



Perth Local Development Assessment Panel Agenda

Meeting Date and Time: Tuesday, 17 October 2023; 9.30am
Meeting Number: PLDAP/128
Meeting Venue: City of Perth
Committee Room 1, Council House
27 St Georges Terrace, Perth

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Attendance

DAP Members

Jarrold Ross (A/Presiding Member)
Lindsay Baxter (A/Deputy Presiding Member)
Diana Goldswain (Third Specialist Member)
Cr Catherine Lezer (Local Government Member, City of Perth)
Cr Viktor Ko (Local Government Member, City of Perth)

Officers in attendance

Michael Croke (City of Perth)
Amie Groom (City of Perth)
Julia Kingsbury (City of Perth)

Minute Secretary

Anne-Marie Bartlett (City of Perth)

Applicants and Submitters

Item 8.1

Nik Hidding (Hidding Urban Planning)

Item 8.2

Matthew Filov (Urbis Pty Ltd)
Belinda Moharich (Moharich and More Planning and Environment Law)

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)

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

The A/Presiding Member notes an addendum to the agenda was published to include details of a DAP request for further information and responsible authority response in relation to Item 8.2, received on 16 October 2023.



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	8.2	Direct Pecuniary Interest – The application is being facilitated by Urbis and Ray Haeren is a partner of Urbis.

7. Deputations and Presentations

- 7.1** Nik Hidding (Hidding Urban Planning) presenting against the recommendation for the application at Item 8.1. The presentation will address the recommendation for refusal.
- 7.2** Belinda Moharich (Moharich and More Planning and Environment Law) presenting against the recommendation for the application at Item 8.2. The presentation will address the need for additional, more specific conditions of development approval.
- 7.3** Matthew Filov (Urbis) presenting in support of the recommendation for the application at Item 8.2. The presentation will address proposed alterations and additions to the development.

The City of Perth may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 20 (No.141) Wellington Street, East Perth

Development Description: Proposed Convenience Store
Applicant: Hidding Urban Planning
Owner: Perth OHP Pty Ltd
Responsible Authority: City of Perth
DAP File No: DAP/22/02372

8.2 Lot H17 (No.437 - 439) Murray Street, Perth

Development Description: Alterations and Additions to Existing Tavern
Applicant: Australian Venue Co C/O Urbis Pty Ltd
Owner: Lockney Pty Ltd
Responsible Authority: City of Perth
DAP File No: DAP/23/02509

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

Nil.



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 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



Direction for Further Services from the Responsible Authority

Regulation 13(1) and DAP Standing Orders 2020 cl. 3.3

Guidelines

A DAP Member who wishes to request further services (e.g. technical information or alternate recommendations) from the Responsible Authority must complete this form and submit to daps@dph.wa.gov.au.


The request will be considered by the Presiding Member and if approved, the Responsible Authority will be directed to provide a response to DAP Secretariat within the form.

It is important to note that **the completed form containing the query, response and any accompanying documentation will be published on the DAP website** as an addendum to the meeting agenda.

DAP Application Details

DAP Name	PLDAP/128
DAP Application Number	DAP/23/02509
Responsible Authority	City of Perth
Property Location	Lot H17 (No.437 - 439) Murray Street, Perth

Presiding Member Authorisation

A/Presiding Member Name	Jarrod Ross
Signature	
Date	16 October 2023
Response Due	16 October 2023; 3pm

Nature of technical advice or information required*

1	DAP query	Can the city please provide a response to the three requested changes to conditions included in Moharich and More's deputation request?
	Response	<p><u>Condition 7 – Noise</u></p> <p>In response to the potential for adverse noise emissions from the roof top area, the City has recommended Condition 7, which limits the noise from sources of entertainment to ambient or background level only as recommended in the amended Acoustic Report dated July 2023.</p> <p>Noise modelling for the proposed venue concluded that in order for the venue to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>, any music must be limited to background noise levels only, being no greater than 73 dB(A).</p> <p>As such, the City has no objection to specifically noting the maximum noise level as part of an amended condition to give certainty for the venue operator and adjoining occupants of the acceptable noise levels within the roof top area.</p>

* Any alternate recommendation sought does not infer a pre-determined position of the panel.

		<p><i>Music levels within the rooftop area being limited to ambient or background levels where normal conversations can occur, with any music amplification system for the rooftop area being fitted with a volume limiter to ensure amplified music levels do not exceed 73 dB(A) in order to comply with the Environmental Protection (Noise) Regulations 1997, to the satisfaction of the City.</i></p> <p><u>Condition 8 – Venue Management</u></p> <p>As discussed in the RAR, the site is located in the City Centre use area of the Citiplace Precinct. The vision for this area is to accommodate a mix of uses that will add to both the activity and vibrancy of the area during the day and night. The proposal is considered to contribute to vision for the area and can be reasonably managed so it can co-exist with current and future uses in the immediate area.</p> <p>In response to the request to restrict vehicle movements related to deliveries and waste collection in order to minimise noise impacts and conflicts with pedestrians associated with the future use of 441-445 Murray Street, the City can provide the following response:</p> <ul style="list-style-type: none"> • The subject site is located in a mixed use area, with Entertainment being a preferred use in the area. The adjoining site at 441-445 Murray Street is not considered to be a specifically 'sensitive' land use, like for example, a residential (or other accommodation use) development where deliveries and waste collection may need to be managed to reduce conflict between such uses specifically at night time / early morning when there is less ambient noise and the priority in the area is to protect residential amenity. • The site is constrained to managing deliveries and waste via an existing arrangement due to the existing ground level development and surrounding development (land adjacent to the east is part of 419 Murray Street and not a 'laneway'). • The applicant submitted a Waste Management plan for the venue which satisfies the City's requirements. • The proposed development at 441-445 Murray Street, at ground level, immediately adjacent to the proposed Tavern, features a vehicle driveway, plant areas, the main service core (lifts, stairs, fire exit) and bathrooms. • There are two dedicated public loading zones (bays) in close proximity to the site, with one loading zone (bay) being located immediately in front of 441-445 Murray Street. These facilities assist all businesses in the immediate area with deliveries to and from their properties and could potentially contribute to the concerns raised by 441-445 Murray Street. • The City currently provides waste services to other buildings in the immediate area during both the day and at night time depending on the type of waste generated and the required frequency of collection. <p>Given the above, it is not considered reasonable to restrict the movement of delivery and waste vehicles to the hours proposed by the neighbour for this particular development and as such the City does not support the proposed amendments to Condition 8.</p> <p>Notwithstanding the above, the City did acknowledge that there was limited information pertaining to servicing the venue in the Venue</p>
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OFFICIAL

		Management Plan and has requested, via Condition 8 and Advice Note 2, that the applicant provide details as part of a final Venue Management Plan prior to the submission of a building permit.
2	DAP query	Can the City please provide a copy of the Waste Management Plan referenced in proposed Condition 9 and listed as Attachment B to the Venue Management Plan (which is included as Attachment 4 to Item 8.2)?
	Response	Copy of the Waste Management Plan attached as requested.



Waste Management Plan

437 Murray Street, Perth

Prepared for AVC Operations Pty Ltd

26 July 2023

Project Number: WMP23051

DOCUMENT CONTROL

Version	Description	Date	Author	Reviewer	Approver
1.0	First Approved Release	26/07/2023	DP	AB	AB

Approval for Release

Name	Position	File Reference
Ann Brouwer	Project Manager – Waste Management Consultant	WMP23051-01_Waste Management Plan_1.0
Signature		

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Executive Summary

AVC Operations Pty Ltd is seeking development approval for the proposed alterations and additions to the commercial development located at 437 Murray Street, Perth (the Proposal).

To satisfy the conditions of the development application the City of Perth (the City) requires the submission of a Waste Management Plan (WMP) that will identify how waste is to be stored and collected from the Proposal. Talis Consultants has been engaged to prepare this WMP to satisfy the City's requirements.

A summary of the bin size, numbers, collection frequency and collection method is provided in the below table.

Proposed Waste Collection Summary

Waste Type	Generation (L/week)	Bin Size (L)	Number of Bins	Collection Frequency	Collection
Refuse	9,346	1,100	Two	Five times each week	City of Perth
Recycling	2,307	240	Two	Five times each week	City of Perth

The City will collect refuse and recyclables from the verge of Murray Street, where bins will be presented by venue staff.

The building manager/venue staff will oversee the relevant aspects of waste management at the Proposal.

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1 Introduction

AVC Operations Pty Ltd is seeking development approval for the proposed alterations and additions to the commercial development located at 437 Murray Street, Perth (the Proposal).

To satisfy the conditions of the development application the City of Perth (the City) requires the submission of a Waste Management Plan (WMP) that will identify how waste is to be stored and collected from the Proposal. Talis Consultants has been engaged to prepare this WMP to satisfy the City's requirements.

The Proposal is bordered by Murray Street to the north, laneway to the east, and commercial developments to the south and west, as shown in Figure 1.

1.1 Objectives and Scope

The objective of this WMP is to outline the equipment and procedures that will be adopted to manage waste (refuse and recyclables) at the Proposal. Specifically, the WMP demonstrates that the Proposal is designed to:

- Adequately cater for the anticipated volume of waste to be generated;
- Provide an adequately sized Bin Storage Area, including appropriate bins; and
- Allow for efficient collection of bins by appropriate waste collection vehicles.

To achieve the objective, the scope of the WMP comprises:

- Section 2: Waste Generation;
- Section 3: Waste Storage;
- Section 4: Waste Collection;
- Section 5: Waste Management; and
- Section 6: Conclusion.

2 Waste Generation

The following section shows the waste generation rates used and the estimated waste volumes to be generated at the Proposal.

2.1 Proposed Tenancies

The anticipated volume of refuse and recyclables is based on the floor area (m²) of the commercial tenancies at the Proposal. The Proposal consists of the following:

- Main Bar – 126m²;
- Courtyard – 128m²;
- Booth Seating Area – 42m²;
- Dining – 163m²; and
- Rooftop – 200m².

2.2 Waste Generation Rates

In order to achieve an accurate projection of waste volumes for the Proposal, consideration was given to the City of Perth's *Waste Guidelines for New Developments* (Revision 5, effective from June 2019).

Table 2-1 shows the waste generation rates which have been applied to the Proposal.

Table 2-1: Waste Generation Rates

Tenancy Use Type	City's Guideline Reference	Refuse Generation Rate	Recycling Generation Rate
Main Bar, Courtyard, Booth Seating Area and Rooftop	Licensed Club, Tavern, Small Bar (without dining)	50L/100m ² /day	50L/100m ² /day
Dining	Licensed Club, Tavern, Small Bar (with dining)	667L/100m ² /day	50L/100m ² /day

2.3 Waste Generation Volumes

Waste generation is estimated by volume in litres (L) as this is generally the influencing factor when considering bin size, numbers and storage space required.

Waste generation volumes in litres per week (L/week) adopted for this waste assessment is shown in Table 2-2. It is estimated that the Proposal will generate 9,346L of refuse and 2,307L of recyclables each week.

Table 2-2: Estimated Waste Generation

Tenancy Use Type	Area (m ²)	Waste Generation Rate (L/100m ² /day)	Waste Generation (L/week)
Refuse			
Main Bar	126	50	441
Courtyard	128	50	448
Booth Seating Area	42	50	147
Dining	163	667	7,610
Rooftop	200	50	700
Total			9,346
Recyclables			
Main Bar	126	50	441
Courtyard	128	50	448
Booth Seating Area	42	50	147
Dining	163	50	571
Rooftop	200	50	700
Total			2,307

3 Waste Storage

Waste materials generated within the Proposal will be collected in the bins located in the Bin Storage Area, as shown in Figure 2, and discussed in the following sub-sections.

3.1 Internal Transfer of Waste

To promote positive recycling behaviour and maximise diversion from landfill, internal bins will be available throughout the Proposal for the source separation of refuse and recycling.

These internal bins will be collected by the staff/cleaners and transferred to the Bin Storage Area for consolidation into the appropriate bins, as required. This internal servicing method may be conducted outside of main operational hours to mitigate disturbances to visitors.

All bins will be colour coded and labelled in accordance with Australian Standards (AS 4123.7) to assist staff and cleaners to dispose of their separate waste materials in the correct bins.

3.2 Bin Sizes

Table 3-1 gives the typical dimensions of standard bins sizes that may be utilised at the Proposal. It should be noted that these bin dimensions are approximate and can vary slightly between suppliers.

Table 3-1: Typical Bin Dimensions

Dimensions (mm)	Bin Sizes		
	240L	660L	1,100L
Height	1,060	1,200	1,390
Depth	730	770	1,090
Width	550	1,360	1,360

Reference: City of Perth Waste Guidelines for New Developments (Revision 5, June 2019)

3.3 Bin Storage Area Size

To ensure sufficient area is available for storage of the bins, the amount of bins required for the Bin Storage Area was modelled utilising the estimated waste generation in Table 2-2, bin sizes in Table 3-1 and based on collection of refuse and recyclables five times each week.

Based on the results shown in Table 3-2 the Bin Storage Area has been sized to accommodate:

- Two 1,100L refuse bins; and
- Two 240L recycling bins.

Table 3-2: Bin Requirements for Bin Storage Area

Waste Stream	Waste Generation (L/week)	Number of Bins Required		
		240L	660L	1,100L
Refuse	9,346	8	3	2
Recycling	2,307	2	1	1

The configuration of these bins within the Bin Storage Area is shown in Figure 2. It is worth noting that the number of bins and corresponding placement of bins shown in Figure 2 represents the maximum requirements assuming five collections each week of refuse and recyclables.

3.4 Bin Storage Area Design

The design of the Bin Storage Area will take into consideration:

- Sufficient space provided for bins and associated equipment to manage all waste and recyclables likely to be generated on the premises between collections and to allow enough room for the bins to sit next to each other;
- Capacity to hold a minimum of 24hrs worth of waste generation;
- Capacity to allow all bins to be easily moved and washed/cleaned;
- Personnel access ways a minimum width of 800mm wide;
- Adequate spacing between bins and walls (minimum 50mm);
- Mains water supply and sewer plumbed drainage outlets to allow for the washing of all room surfaces and for the cleaning of bins as required;
- Containing a smooth and impervious floor of not less than 75 millimetres in thickness;
- Smooth and impervious floor and walls to allow for washing of room surfaces;
- A minimum 1,100mm in width opening to allow easy removal and return of all bin sizes*;
- Access doors with ability to be able to be locked open; and
- Appropriate signage.

Bin numbers and storage space within the Bin Storage Area will be monitored by the building manager/venue staff during the operation of the Proposal to ensure that the number of bins and collection frequency is sufficient.

*Architectural plans are still being developed and will be adapted to include a 1,100mm in width opening to the Bin Storage Area.

4 Waste Collection

The City will service the Proposal and provide two 1,100L bins for refuse and two 240L bins for recyclables.

The City will collect refuse and recyclables five times each week utilising a rear loader waste collection vehicle.

The City's rear loader waste collection vehicle will service the bins from the Bin Presentation Area on Murray Street, as shown in Diagram 1. The building manager/venue staff will ferry the bins to and from the Bin Storage Area and the Bin Presentation Area for collection. The City's rear loader waste collection vehicle will travel with left hand lane traffic flow on Murray Street and pull up beside the bins for servicing.

It is proposed that servicing will be conducted outside of peak traffic hours to mitigate impacts on local traffic movements.

Once servicing is complete the City's rear loader waste collection vehicle will exit in a forward motion, pulling out onto Murray Street moving with traffic flow. Once the bins have been emptied the building manager/venue staff are responsible to take the bins back to the Bin Storage Area as soon as possible.

The City has an endorsed a Noise Management Plan (NMP) that allows areas of the City to be serviced by the City Waste and Cleaning Unit to operate outside the Environmental Protection (Noise) Regulations.

Diagram 1: Bin Presentation Area



4.1 Bulk and Speciality Waste

Bulk and speciality waste materials will be removed from the Proposal as they are generated on an 'as required' basis, through the assistance of the building manager.

These may include items such as:

- Refurbishment wastes from fit outs;
- Batteries and E-wastes;
- White goods/appliances;
- Used Cooking Oil;
- Cleaning chemicals; and
- Commercial Light globes.

5 Waste Management

The building manager/venue staff will be engaged to complete the following tasks:

- Monitoring and maintenance of bins and the Bin Storage Area;
- Cleaning of bins and Bin Storage Area, when required;
- Ferrying of bins to and from the Bin Storage Area and Bin Presentation Area on collection days;
- Ensure all staff and cleaners at the Proposal are made aware of this WMP and their responsibilities thereunder;
- Monitor staff and cleaners' behaviour and identify requirements for further education and/or signage;
- Monitor bulk and speciality waste accumulation and assist with its removal, as required;
- Regularly engage with staff and cleaners to develop opportunities to reduce waste volumes and increase resource recovery; and
- Regularly engage with the City to ensure efficient and effective waste service is maintained.

6 Conclusion

As demonstrated within this WMP, the Proposal provides a sufficiently sized Bin Storage Area for storage of refuse and recyclables, based on the estimated waste generation volumes and suitable configuration of bins. This indicates that an adequately designed Bin Storage Area has been provided, and collection of refuse and recyclables can be completed from the Proposal.

The above is achieved using:

- Two 1,100L refuse bins, collected five times each week; and
- Two 240L recycling bins, collected five times each week.

The City will collect refuse and recyclables from the verge of Murray Street, where bins will be presented by venue staff.

The building manager/venue staff will oversee the relevant aspects of waste management at the Proposal.

Figures

Figure 1: Locality Plan

Figure 2: Bin Storage Area



LEGEND

Site Boundary

Cadastre

Crown Allotment

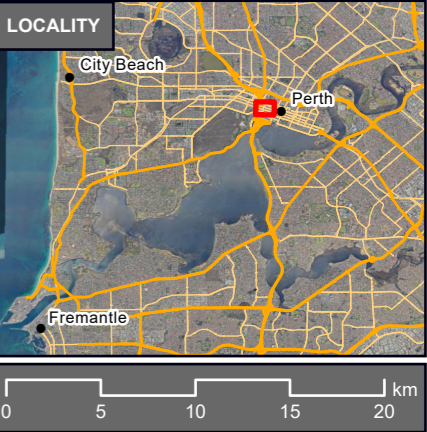
Freehold

Road

Strata Plan or Lot

Easement

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LOCALITY

437 Murray Street
Perth WA 6000

Australian Venue Co.

N

05101520

m

Coordinate System: GDA2020 MGA Zone 50

Scale @ A3: 1:500

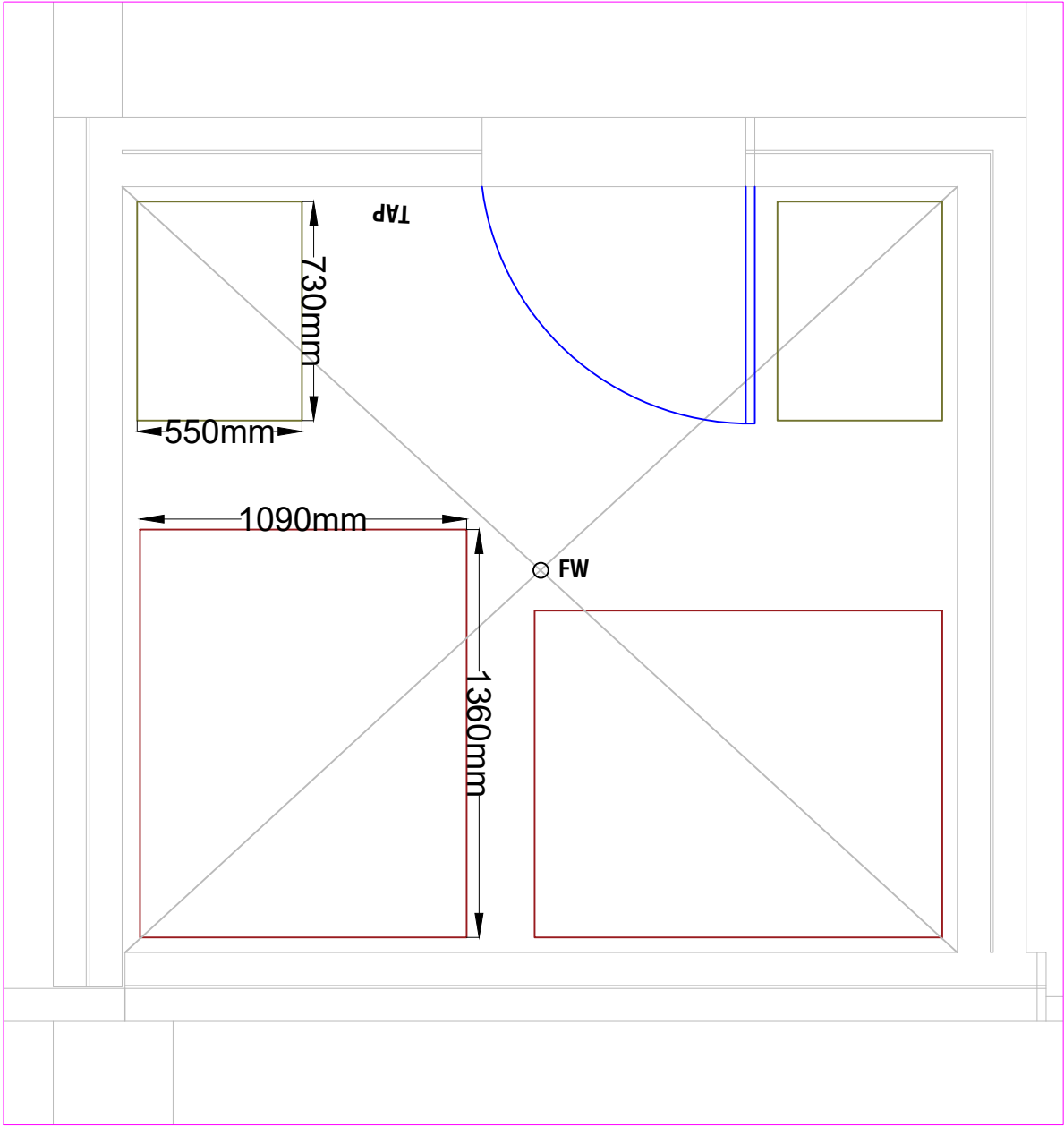
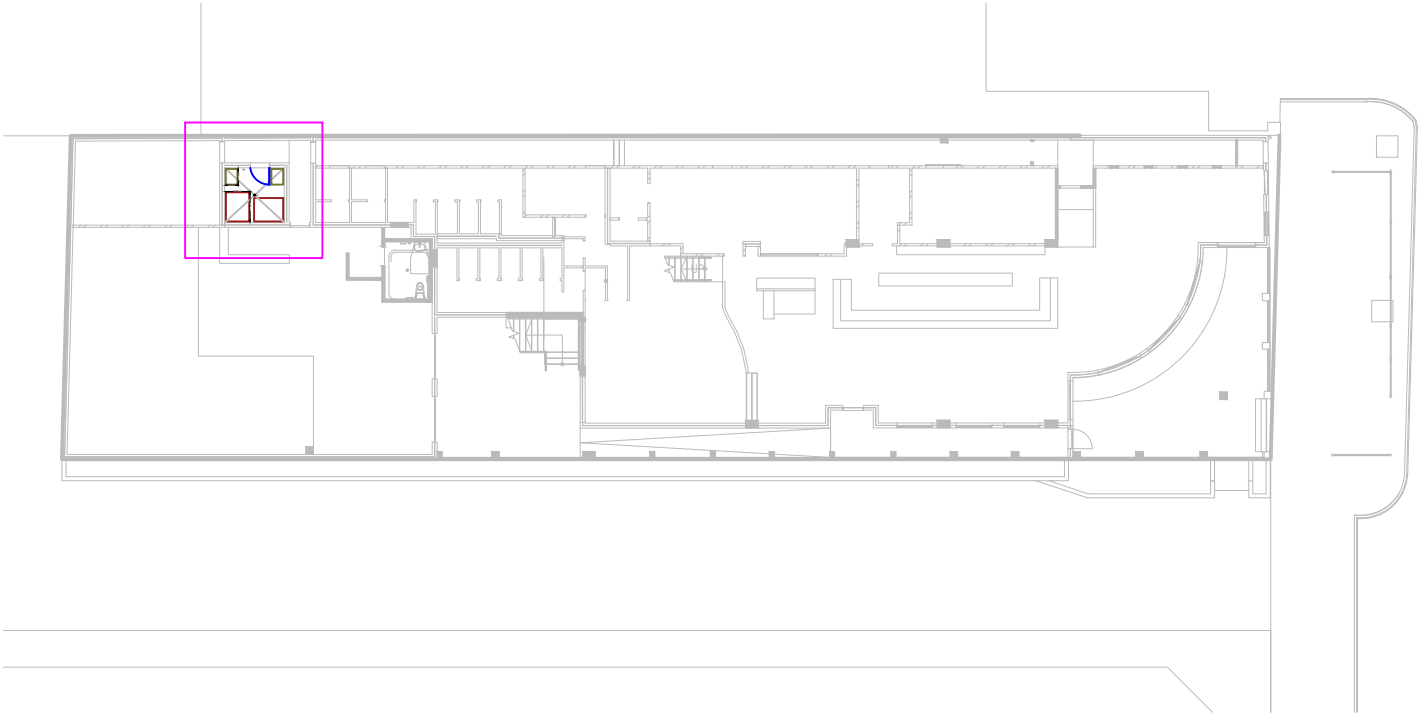
Prepared:	E Jackson	Date:	12/07/2023
Reviewed:	A Brouwer	Revision:	A
Project:	WMP23051		

The logo for Talis Consultants, featuring a stylized 't' and the company name.

Figure 01

Bin Storage Area

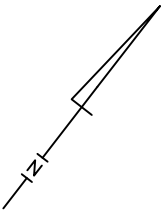
MURRAY STREET



Legend:

Bin Storage Area

- 2 x 1,100L refuse (1,090mm x 1,360mm)
- 2 x 240L recycling (550mm x 730mm)





Assets | Engineering | Environment | Noise | Spatial | Waste

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Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Nik Hidding
Company (if applicable)	Hidding Urban Planning
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Perth Local DAP
Meeting Date	Tuesday 17 th October 2023
DAP Application Number	DAP/22/02372
Property Location	141 Wellington Street, East Perth
Agenda Item Number	8.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT <input type="checkbox"/> AGAINST <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Will the presentation require power-point facilities?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please attach



Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> The recommendation for refusal and will respectfully seek the LDAP to defer consideration of the application to a later date to allow for alternate design options to be formally assessed by the Responsible Authority.
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

Hidding Urban Planning acts for PC Infrastructure Pty Ltd, proponent for the proposed Convenience Store at 141 Wellington Street, East Perth.

We have reviewed the Responsible Authority Report (RAR) and note the recommendation for refusal.

However, we respectfully seek for the LDAP to put forward a procedural motion to defer consideration of the application to a later date, to allow revised plans and additional information to be submitted to respond to the City's concerns outlined in the RAR.

The proponent, architect and officers of the City of Perth met on site on 29th August 2023 to discuss site conditions and possible design changes that could be made.

During September 2023, the architect had prepared a number of proposals to develop further, but ultimately there was not enough time to submit complete documentation in time for it to be assessed before the RAR cut-off date.

The proponent remains committed to developing a proposal that addresses the City's concerns, and we would respectfully seek further time to do this (through a deferral), rather than going down the pathway of an appeal on a refusal determination.

To demonstrate that the proponent has been working on an alternate designs, I will be able to provide conceptual plans on the day of the Meeting.

The architect has been reviewing the design to address the key issues raised by the City, being built form, site planning and extent of signage.

Accordingly, we would respectfully seek the LDAP to defer the application for a period of at least 3 months, or a longer period if the City requires, to allow the alternate plans and revised information to be assessed by the City.

Nik Hidding

Director, Hidding Urban Planning



Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Belindal Moharich
Company (if applicable)	Moharich and More Planning and Environment Law
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Perth Local Development Assessment Panel
Meeting Date	17 October 2023
DAP Application Number	DAP/23/02509
Property Location	Lot H17 (437-439) Murray Street, Perth
Agenda Item Number	8.2

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT <input type="checkbox"/> AGAINST <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Will the presentation require power-point facilities?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please attach



Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> The need for additional, more specific conditions of development approval to manage offsite impacts.
--	---

In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

Please see attached letter.

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SOUTH PERTH WA 6151
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www.moharichandmore.com.au

Our ref: 23-045
Your ref: DAP/23/02509

14 October 2023

Mr Jarrod Ross
Acting Presiding Member
Perth Local Development Assessment Panel
c/ DAP Secretariat
140 William Street
PERTH WA 6000
By email:
daps@dplh.wa.gov.au

Dear Sir

LDAP Meeting 128 - Item 8.2 – Lot H17 (No.437-439) Murray Street, Perth

- 1 I act for Anglican Schools Commission (**ASC**). As you will note from Attachment 6 to the Responsible Authority Report (**RAR**) on the agenda, my client made a submission in respect of this application to the City of Perth during its consideration period.
- 2 As noted in the RAR, ASC received approval for the new site for its St George's Anglican Grammar School campus at 441-445 Murray Street in April 2023 – a \$53 million project to be constructed over two stages, for an inner-city secondary campus to accommodate 800 students over 12 storeys and roof top terrace.
- 3 That new site is immediately adjacent the property the subject of the development application before the LDAP.
- 4 The ASC accepts and acknowledges that this site has an existing development approval to operate as a tavern. ASC's concerns relate to the impact that the proposed extension will have on a very busy inner-city secondary campus, particularly in relation to noise emissions and servicing.
- 5 Those matters are set out in ASC's letter to the City of Perth, at Attachment 6.
- 6 The City's response to those concerns is to require the Applicant to prepare management plans and additional reports, which are to be approved by the City of Perth prior to applying for a building permit.

-
- 7 It is our submission that these conditions lack certainty and finality. There are some matters already known, which should form part of the conditions of approval, rather than being dealt with by a management plan.

Noise

- 8 The first of these issues relates to noise. The Acoustic Assessment prepared by Herring Storer recommends that amplified music in external areas be limited to ambient music noise levels only¹. That requirement is reflected in condition 7. However, we submit that this condition should include more particularity. Page 4 of the Acoustic Assessment notes that background music levels within the external areas should be no greater than 73dB(A).
- 9 ASC is concerned that this requirement will be lost in the day-to-day management of the venue, and is most concerned to ensure that during normal school hours, compliance with the *Environmental Protection (Noise) Regulations 1997* is met.
- 10 We therefore suggest an amendment to condition 7 in the following terms –
- 7.
- (a) The noise levels within the rooftop area being limited to ambient or background levels where normal conversations can occur, with the venue complying with the requirements of the *Environmental Protection (Noise) Regulations 1997* at all times;
- (b) The music amplification system must be fitted with a volume limiter to ensure that background amplified sound levels cannot exceed 73dB(A) at any time.

Servicing

- 11 Unusually, the LDAP has not been provided with a copy of the Applicant's development application report as part of the RAR. That document notes –
- The proposed development will utilise the existing facilities and operations relating to waste management, and servicing (deliveries and waste collection). No changes are proposed to the waste management and loading operations that already existed for Tiger Lil's, with bin storage and collection, and loading to occur in the same manner that it always has.²
- 12 There are no further details provided – a position which is recognised in the RAR at page 9.
- 13 While this is an existing tavern, what is proposed is a significant expansion and intensification of the use, in circumstances where an approval has only very recently

¹ Noting that there appears to be an error on page 3 of the Herring Storer Acoustic Assessment in that the influencing factor for 'Commercial Premises within inner circle' appears to have been calculated twice. If this is an error, then the influencing factor should be 9dB rather than 12dB, and therefore the suggested background music levels may need to be lower than the proposed 73dB. We submit that this should be clarified before approval is granted.

² Page 7, Development Application

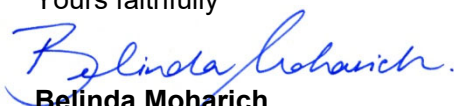
been granted for a land use which will bring hundreds of teenage children to this location every day.

- 14 ASC's concern in relation to servicing (both waste removal and deliveries) is less about noise (although this does remain a live issue) and more with concerns regarding the movement of rubbish trucks, grease trap service vehicles, and the many deliveries of liquor expected during the week.
- 15 The RAR suggests that these matters can be dealt with by way of management plans, i.e. –
- 15.1 Deliveries by way of the venue management plan (condition 8) and
- 15.2 Waste disposal by way of the waste management plan (condition 9).
- 16 ASC's strong preference is for restrictions on the timing of these activities during the period when students are –
- 16.1 arriving and departing in relation to the delivery of goods to avoid pedestrian conflict; and
- 16.2 arriving and departing, and during the school day in relation to waste removal, to avoid pedestrian conflict and the noise emissions associated with glass removal .
- 17 We therefore suggest the following amendments –
- 17.1 Condition 8 – add an additional paragraph as follows –
- No vehicle movements related to the delivery of goods to the development are to occur between 7:00am and 9am; and 2pm and 4pm on week days while the educational establishment at 441-445 Murray Street is operating.
- 17.2 Condition 9 – add an additional paragraph as follows –
- No vehicle movements related to the picking-up or removal of waste are to occur between 7:00am and 4pm on week days while the educational establishment at 441-445 Murray Street is operating.

Conclusion

- 18 ASC would be appreciative if the LDAP could consider these minor modifications to the conditions of approval to ensure the safety of its students and the harmonious existence of two very different land uses.

Yours faithfully


Belinda Moharich
Director



Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Matthew Filov
Company (if applicable)	Urbis
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Perth Local Development Assessment Panel
Meeting Date	Tuesday 17 th October 2023
DAP Application Number	DAP/23/02509
Property Location	437 Murray Street, Perth
Agenda Item Number	8.2

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Will the presentation require power-point facilities?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes, please attach



Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> Refer presentation attached to email
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

Click or tap here to enter text.

