

Report on Proposed Modifications to the South Perth Activity Centre Plan and Scheme Amendment No. 61

November 2019

Summary

The City of South Perth has prepared the draft South Perth Activity Centre Plan (draft ACP) and proposed Scheme Amendment No. 61 (Amendment No. 61) to set out the strategic vision and statutory planning requirements for development within the South Perth Activity Centre. The draft ACP and Amendment No. 61 are available at

<https://southperth.wa.gov.au/development/planning-projects/south-perth-activity-centre-plan>.

At the Special Council Meeting held 6 March 2019, Council resolved to publically advertise the draft ACP, proposed Amendment No. 61 and draft Local Planning Policy P321 'South Perth Activity Centre Competitive Design Policy', for a period of 60 days. Public consultation commenced on 14 May 2019 and closed on 22 July 2019.

This report outlines and provides the rationale for a number of recommended modifications to the draft ACP and proposed Amendment No. 61 in response to feedback received during the public consultation period. The outcomes of public consultation and recommended modifications discussed in this report will be presented to the Ordinary Council Meeting on 17 December 2019.

The purpose of the draft ACP and proposed Amendment No. 61 consultation was to gain a deeper understanding of stakeholder views and to identify elements of the plans that could be improved. The engagement activities undertaken, and outcomes of the public consultation process, are discussed in a number of reports available on the City of South Perth website.

The general nature of the feedback received is described as follows:

- The feedback was highly varied, with limited consistency on the approach, opinions (both positive and negative), elements and outcomes that would result from the implementation of the draft ACP and proposed Amendment No. 61;
- A large number of modifications were suggested by respondents, with many of these modifications relating to the outcomes that would occur on specific sites. The majority of submissions did not challenge the underlying assumptions or planning process that inform the preparation of the draft ACP or the outcomes expected as a result of the implementation of the plan; and
- A range of submissions suggested modifications and/or raised concerns with elements of the plan that were already addressed by the plan, or arose from a misunderstanding of the controls in the draft ACP and proposed Amendment No. 61.

All submissions received during the public consultation period have been summarised and responded to in a Schedule of Submissions, which is available on the City of South Perth website.

Having regard to the observations and outcomes of consultation, modifications are recommended to improve the draft ACP and proposed Amendment No. 61 and to support the ACP vision and objectives. The full lists of recommended modifications to the draft ACP and proposed Amendment No. 61 are available on the City of South Perth website.

Modifications are recommended to improve the draft ACP and Amendment No. 61 in the areas of:

- Character area boundaries, objectives and land use requirements;
- Building height limits;
- Podiums;

- Protection of views and amenity values;
- Car parking requirements;
- Plot ratio limits and minimum non-residential floor space requirements;
- Solar access requirements, including for overshadowing of neighbouring properties and Perth Zoo;
- Setback requirements;
- Water sensitive urban design and flood protection;
- Land use requirements;
- Public realm guidance;
- Heritage; and
- Minor modifications to definitions, plans and figures.

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Background

The City of South Perth has prepared the draft South Perth Activity Centre Plan (draft ACP) and proposed Amendment No. 61 (Amendment No. 61) to set out the strategic vision and statutory planning requirements for development within the South Perth Activity Centre. This being the area that stretches from the South Perth Peninsula to Richardson Park and the Perth Zoo as shown on Figure 1.



Figure 1: South Perth Activity Centre Plan area

Establishment of the strategic planning framework for this area began in 2011 with the preparation of the South Perth Station Precinct Plan, which sought to guide development in the precinct surrounding the planned South Perth train station located at the western end of Richardson Street.

Since the preparation of the Station Precinct Plan there have been three amendments to the City's Town Planning Scheme No. 6 (the Scheme) relating to the South Perth Activity Centre area:

- Amendment No. 25 (gazetted in 2013): Implemented the South Perth Station Precinct plan by introducing special development provisions relating to land use, plot ratio, building height, setbacks, parking and other design/performance standards;
- Amendment No. 46 (gazetted in 2017): Added additional performance criteria for development seeking variations to the Scheme requirements; and
- Amendment No. 56 (gazetted in 2019): Applied specific development controls to the 'Civic Site', being the site bound by Mill Point Road, Labouchere Road and Mends Street, in the activity centre area.

