Perth Local Development Assessment Panel Agenda

Meeting Date and Time: Tuesday, 4 May 2021; 9:30am

Meeting Number:PLDAP/114Meeting Venue:via Zoom

To connect to the meeting via your computer - https://zoom.us/j/94391745026

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Insert Meeting ID followed by the hash (#) key when prompted - 943 9174 5026

This DAP meeting will be conducted by electronic means open to the public rather than requiring attendance in person.

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Attendance

DAP Members

Mr Ray Haeren (Presiding Member)
Mr Jarrod Ross (Deputy Presiding Member)
Ms Diana Goldswain (Third Specialist Member)
Cr Brent Fleewton (Local Government Member, City of Perth)
Cr Viktor Ko (Local Government Member, City of Perth)

Officers in attendance

Mr Ben Sharman (City of Perth) Mr Dewald Gericke (City of Perth) Mr Craig Smith (City of Perth) Mr Shervin Family (City of Perth)

Minute Secretary

Ms Adele McMahon (DAP Secretariat)
Ms Zoe Hendry (DAP Secretariat)

Applicants and Submitters

Mr Trent Will (Planning Solutions)
Ms Abbey Goodall (Planning Solutions)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The 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.

This meeting is being conducted by electronic means open to the public. Members are reminded to announce their name and title prior to speaking.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Signed minutes of previous meetings are available on the <u>DAP website</u>.



5. Declarations of Due Consideration

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

6. Disclosure of Interests

Member	Item	Nature of Interest	
Mr Jarrod Ross	8.1	Impartiality Interest –	
		Mr Ross' employer, Taylor Burrell	
		Barnett have recently commenced	
		work on behalf of the City of Perth	
		with respect to their Local Planning	
		Strategy review, and this work is	
		proposed to continue until June 2021	

7. Deputations and Presentations

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 No. 246 (Lots 1,2 & 3) Adelaide Terrace, Perth

Development Description: Demolition of the Existing Office Building and

Construction of a 13 Level Hotel Development including Restaurant and Entertainment Uses

and Nine Tenant Car Parking Bays

Applicant: Planning Solutions

Owner: Mr Dale Linley Reddie, Mr Desmond James

Reddie, Jexa Nominees Pty Ltd, Littlesky Investments Pty Ltd, Moontree Holdings Pty Ltd, Pottsy Investments Pty Ltd, Rimjet

Holdings Pty Ltd, Startsquad Pty Ltd, Twinsun Holdings Pty Ltd, Vodice Investments Pty Ltd, Vucak Nominees Pty Ltd, and Wiseknight

Investments Pty Ltd

Responsible Authority: City of Perth DAP File No: DAP/21/01946

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

ADELAIDE TERRACE, NO. 246 (LOTS 1, 2 & 3) PERTH – DEMOLITION OF THE EXISTING OFFICE BUILDING AND CONSTRUCTION OF A 13 LEVEL HOTEL DEVELOPMENT INCLUDING RESTAURANT AND ENTERTAINMENT USES AND NINE TENANT CAR PARKING BAYS

Form 1 – Responsible Authority Report

(Regulation 12)

DAP Name:	City of Perth LDAP		
Local Government Area:	City of Perth		
Applicant:	Planning Solutions Pty Ltd		
Owner:	Mr Dale Linley Reddie, Mr Desmond Jame		
	Reddie, Jexa Nominees Pty Ltd, Littlesky		
	Investments Pty Ltd, Moontree Holdings Pty Ltd,		
	Pottsy Investments Pty Ltd, Rimjet Holdings Pt		
	Ltd, Startsquad Pty Ltd, Twinsun Holdings Pt		
	Ltd, Vodice Investments Pty Ltd, Vuca		
	Nominees Pty Ltd, and Wiseknight Investment		
	Pty Ltd		
Value of Development:	\$52 million		
	Mandatory (Regulation 5)		
	□ Opt In (Regulation 6)		
Responsible Authority:	City of Perth		
Authorising Officer:	Megan Adair, A/General Manager Planning and		
	Economic Development		
LG Reference:	DAP-2020/5381		
DAP File No:	DAP/21/01946		
Application Received Date:	27 January 2021		
Report Due Date:	23 April 2021		
Application Statutory Process Timeframe:	90 days with an additional 7 days agreed		
Attachment(s):	Location Plan		
	2. Perspectives (1 April 2021)		
	3. Development Plans (1 April 2021)		
	4. Schedule of Submissions		
	Address of State Planning Policy 7.0 Principles		
Is the Responsible Authority	☐ Yes Complete Responsible Authority		
Recommendation the same as the	⋈ N/A Recommendation section		
Officer Recommendation?			
	□ No Complete Responsible Authority and Officer Recommendation sections		

Responsible Authority Recommendation

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

 Approve DAP Application reference DAP/21/01946 and accompanying perspectives (Attachment 2) and development plans (Attachment 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning* and Development (Local Planning Schemes) Regulations 2015 and the provisions of City Planning Scheme No. 2 and the Metropolitan Region Scheme, subject to the following conditions:

Conditions

- the development being constructed with high quality and durable materials and finishes to a level of detailing that is consistent with the elevations and perspectives received on 1 April 2021, providing aesthetic treatments and finishes to the podium side and rear boundary walls, with a sample board of the proposed materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;
- 2. the front 'King Bed Standard' hotel rooms on Levels 6 to 10 and the double volume openings on the rooftop bar/terrace (as noted on the approved plans), being screened to restrict any overlooking and loss of privacy to adjoining properties to the satisfaction of the City, with final details of the proposed screening being submitted for approval by the City prior to applying for a building permit;
- final details of the design, materials and finishes of the street awning, demonstrating integration with and clearance from the existing adjacent street trees whilst still providing weather protection for pedestrians within the footpath to the City's satisfaction, being submitted for approval by the City prior to applying for a building permit;
- 4. any proposed air-conditioning condensers, external building plant, lift overruns, piping, ducting, water tanks, transformers and fire control rooms being located or screened so that they cannot be viewed from any location external to the building and to minimise any visual and noise impact, including any such plant or services located within the vehicle entrance of the development and with fire boosters being integrated into the design of the building or landscaping, 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. the proposed development being designed and constructed in such a manner so that existing and possible future noise levels associated with:
 - a) inner city activities including commercial and entertainment uses and activities;
 - b) vehicle traffic;
 - c) noise between hotel rooms; and
 - d) noise generated from within the development including all mechanical services and plant infrastructure;

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

- 6. any signage for the development being integrated with the design of the building with details of any signage that is not exempt from approval under the City's Planning Policy 4.6 Signs being subject to a separate application for approval;
- 7. the final selection of plant species demonstrating consideration of the specific urban setting and microclimate conditions of the site ensuring the most appropriate plants are utilised, with the final details of all landscaped areas including soil depths, plant species, use of substantial/mature plant stock where appropriate, irrigation and management, being submitted for approval by the City prior to applying for a building permit with the landscaping being installed prior to occupation of the development and thereafter maintained to a high standard to the satisfaction of the City;
- 8. on-site stormwater disposal/management being to the City's specifications with details being submitted for approval by the City prior to applying for the relevant building permit;
- 9. the proposed floor levels of the front entrances into the building being designed to match the current levels of the immediately adjacent footpath, to the City's satisfaction, with details being submitted for approval by the City prior to applying for the relevant building permit;
- 10. a final Waste Management Plan, satisfying the City's waste servicing requirements, being submitted for approval by the City prior to applying for a building permit, with the Plan being implemented by the hotel operator on an ongoing basis to the satisfaction of the City;

- 11. a Hotel Management Plan addressing the operation of the hotel in accordance with the provisions of the City's Special Residential (Serviced and Short Term Accommodation) Policy, including but not being limited to the following:
 - a) company name and relevant experience of management/operator;
 - b) type or extent of room service to be offered;
 - c) cleaning and laundry services, where applicable;
 - opening hours for guest check-ins and check-out including the method of reservations / bookings;
 - e) security of guests and visitors;
 - f) restriction of the function room and meeting rooms to guests and their visitors only and not being open to the general public;
 - g) control of noise and other disturbances; and
 - h) a complaints management service;

being submitted for approval by the City prior to the occupancy of the hotel with the management plan being implemented by the hotel proprietor/manager on an on-going basis and to the satisfaction of the City;

- 12. a Vehicular, Service and Delivery Access Plan, outlining the management strategies to deal with the dropping off and picking up of hotel guests via taxi or other transport; strategies for advising guests upfront of limitations in car parking in the locality; and including arrangements for on-site servicing of the building, being submitted for approval by the City prior to the occupation of the hotel building with the plan being implemented by the hotel proprietor/manager thereafter to the satisfaction of the City;
- 13. the on-site commercial tenant car parking bays being provided on site for the exclusive use of staff and occupants of the hotel development and not being leased or otherwise reserved for use of the tenants or occupants of other buildings or sites;
- 14. the dimensions of all car parking bays, vehicle entrance, aisle widths and circulation areas complying with the Australian Standard AS2890.1, with a certificate of compliance by an architect or engineer being submitted for approval by the City prior to applying for a building permit;
- 15. the three existing adjacent street trees located in the road verge on Adelaide Terrace 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;

- 16. 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;
- 17. in the event of the development not proceeding within six months of the demolition of the existing buildings on the site, the site is to be aesthetically fenced and/or landscaped to the satisfaction of the City in order to preserve the amenity of the area, prevent unauthorised car parking and reduce dust and sand being blown from the site and shall be maintained in a clean and tidy state;
- 18. the works referred to in the above condition, being secured by a bond/deed of agreement between the landowner/applicant and the City, to the value of the proposed works as determined by the City, with the cost of the deed to be borne by the applicant and the bond/deed being finalised to the City's satisfaction prior to any demolition works being undertaken;
- 19. a final Wind Impact Statement, including wind tunnel model measurements, being undertaken to quantify and compare the wind conditions against acceptable pedestrian wind comfort criteria and, if necessary, including mitigation strategies to achieve compliance with the criteria, with details being submitted by the applicant for approval by the City prior to applying for a building permit, with any significant design changes resulting from the amended wind impact analysis being the subject of a separate application for approval; and
- 20. any works 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 by the City.