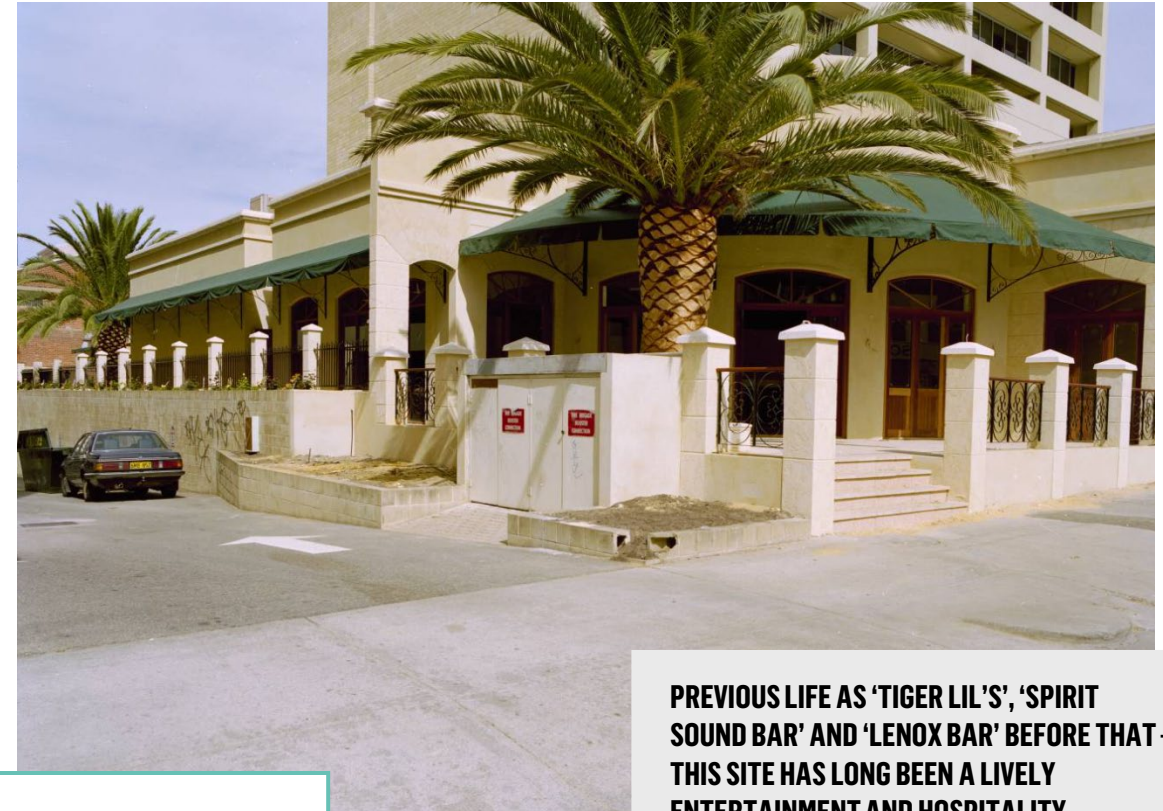
PROPOSED ALTERATIONS AND ADDITIONS TO NO.437 MURRAY STREET

PREPARED FOR THE PERTH LOCAL DEVELOPMENT ASSESSMENT PANEL (DAP/23/02509) – 17 OCTOBER 2023

THE PAST



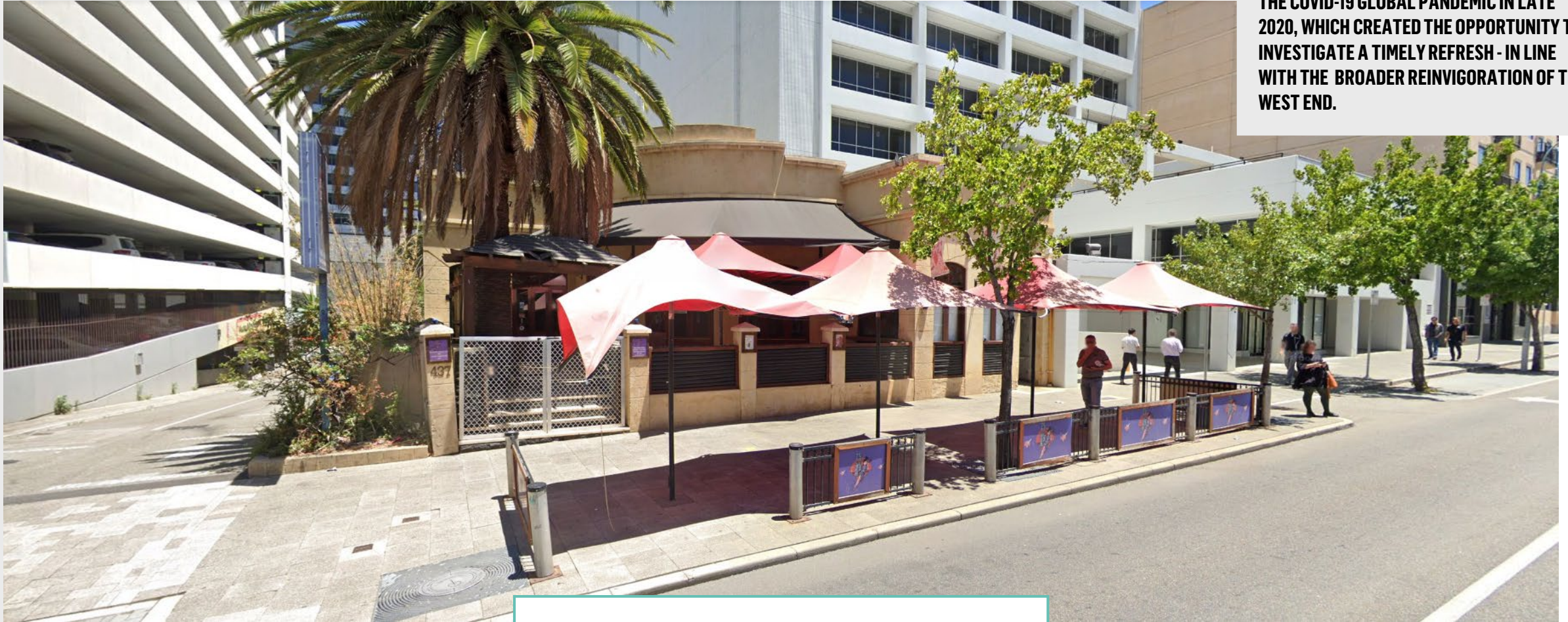
JUNE 1994



PREVIOUS LIFE AS 'TIGER LIL'S', 'SPIRIT SOUND BAR' AND 'LENOX BAR' BEFORE THAT – THIS SITE HAS LONG BEEN A LIVELY ENTERTAINMENT AND HOSPITALITY DESTINATION WITHIN THE CBD.

THE PRESENT

THE VENUE WAS REQUIRED TO CLOSE DURING THE COVID-19 GLOBAL PANDEMIC IN LATE 2020, WHICH CREATED THE OPPORTUNITY TO INVESTIGATE A TIMELY REFRESH - IN LINE WITH THE BROADER REINVIGORATION OF THE WEST END.



JANUARY 2023

THE FUTURE

DELIVER A SEMI OPEN-AIR ROOFTOP BAR THAT WILL DIVERSIFY THE OFFERING OF THE VENUE, PROVIDE ADDITIONAL SEATING, INCREASE FUNCTIONALITY AND CREATE A NEW EXPERIENCE FOR FUTURE USERS OF THE VENUE.

ULTIMATELY, THE PROPOSAL BRINGS THE SITE BACK TO LIFE TO CONTINUE THE ENTERTAINMENT AND HOSPITALITY USE THAT HAS EXISTED FOR OVER 20 YEARS.



DESIGN MERIT

**COMPLIANCE WITH SCHEME
REQUIREMENTS**



**COMPLIANCE WITH SPP7.0
DESIGN PRINCIPLES**



**INCREASE IN ACTIVATION AND
ENGAGEMENT WITH THE STREET**



CONDITION 7 MODIFICATION REQUEST

ORIGINAL CONDITION 7 WORDING:

7) The noise levels within the rooftop area being limited to ambient or background levels where normal conversations can occur, with the venue complying with the requirements of the Environmental Protection (Noise) Regulations 1997 at all times.

PROPOSED CONDITION 7 WORDING:

7) Music levels within the rooftop area being limited to ambient or background levels where normal conversations can occur, with any music amplification system for the rooftop area being fitted with a volume limiter to ensure amplified music levels do not exceed 73 dB(A) in order to comply with the Environmental Protection (Noise) Regulations 1997, to the satisfaction of the City

REQUESTED CONDITION 7 WORDING:

7) Music levels within the rooftop area being limited to ambient or background levels where normal conversations can occur, with any music amplification system for the rooftop area being fitted with a volume limiter to ensure ~~amplified music levels do not exceed 73 dB(A) in order to comply~~ compliance with the Environmental Protection (Noise) Regulations 1997, to the satisfaction of the City

PROJECT TEAM

IN ATTENDANCE TO ANSWER ANY QUESTIONS:

OPERATOR – AUSTRALIAN VENUE CO

PLANNING – URBIS

ARCHITECTURE – ROTHELOWMAN

ACOUSTICS – HERRING STORER ACOUSTICS





THANK YOU

LOT 20 (NO. 141) WELLINGTON STREET EAST PERTH – PROPOSED CONVENIENCE STORE

Form 1 – Responsible Authority Report (Regulation 12)

DAP Name:	City of Perth LDAP	
Local Government Area:	City of Perth	
Applicant:	Hidding Urban Planning	
Owner:	Perth OHP Pty Ltd	
Value of Development:	\$3 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)	
Responsible Authority:	City of Perth	
Authorising Officer:	Dale Page, General Manager Planning and Economic Development	
LG Reference:	DAP-2022/5331	
DAP File No:	DAP/22/02372	
Application Received Date:	14 November 2023	
Report Due Date:	6 October 2023	
Application Statutory Process Timeframe:	90 Days with an additional 240 days agreed	
Attachment(s):	1. Location Plan 2. Development Plans (17 April 2023) 3. Acoustic Report 4. Transport Impact Statement 5. Schedule of Submissions 6. Application's Address of State Planning Policy 7.0 Design of the Built Environment	
Is the Responsible Authority Recommendation the same as the Officer Recommendation?	<input type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
	<input checked="" type="checkbox"/> N/A	
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

Responsible Authority Recommendation

That the City of Perth Local Development Assessment Panel resolves to:

- Refuse** DAP Application reference DAP/22/02372 and accompanying plans (Attachment 2) 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 following reasons:

Reasons:

1. pursuant to clause 67(2)(a), (m) and (n) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Goderich Precinct Plan under *City Planning Scheme No. 2*, for the following reasons:
 - a. the proposed development is inconsistent with the objectives and intentions of *City Planning Scheme No. 2*.
 - b. the built form and site planning does not appropriately respond to the existing character of the locality.
 - c. the built form and site planning will adversely impact on the existing and future amenity of the locality.
2. pursuant to clause 67(2)(fa) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development is inconsistent with the objectives of the *City of Perth Local Planning Strategy* which identifies high density residential as the most appropriate future land use and urban form for the site.
3. pursuant to clause 67(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development is inconsistent with the principles for good design as detailed in *State Planning Policy 7.0 – Design of the Built Environment* and the objectives of the Goderich Design Policy as the built form and site planning do not respond to its inner-city, predominantly residential location, is an inappropriate built form for its setting, has poor site legibility (especially for pedestrians) and lacks appropriate landscaping.
4. pursuant to clause 67(2)(g) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development is inconsistent with *Local Planning Policy 4.6 – Signs* as the proposal includes multiple digital signs, which are not permitted in the Landscaped Mixed Use area, and the signage proposed is excessive and will create adverse visual clutter.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Central City Area
Local Planning Scheme	City Planning Scheme No. 2
Local Planning Scheme - Zone/Reserve	Residential/Commercial
Structure Plan/Precinct Plan	Precinct 14 – Goderich
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	Convenience store – Contemplated ‘C’
Lot Size:	2,069m ²
Existing Land Use:	Vacant land
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input type="checkbox"/> N/A

	<input checked="" type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No

Proposal:

Proposed Land Use	Convenience store
Proposed Net Lettable Area	389m ²
Proposed No. Storeys	2
Proposed No. Dwellings	N/A

The application seeks approval for the construction of a two storey convenience store and ancillary car wash.

The ground floor of the building is proposed to be used for retail purposes associated with the sale of petrol and convenience goods. The upper floor of the building will be used for staff training. A balcony is also proposed on the upper floor facing Hill Street. A drive-through facility wraps around the outside of the building, adjacent to Hill Street and Wellington Street, with an ordering bay located directly adjacent to Hill Street and a collection point located directly adjacent to Wellington Street.

Seven (7) car parking bays are proposed including one (1) universally accessible bay and two (2) EV charging bays.

A canopy structure with six (6) petrol bowsers is proposed on the eastern side of the site.

An automatic car wash, vacuum cleaning bay, plant room and space for refuse is also proposed in the southeast corner of the site.

Following an initial assessment by the City and the comments from the Design Review Panel, the City requested that the applicant consider these comments and make amendments to the development to revised the design of the main building to address the public realm, to re-consider and redesign the drive-through, to reduce the number of vehicle crossovers, to relocate the car wash, vacuum cleaning area and fuel vents to be further away from adjoining residential land uses, to provide better pedestrian connections to the site, to provide more landscaping for the site, and to revise and consolidate the proposed signage.

The applicant submitted amended plans on 17 April 2023, however the amendments only included a 2m x 2m paved area adjacent to Wellington Street intended as pedestrian access, and timber battens around the drive-through. The City advised the applicant the proposed amendments did not sufficiently address the concerns raised. The applicant has not provided any further information since the last extension of time and as such, the City has made its recommendation based upon the available information.

Background:

The subject site is 2,069m² and has frontages to Wellington Street and Hill Street. The site is currently vacant. In 2020, the site received development approval for the

demolition of the then existing service station and the remediation of the land. The land has not been occupied since the demolition was carried out.

Legislation and Policy:

Legislation

Planning and Development Act 2005 s. 162
 City Planning Scheme No. 2 (CPS2) clauses 6, 26, 27, 29, 33 and the Goderich Precinct (P14) requirements
 Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for Local Planning Scheme clauses 60, 64, 67, and 68
 Metropolitan Region Scheme

State Government Policies

Perth Parking Policy 2014 (PPP)
 State Planning Policy 7.0 – Design of the Built Environment

Local Policies

Public Notification/Advertising Procedure (2.2)
 City Development Design Guidelines (4.1)
 Building Heights and Setbacks (4.4)
 Plot Ratio (4.5)
 Signs (4.6)
 Parking (5.1)
 Goderich Design Policy (6.3)

Consultation:

Public Consultation

The proposed development includes a contemplated ('C') land use ('convenience store'). As such, the application was advertised to the owners of the surrounding properties for a period of 21 days, closing on 23 December 2022.

The properties notified included the owners of the properties directly adjacent at 125 Wellington Street, as well as other properties in the vicinity: 112-122 and 180-182 Goderich Street; 151 Wellington Street; 156 Wellington Street; 146 Wellington Street; 121, 125 and 127 Hill Street; and 123 Wellington Street.

Eight (8) submissions were received during the consultation process, being a mix of support (3) and objections (5). The comments received are included in Attachment 5 and are summarised in the table below:

Issue Raised	Officer comments
Incompatibility with the current and future local context	Noted. This is discussed in further detail below under 'Building Design and Presentation to the Street'.
Noise Impacts	Noted.

	This is discussed in further detail below under 'Building Design and Presentation to the Street' and 'Noise and Amenity'.
Odour Impacts	Noted. This is discussed in further detail below under 'Building Design and Presentation to the Street' and 'Noise and Amenity'.
Safety	Noted. This is discussed in further detail below under 'Building Design and Presentation to the Street'.
Impact on the local traffic network.	Noted. This is discussed in further detail below under 'Traffic'.

Design Review Panel Advice

The proposed development was considered by the City of Perth Design Review Panel (DRP) at its meeting held on 9 February 2023, where the DRP resolved to advise that it:

1. *"Generally SUPPORTS the need for a petrol station in the City and notes that the proposal will reinstate a similar amenity to the former development on the subject site which was demolished in 2020;*
2. *DOES NOT SUPPORT the proposal in its current form for the following reasons:*
 - a) *The proposal represents a flawed master plan strategy, that does not respond to the existing or future context and character of its location.*
 - b) *A convenience store centred within a traffic island with no connection to the surrounding street frontages is an inappropriate design response for this urban location.*
 - c) *The proposal includes an excessive number of vehicular crossovers, which will negatively affect the pedestrian environment.*
 - d) *The prevalence of hard surfaces with little attempt to integrate landscape will result in an excessive heat island impact within a residential neighbourhood.*
 - e) *The location of the car wash and the vacuum cleaning areas directly adjacent to residential properties is likely to have adverse acoustic impact on neighbouring residents.*
 - f) *The appears to be little access to natural light and ventilation to the second storey training room.*
 - g) *The excessive use of illuminated and animated signage within a residential neighbourhood is not an appropriate response to the character of the area.*
3. *REQUEST the proponent:*
 - a) *Relocate the built form two storey convenience outlet and training room to directly address the intersection of Wellington St and Hill Street with active frontages that incorporate adequate levels of passive*

- surveillance, streetscape engagement and direct pedestrian access to the convenience store.*
- b) Develop a facade approach that endeavours to respond in some way to the character and context of the area.*
 - c) Internalise and sleeve the drive-through circuit so that it does not have a negative visual impact on the public domain foot path and detach the convenience store within a traffic island.*
 - d) Reduce the number of vehicular crossovers.*
 - e) Relocate the car wash and vacuum cleaning area to minimise acoustic impact on adjoining properties.*
 - f) Engage a landscape professional to optimise the opportunity to incorporate soft landscaping on site and mitigate urban heat island effect.*
 - g) Engage an ESD professional to assist with developing a coherent sustainable design narrative including PV's.*

In response to the DRP comments, the applicant submitted amended plans on 17 April 2023 including the following modifications:

- a 2m x 2m paved area adjacent to Wellington Street intended as a pedestrian access; and
- vertical timber battens around the proposed drive-through.

The amendments were minor and did not address the DRP's comments. An assessment of the proposed development against the design outcomes of the Goderich Design Policy and the SPP 7.0 Design of the Built Environment is discussed further in this report.

Planning Assessment:

Land Use

The subject site is located in the Residential/Commercial scheme use area of the Goderich Precinct (P14) of City Planning Scheme No. 2 (CPS2). The Goderich Precinct will be further developed as a residential neighbourhood accommodating a wide range of residential and employment opportunities serviced by activities which support these uses.

Over time the Residential/Commercial area will accommodate a greater proportion of residential uses, strengthening the Precinct as a residential neighbourhood. Mixed residential and commercial developments are encouraged in these areas. Mixed use developments proposing the integration of, or close relationship between, workplace and residence will be favoured where residential amenity can be maintained.

The protection and enhancement of the amenity of existing and future residential development in and around the Precinct is important. Ensuring the compatibility of commercial and residential uses is therefore necessary and building design should avoid conflict between the two uses.

The site is also located within the future 'East Perth Neighbourhood' under the City's Local Planning Strategy endorsed by the Western Australian Planning Commission in May 2023. This Neighbourhood will improve the identity of East Perth through a defined town centre, community facilities, beautiful streets and an easily walkable

neighbourhood that connects people to places. East Perth offers diverse housing options and is well placed to accommodate a larger resident population. The 'East Perth Neighbourhood' Map identifies the subject site as being high scale residential use (>16 Storeys) set within a landscaped setting.

A convenience store ('Mixed Commercial') is a contemplated ('C') use in Residential/Commercial area in the Goderich precinct of CPS2. The first floor training room is considered to be incidental to the convenience store use and as such the area occupied by the training room has not been considered as part of the net lettable area of the convenience store.

It is acknowledged that historically the site was occupied by a Service Station and the proposed use is an amenity that may be considered complimentary to the existing and desired residential population in the area and the broader City. However; in considering the suitability of the proposed 'convenience store' land use, the impacts of the land use itself, as well as the impacts of its associated built form must be considered.

As detailed in further sections of this report, the City is concerned about the potential for the proposed development to adversely impact on the amenity of the immediately adjacent residential dwellings. The application does not demonstrate how noise, odour and safety can be managed to minimise the potential impacts.

In addition, the proposed scale of the development does not satisfy the objectives of the precinct or the Local Planning Strategy. Although there are no minimum development standards for the site, the City is of the view that site layout and design must make a positive contribution to the adjoining streetscape, the precinct (and future neighbourhood) and the city to be considered an appropriate land use for the site. As discussed further in this report, the proposed building does not interact with either Wellington Street or Hill Street, with all openings at ground level, with the exception of a drive-through service window being located on the eastern elevation and internal to the site. As such, the building does not add any interest or activity at pedestrian level, provides very little passive surveillance and does not promote safe and legible access for pedestrians.

Given the above, in its current form, the proposed use does not satisfy the objectives and intentions of CPS2, is inconsistent with the future vision of the East Perth Neighbourhood as detailed in the Local Planning Strategy, is incompatible with its setting and will adversely impact on the amenity of the locality. As such, the proposed use is not supported.

Development Requirements

Building design in the Residential/Commercial area of the Goderich Precinct will focus on residential character. Contemporary, innovative designs will be encouraged; however, development is to be sympathetic to original inner city housing and commercial buildings. The re-use, conversion or extension to existing buildings is strongly encouraged. Along Wellington Street, Hill Street, Bennett Street and Hay Street, as well as Bishops Row, development will have a nil street setback. Elsewhere, development will be setback from the street. Development will be of a low scale along the street frontage with additional building height setback from all lot boundaries

The proposal's compliance with the relevant development standards of CPS2 and the Goderich Design Policy is summarised below:

Provision	Requirement	Proposal	Assessment
Maximum Plot Ratio:	3:1 (6,207m ²)	0.19:1 (393m ²)	Complies
Maximum Street (Podium) Building Height:			
Wellington Street	21 metres	9.3 metres	Complies
Hill Street	14 metres	9.3 metres	Complies
Maximum Building Height:	No prescribed height limit.	9.3 metres	Complies
Setbacks:			
<u>Wellington Street (north) - Lower building level</u>	Nil	Nil	Complies
<u>Hill Street (west) - Lower building level</u>	Nil	Nil	Complies
<u>Side Setback - (south) Lower building level</u>	Nil	Nil	Complies
<u>Side Setback - (east) Lower building level</u>	Nil	Nil	Complies
Car Parking:	31 bays (maximum)	6 bays	Complies
Bicycle Parking:	1 bay	None	Does not comply

Building Design and Presentation to the Street

In considering the appropriateness of the proposed built form for the subject site, officers have assessed the proposal against State Planning Policy 7.0 - Design of the Built Environment (SPP 7.0) and the City's Goderich Design Policy.

SPP 7.0 and the Goderich Design Policy address design quality and built form outcomes seeking to deliver the broad economic, environmental, social and cultural benefits that derive from good design outcomes.

The applicant has provided justification as to how the proposed development satisfies the ten design principles of SPP 7.0 (Attachment 6 – Applicant Address of State Planning Policy 7.0).

The applicant states the proposed development and use is consistent with the context and character of the area, as there was previously a service station on-site. However, the previous service station has been demolished and the land is now vacant. The context and character of the locality is residential; this is stated in both the Precinct Plan for the Goderich Precinct, and the Local Planning Strategy. Across the road from site is Wellington Square Moort-ak Waadiny, which is a public park with a high level of amenity. New development should take into account the scale, mass and grain of surrounding buildings, and should respond positively to its context. The proposed development does not respond to character of the immediate area, including the scale and siting of the adjoining residential dwellings, or landscaped environment of the public park, with the layout of the development of the site being fundamentally flawed for this city location. The built form of the building does not provide direct access to the street and nor does it provide any interaction with the street via visual permeability or any other means. For these reasons, the proposed development does not provide an appropriate response to the existing and future character of the locality.

In regard to landscaping, the applicant states landscaping “has been considered”, and that the vegetation in verge will be retained. Vegetation in the verge area is not a primary consideration because it is not within the lot boundaries. There is significant opportunity to add quality deep soil landscaping on the site to soften the visual appearance of the development. Instead, the proposed development will introduce a large amount of hard-stand to the site. This is considered to be a low amenity outcome and will negatively contribute to the urban heat island effect. These concerns were also raised by the DRP, and the applicant has not responded to these comments. For these reasons, the design is considered to be inconsistent with good design in respect to landscape quality.

The applicant states that the built form of the development is appropriate “for the development type”. While the development complies with development requirements in terms of building height, setbacks, and plot ratio, good design “successfully negotiates between existing built form and the intended future character of the area”. The proposed development does not respond to the present and future residential character of the area. There is opportunity for the building to have direct interaction with the street, via entrances and activate shop fronts. Instead, the applicant proposes a building that is surrounded by a drive-through with no direct access or marked entry way for pedestrians. It will also result in a poor quality outcome for the streetscape to have a vehicle drive-through directly adjacent to the footpath. For these reasons and the reasons discussed in the land use section of this report, the proposed design is considered to be inconsistent with good design in respect to built form and scale.

The applicant states that the convenience store will provide amenity to the locality by providing convenient goods. Some of the responders to the community consultation agreed with this, stating access to petrol and small goods will be convenient. However, other respondents were concerned about noise and odour that could be produced by the development. The car wash and vacuum cleaning station are of particular concern with regard to noise, particularly due to their late operating hours. The DRP recommended that these be moved further away from adjoining residential land uses, but the applicant has not responded to this request. As such, the amenity of occupants of the adjoining residences may be impacted by noise.

The City was also advised by DMIRS that fuel vents have the potential to impact on amenity, due to being the point where vapours escape. While the development will use vapour recovery systems, some fumes will still escape. The fuel vent is close to the southern boundary of the lot directly abutting residential properties. The applicant did not respond to a request to move this fuel vent further away. The amenity of adjoining residences therefore may be impacted by odours.

Proposing the drive-through directly adjacent to the footpath along Hill Street and Wellington Street is a poor design outcome that will result in an unpleasant pedestrian experience. While the applicant has proposed some timber battens around the drive-through to soften the visual impact, it doesn't resolve the fundamental issue with the design, nor the fundamental lack of interaction between the street and the convenience store at the pedestrian level. For all these reasons, the proposed design is considered to be inconsistent with good design in respect to amenity.

The applicant has stated that the access arrangements for the site are easy to recognise and are legible. However, the DRP questioned the number of crossovers proposed for the site and raised concerns about the practicality of the Hill Street crossover in particular. Due to the crossover on Hill Street being two-way, and as there will be a mix of people using either the petrol bowsers or car wash (or both), there is the potential for conflict at the access points and around the site.

Legibility for pedestrians is non-existent; a single small, paved area adjacent to Wellington Street was added in amended plans, but it leads to the point where cars exit from the drive-through, which is unsafe and an unsuitable connection to the main building. The proposed design should consider residents in the locality as users of the site and how they will access the site by foot. For these reasons, the design is considered to be inconsistent with good design in respect to legibility.

The applicant states that the proposed development has good surveillance of the forecourt area. However, passive surveillance of the adjoining streets is lacking. This is exacerbated by the proposed drive-thru which blocks any views from the main building to the street at the ground level. As the upper floor is to be used for training staff only, with the frequency of these training sessions not provided as part of the proposal, minimal passive surveillance is expected to be provided. The design therefore lacks the ability to sufficiently provide passive surveillance. The applicant also has not addressed how the business will be safe as a 24/7 business. As raised by respondents in the community consultation process, 24/7 businesses have the potential to be attractors for anti-social behaviour. For these reasons, the proposed design is considered to be inconsistent with good design in respect to safety.

The aesthetic quality of the proposed development may be acceptable for a suburban or highway context, but lacks refinement for a city centre, predominantly residential context. The materiality of the building does not respond to the existing character of the locality, the proposed signs are excessive, and the illuminated signs are inappropriate for the local context. For these reasons, the proposed design is inconsistent with good design in respect to aesthetics.

The planning and design of the proposed development does not appropriately respond to the opportunities of the subject site, nor the context and character of the immediate locality. A more appropriate design would respond to the dual street frontage, be sympathetic to the adjoining residential uses and contribute to the landscaped environment of Wellington Square Moort-ak Waadiny.

Noise and Amenity

Noise associated with the land use, including from the trucks that will deliver fuel to the site, as well as noise produced by the car wash and vacuum cleaning area, has the potential to impact on the adjoining residential properties, with this concern being raised by respondents during the community consultation process.

The applicant provided an acoustic report and noise management plan in support of the application. The City confirms that the acoustic report and noise management plan is generally acceptable, subject to amendments to state that “broad-band” or “white noise” reserving beepers for tanker trucks be required. The applicant has not provided an amended acoustic report to address this concern.

Although the acoustic report and noise management plan are generally considered acceptable, it was noted by the DRP in their comments that the car wash and vacuum cleaning station should be as far away from adjoining residential land uses, to reduce any real or perceived noise impacts. The applicant has not responded to these comments and have not altered the location of the car wash or the vacuum cleaning area. As such, the proposal is not considered to have addressed concerns related to noise impacts on amenity.

Signs

The proposal includes the following digital signs:

- two (2) 9 metre tall pylon signs, each with a double-sided embedded 5m² digital sign, as well as other separate panels for fuel prices;
- a 6m² digital sign adjacent to the entry to the main building; and
- two (2) 5m² digital signs on the corner near the intersection of Hill Street and Wellington, with one facing each street. The intention of the digital signs is to advertise products available at the convenience store; no third-party content is proposed.

In addition to these digital signs, several other signs are proposed including:

- a 3.2m² window sign above the entrance to the main building;
- a 1.14m² wall sign to the right of the main entrance;
- a 8m² mural of a coffee cup to the right of the main entrance;
- a 0.54m² wall sign at the entrance of the drive-thru;
- two (2) 2.47m² signs at the top of each pylon;
- two (2) 0.55m² signs one at each end of the bower canopy;
- a 0.78m² wall sign facing Wellington Street;
- a 4.16m² wall sign facing Wellington Street; and
- two (2) 3.5m² wall signs facing Hill Street.

Most of the wall signs are illuminated and consist of the business name (“OTR”) or phrases such as “24/7 Drive Thru”.

Some of the non-digital signs on their own may have individual merit, but collectively the signage is excessive, which is contrary to the objectives and provisions of the City’s *Local Planning Policy 4.6 – Signs* (LPP4.6), which seeks to ensure that signs in the city “do not lead to visual clutter.”

LPP4.6 outlines two situations where variable (i.e. digital) content may be supported. The first is for signs facing or in a public space in the Entertainment Area, the Retail Core Area, or the Terraces Area (as defined by the policy). The digital signs proposed here are neither facing or in a public space, nor is 141 Wellington Street in any of the areas named (it is in the Landscaped Mixed Use area).

The second section where variable sign content can be supported is for roof signs or wall signs at the top of the buildings, for buildings 29m and taller, and not within the Landscaped Mixed Use Area, Residential Area, or the Civic and Parks area. The proposed signs do not meet this because they are not roof signs or wall signs and (the signs as a part of the pylon are 'ground-based signs'), are not on a building that is 29m or taller, and the site is located in the Landscaped Mixed Use Area.

As detailed above, the signs proposed for this development are inconsistent with the objectives and provisions of *Local Planning Policy 4.6 – Signs* and are not supported.

Traffic

The applicant provided a Transport Impact Statement (TIS) in support of the application. The TIS states that the amount of traffic generated by the proposal will not have a significant impact on the local network. It also states that the access and egress routes for fuel tankers are appropriate.

The City is generally supportive of the Transport Impact Statement, although it was noted that the report does not consider the upcoming conversion of Hill Street from a one-way street to a two-way street. This change to the road network is likely to impact on egress for fuel tankers. No further information has been provided by the application to address the two-way conversion of Hill Street.

Conclusion:

While the application proposes a development that is compliant with the primary development controls (building height, setbacks, plot ratio), the proposed land use being a 'convenience store', is a contemplated use, with the appropriateness of this use requires consideration against the local planning framework and surrounding context.

The built form of the proposal does not respond to the local context of the site. The proposed drive-thru around the main building results in no direct interaction between the building and the street, which is an inappropriate outcome for a locality that is inner-city and is predominantly residential. The excessive signage proposed, particularly the digital signage, is out of character with the locality, where there is little signage and no digital signage. The lack of landscaping results in a harsh built environment that is a stark contrast to the high amenity of the Wellington Square public park across the road.

The subject site is anticipated to be a high-density residential area under the City's Local Planning Strategy, with a low scale 'convenience store' use arguably no longer appropriate for the site, as it is inconsistent with the future character of the area.

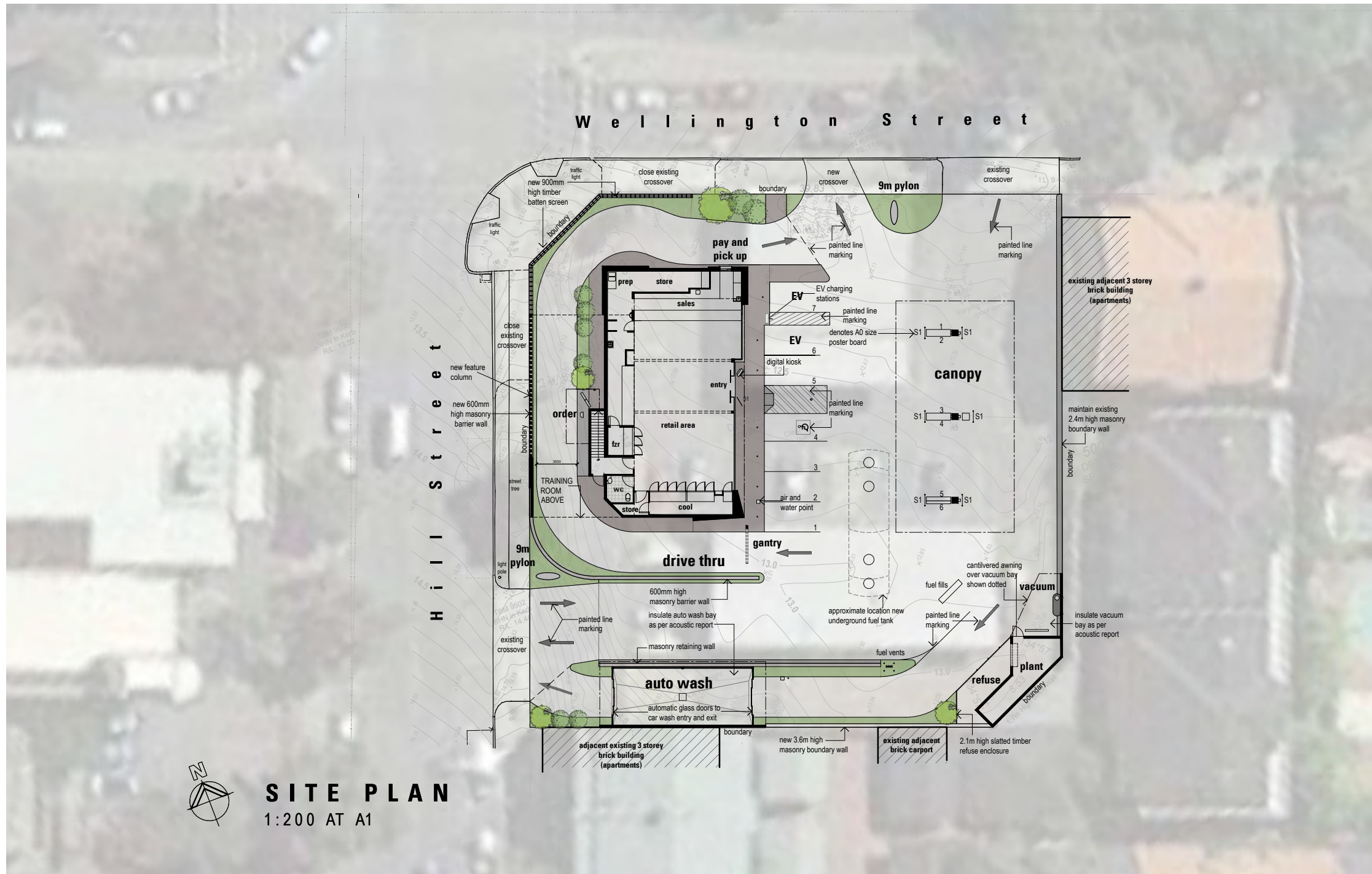
The proposal is found to be inconsistent SPP 7.0, the building design objectives of the Goderich Design Policy and the signs local planning policy. For these reasons, it is recommended that the proposed development be refused.