In May 2015 a special meeting of electors was held to discuss development issues in the South Perth Station Precinct, including the extent of the precinct, the preparation of a planning strategy for the peninsula area and the station precinct, and development proposed within the area. Following this meeting, separate to the Amendment No. 46 process, Council resolved to conduct an independent review of the relevant town planning scheme provisions and the geographic extent of the station precinct (refer Special Council Meeting 20 May 2015, Item 7.1.1). The findings and recommendations of this review identified the need to undertake a high level, collaborative planning and design exercise in the area to inform future planning and development.

South Perth Peninsula Place and Design Project

The South Perth Peninsula Place and Design Project was undertaken in 2017. This project involved a series of collaborative workshops that built on the vision, research and stakeholder input for the South Perth Peninsula and surrounding area. Through the workshops a new vision and objectives for the future of the area were developed.

The process culminated in the preparation of the South Perth Peninsula Place and Design Report (Place and Design Report). The Place and Design Report recommended the preparation of an 'activity centre plan' as a priority.

At its June 2017 meeting, Council noted that the Place and Design Report should form the basis of ongoing planning in the area and endorsed the preparation of an activity centre plan as a priority action. The Place and Design Report has played an important role informing the preparation of the draft ACP and proposed scheme amendment. A full summary of the history of the existing planning framework is available in minutes of the June 2017 Council Meeting (item 10.4.1), October 2018 Council Meeting (item 10.3.1) and the Special Council Meeting held on 6 March 2019 (item 7.3.1).

Draft South Perth Activity Centre Plan and Proposed Amendment No. 61

Following the Place and Design project, preparation of the draft ACP and proposed Amendment No. 61 commenced in September 2017.

The draft ACP is divided into two sections:

- Part 1 (Implementation): sets out the vision for the area and includes the draft ACP area map and plans, character statements, objectives and development requirements relating to building height and plot ratio, land use, podiums, towers, design quality, parking and other development requirements; and
- Part 2 (Explanation) sets out the evidence base and rationale for the planning requirements in Part 1. It is separated into ten sections: Introduction, Centre Context, Process, Vision, Plan Components, Activity, Built Form, Movement, Public Realm and Next Steps.

Good planning practice requires planning documents to be informed by a sound and robust evidence base, and the draft ACP has been informed by detailed background studies. This evidence base provides the rationale for the plan and is explained in Part 2 and appendices of the draft ACP. The draft ACP is informed by a range of different data sources including:

- Regional planning strategies, policies and guidelines of the State Government;
- Detailed demographic, economic and transport data (analysed in the appendices to the ACP and summarised in Part 2);
- Planning investigations previously undertaken by the City; and
- The outcomes of consultation undertaken during the Place and Design project in 2017 and feedback from the South Perth Station Precinct Reference Group and elected members.

Part 2 explains the intended effect of the draft ACP, outlines the analysis and context that has informed its preparation by summarising the findings of the background documents, and details how the provisions of the plan will deliver the vision for the ACP area. The key elements and rationale informing the preparation of the draft ACP are discussed below.

Amendment No. 61 is to introduce a new schedule into TPS6 (Schedule 9B), which will contain the key development requirements for the ACP area. The proposed new Schedule 9B is to be read in conjunction with the ACP and its requirements will form part of TPS6. Specifically it proposes to introduce overarching objectives and development requirements for:

- Character areas; zoning, residential density coding and land uses;
- Development requirements that define the building envelope (building height, plot ratio, podium setbacks, podium height, podium site cover, tower setbacks, tower separation and tower maximum gross floorplate area); and
- Approval for additional development potential (height and plot ratio).