Advice

- 1. This decision constitutes planning approval only and is valid for a period of two (2) 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 existing street trees will not be permitted to be pruned, relocated or removed to accommodate demolition and/or construction works at the site, with the amenity value of the trees to be included in any works bond associated with any building permit issued by the City.
- 3. The applicant is advised that the final Waste Management Plan is required to address the following additional matters with reference to the City's guidelines:
 - a. waste vehicle servicing position and suitable waste presentation point to waste collection vehicle distances;
 - b. an updated swept path analysis; and
 - c. adequate clearance for waste collection vehicles and operating dimensions.

- 4. With regards to the proposed works shown external to the site including removal of the existing loading bay and replacement with two hotel drop off bays along Adelaide Terrace road reserve, it is advised that approval of this application should not be construed as approval for the drop off bays and associated works which are subject to separate applications and approval by the City.
- 5. The proposed development is approved with a maximum plot ratio of 4.8:1 (8,698m² plot ratio floor area) inclusive of 20% bonus plot ratio (1,450m² plot ratio floor area) for a new Special Residential use in accordance with Clause 28 of City Planning Scheme No. 2 and Bonus Plot Ratio Policy 4.5.1. It is noted that the maximum 20% bonus has been awarded in lieu of the 6.2% sought to allow for sufficient flexibility at the detailed design phase. However, any significant design changes to the approved development will be the subject of a separate application for approval.

Details:

Dogion Cohomo	Matranalitan Dagian Sahama		
Region Scheme	Metropolitan Region Scheme		
Region Scheme -	Central City Area		
Zone/Reserve			
Local Planning Scheme	City Planning Scheme No. 2		
Local Planning Scheme -	Office/Residential		
Zone/Reserve			
Structure Plan/Precinct Plan	Adelaide Precinct (P13)		
Structure Plan/Precinct Plan	N/A		
- Land Use Designation			
Use Class and	Special Residential (Hotel) – Preferred 'P'		
permissibility:	Dining – Preferred 'P'		
	Entertainment – Contemplated 'C'		
Lot Size:	1,812m ²		
Existing Land Use:	Office		
State Heritage Register	No		
Local Heritage	⊠ N/A		
	□ Heritage List		
	☐ Heritage Area		
Design Review	□ N/A		
	□ State Design Review Panel		
	□ Other		
Bushfire Prone Area	No		
Swan River Trust Area	No		

Proposal:

Proposed Land Use	Special Residential (Hotel)
Proposed Plot Ratio Floor Area	7,699m ²
Proposed No. Storeys	13
Proposed No. Dwellings	N/A

The application seeks approval for the demolition of an existing three level brick and concrete office building and for the construction of a 13 level hotel development comprising:

- 293 hotel rooms;
- ground floor restaurant/lobby bar;
- mezzanine level function rooms, lounge bar and hotel amenities;
- split level roof bar; and
- nine tenant/hotel car parking bays

Specific details of the proposed hotel development are as follows:

Ground Floor	This level contains the reception/lobby, restaurant/lobby bar and associated kitchen (65m²). The back of house area includes, staff area, toilets, managers office, services and bin storage/compacting room. Nine tenant car parking bays are provided to the rear of the site with vehicular access via a driveway off Adelaide Terrace.
Level 1	This level contains two function rooms, a pre-function space and a mezzanine lounge bar, pool, gym landscaped courtyards, staff amenities and bathroom facilities
Level 2	This level contains 30 hotel rooms comprising of nine superior (28m²) rooms, 20 standard (24m²) rooms and one accessible (28m²) room. This level also contains a lift lobby and landscaping to the podium level (level 1) roof.
Levels 3 and 4	These levels each contain 30 hotel rooms comprising of nine superior (28m²) rooms, 20 standard (24m²) rooms, one accessible (28m²) room and a lift lobby.
Levels 5 and 10	These levels contain 28 hotel rooms comprising of two suite (50m²) rooms, nine superior (28m²) rooms, 15 standard (24m²) rooms, one accessible (28m²) room and a lift lobby.
Level 11	This level contains 18 hotel rooms comprising of two suite (50m²) rooms, seven superior (28m²) rooms, eight standard (24m²) rooms, one accessible (28m²) room and a lift lobby. This level also contains a split-level roof bar with

	kitchen (246m²), amenities and landscaping elements to the southern elevation.	
Level 12	This level contains 17 hotel rooms comprising of one super suite (80m²) room, one suite (50m²) rooms, six superior (28m²) rooms, eight standard (24m²) rooms, one accessible (28m²) room and a lift lobby. This level also contains a split-level roof bar with terrace (148m²), amenities and landscaping elements to the southern elevation.	
Roof Level	This level contains a small terrace (20m²), screened plant deck, lift overrun and louvred pergola to level 11 terrace. This level also contains four trees located on the southern side of the building.	

The applicant advises the following with respect to the design, materials and palette selection for the development:

- "The development has been designed to respond to the local context of Adelaide Terrace with high quality landscaping, a range of amenities and a ground floor restaurant and bar to increase activation at ground level'.
- The minimised podium height and scalloped entry canopy above the ground level will provide a sense of human scale to the street. The setback of key portions of the side, rear and upper portions of the building will reduce the perceived mass of the building and its impact on neighbouring properties; and
- The façade articulation and 'wiggle' is a direct response to neighbouring buildings. The introduction of simple block colouring and select material finishes aims to reduce the perception of bulk whilst also defining key features of the building including the entrance for wayfinding purposes".

Background:

The subject site has a total area of 1,812m² and is located on the northern side of Adelaide Terrace, Perth. The site is currently occupied by a three-level brick office building with at-grade car parking to the rear of the site. Vehicular access is provided via an easement with reciprocal rights of use for access and car parking between the subject site and the adjoining lot at 250 Adelaide Terrace, Perth to the west.

Legislation and Policy:

Legislation

Planning and Development Act 2005 s.162

City Planning Scheme No. 2 (CPS2) Clauses 6, 26, 27, 28, 32, 33, 36 and 37 and the Adelaide Precinct Plan (P13) requirements

Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed Provisions for Local Planning Schemes Clauses 60, 64, 66, 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)
Bonus Plot Ratio (4.5.1)
Signs (4.6)
Parking Policy (5.1)
Loading and Unloading (5.2)
Bicycle Parking and End of Journey Facilities (5.3)

Consultation:

Public Consultation

The development proposes variations to the plot ratio and setback requirements of City Planning Scheme No. 2 (CPS2).). As such, the application was advertised to the owners of the surrounding properties for a period of 21 days, closing on 16 March 2021. These included the owners of the properties directly adjacent at 369, 375 and 379 Hay Street, and 237, 239, 240, 249, 250 and 251 Adelaide Terrace, Perth.

A total of eight objections were received during the advertising period. The comments received from the affected property owners are summarised below. All valid objections are also discussed in further detail under the planning assessment section of this report.

Issue Raised	Officer Comments		
The proposal will impact	The proposed development will not adversely impact on		
on access to natural	adjoining properties access to light with the upper levels		
sunlight and/or	of the building required to have a minimum three (3)		
ventilation.	metre setback with no openings or four (4) metre setback		
	with openings. The proposed development is generally		
	setback three (3) metres with openings however this		
	minor variation will not significantly impact on adjoining		
	properties' access to sunlight or ventilation noting		
	overshadowing predominantly occurs over Adelaide		
	Terrace to the south whilst adjoining properties to the		
	east and west will mostly be affected early mornings or		
	later in the afternoon.		

The proposal will impact on adjoining properties privacy.

The application has been amended at the rear elevation with there being a reduction in the number and size of openings facing the northern (rear) boundary. Due to the narrow and subtle nature of the openings the proposed variation of a three (3) metre setback whereby a four (4) metre setback is required, is considered acceptable as discussed in further detail in the report below.

The proposal results in a podium level built to the lot boundary.

The City's Building Heights and Setbacks Policy 4.4 permits a podium level of up to 21 metres in height with nil side and rear setbacks if there are no openings. The development complies with this policy.

The rooms at level 6 and above will result in major openings and a balcony being setback less than the required four (4) metres the as per planning framework. The views from the proposed development communal area and living areas of the adjacent future development will be adversely impacted by the reduced setback.

The application has been amended to address the City's Design Advisory Committee (DAC) comments however the front upper portions of the development proposes minor side setback variations to both sides. These variations are discussed further in the report and a condition requiring screening of the larger hotel room windows to reduce undue privacy impacts is recommended.

The roof design has not been considered in context to surrounding development or future development and is not an appropriate design response.

An amended roof design is proposed which addresses the concerns regarding the appearance of the development particularly when viewed from above. The amended plans are considered to sufficiently address the previous amenity and design concerns raised.

Dust, noise and smell during construction phase and thereafter from the hotel operations.