Attachment 1 – Location Plan



141 (LOT 20) WELLINGTON STREET, EAST PERTH

Attachment 2 – Development Plans



SITE PLAN

NEW SERVICE STATION COMPLEX

141 WELLINGTON STREET, PERTH WA

PLANNING APPLICATION

0 1 2 5 10 15m
Scale 1:200 at A1

ADS Architects

93 Gilles Street Adelaide 5000 T:82232244

16.03.23
JN1396 / sk01j

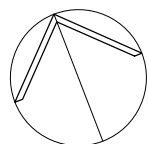


SITE PLAN

NEW SERVICE STATION COMPLEX

141 WELLINGTON STREET, PERTH WA

PLANNING APPLICATION

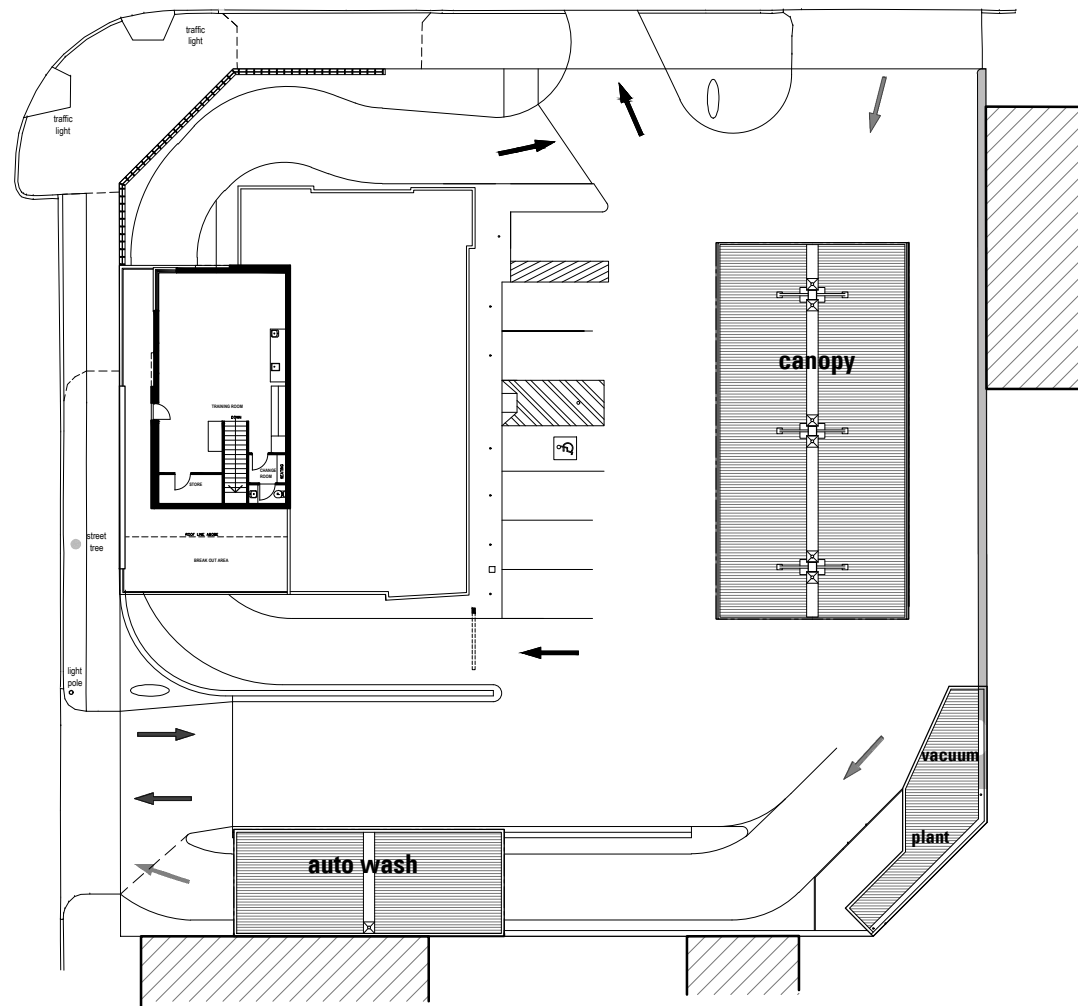


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JN1396 / sk07g

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ADS Architects

93 Gilles Street Adelaide 5000 T:82232244



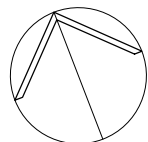
MAZZANINE PLAN
1:200 AT A1

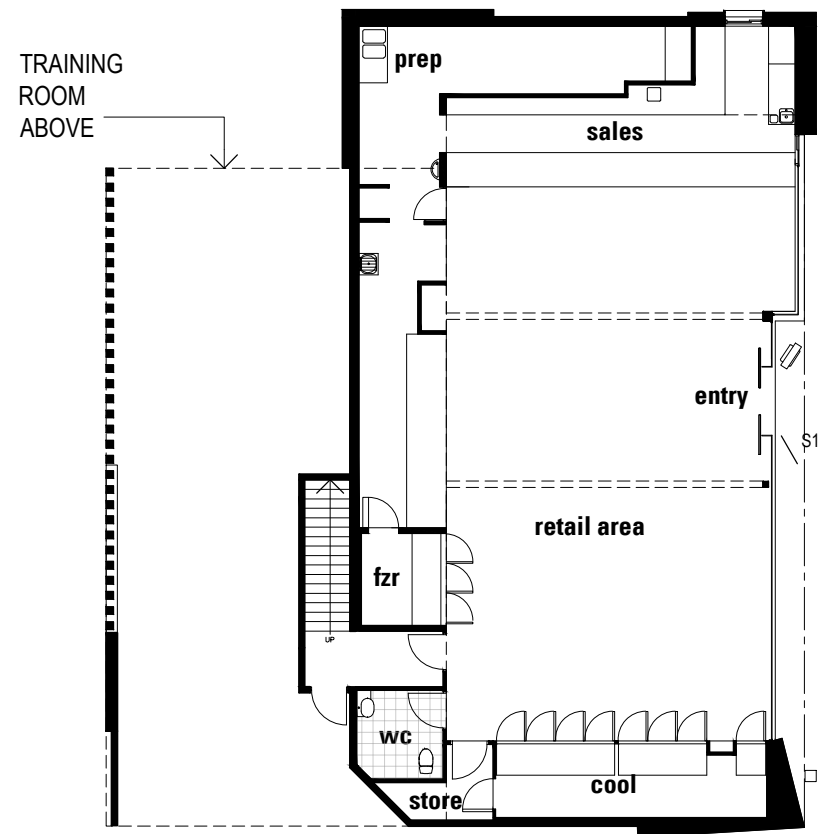
SITE PLAN

NEW SERVICE STATION COMPLEX

141 WELLINGTON STREET, PERTH WA

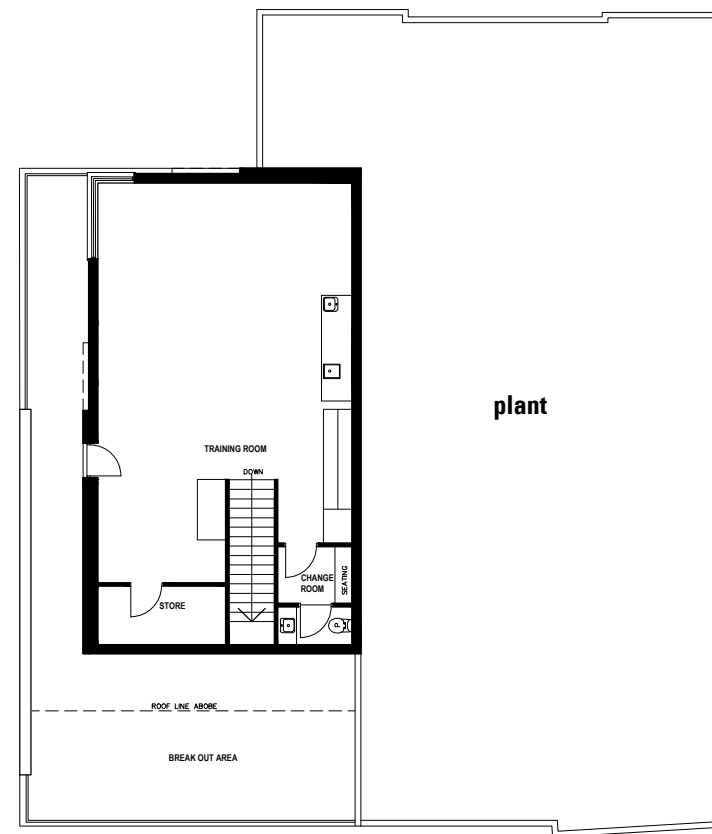
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GROUND FLOOR PLAN

1:100 AT A1



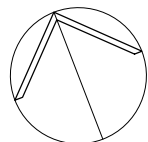
MEZZANINE PLAN

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SITE PLAN

NEW SERVICE STATION COMPLEX

141 WELLINGTON STREET, PERTH WA



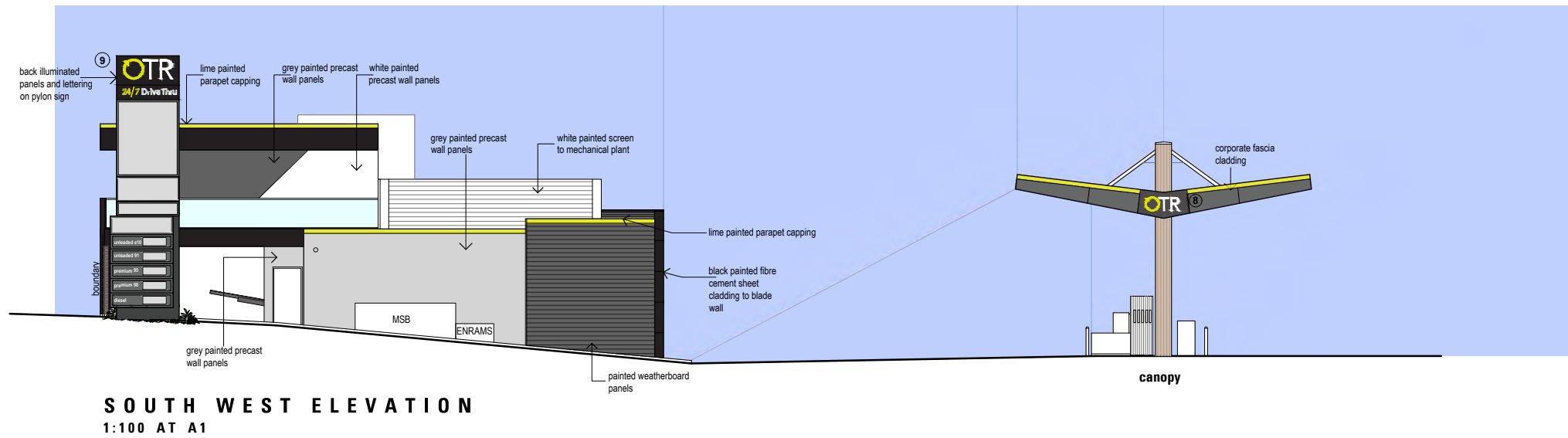
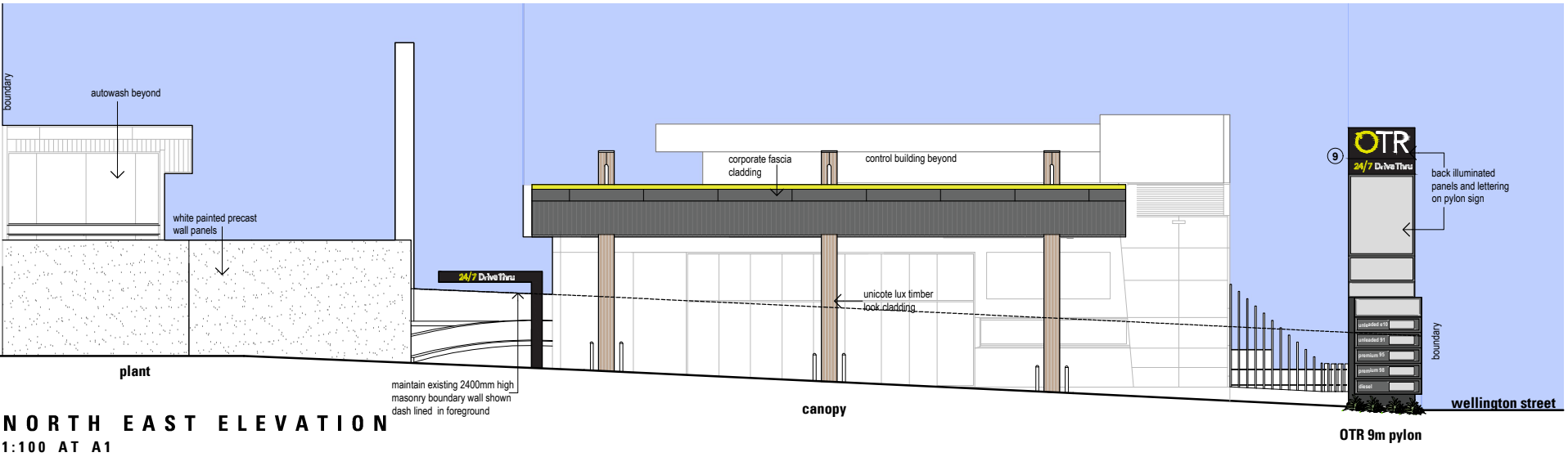
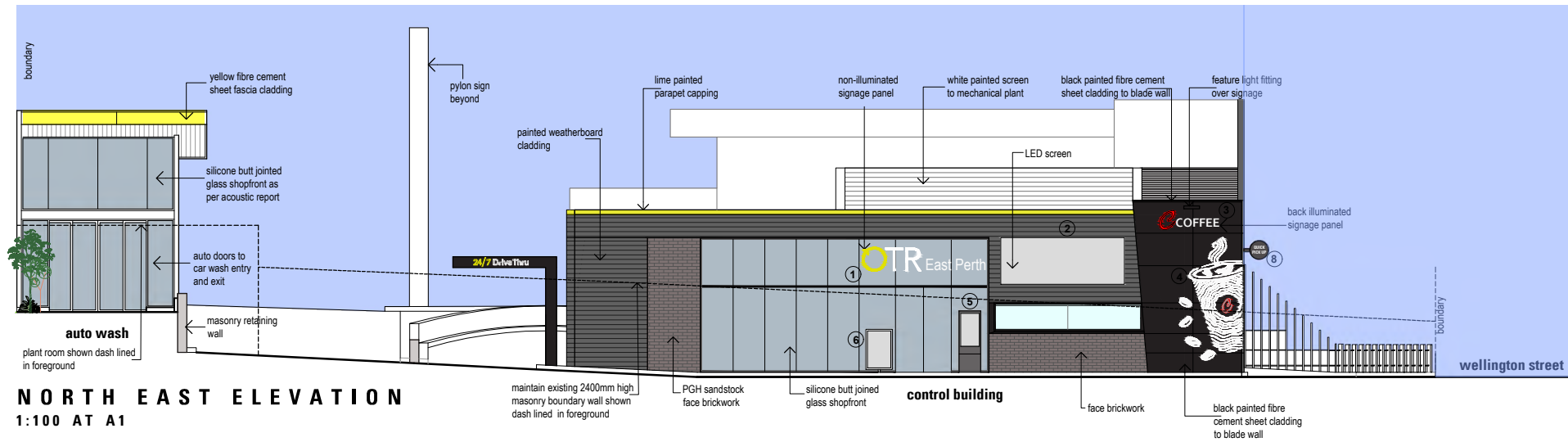
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JN1396 / sk03g

PLANNING APPLICATION

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ADS Architects

93 Gilles Street Adelaide 5000 T:82232244

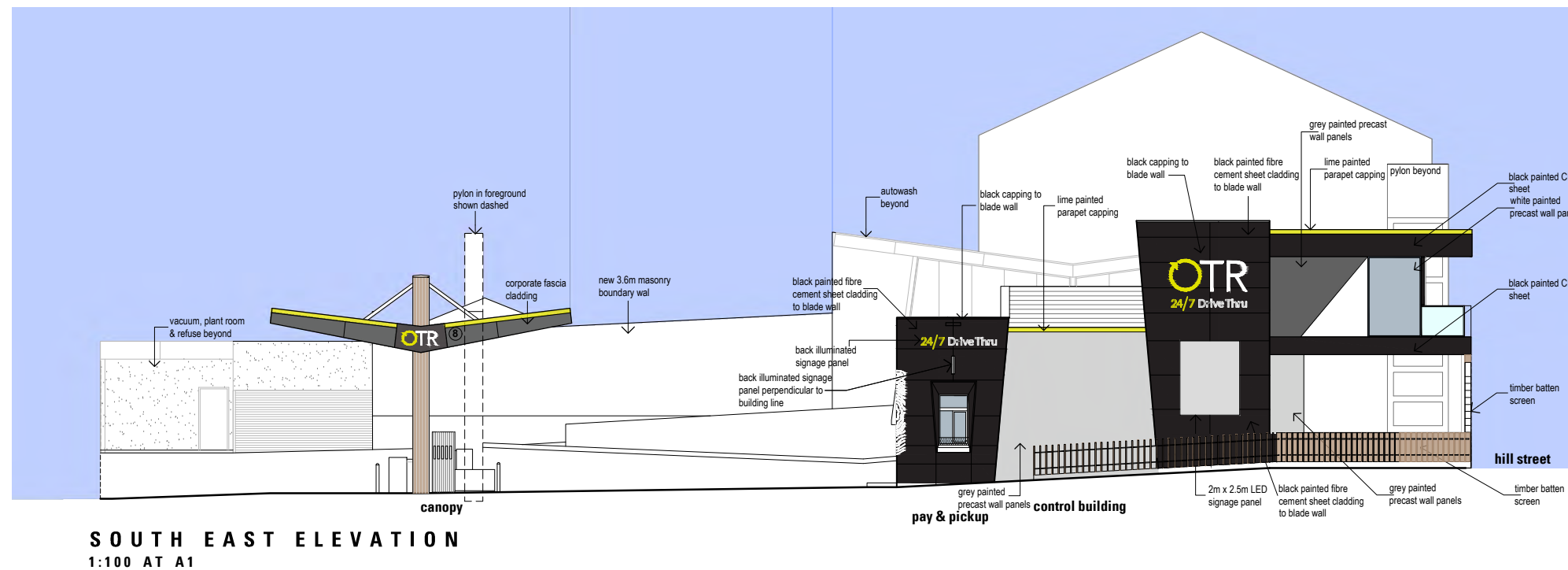
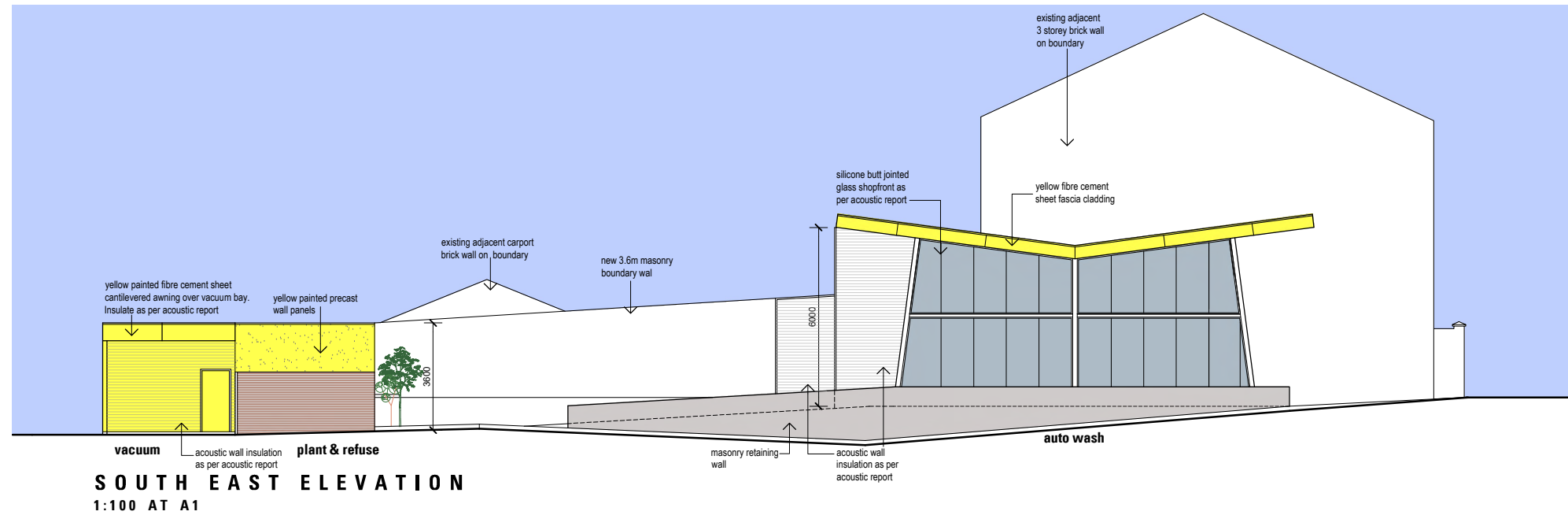
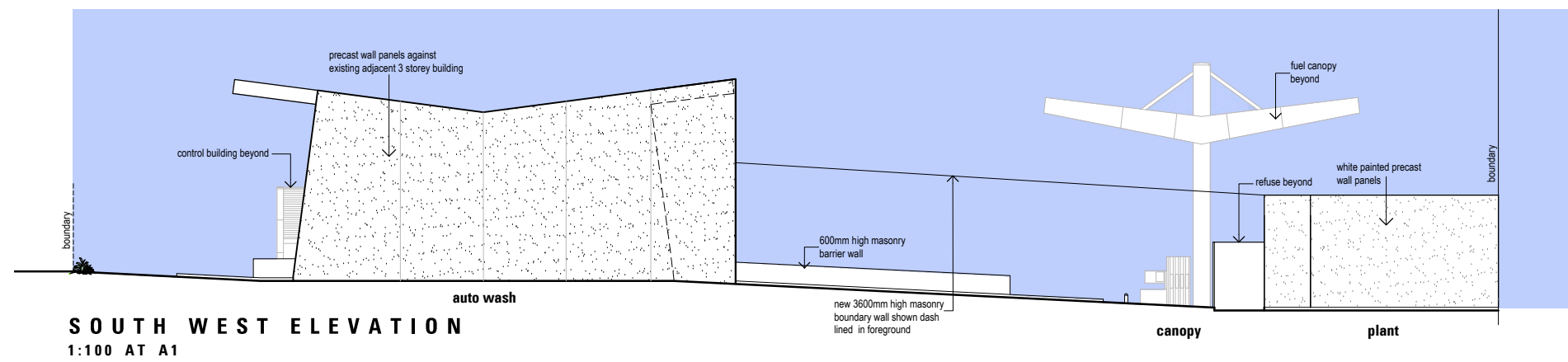


ELEVATIONS

NEW SERVICE STATION COMPLEX

141 WELLINGTON STREET, PERTH WA

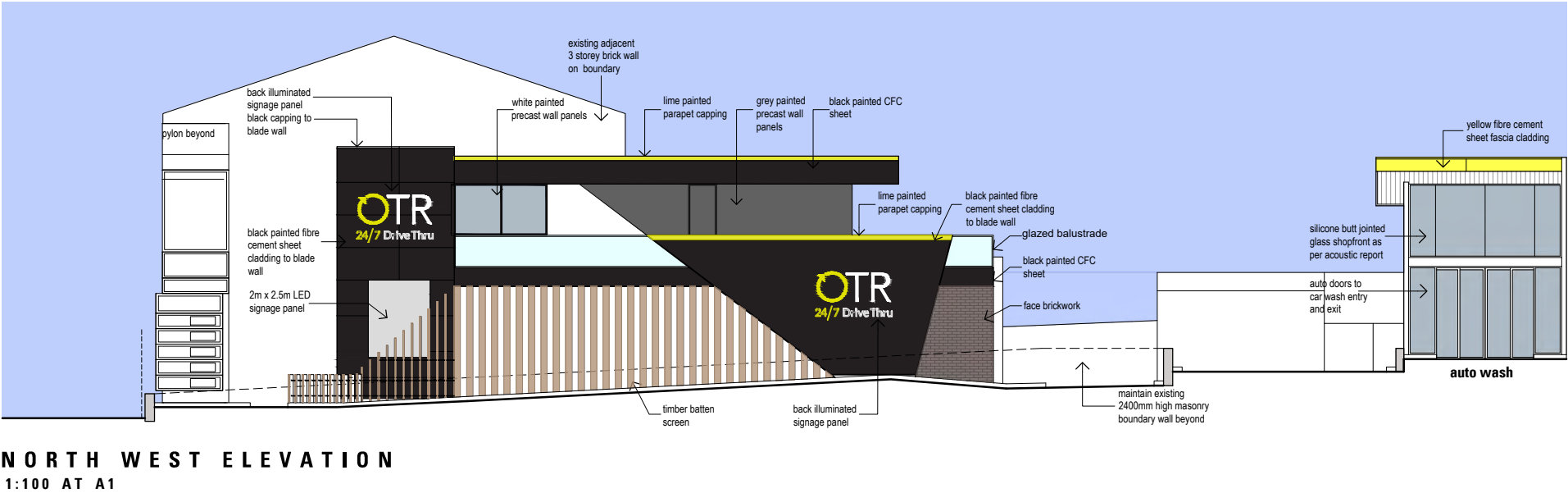
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NEW SERVICE STATION COMPLEX

141 WELLINGTON STREET, PERTH WA

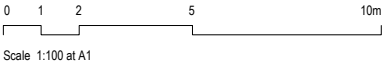
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Scale 1:100 at A1



ELEVATION

NEW SERVICE STATION COMPLEX

141 WELLINGTON STREET, PERTH WA



Attachment 3 – Acoustic Report

REVERBERATE

CONSULTING




Proposed Convenience store 141 Wellington St, Perth Environmental Noise Impact

Reference: P191013RP2

Convenience store – Wellington St Perth –
Environmental Noise Impact
Reference – P191013RP2

Document Information

Project	Proposed Convenience store – 141 Wellington St, Perth	
Client	Perth OHP Pty Ltd	
Report title	Environmental Noise Impact	
Project Number	P191013	
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Revision Table

Report revision	Date	Comments
0	9 May, 2022	Draft for client review
1	28 September 2022	Final

Glossary

A-weighting	A spectrum adaption that is applied to measured noise levels to represent human hearing. A-weighted levels are used as human hearing does not respond equally at all frequencies.
dB	Decibel—a unit of measurement used to express sound level. It is based on a logarithmic scale which means a sound that is 3 dB higher has twice as much energy. We typically perceive a 10 dB increase in sound as a doubling of the loudness of that sound.
Frequency (Hz)	The number of times a vibrating object oscillates (moves back and forth) in one second. Fast movements produce high frequency sound (high pitch/tone), but slow movements mean the frequency (pitch/tone) is low. 1 Hz is equal to 1 cycle per second.
L ₁₀	Noise level exceeded for 10 % of the measurement time. The L ₁₀ level represents the typical upper noise level and is often used to represent traffic or industrial noise emission.
L _{A10}	A-weighted L ₁₀
L _{A10,adj}	Adjusted L _{A10} . Adjustment based on obvious tonality, impulsive or Modulation characteristics in the audible noise at a receiver point. Based on the adjustment methodology in Environmental Protection (Noise) Regulations 1997 Regulation 9
L _{A1,adj}	Adjusted, A-weighted noise level exceeded for 1 % of the measurement time. The L _{A1, adj} level represents mostly short duration, high level sound events.
L _{Amax,adj}	Adjusted, A-weighted maximum instantaneous noise level.

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1.Introduction

Reverberate Consulting has been engaged by Perth OHP Pty Ltd to prepare a planning stage environmental noise impact assessment for the proposed Convenience store development at 141 Wellington St, Perth.

This report covers the main types of environmental noise emission from the site as part of the study:

- car park and customer vehicle activity
- delivery and supply trucks
- mechanical plant and equipment at the site
- vehicle wash plant & vacuum bay

The purpose of this report is to present the findings of potential noise emissions from the site.

This report is based on the following architectural drawings, dated 28/09/2022 by ADS Architects:

- JN1396 sk01 h
- JN1396 sk04 h
- JN1396 sk05 h
- JN1396 sk06 h

2.Site and Surrounds

The proposed convenience store is located on a parcel of land at 141 Wellington St, Perth, on the corner of Hill St, refer to the Site Plan Figure 1. The site is currently vacant, the previous Caltex service station having been demolished. As part of the operations, a convenience store, automated carwash, and drive-thru are proposed.

The activities at the site are proposed to operate during the hours shown in Table 1 below:

Table 1 – Proposed Operating Hours of Activities

Operation	Time of Day		
	Mon to Fri	Saturday	Sunday & public holiday
Convenience Store	24h	24h	24h
Automated carwash & vacuum bay	7am – 10pm	7am – 10pm	9am – 10pm
Fuel Deliveries	7 am – 7 pm	7 am – 7 pm	-
Drive thru	24h	24h	24h

The dominant noisy activity for the Convenience store is caused by truck and car movements. The principal sources generally are patron vehicles as well as the following truck movements:

- Fuel tanker deliveries. Maximum of 1 tanker per 24 hours, typically 2 to 3 tankers per week.
- Other truck deliveries of up to 3 deliveries per 24 hours. May include refrigerated truck delivery
- Garbage collection – a maximum of 1 per day, between 7am and 6pm

Other noise sources include the carwash operations, vacuum bay and drive thru.

The following roads are close to the site and adjoining neighbours:

Wellington St – 8,588 vpd (Av Mon – Fri) – DMR (18/19)
Hill St – 9,832 vpd (Av Mon – Fri) – DMR (20/21)
Adelaide Tce – 16,882 vpd (Av Mon – Fri) – DMR (18/19) – 350m away

The nearest noise-sensitive site are the immediate neighbours to the East and South as shown in the Site Plan in Figure 1.



Figure 1 – Site Plan - 141 Wellington St

3.Noise Assessment Criteria

3.1 Environmental Protection Act

The Environmental Protection Act (1986) provides for the prevention, control and abatement of pollution and environmental harm. This Act limits environmental noise in Section 3 (3) as follows:

For the purposes of this Act, noise is taken to be unreasonable if –

- (a) it is emitted, or the equipment emitting it is used, in contravention of –
 - (i) this Act; or*
 - (ii) any subsidiary legislation made under this Act; or*
 - (iii) any requirement or permission (by whatever name called) made or given by or under this Act;**
- or*
- (b) having regard to the nature and duration of the noise emissions, the frequency of similar noise emissions from the same source (or a source under the control of the same person or persons) and the time of day at which the noise is emitted, the noise unreasonably interferes with the health, welfare, convenience, comfort or amenity of any person; or*
- (c) it is prescribed to be unreasonable for the purposes of this Act.*

Reverberate has used the above legislation to assess the noise impact from the site. More particularly, noises which have a distinct character, and are different to the ambient noise environment are assessed under the subsidiary legislation; the Environmental Protection (Noise) Regulations 1997. Such an assessment has been undertaken for noise sources such as vehicles starting, vehicle door closing, mechanical plant / air conditioning, reversing beepers, as well as carwash activities and plant.

Other types of noises from the site, such as that generated by vehicles driving, or manoeuvring in the carpark and drive way on site, have not been assessed under the Regulation. Reference is drawn to Section 3 (3) (b) of the Act which requires the assessment to have regard to the nature, duration and time of day of such noise emissions and the frequency of similar noise emissions from the same source. It is noted that the adjoining roads, Wellington St and Hill St, collectively already have 18,000+ vehicles per day travelling past this site, so the movement of vehicles on site, per se is not considered characteristically different to that already in the area.

3.2 Environmental Protection (Noise) Regulations 1997

The Environmental Protection (Noise) Regulations 1997 (EPR) provide limits for acceptable noise from operations and activities. The Regulations specify the maximum permissible noise levels (termed Assigned Levels) at noise sensitive premises, caused by excessive noise nearby, during various times of the day.

The Assigned Levels have been calculated for all properties using the method shown in Appendix B. The resultant Assigned Levels are presented for the adjoining neighbours, in Table 2 below.

Due to the proposed hours of operation, the night-time period is the critical assessment period with the most stringent noise criteria to meet.

Table 2 – Assigned Levels – Residential Buildings A - D

Receiving Premises	Time of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise Sensitive Premises – Highly Sensitive	0700 to 1900 hours Monday to Saturday	55	65	75
	0900 to 1900 hours Sunday and public holidays	50	60	75
	1900 to 2200 hours all days	50	60	65
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	45	55	65

For clarity, these assigned levels apply outside, on neighbouring properties, at a minimum distance of 3m from significant reflecting surfaces.

Where noise-sensitive buildings face, or overlook the site, a modified Assigned Level applies inside these dwellings. The corresponding effective criterion outside the dwelling is the Assigned Level, tested against the forecast free-field noise level from the site, at openable windows and doors of the adjoining residences.

4.Noise Assessment

4.1 Noise Sources

Noise emission sources, buildings and ground contours were used to develop a 3-D SoundPLAN noise model. A schematic of this model is shown below in Figure 2. This figure shows general site details including the locations of modelled noise sources, noise barriers, and site & surrounding buildings.