The draft ACP contains objectives, development requirements and rationale which will be considered by the City and decision makers, including Development Assessment Panels when assessing development applications, and where discretion is sought. When assessing and determining development applications, the City and decision makers including Development Assessment Panels must ensure that applications comply with TPS6. Therefore amending the City's Town Planning Scheme to include these land use requirements gives the greatest possible certainty about the land use and built form requirements in the ACP area.

Planning Context

The State Government's strategic framework for growth in metropolitan Perth, Perth and Peel @3.5 Million, as well as State Planning Policy 4.2 (Activity Centres for Perth and Peel) (SPP4.2) have informed the preparation of the draft ACP.

Perth and Peel @3.5 Million

The Perth and Peel @3.5 Million document and supporting sub-regional strategies provide an overarching strategic framework for the Perth and Peel region to grow to accommodate a population of 3.5 million people by the year 2050. South Perth is located in the Central sub-region, where the framework focuses on guiding future infill growth into key locations, including activity centres such as South Perth.

The Central Sub-Regional Planning Framework sets a target of 8,300 additional dwellings for the City of South Perth to support urban consolidation. This target is intended to provide a guide for more detailed and localised investigations into population growth and corresponding dwelling requirements. These investigations are in turn refined through detailed, localised planning exercises such as activity centre planning. As one of three larger activity centre areas within the City of South Perth, the ACP area is expected to accommodate a relatively large proportion of the City's growth.

State Planning Policy 4.2 Activity Centre Plans for Perth and Peel

SPP4.2 provides criteria to guide the planning and development of new, and the redevelopment and renewal of existing activity centres of the Perth and Peel region. The policy reflects the intention of the WAPC to encourage and consolidate residential and commercial development into activity centres. The policy classifies South Perth as a district centre. However the importance of South Perth as a visitor destination and a highly accessible activity centre within the inner city elevates it well above a conventional district centre as envisaged in SPP4.2.

City of South Perth Strategic Community Plan 2017-2017

The City's strategic planning framework, including the Strategic Community Plan 2017-2027 and draft Local Planning Strategy, have also informed the preparation of the draft ACP and proposed amendment. The ACP contributes to the Community Plan outcome 3.2 Sustainable built form and to the delivery of strategies in the focus areas of Economy, Environment and Leadership.

Expected Growth

Notwithstanding the dwelling growth targets set by State Government, the City undertook independent future population and economic analysis to inform the preparation of the draft ACP (Economic and Demographic Assessment, Appendix 1 of the draft ACP), identifying significant growth in residential population and economic activity within the ACP. The potential future growth of the ACP area has been modelled to the year 2041, which is 25 years from the latest Census conducted in 2016.

Long-term population forecasts are important to provide a sound evidence base in support of the long-term vision provided in the activity centre, as well as to:

- Ensure sufficient capacity is provided in the long-term, particularly where fragmented land ownership limits capacity for redevelopment and impacts the scale and timing of development, which can increase the risk of underdevelopment;
- Align long-term strategic planning with long-term infrastructure commitments and needs (public transport, schools and the like). Plans considering only short-term planning horizons (i.e. 5 years) are insufficient for proper infrastructure planning in infill settings; and
- Recognise that places evolve over time and respond to changing demographic profiles, technology, social trends and market conditions, including economic cycles.

If future demand and growth is not well understood and reflected in the planning framework, there is a high risk that responses to demand and growth will not fit within the established vision. Table 1 provides a summary of the size, scale and mix of activity expected in the ACP area to the year 2041, to be managed and directed by the draft ACP and proposed Amendment No. 61.

INDICATOR	CURRENT	2031	2041	GROWTH BY 2041
Population	2,675	4,750	7,500	4,825
Dwellings	1,941	2,750	4,250	2,309
Employment	2,302	3,400	4,600	2,298
Employment-Related Floor Space (sqm – excl Retail)	63,000	92,500	110,000	47,000
Retail Floor Space (sqm)	8,172	13,860	20,356	12,184
Tourists/Visitors per annum	119,017	177,200	236,800	117,783

Table 1: Forecast demand for growth in the ACP area

Further detail on the analysis and forecasts informing the draft South Perth ACP and proposed Amendment No. 61 can be found in Part 2 of the draft ACP.