A Demolition and Construction Management Plan is to be provided as a recommended condition of approval prior to submission of a building permit which will address dust, noise and smell during construction phase.

The developer has elected to propose a design which is imposing in relation to the height and aesthetics of the existing buildings in its vicinity. Request consideration be given to reducing its height and at least matching the height of the adjacent Domus

The proposed development is compliant with the podium and building height requirements of the Adelaide Precinct and Building Height requirements under the relevant planning framework.

and Royal apartments	
which are maximum 9	
stories high from the Hay	
Street level.	
Request 'independent'	Structural considerations are not relevant planning
structural assessment to	considerations and will be addressed in further detail at
be undertaken to review	the building permit stage noting the development will
the structural integrity of	have to comply with the Building Code of Australia.
the landform to sustain	
development, the	
configuration of the	
structural foundation	
reinforcement and piling	
of Domus Apartments	
and the possible impact	
of any additional	
structural loading that	
would be applied during	
excavation and	
construction or for the	
long term.	
The proposal will impact	The impact of the proposed development on the loss of
on the views to/from the	views is a matter that, whilst understandably of high
adjoining properties.	importance to individual landowners, is not directly
	relevant in any assessment of the planning merit of a
	proposed development and cannot be specifically
	addressed within the relevant planning framework.
There are many empty	The number of empty buildings within the City is not a
buildings in CBD already	planning consideration. The economic viability (or
and the creation of more	otherwise) of a hotel is not directly relevant in any
apartments creates a	assessment of the planning merit of a proposed
glut.	development and cannot be specifically addressed
9.5.1	within the relevant planning framework.
	·
The proposal will impact	The impact of the proposed development on the value of
on the value of adjoining	properties is a matter that, whilst understandably of high
properties.	importance to individual landowners, is not directly
	relevant in any assessment of the planning merit of a
	proposed development and cannot be specifically
	addressed within the relevant planning framework.

Referrals/consultation with Government/Service Agencies

Design Advisory Committee

The proposed development was considered by the City of Perth Design Advisory Committee (DAC) at its meeting held on 11 February 2021, where the DAC resolved to advise that it:

- "1. <u>supports</u> the awarding of up to 20% bonus plot ratio for the special residential use under the provisions of the City's Bonus Plot Ratio Policy 4.5.1:
- 2. is generally <u>supportive</u> of the design and the podium frontage to Adelaide Terrace however considers that the design of the buildings tower facades, notably towards the street frontage, needs further consideration and requires further development;
- 3. is <u>not supportive</u> of the proposed variation of the rear northern façade setback considering the potential future development of the neighbouring properties to the north:
- 4. <u>considers</u> that the floor to ceiling height on the first floor needs to be made more generous than indicated on the plans noting that these will be publicly accessible gym and function spaces; and
- 5. the proposed podium roof on the street frontage is considered a lost opportunity and should be <u>further considered</u> as a potential landscape space and/or private outdoor areas to the adjoining rooms, to offer improved visual amenity from above."

The applicant subsequently met with City officers and has submitted revised plans in response to the DAC's comments. The following section of the report details the extent to which the development plans respond to the design matters raised by the DAC.

Planning Assessment:

Land Use

The subject site is located in the Office/Residential use area of the Adelaide Precinct 13 under CPS2. The Adelaide Precinct will be developed as a residential quarter accommodating a wide range of residential and visitor accommodation and employment opportunities serviced by activities that support these uses. The Adelaide Precinct will also accommodate offices, functioning as a secondary, less intensive, general office district and contain a mixture of general commercial activities of a kind that will contribute to residential amenity.

Hotel ('Special Residential') is a preferred ('P') use in the Office/Residential Use Area of the Adelaide Precinct 13 under CPS2. The proposed ancillary/supporting ground floor restaurant ('Dining') use is a preferred ('P') use, whilst the bar ('Entertainment') use is a contemplated ('C') use within the precinct. Entertainment uses can be supported in the Adelaide Precinct as they provide a service and contribute to local amenity in the area for residents, workers and visitors. Any approval should however be made subject to appropriate conditions managing the entertainment use.

Development Requirements

Development within the Adelaide Precinct is to be at an intensity markedly lower than the city centre. It will generally be characterised by medium scale development. Buildings will have a nil street setback and be of a low scale along the street frontage to provide a consistent and continuous urban edge. Additional building height will be set back from all lot boundaries. Buildings should be designed to a high standard and evoke a sense of prestige.

The proposal's compliance with the CPS2 development requirements is summarised below (Note: figures and description in bold signify non-compliance with the development standards): -

Provision	Requirement	Proposal	Assessment
Maximum Plot Ratio:	Base Plot Ratio 4:1 (7,248m²) Maximum Bonus Plot Ratio of 50% consisting of a combination of any of the below:	4.25:1 (7,699m²) inclusive of a plot ratio bonus of 6.2% (451m²) on the basis of providing a new special residential use	Variation Sought
	Special Residential Development (20% and 40% for high quality hotel maximum)		
Maximum Street (Podium) Building Height:	Maximum street building height of 21 metres	10.1 metres	Complies
Maximum Building Height:	No prescribed maximum height limit front	50.7 metres	Complies

Setbacks:			
Adelaide Terrace - South Lower Building Upper Building	Nil 5 metres (up to a building height of 65 metres)	Nil 5 metres	Complies Complies
Side – West Lower Building	Nil (no openings/balconies)	Nil	Complies
	4 metres (with openings)	5 metres (with openings)	Complies
Upper Building	4 metres (openings up to 65 metres)	3 metres (with openings)	Variation sought
		5 metres (with openings)	Complies
<u>Side – East</u> Lower Building	Nil (no openings/balconies)	Nil	Complies
	4 metres (with openings)	5 metres (with openings)	Complies
Upper Building	4 metres (openings up to 65 metres)	3 metres (with openings)	Variation sought
oppo. Danamg		5 metres (with openings)	Complies
Rear - North Lower Building	Nil (no openings/balconies)	Nil	Complies
	4 metres (with openings)	3 metres (with openings)	Variation sought
Upper Building	4 metres (openings up to 65 metres)	3 metres (with openings)	Variation sought
Car Parking:			

Commercial	18 bays (maximum)	9 bays	Complies
Tenant			
Bicycle Parking:			
Hotel / Special	98 bays including end	10 bays and staff	Variation
Residential	of trip facilities	end of trip	sought
		facilities	

Bonus Plot Ratio for the development can be granted by an absolute majority decision (of the Council) in accordance with Clause 28 of the CPS2 under the City's Bonus Plot Ratio Policy 4.5.1.

Variations to the maximum street building height and setback provisions applicable to the development can be granted by an absolute majority decision (of the Council),), in accordance with Clause 36 of the City Planning Scheme and provided the Council is satisfied that:

"36(3)(c)

- (i) if approval were to be granted, the development would be consistent with:
 - (A) the orderly and proper planning of the locality;
 - (B) the conservation of the amenities of the locality; and
 - (C) the statement of intent set out in the relevant precinct plan; and
- (ii) the non-compliance would not have any undue adverse effect on:
 - (A) the occupiers or users of the development;
 - (B) the property in, or the inhabitants of, the locality; or
 - (C) the likely future development of the locality."

Officer Comments

Bonus Plot Ratio

In accordance with the provisions of CPS2, the site is eligible for 50% maximum bonus plot ratio which may be comprised of:

- Public Facilities and Heritage: Maximum 20% bonus (includes public spaces, pedestrian links, provision of specific facilities on private land and conservation of heritage places).
- Residential Use: Maximum 20% bonus.
- Special Residential Use: Maximum 40% bonus (20% for a special residential use or 40% for a high-quality hotel use).

Bonus Plot Ratio Special Residential Use

The application is seeking the award of a 6.2% bonus plot ratio or 451m² of plot ratio floor area for the use of the site for 'Special Residential' (Hotel) use. In support of the request the applicant has indicated:

- "The proposed hotel provides the following facilities and amenities;
 - a dedicated hotel entry lobby and reception area on the ground floor;
 - o appropriate back of house and administration facilities, including housekeeping areas, staff facilities, office area and storage areas; and
 - bathroom facilities within hotel guest rooms that incorporate, at a minimum, a basin, shower and toilet, whilst laundry facilities are not provided within individual hotel guest rooms;
 - The proposed hotel provides a range of shared facilities for hotel guests, including first level communal terrace, a gym, mezzanine level bar, business centre, a heated swimming pool and pool deck; and
 - A commercial restaurant and bar area is also provided at the ground floor, along with function room facilities and mezzanine lounge/bar at Level 1. The provision of a range of shared facilities and amenities will contribute to an excellent standard of amenity for hotel guests."

Based on the above it is considered that the awarding of up to a maximum of 20% bonus plot ratio, as recommended by the City's DAC, is consistent with the City's Bonus Plot Ratio Policy 4.5.1 in terms of the use of the site for Special Residential purposes and can be supported in accordance with clause 28 of CPS2. This will allow for greater flexibility in internal design at the building permit stage should additional plot ratio floor area, in excess of the 6.2% (451m²) be required to accommodate the use within the approved building form and scale. It is noted that whilst the awarding maximum 20% bonus is recommended, any substantial changes to the external design will require additional/separate approval.

Building Design and Presentation to 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 (refer to Attachment 6 – Address of State Planning Policy 7.0 Design Principles).

As outlined above, the City's DAC were generally supportive of the design of the development however it considered that the design of the tower facades, notably towards the street frontage, needed further consideration and refinement. The DAC noted the first-floor ceiling height needed to be more generous and the podium roof on

the street front was considered a lost opportunity and further consideration should be given to its final form to offer improved visual amenity from the hotel rooms above.

