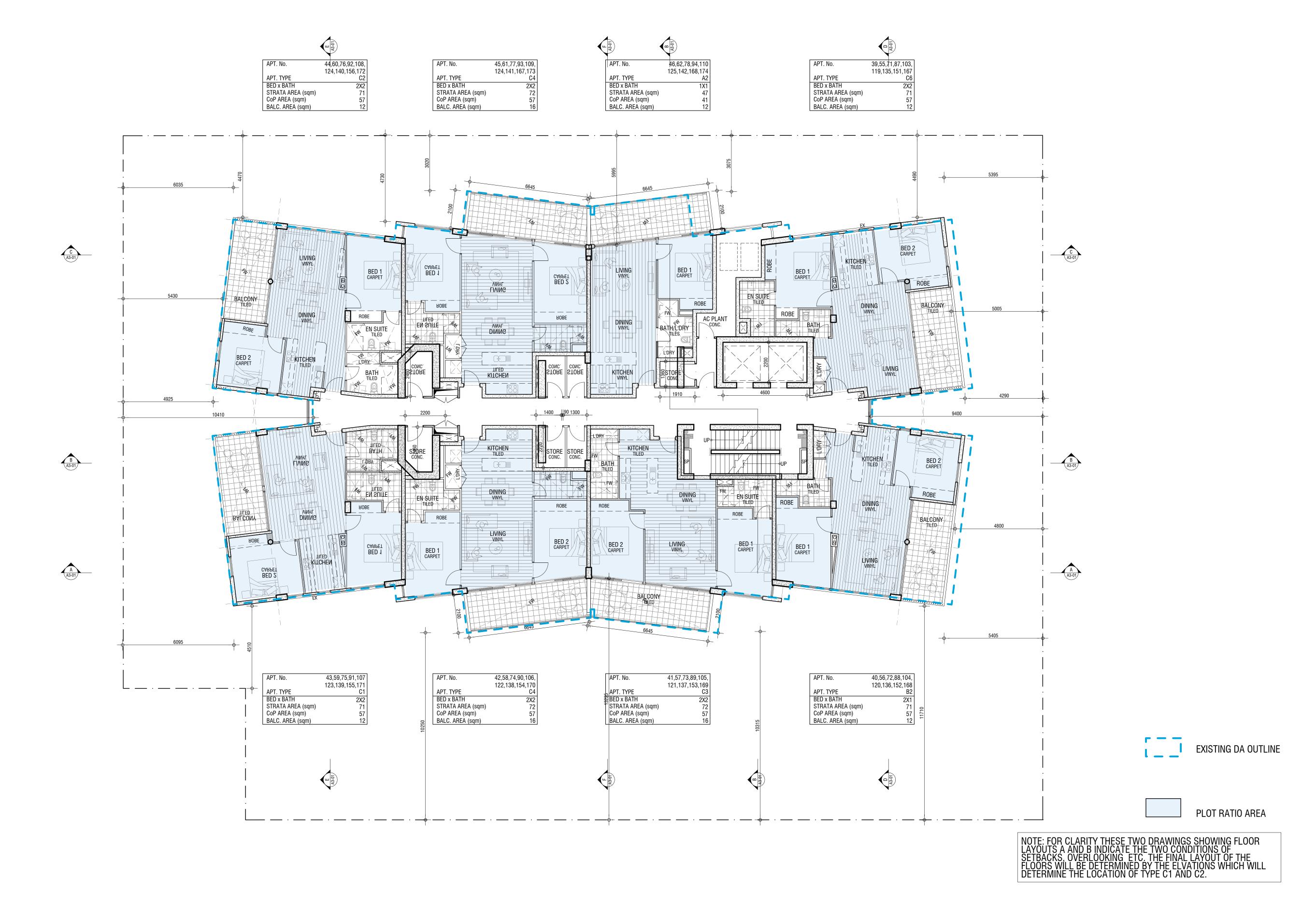


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22-Oct-2019

10-50134-2

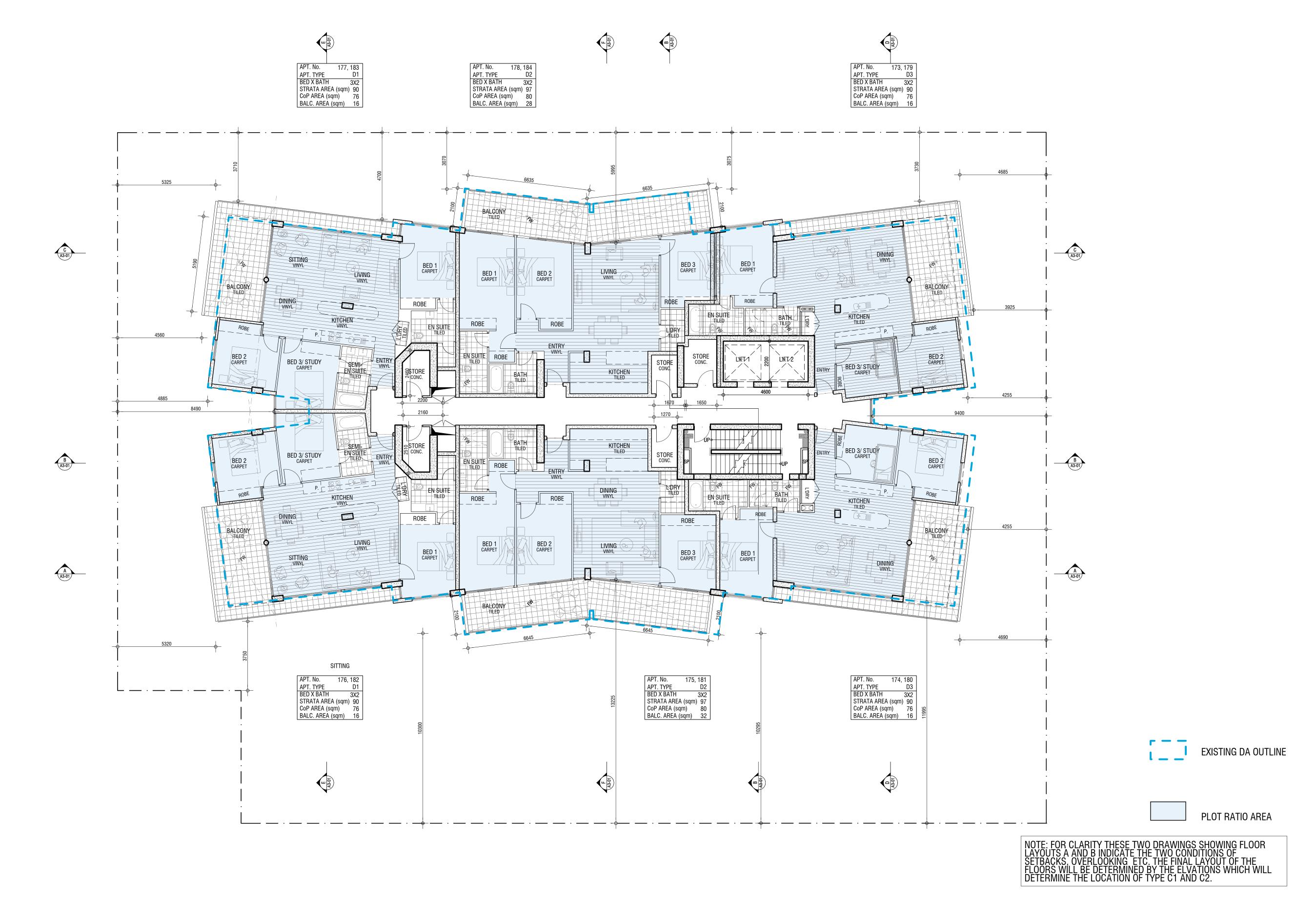


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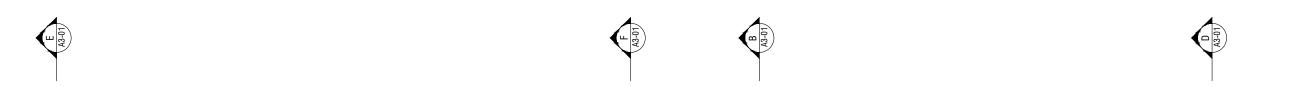
10-50134-2 22-Oct-2019



DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 22-Oct-2019

FILE 10-50134-2





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AO 19-09-19 FORM 2 - PODIUM HEIGHT, OVERALL HEIGHT. MINOR INTERNAL PLANNING

PIER STREET: TYPEFACE (VERTICAL COMMUNITY)

PEET PIER STREET PTY LTD

SCALE:

A3 1:200

A1 1:100

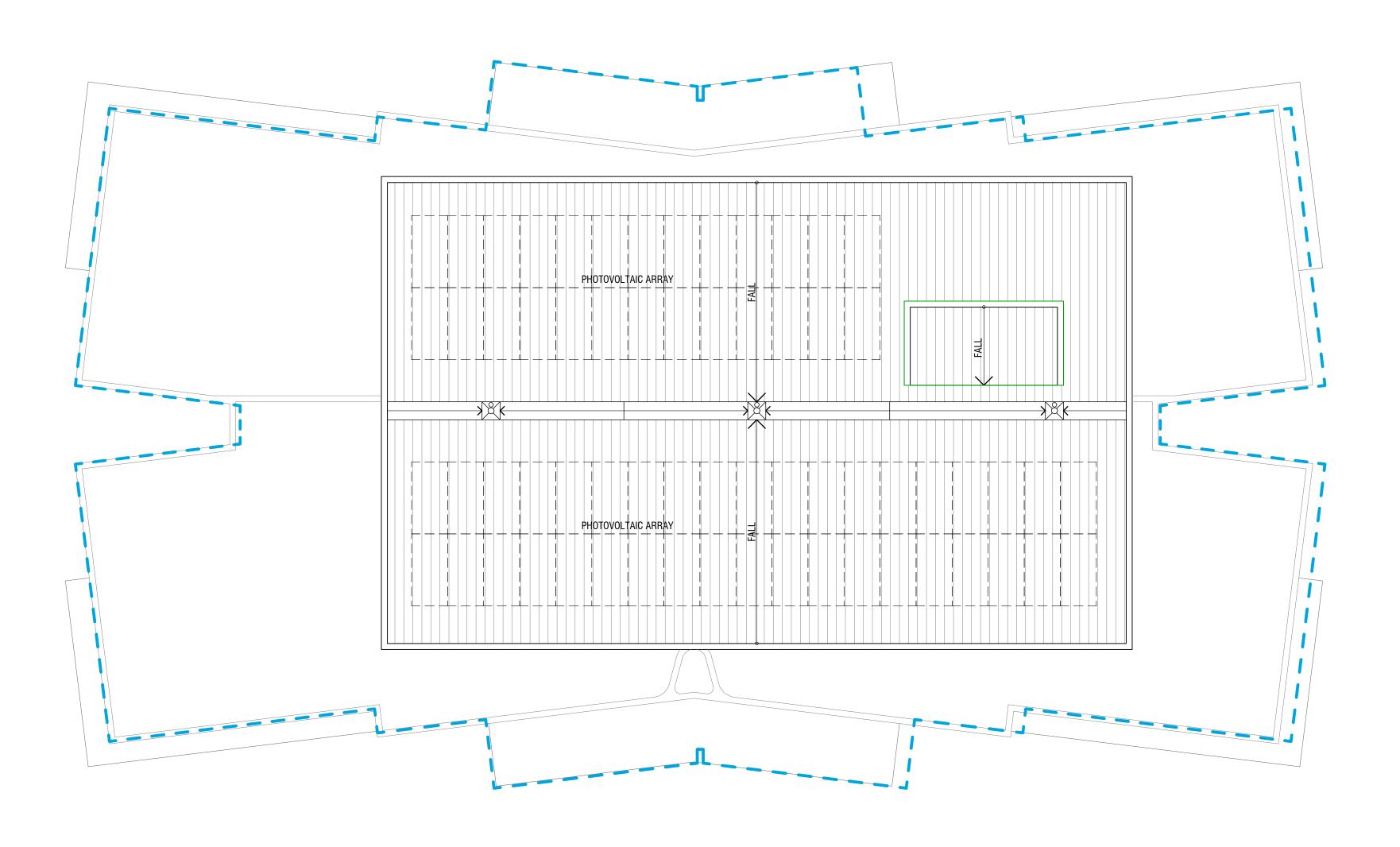
NORTH

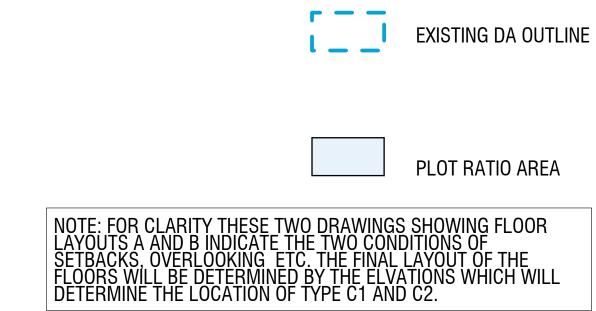
DWG:
A1 14

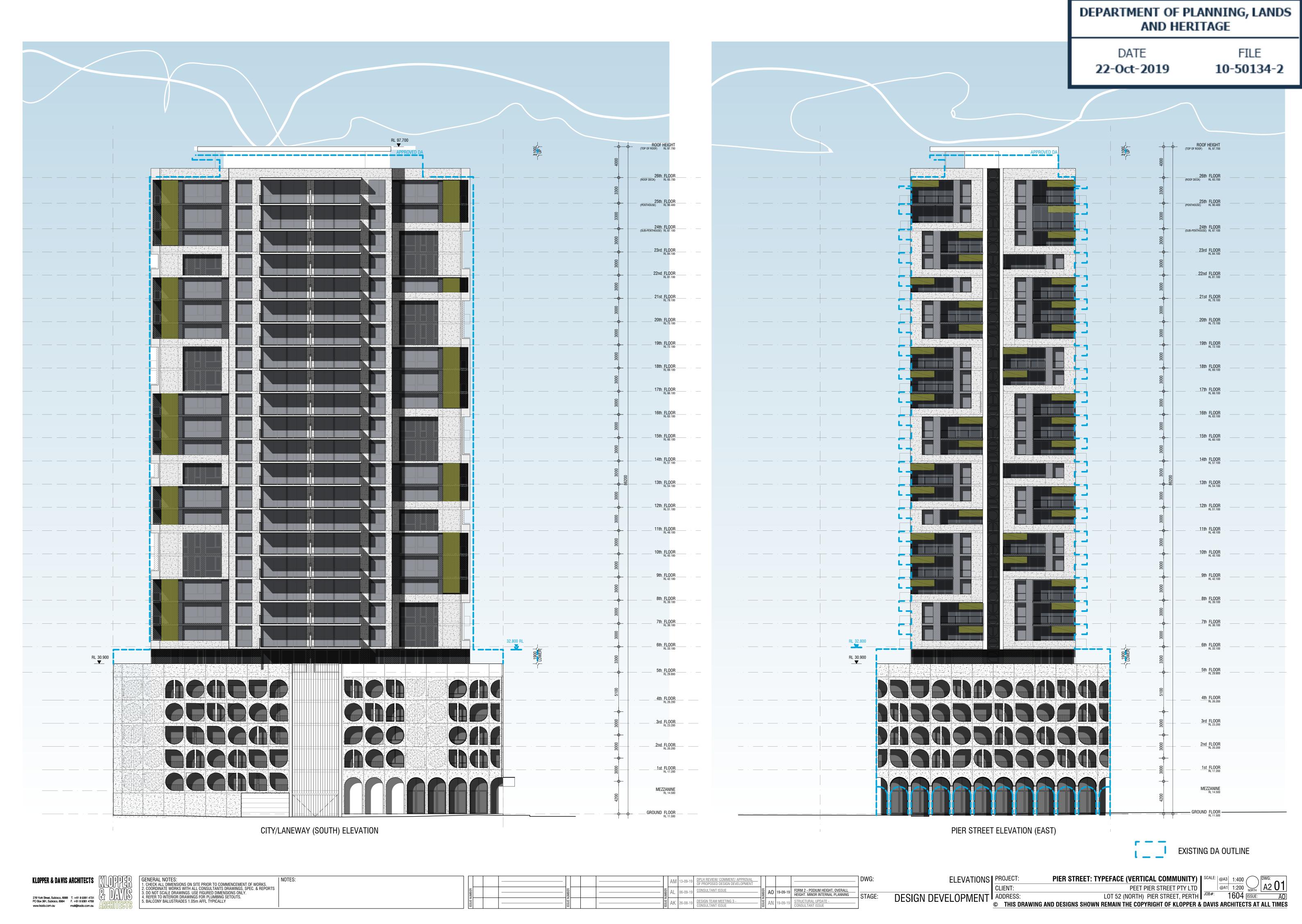
DEPARTMENT OF PLANNING, LANDS
AND HERITAGE

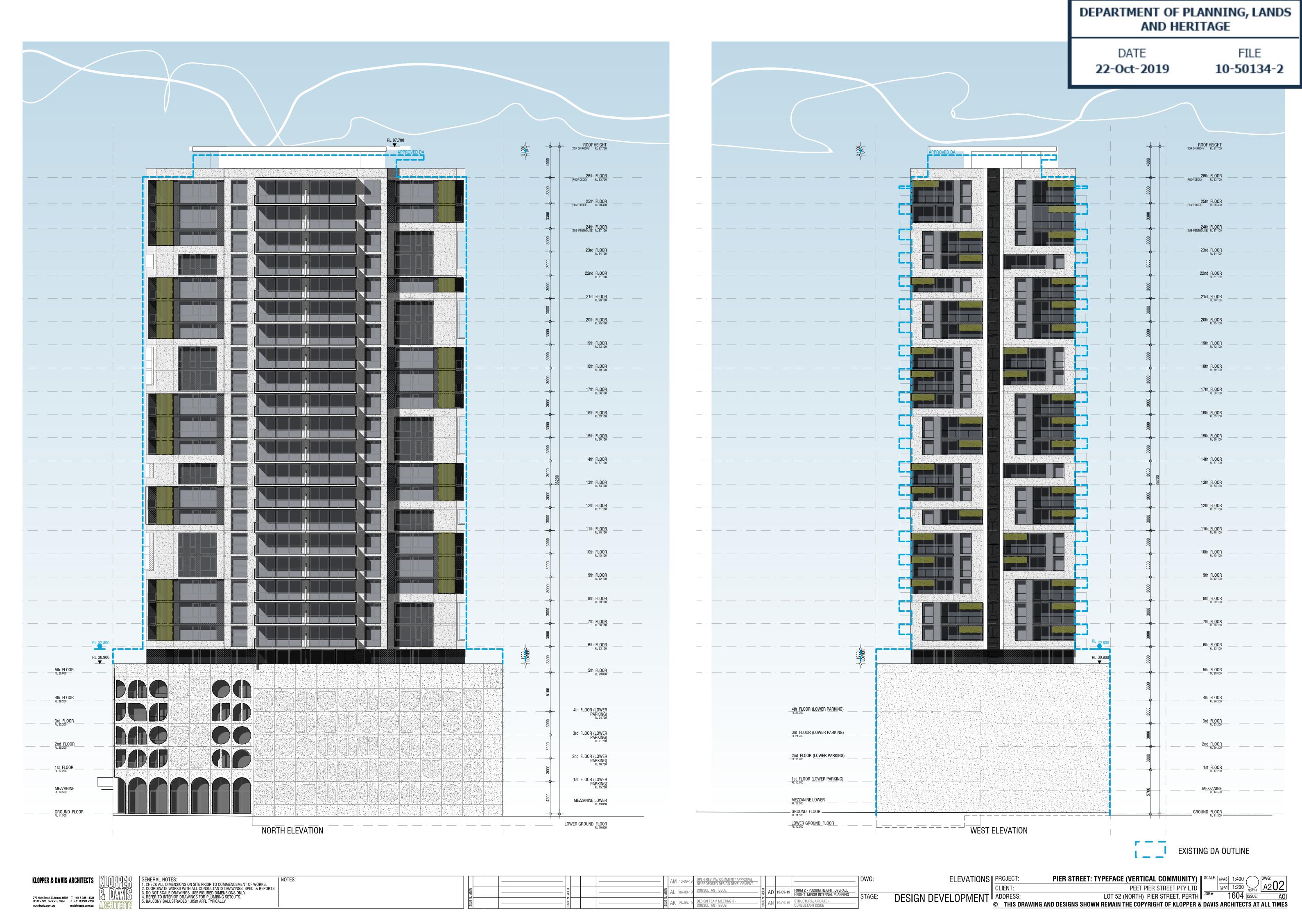
FILE DATE 10-50134-2

22-Oct-2019

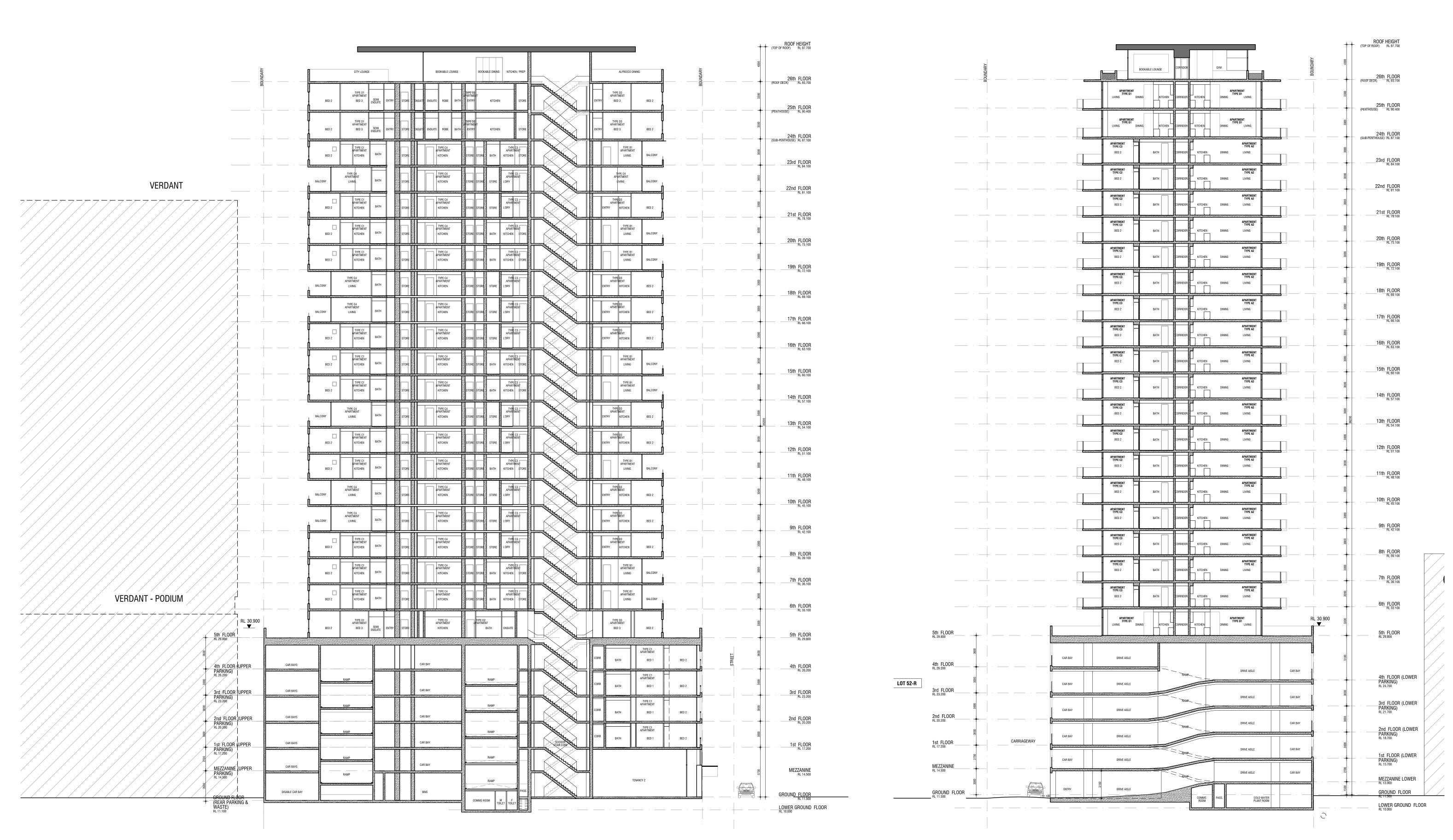








DATE 22-Oct-2019 FILE 10-50134-2



SECTION A - LONG SECTION (EAST-WEST)