Process to prepare the draft ACP and proposed Amendment No. 61

The process to prepare and refine the draft ACP and proposed Amendment No. 61 has been extensive. The City has undertaken a comprehensive process to ensure that the draft ACP and proposed

Amendment No. 61 provide a robust and evidence-based planning framework, informed by feedback from stakeholders at each stage.

As outlined in the 'Background' section of this report, the process to develop the draft ACP and proposed Amendment No. 61 commenced in May 2015. In summary, the following actions led to the development of the draft ACP and proposed Amendment No. 61:

- Preparation of the Place and Design Report, inclusive of intensive community and stakeholder engagement over two workshops and a five-day 'Planning Design Forum' held in February and March 2017;
- The establishment of a Stakeholder Reference Group (SRG) in August 2017 to provide an additional reference point for planning, development and place initiatives and activities in the area. The group comprised 17 members representing a diverse range of stakeholders with interests in the area and has been consulted and engaged throughout the activity centre planning process;
- The engagement of a multidisciplinary project team in September 2017 to prepare the necessary background reports, studies and analysis that ultimately provided the evidence-base for the draft ACP and proposed Amendment No. 61. The project team includes expert planners, urban designers, architects and professionals with experience in economic and demographic forecasting, transport planning and stakeholder engagement; and
- Extensive and continued engagement/workshops with Elected Members throughout the project.

The result of these actions has been the preparation of an activity centre plan and town planning scheme amendment that are responsive to an evidence-base of information, stakeholder feedback and best planning practice.

Resolution to advertise the draft ACP and proposed Amendment No. 61

At the Special Council Meeting held on 6 March 2019, Council resolved to publically advertise the draft ACP and proposed Amendment No. 61, for a period of 60 days.

Consultation on the draft ACP and proposed Amendment No. 61 commenced on 14 May 2019 and closed on 22 July 2019. The engagement activities undertaken, and outcomes of the public consultation process, are discussed in a number of reports available on the City of South Perth website.

In total, the ACP project reached more than 64,000 people through various communication and engagement channels. The City received 225 individual submissions during the consultation period. Each submission has been analysed in detail to understand the exact nature of the submission and to identify key themes and suggested modifications to the draft ACP and proposed Amendment No. 61.

This report outlines and provides the rationale for a number of recommended modifications to the draft ACP and proposed Amendment No. 61 in response to feedback received during the public consultation period.

Discussion

Consultation Outcomes

The engagement process for the draft ACP and proposed Amendment No. 61 was extensive and multi-layered to ensure that as many stakeholders as possible could provide feedback to the City. The analysis of the feedback received, which varied in form and content, identified a wide range of suggested modifications and key themes. The engagement activities undertaken, and outcomes of the public consultation process, are discussed in a number of reports available on the City of South Perth website.

The purpose of the draft ACP and proposed Amendment No. 61 consultation was to gain a deeper understanding of stakeholder views and concerns, and to identify elements of the plans that could be improved. The general nature of the feedback received is described as follows:

- The feedback was highly varied, with limited consistency on the approach, opinions (both positive and negative), elements and outcomes that would result from the implementation of the draft ACP and proposed Amendment No. 61;
- A large number of modifications were suggested by respondents, with many of these modifications relating to the outcomes that would occur on specific sites. The majority of submissions did not challenge the underlying assumptions or planning process that inform the preparation of the draft ACP or the outcomes expected as a result of the implementation of the plan; and
- A range of submissions suggested modifications and/or raised concerns with elements of the plan that were already addressed by the plan, or arose from a misunderstanding of the controls in the draft ACP and proposed Amendment No. 61.