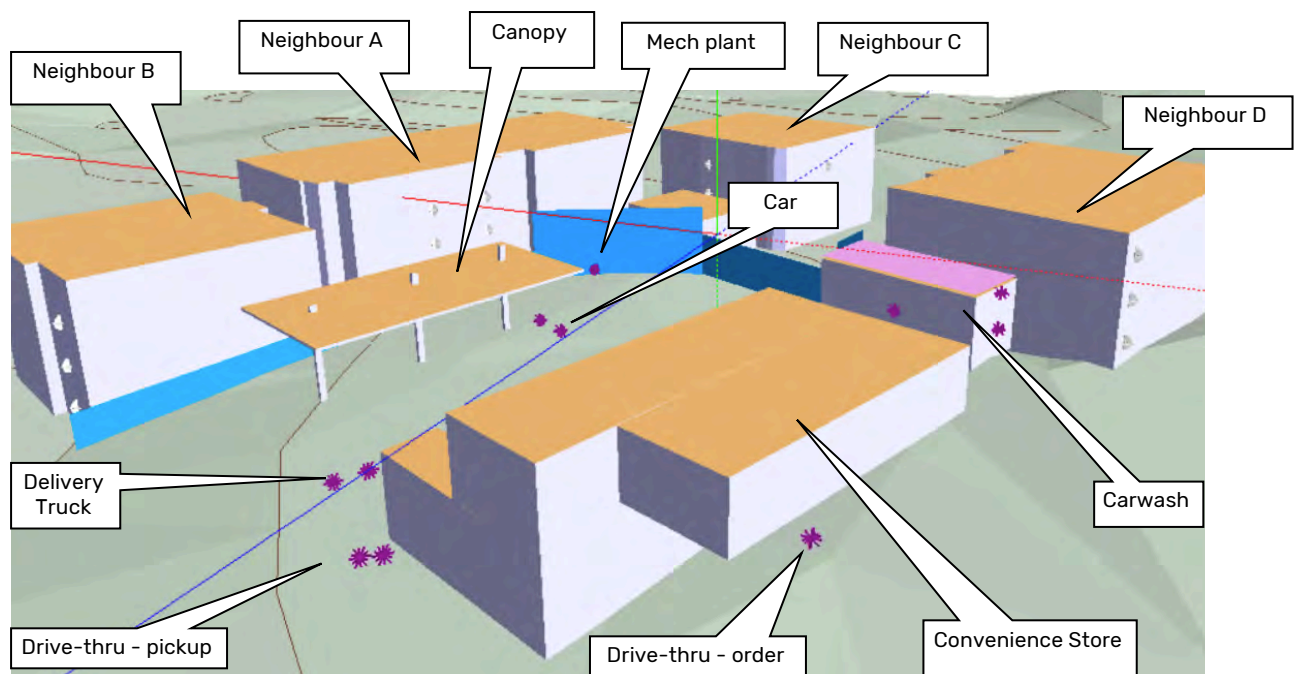


Figure 2 – 3-D SoundPLAN model of Convenience Store Site with Noise Sources

The noise emission levels for the project noise sources are summarised below in Table 3.

Table 3 Summary of Maximum permissible Sound Power Levels

Summary of Sound Power Levels (dB)			
Noise Source	L _{A10}	L _{A1}	L _{Amax}
Delivery Truck: refrigeration plant	-	-	96
Delivery Truck: park brake	-	-	74
Delivery Truck: engine start	-	-	91
Delivery Truck: door close	-	-	93
Delivery Truck: reversing beeper	-	-	95
Passenger Car: engine start	-	-	85
Passenger car: door close	-	-	84
AC/refrigeration combined	80	82	82
Tyre Refill Beeper	-	-	88
Air compressor (silenced)	-	71	72
3 Exhaust fans (total)	71	72	73
Engine Idling (Drive thru)	-	83	84
Drive Thru Order Point	-	72	74
3 Exhaust fans (total)	71	72	72
Auto Carwash – Blower	94	97	97
Car idling waiting for carwash	83	85	86
Vacuum cleaner	84	85	86

4.2 Noise Forecast and Impact

Computer noise modelling was used to forecast the noise impacts to locations around the site. The software used was SoundPLAN Version 8.2, with the ISO9613 algorithms selected. These algorithms have been used as they allow for the influence of wind, atmospheric stability, barriers, building shielding and ground absorption. It is appropriate for the current configuration of noise sources and for the nearest receiver locations.

The Input data used in modelling includes

- Meteorological Information;
- Topographical data;
- Buildings, barriers, fences, and other features which may shield noise
- Ground Absorption; and
- Source sound levels.

The following parameters were considered for noise modelling during the evening and night-time periods, i.e. between 7pm and 7am.

- Pasquil Stability Factor F
- Temperature 15 °C
- Wind Speed 3 m/s
- Wind Direction Worst case – i.e. all directions
- Relative Humidity 50%
- Ground Absorption 0.65 in grassed areas
- 0.10 for paved areas such as roads and carparks

Adjustments were applied for the forecast noise reaching receptor locations. Where evident at the receiving locations, the following adjustments were applied:

- +10 dB where the received noise was determined to have impulsive characteristics
- +5 dB where the received noise was determined to have tonal characteristics

The forecast free field noise levels at sensitive receivers are summarised below in Table 4 to Table 7. These forecasts are based on the maximum Sound Power Levels in Table 3 and the successful implementation of the Noise Management Plan in Appendix A. For clarity, only the highest noise levels have been presented, at the most-exposed floor level of each residential building.

The forecast noise levels at sensitive receivers are also shown in the noise contour plots in Figure 3 to Figure 5

The Tables show that the car vacuum bay, potential cars waiting for the carwash and the delivery truck reversing beeper emit the highest noise levels compared to their respective Assigned levels.

The maximum forecast $L_{A10,adj}$ noise levels in Table 5, at Building A was 50 dB and at Building D was 49 dB. These levels meet the 50 dB corresponding evening Assigned level and therefore acceptable.

The L_{A1} and L_{Amax} noise emissions were a minimum of 9 dB and 3 dB below their respective assigned levels. These noise emissions are also considered acceptable.

Table 4 Forecast Night-time L_{A10} noise emission (dB)

Night-time Noise Source	Receiver			
	Residential #A – top floor	Residential #B – top floor	Residential #C – top floor	Residential #D – top floor
Roof top AC*	39	23	39	31
rooftop exhaust fans*	37	24	32	26
Maximum	39	24	39	31
Assigned Level	45	45	45	45
Compliance	Achieved	Achieved	Achieved	Achieved

Note * Tonality adjustment applied

Table 5 Forecast Evening L_{A10} noise emission (dB)

Evening (7pm-10pm) Noise Source	Receiver			
	Residential #A	Residential #B	Residential #C	Residential #D
Vacuum Bay*	49	44	38	49
Roof top AC*	43	27	43	35
rooftop exhaust fans*	41	28	36	30
Car wash noise*	42	40	37	40
Car Idling at carwash	47	45	35	38
TOTAL	50	46	43	49
Assigned Level	50	50	50	50
Compliance	Achieved	Achieved	Achieved	Achieved

Note * Tonality adjustment applied

Table 6 Forecast Night-time L_{A1} noise emission (dB)

Night-time Noise Source	Receiver			
	Residential #A	Residential #B	Residential #C	Residential #D
Order Point talking	11	7	15	28
order point car idling	22	19	33	41
mech compressor*	44	29	46	36
pickup point car idling	43	38	40	35
pickup point talking	27	27	19	12
Assigned Level	55	55	55	55
Compliance	Achieved	Achieved	Achieved	Achieved

Note * Tonality adjustment applied

Table 7 Forecast Night-time L_{Amax} noise emission (dB)

Night-time Noise Source	Receiver			
	Residential #A	Residential #B	Residential #C	Residential #D
Vehicle door close**	57	55	48	50
Vehicle start	52	50	43	42
Delivery truck	59	51	56	53
delivery reversing beeper*	62	53	59	54
tyre fill beeper*	55	55	52	48
Assigned Level	65	65	65	65
Compliance	Achieved	Achieved	Achieved	Achieved

Note * Tonality adjustment applied

** Impulsive adjustment applied

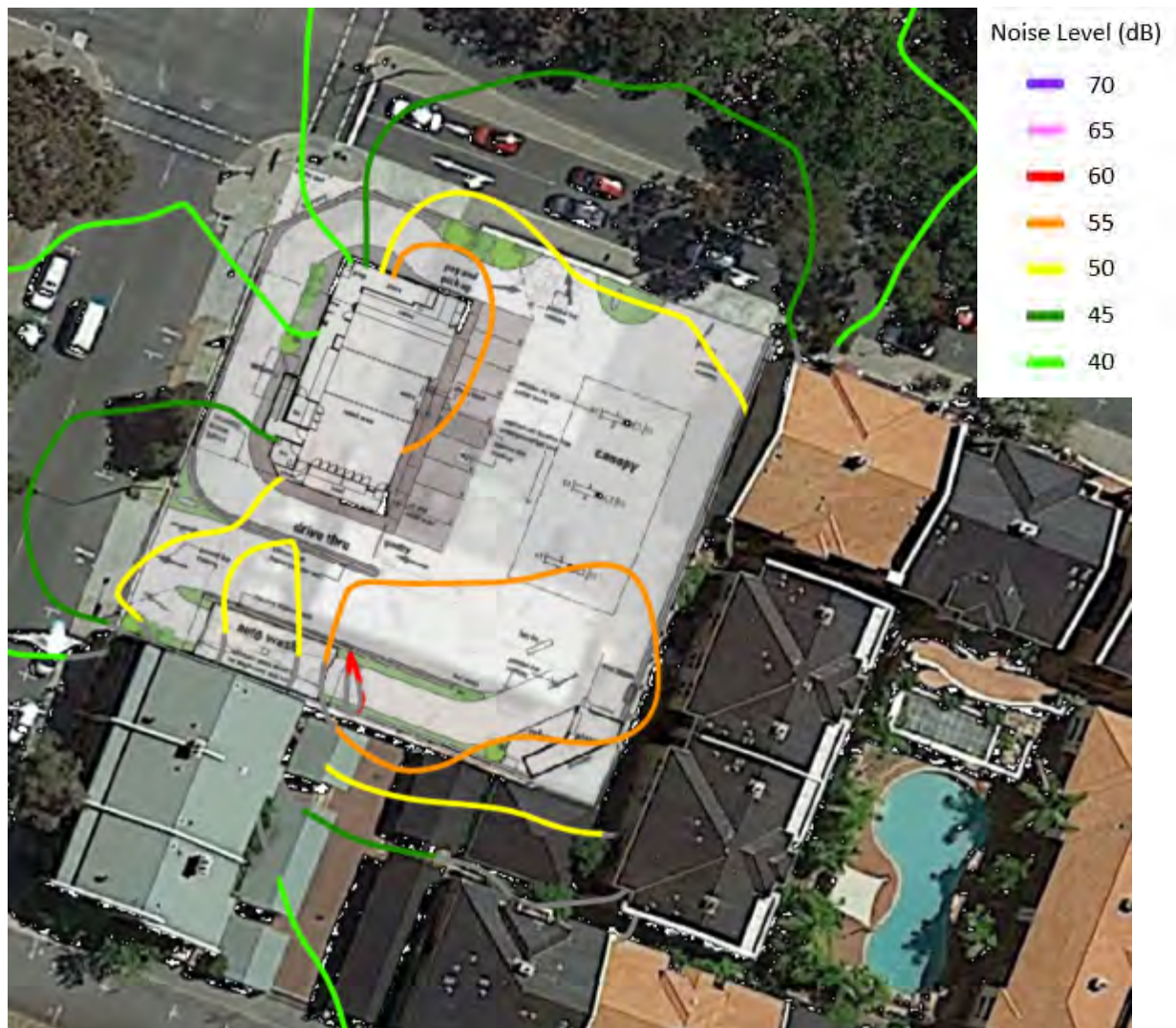


Figure 3 - Forecast L_{A10} Evening noise contours - 7.5m above ground level
(Assigned Level 50 dB)

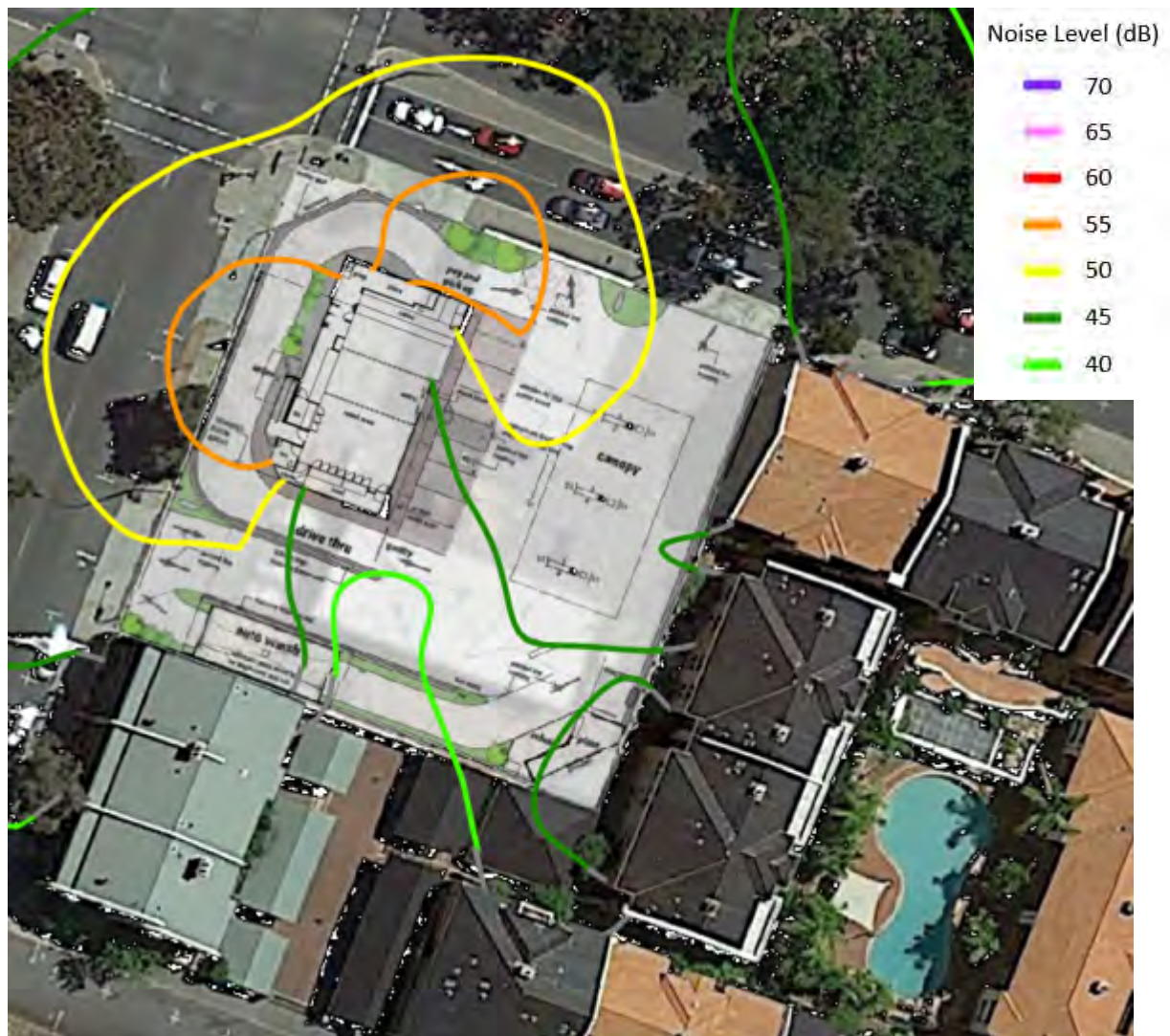


Figure 4 - Forecast L_{A1} night-time noise contours - 7.5m above ground level
(Assigned Level 55 dB)

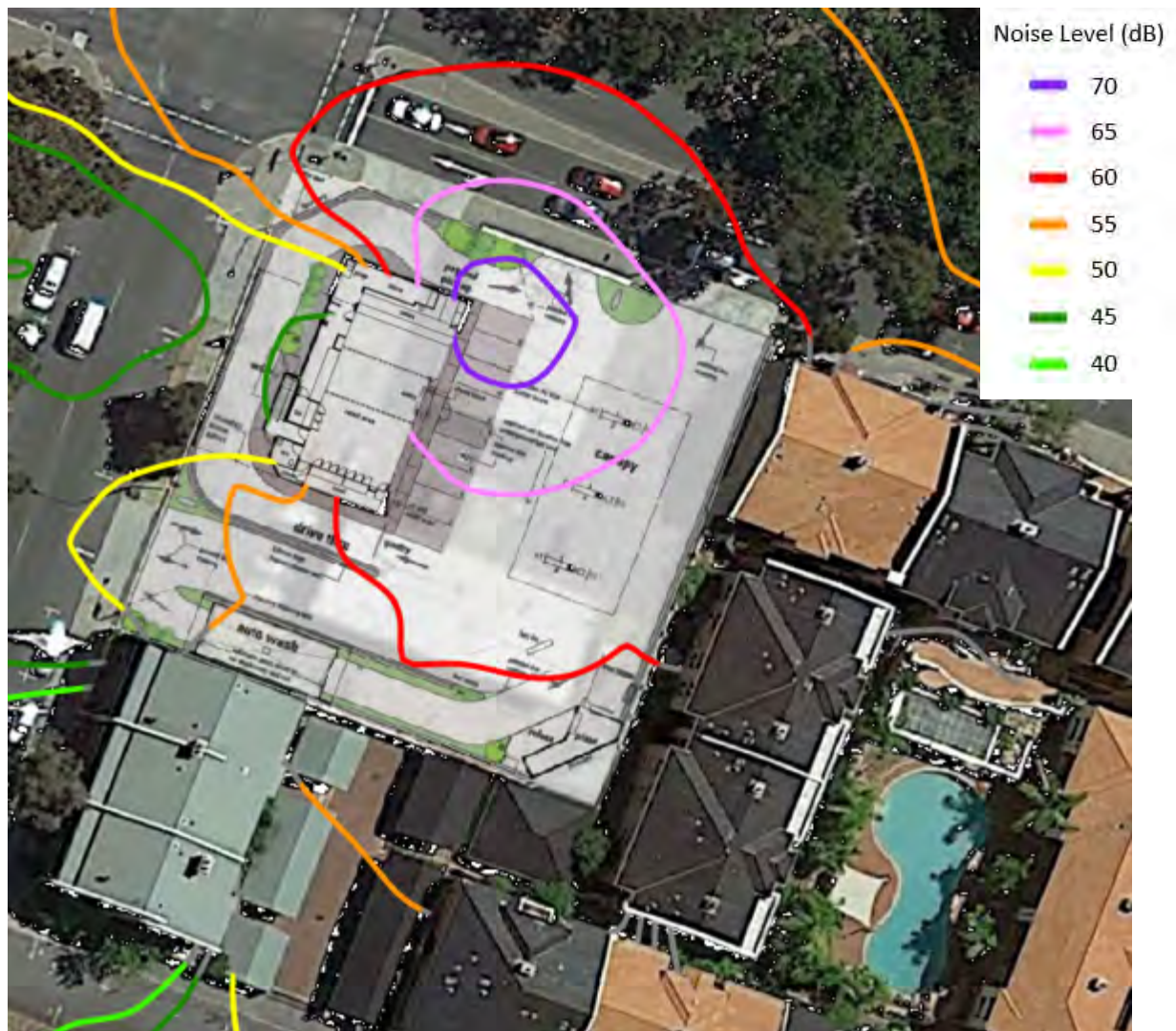


Figure 5 - Forecast L_{Amax} night-time noise contours - 7.5m above ground level
(Assigned Level 65 dB)

5. Conclusions

An assessment of environmental noise emission from the proposed Convenience & Fuel Store, drive-thru, vacuum bay and Carwash facilities has been undertaken.

The forecast noise emission levels have been presented. The recommended treatments to control noise emissions are outlined in the Noise Management Plan (Appendix A) and these treatments have been shown to control environmental noise emission from the site so that compliance is achieved with the Environmental Protection Act (1986) and Environmental Protection (Noise) Regulations 1997.

On this basis the noise emissions from the site are considered acceptable and Unreasonable Noise, as defined in the Act is not expected from site.

Appendix A: Noise Management Plan

The elements outlined below are recommended as part of a comprehensive Noise Management Plan. They are recommended for compliance with the Environmental Protection Act 1986 and its subsidiary legislation; the Environmental Protection (Noise) Regulations 1997.

Noise Source or Activity	Requirement
General Deliveries	<ul style="list-style-type: none"> General Deliveries and operation permitted during the operational hours shown in Table 1 Reversing of trucks to be minimised to avoid the unnecessary activation of the reversing beeper. "Broad band", or "white-noise" reversing beepers are referred for all Delivery trucks at the site Refrigeration plant on delivery truck to be turned off while vehicle is parked
Refuse Collection	<ul style="list-style-type: none"> Refuse collection is to be carried out in the quietest reasonable and practicable manner; Equipment used for refuse collection is the quietest reasonably available Collection to occur between 7 am and 7 pm Mon-Saturday, unless the contractor has a Noise Management Plan approved by Council.
Fuel Tanker Deliveries	<ul style="list-style-type: none"> Vehicle manoeuvring on site to be at a maximum of 5-8 km/h, and with low engine revs. "Broad band", or "white-noise" reversing beepers are preferred for all tanker trucks Reversing of trucks to be discouraged to avoid the unnecessary activation of the reversing beeper.
Barriers	<ul style="list-style-type: none"> Barriers as shown in Appendix C are recommended for the development. All barriers are to be built gap-free. Barriers up to 2.4m high can be built from 0.42mm colorbond sheet steel, or other weather resistant, materials with a minimum mass of 8.5 kg/m². Barriers greater than 2.4m are to be a minimum 90mm thick masonry or other Rw45 constructions
Grilles, Storm water grates & other metal covers	<ul style="list-style-type: none"> To be installed so as to be tight fitting. Where this cannot be achieved, hard rubber or other durable materials are to be used for cushioning such grates/covers
Signage	<ul style="list-style-type: none"> To be installed in the carpark to remind patrons to keep noise to a minimum due to the proximity of neighbouring areas
Outdoor Speakers	<ul style="list-style-type: none"> No music to be played through any speaker on site. The use of the speaker is to be limited to emergency messaging and patron management only

Noise Source or Activity	Requirement
Outdoor Building Services plant	<ul style="list-style-type: none"> Air compressors to be located in a shielded location on the SE corner of the site. Shielding by the 2-storey plant Noise control for building services plant to be reviewed at the detailed design stage, after the selection of final mechanical plant, to ensure compliance with the acoustic requirements in this report
Other Noisy Plant	<ul style="list-style-type: none"> Beepers (for tyre air refill) and other alert devices on site shall be selected so as to minimise their noise emission and to orient away from the nearest neighbours. Noise emissions not to exceed the values outlined in Table 3
Carwash	<ul style="list-style-type: none"> A water resistant acoustic lining, minimum NRC 0.95 is required on the ceiling and walls of the carwash bay, exposed to the carwash environment, minimum area 78m². Proposed acoustic lining material to be a 50mm thick 32kg/m³ glass wool with 15 micron Mylar facing. Water & corrosion resistant perf metal facing, minimum 0.42mm thick, and with a minimum 11% open area. Perf metal facing to sit a minimum 50mm clear gap to insulation Maximum opening to the Western end of the carwash to be 3.0 x 2.4m wide. Maximum opening to the Eastern end of the carwash to be 2.4 x 2.4m wide. Openings to be sealed during carwash with a minimum 10.38mm sliding glass door. Door to seal gap-free when closed using brush seals in contact around the full perimeter of the sliding doors The Southern wall of the carwash to be concrete tilt slab a minimum rating of Rw 50. Glazing permitted on the Eastern, western and northern walls of the carwash; to be a minimum Rw35 10.38mm laminated glazing Roof/ceiling construction: 0.42mm colourbond roof, with either 9mm FC or 16mm fire-rated moisture resistant plaster. NRC 1.0, 100mm thick glasswool insulation in ceiling cavity. Ceiling cavity to be a minimum of 400mm Weather proof acoustic lining, NRC 0.9 required on the exposed southern boundary wall, near idling cars for an area of 4m x 4m, refer Appendix C.
Overall	<ul style="list-style-type: none"> Noise Emission from all sources not to exceed the levels in Table 3 of this report, for the treatments outlined in this Section to be sufficient Noise Emission from all source to meet the time limits outlined in Table 1 In the event that quieter, or louder equipment is proposed for the site, a review of overall noise emission is required to determine the finalised noise control measures. For example, where equipment is provided which is a minimum of 3 dB quieter than that outlined in Table 3, revised noise controls and/or extended operation hours can be contemplated.
Vacuum Bay	<ul style="list-style-type: none"> Walls around vacuum bay to be 3.6m high as shown in Appendix C Weather proof acoustic lining, NRC 0.9 required on the full height of walls as shown in appendix C. <p>Roof over vacuum bay to be min 0.42mm BMT sheet steel. An acoustic lining blanket, NRC 1.0 to be fixed to underside of metal deck, or laid over a ceiling where used. Ceiling to be perforated for a minimum 16% Open Area</p>

Appendix B: Determination of Assigned Level

The Environmental Protection (Noise) Regulations 1997 (EPR) provide limits for acceptable noise from operations generating excessive noise. The Regulations specify the maximum permissible noise levels (termed assigned levels) at noise sensitive premises, caused by surrounding noises, during various times of the day. Time of day affects the assigned levels for noise-sensitive premises, as follows –

- Lowest levels at night (10 pm to 7 am any day, or to 9 am Sundays and Public Holidays);
- Higher levels during the evenings (7 pm to 10 pm) and on Sundays and Public Holidays (9 am to 10 pm); and
- Highest levels during the day (7 am to 7 pm Monday to Saturday).

The baseline assigned levels from the Regulations are shown below in Table 8.

Table 8 – Baseline Assigned Levels

Receiving Premises	Time of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise Sensitive Premises – Highly Sensitive	0700 to 1900 hours Monday to Saturday	45+IF	55+IF	65+IF
	0900 to 1900 hours Sunday and public holidays	40+IF	50+IF	65+IF
	1900 to 2200 hours all days	40+IF	50+IF	55+IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	35+IF	45+IF	55+IF
Noise Sensitive Premises – any area other than highly sensitive area	All hours	60	75	80
Commercial	All hours	60	75	80
Industrial	All hours	65	80	90

The Assigned Levels above are then increased using an Influencing Factor (IF) as defined in the Regulations. The Influencing Factor is greater than zero where there are significant areas of land uses, within 100 m and 450 m radii of the receptor, including:

- industrial land use zonings;
- commercial zonings; and
- the presence of roads carrying significant traffic.

The Influencing Factor IF has been calculated for the applicable noise sensitive receptors in the current study. The percentage of industrial and commercial land within the prescribed circles centred on the noise sensitive premises, and the presence of roads with more than 6000 vehicles per day have been assessed for the properties.

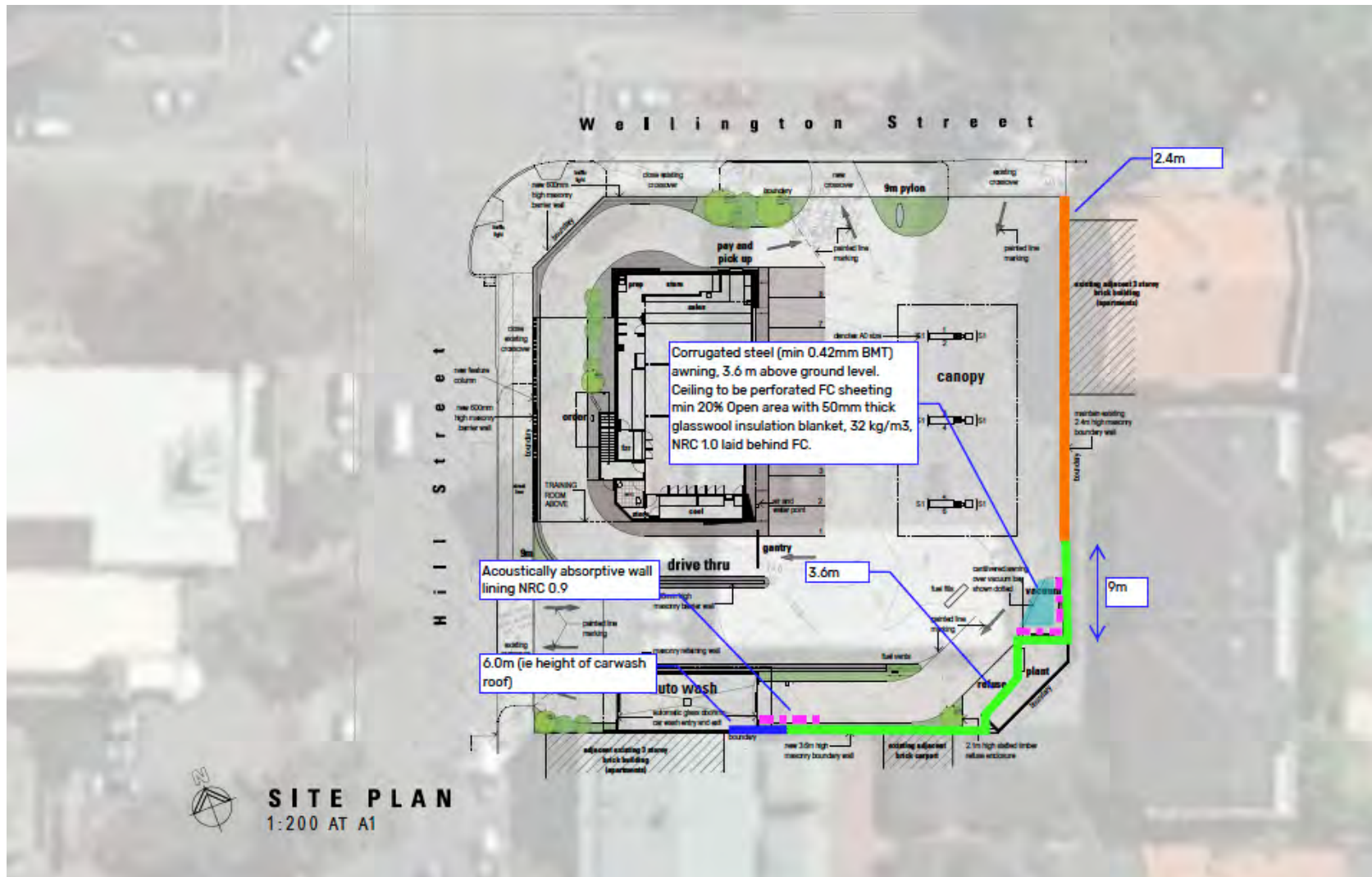
Example Influencing Factor calculations are shown below. These factors have been added to the baseline Assigned Levels to produce the Assigned Levels in Section 3.2 in the body of this report.

Convenience store – Wellington St Perth –
 Environmental Noise Impact
 Reference – P191013RP2

Property = #125 Wellington Street

Type of Land	450m Radius	100m radius	Total	
Industrial Land	0%	0%	0.0	dB
Commercial Land	48%	39%	4.3	dB
Transportation Factor			6	dB
TOTAL Influencing Factor			10	dB

Appendix C: Site Layout incl Barriers



Attachment 4 – Traffic Impact Statement



Proposed Service Station Redevelopment

141 Wellington Street, East Perth

Transport Impact Statement

**PREPARED FOR:
Perth OHP Pty Ltd**

March 2022

Document history and status

Author	Revision	Approved by	Date approved	Revision type
Shaju Maharjan	r01	M Rasouli	12/10/2020	Draft
M Rasouli	r01a	B Bordbar	14/03/2022	Final
M Rasouli	r01b	B Bordbar	23/03/2022	Minor amendments

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Author: M Rasouli

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Client: Perth OHP Pty Ltd

Project: 141 Wellington St, East Perth

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1.0 Introduction

This Transport Impact Statement (TIS) has been prepared by Transcore on behalf of Perth OHP with regards to the proposed service station located at 141 Wellington Street, East Perth, in the City of Perth. The proposal is for a new service station with an auto wash and drive through coffee facility.

It should be noted that the drive through facility will provide customers access to goods for sale in the convenience store without the need to leave their vehicle. The drive-through facility will not operate as a fast-food drive-through and will not provide branded fast-food items such as KFC, McDonalds or Hungry Jacks.

The Transport Impact Assessment Guidelines for Developments (WAPC, Vol 4 – Individual Developments, August 2016) states: *“A Transport Impact Statement is required for those developments that would be likely to generate moderate volumes of traffic¹ and therefore would have a moderate overall impact on the surrounding land uses and transport networks”*.

Section 6.2 of Transcore’s report provides details of the estimated trip generation for the proposed redevelopment. Accordingly, as the net increase in the peak hour vehicular trips are estimated to be less than 100 trips, a TIS is deemed appropriate for this development.

The subject site is bounded by Wellington Street to the north, Hill Street to the west, residential development to the south and east as shown in **Figure 1**. The subject site is located at the south east corner of the signalised intersection of Wellington Street and Hill Street.

The subject site is currently vacant but previously was operating by a Caltex service station with an associated convenience store as shown in **Figure 2**.

Key issues that will be addressed in this report include the traffic generation and distribution of the proposed redevelopment and the access and egress system.

¹ Between 10 and 100 vehicular trips



Figure 1: Location of the subject site (source: Nearmap Jan 2022)



Figure 2: Subject site before demolition

2.0 Proposed Development

The proposal is for a new service station with a drive through coffee facility and an auto wash. The proposal also features a mezzanine level, partly above the drive-through driveway and partly above the control building, which will be used as a training room with storeroom, change room and toilet

According to the proposed redevelopment plan attached in **Appendix A**, the development comprises of:

- ✚ Light vehicle canopy with 6 fuelling positions (3 bowsers) for light vehicles;
- ✚ A convenience store building with a drive through coffee shop;
- ✚ An auto car wash; and,
- ✚ 8 car parking bays inclusive of one ACROD bay.

The drive through facility will provide customers access to goods for sale in the convenience store without the need to leave their vehicle. Typically, customers will purchase items such as coffee, juice and other drinks, pies, sandwiches, salads and other convenience retail or grocery items. The drive-through facility will not operate as a fast-food drive-through and will not provide branded fast-food items such as KFC, McDonalds or Hungry Jacks

As part of this redevelopment, it is proposed to retain the existing southern Hill Street crossover and eastern Wellington Street crossover but the existing northern Hill Street crossover and western Wellington Street crossover will be closed. Accordingly, the subject site crossovers will be rationalised as part of the proposed redevelopment.

As part of the redevelopment the existing eastern Wellington Street crossover will be reconfigured to entail separate inbound and outbound areas to facilitate more efficient exit movements from the coffee drive through facility.

Deliveries and waste collections will be accommodated within the development site. Waste collection will be managed by a private contractor using a medium rigid vehicle. The waste collection truck will drive to the refuse enclosure/plant room which would be located at the south east corner of the site (near the car wash drive through entry point). Access to the drive-through car wash will be blocked for a short time during the waste collection.

Fuel tankers and service vehicles are proposed to enter the site via existing Wellington Street eastern crossover (crossover 1) and exit via existing Hill Street southern crossover (crossover 4). Turn path analysis has been undertaken to review the movements of fuel tanker which are presented in **Section 4** of this report.

Pedestrian will access the proposed redevelopment via pedestrian paths which are in place on Wellington Street and Hill Street fronting the subject site.

3.0 Vehicle Access and Parking

3.1 Existing Access

The existing crossovers of the subject site are shown in **Figure 3**. Currently, there are four full movement crossovers serving the subject site. Crossover 1 and 2 are located on Wellington Street and crossovers 3 and 4 are located on Hill Street.