SECTION B - SHORT SECTION (NORTH-SOUTH)

KLOPPER & DAVIS ARCHITECTS 270 York Sireel, Sublaco, 6008 T. +61 8 9381 4731 PO Box 301, Sublaco, 6004 F. +61 8 9381 4758 Constitution of Works and Sublaco, 6004 F. +61 8 9381 4758 Constitution of Works with all consultants drawings. Use Figured Dimensions only. 4. REFER TO INTERIOR DRAWINGS FOR PLUMBING SETOUTS. 5. BALCONY BALUSTRADES 1.05m AFFL TYPICALLY	SUE NUMBER	SUE NUMBER		AM 13-09-19 DPLH REVIEW/ COMMENT/ APPROV OF PROPOSED DESIGN DEVELOPME AL 06-09-19 CONSULTANT ISSUE AK 26-08-19 DESIGN TEAM MEETING 3 -	MENT AO	D 19-09-19 FORM 2 - PODIUM HEIGHT, OVERALL HEIGHT. MINOR INTERNAL PLANNING V 19-09-19 STRUCTURAL UPDATE -	DWG: STAGE:	SECTIONS PROJECT:	PIER STREET: TYPEFACE (VERTICAL COMMUNITY) PEET PIER STREET PTY LTD LOT 52 (NORTH) PIER STREET, PERTH LOT 52 (NORTH) PIER STREET, PERTH SCALE: A3 1:400 A3 01 A3 01 JOB#: 1604 ISSUE: A0 ING AND DESIGNS SHOWN REMAIN THE COPYRIGHT OF KLOPPER & DAVIS ARCHITECTS AT ALL TIMES
www.kada.com.au mail@kada.com.au WKGIII 2618	<u>8</u>	88	3	22 ATT CONSULTANT ISSUE	SS AN	CONSULTANT ISSUE		© THIS DRAW	ING AND DESIGNS SHOWN KEMAIN THE CONTRIGHT OF KLUPPER & DAVIS ARCHITECTS AT ALL TIMES



LG Ref: DA-2019/5060
DAP Ref: DAP/19/01584
WAPC Ref: 10-50134-2
Enquiries: (08) 6551 9919

Mr Ryan Darby Roberts Day PO Box 7348 Cloisters Square WA 6850

Dear Mr Darby

CITY OF PERTH LDAP - WESTERN AUSTRALIAN PLANNING COMMISSION (WAPC) - DAP APPLICATION - DA-2019/5060 - DETERMINATION

Property Location:	Lot 52 (No.195) Pier Street, Perth
Application Details:	Mixed Use Development Comprising 184 Apartments, Café/Restaurant, Community Shared Space, Resident Amenities and Associated Parking

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Perth on 8 March 2019 for the above-mentioned development.

This application was considered by the City of Perth LDAP at its meeting held on 18 June 2019, where in accordance with the provisions of the Metropolitan Region Scheme, it was resolved to **approve** the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, an application may be made to amend or cancel this planning approval in accordance with regulation 17 and 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011.*

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Ms Anika Chhabra on behalf of the WAPC on 6551 9258.

Yours sincerely,

DAP Secretariat

25 June 2019

Encl. DAP Determination Notice

Approved Plans

Cc: Ms Anika Chhabra and PSO Admin

Western Australian Planning Commission (WAPC)

City of Perth



Planning and Development Act 2005

Metropolitan Region Scheme

City of Perth Local Development Assessment Panel

Determination on Development Assessment Panel Application for Planning Approval

Property Location: Lot 52 (No.195) Pier Street, Perth

Application Details: Mixed Use Development Comprising 184 Apartments, Café/Restaurant, Community Shared Space, Resident Amenities and Associated Parking

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 18 June 2019, subject to the following:

Approve DAP Application DAP/19/01584 and accompanying plans date stamped 23 May 2019 in accordance with the provisions of the Metropolitan Region Scheme, subject to the following conditions:

Conditions:

- 1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
- 2. Prior to the commencement of development, updated elevation plans are to be prepared to ensure consistency with the approved floor plans, to the specification of the City of Perth and satisfaction of the Western Australian Planning Commission.
- 3. Prior to the commencement of development, final details of the design consistent with the elevations and perspectives on plans date stamped 23 May 2019 being prepared to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 4. Prior to the commencement of development, a Waste Management Plan being submitted and approved to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission. Once approved, the Waste Management Plan is to be implemented in its entirety.
- 5. Prior to the commencement of development, a Noise Management Plan being submitted and approved to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission. Once approved, the Noise Management Plan is to be implemented in its entirety.
- 6. Prior to the commencement of development, a Construction Management Plan shall be submitted and approved to the specification of the City of Perth and the

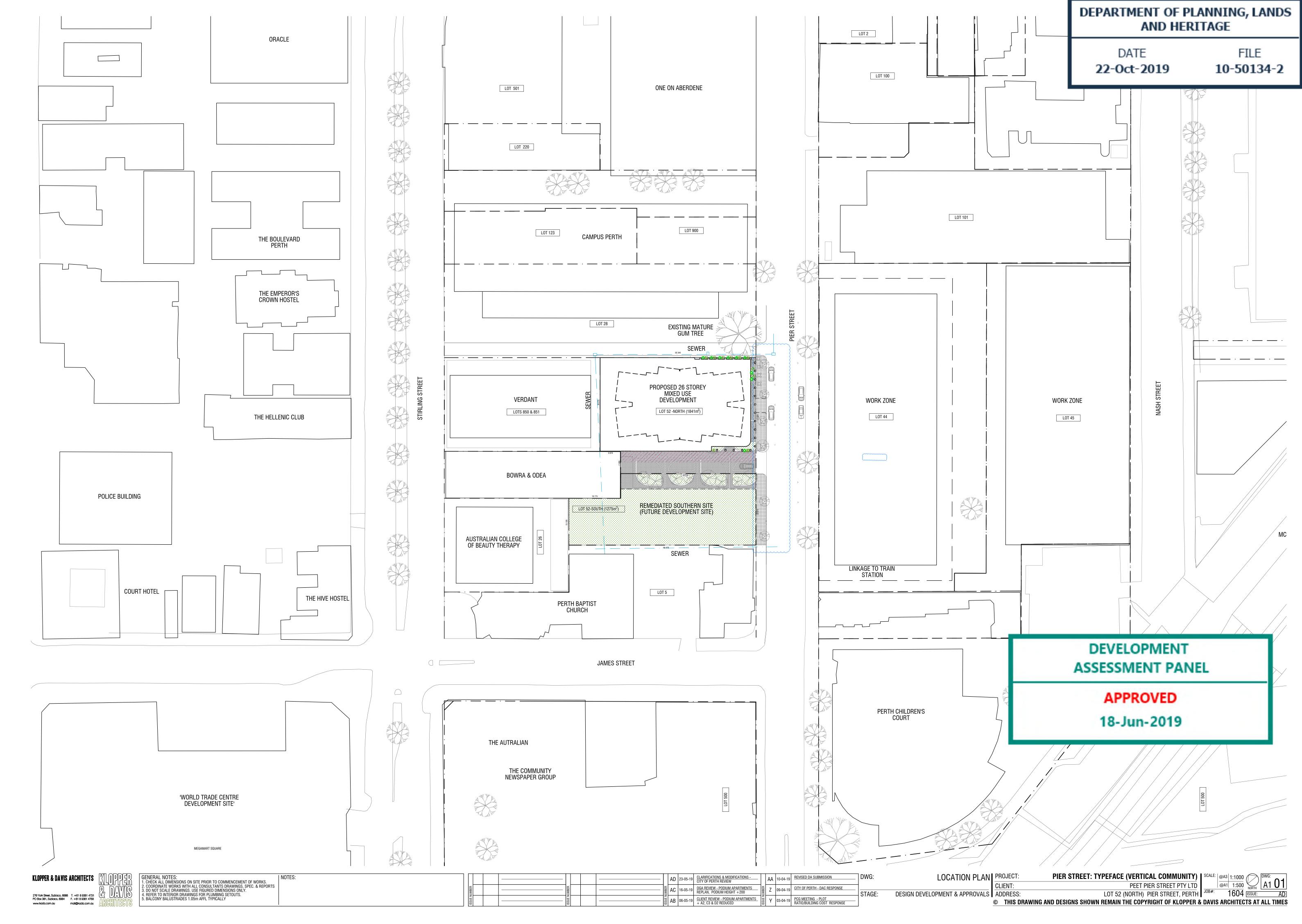


satisfaction of the Western Australian Planning Commission. Once approved, the Construction Management Plan is to be implemented in its entirety.

- 7. Prior to the commencement of development, details regarding disposal / management of onsite stormwater being submitted and approved to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 8. Prior to the occupation of development, an Operations and Management Plan being submitted for the community co-working hub to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 9. Prior to the occupation of the development, the vacant southern portion of the subject land being landscaped or aesthetically screened to prevent the spread of dust and unauthorised car parking and to enhance the amenity of the location until such time as that land is redeveloped, to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 10. Prior to the occupation of the development, details of all landscaped areas including soil depths, irrigation and plant species being submitted and approved to the specification of the City of Perth and the satisfaction of the Western Australian Planning Commission. Once approved, the landscaping is to be installed and thereafter maintained.
- 11. Existing street trees located in the road verge on Pier Street being retained and protected from damage through demolition and development works, with the establishment of tree protection zones in accordance with AS 4970-2009 to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 12. All parking facilities relating to the development application including parking spaces, parking aisles, access and egress, and circulation areas are to comply with AS 2890.1 to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.
- 13. All redundant crossovers being removed, the verge and footpaths being reinstated, and new crossovers being located and constructed to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.

Advice Notes:

- 1. In regard to Condition 3, the applicant is advised that the detailed design is to include:
 - (a) Aesthetic treatments and finishes to the side and rear boundary walls of the podium levels.
 - (b) Car parking being screened from view from the street and surrounding properties.



50.34 brick screen wall

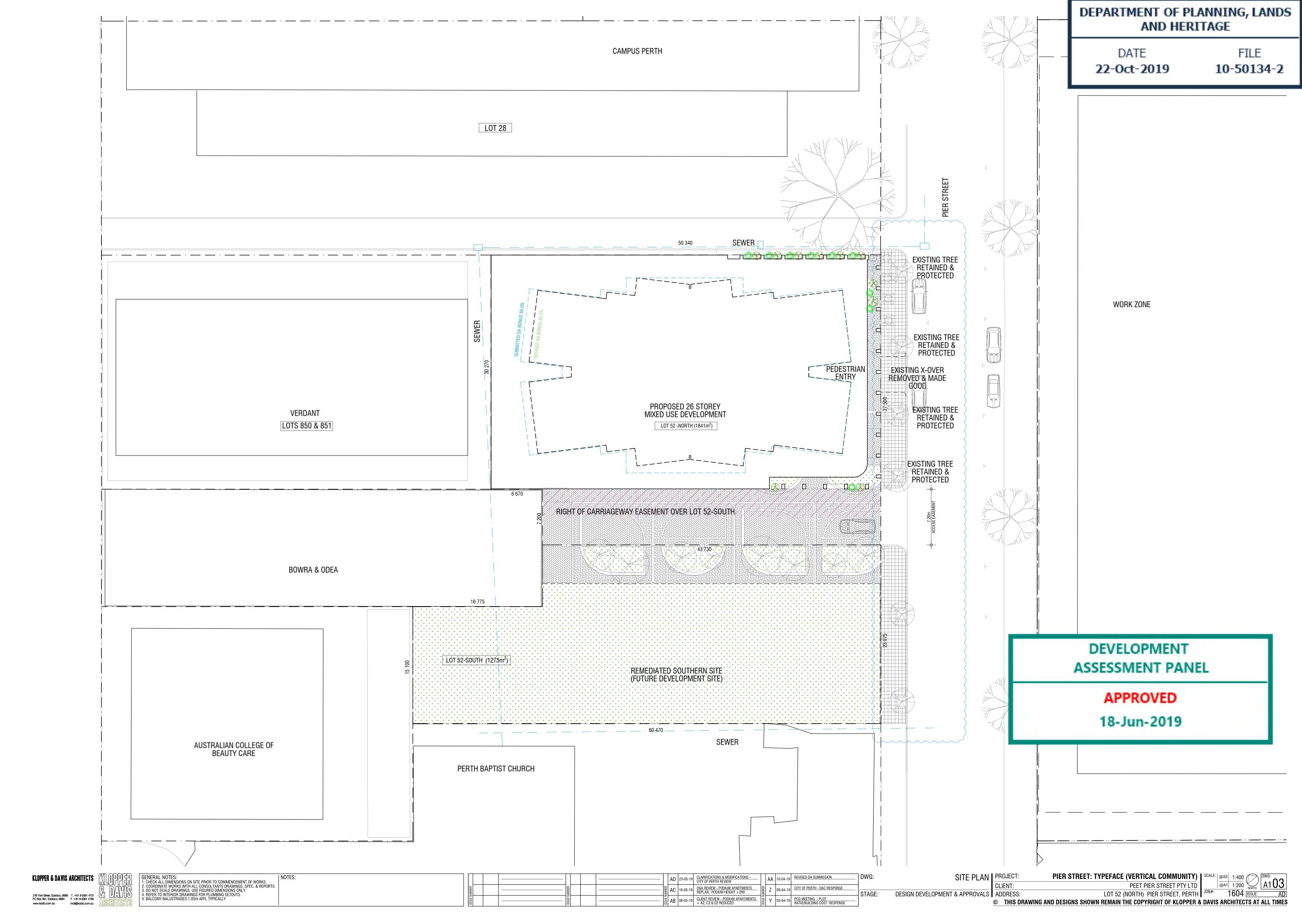
DEPARTMENT OF PLANNING, LANDS
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DATE FILE **22-Oct-2019 10-50134-2**

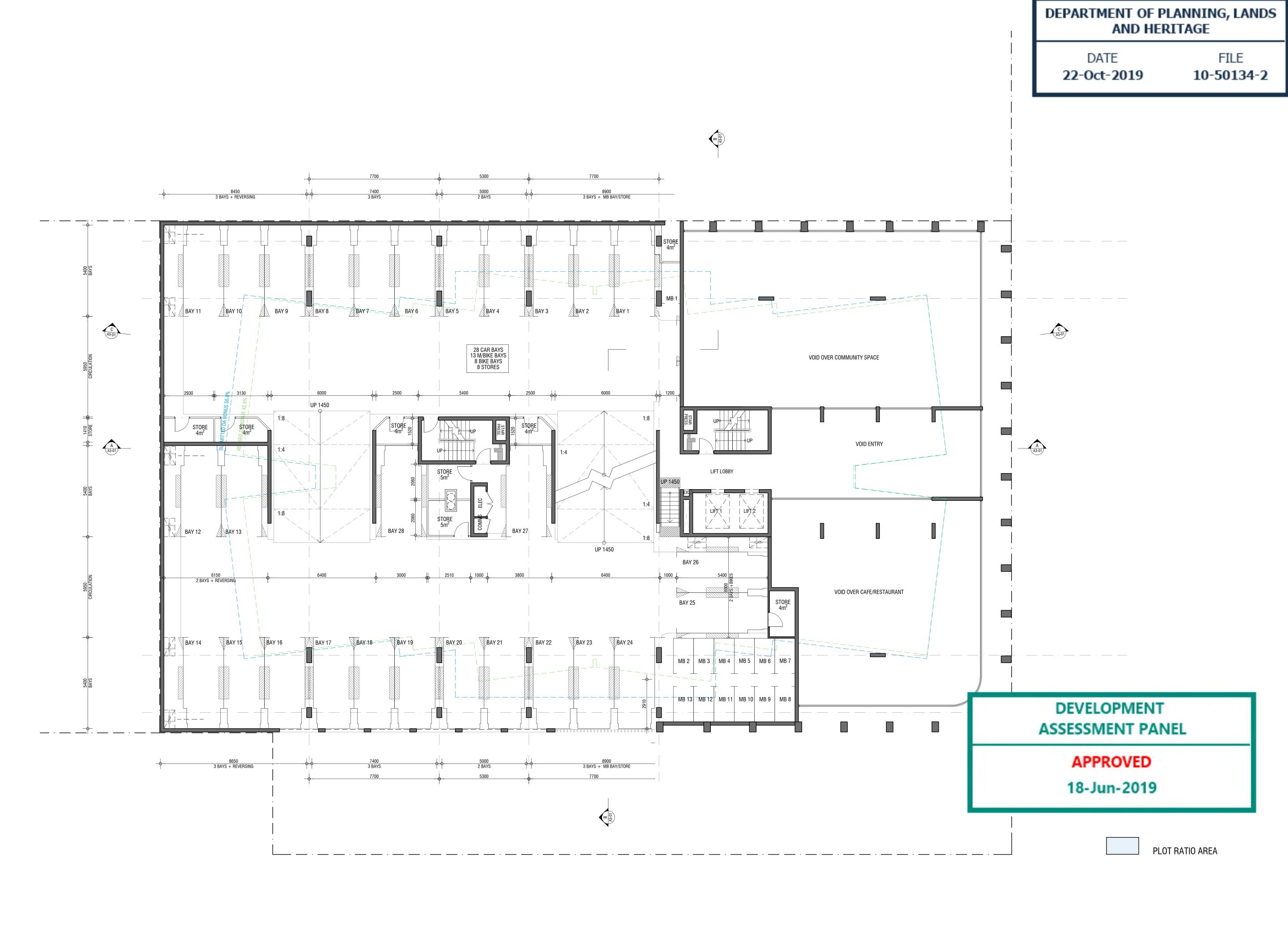
DEVELOPMENT ASSESSMENT PANEL

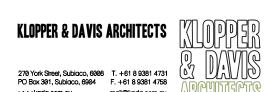
APPROVED

18-Jun-2019





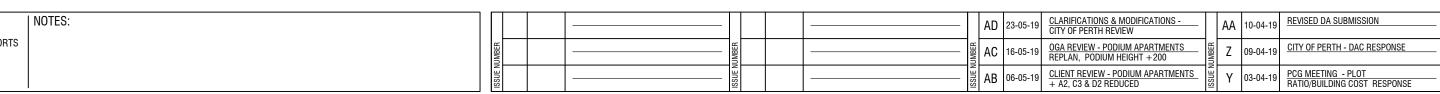




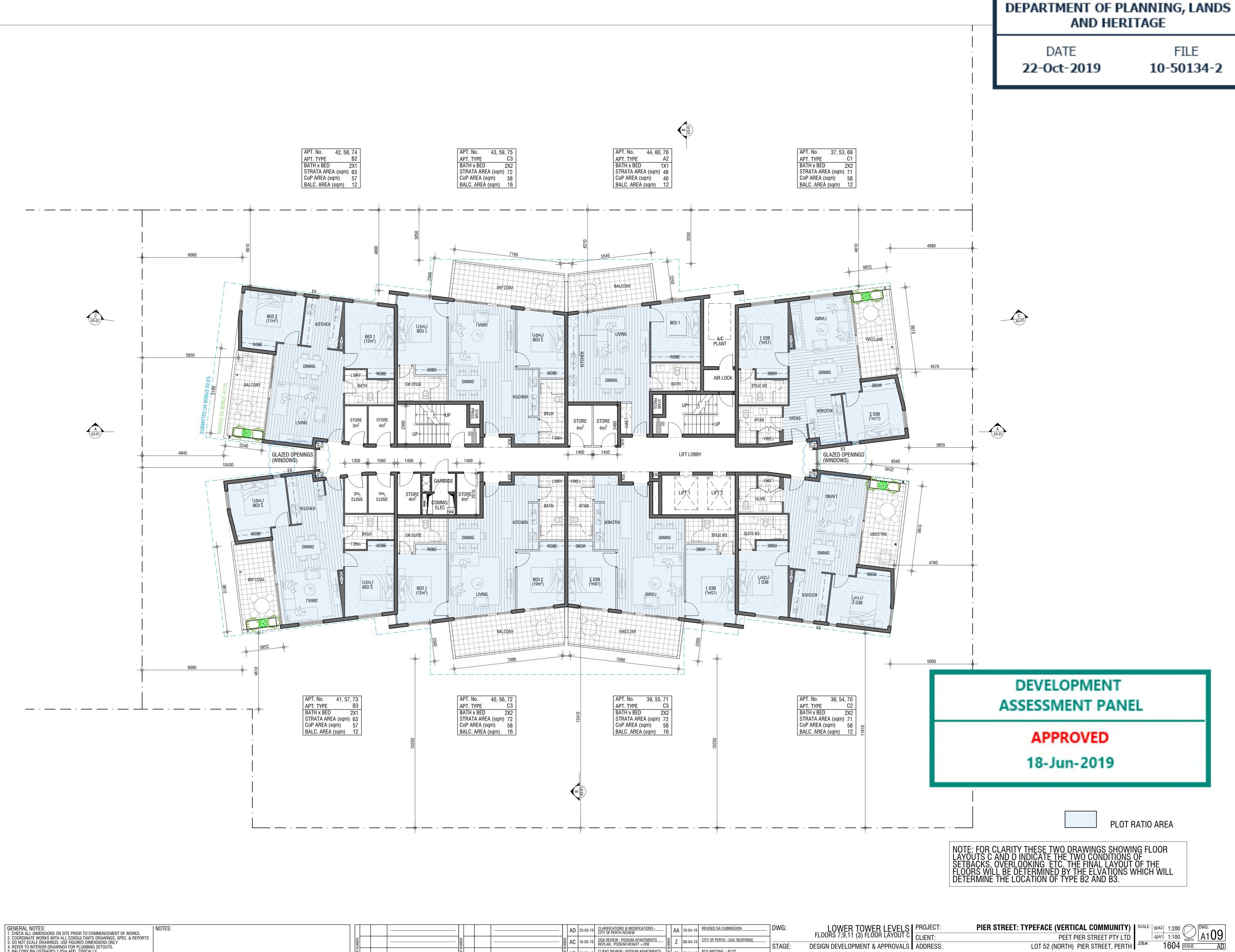
PLOT RATIO AREA







PLOT RATIO AREA



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GENERAL NOTES:

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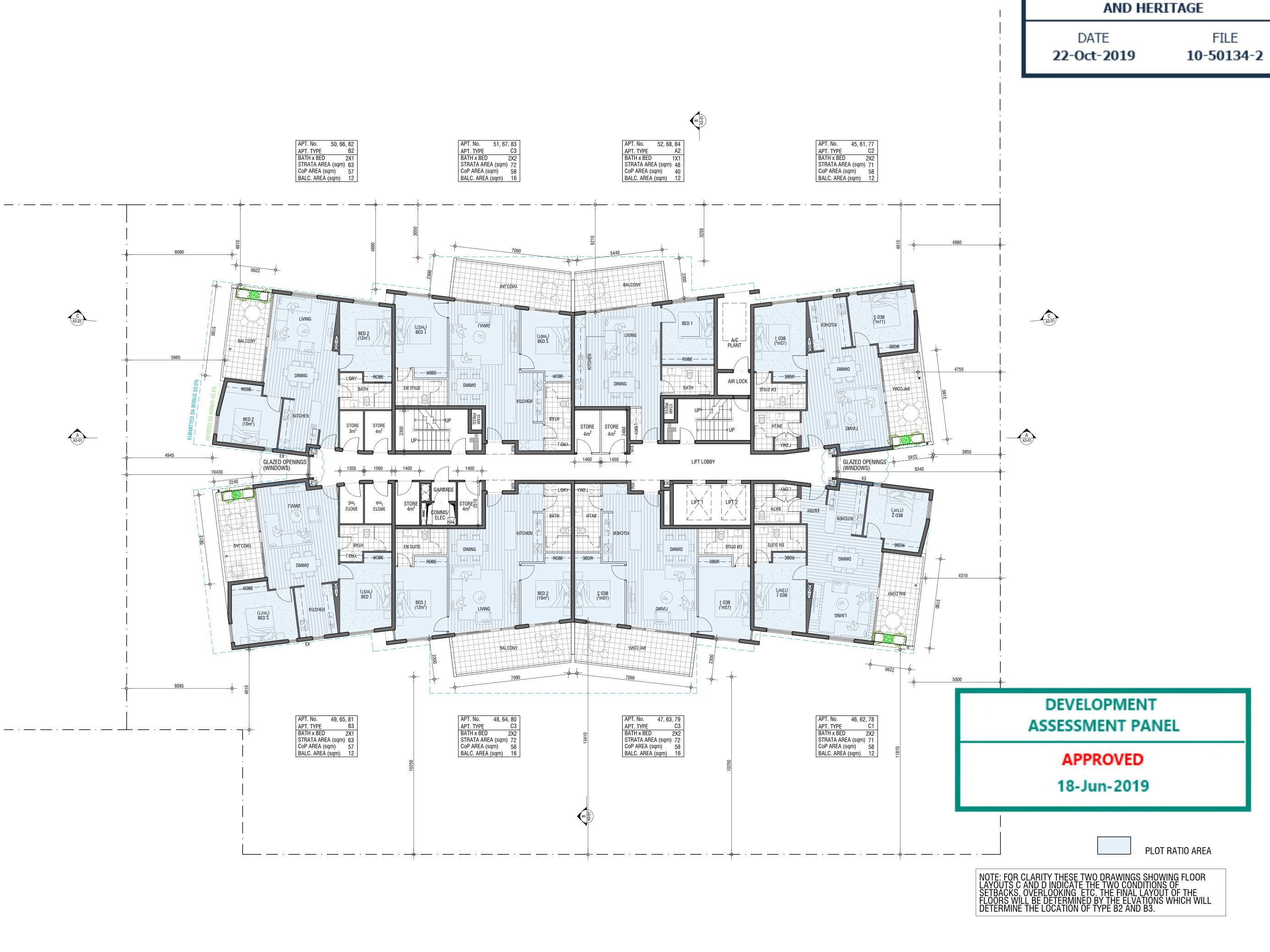
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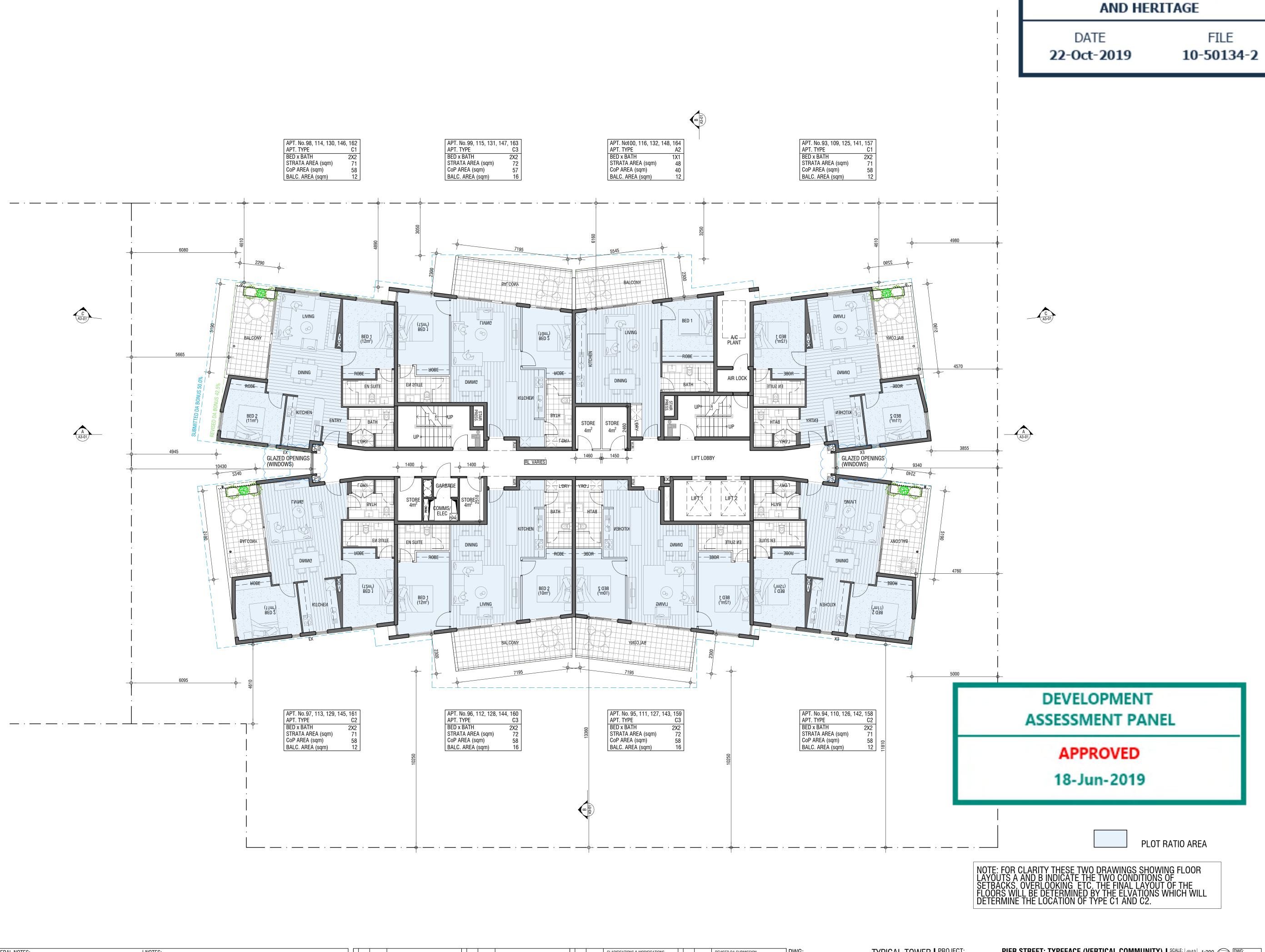
7 09-04-19 CITY OF PERTH - DAC RESPONSE AB 06-05-19 CLIENT REVIEW - PODIUM APARTMENTS Y 03-04-19 PCG MEETING - PLOT RATIO/BUILDING COST RESPONSE

DESIGN DEVELOPMENT & APPROVALS | ADDRESS:

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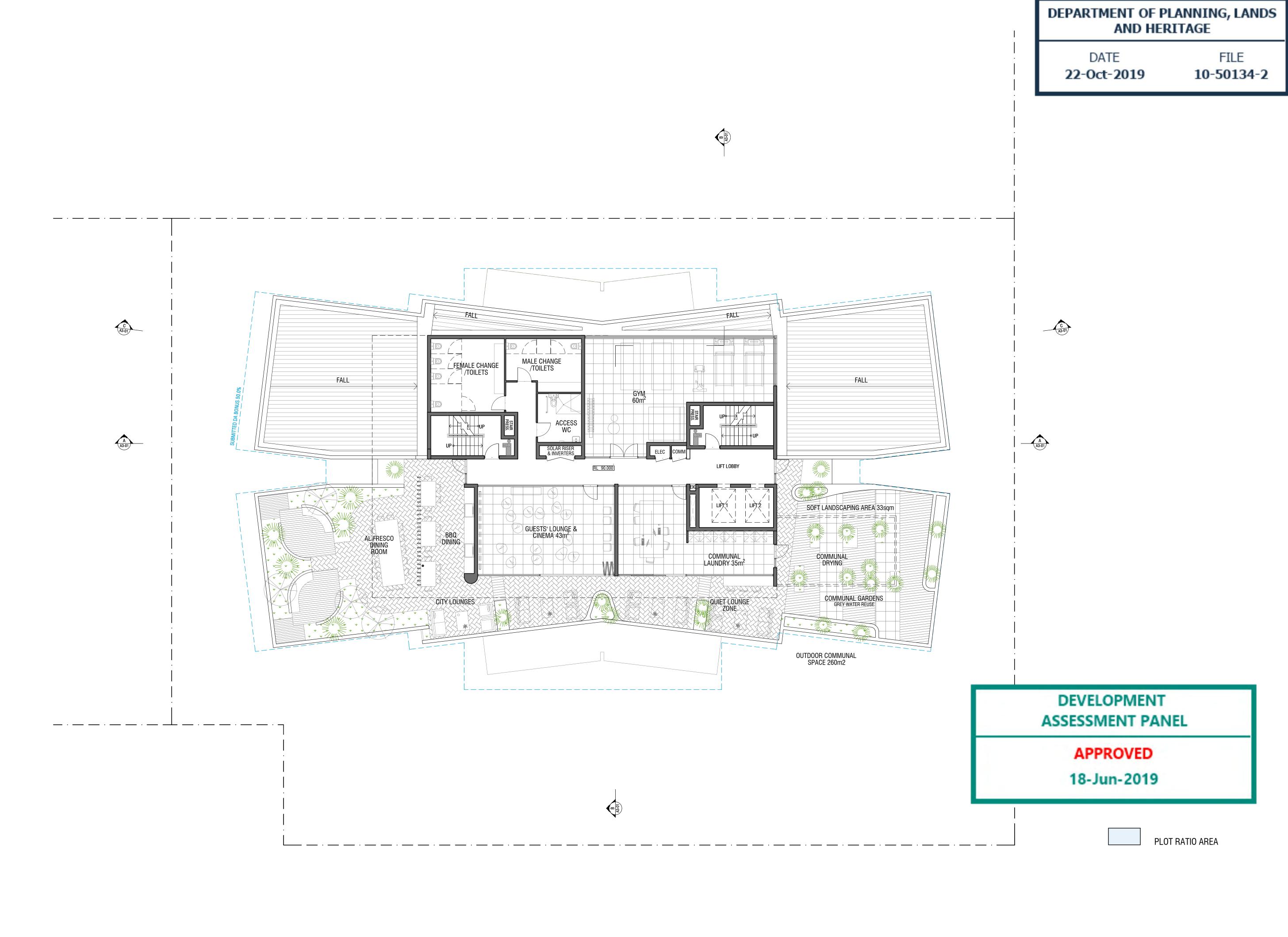








PLOT RATIO AREA



FILE DATE 10-50134-2 22-Oct-2019 **X** DEVELOPMENT ASSESSMENT PANEL APPROVED

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WORKS. . & REPORTS NOTES:

AD 23-05-19 CLARIFICATIONS & MODIFICATIONS - CITY OF PERTH REVIEW

AC 16-05-19 OGA REVIEW - PODIUM APARTMENTS REPLAN, PODIUM HEIGHT +200

AB 06-05-19 CLIENT REVIEW - PODIUM APARTMENTS + A2, C3 & D2 REDUCED

AA 10-04-19 REVISED DA SUBMISSION

DWG:

Z 09-04-19 CITY OF PERTH - DAC RESPONSE

Y 03-04-19 PCG MEETING - PLOT RATIO/BUILDING COST RESPONSE

ROOF PLAN PROJECT:

CLIENT:
ADDRESS:

PIER STREET: TYPEFACE (VERTICAL COMMUNITY)

PEET PIER STREET PTY LTD

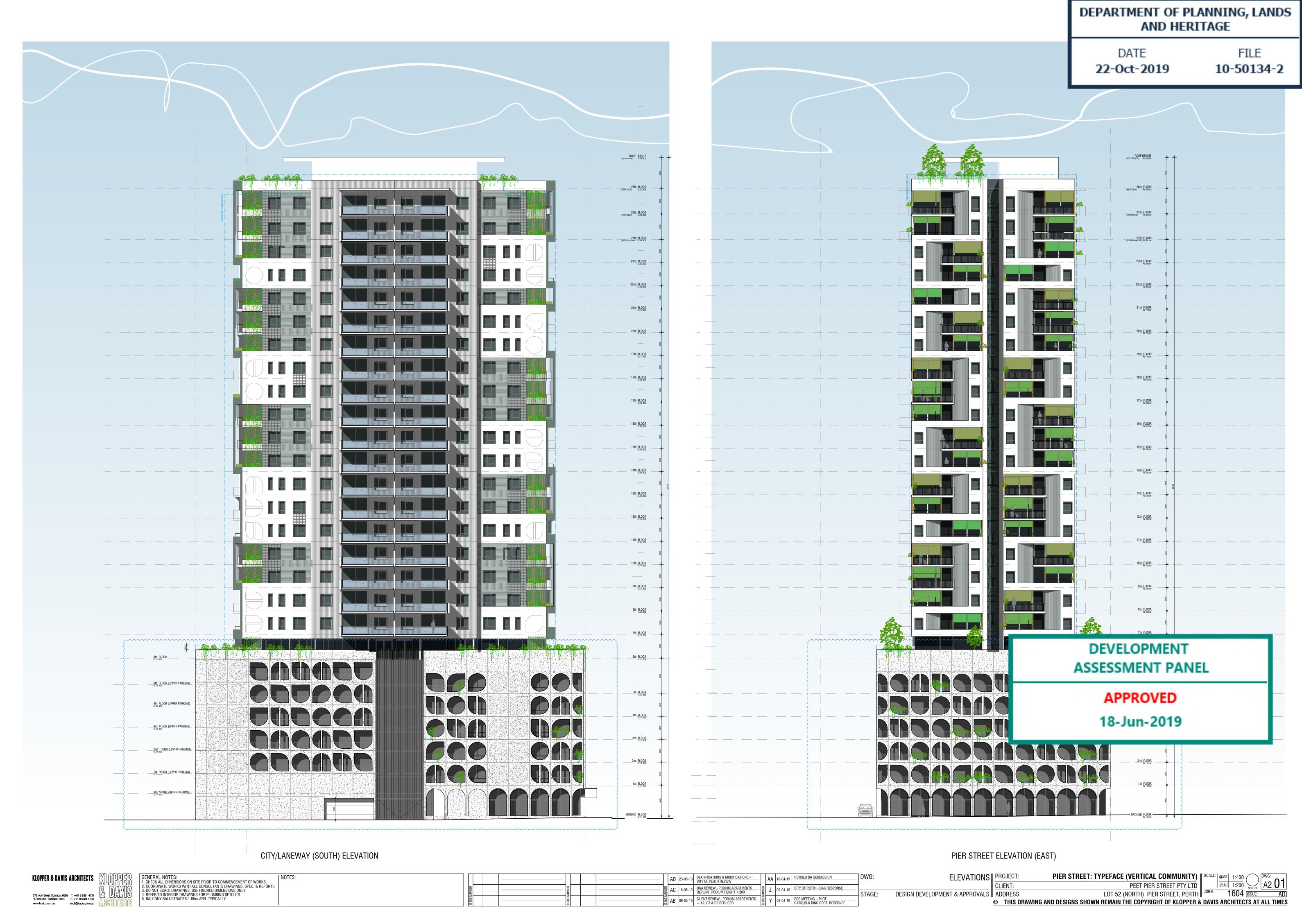
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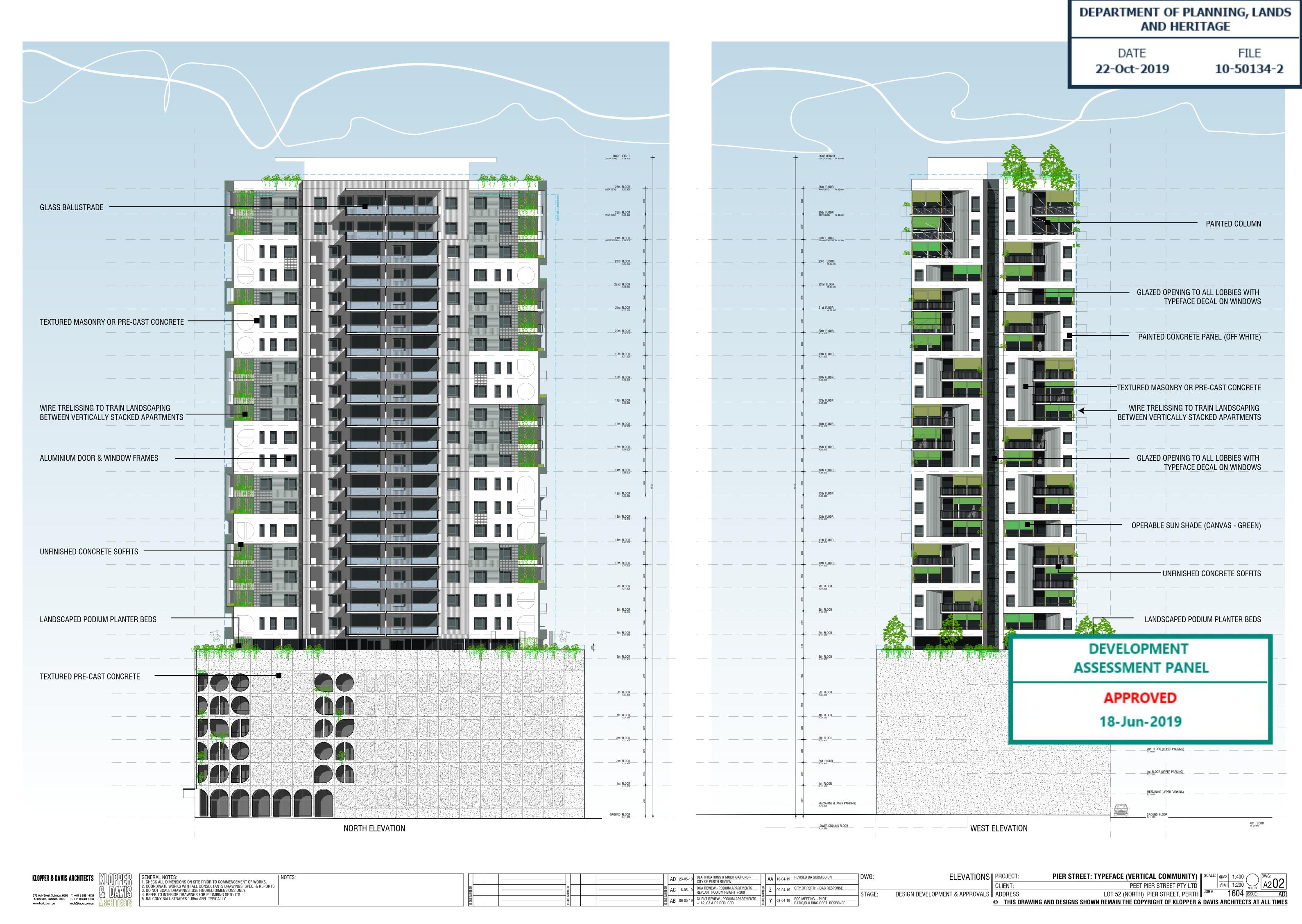
JOB#:

18-Jun-2019

TH JOB#: 1604 ISSUE: AT ALL TIME

DEPARTMENT OF PLANNING, LANDS AND HERITAGE





DEPARTMENT OF PLANNING, LANDS AND HERITAGE

> DATE 22-Oct-2019

CLIENT:

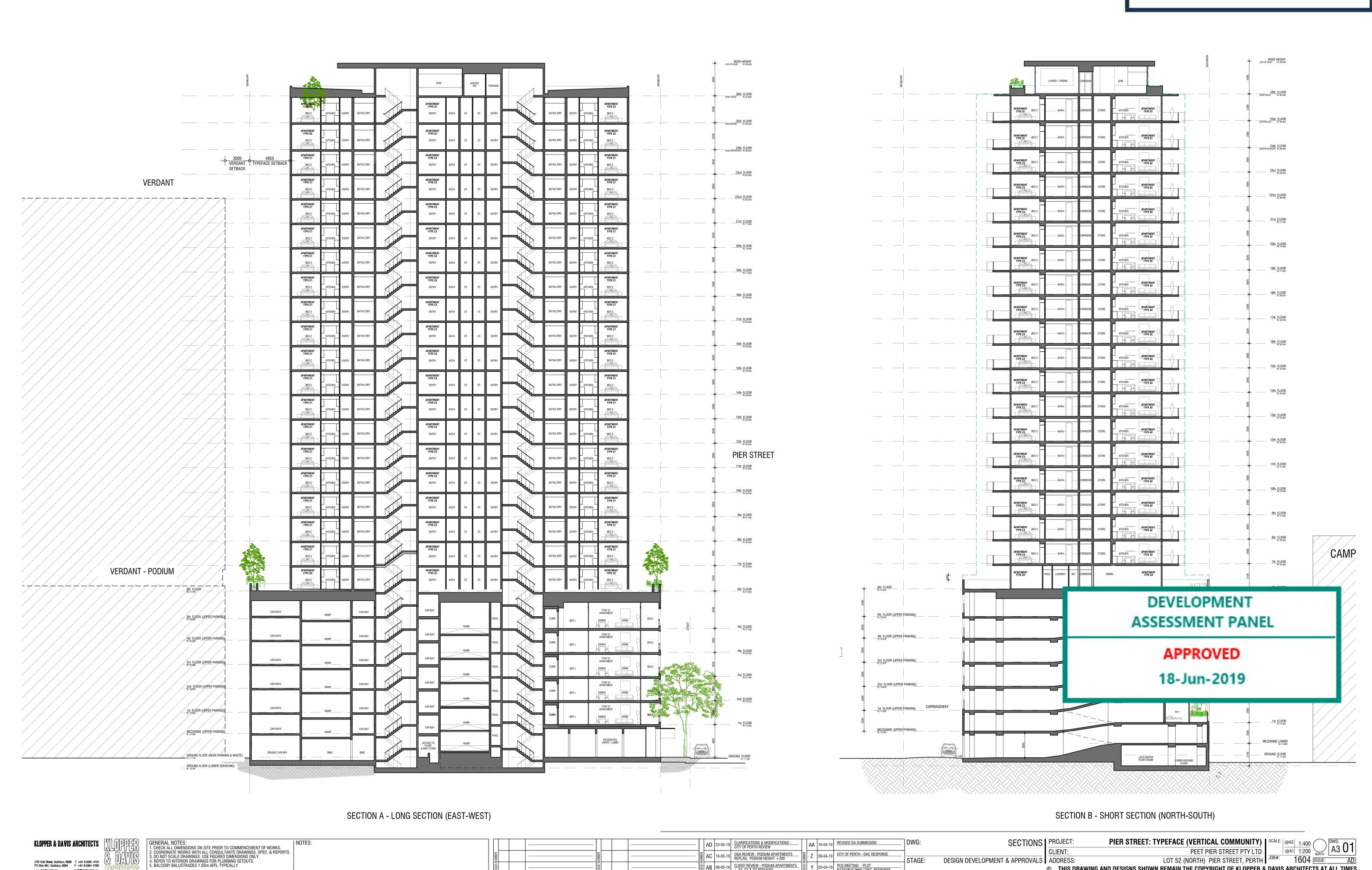
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BROADWAY, 168 (LOTS 1-18) CRAWLEY – AMENDMENTS TO AN APPROVED NINE-LEVEL RESIDENTIAL DEVELOPMENT COMPRISING OF 21 MULTIPLE DWELLINGS AND 46 CAR PARKING BAYS

Form 2 – Responsible Authority Report (Regulation 17)

DAP Name:	City of Perth LDAP	
Local Government Area:	City of Perth	
Applicant:	Edge Visionary Living c/o Urbis Pty Ltd	
Owner:	Edge Holdings No 20 Pty Ltd	
Value of Amendment:	Nil	
Responsible Authority:	City of Perth	
Authorising Officer:	Dale Page, General Manager Planning and	
	Economic Development	
LG Reference:	DAP-2023/5119	
DAP File No:	DAP/22/02297	
Date of Original DAP decision:	21 November 2022	
Application Received Date:	11 May 2023	
Application Statutory Process	90 Days	
Timeframe:		
Attachment(s):	1. Location Plan	
	2. Perspectives	
	Development Plans	
	4. Schedule of Submissions	
	5. Previous Determination Notice –	
	2 December 2022	
Is the Responsible Authority	☐ Yes Complete Responsible Authority	
Recommendation the same as the	⋈ N/A Recommendation section	
Officer Recommendation?		
	□ No Complete Responsible Authority	
	and Officer Recommendation	
	sections	

Responsible Authority Recommendation

That the City of Perth LDAP resolves to:

- 1. **Accept** that the DAP Application reference DAP/22/02297 as detailed on the DAP Form 2 dated 11 May 2023 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
- 2. **Approve** DAP Application reference DAP/22/02297 and accompanying plans (in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of City Planning Scheme No. 2, for the proposed minor amendments to the approved demolition of an existing three-level residential apartment building and construction of a nine-level residential development comprising of

21 multiple dwellings and 46 car parking bays at 168 (Lots 1-18) Broadway, Crawley, subject to the following amended conditions:-

Amended Conditions

- 1. The development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 11 May 2023, with particular attention to demonstrating the provision of a high quality interface with the adjacent public realm. Final details of the design including a sample board of the proposed materials, colours and finishes to be submitted for approval by the City prior to applying for a building permit; and
- 9. The approved Waste Management Plan prepared by Talis Consultants dated 26 June 2023 being implemented by the owners and/or strata managers on an ongoing basis to the satisfaction of the City.