The engagement process also included two intensive workshop processes with selected stakeholders, from both the existing Stakeholder Reference Group (SRG) and a randomly selected group of community members. The purpose of these engagement processes was to collect additional feedback from a group of highly-interested stakeholders (the SRG) and from a group that was reflective of the broader community and demographic profile of the suburb of South Perth (the Community Panel). This provided opportunity to further discuss issues that were raised through the general feedback, and to consider potential modifications to improve the ACP and Amendment No. 61. The SRG and Community Panel workshop sessions allowed a selection of the outcomes of the wider consultation and written feedback to be interrogated in detail.

All of the information gathered during the public consultation process has been analysed in detail and is expressed below as a series of 'consultation outcomes'. These outcomes are the product of all of the feedback received and the advice of the SRG and Community Panel. The outcomes have also been considered in the context of the underlying background analysis and process that has informed the development of the draft ACP and proposed Amendment No. 61 to date.

The following consultation outcomes have been investigated as potential modifications to the draft ACP and proposed Amendment No. 61:

1. Character area boundaries
 - 1.1 Modify the character area boundaries between Mends and Hillside to include South Perth Esplanade properties currently in Hillside.
2. Building height
 - 2.1 Reduce building height at the northern end Mill Point Road from the Medium-High typology to the Medium typology.
 - 2.2 Reduce building height along the western side of Labouchere Road to preserve light access to Perth Zoo.
 - 2.3 Reduce building height along South Perth Esplanade from Medium typology to the Low-Medium or Low typology.
 - 2.4 Increase building height within the Hillside character area.
 - 2.5 Reconsider the distribution of the 'Tier 2' height limits, particularly for those properties nearby to South Perth Esplanade and the Mends Street jetty.
 - 2.6 Express building height limits in storeys, rather than metres, or provide explanation of the number of storeys likely to be developed under the building height limits.
3. Podiums
 - 3.1 Clearly indicate a degree of flexibility for side and rear setbacks of podiums in instances where the setback responds to existing development and site specific context.
 - 3.2 Provide discretion to reduce the rear setbacks of podiums within the Mill Point, Hillside and Richardson character areas.
 - 3.3 Identify a suitable maximum length of wall before there should be a break in the structure, to improve the visual aesthetic of long walls.
 - 3.4 Clarify the terminology in the maps and tables relating to podium structures.

4. Views/values
 - 4.1 Ensure consideration of building orientation to balance the need to provide outlook and light access to both new developments and adjoining properties.
5. Car parking (requirements and as plot ratio) and traffic
 - 5.1 Modify the on-site vehicle parking access criteria to allow one crossover per street frontage.
6. Plot ratio
 - 6.1 Allow for adaptable floor space to count towards the minimum non-residential plot ratio requirement in Mends and Richardson character areas.
 - 6.2 Provide a variable scale of plot ratio where plot ratio increases incrementally as building height increases to encourage a diversity in building size.
7. Solar access
 - 7.1 Ensure protection of winter light access to all properties affected by a new development, not just those directly adjoining the development site.
 - 7.2 Ensure light access to Perth Zoo is appropriately preserved.
8. Setbacks
 - 8.1 Modify street setback criteria to better align with the character of each street and to reflect the applicable Streetscape Type on Plan 2: Street Type Plan.
 - 8.2 Provide clarity to and rationalise the number of different setbacks that apply throughout each character area.
9. Environment
 - 9.1 Ensure development considers and incorporates water sensitive urban design principles.
10. Design quality
 - 10.1 Reconsider the appropriateness of the design competition requirements applicable to building developed to the 'Tier 2' height limit.
11. Land use
 - 11.1 Permit short-stay accommodation, serviced apartments, indoor sporting activities and aged-care facility uses in more locations.