Figure 3: Existing crossovers

3.2 Proposed Access

It is proposed to retain the existing southern Hill Street crossover (crossover 4) and eastern Wellington Street crossover (crossover 1) whereas the existing northern Hill Street crossover (crossover 3) and western Wellington Street crossover (crossover 2) will be removed.

Crossover 4 on Hill Street is intended to operate as a full movement crossover and the eastern Wellington Street crossover is proposed to be modified with separate entry and exit areas.

The proposed access/egress system for the redevelopment is shown in **Figure 4**.

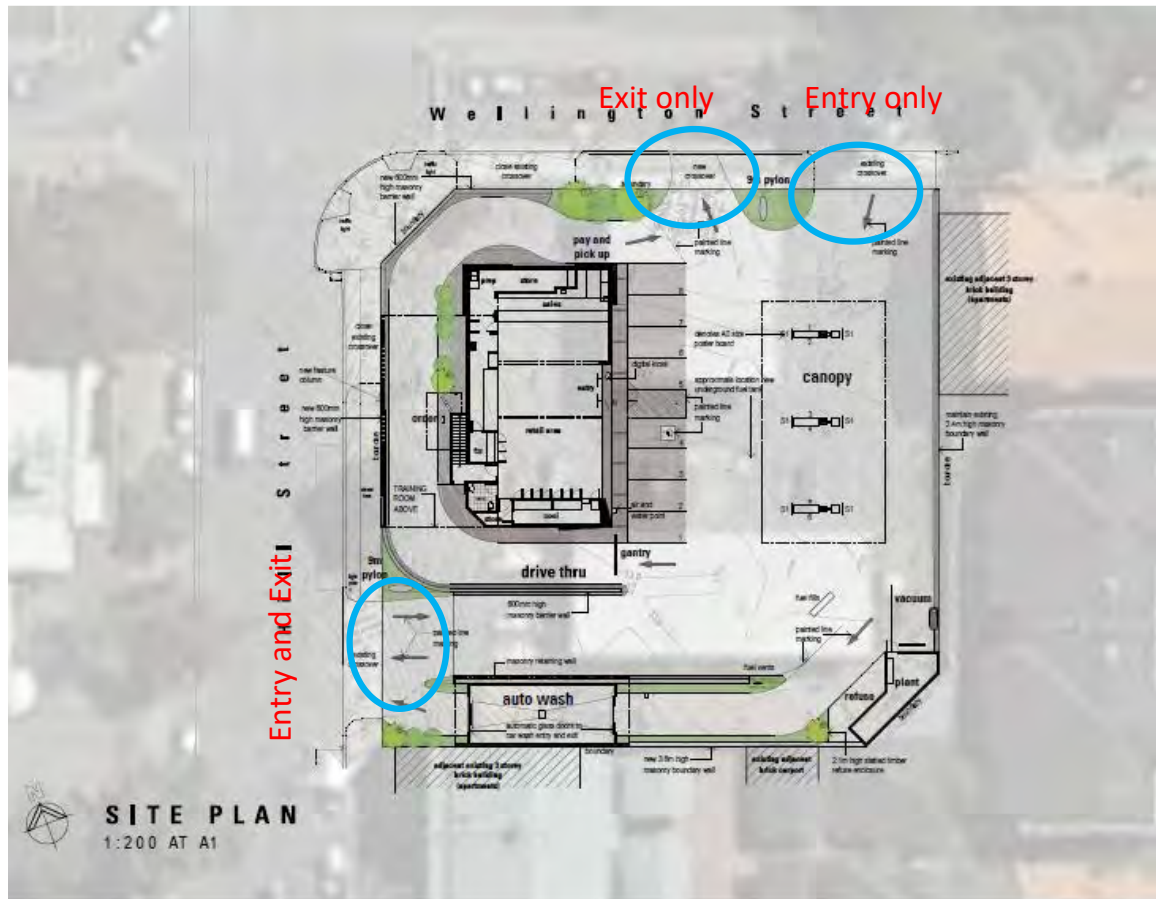


Figure 4: Proposed redevelopment crossovers

3.3 Parking

The proposed redevelopment entails the parking provision of 8 on-site car parking bays (inclusive of one ACROD bay).

It is considered that the proposed parking is adequate to meet the parking demand of the proposed redevelopment.

4.0 Provision for Service Vehicles

Fuel tankers and service vehicles are proposed to enter the site via existing Wellington Street eastern crossover (crossover 1) and exit via existing Hill Street southern crossover (crossover 4).

4.1 *Fuel Tanker Access*

Turn path analysis has been undertaken for the 19.0m fuel tanker which demonstrates satisfactory operations. The results of the turn path analysis for 19.0m fuel tanker are provided in **Appendix B**.

4.2 *Delivery and waste collection trucks*

It is anticipated that 12.5m service trucks will be used for other deliveries and waste collection. As outlined before waste collection will be managed by a private contractor.

4.3 *B99 Passenger cars*

Turn path analysis are also undertaken for B99 passenger cars using the car wash and the drive through facility. The turn path analysis confirms satisfactory traffic movements of B99 passenger cars (refer **Appendix B**).

5.0 Hours of Operation

The service station, including fuel and convenience retail sales and the drive-through facility are proposed to operate on a 24/7 basis. The drive-through auto-wash facility and associated plant will operate from 7:00am until 10:00pm daily, excluding Sundays and public holidays on which it will operate from 9:00am until 10:00pm. The hours of operation of the training room will vary from week to week, but it is expected that those hours will be predominantly during the period from 8:00am to 6:00pm, Mondays to Fridays, excluding public holidays.

6.0 Daily Traffic Volumes and Vehicle Types

6.1 Trip Generation




6.1.1 Existing trip generation

The proposal entails the redevelopment of the existing service station into a new service station with a drive through coffee facility and an auto wash. The previous Caltex service station comprised eight light vehicle bowzers and a convenience store.

The traffic volumes that would be generated by the existing development has been estimated using trip generation rates provided in the *ITE Trip Generation Manual 10th Edition*.

The trip rates which were used to estimate the existing development traffic generation are:

Gasoline/Service Station with Convenience Market (945) – Regular Fuelling Points




-  AM Peak Hour: 12.47 trips per fuelling point
-  PM Peak Hour: 13.99 trips per fuelling point
-  Weekday: 205.36 trips per fuelling point

Accordingly, it is estimated that the existing development generates approximately **1,643** vehicular trips per day (both inbound and outbound) with approximately **100** and **112** trips during the weekday AM and PM peak hours, respectively.

6.1.2 Proposed redevelopment trip generation

The proposed redevelopment plan attached in Appendix A entails a new service station comprising of 6 light vehicle fuelling positions (3 bowzers), a convenience store with a drive through coffee facility and an auto wash.

Gasoline/Service Station with Convenience Market (945) – Regular Fuelling Points

-  AM Peak Hour: 12.47 trips per fuelling point
-  PM Peak Hour: 13.99 trips per fuelling point
-  Weekday: 205.36 trips per fuelling point

Accordingly, it is estimated that the proposed service station component of the redevelopment would generate approximately **986** vehicular trips per day (both inbound and outbound) with approximately **60** and **67** trips during the weekday AM and PM peak hours, respectively assuming 20% cross trade between the service station, car wash and the drive through coffee outlet.

Proposed carwash

The proposed carwash facility is a fully automated with 1 x auto wash bay. Based on the information provided and available to Transcore, it is established that the total service time per vehicle will be 4.5 mins to 6 mins subject to the wash options selected (for example basic wash only takes 4.5 minutes whereas the top wash with dryers would take about 6 minutes per car). For the purpose of trip generation, the total service time per vehicle is assumed to be about 6 minutes. This translates into a service rate of 10 vehicles per hour or total inbound and outbound traffic of 20 vehicles per hour.

The proposed car wash would operate from 7:00am until 10:00pm daily, excluding Sundays and public holidays on which it will operate from 9:00am until 10:00pm. Although the busiest days of the week are expected to be Fridays, Saturdays and Sundays (subject to good clear weather). Peak periods would be 9:00 am to 12 noon and 2 pm to 6 pm.

Coffee shop with drive through window

Review of the daily activity records of standalone coffee shops with drive through window indicate the number of orders generally peaks during the 7:00AM to 9:00AM period. During the remainder of the day (the period between 11:00AM and 6:00PM) coffee outlet patronage gradually declines and settles at the level of 5%-6% of total outlet activity per hour i.e. approximately 35% of peak hour activity.

With respect to the proposal, it is expected that the majority of the customers of the drive through coffee facility would be those who are using the service station as their primary trips. Therefore, it is conservatively assumed that the trip generation of the proposed coffee drive through facility would be about 50% of a stand-alone facility which translated to:

- Total of 329 daily vehicle trips (both ins and outs);
- Approximately 42 trips during the critical peak AM hour (both ins and outs);
- Approximately 29 trips during the critical peak PM hour (both ins and outs)

Total trip generation

It is anticipated that the trip generation of the proposed coffee drive through and the auto wash facilities will be largely linked to the service station traffic. Conservatively, a 20% cross trade is assumed for the proposed redevelopment land uses. The traffic generation of the proposed redevelopment (including the 20% cross trade) is shown in

Table 1.

Accordingly, it is estimated that the proposed redevelopment would generate approximately **1,409** daily trips (inbound and outbound) with **109vph** and **106vph** (inbound and outbound) during the weekday road network AM and PM peak hours respectively.

Table 1: Estimated redevelopment traffic generation

Land Use	Qty	Daily Rate	AM Peak	PM Peak	Cross Trade	Daily Trips	AM Trips	PM Trips
Service Station + Convenience Store	6	205.36	12.47	13.99	0.20	986	60	67
Car Wash	1	200.00	20.00	20.00	0.20	160	16	16
Coffee drive thru facility	1	329.00	42.00	29.00	0.20	263	34	23
Total						1409	109	106

6.1.3 Traffic Impact Comparison

In comparison to existing land use, the net traffic change as a result of the proposed redevelopment is expected to be approximately **-234** daily trips with **+9vph** and **-6vph** for morning AM peak and afternoon PM peak hours respectively as illustrated in **Table 2**. This level of traffic impact is likely to have insignificant impact on the traffic operations of the surrounding road network and intersections.

Table 2: Comparison table

	Existing Development	Proposed Redevelopment	Net Increase/Decrease
Weekday Daily	1643	1409	- 234
Weekday AM Peak Hour	100	109	+9
Weekday PM Peak Hour	112	106	- 6

6.2 Impact on the Surrounding Road Network

The WAPC *Transport Impact Assessment Guidelines for Developments* (2016) provides guidance on the assessment of traffic impacts:

“As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road, but increases over 10 percent may. All sections of road with an increase greater than 10 percent of capacity should therefore be included in the analysis. For ease of assessment, an increase of 100 vehicles per hour for any lane can be considered as equating to around 10 percent of capacity. Therefore, any section of road where the structure plan traffic would increase flows by more than 100 vehicles per hour for any lane should be included in the analysis.”

The proposed redevelopment will not increase traffic flows on any roads adjacent to the site anywhere near the quoted WAPC threshold to warrant further detailed analysis. Accordingly, the impact of the net redevelopment traffic on the surrounding road network will be insignificant.

7.0 Traffic Management on the Frontage Streets

Wellington Street, in the vicinity of the subject site is constructed as four-lane divided road with central median as shown in **Figure 5** and **Figure 6**. It features pedestrian paths on both sides of the road.

Wellington Street operates under a default built up speed limit of 50km/h in this vicinity and is classified as a *Distributor A* road in the *Main Roads WA Functional Road Hierarchy*.



Figure 5: Westbound view along Wellington Street



Figure 6: Eastbound view along Wellington Street

According to Main Roads WA traffic counts, Wellington Street (west of Bennett Street) carried an average weekday traffic flow of 8,588 vpd in 2018/19 with 6.7% of heavy vehicles. Also, Wellington Street (East of Lord Street) carried an average weekday traffic flow of 16,031 vpd in 2018/19 with 7.5% of heavy vehicles.

Hill Street, in the vicinity of subject site is a one-way single un-divided carriageway with pedestrian paths on both sides of the road in the immediate vicinity of the subject site as shown in **Figure 7** and **Figure 8**.

Hill Street is classified as a *Distributor B* road in Main Roads WA Metropolitan Functional Road Hierarchy and operates under the speed limit of 50km/h.



Figure 7: Northbound view along Hill Street



Figure 8: Southbound view along Hill Street

8.0 Public Transport Access

Public transport services within the vicinity of the subject site are shown in **Figure 9**. The subject site is situated within a well-established retail and commercial area which is served by high frequency bus and rail services.

The bus services that operate along Wellington Street adjacent to subject site are 220 and 960. Bus route 220 runs between Perth Busport to Armadale Station and bus route 960 operates from Alexander Drive to Curtin University Bus Station. The subject site is also located within the Free Transit Zone that allows free Transperth bus travel including Yellow CAT bus service. The nearest bus stop is located approximately 70.0m north west of the subject site.



Figure 9: Public transport services (Transperth Maps)

9.0 Cycle Access

The existing cyclist connectivity to the subject site is illustrated in The Perth Bicycle Network Map shown in **Figure 10**. A Principal Shared Path (PSP) is provided along the railway line to the north of the site and Goderich Street to the south of the subject site is classified as good road riding environment.



Figure 10: Perth Bicycle Network Map (Department of Transport)

10.0 Pedestrian Access

The subject site features good accessibility to the surrounding pedestrian path network.

Pedestrians access to the subject site is available via the existing external footpath network running along Wellington Street and Hill Street abutting the subject site.

11.0 Site Specific Issues

No specific issues were identified for the site within the scope of this assessment.

12.0 Safety Issues

No safety issues were identified within the scope of this assessment.

13.0 Conclusions

This Transport Impact Statement (TIS) has been prepared by Transcore on behalf of Perth OHP with regards to the proposed service station located at 141 Wellington Street, East Perth, in the City of Perth. The proposal is for a new service station with an auto wash and drive through coffee facility.

The drive through facility will provide customers access to goods for sale in the convenience store without the need to leave their vehicle. Typically, customers will purchase items such as coffee, juice and other drinks, pies, sandwiches, salads and other convenience retail or grocery items. The drive-through facility will not operate as a fast-food drive-through and will not provide branded fast-food items such as KFC, McDonalds or Hungry Jacks

As part of the proposed redevelopment the existing subject site crossovers will be rationalised with the crossovers closest to the signalised intersection proposed to be removed.

The traffic analysis undertaken in this report shows that the net traffic change, a result of the proposed redevelopment will be low and as such would not have any significant impact on the surrounding road network.

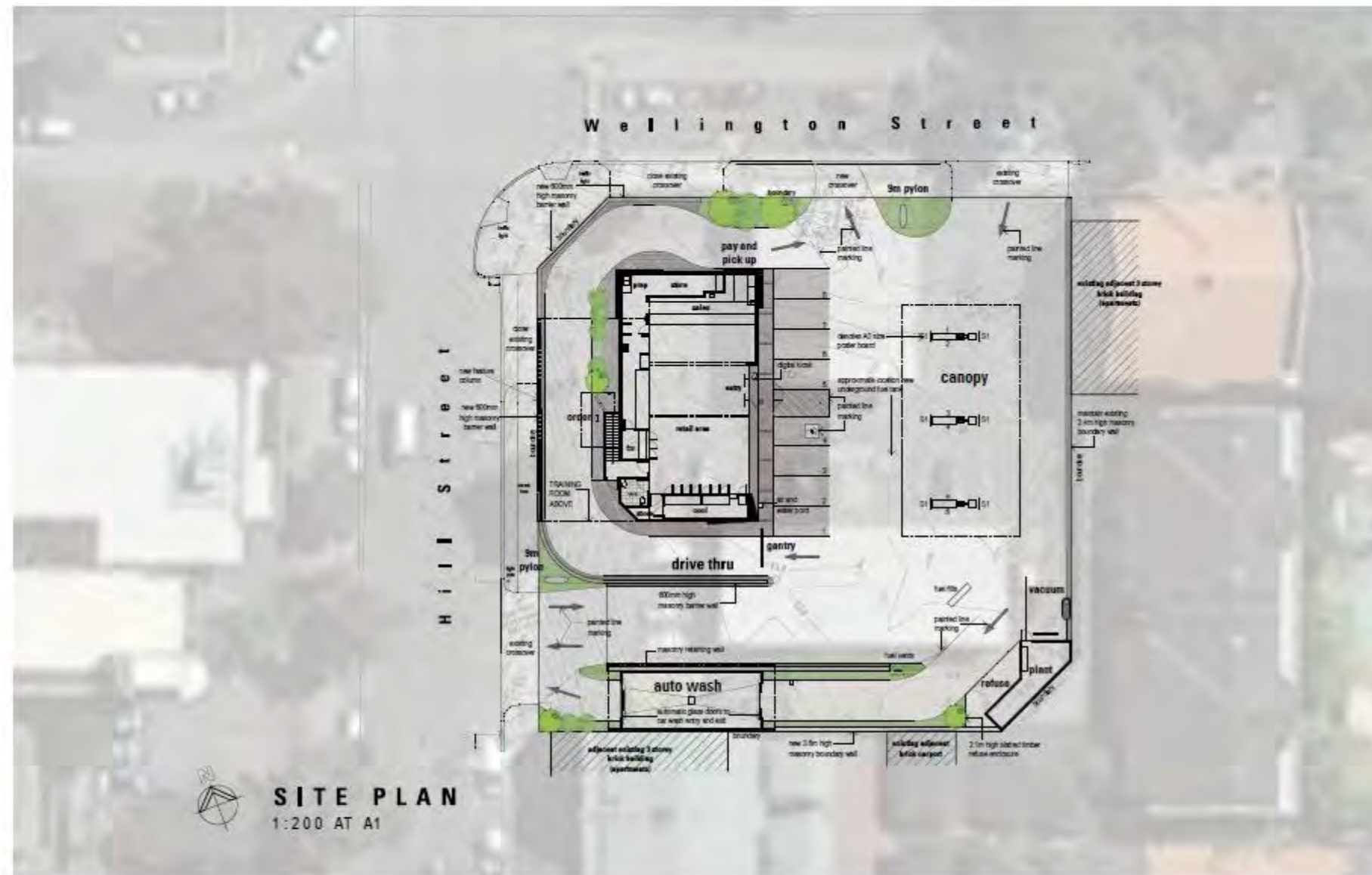
The site features excellent connectivity with the existing cyclist/pedestrian and public transport network.

Turn path analysis undertaken indicates that 19.0m fuel tanker can access and egress the site satisfactorily. Waste collection will be managed by a private contractor.

In conclusions the findings of this Transport Impact Statement are supportive of the proposed redevelopment.

Appendix A

PROPOSED REDEVELOPMENT SITE PLAN



07.02.22
JN1396 / sk01e

SITE PLAN NEW SERVICE STATION COMPLEX

141 WELLINGTON STREET, PERTH WA

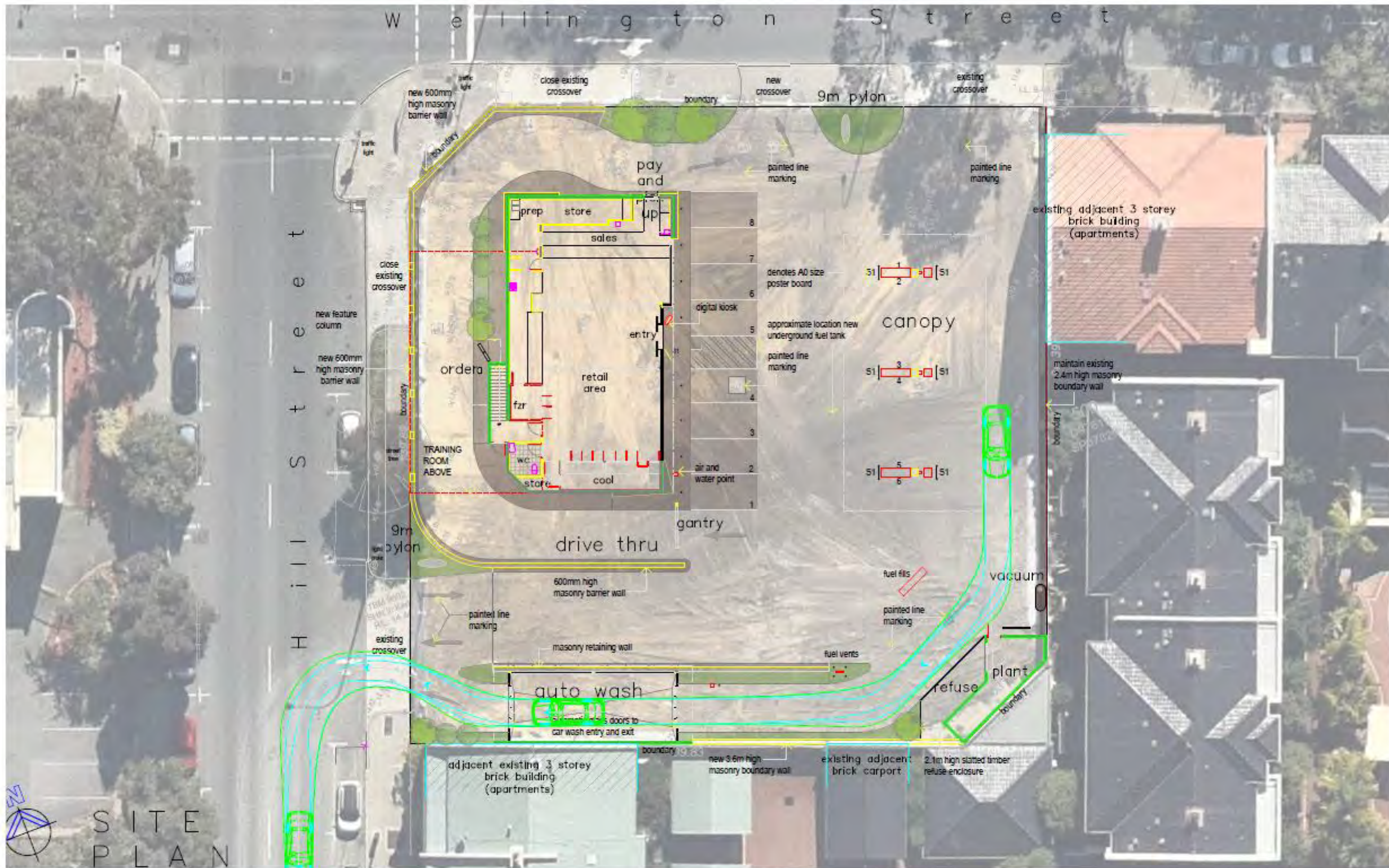
PLANNING APPLICATION

0 1 2 5 10 15m
Scale: 1:200 at A1

ADS Architects
93 Gilles Street Adelaide 5000 T:82232244

Appendix B

TURN PATH ANALYSIS



141 Wellington St, East Perth
Austroads 2013: B99 Passenger Vehicle
Passenger Vehicle Circulation

LEGEND
Vehicle Body
Wheel Path



t20.183.sk04a
11/03/2022
Scale: 1:250 @ A3



Attachment 5 – Schedule of Submissions

Schedule of Submissions Received

Proposed convenience store and car wash

141 Wellington Street, East Perth

No.	Respondent	Respondent's Comments
1	Address not stated	SUPPORT 1. I only recently moved into my north facing apartment after having made the move without ever inspecting it in person myself, When I arrived I was actually somewhat disappointed to see an empty lot at 141 Wellington, As the outdated google maps images had shown there to be a convenience store and fuel station on the property. 2. So you might assume I am glad to see this development, and I am! Looking into the proposal in more detail, the fact that this will be a 24 hour Fuel, Convenience store and car wash really does justify the use of "convenience"
2	Address: Landowner Murray Street, Perth	OBJECT 1. The desired future character of the setting is an urban environment that is comfortable and safe for pedestrians of any age or ability (Cl.67(2)(m)(i)) [of the Deemed Provisions]. The adjoining development are street fronting mid-rise residential apartments that address the street and present an unbroken urban streetscape.

		2. The proposed fuel station does not meet the requirements of Cl.67(2)(m)[of the Deemed Provisions].
3	<p>Address:</p> <p>Landowner Bennett Street, Perth</p>	<p>OBJECT</p> <ol style="list-style-type: none"> 1. I don't think this is a suitable use for this corner. Drive through food is for the suburbs and highways, not the city. We have a fuel station on Plain Street 800 metres away in the industrial area, not across from a the city of Perth recently award winning Wellington Square leafy park. This will make noise, smell and make it more dangerous to walk or cycle around the city. 2. East Perth and the wider City is just beginning to get momentum towards becoming an exciting, walkable and lively city. The proposal is more suitable for a highway or outer suburb. It will make the corner near Wellington Square, the Hospital, the new Common Ground and the Hill Street 2-way conversion more dangerous and uncomfortable for residents, visitors or tourists walking or biking to get around. People walking on a street make it vibrant, liveable and feel safe. People driving through a street make it noisy, smelly and unsafe. This site would be much more suited to the needed East Perth Primary school, a real grocery store, or just a nice apartment building. 3. The transport assessment of this proposal will increase traffic by around 1,000 vehicles each day, 100 during the morning peak hour. This street already fills at each light cycle in the morning. <p>Extra traffic will:</p> <ul style="list-style-type: none"> • Delay 4 bus routes (Yellow CAT, 960, 38 and 220); • Block access to the Hospital for ambulances (ambulance was in the photo, just on the left);

		<ul style="list-style-type: none"> • Block access to and from the fire station; and • Increase the congestion for residents who do live here, all for the benefit of 42 people buying a coffee without getting out of their cars. <p>4. The City's new Strategic Community Plan is a great document that captures all the ways we can grow this city moving forward. The Strategic Community Plan directly opposes the introduction of development that encourages more car dependency. As highlighted on page 33 of the COP strategic community plan, Strategic Goal 1.1 The city is designed for people. 'integrated transport networks to improve accessibility into and within the city and interconnected mixed urban areas to increase walkability and reduce car dependency'.</p> <p>5. Design is noisy, smelly and bad for neighbours The design is mostly driveway, a building surrounded with a drive through window, and a drive through car wash machine. This will take away from the work the city puts into improving how nice it is to walk, takes away from the leafy environment of Wellington Square, and creates multiple negative impacts on residents living immediately next door, without mentioning the wider impacts to the community. 15 apartments sit on the boundary of the site. The residents here will have to endure much more vehicle noise, smell and issues, and have no promise of improvement for another 30 years. Beyond the immediate 15 apartments, there are 144 apartments in complexes at 125 and 123 Wellington Street, 508 residents on the block and 522 residents between Hay and Goderich Streets who will be impacted.</p> <p>6. This proposal is not suitable for an urban location like East Perth. The Proposal argues that there was already a Caltex on this corner. While this is true, the Caltex was demolished over 2 years ago. Particularly if this was done under a development application – demolition, the current land use is Vacant Land.</p>
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		<p>Even if the previous use is acknowledged, a service station was first on the site before 1970, when the area was industrial warehouses. This does not mean that a new service station is appropriate 50 years later.</p> <p>7. The traffic report compares against the Caltex, and uses out of date traffic data. 21/22 data is available and shows 13,000 vehicles per day, rather than 8,500 vehicles per day. This report is out of date and intentionally misleading. It is also missing a bus service, Route 38.</p> <p>8. The zoning is Residential/Commercial, allowing the Mixed Commercial use group category. While it is correct that Mixed Commercial includes car wash facilities, convenience stores, fast food outlets and service stations, the use is 'C' Contemplated. This means Council or JDAP must choose to allow this development, if it meets the intent, requirements and design guidelines of the City's Local Planning Scheme. The development does not meet the intent or requirements of the Scheme, as I'm sure the Planning Team will identify.</p> <p>9. The proposal's development report is misleading or incorrect on multiple occasions, in particular with reference to Local Planning Policy 6.3 Goderich Design Policy, and State Planning Policy 7.0 Design of the Built Environment.</p> <p>10. The Proposal must be refused on the grounds that a service station and drive through food service land use is not an acceptable use in the urban context of East Perth, at the Corner of Wellington Street and Hill Street, under the City's community strategy, Local Planning Scheme, State Planning Policies and Local Planning Policies</p>
4	Landowner	OBJECT

	<p>Address:</p> <p>Wellington Street, East Perth</p>	<ol style="list-style-type: none"> 1. The proposed site is in very close proximity of residential housing, including my own apartment that is directly adjacent to the site. The 24/7 hour operation will cause significant noise disturbance from running car engines/exhausts while drivers queuing in the drive waiting their turn to pick up their food delivery. We specially object to the 24/7 operation of the proposed drive-through and propose a 9am – 10am operation. 2. The 24/7 operation of the convenience store will attract late night activity and cause noise disturbance from car entering and leaving the premise, car parking and potentially customers speaking and shouting loudly while on site etc. all of which can be heard by nearby residents trying to sleep. We specially object to the 24/7 operation of the proposed convenience store and propose a 9am – 10am operation. 3. We completely object to the proposed Automated carwash & vacuum bay as this causes permanent noise from the facility, similar to industrial factory noise. 4. City of Perth invested 17.5 million in Wellington Square with the park now boasting a new intergenerational playground, one of the biggest playgrounds in greater Perth. Wellington Square is a hub for residents, visitors, families and friends to meet, celebrate, adventure and explore. The proposed development does not seem to align with this new vibe City of Perth introduced to our neighbourhood. Instead, the proposed ideas will attract cars, fast food consumption, and support a car mentality, with its drive-through, re-fuelling and carwash facilities, which are in stark contrast with what City of Perth achieved with the Wellington Square project. Speaking as the owner of one of the directly affected apartments, I'm also deeply alarmed about the noise disturbance this development will cause, especially during the night.
5	Address:	SUPPORT

	Landowner Hay Street	<ol style="list-style-type: none"> 1. Strongly support the proposed OTR shop at 141 Wellington St, great idea! Will love having coffee and convenience store right next to Wellington square, and a drive through.
6	Address: Landowner Wellington Street, East Perth	<p>CONDITIONAL SUPPORT</p> <ol style="list-style-type: none"> 1. We support the project overall, but we do have concerns about the operating hours of the carwash, with an early 7am start and a late finish at 10pm from Mondays to Saturdays and from 9am to 10pm on Sundays. 2. The carwash will undeniably be a nuisance to our residents with the incessant coming and going of vehicles, the constantly rotating brushes and the drying area. It is not just the noise levels that are of concern but also the proposed length of time for the carwash operation (15 hours from Mondays to Saturdays and 13 hours on Sundays). The carwash activity will negatively impact our residents' wellbeing with no opportunity for them to really 'switch off' after they get home. This will significantly stop them from enjoying some peace and quiet, after they get home, at least one day a week. We believe the following operating hours for the carwash are more reasonable: Mondays to Saturdays: 9am to 5pm Sundays: Closed 3. We thank you for taking our residents' concerns into consideration when approving this project, as many have told us the operating hours of the carwash are excessive and unreasonable. If the operating hours are not reduced to

		more reasonable hours, there is the risk that more individual complaints will be lodged with the City of Perth down the track.
7	Address: Landowner Bronte Street	OBJECT <ol style="list-style-type: none"> 1. It would be highly inappropriate and reckless for the City of Perth to approve a 24 hour facility at this location again. The proposed site is located directly opposite the entrance to Wellington Square and the newly opened Moort-ak Waadiny playground. When the previous owner Caltex was operating here there was a very serious problem with antisocial behaviour at the premises. There were nightly gatherings at the entrance to the park where people would drink alcohol and go back and forth to the station to buy food and cigarettes. I personally witnessed more than 10 fights by intoxicated individuals at the facility and one serious case of violence to women which I reported to police at the time. Due to the ongoing threats to staff and customers the problem eventually got so serious that Caltex decided to restrict entrance to the store after 9pm and only operated a small hatch for customers after these hours. Please see historical police reports for confirmation of this. 2. Given the efforts City of Perth have put in to improving this area and making it safer for the public, I think it would be a huge backwards step to approve a 24 hour facility at this location especially with a playground and the proposed common ground homeless facility directly across the street. I agree that a convenience store and restaurant would be a welcome addition to the area but a 24/7 facility is asking for trouble. Other convenience stores in the area have learned from this and are now closing at 9pm
8	Address:	OBJECT

	Landowner Henry Lawson Walk	1. I do not consider this development to be in accordance with local amenity and context (particularly in consideration of it abutting medium density housing and across the road from a park/playground), nor is a service station at this location necessary given the existing East Perth service station on East Parade (a short distance away and en route to the freeway system).
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Attachment 6 – Applicant
Address of State Planning
Policy 7.0

ATTACHMENT 6 – APPLICANT ADDRESS OF STATE PLANNING POLICY 7.0
DESIGN OF THE BUILT ENVIRONMENT

Design Principle	Comments
1. Content and Character <p>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</p>	<ul style="list-style-type: none"> <i>The proposed development/use is consistent with the existing context and its previous character having being a service station site for decades.</i>
2. Landscape Quality <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</p>	<ul style="list-style-type: none"> <i>Areas of landscaping have been considered for the site, including opportunity for planting of trees.</i> <i>The existing grass and street tree in the verge of Hill Street will be retained and could be expanded because of the planned removal of one of the crossovers on Hill Street.</i>
3. Built Form and Scale <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>	<ul style="list-style-type: none"> <i>The built form is a function of the use.</i> <i>The built form, scale and height of the proposed development is appropriate to this setting and appropriate for the development type.</i> <i>The built form includes a range of building materials which provide a high quality outcome.</i>
4. Functionality and Build Quality <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>	<ul style="list-style-type: none"> <i>The development has been designed to be highly functional, with a range of car-based uses such as a convenience store, fuel sales, EV charging, car washing and vacuum facilities.</i> <i>The design of the development is aimed at providing user efficiency and convenience.</i>
5. Sustainability	<ul style="list-style-type: none"> <i>The proposed building and fuel canopy is designed to support PV (Solar) Panels, and</i>

<p>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</p>	<p><i>the development also provides EV charging stations.</i></p> <ul style="list-style-type: none"> <i>In future, it is also possible that fuel bowsers can be swapped out for additional EV charging stations as the demand/need arises.</i>
<p>6. 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>	<ul style="list-style-type: none"> <i>The development offers a variety of uses and activities.</i> <i>Good quality landscaping areas (including planting of trees) is also proposed to provide a healthy environment and improved amenity.</i> <i>The convenience function of the convenience store itself is considered to provide a new amenity to the locality.</i>
<p>7. 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>	<ul style="list-style-type: none"> <i>The proposed access arrangements, including left-in, left-out crossovers from Wellington Street provide for easily legible entry and exit. Similarly, access to the drive through and the car wash area is easily identifiable.</i>
<p>8. Safety</p> <p>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p>	<ul style="list-style-type: none"> <i>The building design maximises opportunities for casual surveillance over the forecourt area through large windows and the main entrance to the building. The car park and forecourt is in view of the main road (Wellington Street), which optimises the safety and security of the facility.</i> <i>The use will also be operated 24/7 so there will always be a level of activity occurring on the site (with lights on during the night), increasing safety of the immediate area. This also avoids the site being inactive/dark during night time periods which might otherwise result in safety concerns.</i>

	<ul style="list-style-type: none"> • <i>The upper level training facility has windows and balcony looking over Hill Street and in the internal part of the site.</i>
<p>9. 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>	<ul style="list-style-type: none"> • <i>The development is specifically designed for convenience of the local community, enabling a venue which provides goods and services 24/7 and responds to the existing and growing need in the area. It is a replacement of a facility which has been on-site for decades</i>
<p>10. Aesthetics</p> <p>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>	<ul style="list-style-type: none"> • <i>The proposed building has been architecturally designed with a range of materials and colours and building articulation.</i>

LOT H17 (NO. 437-439) MURRAY STREET, PERTH – ALTERATIONS AND ADDITIONS TO EXISTING TAVERN

Form 1 – Responsible Authority Report (Regulation 12)

DAP Name:	City of Perth LDAP	
Local Government Area:	City of Perth	
Applicant:	Urbis Pty Ltd	
Owner:	Lockney Pty Ltd	
Value of Development:	\$2.1 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)	
Responsible Authority:	City of Perth	
Authorising Officer:	Dale Page, General Manager Planning and Economic Development	
LG Reference:	DAP-2023/5160	
DAP File No:	DAP/23/02509	
Application Received Date:	15 June 2023	
Report Due Date:	6 October 2023	
Application Statutory Process Timeframe:	60 days with an additional 36 days agreed	
Attachment(s):	1. Location Plan 2. Development Plans (12 September 2023) 3. Acoustic Report 4. Venue Management Plan 5. Applicant address of State Planning Policy 7.0 Design of the Built Environment 6. Neighbour Submission	
Is the Responsible Authority Recommendation the same as the Officer Recommendation?	<input type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
	<input checked="" type="checkbox"/> N/A	
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

Responsible Authority Recommendation

That the City of Perth Local Development Assessment Panel resolves to:

- Approve** DAP Application reference DAP/23/02509 and accompanying plans (Attachment 2) 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, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. final details of the materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;
3. final details of the roller shutter, demonstrating a high level of integration with the design of development, being submitted for approval by the City prior to applying for a building permit;
4. any new or modified air-conditioning condensers, external building plant, lift overruns, piping, ducting, and building services being located or screened so that they cannot be viewed from any location external to the site, including from above, and to minimise any visual and noise impact on the adjacent properties, with final 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. details of on-site stormwater disposal/management being to the City's specifications and being submitted for approval by the City prior to applying for a building permit;
6. an updated Acoustic Report with final details of mechanical services and plant being submitted to the City for approval, prior to applying for a building permit, with any requirements and noise mitigation measures of the approved Acoustic Report being implemented by the proprietor/manager/operator of the venue on an on-going basis;
7. the noise levels within the rooftop area being limited to ambient or background levels where normal conversations can occur, with the venue complying with the requirements of the *Environmental Protection (Noise) Regulations 1997* at all times;
8. a final venue management plan being submitted for approval by the City, prior to applying for a building permit, with the approved management plan being implemented by the proprietor/manager on an on-going basis;
9. the waste management plan dated 26 July 2023 being implemented by the proprietor/manager on an on-going basis;
10. any signage for the development being integrated into the design of the building, with final details being submitted for approval by the City prior to installation, with any signage which is not exempt from approval under the City's Signs Policy 4.6 being subject to a separate application for approval;
11. the existing street trees located in the adjacent Murray Street road reserve being retained and protected from damage throughout any demolition and/or construction works with tree protection zones being established and maintained during the demolition and/or construction periods in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the City, with the owner/applicant being liable for any damage or removal of the trees;

12. any works (with the exception of awnings) external to the property boundaries of the site not being approved as part of this development and being subject to a separate application(s) for approval; and
13. 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.