All other conditions and requirements detailed on the previous approval dated 21 November 2022 shall remain unless altered by this application.

Details:

Region Scheme	Metropolitan Region Scheme
Region Scheme -	Urban
Zone/Reserve	
Local Planning Scheme	Town Planning Scheme No. 4
Local Planning Scheme -	Residential R80
Zone/Reserve	
Structure Plan/Precinct Plan	University Precinct
Structure Plan/Precinct Plan	N/A
- Land Use Designation	
Use Class and	Dwelling: Multiple – Permitted ('P')
permissibility:	
Lot Size:	1,413m ²
Existing Land Use:	Dwelling: Multiple
State Heritage Register	No
Local Heritage	⊠ N/A
	□ Heritage List
	□ Heritage Area
Design Review	⊠ N/A
	☐ Local Design Review Panel
	□ State Design Review Panel
	□ Other
Bushfire Prone Area	No
Swan River Trust Area	No

Proposal:

Proposed Land Use	Dwelling: Multiple
Proposed Plot Ratio Area	3,749m ²
Proposed No. Levels	9
Proposed No. Dwellings	21

The application seeks amendments to the existing approval for the demolition of an existing three-level residential apartment building construction of a nine-level residential apartment building comprising of 21 multiple dwellings and 46 car parking bays. The applicant advises the modifications are the result of progression of the detailed design phase and response to market and construction conditions.

The proposed amendments to the approved development mainly relate to internal changes to the building which has resulted in an increase in plot ratio from 2.65:1 (3,749m²) to 2.84 (4,013m²).

The full scope of changes proposed to the approved development are as follows:-

All levels	- Overall building beight increased by 200mm to mayide
All levels	Overall building height increased by 200mm to provide additional appear for convicing within the building.
	additional space for servicing within the building
	Drying areas and small storage areas provided to balconies
	Reconfiguration of the balconies along northern side of
	building
Basement level	Floor level lowered by 100mm for improved internal clearance
	and access for service vehicles
	Internal alterations to create garage enclosures for penthouse
	apartments
	 Increase in length for tandem bays from 10m to 10.4m.
	 Increase to the basement area adjacent to Broadway,
	resulting in minor decrease in deep soil area
Ground level	Increased setback to pedestrian entry
	 Increased apartment G01 balcony setback to lot boundary
	 apartments G01 and G02 internal layout changes
	Stairs added to store area from car park to accommodate
	change in ramp access
Level 1	Western glazing line pushed further out to apartment 102
	• Eastern glazing line pushed further out to apartment 101 in
	two locations
	Apartment 101 increased in area into previously allocated
	service area
	Void increase and corridor reduction and door location
	adjustment
	Communal facilities increased in size, changed in
	functionality, and include UAT
Levels 2 and 3	Apartments 201 and 301 have southern glazing line pushed
	out further south adjacent to the balcony
	Relocation of door to apartment 202 and 302 into the hallway
	internally to provide more internal apartment floor space
	Additional building slab required to northern side of apartment
	202 and 302 for structural reasons
	Eastern window line pushed further out to apartment 303
Level 4	Modification of roof space above level 3 to be balcony space
	connected to apartment 401
	Realignment of apartment 401 southern glazing line
	Eastern glazing line pushed further out to apartment 402
	 Internal corridor width narrowed, and area incorporated into
	apartment 401 entry and living area
	apartitions 401 citily and living area

Levels 5-7	 Eastern penthouse apartments southern glazing line modified Glazing line pushed out further south into the balcony space for both penthouses to the southern balconies Internal corridor reduced and the area incorporated into the individual apartments Small balcony removed and enclosed for eastern penthouse apartments
Roof level	 Increase to stair height (550mm)

Background:

The subject site is located on the north-eastern side of Broadway with a total area of 1,413m². The site is situated next to the JH Abrahams Reserve and river foreshore to the south.

The site was previously part of the City of Subiaco, however, was transferred to the City of Perth on 1 July 2016. The provisions of City of Subiaco Town Planning Scheme No. 4 (TPS4) are still applicable to the site until such time as the area is incorporated into the future City of Perth Local Planning Scheme No. 3. State Planning Policy 7.0 Design of the Building Environment and State Planning Policy 7.3 - Residential Design Codes (Volume 2) also apply to the site.

On 21 November 2022 the City of Perth LDAP approved the demolition of the existing three-level residential apartment building and the construction of a nine-level residential development comprising of 21 multiple dwellings and 46 car parking bays.

On 30 November 2022 the City issued a demolition permit for the removal of the existing apartment building and minor structures on site.

Several minor applications to advertise the sale of residential apartments and to install a viewing tower to showcase the views to prospective purchasers have also been approved at the site.

Legislation and Policy:

<u>Legislation</u>

Planning and Development Act 2005 s.162

Town Planning Scheme No. 4 (TPS4) Clauses 7, 13, 14, 22, 26, 27, 28, 30, 41, 42, 42A and 70

Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed Provisions for Local Planning Schemes Clauses 60, 64, 67, 68 and 71 Metropolitan Region Scheme

State Government Policies

Design of the Built Environment (SPP 7.0)
Residential Design Codes Volume 2 – Apartments (SPP 7.3)
Activity Centres for Perth and Peel (SPP 4.2)

Local Policies

Public Notification of Planning Proposals (1.4)

Streetscape (2.1)
Perimeter Fencing (2.5)
Demolition (2.6)
Environmental Design (2.15)
Landscaping and Water Sensitive Urban Design (2.16)

Consultation:

Public Consultation

As the Form 2 application is defined as a standard application under TPS4 Policy 1.4, owners and occupiers of the adjacent properties were notified of the application by post for a period of 21 days in accordance with clause 64(4) of the Deemed Provisions.

Two submissions were received during the advertising period, objecting to the proposed amendments on the following grounds: -

- Concerns regarding the impact of the development on the deep soil area and existing street trees.
- Concerns regarding the proposed increased height and scale of the development and its impact on overshadowing.
- Concerns the development does not provide a sufficient number of bicycle parking bays.
- Clarification regarding the number of visitor car parking bays provided for guests.
- The amendments proposed cannot be classed as "minor", a fresh application needs to be made by the developer.

These matters are all relevant planning considerations and will be discussed in further detail under the planning assessment section of this report.

Planning Assessment:

Building Design and Presentation to the Street

The proposed external and internal design modifications to the building include modifications to the balcony areas to allow for drying and storage areas, adjustments to the glazing lines to increase the internal area of apartments and modifications to the internal corridors and layout of the apartments.

It is noted these design changes are intended to enhance the internal amenity of the building for future residents and do not alter the design intent or quality of the external façade and its presentation to the street or adjacent sites. On this basis, the amended development was not reconsidered by the Design Review Panel noting the minor nature of the external modifications. However the City Architect reviewed the amendments and advised that the changes were minor in the context of the development and had no impact on the original approval in terms of design quality and external appearance. City officers therefore consider that the proposed amendments can be supported given the intent of the existing approved development has not been altered by the modifications proposed.

Plot Ratio, Height and Setbacks

The internal modifications proposed to the development results in an increase of plot ratio from 2.65:1 (3,749m²) to 2.84 (4,013m²). The application also proposes a minor increase in the overall building height by 0.2 metres to accommodate for servicing within the building and a minor increase to the stair height by 550mm.

Some concerns have been raised from surrounding landowners regarding the impact of the additional height and plot ratio in terms of bulk and scale and its overshadowing impact, noting the approved development already exceeds the height and plot ratio requirements for the site.

The subject site is in an area which was previously located within the City of Subiaco and transferred back to the City of Perth in 2016. As such the development requirements of TPS4 in relation to density and maximum building height apply to the site.

Under TPS4 this site is in an area with a density coding of R80 with a maximum plot ratio of 1:1 (1,413m²).

The increase in plot ratio is not attributed to any change in the approved building envelope but rather internal modifications to the layout of the apartments and common areas within the building. Therefore, the additional plot ratio is not considered to result in any increase in the scale or intensity of the approved development and can be supported in accordance with TPS4 and Element Object of the Residential Design Codes

Under clause of 42(3) of TPS4, residential buildings with a density code of R80 must not exceed 9 metres in overall height; however, additional height up to 12 metres can be approved provided there are no undue adverse impacts on the adjoining residential sites or the general locality.

In addition, clause 42A of TPS allows for further height (no maximum specified) to be approved subject to the development satisfying specific criteria including where the overall height of the building which is non-compliant meets the requirements of the R-Codes (Volume 2) in relation to setbacks.

The proposed increase in building height by 0.2 metres to allow for servicing and 500mm for the stair is minor in nature and will not result in any discernible impact from the street, adjacent reserve or neighbouring properties in terms of building bulk, scale or overshadowing in accordance with clause 42 of TPS4 and Element Objective 2.7 of the R-Codes.

Although, as noted above, the proposed amendments to not change the approved building envelope, the proposed change in function of an approved roof space on Level 4 requires this portion of the development to be assessed against the setback requirements of the R-Codes to the northern and eastern boundaries at this level. At level 4 the introduction of a balcony space, (previously a roof space to level 3) reduces the eastern side setback from 4 metres to 3 metres. This reduced setback still however complies with the acceptable outcomes prescribed under Element Objectives 2.4 and 2.7 (Setbacks and Building Separation) of the R-Codes. The northern portion of the balcony is setback 6 metres from the northern lot boundary, well in excess of the acceptable outcomes for setbacks and building separation of the R-Codes.

With respect to visual privacy the building to the east at 166 Broadway does not have any openings directly facing onto the development site with windows either directly

facing or angled at 45 degrees towards the Swan River and foreshore reserve. It is therefore considered that there will be no adverse impact on visual privacy as a result of the addition of the balcony, in accordance with Element Objective 3.5 Visual Privacy of the R-Codes.

Whilst the concerns raised by the surrounding landowners are noted, it is considered that the amendments are generally minor in nature and do not materially impact on the intent of the original approval. With the overall form, bulk and scale not being discernibly different or resulting in increased detrimental off-site impacts such as overshadowing. On this basis it is considered that the amendments can be supported.

Trees and Landscaping

The subject site is situated adjacent to three large Yellow Box (Eucalyptus Melliodora) trees located within the road reserve along Broadway. The large street trees along Broadway make a significant contribution in terms of local amenity and the character of the streetscape.

Some concerns have been raised regarding the reduction of the deep soil planting area and the impact of the changes to the development on the adjacent existing street trees.

In relation to the reduction in the deep soil area and its impact on the viability of the adjacent street trees there is only a minor reduction in the total area for deep soil planting of approximately 4m². The applicant has confirmed that the landscaping concept and quantum of trees previously proposed will not be affected by this minor change and the area still complies with Element Objective 4.12 – Landscape design of the R-Codes.

In relation to the existing street trees, the applicant has confirmed that the piling system for the building will not encroach into the tree protection zone. This has been reviewed accepted by the City's arborist. There is also a condition on the approval requiring the retention and protection of all street trees from damage during construction works which will remain.

Bicycle and Visitor Parking

The proposed modifications to the car park include minor changes to the dimensions of the car parking aisle widths and tandem bays, provision of garages for the penthouse apartments and an increase in the height of the basement car park to allow for servicing, has been reviewed and accepted by the City's Transport Engineers, noting a condition requiring compliance with the requisite Australian Standards 2890.1 will remain.

The amended application does not propose any change to the number of apartments nor the number of car parking or bicycle bays that were approved by the LDAP on 21 November 2022. As such, the amended application is consistent with the approval which included a variation to visitor car parking

Although the amended application does not trigger a review car parking and bicycle parking requirements for the site some concerns have been raised by surrounding landowners regarding the number of visitor car parking and bicycle bays.

As noted in the original decision, whilst there is a shortfall of two visitor car parking bays as specified under the acceptable outcomes of the R-Codes (5 bays required), the site is located in close proximity to an off-street public car park as well 2 hour free on-street parking on Broadway. As outlined in the Traffic Impact Assessment visitors to the building are more likely to use public or on-street parking rather than accessing the buildings secure car park. It was noted that a number of the original concerns around car parking were related to lack of on-site parking that was provided with the three storey residential development that previously existed on the site. In response to this concern it was also noted that the approved development proposes significantly more residential parking bays than the previous residential development which will mean less reliance on parking within the surrounding street network.

In addition to the above, with respect to bicycle parking, as noted in the original decision, the proposed development meets the acceptable outcomes of Element Objective 3.9 – Car and bicycle parking of the R-Codes with dedicated bicycle parking bays for visitors (3 bays) and adequate space and dimensions provided within each store for resident bicycle parking (21 residential stores).

Conclusion:

The application proposes amendments to an existing approval for a high-quality residential development overlooking the river foreshore and JH Abrahams Reserve. The amendments are a result of the detailed design phase with minor changes proposed to the building to accommodate for servicing and to improve the amenity and internal function of the apartments and common areas.

The proposed internal and external alterations will not substantially change or alter the design intent of the approved development. The increase in plot ratio, increase in height and alterations to setbacks are minor in nature and will not result in any adverse amenity impacts to the neighbouring properties or the character and appearance of the streetscape and can be supported in accordance with the requirements of TPS4 and the Element Objectives of the R-Codes Volume 2.

Based on the above it is considered that the application for amendments can be approved in accordance with Regulation 17(1)(c) of the *Planning and Development* (Development Assessment Panels) Regulations 2011.



168 (LOTS 1-18) BROADWAY, CRAWLEY



APPROVED SCHEME



PROPOSED

168 (LOTS 1-18) BROADWAY, CRAWLEY







PROPOSED

168 (LOTS 1-18) BROADWAY, CRAWLEY





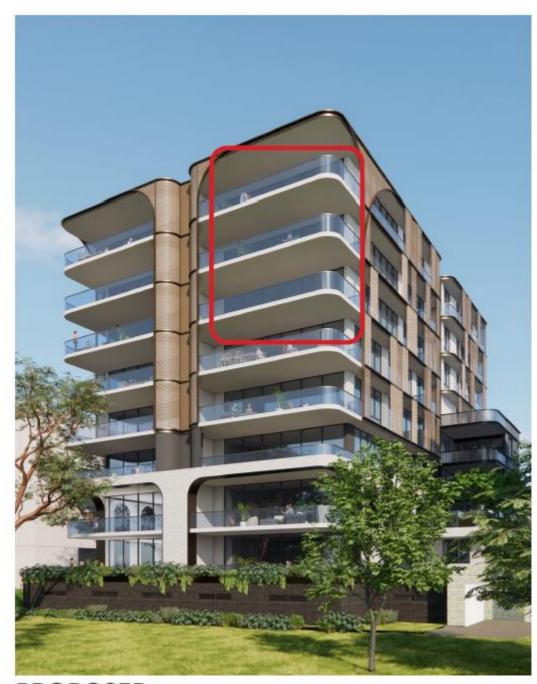
APPROVED SCHEME

PROPOSED

168 (LOTS – 1-18) BROADWAY, CRAWLEY

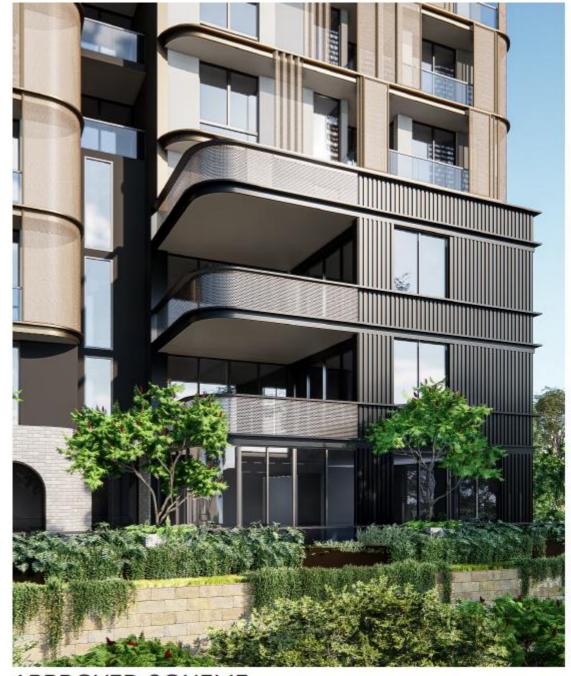


APPROVED SCHEME



PROPOSED

168 (LOTS – 1-18) BROADWAY, CRAWLEY



APPROVED SCHEME



PROPOSED

168 (LOTS – 1-18) BROADWAY, CRAWLEY





168 (LOTS – 1-18) BROADWAY, CRAWLEY

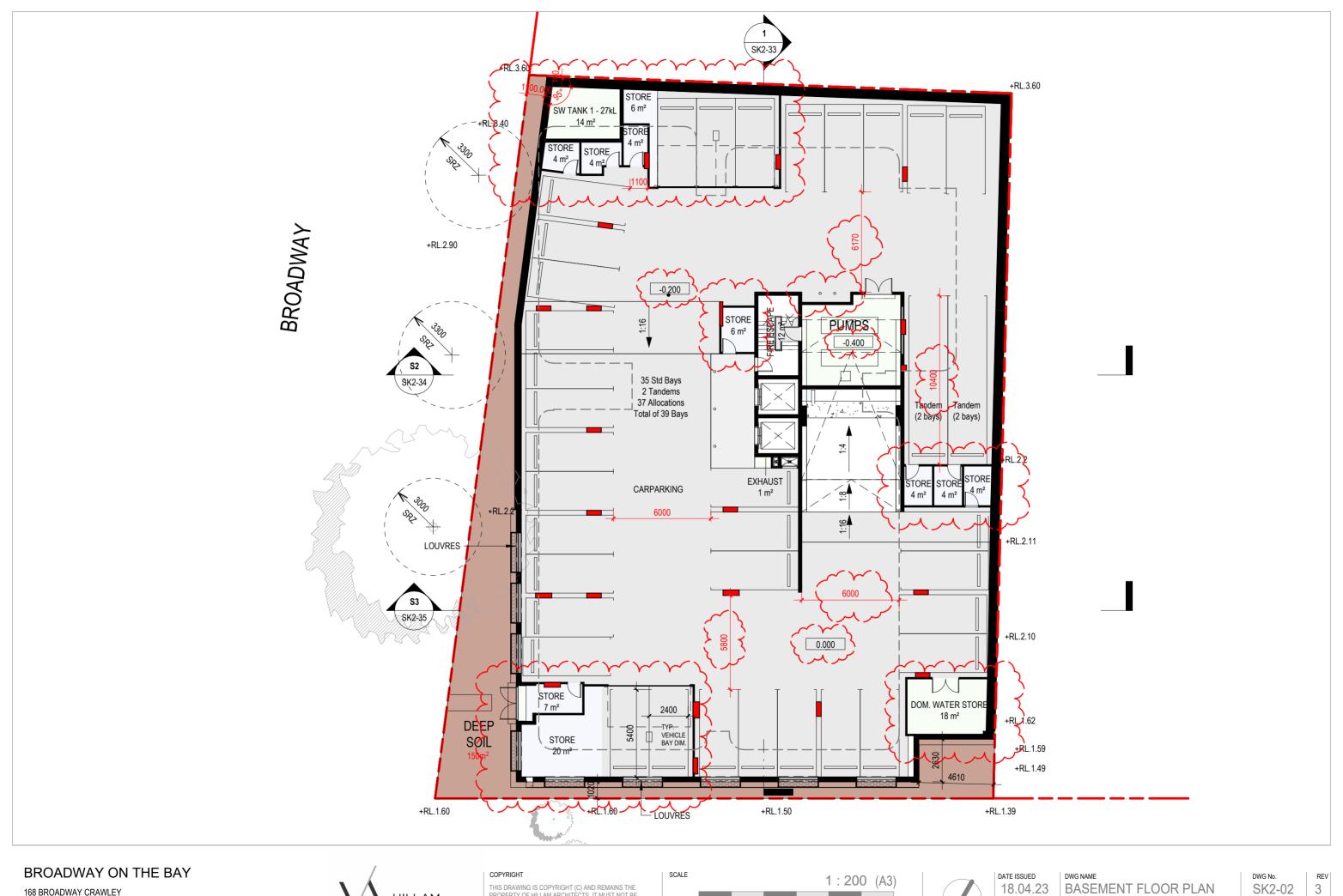






PROPOSED

168 (LOTS – 1-18) BROADWAY, CRAWLEY





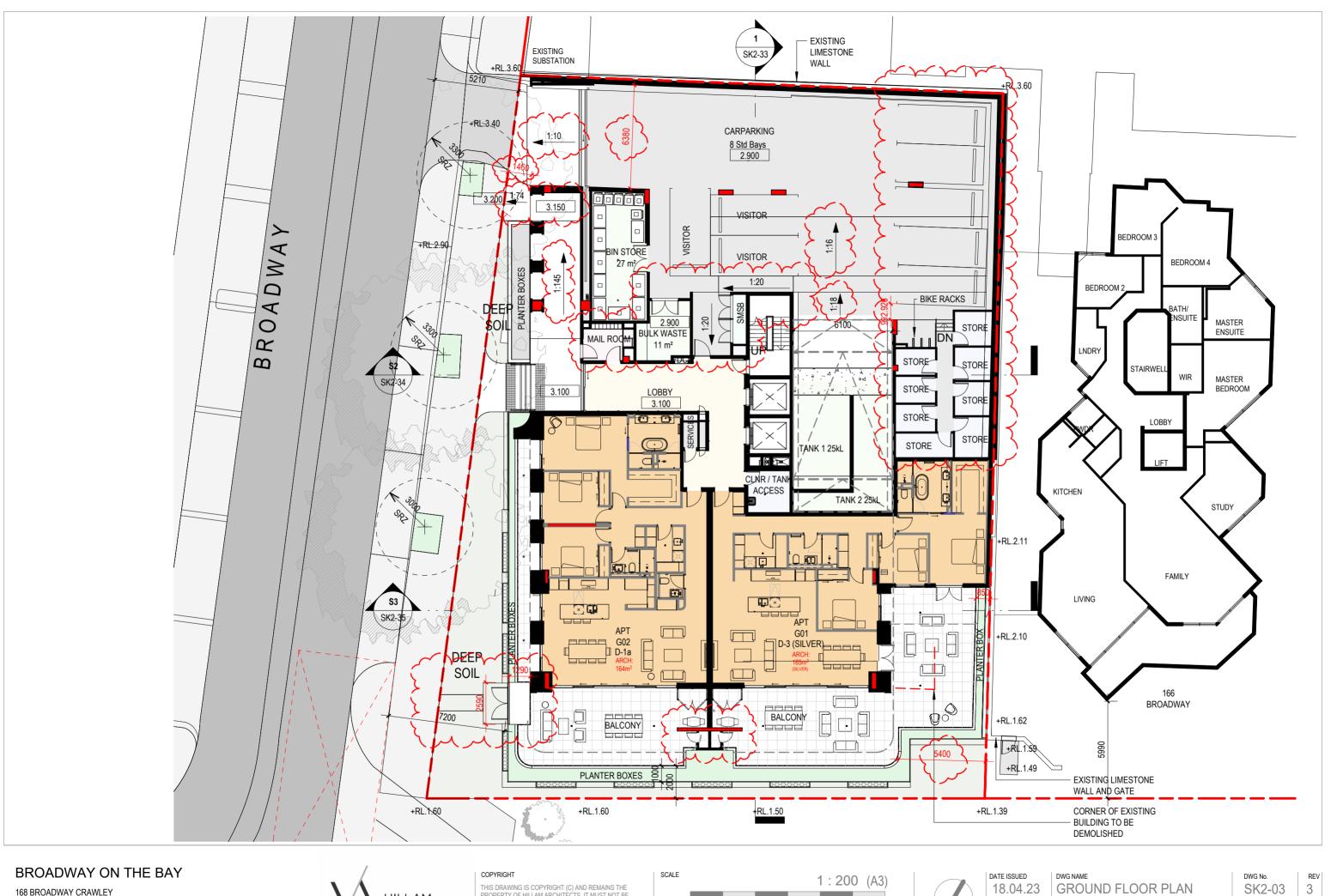
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18.04.23