In response to this advice, the applicant has modified the façade to embody a more refined elevation which better integrates with the street and the building façade design as a whole. The rear of the building has also been redesigned and replaced with a T-shaped floor plan. This revised design of the building allows for better access to sunlight for east and west facing hotel rooms and reduces the bulk of the building to the rear (north). The modifications to the building design are considered to address the DAC's comments.

In regard to item 4 (ceiling heights) of the DAC's comments, the first-floor ceiling height has been increased from four metres to five metres in height. In conjunction with this change, the rear facing rooms on this level have been removed and replaced with a function room and gymnasium to make better use of the increased ceiling height. The swimming pool has also been increased in size along with the pool deck area, and increased landscaping and courtyard areas. These design revisions are considered to address the concerns raised by the DAC.

In response to item 5 (podium roof) of the DAC's comments, the podium level roof on the street frontage has been landscaped to improve the visual amenity from adjoining rooms, from the street and from above. The revised plans are considered to address the DAC's comments and improve the façade and street appeal of the building.

The development proposes an awning along the front façade of the building as per the City's Development Design Guidelines, however the 1.05 metre depth of the awning is not considered to provide sufficient weather protection for pedestrians in accordance with the Policy. The design of the awning in terms of its depth and dimensions is considered a minor issue that can be resolved in consultation with City officers prior to the submission of a building permit. It is recommended that the final details of the canopy design be required as a condition of any approval.

Building Height and Setbacks

The development has been designed with a podium and tower form that is compliant with the City's Building Heights and Setbacks Policy 4.4. A maximum street building height of 21 metres is permitted for the site with the development proposing a significantly lower 10 metre high podium.

Whilst some submissions raised concerns regarding the overall height and scale of the proposed development, it is noted that there is no prescribed maximum building height in this location. With respect to the concerns raised regarding a loss of sunlight to the properties on the southern side of Adelaide Terrace, it is noted that while there will be some overshadowing impact, the extent and duration of the overshadowing to the south is limited to the winter months in the early morning to noon only.

In relation to the side and rear setback requirements for the podium, a minor variation is proposed to the northern (rear) setback whereby openings to the gym, private fitness area and courtyard will have a three metre setback in lieu of the required four metre setback. Given that the openings are screened by a three metre high boundary wall and also face an adjoining boundary wall to the north, it is considered that the variation to the rear setback requirement will not cause any overlooking or privacy issues and therefore can be supported.

With respect to the upper buildings levels, variations are sought to both the side and rear setback requirements. Under the Policy, a four metre setback is required for walls with openings up to 65 metres in height. The application proposes a minor opening to each of the two hotel rooms at the rear (northern) side of the hotel on Levels 2 to 12 (22 rooms in total) with a three metre setback proposed.

In response to item 3 (rear setback) of the DAC's comments, it is noted that the number and size of the window openings facing north have been significantly reduced and are not the primary source of natural light for these rooms. The applicant has advised that the minor openings have been provided to assist breaking up the mass of the building and to reduce the amount of blank wall. The adjoining site to the north is occupied by a residential development which has a significant setback from the common lot boundary with the subject site. There are no significant openings to the adjoining residential building within proximity of the subject site that raise any concerns with overlooking or privacy between the two sites. The proposed variation is considered minor in nature, improves the design of the building from the northern elevation and will have minimal impact on overlooking or privacy to the adjoining site. It is recommended that the rear setback variation therefore be supported in accordance with clause 36 of CPS2.

The application further proposes a setback variation to the hotel rooms within the front portion of the eastern and western sides of the hotel on levels 2 to 11 (40 rooms in total) with a 3 metre setback proposed in lieu of the required four metres. The window openings to these rooms have been provided in direct response to the City's DAC comments which encouraged improvements to the side facing walls to better integrate with the front building facade. These windows are narrow and an as such, are not considered to cause undue privacy impacts on the adjoining properties.

The openings for the 'rear' front rooms are however larger in size and may potentially cause privacy issues to adjoining future residential tenants. It is noted that only the window openings for rooms from level 6 upwards have potential privacy issues as the adjoining development to the east has been approved with a 21 metre high podium. It is recommended that these windows be screened to reduce any potential overlooking issues between properties. Screening to the western property is not recommended to be mandated noting the respective landowner raised no objections, the site also has the capacity to construct a 21 metre high podium and/or can factor in the presence of the windows/openings as part of any future redevelopment. The screening can be achieved using angled louvres to the rear portion of the window openings to reduce

the overlooking capacity and address any privacy issues. It is recommended that screening to the City's satisfaction be required as a condition of approval.

A variation is also proposed to the window opening from the rooftop bar (level 11) on the western elevation and two double volume openings from the rooftop bar on the eastern elevation. A three metre setback is proposed to these openings in lieu of the required four metres under CPS2. It is recommended that screening be provided to these openings as a condition of approval to address any potential overlooking or privacy issues with adjoining developments.

Car Parking and Traffic Management

Concerns were raised by adjoining landowners with regards to potential additional traffic generated by the development. It is noted that the car parking provided on site is less than the maximum car parking permitted for the site under the Perth Parking Policy. A total of nine tenant/hotel car parking bays and one ACROD bay are proposed which is below the maximum permitted number of tenant bays of 15 car parking bays. A Transport Impact Statement has also been submitted with the application that states that the expected traffic volumes associated with the development on the road network is considered acceptable. The TIS has been reviewed and is supported by the City's officers.

It is noted that the development plans and TIS reference proposed on-street parking modifications to facilitate a hotel guest drop off/pickup area on Adelaide Terrace. Whilst these modifications may be appropriate for the efficient servicing of the hotel, issues related to the design, safety and functionality of the bays will require a detailed technical assessment separate to this application. It is therefore recommended that any approval preclude any works shown external to the site and advising that this may be considered under a separate application to the City.

Bicycle Parking and End of Journey Facilities

The City's Bicycle Parking and End of Journey Facilities Policy 5.3 sets out the requirements for the number of bicycle racks and amount and type of end of journey facilities required to be provided for new development within the City. The application proposes 10 bicycle bays and staff only end of trip facilities in lieu of the required 94 bicycle bays. The variation is considered acceptable as guests are unlikely to be using bicycles with these facilities anticipated to be mainly used by staff of the hotel. Given the anticipated low demand for these facilities by guests and the availability of alternative general storage areas, should there be a demand, a variation to the Policy can be supported.

Waste

The applicant has submitted a Waste Management Plan (WMP) in support of the proposed development which generally meets the City's servicing requirements. Some detailed matters will need to be further addressed and resolved such as the waste vehicle final servicing position, the maximum travel distance between the furthest bin

at the waste presentation point and the waste collection vehicle, accessibility to/from the waste collection vehicle, an updated swept path analysis and the building's clearance for vehicle access. It is recommended that a condition be included on any approval requiring the submission and approval of a final WMP for the development.

Conclusion:

The proposed development is consistent with the Adelaide Precinct Plan, which encourages special residential development in the locality, taking advantage of good access to public transport and its proximity to retail and entertainment areas in the city centre. The proposed dining and entertainment uses will also serve those working, living or visiting the area. The design concept has been well considered and is of high quality. In response to the comments of the City's DAC, the applicant has provided revised plans and elevations to improve the functionality and integration of the podium level and front elevation.

The 20% bonus plot ratio for the provision of a Special Residential use, meets the requirements of the City's Bonus Plot Ratio Policy 4.5.1 and as such, satisfies the requirements of clause 28 of CPS2. As outlined above and in accordance with the DAC's advice, it is recommended that the maximum 20% bonus plot ratio be approved in lieu of the 6.2% sought to allow for sufficient flexibility for modifications to the internal layout at the detailed design phase. It is noted that any significant design changes to the approved development will be the subject of a separate application for approval.

While the proposed development incorporates minor variations to the upper building setback requirements applicable to the site, it is considered that the development would be consistent with the orderly and proper planning of the locality. With adequate screening, the variations to the upper building eastern and western side setbacks can be supported in accordance with clause 36 of CPS2 and the objectives and principles of the City's Building Heights and Setbacks Policy 4.4. It is considered that the minor setback non-compliance would not have any undue adverse effect on the properties in the area or the likely future development of the locality.

Based on the above it is recommended that the application should be conditionally approved.