Advice Notes

1. This decision constitutes planning approval only and is valid for a period of four 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.
2. The City advises that the final venue management plan is required to include additional details relating to the servicing of the venue including times, parking locations for service vehicles and measures to minimise any impact on the street and occupiers of surrounding developments.
3. This applicant is advised to review the requirements for disability access and facilities as required under the Disability Discrimination Act and Access to Premises Standards.

Details:

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Central City Area
Local Planning Scheme	City Planning Scheme No. 2
Local Planning Scheme - Zone/Reserve	City Centre
Structure Plan/Precinct Plan	P5 Citiplace
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	Tavern – Preferred 'P'
Lot Size:	855m ²
Existing Land Use:	Tavern
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No

Proposal:

Proposed Land Use	Maintaining existing tavern ('Entertainment') use
Proposed Net Lettable Area	652m ²
Proposed No. Storeys	2
Proposed No. Dwellings	Nil

The application seeks approval for additions and alterations to the existing tavern in the form of a new rooftop terrace addition, modifications to the existing ground floor and the external refurbishment of the existing building.

Specific details of the proposed development are as follows:

Ground Floor	Alterations and additions including the demolition of two internal bar areas; new universally accessible toilet; new internal stairs; new stairs in the rear courtyard; new roller shutter for internal service passage adjacent to the western boundary; new infill panels for the existing fence on the eastern boundary; and new awning at the front of the building.
Rooftop Terrace	New outdoor bar addition partially covered with roofing; new male and female toilets; new stairs; new planter boxers; and new mesh screen balustrade on the eastern boundary.

It is also proposed to refurbish the external appearance of the existing building with new paint finishes to the exterior of the building.

In support of the proposal, the applicant advises that:

- *"The transformation will deliver a semi open-air rooftop bar fronting Murray Street and the adjacent laneway that will diversify the offering of the venue, provide additional seating, increase functionality and create a new experience for future users of the venue."*
- *The new first floor extension sympathetically follows the existing built form setbacks and sits substantially below the allowed building envelope. Consistency of colours and materials across the proposal assists in joining the old with the new without significantly altering the form or scale from street level, with the existing building scale and streetscape remaining minimally altered."*
- *The project has been designed to maximise retention of the existing structure, fit out and built form, wherever possible to reduce the environmental impact. This provides benefits such as reducing construction and demolition wastage, limits the increase in embodied energy on the site and encourages long term sustainable outcomes."*
- *The proposed design enhances passive surveillance between the venue and the street and laneway domain. Multiple view paths and line of sights between internal and external seating areas along with the core vertical circulation zone are supported by well-lit secure access points, providing a substantial improvement over the current unoccupied building."*
- *The reactivation of the currently closed hospitality / food and beverage offering will reinforce the local identity of the town site by reinstating the venue as a thriving pub in Perth's west end again."*

Background:

The subject site is 855m² in area with a northern frontage to Murray Street. The site currently features a single storey building, with alfresco dining structures in the public realm. The business previously traded as a ‘tavern’ until 2020. The original approval for a tavern use dates back to 1992.

Adjoining the subject site on the east side is a multi-storey commercial car park at 419 Murray Street, which is set back from the shared boundary to provide vehicle access to the car park. The adjoining property to the west, 441-445 Murray Street, is a multi-storey commercial building that is currently vacant. However, in April 2023, the site was granted conditional development approval by the City of Perth Local Development Assessment Panel for adaptive reuse as a secondary school.

Legislation and Policy:

Legislation

Planning and Development Act 2005 s. 162

Metropolitan Region Scheme (MRS)

City Planning Scheme No. 2 (CPS2) clauses 6, 26, 27, 32 and the Citiplace (P5) Precinct Plan.

Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for Local Planning Schemes clauses 60, 67 and 68

State Government Policies

State Planning Policy 7.0 – Design of the Built Environment

Local Policies

City Development Design Guidelines (4.1)

Building Heights and Setbacks (4.4)

Plot Ratio (4.5)

Signs (4.6)

Loading and Unloading (5.2)

Consultation:

Public Consultation

As there is no proposed change to land use, and there are no variations to the building height or setback requirements of CPS2, the application was not advertised to surrounding properties for comment.

Nevertheless, the City received a submission from the landowners of the adjoining property at 441-445 Murray Street. The submission raised several issues pertaining to the visibility of the land use, noise, servicing, and the impact of liquor consumption. Refer to Attachment 6 for full details.

The comments received from the submitter are summarised below. These concerns will be discussed in further detail under venue management and noise sections of this report.

Issue Raised	Officer comments
Visibility of patrons consuming alcohol from the adjoining College.	The existing land use of the property, tavern ('Entertainment'), is a preferred 'P' use in the Citiplace Precinct. The use is discussed in the Land Use section of the report.
The impact of noise from the proposed venue	The applicant has provided an updated acoustic report that demonstrates compliance with the <i>Environmental Protection (Noise) Regulations 1997</i> . City officers are generally supportive of the noise assessment and recommendations of the report including mitigation measures.
Impacts related to servicing the venue including noise.	The submitted venue management plan provides details related to proposed servicing for the venue. Some matters including those raised by the submitter are recommended to be addressed via an updated management plan as part of any approval.
Impact of liquor consumption on amenity	The venue management plan provided by the applicant details how the venue proposes to minimise any potential impacts on the amenity of the locality. The sale and consumption of liquor on-site is also subject to a liquor licence from the Department of Racing, Gaming and Liquor.

Design Review Panel Advice

Given that the proposed development is a relatively minor addition to an existing building, the application was not required to be referred to the City's Design Review Panel for comment. However, the City Architect and City Officers have assessed design matters related to the proposal. These matters are addressed further in this report.

Planning Assessment:

Land use

The subject site is located within the 'City Centre' use area of the Citiplace Precinct (P5) under CPS2. The Citiplace Precinct will be enhanced as the retail focus of the State, providing a range of retail and related services more extensive than elsewhere in the metropolitan region. The Precinct will offer a wide range of general and specialised retail uses as well as a mix of other uses such as residential and visitor accommodation, entertainment, commercial, medical, service industry and office. Uses at street and pedestrian level will mainly be shops, restaurants (including cafes), taverns and other uses, that have attractive shop fronts and provide activity, interest and direct customer service. Other uses will be established above or below street level and major pedestrian levels.

The site is also located in the Central Perth Neighbourhood of the City's Local Planning Strategy. The strategy outlines a vision that the Central Perth Neighbourhood will be a hum of activity both day and night prioritising commercial, retail, entertainment, cultural and civic functions, with an increased residential population, to encourage a stronger weekend and night time economy.

A Tavern ('Entertainment') is a preferred 'P' use in the City Centre Use Area of the Citiplace Precinct (P5) under CPS2. The tavern land use is existing at the subject site and is proposed to be maintained as part of the proposed refurbishment works. The land use is considered to be compatible with the Statement of Intent for the precinct and the vision for the future Central Perth Neighbourhood which encourages entertainment land uses to support the weekend and night time economy. It is noted that the addition of a roof deck area represents only a minor intensification to the existing use which has operated from the site for an extended period of time and provides ongoing interest and vitality to the locality.

The owners of the adjacent site, being a future education facility (secondary college) have raised concerns in regard to the potential for school students to look into the roof top bar area and see people drinking and potentially acting in a way that is inconsistent with the education of the students. It is noted that the addition has been designed to be screened from view of the adjoining site with the uncovered portion of the roof terrace located along the eastern boundary, where it is anticipated greater outlook can be achieved due to the setback of the adjoining building to the east. It is also noted that both sites are located in a mixed use area which accommodates a range of accommodation (hotel and apartments), retail, dining and entertainment uses both with alfresco dining offerings. The uses are considered to be compatible with each other, with some offering primarily day time or night time activity. It is considered that the mix of uses is currently (and can continue to be) managed in a way that adds vitality and interest to the west end of Murray Street whilst minimising any potential impacts on adjoining sites.

Development Requirements

New developments within the Citiplace Precinct will have a nil street setback and be of a low scale along the street frontage with any additional building heights being set back from all lot boundaries. Building heights should be tailored to ensure adequate levels of sunlight penetration into key pedestrian areas and public spaces. New development shall also have regard to the height and scale of buildings within the street. Building facades will incorporate interesting architectural elements thereby contributing to a lively, colourful and stimulating environment.

The proposal's compliance with the development standards of CPS2 is outlined below:

Provision	Requirement	Proposal	Assessment
Maximum Plot Ratio	5:1 (4275m ²)	0.76:1 (652m ²)	Complies
Maximum Street Building Height	14 metres	11 metres	Complies
Setbacks:			
<u>Murray Street (north)</u> Lower building levels			
- Ground floor	Nil (minimum)	0.5m (existing)	Complies
- Rooftop Terrace	Nil (minimum)	9.3m	Complies

<u>Side (west)</u>			
Lower building levels			
- Ground floor	Nil (minimum)	Nil (existing)	Complies
- Rooftop Terrace	Nil (minimum)	Nil (new upper floor additions)	Complies
<u>Side (east)</u>			
Lower building levels			
- Ground floor	Nil (minimum)	1.5m (existing)	Complies
- Rooftop Terrace	Nil (minimum)	1.5m (existing wall) – 1.7m (new balustrade)	Complies
<u>Rear (south)</u>			
Lower building levels			
- Ground floor	Nil (minimum)	Nil (existing)	Complies
- Rooftop Terrace	Nil (minimum)	17.4m (new stairs)	Complies

Building Design and Presentation to the Street

State Planning Policy 7.0 - Design of the Built Environment (SPP 7.0) addresses design quality and built form outcomes seeking to deliver the broad economic, environmental, social and cultural benefits that derive from good design outcomes. SPP 7.0 sets out the objectives, measures, principles and processes which apply to the design and assessment of built environment proposals through the planning system.

It is considered that the applicant has provided sufficient justification to demonstrate the proposed development satisfies the ten design principles of SPP 7.0 (Attachment 5 – Applicant Address of State Planning Policy 7.0).

The proposed additions are well integrated into the existing built form of the building, providing new spaces that are appropriately scaled. The additions provide enhanced amenity for the users of the site, which will in turn provide amenity for the community, by contributing to the entertainment offerings at this end of Murray Street. The proposal also contributes towards the safety of the area, as the design of the development allows for passive design of the streetscape.

Plot Ratio, Building Heights and Setbacks

In accordance with CPS2, the site has a maximum plot ratio of 5:1. The proposed plot ratio, at 0.76:1, is well under this maximum. Much of the upper floor is exempt from contributing to plot ratio, as per the definition of 'floor area of a building' in CPS2, being toilets, stairs and an open terrace area.

The proposed building height, at 11m, is consistent with local planning policy 4.4 – Building Heights and Setbacks (LPP 4.4), both in terms of the street building height and the maximum building height.

The proposed additions follow the existing built form of the building, and as such the existing setbacks of the building are not changing, especially on the eastern and southern boundary. The new rooftop structures adjoin the western boundary and are nil to that boundary, which is permitted as per LPP 4.4. The application proposes to demolish an existing awning and to install a new one at the front of the property.

Noise

The applicant submitted an Acoustic Assessment Report which provided an assessment of the potential noise emissions from the venue. The report concludes that the venue can comply with the *Environmental Protection (Noise) Regulations 1997*, subject to music in the rooftop terrace being limited to background music only. It is noted that this requirement has been captured in the Venue Management Plan for the venue. Although both plans include this recommendation it is considered appropriate in this instance to condition any approval to comply with this requirement.

The Acoustic Assessment Report does not include any potential noise from any roof top plant or equipment. Additional modelling in relation to the mechanical services of the building is required at the detailed design stage. It is therefore considered appropriate to condition on any approval for an updated acoustic report to be provided addressing and mechanical plant noise.

It is noted that one of the concerns raised by the landowner of the adjoining site was that the provided acoustic report insufficiently detailed noise impacts. Since the adjoining landowner made the comments, the applicant provided a revised acoustic report with revised calculations and an expanded methodology. City officers consider that the report satisfactorily demonstrates compliance with the *Environmental Protection (Noise) Regulations 1997*, subject to the matters discussed above.

Venue Management

The applicant submitted a venue management plan that outlines how the venue is intended to be operated. The plan outlines key management measures such as security, complaints management, noise management, responsible serving of alcohol, maintenance, and deliveries and servicing. The venue management plan states that the security and safety of individuals on-site is paramount. Security guards will be contracted through an external provider and will be used to control patron conduct and behaviour.

The plan also states that impacts on the locality by patrons will not be tolerated, including violent behaviour, indecent language, obstructing the footpath or littering, amongst other things. Staff and security will endeavour to assist patrons in moving on quietly from the venue; any disruptive patrons will be reported to the police. Keeping the locality clean is further emphasised in the plan, where it states that staff will perform regular litter collections around the venue.

The proposed measures outlined in the Venue Management Plan are considered to sufficiently assist in reducing any potential negative impacts to the locality.

It is noted that one of the concerns raised by landowner of the adjoining site is in relation to the servicing of the venue via an existing service access adjacent to the western boundary and the potential for adverse noise. The plan references servicing to the venue however there is a lack of detail regarding servicing times, vehicle parking points, etc. Although the adjoining site is not considered to be a specifically sensitive land use, like residential where the servicing of a site could be detrimental to the amenity of its occupants, it is considered appropriate to place a condition on any approval for the venue management plan to be updated to include further details on servicing.

Conclusion:

It is considered that the proposed development is consistent with the statement of intent for the Citiplace Precinct, as the existing 'tavern' contributes to the mix of land uses in the Precinct, and the proposed additions assist to refurbish an existing building which will increase activity at the site.

The development largely utilises the existing built form of the building at the subject site, with additions that are compliant with the planning controls outlined in CPS2 and relevant local planning policies.

While the adjoining landowner raised concerns relating to noise, servicing, and the impact of liquor consumption on the amenity of its future occupants, it is considered that the applicant has satisfactorily addressed these issues via the associated acoustic report and venue management plan. With appropriate conditions on any approval, the final details and implementation of these reports can be confirmed at the building permit stage.

Overall, the proposed works will enhance the existing 'tavern' land use and assist in providing vibrancy and activity in the locality. It is therefore recommended that the proposed development be conditionally supported.

Attachment 1 – Location Plan



437-439 (LOT H17) MURRAY STREET, PERTH

Attachment 2 – Development Plans

DEVELOPMENT APPLICATION

DEVELOPMENT APPLICATION DRAWING LIST				
NUMBER	NAME	REVISION	DATE	REVISION DESCRIPTION
DA0.01	COVER PAGE	G	07.09.2023	DA AMENDMENT 2
DA0.02	SITE SURVEY	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA0.03	SITE SURVEY 2 - FLOOR PLAN	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA0.04	SITE SURVEY 3 - ROOF PLAN	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA1.01	SITE PLAN	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA1.11	DEMOLITION PLAN - GROUND FLOOR	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA1.12	DEMOLITION PLAN - ROOF PLAN	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA2.01	PROPOSED GROUND FLOOR	G	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA2.02	PROPOSED FIRST FLOOR	G	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA2.03	PROPOSED ROOF PLAN	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA3.01	PROPOSED ELEVATIONS	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA3.02	PROPOSED ELEVATIONS	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA3.03	PROPOSED ELEVATIONS	A	07.09.2023	DA AMENDMENT 2
DA4.01	PROPOSED SECTION	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA4.02	PROPOSED SECTION	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA5.01	PERSPECTIVE - STREET FRONT	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA5.02	PERSPECTIVE - STREET CORNER	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b
DA5.03	PERSPECTIVE - ROOF BAR	F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b



Operator
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Perth WA 6000

Architecture
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Northbridge WA 6003

MEP Services
Forth Consulting
1064 Hay St
West Perth WA 6005

Structural Engineering
Michael Bale & Associates
76 Thomas St
West Perth WA 6005

Sustainability & Energy Efficiency
Elite Compliance
182 Scarborough Beach Road
Mount Hawthorn WA 6016

437 MURRAY REDEVELOPMENT

Project
437 MURRAY ST, PERTH

Client
AUSTRALIAN VENUE CO.

Project No
22081

Drawing No
DA0.01

Revision
G

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LOCALITY DIAGRAM - NOT TO SCALE

LEGEND	
	TBM
	SHRUB
	TREE
	SIGN - SINGLE POLE
	SEWER MANHOLE
	DRAINAGE GRATE
	WATER METER
	GAS VALVE
	UNKNOWN MANHOLE
	BOLLARD
	COMMS PIT
	SECURITY CAMERA

LINE TYPES	
	DEFINED BOUNDARY
	BOTTOM OF KERB
	TOP OF KERB
	ROAD CENTRELINE
	FOOTPATH
	ROAD MARK SOLID
	RETAINING WALL
	TOP OF WALL
	DRIVEWAY EDGE
	SPEED BUMP
	STAIRS
	GATE
	SEWER LINE

SUBSURFACE UTILITY INFORMATION			
PRESENT ON THIS DRAWING	METHOD OF LOCATION	CLASSIFICATION OF SUBSURFACE UTILITY INFORMATION AS 5488-2013	POTENTIAL RISK OF UTILITY DAMAGE
	DEPT PLANS OR UNKNOWN SOURCE	QUALITY "D" (H & V UNKNOWN)	HIGH
	VISUAL UTILITY IDENTIFICATION (ELECTRO-PROBING)	QUALITY "C" (H & V UNKNOWN)	HIGH
	UTILITIES LOCATED AND MARKED (ELECTRO-PROBING)	QUALITY "B" (H & V UNKNOWN)	MEDIUM
	UTILITIES IDENTIFIED, TRACKED, REPORTED OR SURVEYED AT INSTALLATION	QUALITY "A" (H & V UNKNOWN)	LOW

NOTE:
AHD DERIVED FROM EXISTING PROJECT ADJACENT.

NOTE:
THE BOUNDARIES SHOWN ON THIS PLAN WERE RE-ESTABLISHED AS PART OF THIS SURVEY.



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0 2 4 6 8 10 12 14 16	
SCALE 1:200	
ALL DISTANCES IN METRES	
SURVEYOR AF	VERTICAL DATUM AHD
SURVEY DATE 20/03/2023	HORIZONTAL DATUM PCG2020

CLIENT:
AUSTRALIAN VENUE CO

PAPER SIZE A3

0	INITIAL ISSUE	AF	MD	MD	30/03/2023
REV	DESCRIPTION	DRN	CKD	APP	DATE

FEATURE & CONTOUR SURVEY
437 MURRAY STREET, PERTH 6000
CITY OF PERTH

JOB No. AUVE-437MUR	DRAWING No. AUVE-437MUR-DW-001	REV 0
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Revisions	Project
DA B 02.05.2023 FOR CLIENT REVIEW 2	AL
DA C 11.05.2023 DA DRAFT 1	RL
DA D 16.05.2023 DEVELOPMENT APPLICATION	RL
DA E 21.07.2023 DEVELOPMENT APPLICATION AMENDMENT 1	RL
DA F 25.07.2023 DEVELOPMENT APPLICATION AMENDMENT 1b	RL

437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing **SITE SURVEY**

Project No **22081**

Author **RM SURVEYS**

Scale: @ A3

Drawing No **DA0.02**

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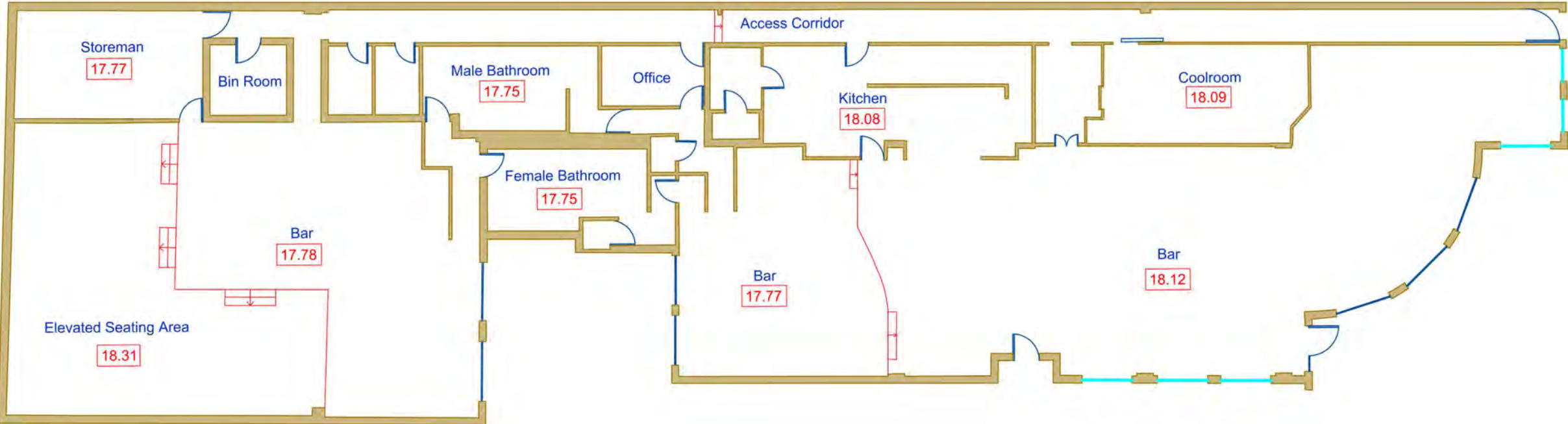
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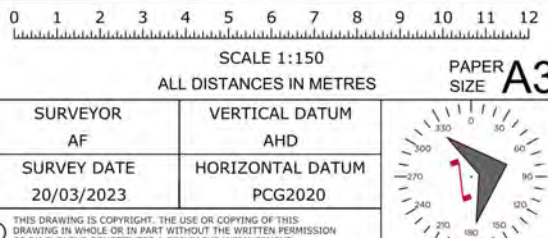
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0	INITIAL ISSUE	AF	MD	MD	29/03/2023
REV	DESCRIPTION	DRN	CKD	APP	DATE

2D FLOORPLAN 437 MURRAY STREET, PERTH 6000 CITY OF PERTH		
JOB No. AUVE-437MUR	DRAWING No. AUVE-437MUR-DW-003	REV 0

Revisions	DA B	02.05.2023	FOR CLIENT REVIEW 2	AL
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	DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL
	DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
SITE SURVEY 2 - FLOOR PLAN

Project No
22081
Author
RM SURVEYS
Scale: @ A3

Drawing No.
DA0.03

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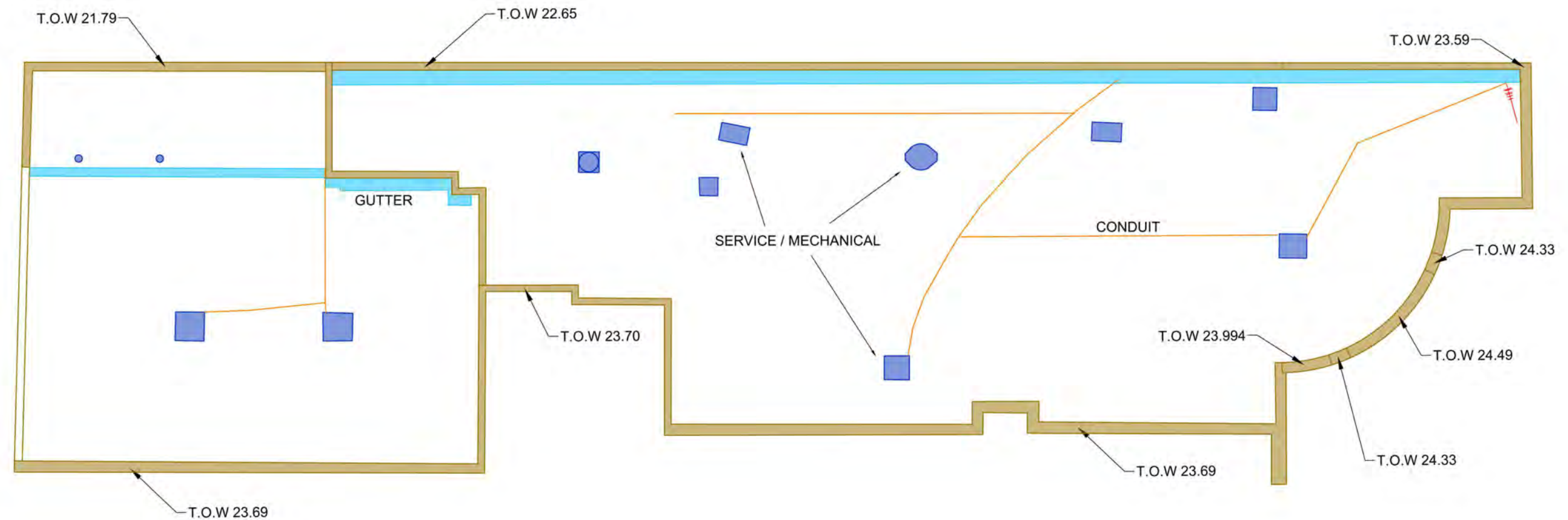


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AF						AHD						
SURVEY DATE						HORIZONTAL DATUM						
20/03/2023						PCG2020						
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0	INITIAL ISSUE	AF	MD	MD	29/03/2023
REV	DESCRIPTION	DRN	CKD	APP	DATE

2D ROOF LAYOUT PLAN		
437 MURRAY STREET, PERTH 6000		
CITY OF PERTH		
JOB No.	DRAWING No.	REV
AUVE-437MUR	AUVE-437MUR-DW-002	0

Revisions	DA B	02.05.2023	FOR CLIENT REVIEW 2	AL
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	DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL
	DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
SITE SURVEY 3 - ROOF PLAN

Project No
22081

Author
RM SURVEYS

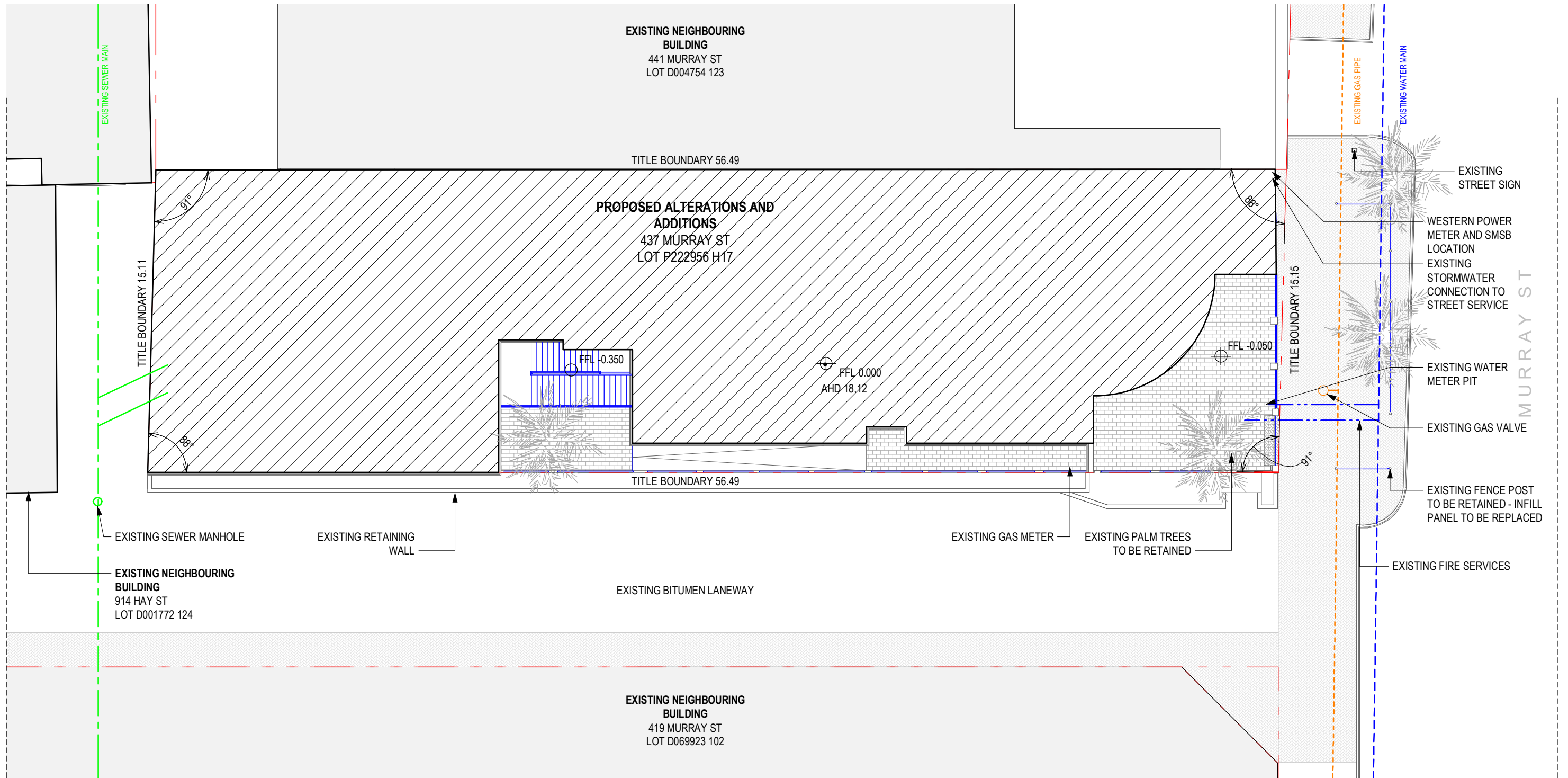
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DA D	16.05.2023	DEVELOPMENT APPLICATION	RL
DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL
DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
SITE PLAN

Project No
22081

Author
AL

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Drawing No.
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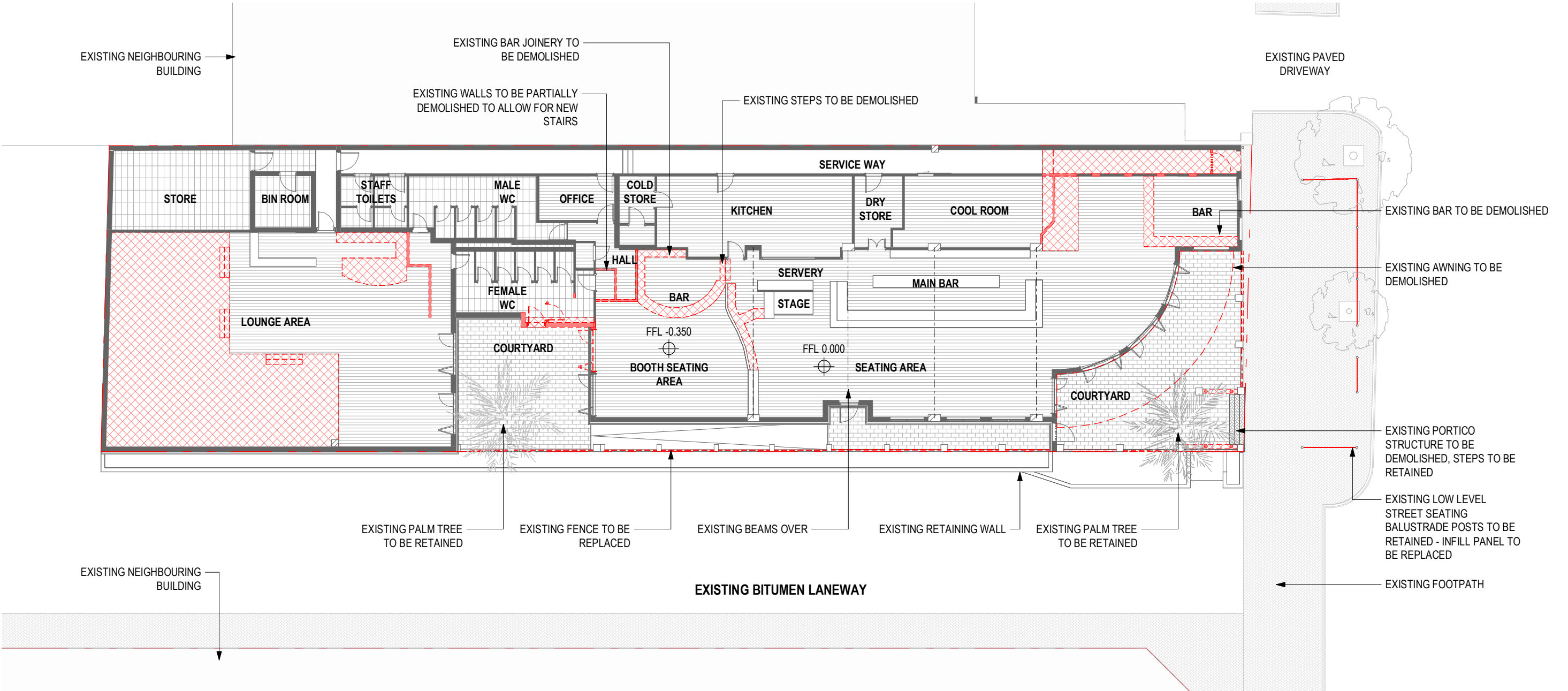
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DEMOLITION LEGEND