BASEMENT FLOOR PLAN

SK2-02





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GROUND FLOOR PLAN

SK2-03



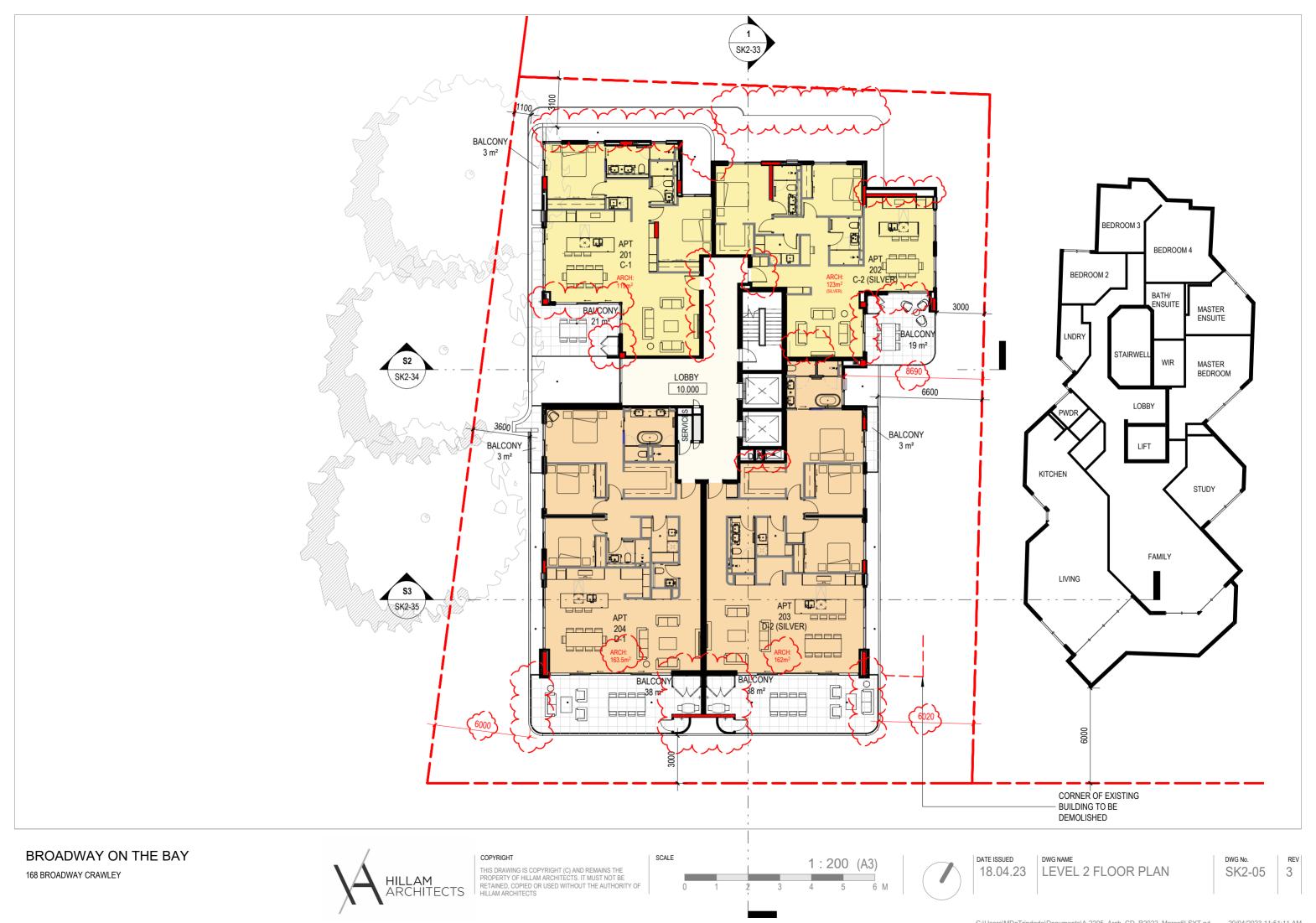


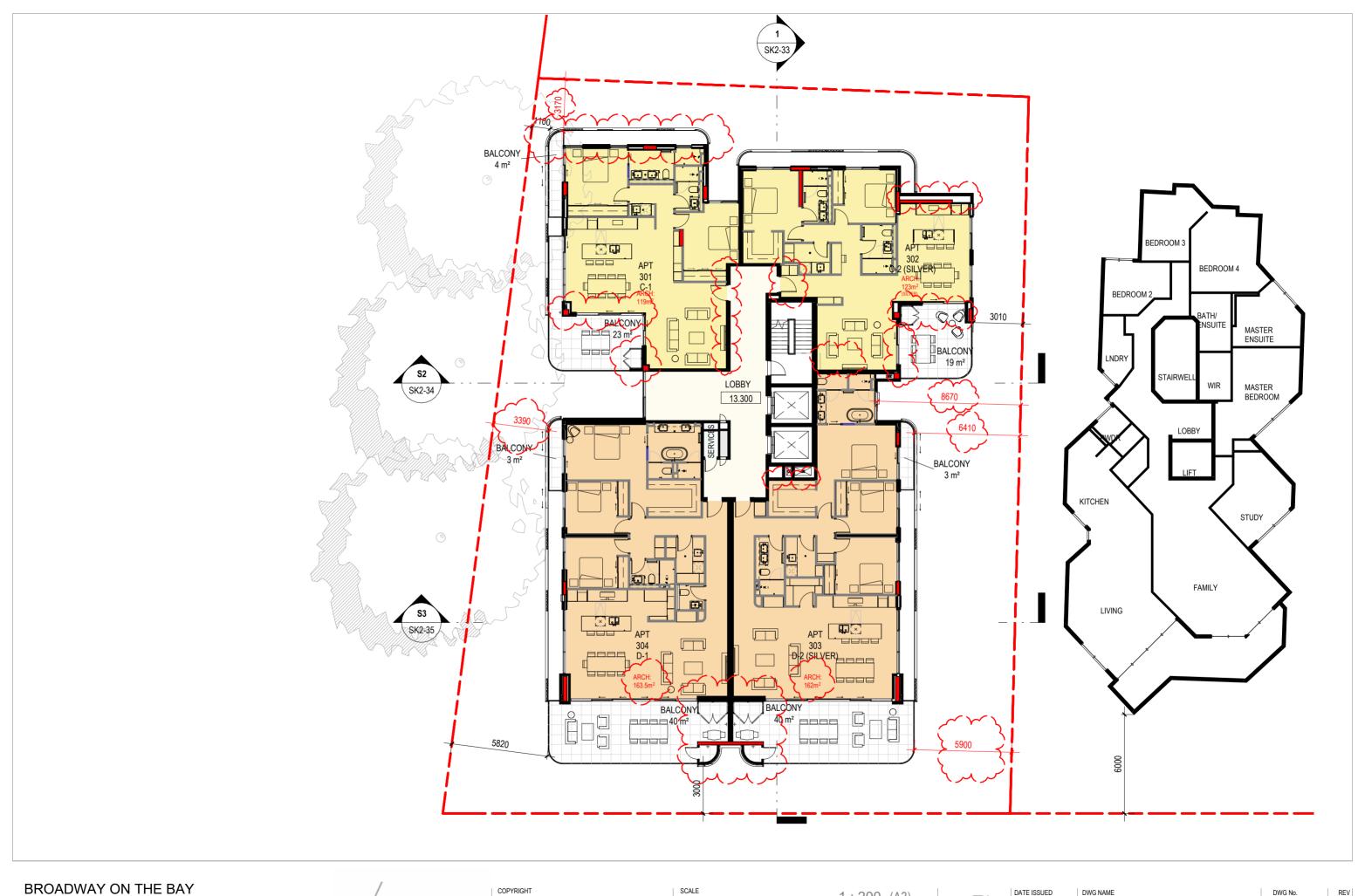
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18.04.23

DWG NAME LEVEL 1 FLOOR PLAN DWG No. SK2-04







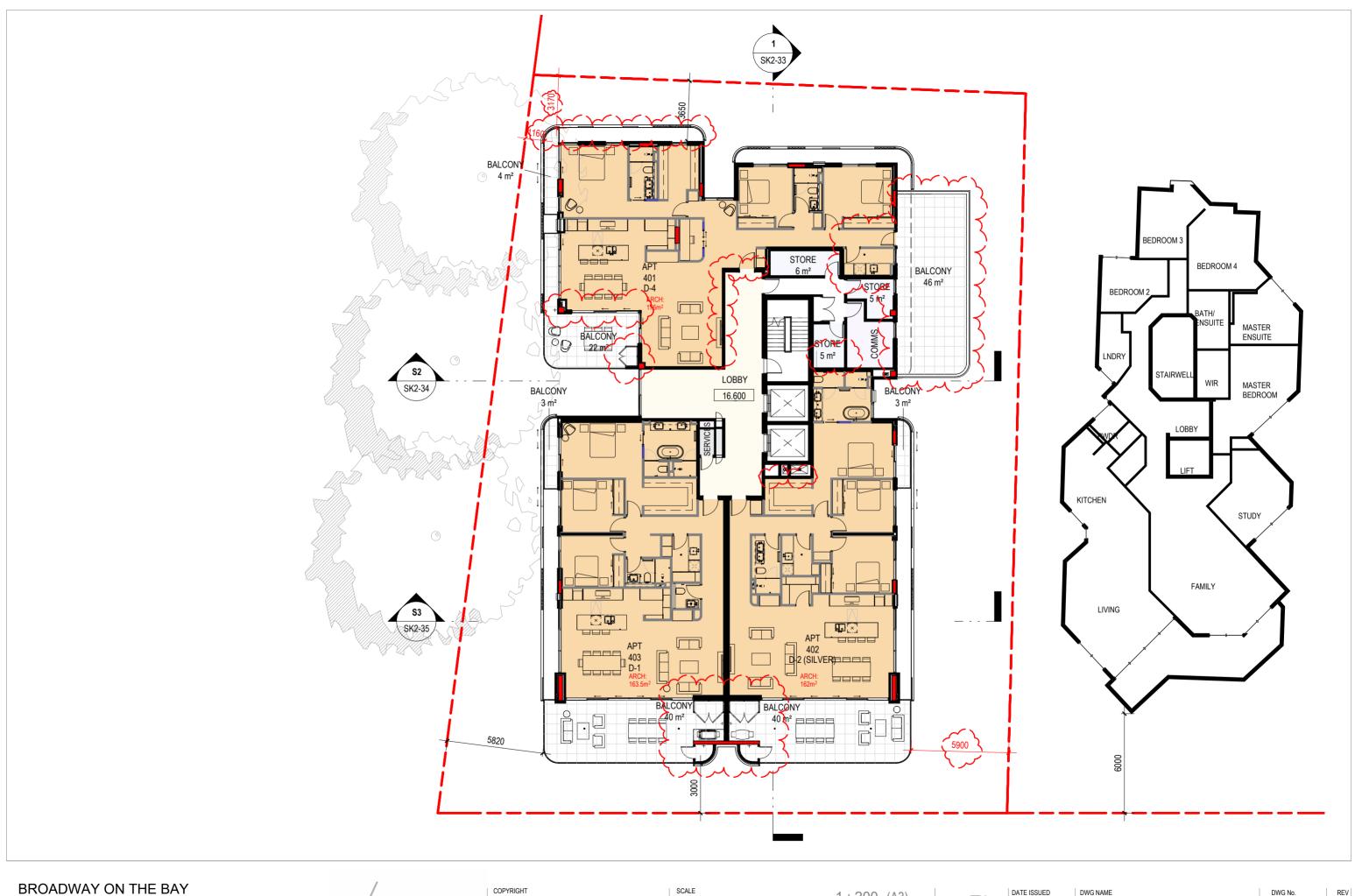
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DWG NAME LEVEL 3 FLOOR PLAN DWG No. SK2-06





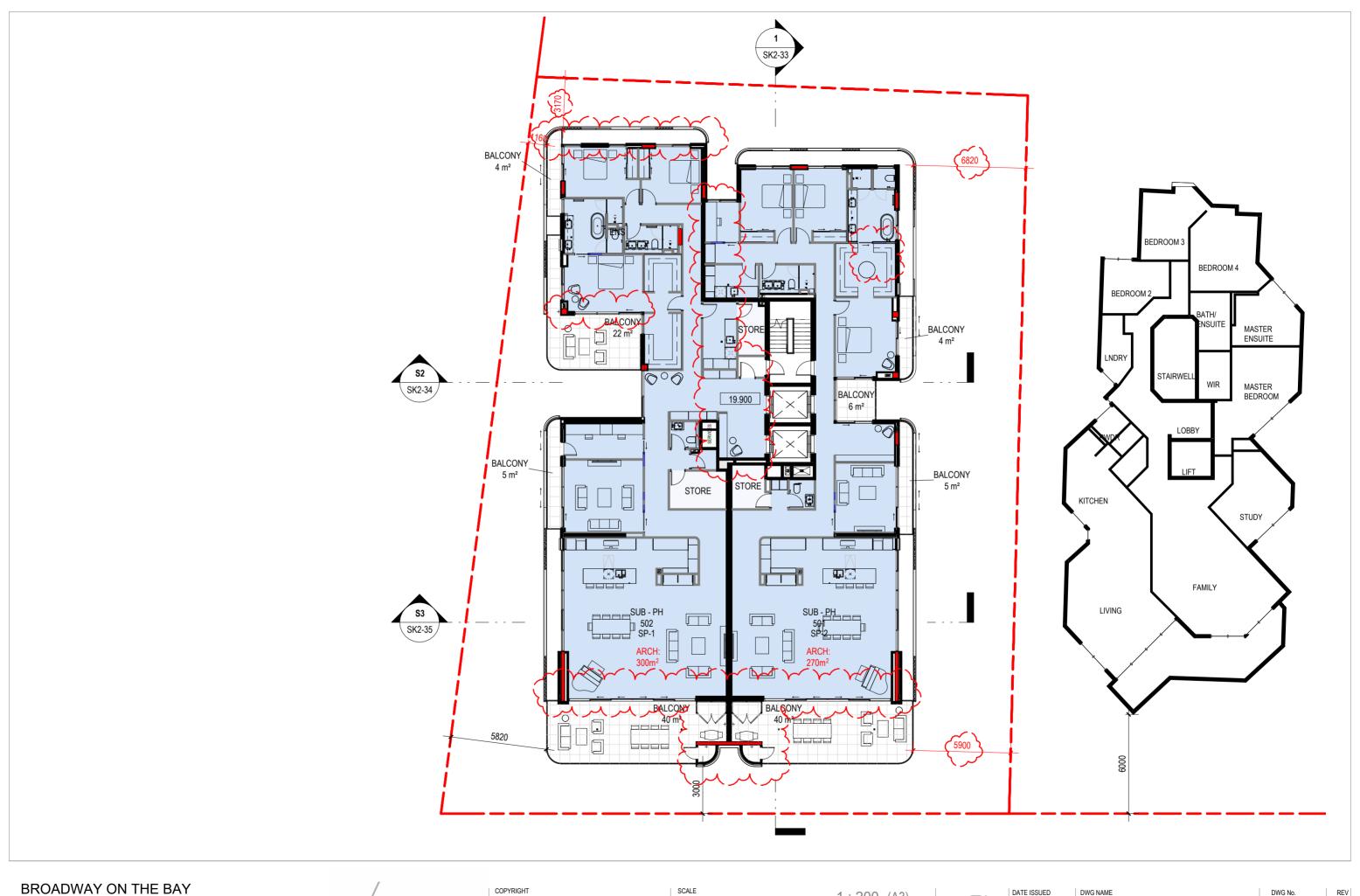
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DWG NAME LEVEL 4 FLOOR PLAN

DWG No. SK2-07



BROADWAY ON THE BAY

168 BROADWAY CRAWLEY



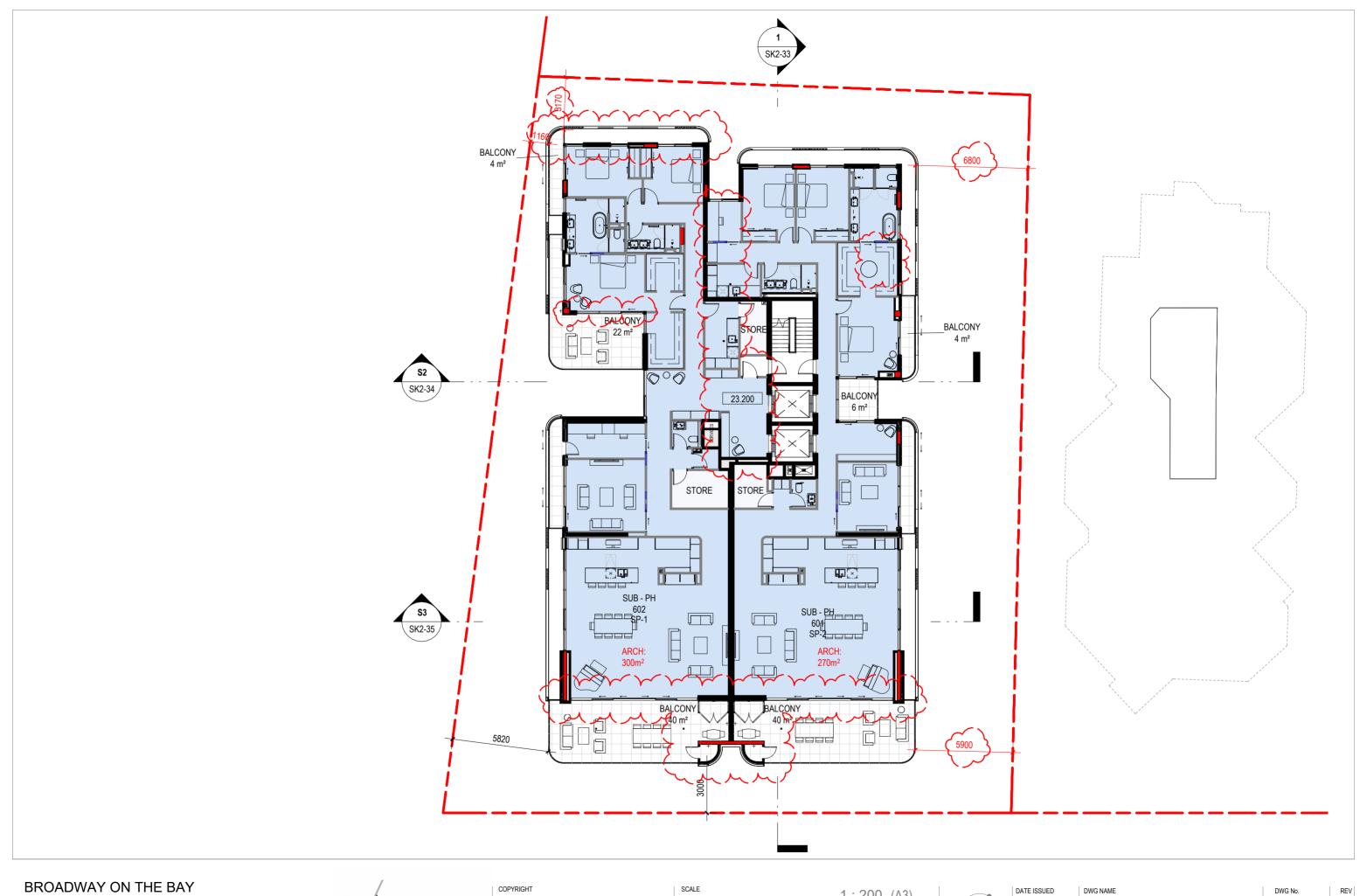
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DWG NAME LEVEL 5 FLOOR PLAN DWG No. SK2-08