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AERIAL PHOTOGRAPH

LOT 5 (246) ADELAIDE TERRACE PERTH, WESTERN AUSTRALIA

FIGURE 01

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BUILT FORM PERSPECTIVE



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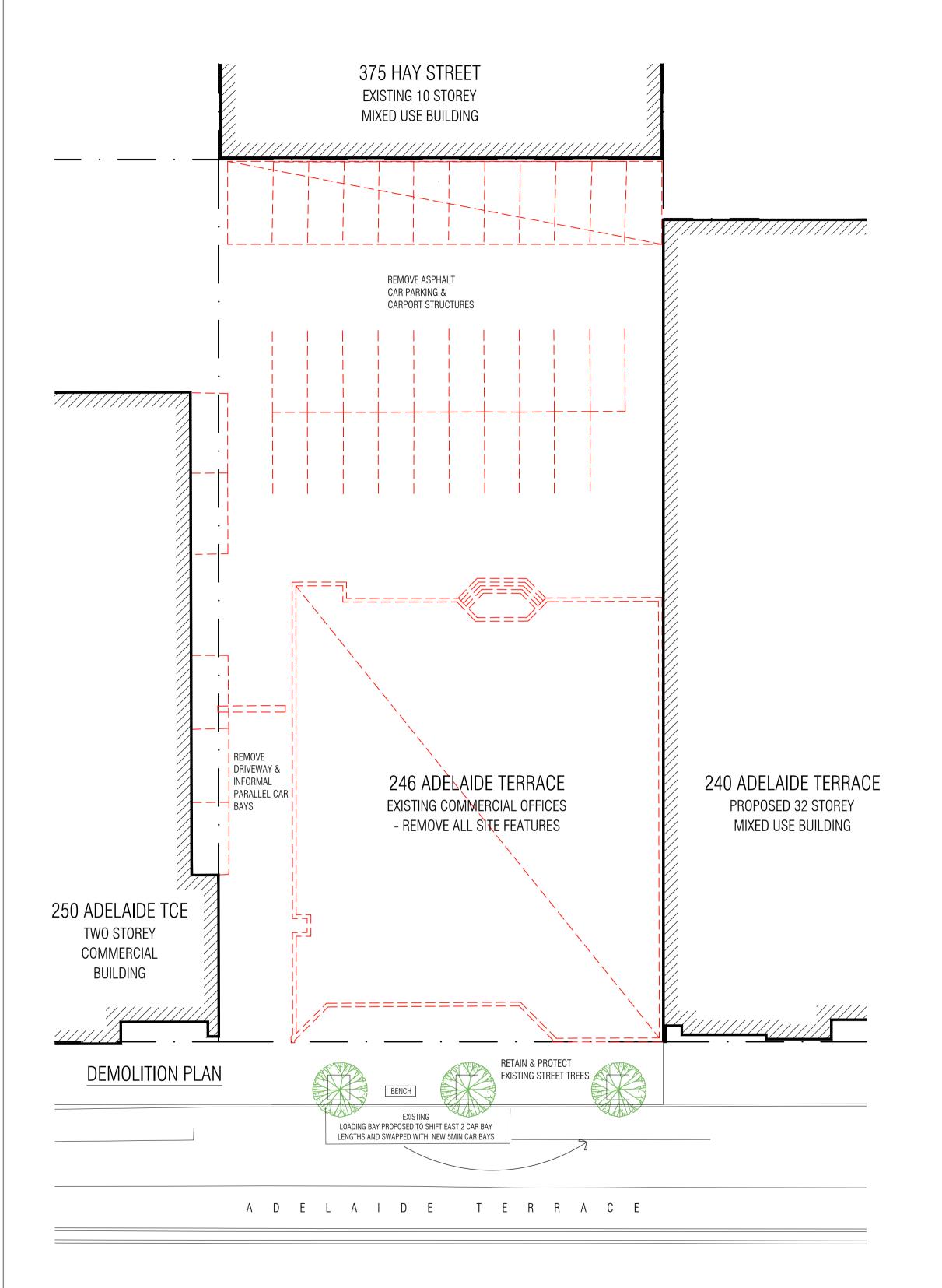


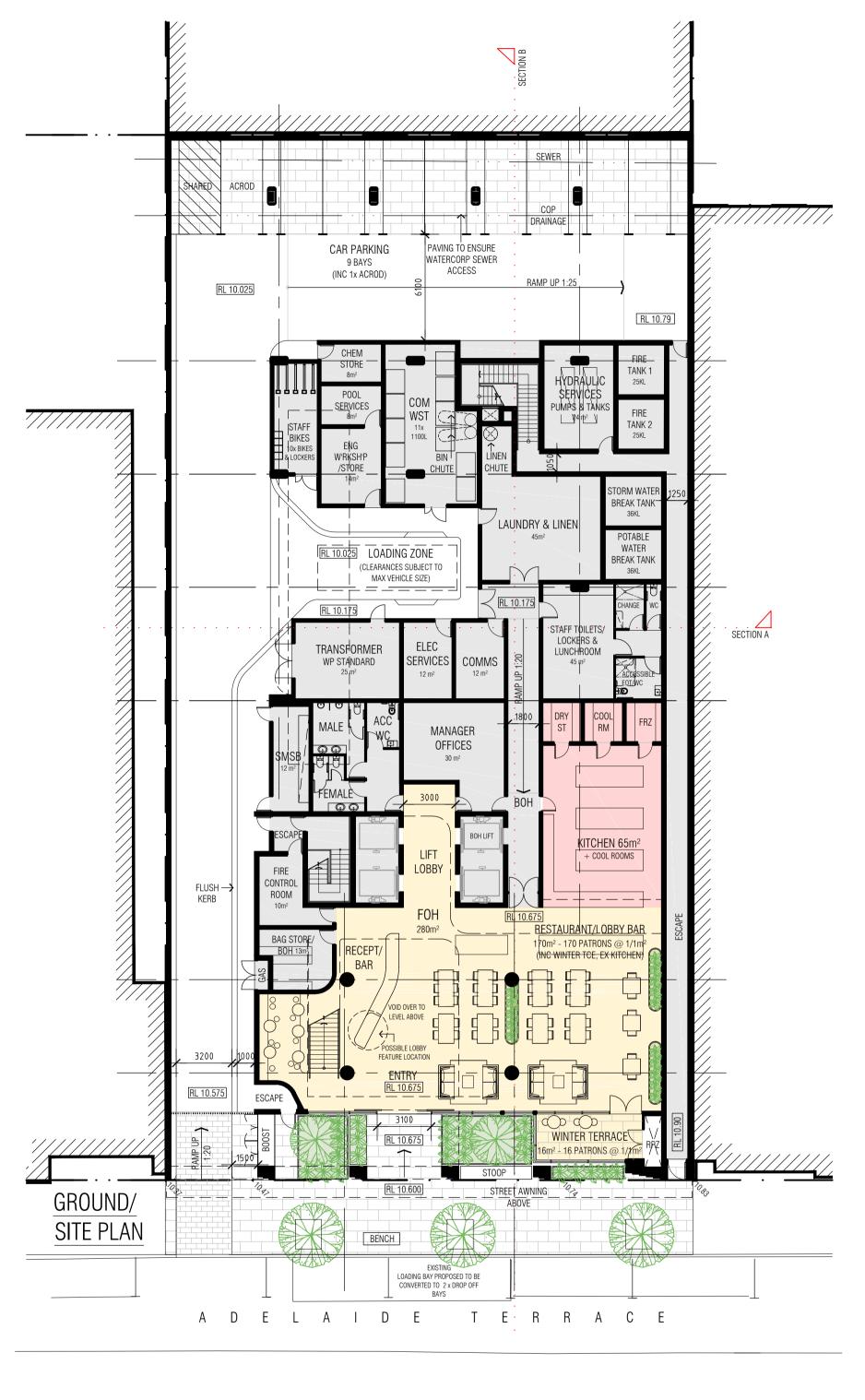
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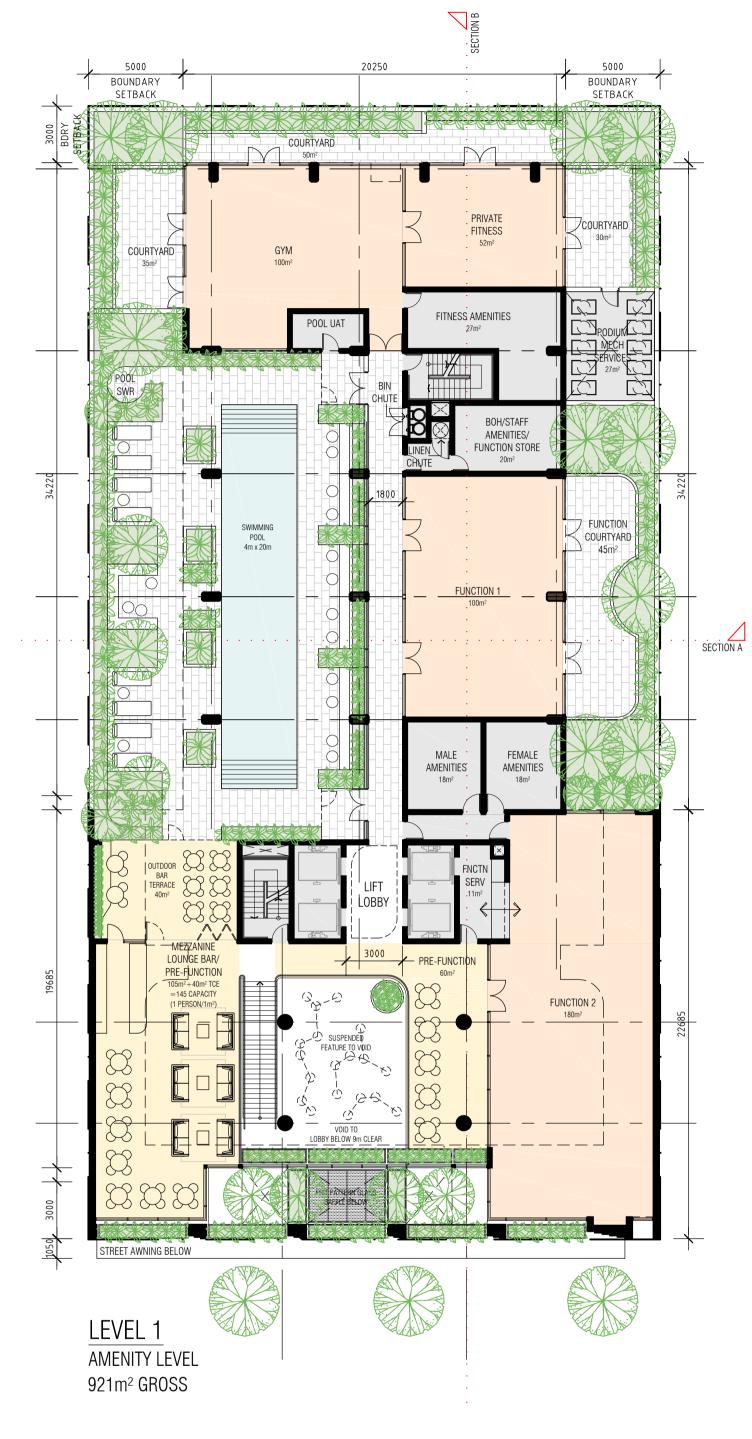
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E	16.12.2020	TOWN PLANNING ISSUE
F	01.04.2021	POST DAC TOWN PLANNING