REMOVE EXISTING JOINERY

REMOVE EXISTING WALLS, DOORS, FENCE AND RETAIN FOOTINGS

Revisions				Project			
DA B	02.05.2023	FOR CLIENT REVIEW 2	AL	437 MURRAY REDEVELOPMENT 437 MURRAY ST, PERTH			
DA C	11.05.2023	DA DRAFT 1	RL				
DA D	16.05.2023	DEVELOPMENT APPLICATION	RL				
DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL				
DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL				

437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

DEMOLITION PLAN - GROUND FLOOR

Project No **22081**

Author **AL**

Scale: @ A3 **1 : 200**

Drawing No. **DA1.11**

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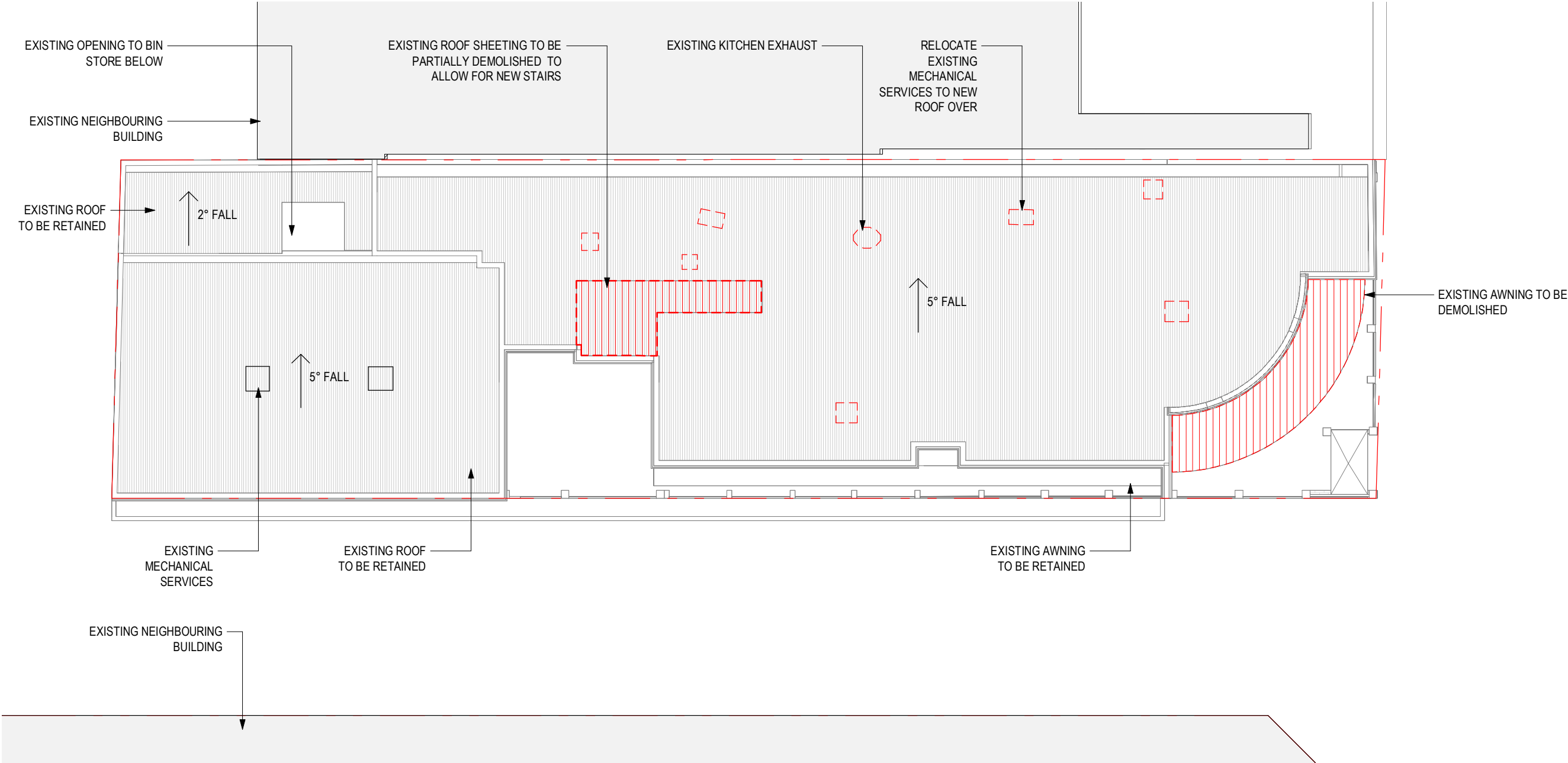
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DEMOLITION LEGEND

REMOVE EXISTING JOINERY

REMOVE EXISTING WALLS, DOORS, FENCE AND RETAIN FOOTINGS

Revisions			
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437 MURRAY REDEVELOPMENT

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DEMOLITION PLAN - ROOF PLAN

Project No

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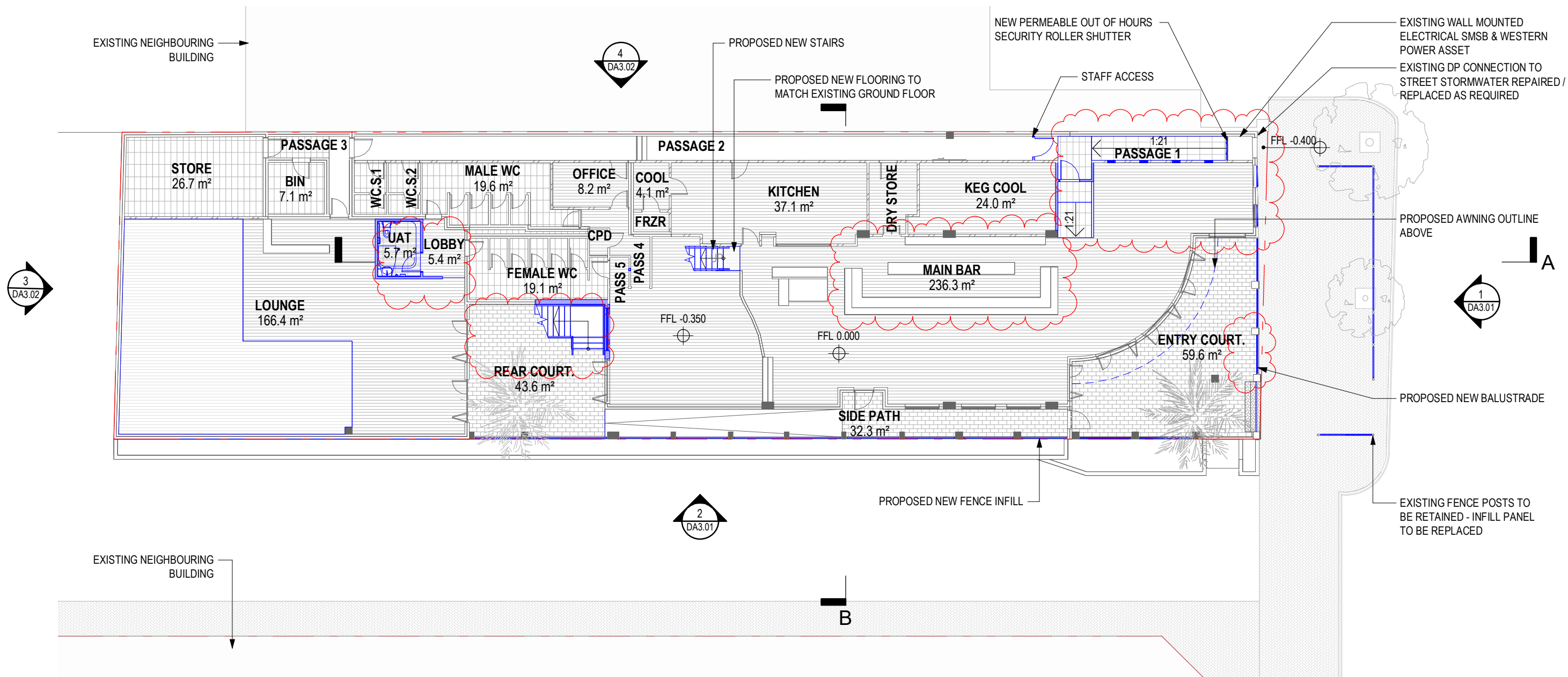
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PROPOSED WORKS LEGEND

PROPOSED NEW WORKS

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Revisions	
DA D	16.05.2023 DEVELOPMENT APPLICATION RL
DA E	18.07.2023 DEVELOPMENT APPLICATION RL AMENDMENT DRAFT
DA F	21.07.2023 DEVELOPMENT APPLICATION RL AMENDMENT 1
DA G	25.07.2023 DEVELOPMENT APPLICATION RL AMENDMENT 1b

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
PROPOSED GROUND FLOOR

Project No
22081

Author
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Scale: @ A3
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Drawing No.
DA2.01

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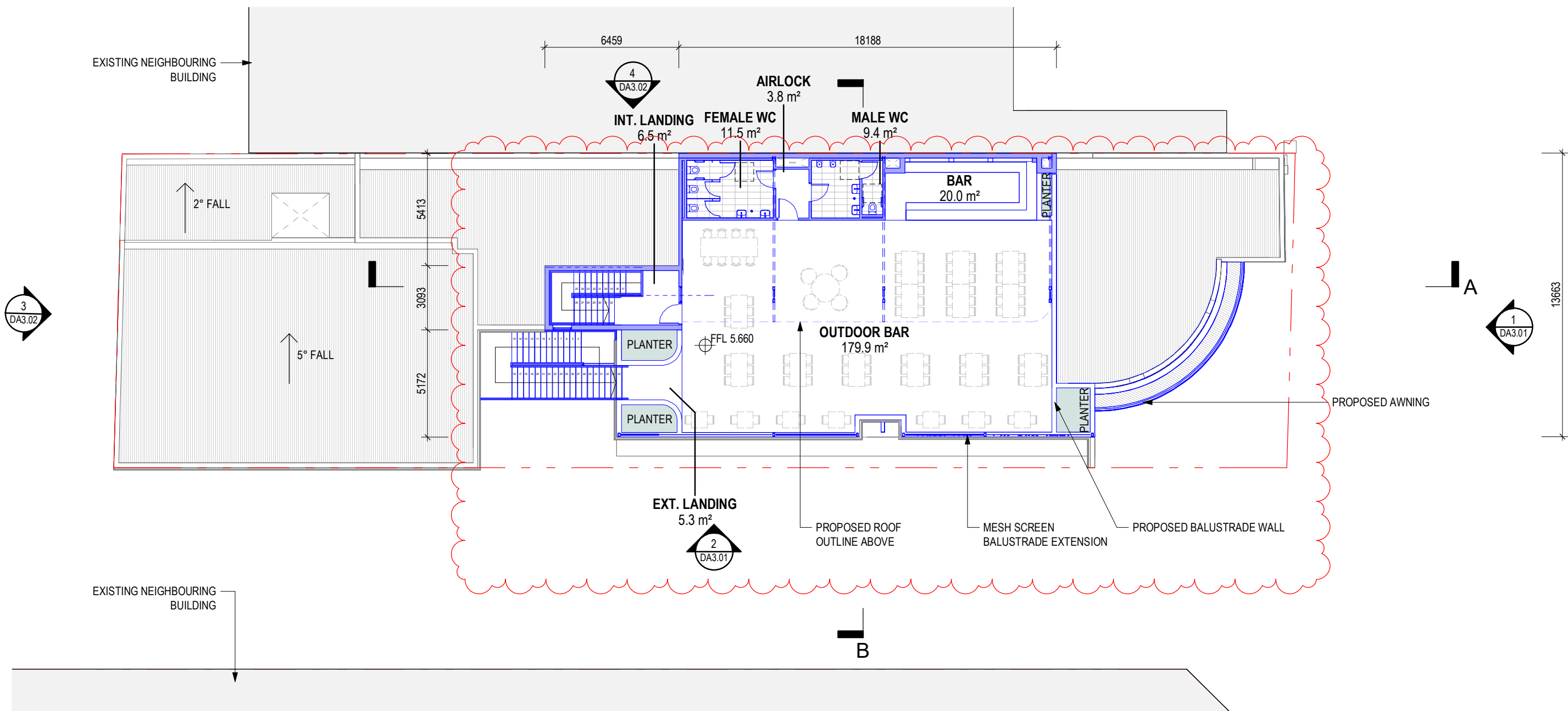
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PROPOSED WORKS LEGEND

PROPOSED NEW WORKS

REMOVE EXISTING WALLS, DOORS, WINDOWS AND
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Revisions	
DA D	16.05.2023 DEVELOPMENT APPLICATION RL
DA E	18.07.2023 DEVELOPMENT APPLICATION RL AMENDMENT DRAFT
DA F	21.07.2023 DEVELOPMENT APPLICATION RL AMENDMENT 1
DA G	25.07.2023 DEVELOPMENT APPLICATION RL AMENDMENT 1b

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
PROPOSED FIRST FLOOR

Project No
22081

Author
AL

Scale: @ A3
1 : 200

Drawing No.
DA2.02

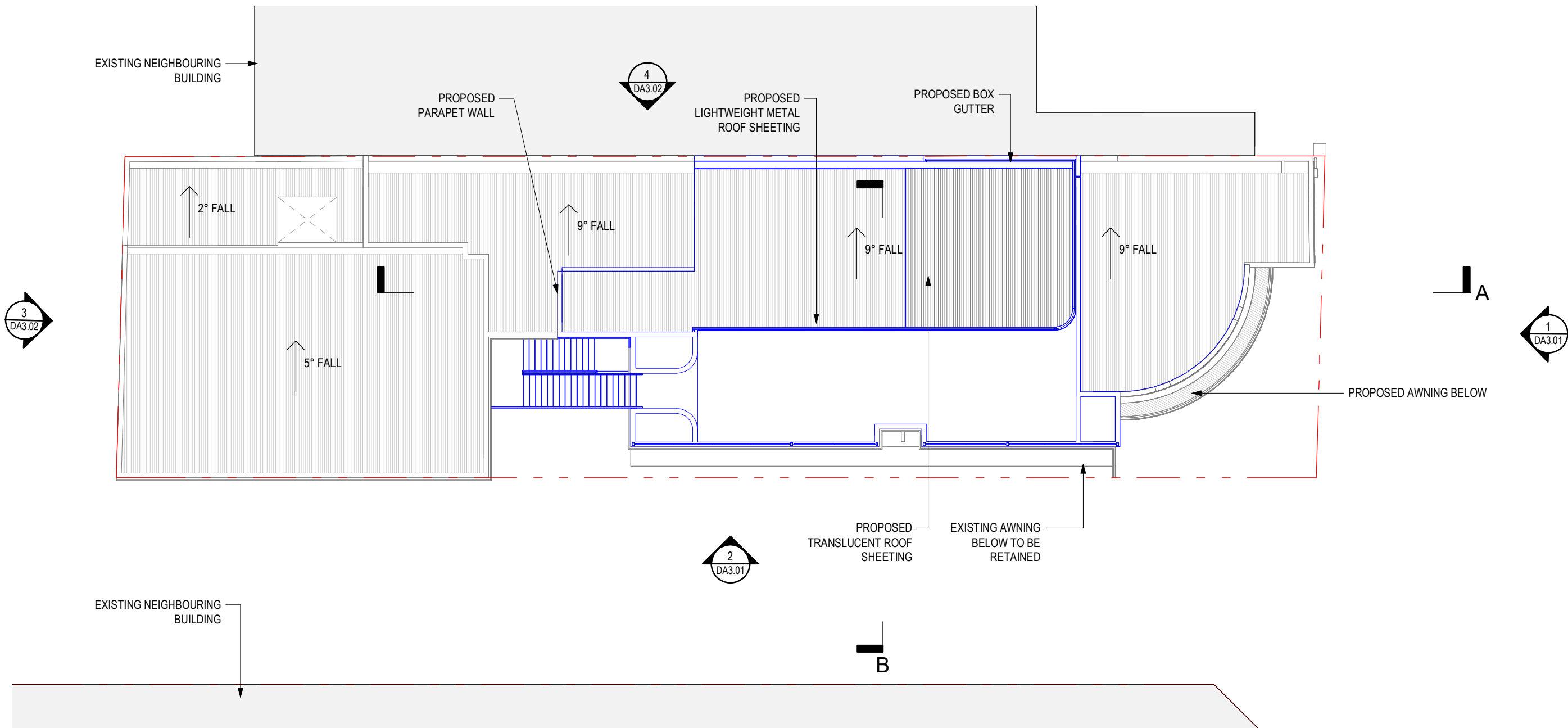
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PROPOSED WORKS LEGEND

- PROPOSED NEW WORKS
- REMOVE EXISTING WALLS, DOORS, WINDOWS AND RETAIN FOOTINGS



Revisions	DA B	02.05.2023	FOR CLIENT REVIEW 2	AL
	DA C	11.05.2023	DA DRAFT 1	RL
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	DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL
	DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
PROPOSED ROOF PLAN

Project No
22081

Author
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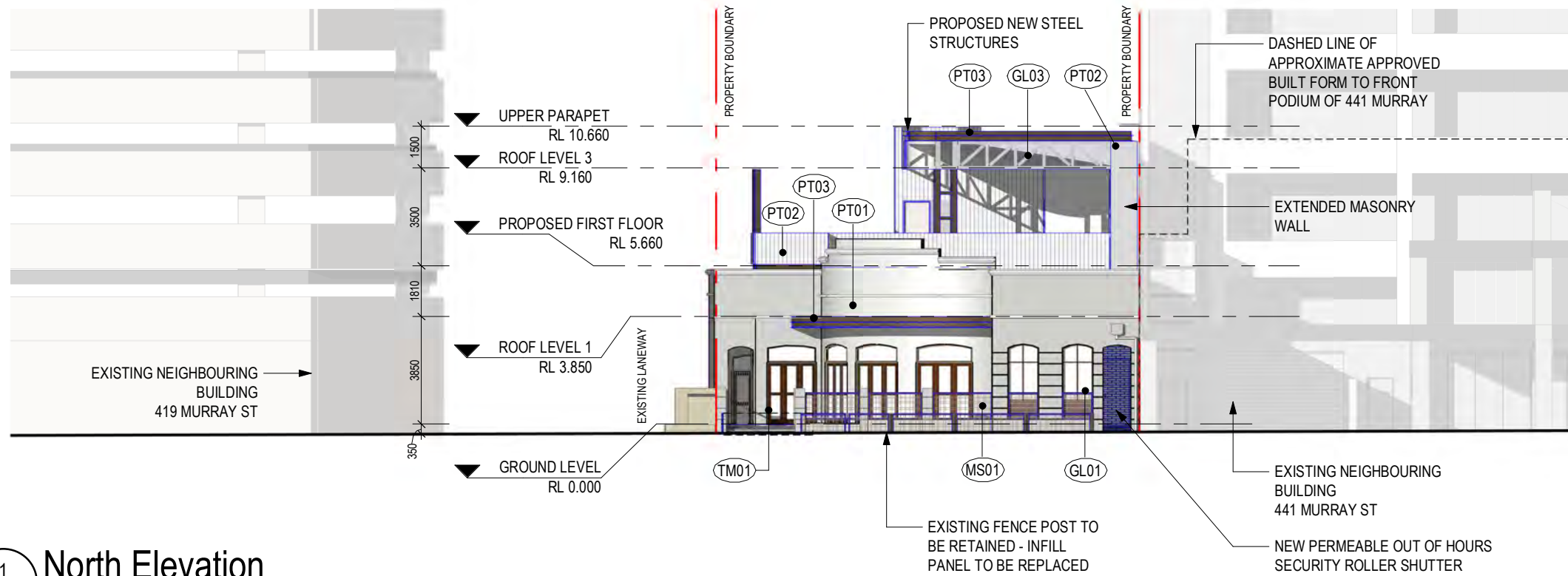
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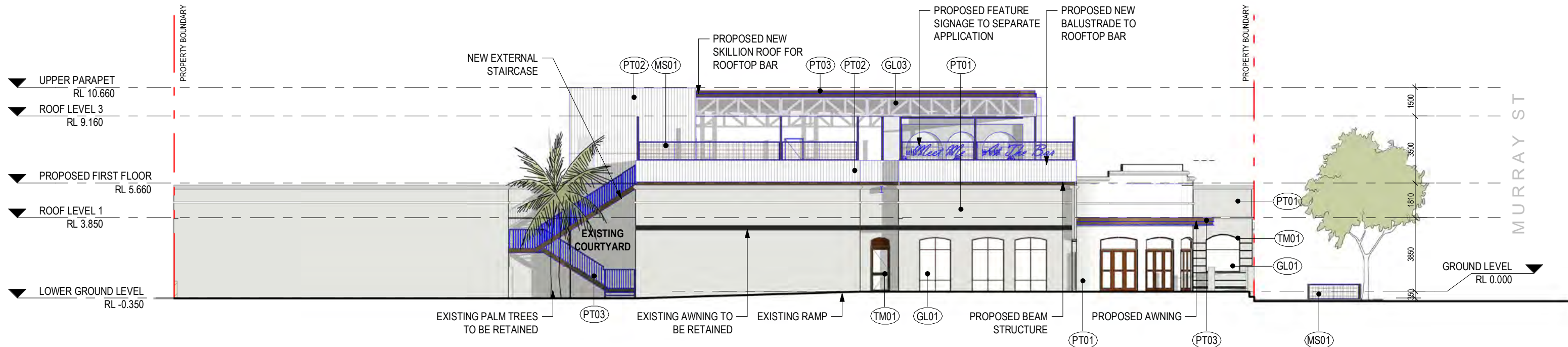
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1 North Elevation
DA2.01 SCALE 1 : 200

PROPOSED WORKS LEGEND	
	PROPOSED NEW WORKS
	REMOVE EXISTING WALLS, DOORS, WINDOWS AND RETAIN FOOTINGS

EXTERIOR FINISHES AND MATERIALS	
	PT01 - PAINT FINISH DULUX WEATHERSHIELD MATT COLOUR: LUNAR GREY
	PT02 - PAINT FINISH DULUX WEATHERSHIELD MATT COLOUR: CASPER WHITE
	PT03 - PAINT / POWDERCOAT FINISH DULUX WEATHERSHIELD FLAT COLOUR: MEDIUM BRONZE KINETIC
	GL01 - EXISTING GLAZING TYPE: CLEAR NOTE: TO BE RETAINED
	GL02 - PROPOSED GLAZING TYPE: TINTED DOUBLE GLAZING
	GL03 - TRANSLUCENT POLYCARBONATE SHEETING TYPE: CLEAR
	MS01 - MESH SCREEN TYPE: COPPER/BRONZE FINISH
	TM01 - EXISTING TIMBER FRAMES NOTE: TO BE STAINED STAIN COLOUR: WALNUT



2 West Elevation
DA2.01 SCALE 1 : 200

Revisions			
DA B	02.05.2023	FOR CLIENT REVIEW 2	AL
DA C	11.05.2023	DA DRAFT 1	RL
DA D	16.05.2023	DEVELOPMENT APPLICATION	RL
DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL
DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
PROPOSED ELEVATIONS

Project No
22081

Author
AL

Scale: @ A3
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Drawing No.
DA3.01

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 PROPOSED NEW WORKS

 REMOVE EXISTING WALLS, DOORS, WINDOWS AND RETAIN FOOTINGS

	PT01 - PAINT FINISH DULUX WEATHERSHIELD MATT COLOUR: LUNAR GREY
	PT02 - PAINT FINISH DULUX WEATHERSHIELD FLAT COLOUR: CASPER WHITE
	PT03 - PAINT / POWDERCOAT FINISH DULUX WEATHERSHIELD FLAT COLOUR: MEDIUM BRONZE KINETIC
	GL01 - EXISTING GLAZING TYPE: CLEAR NOTE: TO BE RETAINED
	GL02 - PROPOSED GLAZING TYPE: TINTED DOUBLE GLAZING
	GL03 - TRANSLUCENT POLYCARBONATE SHEETING TYPE: CLEAR
	MS01 - MESH SCREEN TYPE: COPPER/BRONZE FINISH
	TM01 - EXISTING TIMBER FRAMES NOTE: TO BE STAINED STAIN COLOUR: WALNUT



Project / **437 MURRAY**
REDEVELOPMENT
437 MURRAY ST. PERTH

Project No / **22081**

Author / **AL**

Scale: @ A3 / **1 : 200**

Drawing No. **DA3.02**

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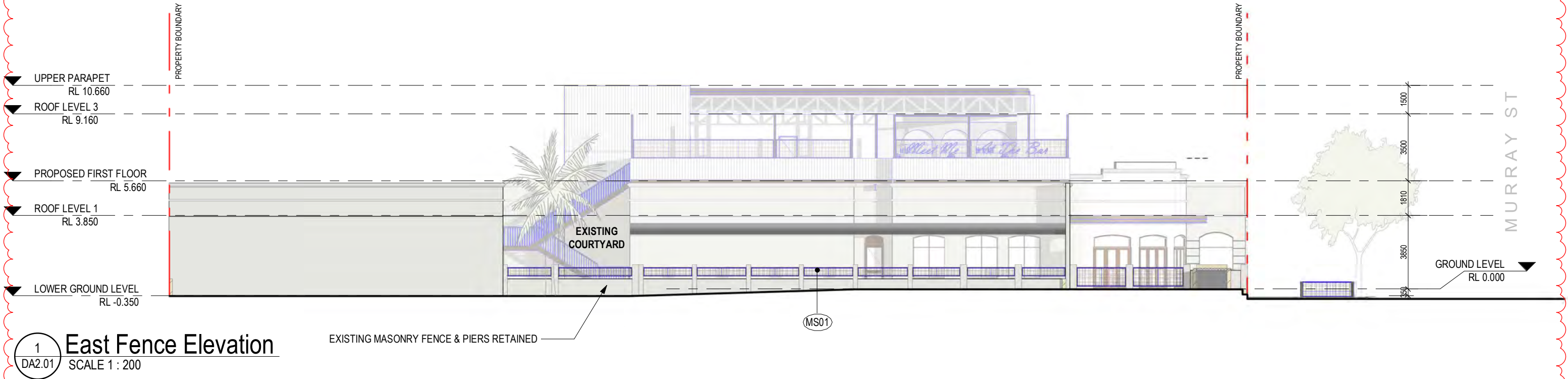
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PROPOSED WORKS LEGEND

- PROPOSED NEW WORKS
- REMOVE EXISTING WALLS, DOORS, WINDOWS AND
RETAIN FOOTINGS

EXTERIOR FINISHES AND MATERIALS

- PT01 - PAINT FINISH
DULUX WEATHERSHIELD MATT
COLOUR: LUNAR GREY
- PT02 - PAINT FINISH
DULUX WEATHERSHIELD MATT
COLOUR: CASPER WHITE
- PT03 - PAINT / POWDERCOAT FINISH
DULUX WEATHERSHIELD FLAT
COLOUR: MEDIUM BRONZE KINETIC
- GL01 - EXISTING GLAZING
TYPE: CLEAR
NOTE: TO BE RETAINED
- GL02 - PROPOSED GLAZING
TYPE: TINTED DOUBLE GLAZING
- GL03 - TRANSLUCENT POLYCARBONATE SHEETING
TYPE: CLEAR
- MS01 - MESH SCREEN
TYPE: COPPER/BRONZE FINISH
- TM01 - EXISTING TIMBER FRAMES
NOTE: TO BE STAINED
STAIN COLOUR: WALNUT



Revisions / DA A 07.09.2023 DA AMENDMENT 2

Project / RL **437 MURRAY
REDEVELOPMENT**
437 MURRAY ST, PERTH

Drawing / **PROPOSED
ELEVATIONS**

Project No / **22081**

Author / **AL**

Scale: @ A3 / **1 : 200**

Drawing No. / **DA3.03**

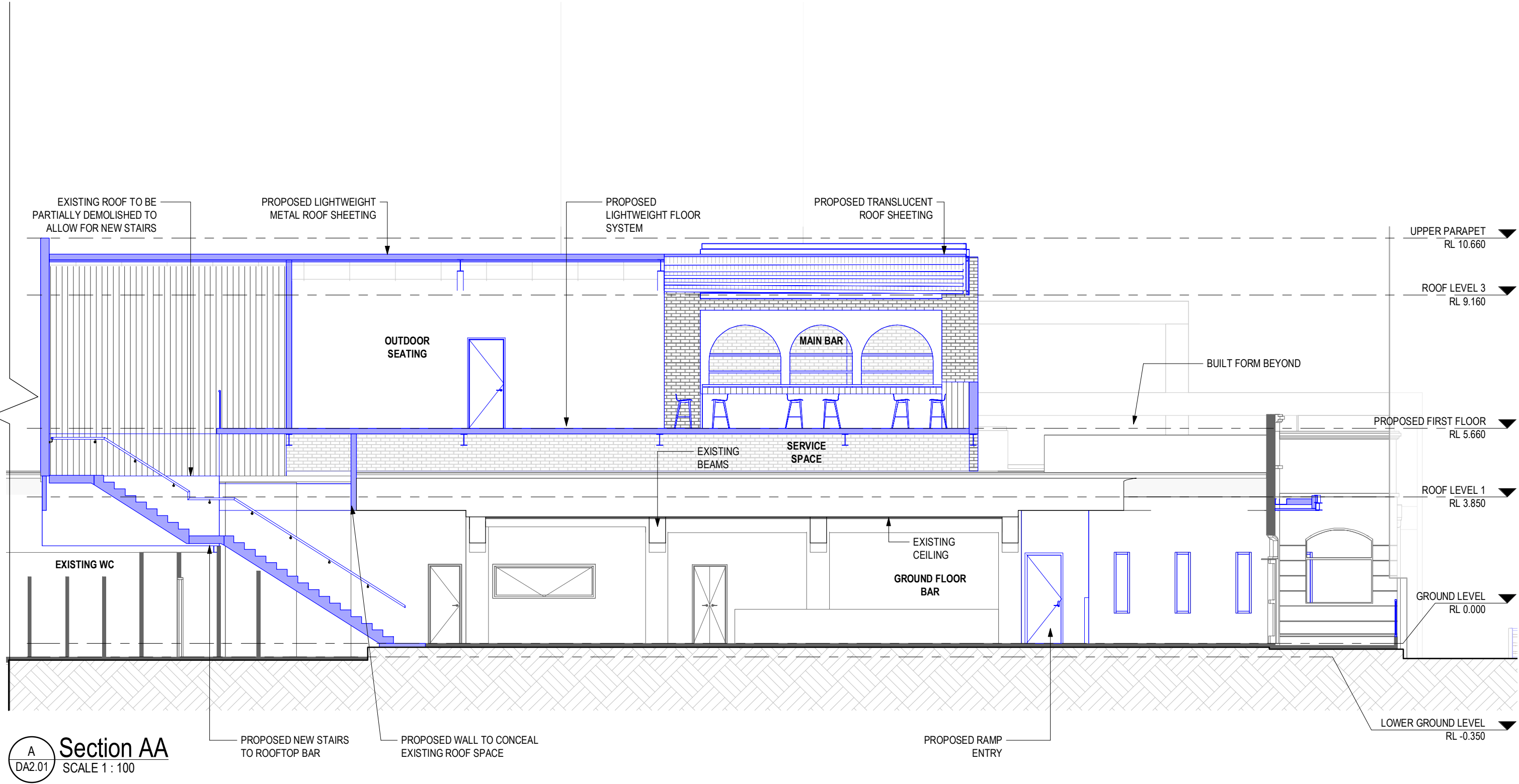
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Revisions			
DA B	02.05.2023	FOR CLIENT REVIEW 2	AL
DA C	11.05.2023	DA DRAFT 1	RL
DA D	16.05.2023	DEVELOPMENT APPLICATION	RL
DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL
DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
PROPOSED SECTION

Project No
22081

Author
AL

Scale: @ A3
1 : 100

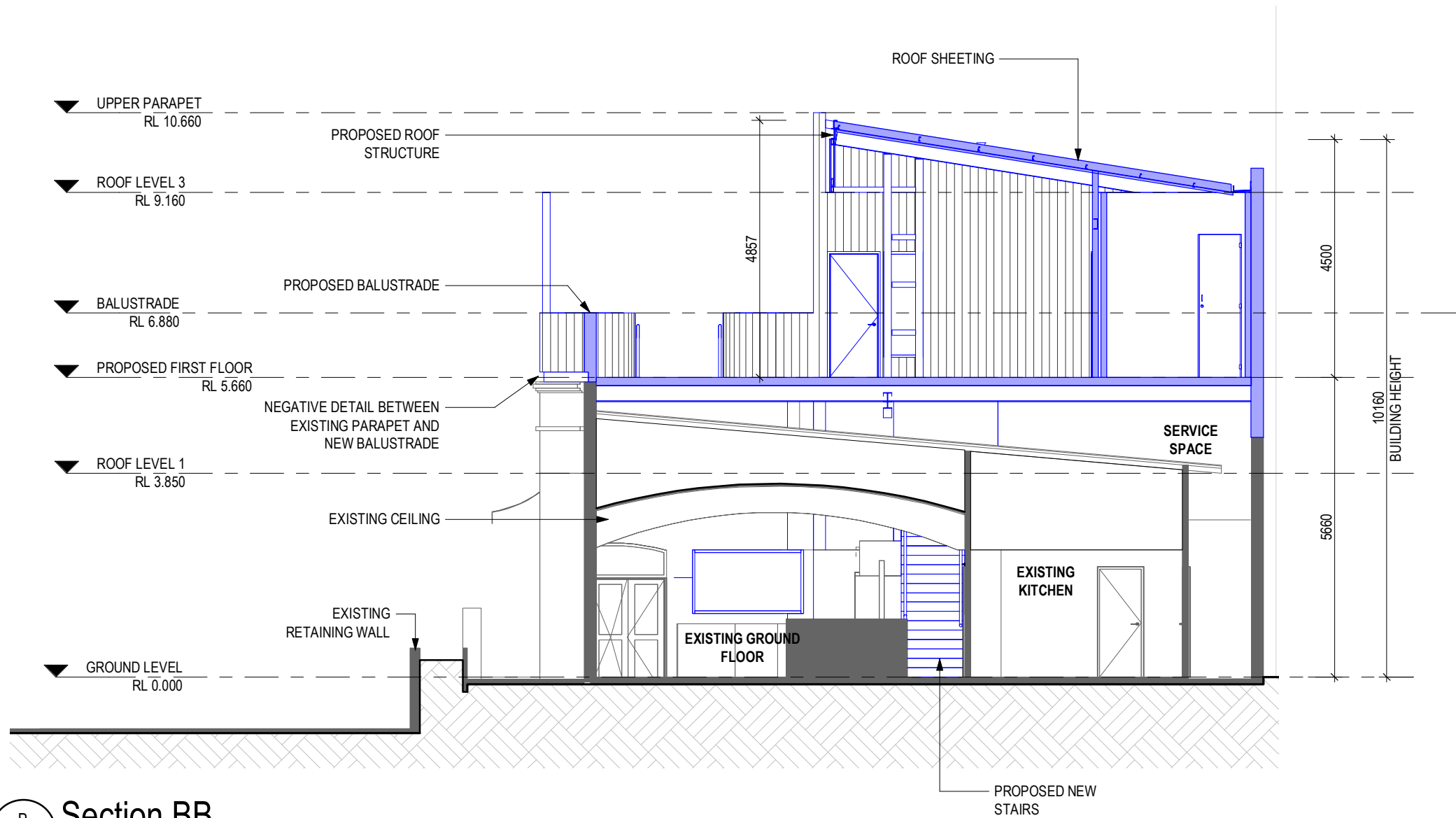
Drawing No.
DA4.01

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Section BB
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DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL
DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL

Project
437 MURRAY REDEVELOPMENT
437 MURRAY ST, PERTH

Drawing
PROPOSED SECTION

Project No
22081

Author
AL

Scale: @ A3
1 : 100

Drawing No.
DA4.02

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Revisions				Project	
DA B	02.05.2023	FOR CLIENT REVIEW 2	AL	437 MURRAY REDEVELOPMENT 437 MURRAY ST, PERTH	
DA C	11.05.2023	DA DRAFT 1	RL		
DA D	16.05.2023	DEVELOPMENT APPLICATION	RL		
DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL		
DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL		

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Drawing
**PERSPECTIVE -
STREET FRONT**

Project No
22081

Author
Author

Scale: @ A3

Drawing No.
DA5.01

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DA D	16.05.2023	DEVELOPMENT APPLICATION	RL	
DA E	21.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1	RL	
DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL	

Project
**437 MURRAY
REDEVELOPMENT**
437 MURRAY ST, PERTH

Drawing
**PERSPECTIVE -
STREET CORNER**

Project No
22081

Author
Author

Scale: @ A3

Drawing No
DA5.02

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DA F	25.07.2023	DEVELOPMENT APPLICATION AMENDMENT 1b	RL	

Project
**437 MURRAY
REDEVELOPMENT**
437 MURRAY ST, PERTH

Drawing
**PERSPECTIVE - ROOF
BAR**

Project No
22081

Author
Author

Scale: @ A3

Drawing No.
DA5.03

F

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Attachment 3 – Acoustic Report

**AUSTRALIAN VENUE CO
437 MURRAY STREET ROOF DECK
PERTH**

ACOUSTIC ASSESSMENT

JULY 2023

OUR REF: 30833-3-23098

DOCUMENT CONTROL PAGE

ACOUSTIC ASSESSMENT
437 MURRAY STREET ROOF DECK

Job No: 23098

Document Reference: 30833-3-23098

AUSTRALIAN VENUE CO

DOCUMENT INFORMATION				
Author:	George Watts	Checked By:	Tim Reynolds	
Date of Issue :	24 March 2023			
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1	Updated DA drawings	6/6/2023	GW	
2	Update DA drawings and incorporating council feedback	26/7/2023	GW	
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1	3	Australian Venue Co Attn : Chris Mallalue Email : Chris.Mallalue@ausvenueco.com.au		✓

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2.	PROPOSED DEVELOPMENT	1
3.	CRITERIA	1
4.	NOISE MODELLING	4
5.	DISCUSSION	4

APPENDICES

A	DEVELOPMENT PLANS
B	NOISE CONTOUR PLOTS

EXECUTIVE SUMMARY

Herring Storer Acoustics have been commissioned by Australian Venue Co. to carry out a preliminary acoustical assessment of noise emissions associated with the proposed rooftop bar to be located at 437 Murray Street, Perth.