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LEVEL 6 FLOOR PLAN

DWG No. SK2-09





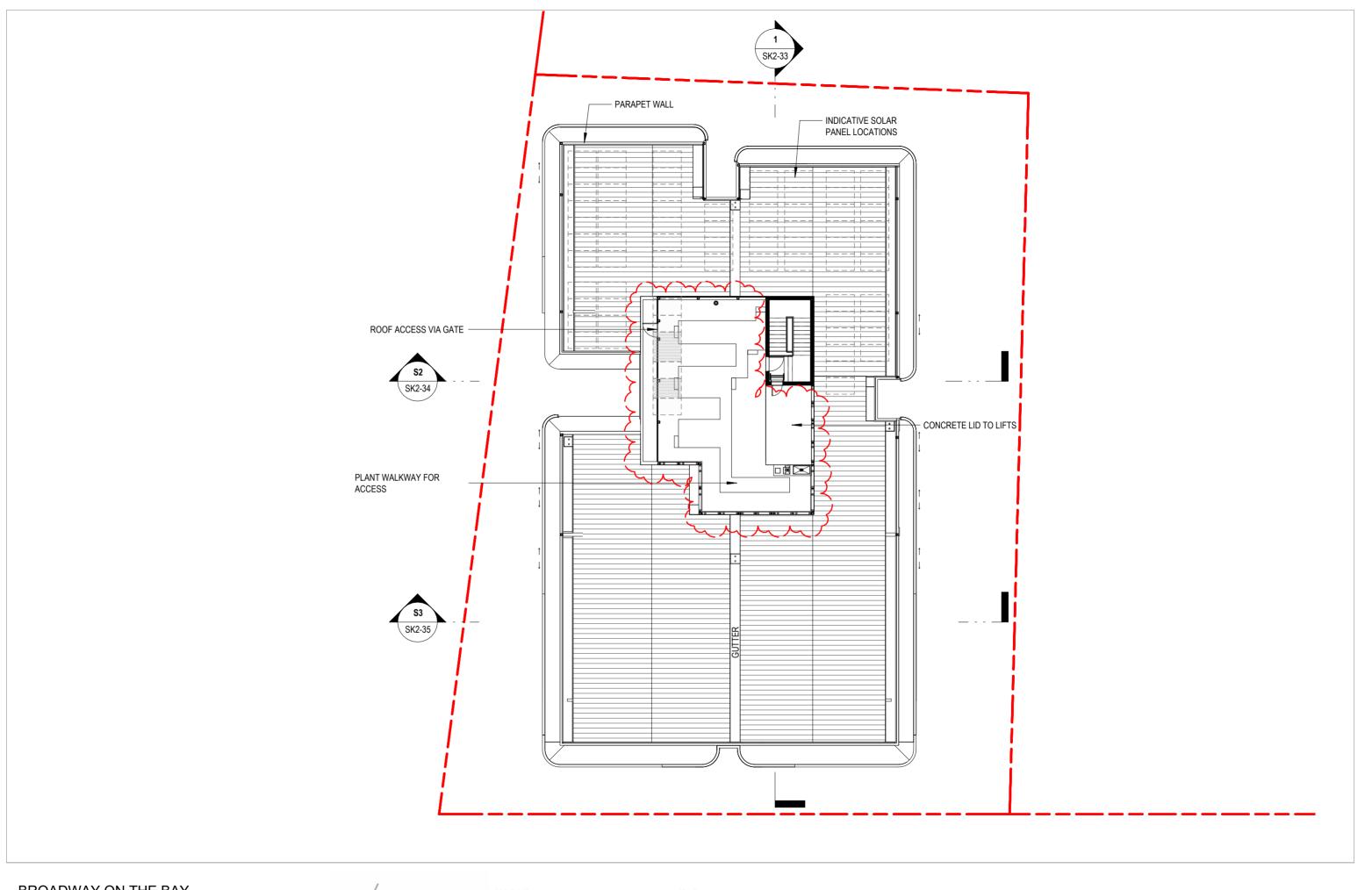
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18.04.23

DWG NAME LEVEL 7 FLOOR PLAN

DWG No. SK2-10



BROADWAY ON THE BAY

168 BROADWAY CRAWLEY

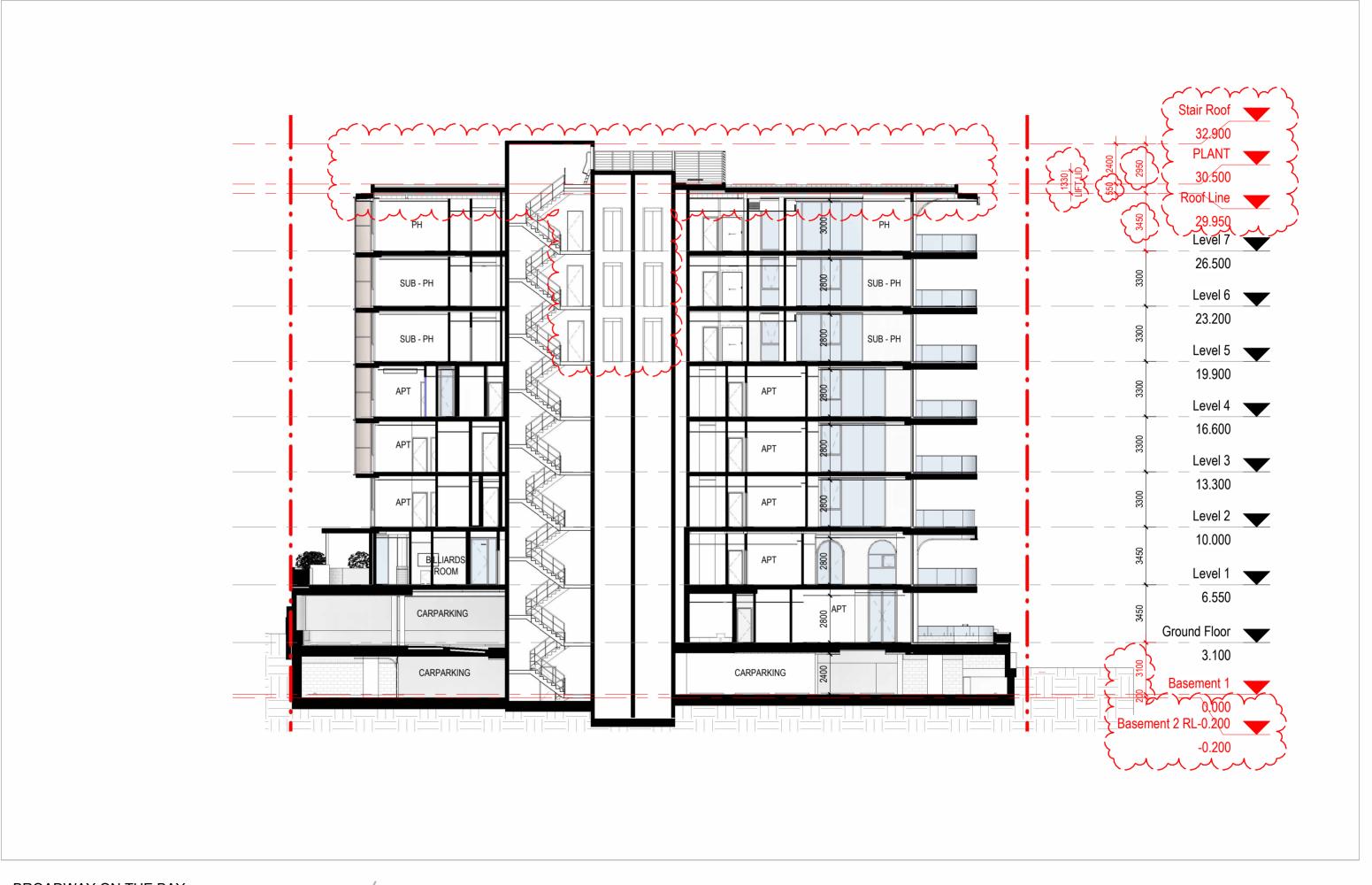


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DATE ISSUED

DWG NAME 18.04.23 ROOF PLAN DWG No. SK2-11



BROADWAY ON THE BAY

168 BROADWAY CRAWLEY

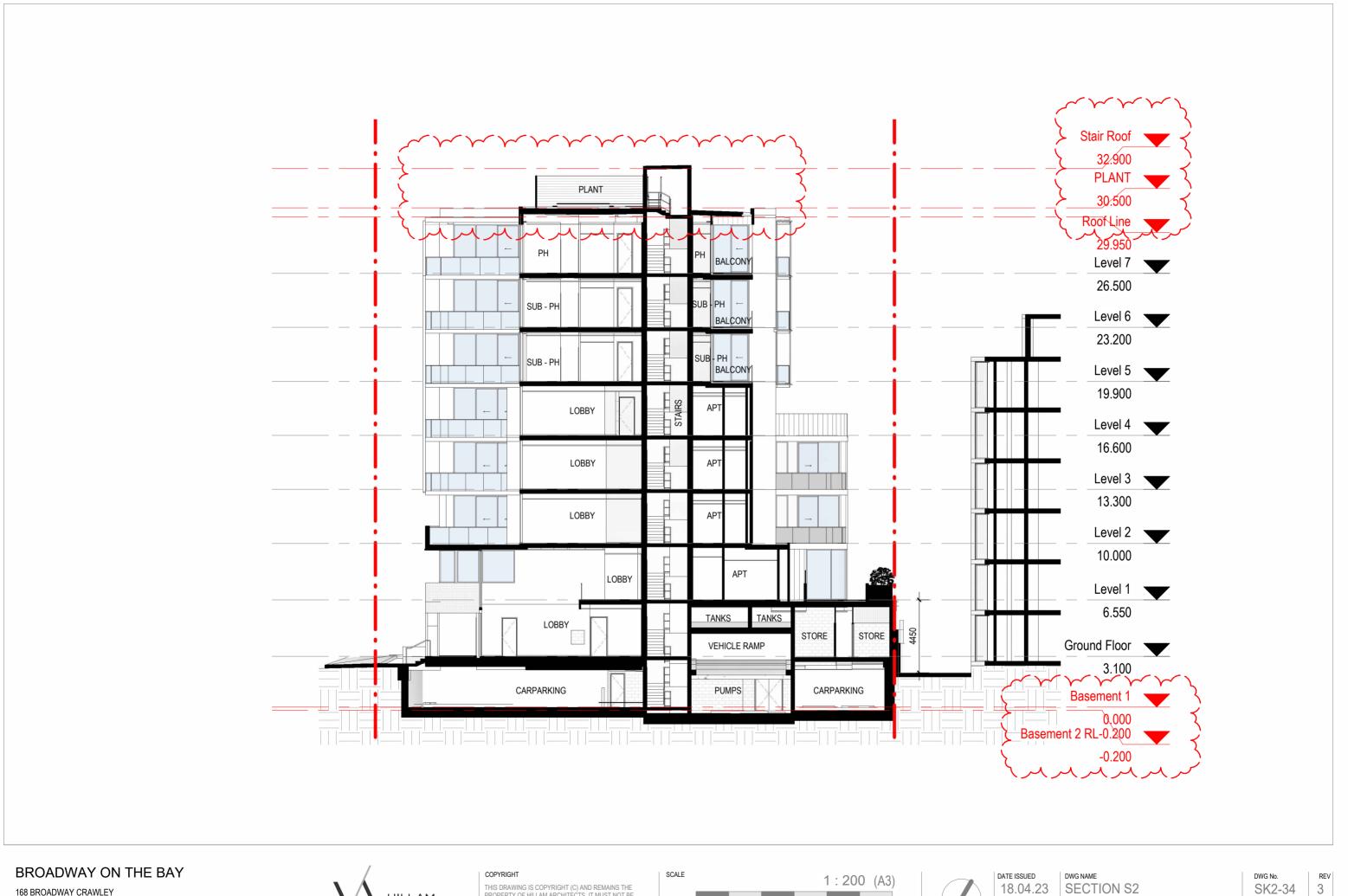


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DATE ISSUED 18.04.23

DWG NAME SECTION S1 DWG No. SK2-33





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18.04.23

SECTION S2

SK2-34





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18.04.23 | SECTION S3

SK2-35





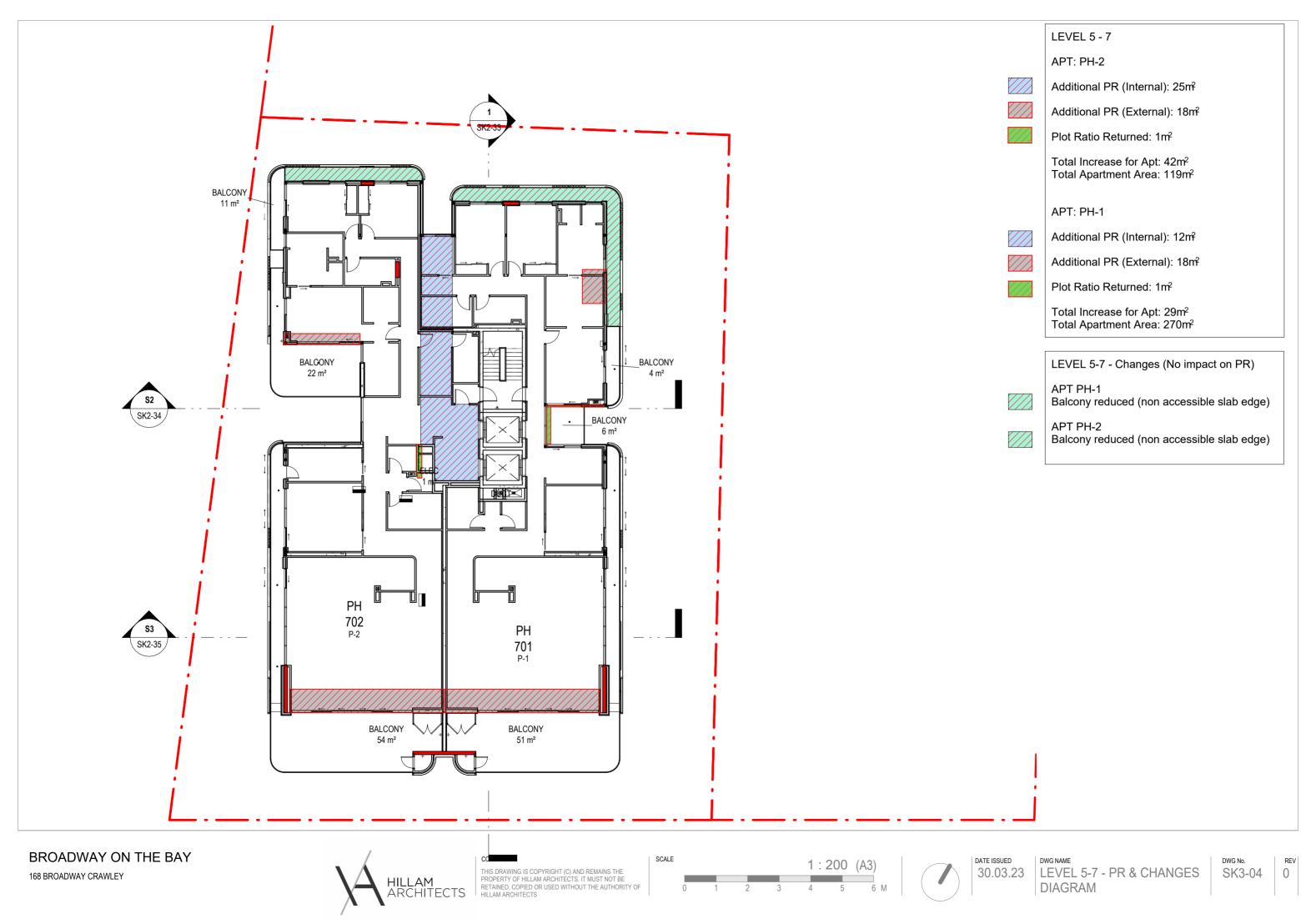






CHANGES DIAGRAM





Schedule of Submissions Received

Proposed amendments to the approved demolition of an existing three-level residential apartment building construction of a nine-level residential apartment building comprising of 21 multiple dwellings and 46 car parking bays

168 (Lots 1-18) Broadway, Crawley

No.	Respondent/s	Respondent's Comments
1	Address:	OBJECT
	Landowner Esplanade, Nedlands	 The amendments sought in my opinion are not improving the design. The deep soil area adjacent to Broadway has been imposed to ensure the trees currently on Broadway are not damaged and have root space. Reducing this would ensure that more trees fall over as happened about 18 months ago causing a massive gas leak that endangered the whole street. This reduction in deep soil area was imposed for a good reason and should not be simply taken away. The applicant is seeking to undo exactly the improvement that was imposed on them previously to safeguard the aforementioned street trees. The application says the proposed amendments do not increase the bulk and scale of the development. Can you please
		 explain to me how increasing the roof height will not increase the bulk and scale of the development. The applicant is simply not being truthful. There should be no approval for an increase in roof height. 4. Similarly how can the height of the building be increased without any effect on shadowing onto adjacent properties as indicated in the shadow analysis comparison. This simply doesn't make sense. I believe once again the developer is seeking to mislead. 5. I have always been disappointed by the lack of bicycle parking on this site. I thought the City of Perth wanted to encourage this type of transport. Three bicycle racks does not seem sufficient for this size of development. This seems very poor planning by the City of Perth and bicycle, scooter and other racking should be increased. To say residents will keep bicycles in their storage areas is to misunderstand the smallness of these areas and how they are used.
2	Address:	OBJECT
	Landowner, Nedlands	1. The proposed amendments, if approved, would increase the height of the roof of the proposed development from 29.9m to 30.5m, and the height of the roof plant from 32.3m to 32.9m. In percentage terms these are small increases (albeit ones that will increase the overshadowing of adjacent sites).

However, the development as currently approved exceeds what had hitherto been the usual height limit. It was in other words already an exception to the norm. As such, any amendment, like the one now proposed, which further stretches the exception cannot be regarded as "minor". If that were not the case, an applicant who had once achieved a non-conforming planning consent could return for a series of "minor" amendments so continually increasing height beyond that usually or originally approved.

2. In my view therefore the amendment proposed cannot be classed as "minor" and the City does not have the legal power to nod it through. Rather a fresh application must be made by the developer.

LG Ref: DAP Ref: DA-2022/5216 DAP/22/02297

Enquiries:

(08) 6551 9919

Ms Kate Bainbridge Edge Holdings No.20 Pty Ltd C/O Urbis 168 Broadway CRAWLEY WA 6009

Dear Ms Bainbridge

CITY OF PERTH LDAP - CITY OF PERTH - DAP APPLICATION - DA-2022/5216 - DETERMINATION

Property Location:	Lots 1-18 (No.168) Broadway, Crawley
	Proposed Demolition Of An Existing Three-Level Residential Apartment Building And Construction Of A Nine-Level Residential Development Comprising Of 21 Multiple Dwellings And 46 Car Parking Bays

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Perth on 16 August 2022 for the above-mentioned development.

This application was considered by the City of Perth LDAP at its meeting held on 21 November 2022, where in accordance with the provisions of the City of Subiaco Town Planning Scheme No.4, it was resolved to **approve** the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, an application may be made to amend or cancel this planning approval in accordance with regulation 17 and 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Ms Jasmine Hancock on behalf of the City of Perth on 08 9461 3106.

Yours sincerely,

<

DAP Secretariat

2 December 2022

Encl.

DAP Determination Notice

Approved Plans

Cc:

Ms Jasmine Hancock

City of Perth

Planning and Development Act 2005

City of Subiaco Town Planning Scheme No.4

City of Perth Local Development Assessment Panel

Determination on Development Assessment Panel Application for Planning Approval

Property Location: Lots 1-18 (No.168) Broadway, Crawley

Application Details: Proposed Demolition Of An Existing Three-Level Residential Apartment Building And Construction Of A Nine-Level Residential Development Comprising Of 21 Multiple Dwellings And 46 Car Parking Bays

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 21 November 2022, subject to the following:

1. **Approve** DAP Application reference DAP/22/02297 and development plans (Attachment 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City of Subiaco Town Planning Scheme No. 4, subject to the following conditions:

Conditions

- 1. The development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 16 August 2022 and 26 October 2022, with particular attention to demonstrating the provision of a high-quality interface with the adjacent public realm. Final details of the design including a sample board of the proposed materials, colours and finishes to be submitted for approval by the City prior to applying for a building permit;
- 2. A final landscaping and reticulation plan, including the provision of mature/advanced plantings within the deep planting zonings to soften and screen the above ground car park wall from the street and adjacent public open space, with details being submitted for approval by the City prior to applying for a building permit. The approved landscaping is to be installed prior to occupation of development and thereafter maintained to a high standard to the City's satisfaction;
- The approved boundary walls and footings being constructed wholly within the subject lot, with the external surface of the walls being finished to complement the approved development. Final details to be submitted for approval by the City prior to applying for a building permit;

- 4. Any proposed building plant and services including air-conditioning condensers, lift overruns, piping, ducting, water tanks, transformers, fire boosters and fire control rooms being located or screened so that they cannot be viewed from any location external to the building (including from above) and to minimise any visual and noise impact. This includes any such plant or services located within the vehicle entrance of the development, with details of the location and screening of such plant and services being submitted for approval by the City prior to applying for a building permit;
- 5. The proposed floor levels of the pedestrian and vehicular entrances to the building being designed to match the current levels of the immediately adjacent footpath to the City's satisfaction, with details being submitted for approval by the City prior to applying for a building permit;
- 6. On-site stormwater disposal/management being to the City's specifications with details being submitted for approval by the City prior to applying for a building permit;
- 7. The approved Waste Management Plan prepared by Talis Consultants dated 29 July 2022 being implemented by the owners and/or strata managers on an ongoing basis to the satisfaction of the City;
- 8. The proposed development being designed and constructed in such a manner that existing and possible future noise levels associated with:
 - b) vehicle traffic;
 - c) noise between dwellings; and
 - d) noise generated from within the development including all mechanical services and plant infrastructure;

that could potentially affect occupants of the development, can be successfully attenuated in accordance with the Environmental Protection (Noise) Regulations 1997. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and submitted for approval by the City, prior to applying for the relevant building permit;