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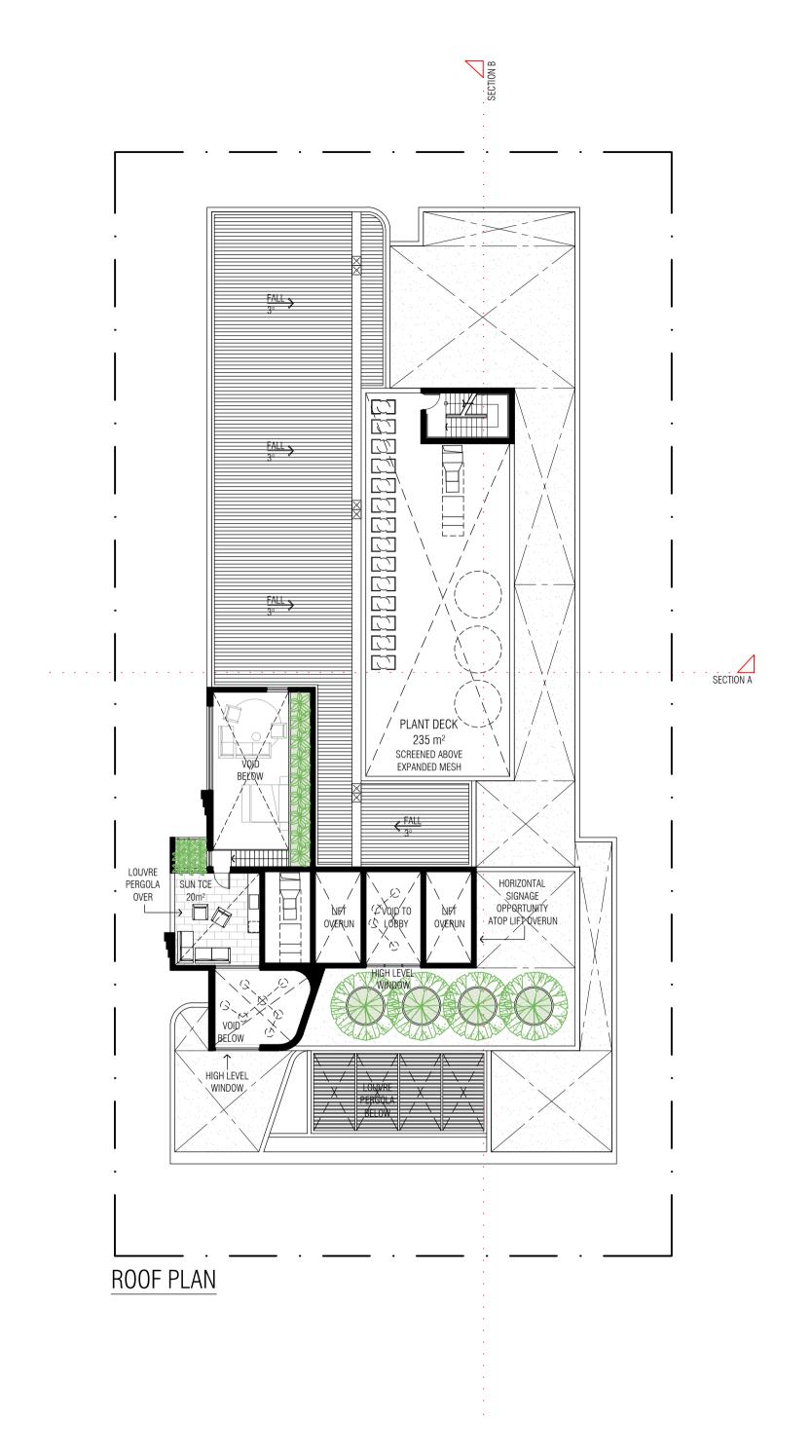
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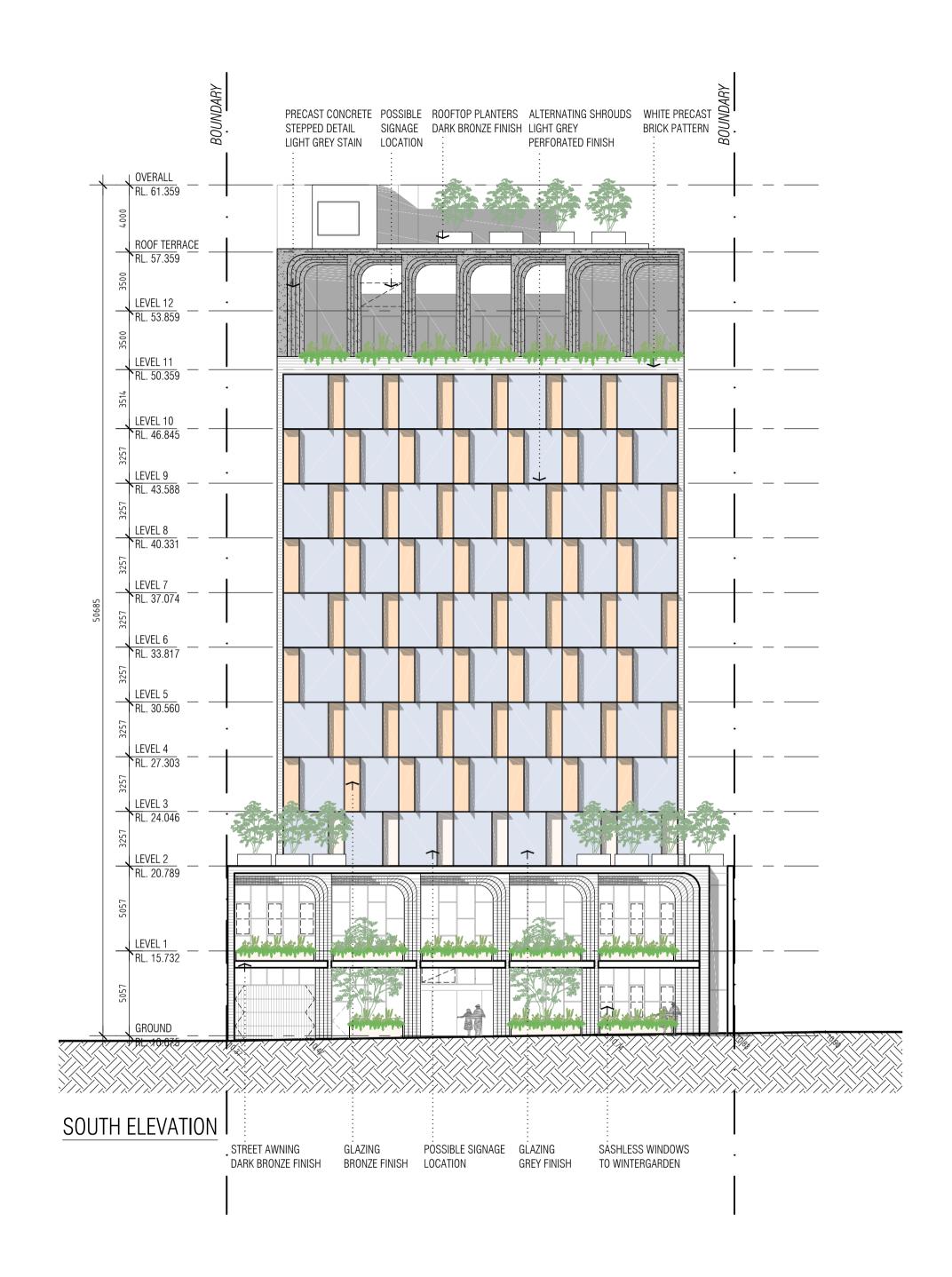
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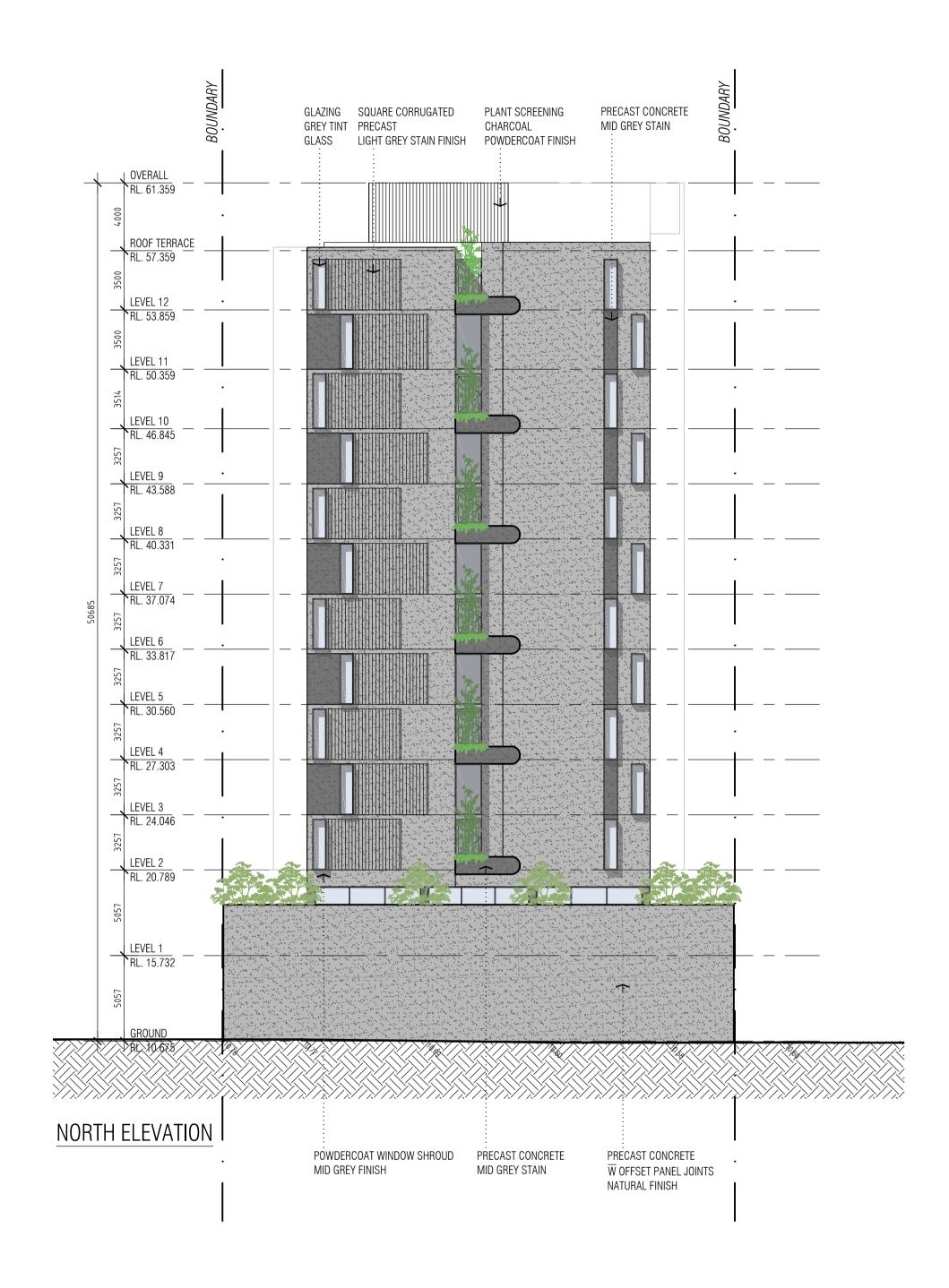