This work was instigated to accompany the development application process for the redevelopment.

The preliminary noise impact assessment indicates that noise emissions can be managed such that the considered criteria are met, with the following restrictions required :

- External areas to be limited to ambient music only.

Noise levels associated with any rooftop mechanical plant has been excluded from this assessment as no design work in this regard has been undertaken at this preliminary stage.

It would be considered appropriate to have an assessment of mechanical plant noise be the subject of development approval conditions.

1. INTRODUCTION

Herring Storer Acoustics have been commissioned by Australian Venue Co, to carry out an acoustical assessment of noise emissions associated with the proposed redevelopment at 437 Murray Street, Perth.

This work was instigated to accompany the development application process for the project.

2. PROPOSED DEVELOPMENT

The proposed redevelopment consists of the addition of a rooftop bar, with the proposed development shown in Appendix A.

Our preliminary assessment has included the noise impact of patrons in the rooftop bar area.

Noise levels associated with any rooftop mechanical plant has been excluded from this assessment as no design work in this regard has been undertaken at this preliminary stage.

It would be considered appropriate to have an assessment of mechanical plant noise be the subject of development approval conditions.

3. CRITERIA

The *Environmental Protection (Noise) Regulations 1997* stipulate the allowable noise levels at any noise sensitive premises from other premises. The allowable noise level is determined by the calculation of an influencing factor, which is added to the baseline criteria set out in Table 1 of the Regulations. The baseline assigned noise levels are listed in Table 3.1.

TABLE 3.1 – ASSIGNED NOISE LEVELS

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _A 10	L _A 1	L _A max
Noise sensitive premises within 15 metres of a dwelling	0700 - 1900 hours Monday to Saturday	45 + IF	55 + IF	65 + IF
	0900 - 1900 hours Sunday and Public Holidays	40 + IF	50 + IF	65 + IF
	1900 - 2200 hours all days	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	35 + IF	45 + IF	55 + IF

Note: The L_{A10} noise level is the noise that is exceeded for 10% of the time.
The L_{A1} noise level is the noise that is exceeded for 1% of the time.
The L_{Amax} noise level is the maximum noise level recorded.

It is a requirement that noise from the site be free of annoying characteristics (tonality, modulation and impulsiveness) at other premises, defined below as per Regulation 9.

“impulsiveness” means a variation in the emission of a noise where the difference between L_{Apeak} and L_{Amax Slow} is more than 15dB when determined for a single representative event;

“modulation” means a variation in the emission of noise that –

- (a) is more than 3dB L_{A Fast} or is more than 3dB L_{A Fast} in any one-third octave band;

(b) is present for more at least 10% of the representative assessment period; and

(c) is regular, cyclic and audible;

“tonality”

means the presence in the noise emission of tonal characteristics where the difference between –

(a) the A-weighted sound pressure level in any one-third octave band; and

(b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A\ slow}$ levels.

Where the above characteristics are present and cannot be practicably removed, the following adjustments are made to the measured or predicted level at other premises.

TABLE 2.2 – ADJUSTMENTS FOR ANNOYING CHARACTERISTICS

Where tonality is present	Where modulation is present	Where impulsiveness is present
+ 5 dB	+ 5 dB	+ 10 dB

Where the noise emission is music, then any measured level is adjusted according to Table 2.3 below.

TABLE 2.3 – ADJUSTMENTS TO MEASURED MUSIC NOISE LEVELS

Where impulsiveness is not present	Where impulsiveness is present
+10 dB(A)	+15 dB(A)

The surrounding area to the proposed development is shown in Figure 1 below.



FIGURE 1 – DEVELOPMENT LOCATION AND SURROUNDS

The influencing factor for noise sensitive premises in the area is as per the below calculation.

Secondary Road within inner circle;

Milligan Steet + 2 dB

Murray Street + 2 dB

Major Road within outer circle;

Wellington Steet + 2 dB

Commercial Premises within the inner circle;

60 % + 3 dB

Commercial Premises within the inner circle;

60 % + 3 dB

Total IF + 12 dB

Therefore, the assigned noise levels are listed in Tables 2.4.

TABLE 2.4 - ASSIGNED OUTDOOR NOISE LEVELS

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises within 15 metres of a dwelling	0700 - 1900 hours Monday to Saturday	57	67	77
	0900 - 1900 hours Sunday and Public Holidays	52	62	77
	1900 - 2200 hours all days	52	62	67
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	47	57	67

Note: L_{A10} is the noise level exceeded for 10% of the time.
L_{A1} is the noise level exceeded for 1% of the time.
L_{Amax} is the maximum noise level.

4. NOISE MODELLING

A predictive noise model of the proposed rooftop bar has been constructed, and the following scenarios considered :

Scenario 1: Rooftop bar external areas full of patrons, with noise levels assumed at 66 dB(A)/m² – which is akin to beer garden noise levels.

The number of patrons within the external areas has been based upon the area available to the patrons, on the basis of 1 per m². It is understood that this allocation is denser than what is being applied for, hence, provides for a conservative assessment. The area allocated to patrons on the rooftop is 200 m², hence up to 200 patrons has been allowed for in the external area.

Weather conditions for modelling were as stipulated in the Environmental Protection Authority's stated preferred weather conditions, as outlined in "*Draft Guidance on Environmental Noise for Prescribed Premises*" and for the night period are as listed in Table 4.1.

TABLE 4.1 - WEATHER CONDITIONS ASSUMED IN MODELLING

Condition	Night Period
Temperature	15 °C
Relative humidity	50%
Pasquill Stability Class	E [#]
Wind speed	3 m/s*

* From sources, towards receivers.

[#] Pasquill stability class E was used as this class closely approximates a temperature inversion of 2°/100 metres.

Noise contour plots at both 1.5m above ground level and at 10m were calculated, with the results of both shown in Appendix B.

5. DISCUSSION

The noise impact of the proposed rooftop bar is shown in the noise contour plots in Appendix B.

The calculated noise impact is considered to meet the Assigned Noise Levels stipulated by the Environmental Protection (Noise) Regulations 1997.

It is noted that for the above findings to hold true, noise emissions have been assumed to consist of patron noise only, hence, music in the roof top bar is to be limited to background noise levels only. To be considered background music noise levels within the external area, music is to be no greater than 73 dB(A) throughout.

APPENDIX B

NOISE CONTOUR PLOTS



Customer:
Aus Venue Co
Project: 437 Murray Street Roof Deck Venue
Project-No. 23098

Australian Venue Co.

Map
1

Rooftop Patron Noise - 1.5m AGL
Result number 4
Calculation in 1.5 m above ground

Project engineer: George Watts
Created: 24/03/2023
Processed with SoundPLAN 9.0, Update 11/04/2023

Levels LA10
in dB(A)

Green	= 30
Light Green	= 35
Yellow	= 40
Orange	= 45
Red	= 50
Pink	= 55
Purple	= 60
Dark Purple	= 65
Blue	= 70

0 5 10 20 30 40 m

HERRING STORER ACOUSTICS



Customer:
Aus Venue Co
Project: 437 Murray Street Roof Deck Venue
Project-No. 23098

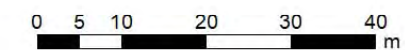
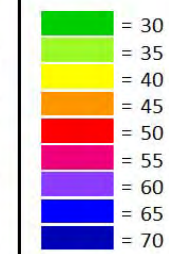
Australian
Venue Co.

Map
2

Rooftop Patron Noise
Result number 2
Calculation in 10 m above ground

Project engineer: George Watts
Created: 24/03/2023
Processed with SoundPLAN 9.0, Update 11/04/2023

Levels LA10
in dB(A)



HERRING STORER
ACOUSTICS

Attachment 4 – Venue Management Plan



**Tiger Lil's
Venue Management Plan**

Murray St, Perth WA

Issued: July 2023

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PURPOSE

The purpose of this Venue Management Plan ('the Plan') is to establish performance criteria for various aspects of the operations of the Tiger Lil's ('the Venue') having regard to the relevant matters under the *Planning and Development Act 2005* and any relevant regulations under that legislation.

The Venue is operated by Australian Venue Co (AVC). AVC operate over 200 pubs, bars and event spaces across Australia. AVC prides itself on creating experiences tailored for local communities and for operating responsibly.

All staff and security at the Venue shall be trained on the Plan.

The Plan is operationalised through induction and monthly staff meetings. It is reviewed regularly including after any incident and annually with any changes to the Licensees obligations under applicable law.

1. SITE LOCALITY

1.1 The Venue located at 437-439 Murray St, Perth WA 6000.

2. CAPACITY AND HOURS OF OPERATION

2.1 The Venue will operate, in accordance with the Town Planning Permit, only between the following hours:

- | | | |
|------|----------------------|------------------|
| i. | Monday & Tuesday | 10am to midnight |
| ii. | Wednesday & Thursday | 10am to 1am |
| iii. | Friday & Saturday | 10am to 2am |
| iv. | Sunday | 11am to 10pm |

2.2 The maximum patron capacity, in accordance with the Town Planning Permit, is:

- | | | |
|------|--------------|--------|
| i. | Ground Floor | 546pax |
| ii. | Rooftop | 235pax |
| iii. | Total | 781pax |

(note, number to be confirmed on completion of the development)

2.3 It is the responsibility of Management and any employed security staff to control and monitor the number of persons on the Premises to ensure that numbers are kept within acceptable limits of the venue.

3. DAILY VENUE OPERATION

3.1 Entrance to the venue will be free of charge.

3.2 Primary patron access will be provided through the ramped front door entrance. Secondary patron access will be provided by the steps in the front Courtyard.

4. DISABILITY AND DISCRIMINATION

4.1 Management, Security and Staff are to ensure that patrons feel welcome, and no discrimination occurs based on sex, age, race, nation of origin, marital status, sexual preference, pregnancy, disability or political allegiance or affiliation.

4.2 The accessibility entrance is via the primary patron entrance on Murray St.

4.3 The accessible bathroom is located on the ground floor in the dining room.

- 4.4 The ramped path of travel from the front courtyard to the rear dining room shall be kept clear of any objects.

5. SECURITY

- 5.1 AVC are committed to providing a secure environment for all person in and around the venue and promotes security through the following key principles:
- i. The personal security and safety of individuals takes precedence over any other security consideration.
 - ii. We will minimise security risks through preventative strategies, rather than detection or response to incidence.
 - iii. Where security risks cannot be fully mitigated and must be accepted, we will continue to review these risks through our continual improvement strategy.
- 5.2 The Venue will be responsible for its own security.
- 5.3 When appropriate and as per the Liquor Licence conditions (if applicable), licensed security guards will be used to control the conduct and behaviour of patrons within the Venue and in its immediate vicinity as required.
- 5.4 Security Guards will be employed through a licensed external contractor.
- 5.5 It is the responsibility of the security firm hired to ensure all security personnel hold valid licences to carry out crowd control and security activities and understand their obligations under *Security and Related Activities (Control) Act 1996*.

6. COMPLAINTS AND INCIDENTS

- 6.1 Management and staff will take all complaints seriously and seek to remedy them in a timely manner wherever possible.
- 6.2 Any complaints or incidents received will be recorded in Elumina, AVC's online incident reporting system.

6.3 The following details are to be recorded in the incident reporting system following a complaint or incident:

- i. Date and time of the complaint or incident
- i. Nature of the complaint or incident
- ii. Address and contact details of the complainant or relevant party
- iii. Any actions proposed to address the complaint or incident
- iv. The actions taken and their outcomes
- v. Any follow up with the complainant or relevant party

6.4 Reviews of the complaints and incidents reports including details of any issues regarding visits or complaints is to be conducted by the Venue Manager.

7. MUSIC AND MANAGING NOISE

7.1 Noise levels from the Venue shall always be in accordance with the Acoustic Report in Appendix A, the Town Planning Permit and the *Environment Protection Act 1986*, which supports limited music on the rooftop to background noise levels only.

7.2 Management and Staff will take all complaints by neighbours very seriously and will endeavour to respond to any concerns in a timely and positive manner and as stated in section 6.

8. CONSIDER OUR NEIGHBOURS

8.1 The Venue will at all times have regard to not detract or detriment the amenity of the neighbouring area. This includes:

- i. violent behaviour,
- i. drunkenness,
- ii. vandalism,
- iii. using profane, indecent, or obscene language,
- iv. using threatening, abusive or insulting language,
- v. behaving in riotous, indecent, offensive or insulting manner,
- vi. disorderly behaviours,
- vii. causing nuisance,
- viii. noise disturbance,
- ix. obstructing a footpath, street or road, or
- x. littering.

8.2 Staff and Security at the venue will use best practices so that all Patrons leave quietly and in an orderly fashion. In this regard, Staff and Security will use their best endeavours to request that Patrons 'move on' and disperse quietly from the area. Patrons who make excessive noise, loiter or otherwise disrupt the good order of the neighbourhood will be referred to police.

8.3 Staff will complete regular litter collections in and around the Venue to collect any litter and/or clean any mess or rubbish caused by Patrons of the Venue during and immediately after the close of trade.

9. QUEUING OF PATRONS

9.1 Patrons are to queue in an orderly manner along Murray St. To ensure no adverse impact or impediment to pedestrians, any persons misbehaving or acting in a disorderly or anti-social manner in the queue or outside the Venue will be removed from the queue and/or not be permitted entry.

9.2 No open containers of alcohol will be permitted in the queue and any persons found with alcohol on their person will be removed from the queue and will not be permitted entry.

- 9.3 During peak times, the queue will be monitored by staff and controlled by a licensed crowd controller.

10. TRANSPORT SERVICES

- 10.1 Staff will be familiar with transport options and actively assist patrons to get home safe.

- 10.2 Public transport:

- i. The Red CAT bus service from the Murray St Milligan St bus stop
- ii. The Blue CAT, Green CAT, Purple CAT, 24, 27, 103, 910 and 935 bus services from St George Terrace Mount St bus stop
- iii. Full ranges of bus services from Elizabeth Quay
- iv. Train services from Perth Station or Perth Underground
- v. See <https://www.transperth.wa.gov.au/timetables> for timetables.

- 10.3 Taxi services are available 24/7 on Murray St.

11. LIQUOR LICENCE/RESPONSIBLE SERVICE OF ALCOHOL

- 11.1 The Venue will always comply with the *Liquor Control Act 1988* and its Liquor Licence and Harm Minimisation Plan (House Policy, Code of Conduct and House Management Plan).

- 11.2 All staff involved in the sale, service and supply of liquor must have successfully completed training in Responsible Service of Alcohol (RSA).

- 11.3 Patrons are to be served in a responsible, friendly, and professional manner. Staff will assist customers in their decision to drink in moderation. At no time are staff to encourage excessive or unsafe drinking practices.

- 11.4 Harm Minimisation and Responsible service of alcohol will be a priority of the Management and Staff of the Venue.

- 11.5 Menus will be placed on all tables to help promote food and in prominent positions as a secondary reminder at time of ordering. All staff will also be trained to encourage and promote food during trade.

- 11.6 Non-alcoholic beverages and free drinking water will be available at all times.

12. HEALTH

- 12.1 The Licensee shall ensure that the Venue has appropriate, up to date and valid food business registration with the health department of City of Perth.
- 12.2 The appropriate Staff employed at the Venue will be required to maintain accreditation on Safe Food Handling.
- 12.3 AVC will maintain an area designated for smoking that is separate from areas designated for food service in accordance with the *Tobacco Products Control Act 2006*.

13. MAINTENANCE AND CLEANLINESS

- 13.1 Staff will always ensure that the Venue is clean and tidy.
- 13.2 The venue will be cleaned regularly by the Venue's cleaning contractor.
- 13.3 The cleaners will clean the venue between 3am-9am depending on their schedule.
- 13.4 AVC maintains an online maintenance request and reporting system, Oracle, to ensure all maintenance items are addressed within a timely manner. The Venue Manager is responsible for checking the system and escalating any maintenance issues that are not addressed within a timely manner or that pose a health and safety risk to staff or patrons.

14. WASTE MANAGEMENT

- 14.1 Waste management will be as per the Waste Management Plan in Appendix B, which notes that all waste should be stored in the bin room and collected daily.
- 14.2 Cleanaway will be employed to manage the waste removal at the Venue.
- 14.3 Empty kegs will be stored in the keg room until they are collected.
- 14.4 The venue shall be kept in a clean and tidy condition. Staff will ensure that the building entry and surrounds are kept clean and clear of litter.

15. DELIVERIES AND LOADING MANAGEMENT

- 15.1 All deliveries will through the main entrance and made through the rear service way away from patrons.

16. VENUE CLOSURE

- 16.1 After the venue ceases operation, visitors are required to be off the premises within 30 minutes thereafter.

17. SECURITY AGAINST THEFT AND BREAK-INS

- 17.1 Management will use their best endeavours to ensure security and safety of its Patrons and Staff and their belongings.
- 17.2 Management will enforce policies of cash handling and management in a secure and safe manner.

Attachment 5 – Applicant
Address of State Planning
Policy 7.0

ATTACHMENT 6 – APPLICANT ADDRESS OF STATE PLANNING POLICY 7.0
DESIGN OF THE BUILT ENVIRONMENT

Design Principle	Comments
<p>1. Content and Character</p> <p>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</p>	<ul style="list-style-type: none"> <i>The proposal has been informed by a comprehensive review of various contextual elements, and history that is unique to the site. This analysis resulted in the development of a locally referenced material palette and formal compositions to enable an interpretive response and ultimately, to arrive at a built form that is distinctive yet locally responsive in character.</i> <i>Situated in the west end of the Perth CBD, the local streetscape is dominated by built forms of varying heritage significance with a typical material palette of masonry, metal cladding and aluminium framed glazing.</i> <i>The proposed modifications to the façade and street facing areas are sympathetic to the local context by extending the existing built form footprint upwards only, taking visual cues from strong vertical and horizontal alignments, subtle but deliberate material contrasting and sitting discreetly under the possible built form.</i>
<p>2. Landscape Quality</p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</p>	<ul style="list-style-type: none"> <i>The proposed landscaping aims to provide visual impact and improve the way that the site interfaces with the existing streetscape. As such, the design of the new level one roof deck allows for the protection and retention of the existing significant site trees while providing significant new areas of planting within pots, trailing along the structural elements and standalone planter units. These areas of planting will both enhance the experience for patrons of the area but provide visible greenery in some areas from the street below.</i>

	<ul style="list-style-type: none"> <i>A mix of site appropriate native plants and indoor species will be provided across the spaces, increasing the existing green space across the site. Throughout the interior seating area, suspended planters and vine style vegetation is proposed to soften the existing space, tying in with the proposed roof framing.</i>
<p>3. 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>	<ul style="list-style-type: none"> <i>The proposal seeks to provide an additional floor to the building which results in an increase of approximately 5.3m (to the upper parapet) to the height, bulk or scale of the existing Tiger Lil's building. The original façade of the building is being retained and built upon, with all new proposed building form proposed to be delivered in a way that will complement the existing building and not drastically change the existing buildings relationship with the street.</i> <i>The new first floor extension sympathetically follows the existing built form setbacks and sits substantially below the allowed building envelope. Consistency of colours and materials across the proposal assists to in joining the old with the new without significantly altering the form or scale from street level, with the existing building scale and streetscape remaining minimally altered.</i>
<p>4. 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>	<ul style="list-style-type: none"> <i>The reactivation of tiger Lil's will see a revived version of an original entertainment hub of the west end of Perth CBD reinstated and brought to life again. The new venue will be universally accessible via an external chair lift and internal elevator, which forms part of the newly proposed works.</i> <i>The new first floor insert substantially increases visual and functional connectivity between Murray St, the existing courtyards and the venue. Patrons will be visible from the street, activating the frontage in an</i>

	<p><i>improvement over the existing front ground level. The front feature staircase is primarily glazed, further increasing the degree of engagement between the public streetscape and venue as people move between levels.</i></p> <ul style="list-style-type: none"> • <i>The ground floor of the existing venue will receive increased levels of natural light, while the first floor will be roofed with large areas of translucent cover, ensuring the area is brightly lit while being reasonably protected from the elements.</i>
<p>5. Sustainability</p> <p>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</p>	<ul style="list-style-type: none"> • <i>The project has been designed to maximise retention of the existing structure, fitout and built form wherever possible to reduce the environmental impact. This provides benefits such as reducing construction & demolition wastage, limits the increase in embodied energy on the site and encourages long term sustainable outcomes.</i> • <i>New operable skylights & window arrays over the main stairway and translucent roof sheeting over the new level 1 bar area provide increased natural light both to the existing ground floor and new patron areas, reducing daytime lighting usage. The level 1 bar is not being mechanically ventilated and will rely on energy efficient fan systems and natural breezes to maintain temperature control, limiting power use.</i> • <i>The small areas of masonry walls being removed or modified during construction will be taken down during demolition works and where practical re-used on site within the new boundary wall extensions.</i> • <i>The structural approach to the new first floor slab is to suspend it over the existing roof, minimising new structural elements and utilising the existing wall and column system,</i>

	<i>further reducing construction requirements and waste.</i>
<p>6. 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>	<ul style="list-style-type: none"> <i>The first floor bar extension will provide an alternative offering to the existing ground floor venue, with an emphasis on an open and inviting setting for patrons of all backgrounds to appreciate. The venue is proposed to operate both during the day and evenings, providing an invite frontage and enhancing the built form interaction with both Murray Street and the adjacent laneway. Natural ventilation, visibility to the sky and a quality fit out will provide a high level of amenity.</i> <i>The new spaces will be fully accessible with AS1428.1 compliant ramps and entries, a new UAT and suitable circulation. New level one back of house services and toilet facilities will support the extended seating areas and provide extra capacity to the existing services below. Noise control measures and management plans will be in place to mitigate the acoustic impact of the extended venue on surrounding properties.</i> <i>No parking is provided on site as per the existing arrangements, which has limited ground level access due to retained built form and level changes. As with most inner-city venues, most patrons are expected to arrive via public transport or utilise other parking facilities such as the adjacent private carpark.</i>
<p>7. 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>	<ul style="list-style-type: none"> <i>The open visible connections between the ground floor, first floor and the street will provide enhanced sight lines and clearly defined wayfinding both within the venue spaces and from the public domain.</i> <i>The street entry is to be defined with the existing stairs and a new chair lift for accessible entry to the ground floor that</i>

	<p><i>provides a deliberate entry statement, flanked by solid existing masonry elements. The low level new permeable fencing and existing solid walls do not detract from the clear form of the building behind it and instead provide a tiered visual hierarchy from street level.</i></p> <ul style="list-style-type: none"> • <i>The proposal is enhancing the existing venue in the streetscape and providing improved activation along Murray Street.</i>
<p>8. Safety</p> <p>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p>	<ul style="list-style-type: none"> • <i>The proposed design enhances passive surveillance between the venue and the street & laneway domain. Multiple view paths and line of sights between internal and external seating areas along with the core vertical circulation zone are supported by well-lit secure access points, providing a substantial improvement over the current unoccupied building. The increased lighting and upper-level activation at night will transition the venue into a more public friendly and engaging site.</i> • <i>Exit paths will be clearly defined in compliance with the relevant NCC clauses and standards to ensure safe ingress and egress, while new permeable fencing will improve out of hours security.</i> • <i>The venue operator is an experienced nationwide company which is well practiced in the successful & safe management of venues of varied typologies and will bring this experience to the functional design and long-term operation of the building.</i>
<p>9. Community</p> <p>Good design responds to local community needs as well as the wider social context, providing environments that support a</p>	<ul style="list-style-type: none"> • <i>The proposal seeks to re-imagine the existing built form as a destination venue for all patron types, becoming an improved place of gathering and public activation. As a place of social engagement, it maintains the existing & historical uses and continues to</i>

<p>diverse range of people and facilitate social interaction.</p>	<p><i>push the western end of the CBD as a place for people to visit.</i></p> <ul style="list-style-type: none"> <i>• The reactivation of the currently closed hospitality / food and beverage offering will reinforce the local identity of the town site by reinstating the venue as a thriving pub in Perth's west end again. Further, the delivery of additional amenity, economic benefit and employment to the community will be a direct result of the proposal.</i> <i>• The venue will work with the other nearby hospitality businesses to improve local amenity and provide value with local residents, workers and visitors to the area.</i>
<p>10. Aesthetics</p> <p>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>	<ul style="list-style-type: none"> <i>• The design proposes minimal interventions to the existing building fabric, with new substantial elements being generally restricted to the level one built form.</i> <i>• Natural light, planters, hanging plants, exposed materials with classic outdoor textures and furniture define a casual rooftop space. These elements are overlaid on the solid masonry base to provide a humanised sense of scale within the built larger surrounding built environment.</i> <i>• The front staircase extrusion is designed to glow as a lantern at night, inviting passer byes into the venue and visually permeating the relatively enclosed ground floor venue to the street domain.</i>

Attachment 6 – Neighbour Submission

Development Application – 437 Murray Street, Perth

- 1 As you would be aware the Anglican Schools Commission (**ASC**) has recently been granted development approval for the redevelopment of 441 Murray Street Perth for the purposes of a secondary school and associated administration offices.
- 2 The intention is that once constructed, 441 Murray Street will accommodate St George's Anglican Grammar School, (in this letter, **St George's campus**) which is currently located on William Street.
- 3 Given the recent development approval of the new St George's campus, it is with concern that we have recently become aware of the proposed extension of 437 Murray Street, Perth for the purpose of a tavern.
- 4 While the ASC accepts that the tavern land use is existing, our concern arises from the proposed extensions to the existing building, and the likely impact that these extensions and increased operation will have on the St George's campus.
- 5 The remainder of this letter outlines ASC's concerns.

Visibility of use

- 6 We note that the floor level of the 'roof top bar' as identified on the plans is 5.66m. It is unclear how the western elevation of the development is proposed to be treated – we suspect that the elevation diagrams in the plan package have been mislabelled. If it is the case that the 'east elevation' is in fact the 'west elevation', then it appears that what is proposed along this boundary is a solid brick wall, 10.66 metres in height.
- 7 A roof is to partially cover the rooftop bar, comprised of a combination of lightweight metal sheeting, and translucent roof sheeting.
- 8 ASC is concerned that during the school day (particularly lunch and beyond) that it will be possible for students to look into the roof top bar area (both through the translucent sheeting, and into the un-roofed areas), and see people drinking and potentially acting in a way which is inconsistent with the education of students against the excessive consumption of alcohol.

Noise

- 9 ASC is also concerned about the veracity of the Applicant's acoustic modelling. ASC engaged its own acoustic expert (SLR Consulting) to review the report prepared by Herring Storer Acoustics (HSA). This is especially critical because the approval plans for the new St George's campus include music studios on Level 1, which has a floor level of 3.412 metres, immediately adjacent to the proposed roof top bar area.
- 10 Further, the proposed outdoor terrace for the College is located at the front of the building, with a floor level of 6.78 metres.
- 11 The SLR report raised concerns regarding the modelling as follows –
- 11.1 The HSA report does not identify any sensitive receivers, and does not identify the distance between the venue to any sensitive receivers. Therefore, there has been no detailed consideration as to how the proposed venue extensions will impact the learning spaces at the St George's campus.
- 11.2 Without sensitive receivers having been identified, it is impossible to determine whether compliance with the *Environmental Protection (Noise) Regulations 1997* has been met.
- 11.3 SLR disagrees with the approach taken by HSA that no other noise sources other than the sound of patrons be assessed. The SLR Report notes that ambient music can increase the voice effort of patrons, thereby lifting sound power levels. SLR recommends that the music be assessed with an applied penalty for music, if noticeable.
- 11.4 The HSA report models the noise at 1.5 metres from ground level, and 10 metres from ground level. There are no reasons provided for these heights. It is noted that (for example) the open terrace of St George's campus is 6.78 metres from ground level. It is possible that the HSA report has misrepresented the impact on St George's.
- 11.5 SLR questions whether the source levels that have been used for the purpose of modelling are appropriate.

12 Finally, the SLR reports that even with these matters with the modelling adequately revised, there should be a requirement for –

12.1 A Noise Management Plan to ensure compliance with the Regulations; and

12.2 Appropriate acoustic treatment of the roof in the direction of the St George's campus.

Servicing

13 We also note that the planning report suggests that servicing will occur through the 'service way located at 437 Murray Street, immediately adjacent to the St George's campus.

14 The report notes that servicing will occur as 'already existed for Tiger Lil's'. That establishment has been closed for several years, and the report provides no detail as to when servicing is proposed to occur.

15 The delivery of food and beverage to the site, and in particular the removal of empty glass bottles will have a significant impact in terms of noise, and also the possibility of conflict with pedestrian movement along Murray Street.

16 Given these concerns, at the very least, conditions should be imposed to ensure that servicing of the site does not occur during school hours to avoid noise disturbance to the operation of the school, nor within an hour buffer before and after school hours, to ensure that there is no conflict with students arriving and departing.

Issues of amenity generally

- 17 Clause 67 of the Deemed Provisions¹ requires a decision maker to have due regard to, among other things –
- (n) the amenity of the locality including the following –
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- 18 The *Liquor Control Act 1988* includes as a consideration as to whether a liquor licence should be granted or extended, whether the proposed licensed area would cause a disturbance to persons travelling to or from a school.
- (3) An application shall not be granted where the licensing authority is satisfied that an undue degree of offence, annoyance, disturbance or inconvenience to –
 - (a) persons who reside or work in the vicinity of the place or premises to which the application relates; or
 - (b) persons in, or travelling to or from, an existing or proposed place of public worship, hospital or school, would be likely to occur.
- 19 In this case ASC is of the view that the social impact (both from noise and the visual relationship with the St George's campus) is such that it would cause a degree of offence, annoyance, disturbance and inconvenience.

Conclusion

- 20 On that basis, ASC respectfully requests that the City recommend a refusal of the application to the LDAP.

¹ Schedule 2, *Planning and Development (Local Planning Schemes) Regulations 2015*