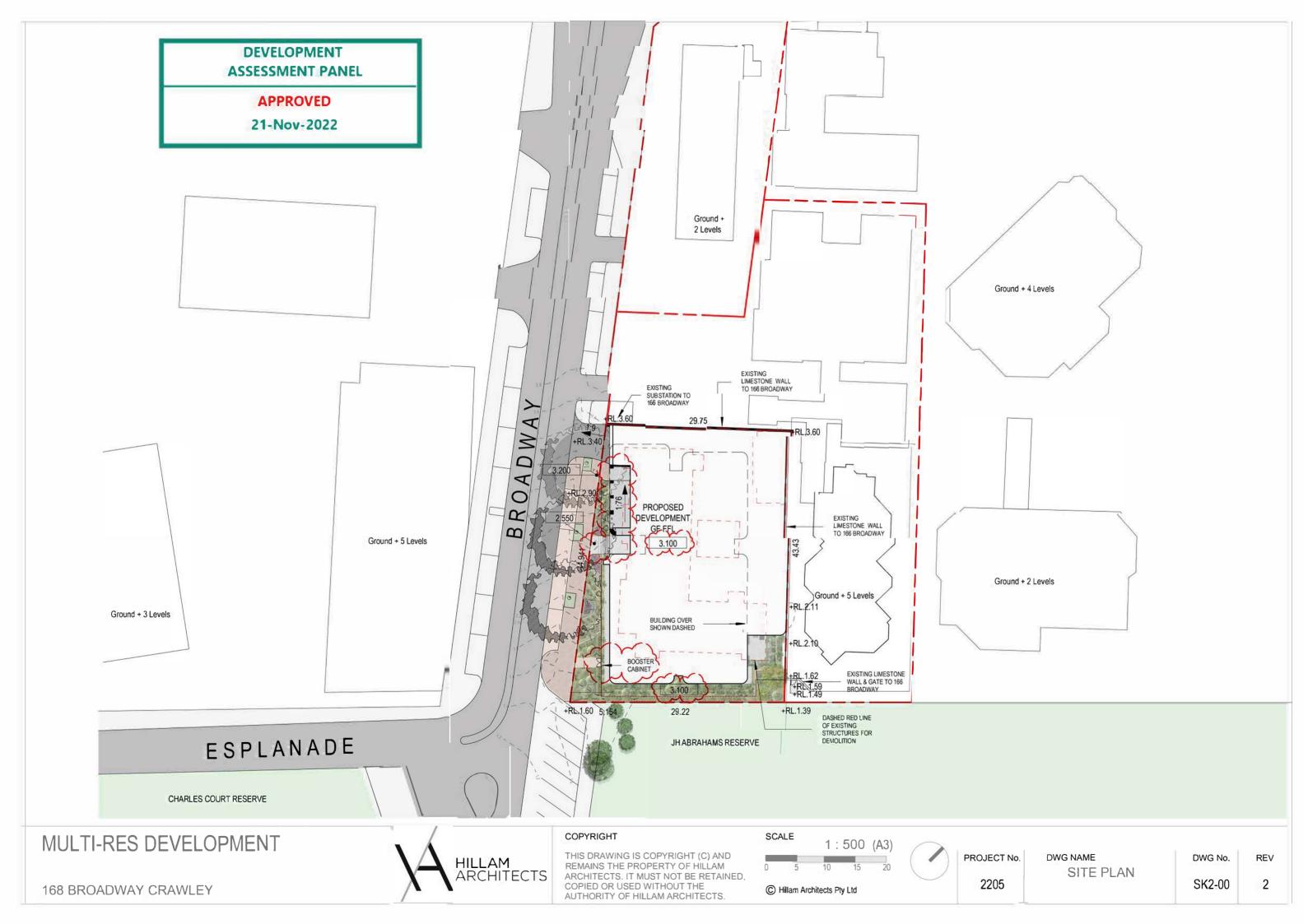
- 9. A total of 46 car parking bays including a minimum of three (3) visitor bays being provided internally within the building, for the exclusive use of residents of the development and their guests. These bays may not be leased or otherwise reserved for the use of tenants or occupants of other buildings or sites. Each pair of tandem bays shall be allocated to the same multiple dwelling;
- 10. The dimensions of all car parking bays, vehicle entrance and circulation areas complying with the Australian Standard AS2890.1 with a certificate of compliance by an architect or engineer being submitted for approval by the City prior to applying for a building permit;
- 11. The existing street trees located in the road verge on Broadway and the adjacent JH Abrahams Reserve being retained and protected from damage throughout any demolition and construction works. Tree protection zones must be established and maintained during the demolition and construction in accordance with the Australian Standard S4970-2009 Protection of Trees on Development Sites, with the owner/applicant being liable for any damage or removal of the trees;

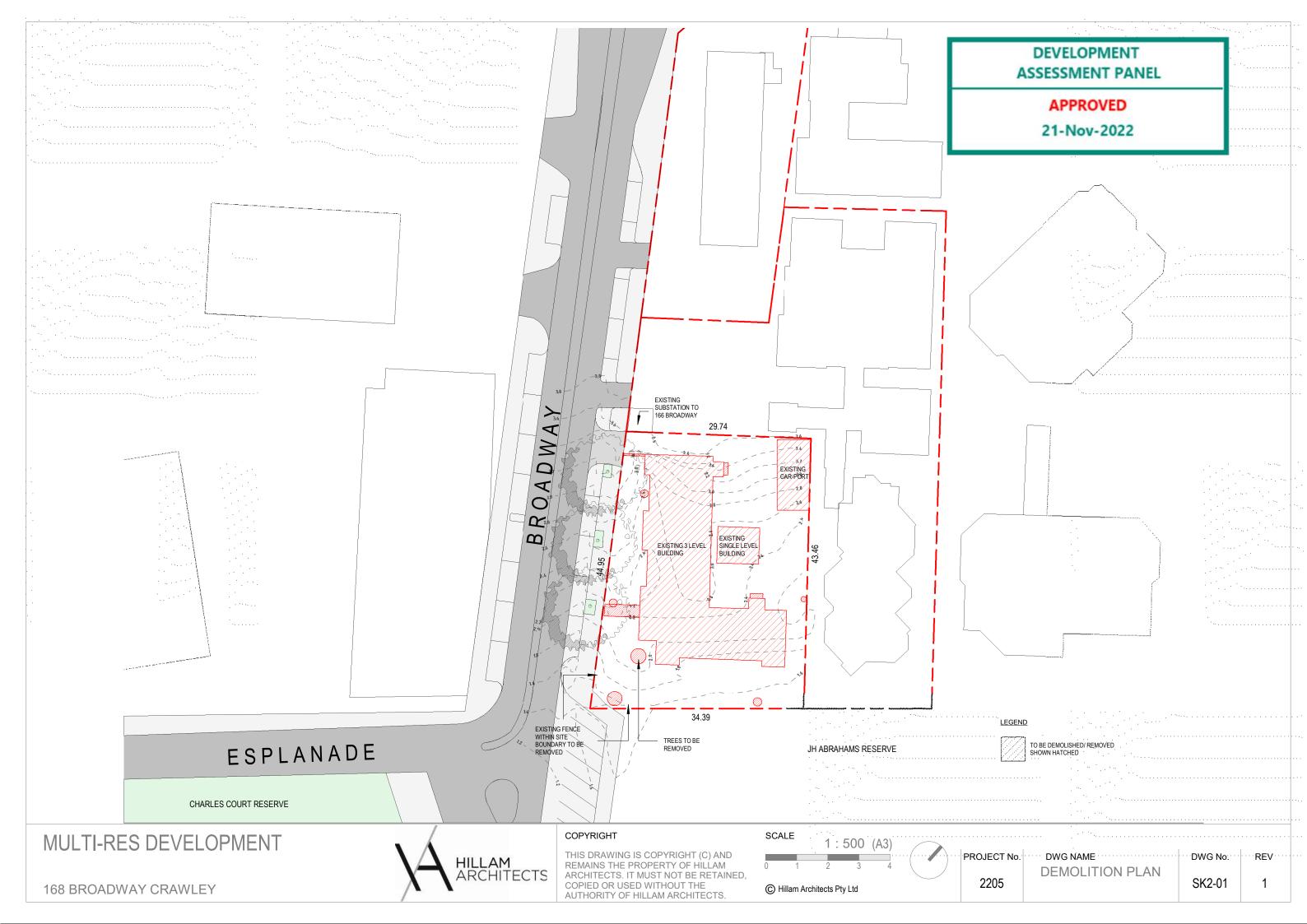
- 12. An Arboricultural Impact Statement, prepared by a suitably qualified arborist, outlining the demolition and construction methodology to ensure the protection of the existing street trees located in the road verge on Broadway, being submitted for approval by the City prior to applying for the demolition and building permits;
- 13. In the event of the development not proceeding within six months of the demolition of the existing building/s on the site, the site is to be fenced and landscaped to the satisfaction of the City in order to preserve the amenity of the area, prevent unauthorised car parking and minimise dust and sand being blown from the site. The fence and landscaping shall be maintained in a clean and tidy state:
- 14. The works referred to in the above condition, being secured by a bond/deed of agreement between the landowner/applicant and the City, to the value of the proposed works as determined by the City, with the cost of the deed to be borne by the applicant and the bond/deed being finalised to City's satisfaction prior to any demolition works being undertaken; and
- 15. Demolition and/or construction management plans for the proposal prepared in accordance with the City's pro-forma and requirements being submitted for approval by the City prior to applying for a demolition permit and/or a building permit.
- 16. Prior to occupation of the development, each multiple dwelling shall be provided with a mechanical clothes dryer or alternatively shall have an adequate area provided for drying clothes. This drying area shall be screened from view from any adjacent public place, to the satisfaction of the City of Perth.

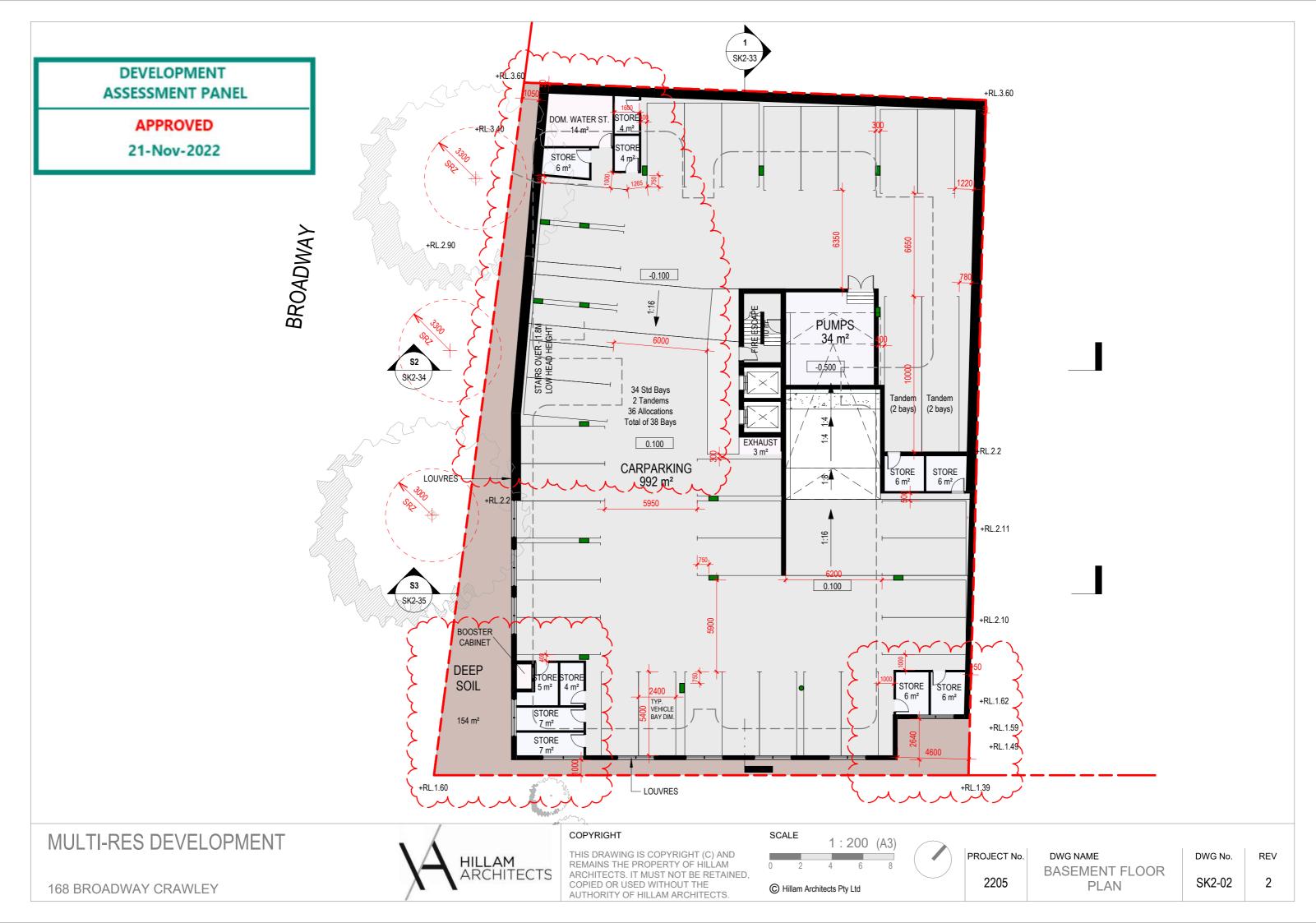
Advice Notes

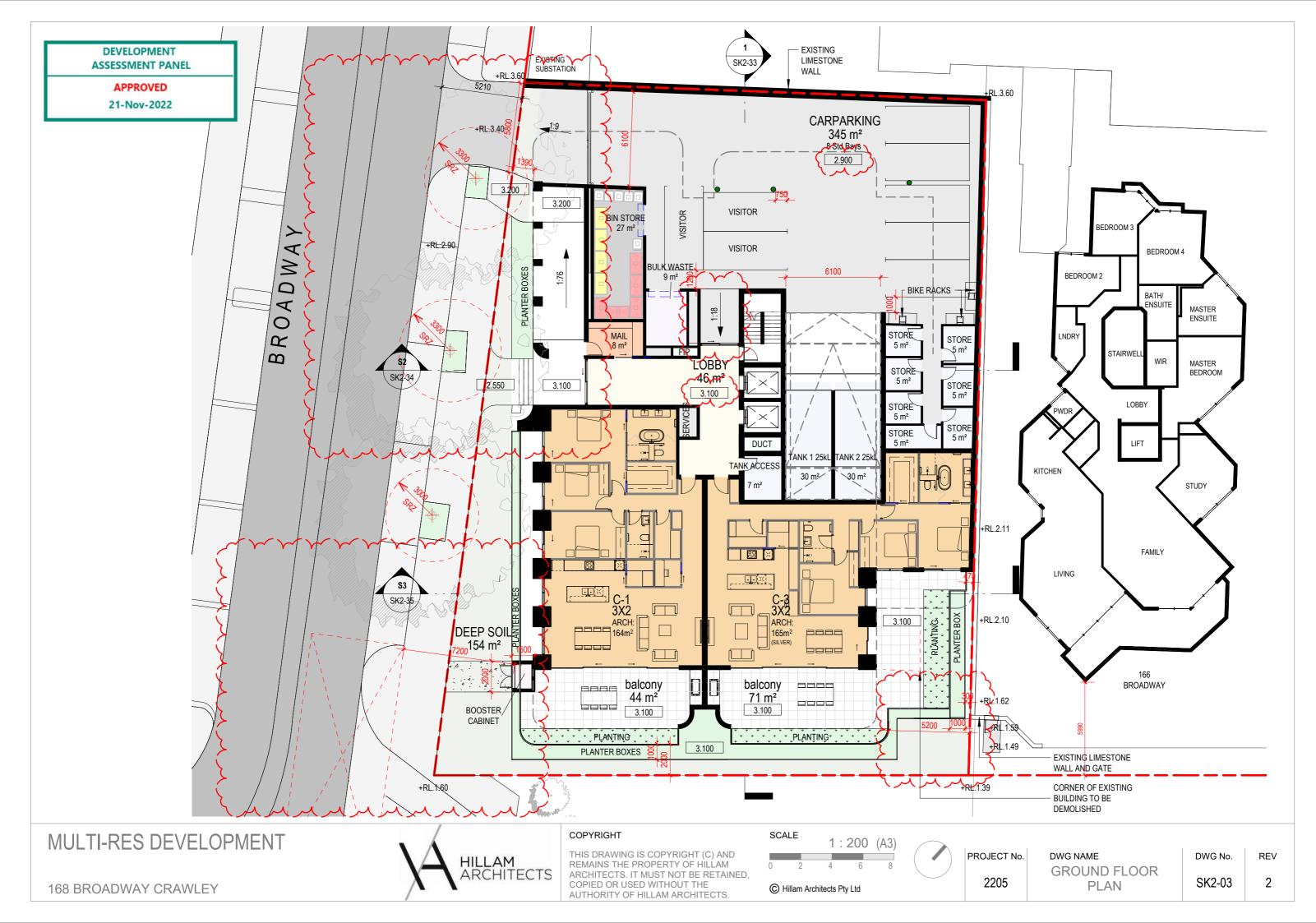
- 1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
- The final plans and details submitted to the City of Perth to satisfy the conditions
 of this approval will be verified by the City Architect and Alliance Manager of
 Development Approvals. Any substantive changes to the approved plans will
 need to be made via a Form 2 process.
- With regards to the existing adjacent street trees within the Broadway road verge, any root exploration works are to be carried out under the supervision of the City of Perth.

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) or local government approval under regulation 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

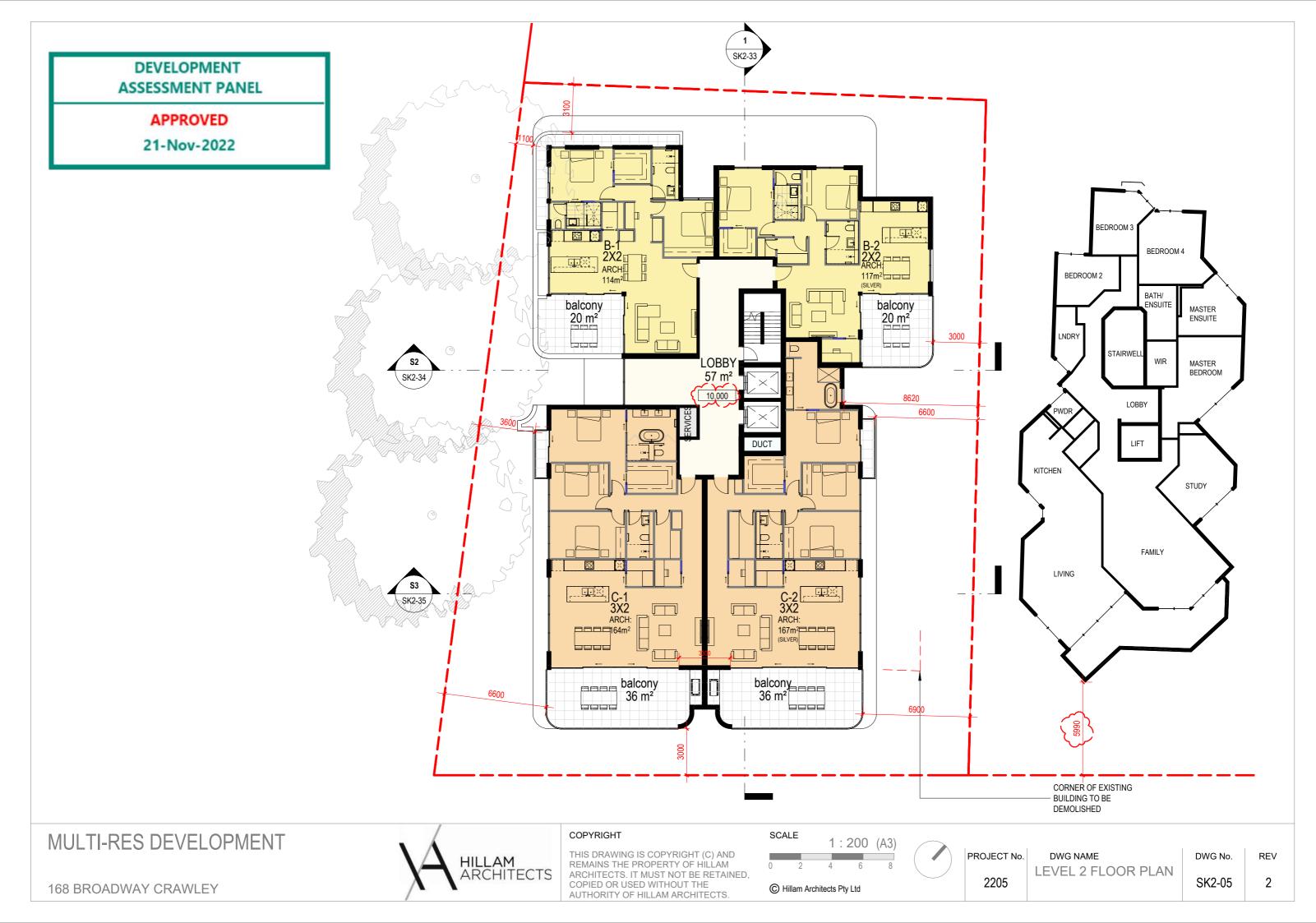








SK2-33 DEVELOPMENT ASSESSMENT PANEL GARDEN **APPROVED** 21-Nov-2022 TERRACE Ō ○ 20 m² QUIET LOUNGE MULTI-PURPOSE BEDROOM 3 LOUNGE 24 m² BEDROOM 4 GYM 87 m² 67 m² BEDROOM 2 BATH/ FORMAL DINING MASTER ENSUITE LNDRY WIR MASTER (ACCESS TO FIRE TANKS BELOW) BEDROOM SK2-34 VOID 6.550 WELLNESS LOBBY GARDEN SAUNA LIFT DUCT *APT GARDEN KITCHEN STUDY BALUSTRADE : 和 d balcony 25 m² FAMILY LIVING C-1 3X2 ARCH: ARCH: 140m² 164m² balcony balcony 36 m² 36 m² CORNER OF EXISTING BUILDING TO BE DEMOLISHED COPYRIGHT SCALE **MULTI-RES DEVELOPMENT** 1:200 (A3) THIS DRAWING IS COPYRIGHT (C) AND PROJECT No. DWG NAME DWG No. REV HILLAM REMAINS THE PROPERTY OF HILLAM LEVEL 1 FLOOR PLAN **ARCHITECTS** ARCHITECTS. IT MUST NOT BE RETAINED, 2205 SK2-04 2 COPIED OR USED WITHOUT THE 168 BROADWAY CRAWLEY C Hillam Architects Pty Ltd AUTHORITY OF HILLAM ARCHITECTS.



DEVELOPMENT ASSESSMENT PANEL **APPROVED** 21-Nov-2022 BEDROOM 3 BEDROOM 4 ARCH: BEDROOM 2 balcony balcony BATH/ 20 m² MASTER ENSUITE 3000 LNDRY LOBBY MASTER BEDROOM SK2-34 8620 13.300 6630 LOBBY DUCT LIFT KITCHEN STUDY FAMILY LIVING C-1 3X2 ARCH: C-2 3X2 ARCH: SK2-35 167m² <u> Дана</u> 164m² balcony balcony 40 m² 40 m² 6000 COPYRIGHT SCALE **MULTI-RES DEVELOPMENT** 1:200 (A3) THIS DRAWING IS COPYRIGHT (C) AND PROJECT No. DWG NAME DWG No. REV HILLAM ARCHITECTS REMAINS THE PROPERTY OF HILLAM LEVEL 3 FLOOR PLAN ARCHITECTS. IT MUST NOT BE RETAINED, 2205 SK2-06 2 COPIED OR USED WITHOUT THE AUTHORITY OF HILLAM ARCHITECTS. C Hillam Architects Pty Ltd

DEVELOPMENT ASSESSMENT PANEL APPROVED 21-Nov-2022 BEDROOM 3 BEDROOM 4 STORE 6 m² BEDROOM 2 BATH/ ENSUITE balcony MASTER COMMS 11 m² 20 m² ENSUITE LNDRY LOBBY MASTER 52 m² BEDROOM SK2-34 16.600 LOBBY LIFT DUCT KITCHEN STUDY 個 d FAMILY LIVING C-2 3X2 ARCH: 167m² C-1 3X2 ARCH: SK2-35 balcony balcony ==== 5800 40 m² 40 m² 6000 COPYRIGHT SCALE **MULTI-RES DEVELOPMENT** 1:200 (A3) THIS DRAWING IS COPYRIGHT (C) AND PROJECT No. DWG NAME DWG No. REV HILLAM ARCHITECTS REMAINS THE PROPERTY OF HILLAM LEVEL 4 FLOOR PLAN ARCHITECTS. IT MUST NOT BE RETAINED,

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SK2-07

2

DEVELOPMENT ASSESSMENT PANEL

APPROVED

21-Nov-2022



MULTI-RES DEVELOPMENT

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PROJECT No. DWG NAME LEVEL 5 FLOOR PLAN

2205

DWG No.

SK2-08

REV

2

DEVELOPMENT ASSESSMENT PANEL

APPROVED

21-Nov-2022



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PROJECT No. DWG NAME LEVEL 6 FLOOR PLAN

DWG No.