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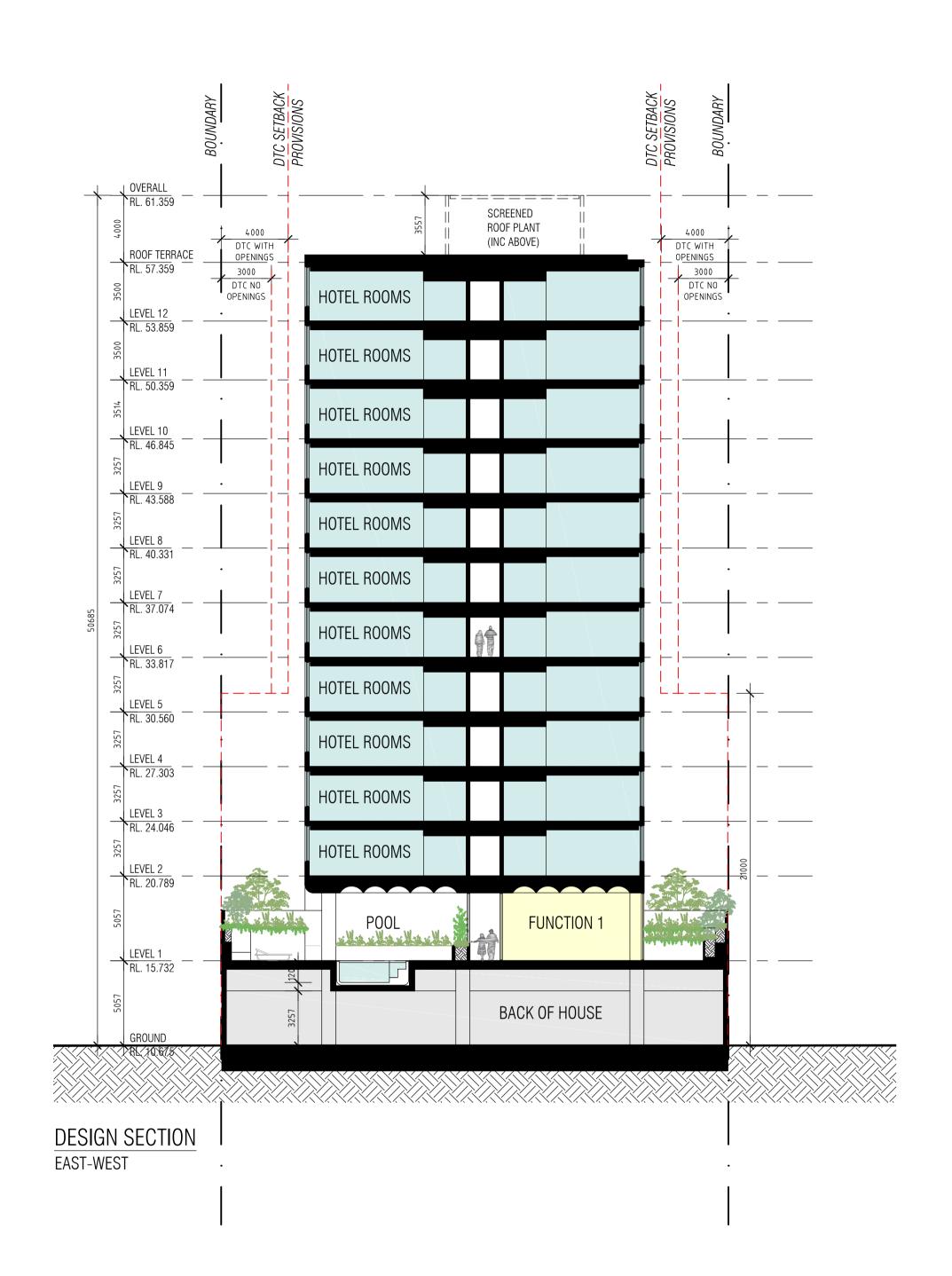
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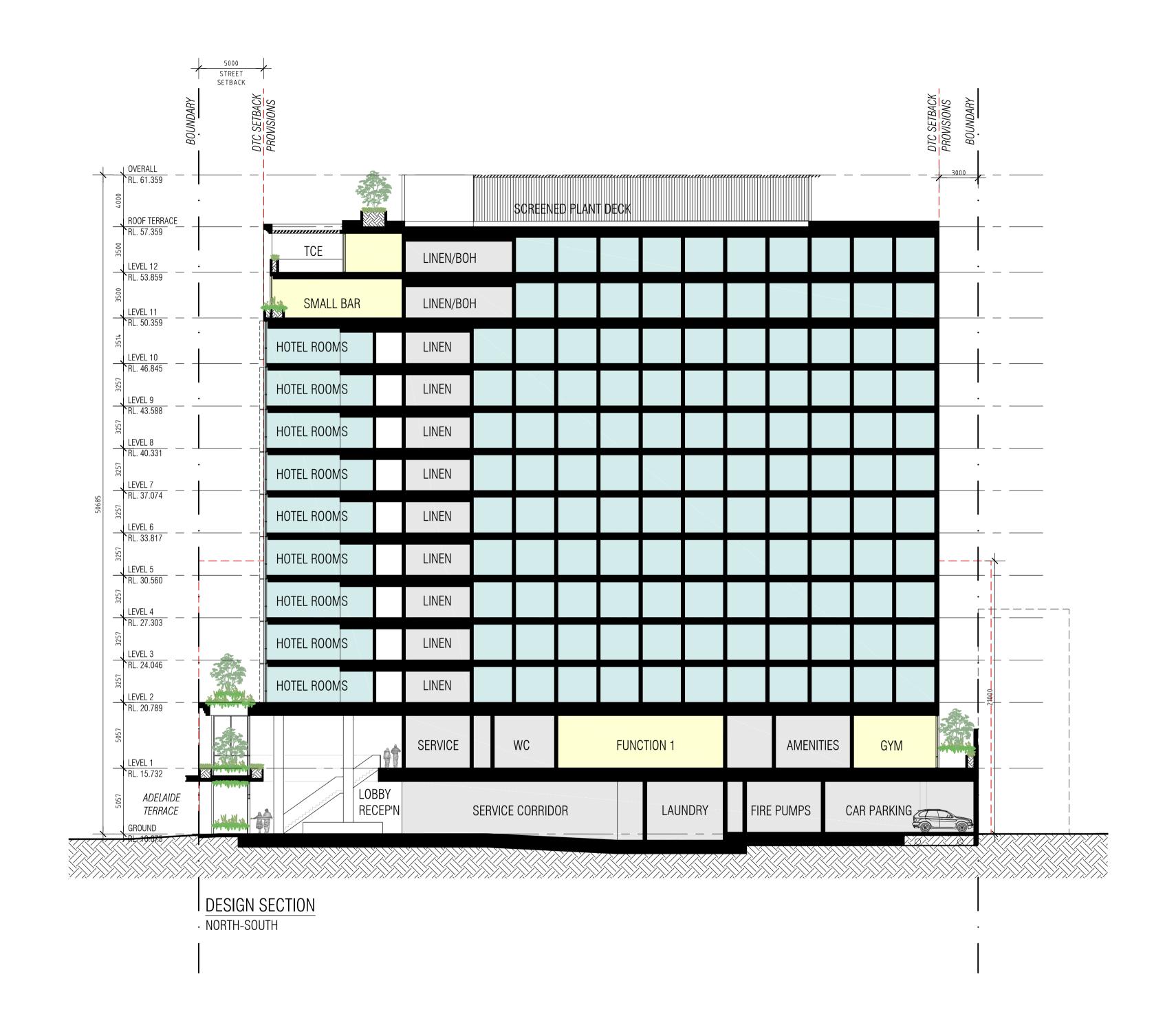
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Schedule of Submissions Received

Proposed 12 storey Mixed Use Development Comprising 293 Hotel Rooms, 10 Car Parking Bays & Restaurant & Bar 246 (Lots 1, 2 & 3) Adelaide Terrace, Perth

	Respondent/s	Respondent's Comment
1.	Address:	OBJECT
	Landowner Hay Street, Perth	1. Proposal results in ground and first floor wall being built to rear lot boundary which will impact on the light and views from the balconies/windows of the adjoining property.
		2. Proposal will impact on natural light access and also ventilation.
		3. Proposal will adversely impact on the value of the submitters property.
2.	Address:	OBJECT
	Landowner Adelaide Terrace, Perth	1. Submitters apartment will have light, views & resources changed, and their environment will not be as pleasant.
	Adelaide Terrace, Pertir	2. The loss of light will result in an impact on the submitters mental health due to the increase in loss of light.
		3. Many empty buildings in CBD already and creation of more apartments creates a glut that reduces value of the submitters property.
3.	Address:	OBJECT
	Landowner	Proposal will be massive detrimental to the value of the submitters property.
	Adelaide Terrace, Perth	2. Proposal will impact on the privacy of the submitter.
4.	Address:	OBJECT
	Landowner Adelaide Terrace, Perth	Proposal will impact on the privacy of the submitter.
5.	Address:	OBJECT

	Landowner Hay Street, Perth	Proposal results in a ground and first floor wall that will be built up the boundary and block the submitters window from its existing river views
		2. Proposal will result in privacy issues with the new hotel development being close in proximity to the submitters windows.
		3. Proposal will impact on natural light access and ventilation.
		4. Dust, noise and smell during construction phase and thereafter from the hotel operations.
		5. Concerns that the construction work will impact on the structural integrity of the adjoining apartment building complex.
		6. Proposal will significantly devalue the submitters apartment.
		7. Request for ground and first floor aspects of the proposal be either reduced in height or width to ensure adjoining rear neighbours do not have their windows 'boxed in'.
6.	Address:	OBJECT
	Landowner Adelaide Terrace, Perth	1. Room 24 from level 6 and above and from Apartment 2 result in major openings and a balcony being setback less than the required 4 metres as per the planning framework. Views from the proposed development into communal area and living areas of the adjacent future development will be adversely impacted by reduced setback. No justification provided for this variation and the design has not attempted to offset the openings of the proposal from the openings of 240 Adelaide Terrace.
		2. Note that rear setbacks do not comply and whilst this does not impact 240 Adelaide Terrace, any modifications to rear setback should not further impact on adjoining property at 240 Adelaide Terrace.
		3. Roof design has not been considered the context or is an appropriate design response.
		4. Blank podium level walls to be provided relief through pattern, colour particularly those facing east.
7.	Address:	OBJECT
	Landowner	Proposal results in the loss of views towards the Swan River and South Perth.
	Hay Street, Perth	2. Resultant loss in views will adversely impact on the value of the property.
8.	Address:	OBJECT
	Landowner Hay Street, Perth	1. Request 'independent' structural assessment to be undertaken to review the structural integrity of the landform to sustain development, the configuration of the structural foundation reinforcement and piling of Domus Apartments and the possible impact of any additional structural loading that would be applied during excavation and construction or for the long term.

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- Request that a detailed 'independent' dilapidation study and report is issued which reviews and documents the condition of Domus apartments prior to construction commencing. This is to ensure the current condition is known and the developer retains liability for any damage caused by the proposed works.
- 3. The site storm water drainage, sewerage and potentially other major services from Domus apartments run through the proposed lot. Request a service management plan is issued which describes clearly how critical services are to be managed and maintained during construction and long term.
- 4. The developer has elected to propose a design which is imposing in relation to the height and aesthetics of the existing buildings in its vicinity. Request consideration be given to reducing its height and at least matching the height of the adjacent Domus and Royal apartments which are maximum 9 stories high from the Hay St level.
- 5. The proposal includes a shared wall at the back of Domus apartments. There are apartments located along this rear wall with courtyards and windows directly facing the proposed development. Any restrictions to sunlight or airflow as a result of this new development will severely impact liveability and property value of these apartments.
- 6. Request confirmation that a review has been carried out to determine the extent of shade cast over the Domus apartments and pool area caused by the new development.
- 7. Privacy of our residents is also a concern with windows directly facing the rear apartment windows of Domus.
- 8. Request the provision of a construction management plan which includes requirements which limit the impact on our residents during construction. Ie no work before or after hours or on weekend. Noise management, Dust management, traffic management etc.

Address of State Planning Policy 7.0 Design of the Built Environment – 246 Adelaide Terrace

Design Principle	Comments				
1. Context and Character Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.	"The built form positively responds to the podium and tower approach contained in the planning framework. The podium responds to the lower height commercial buildings along Adelaide Terrace adjoining the site with the tower setback from boundaries to minimise any impact from building bulk while also providing natural light and ventilation to the proposed dwellings. The proposed development meets the Statement of Intent for the Precinct by providing a special				
2. Landscape Quality Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.	 "The development is considered to achieve high landscape quality and been informed through input from a landscape architect, in particular: The street awning has been designed to maintain existing street trees and permit further street tree growth. Planters to street level and elevated to level 1 permitting a green presentation to the street. Structured planters at termination of rear corridor for level 1 provide additional visual amenity for guests. Structured planters act as a balustrade for top floor serviced apartments." 				
3. Built Form and Scale 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.	"The development responds to the Adelaide Terrace street frontage through dining/entertainment tenancy and a generous multipurpose lobby. The development is of a scale that is consistent with the built form established for the Precinct. A two-storey podium is provided to the street achieving appropriate pedestrian scale. Perimeter of main building is broken up through recessed elements and scalloped forms to moderate perceived building bulk. The provision of services and plant has been located behind the Adelaide Terrace frontage maximising the pedestrian				

experience.

Design Principle	Comments			
4. Functionality and Build Quality 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. 5. Sustainability Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.	Overall, the scale of the building is not out of character with existing and future buildings in the immediate area. "The design is functional to both the intent of the Precinct and the design of the hotel. Waste collection is from within the development with a dedicated loading bay adjacent to the waste room. Waste vehicles can enter and exit the development in forward gear thereby ensuring pedestrian safety is maintained at all times. The booster cabinet has been orientated sideways to reduce the impact onto the street. The development comprises hard-wearing materials requiring low maintenance." "The site is located on Adelaide Terrace which is a major public transport route. The site has good access to public open space along the foreshore. The site has good access to services and amenities. The development represents a significant investment into the local economy and will create substantial job employment. The completed development will contribute towards the tourism sector and facilitate social interaction within the food and beverage facilities on the ground floor."			
6. Amenity 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.	"The building is designed in a highly attractive and responsive manner, enhancing the visual amenity of the local area. The development provides extensive facilities including a swimming pool and gym on level one for use of guests. A function centre with three separate but connectable function rooms are also available for guests and the wider community."			

Design Principle

7. Legibility

Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.

Comments

"The scale of the built form is consistent with the vision for the area.

The scallop podium with sweeping planters and façade treatments guide visitors to the entry of the building. Service areas/entries have been treated in charcoal tones as a recessive element to not detract patrons from the main entrance. The development provides an improved pedestrian amenity to Adelaide Terrace."

8. Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.

"Activated land uses to the street facing podium façade facilitate passive surveillance of the street. A well illuminated entry and lobby welcomes guests and visitors. The development minimises dark corners and spaces for entrapment."

9. Community

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.

"The provision of a function centre for the guests and wider community with ten accessible hotel rooms for guests requiring additional access requirements. A mix of room types have been provided for a diversity of occupation. The restaurant and bar on the ground floor provide additional opportunities for customers and employment as well as social interaction."

10. Aesthetics

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

"The built form positively responds to the podium and tower approach contained in the planning framework. Hard wearing materials have been proposed which reduces ongoing maintenance of the building. The colour palette is suited to the urban location whilst still referencing the nearby swan river limestone. A simple sweeping gesture encompasses the podium and contains all programme to this level. The simple sweeping gesture is repeated on the top levels facilitating the upper floor of the building to feel elevated and light. The detailing and external design treatments are intended to create a distinct built form

Design Principle	Comments								
	outcome	which	relates	to	key	elements	of	the	local
	character."								