SK2-09

REV

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DEVELOPMENT ASSESSMENT PANEL **APPROVED** 21-Nov-2022



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LEVEL 7 FLOOR PLAN

SK2-10

2

DEVELOPMENT ASSESSMENT PANEL **APPROVED** - PARAPET WALL INDICATIVE SOLAR 21-Nov-2022 PANEL LOCATIONS PLANT 73 m² INDICATIVE PLANT SIZE AND LOCATION WITH SCREENING INDICATIVE CARPARK EXHAUST FAN 2° -GUTTER GUTTER **MULTI-RES DEVELOPMENT** COPYRIGHT SCALE 1:200 (A3) THIS DRAWING IS COPYRIGHT (C) AND PROJECT No. DWG NAME DWG No. REV HILLAM ARCHITECTS REMAINS THE PROPERTY OF HILLAM **ROOF PLAN** ARCHITECTS. IT MUST NOT BE RETAINED,

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SK2-11



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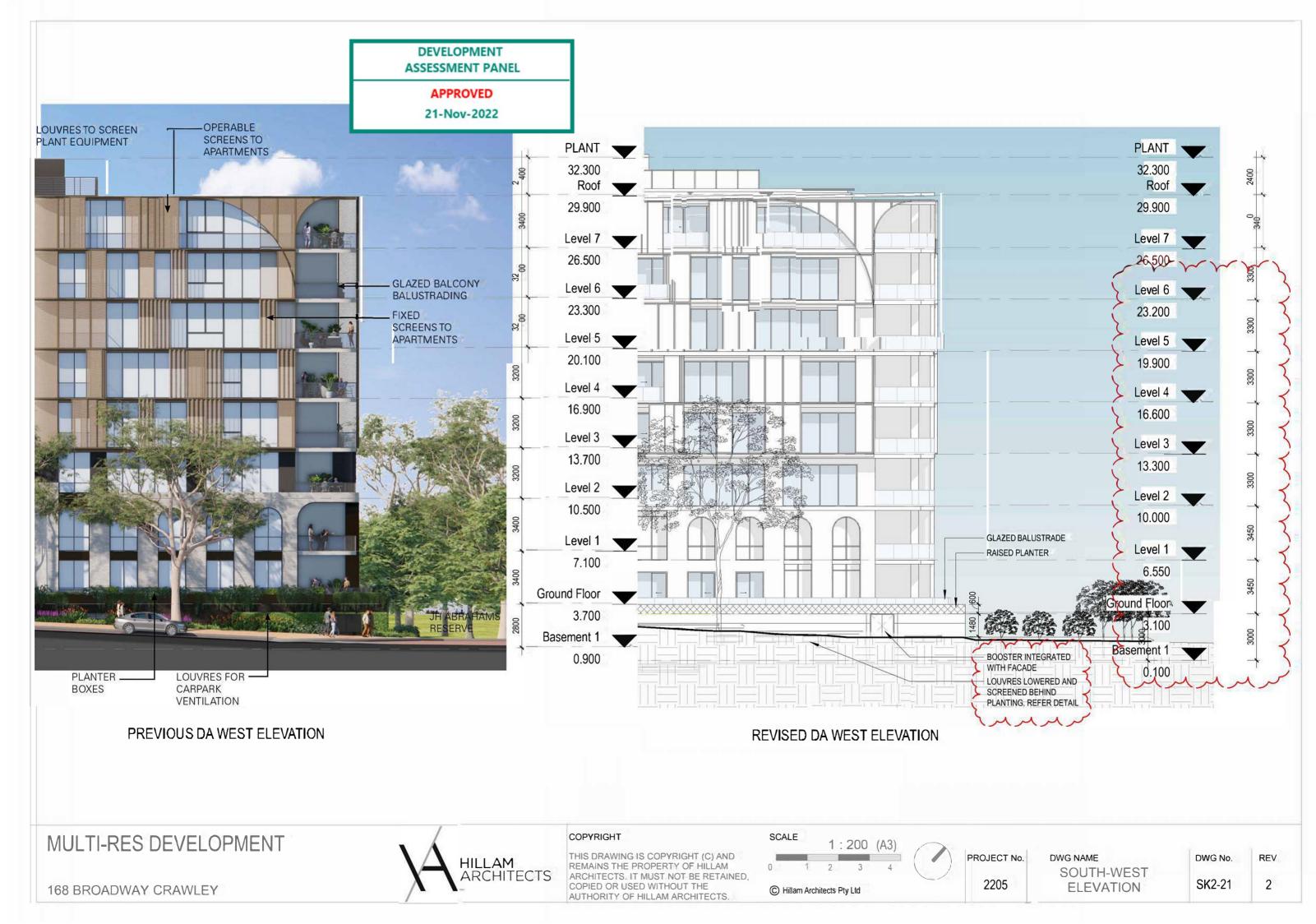
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ELEVATION

3





APPROVED

21-Nov-2022



MULTI-RES DEVELOPMENT



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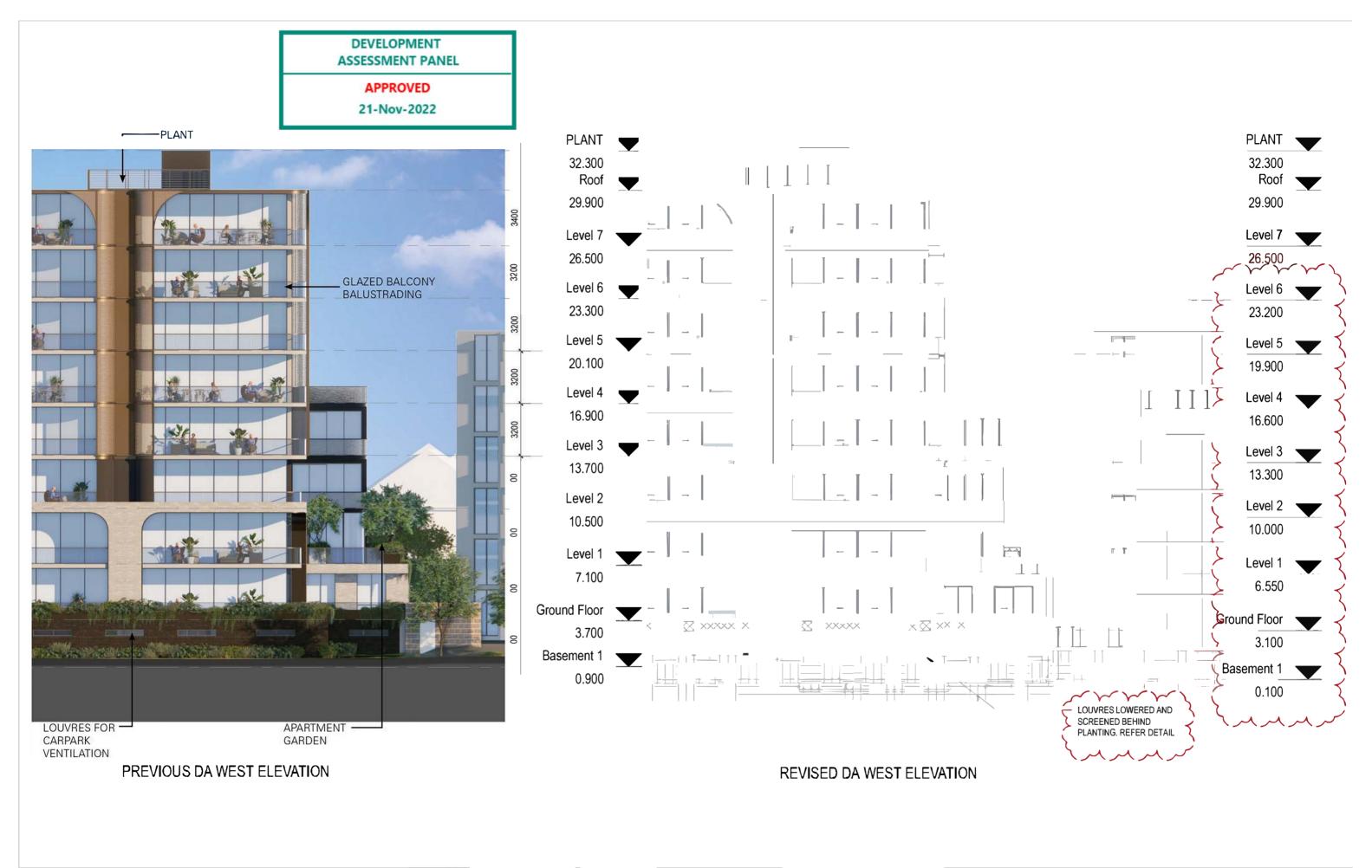
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DWG NAME SOUTH-EAST ELEVATION DWG No.

SK2-22

REV

3





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SK2-22



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DWG NAME NORTH - EAST ELEVATION DWG No. REV

SK2-23

2



MULTI-RES DEVELOPMENT



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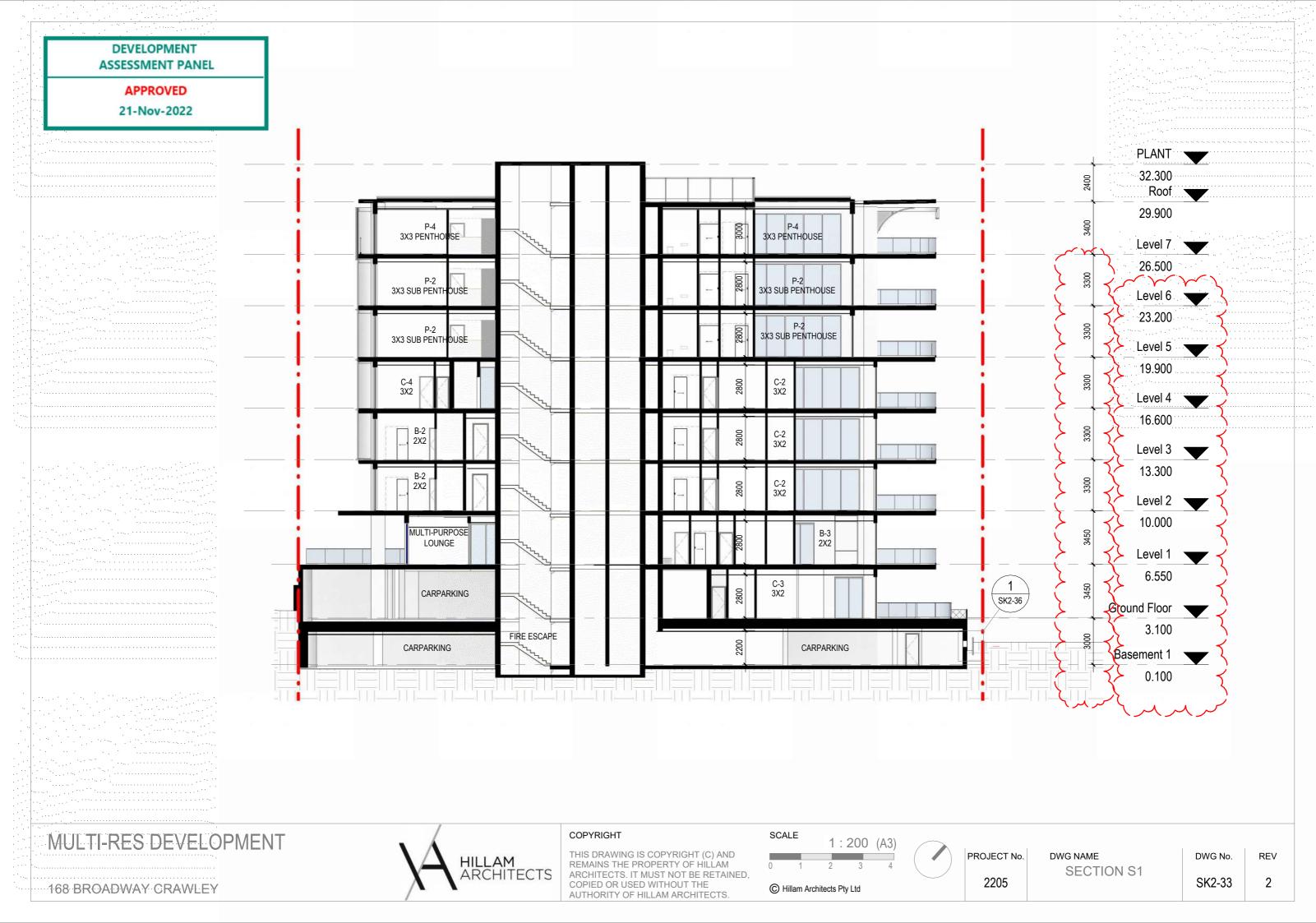


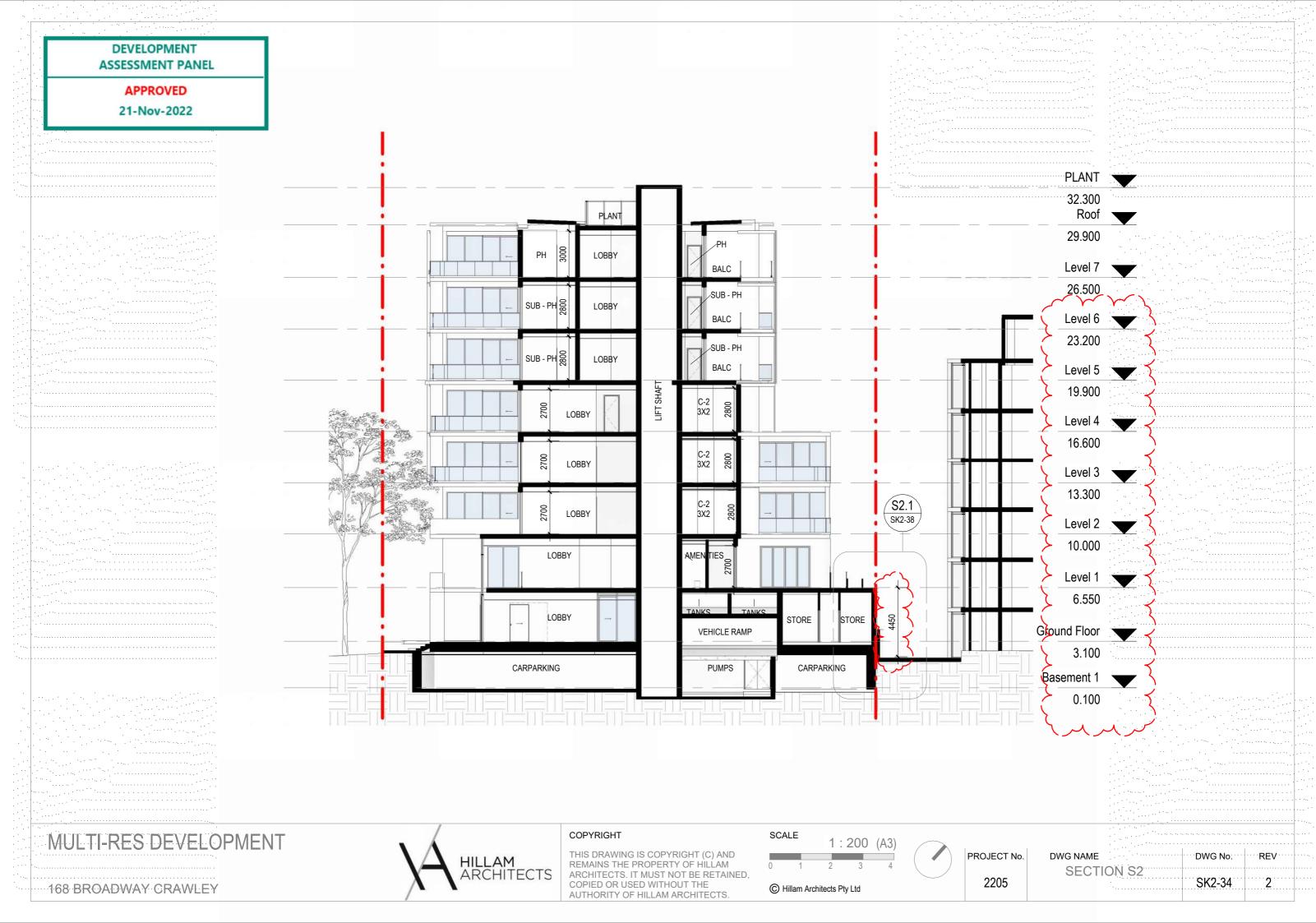
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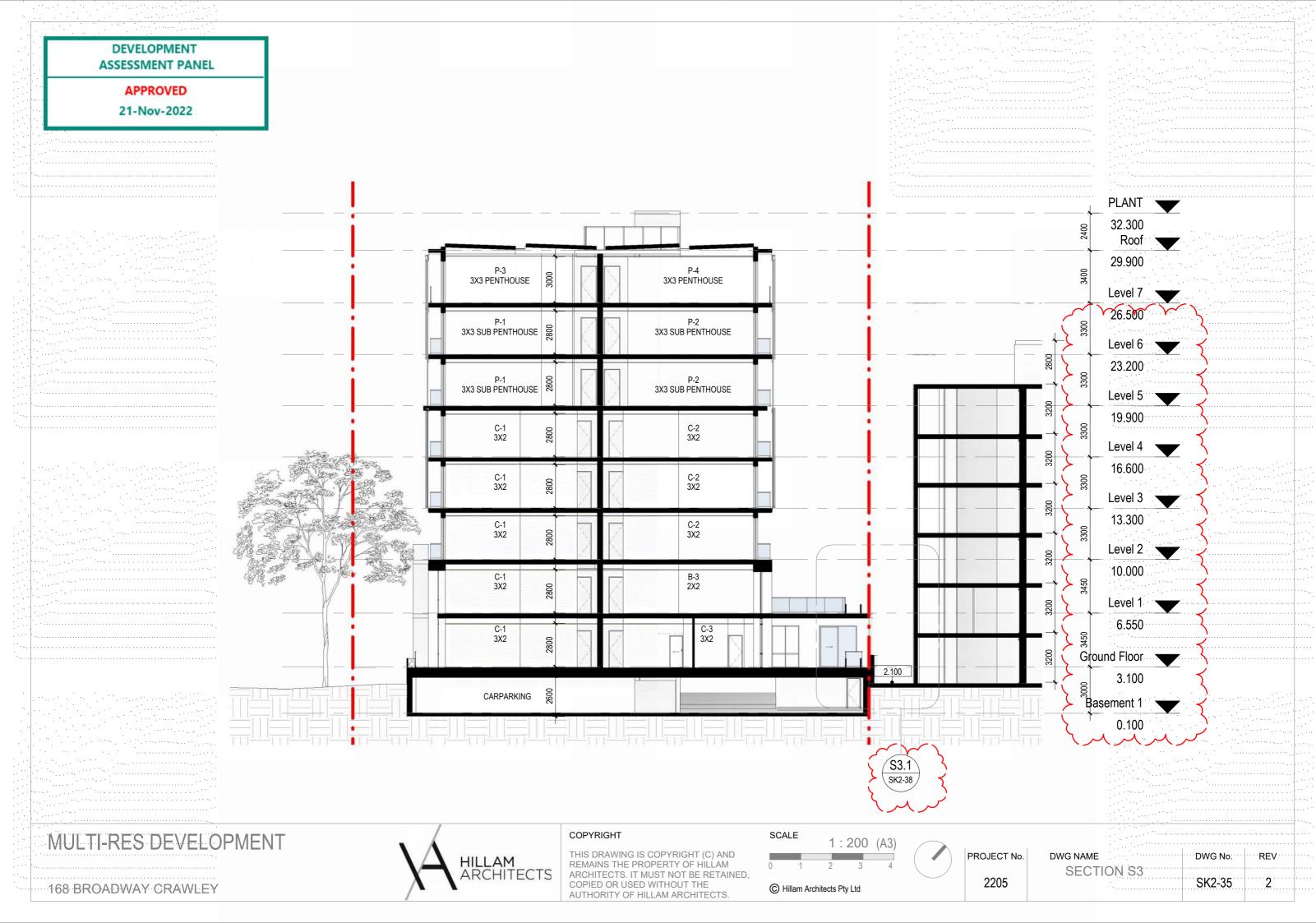
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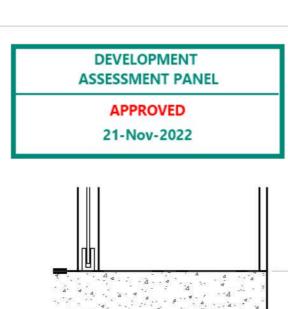
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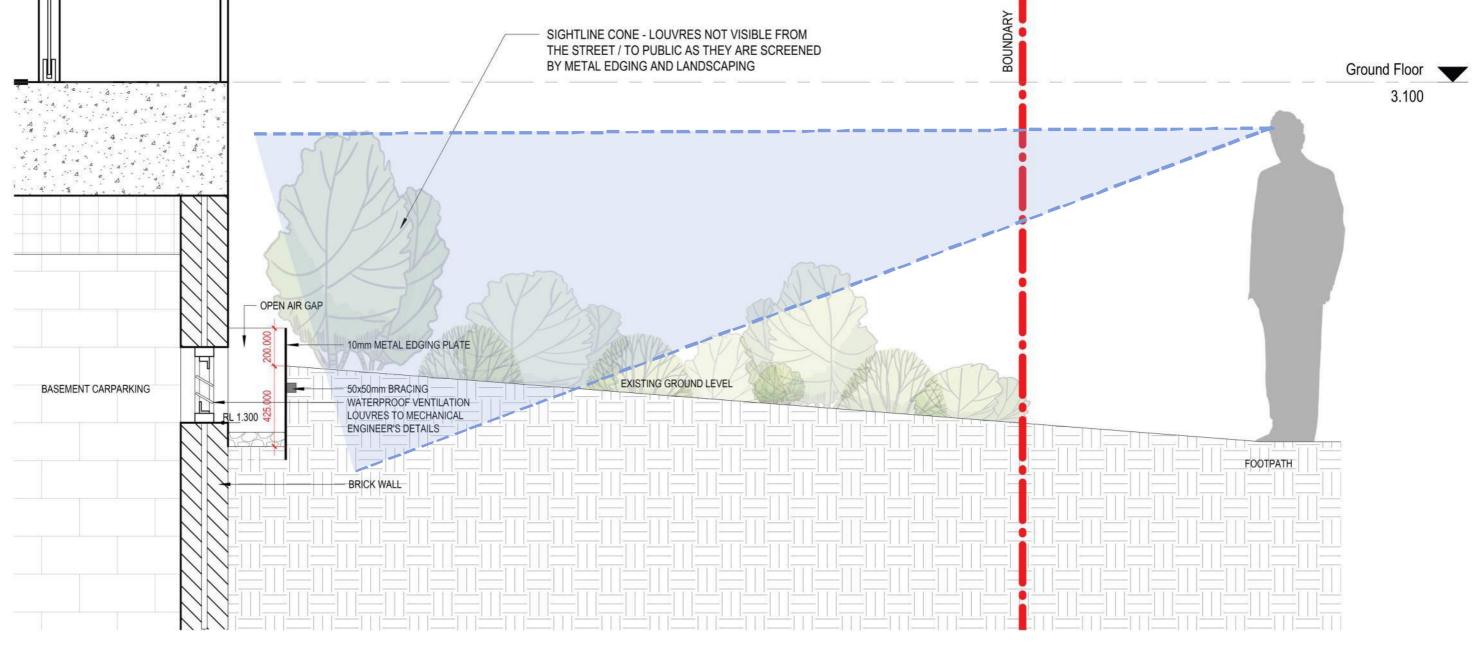
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TYPICAL SCHEMATIC BASEMENT LOUVRE SECTION

1:20



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PROJECT No. 2205

DWG NAME TYPICAL BASEMENT LOUVRE SECTION

DWG No. REV 1

SK2-36