12. Public realm

12.1 Street setback areas should be landscaped and free of parking.

12.2 Clarify the guidance on the location and provision of private pocket parks and mid-block links.

There are a range of other matters raised in the consultation that are not directly addressed by the consultation outcomes listed above. This is reflective of feedback that was highly varied and often site-specific. In addition some feedback was not able to be addressed via modifications to the ACP or Amendment No. 61, for example:

- Concerns about the amount of growth that may occur in the area. The City has undertaken a comprehensive demographic and economic analysis of the South Perth Activity Centre to inform the ACP. It is important that future demand and growth is well understood at the strategic planning stage and the role of the ACP is to manage growth as it occurs; and
- Other matters are already addressed by the ACP and/or Amendment No. 61, such as comments regarding podium setbacks misinterpreted the requirements in Amendment No. 61 and are therefore already addressed.

A number of the most significant and/or common recurring matters that have not resulted in recommended modifications to the ACP are discussed later in this report.

The Schedule of Submissions (available on the City of South Perth website) provides detailed responses to each comment received during the public consultation period.

Responses to the consultation outcomes identified above (Items 1-12) are described further below.

Modifications to the draft ACP and proposed Amendment No. 61 to address the outcomes of consultation

Having regard to the observations and outcomes of consultation identified above and in reports available on the City of South Perth website, the following modifications to the draft ACP and proposed Amendment No. 61 are recommended. The full lists of recommended modifications to the draft ACP and proposed Amendment No. 61 are also available on the City of South Perth website.

Character Area Boundaries

i. Boundary between Mends and Hillside character areas

Submissions discussed the boundary/extent of the Mends and Hillside character areas, including:

- The character area objectives set out at Provision 4 of Schedule 9B (in Amendment No. 61) suggest that properties fronting South Perth Esplanade east of Mends Street were intended to be included in the Hillside character area (refer Provision 4 element 4. d. vi);

- Properties fronting the northern side of Ray Street and the eastern side of Darley Street have a character that is consistent with the Hillside character area and are more suited for inclusion in this area; and
- Properties fronting South Perth Esplanade east of Mends Street, the northern side of Ray Street and the eastern side of Darley Street should have setback requirements consistent with the Hillside character area.

Recommendation:

Modify the Mends/Hillside character area boundaries to follow Darley Street, Ray Street and the laneway separating Lots 113 (No. 81-85) and 36 (No. 87) South Perth Esplanade as illustrated on Figure 2b.

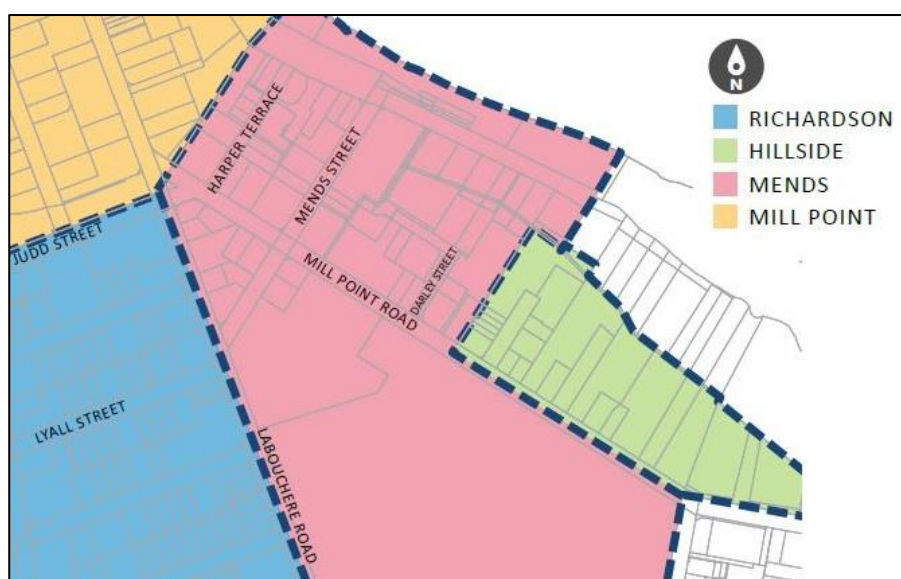


Figure 2a: Advertised Mends/Hillside character area boundaries

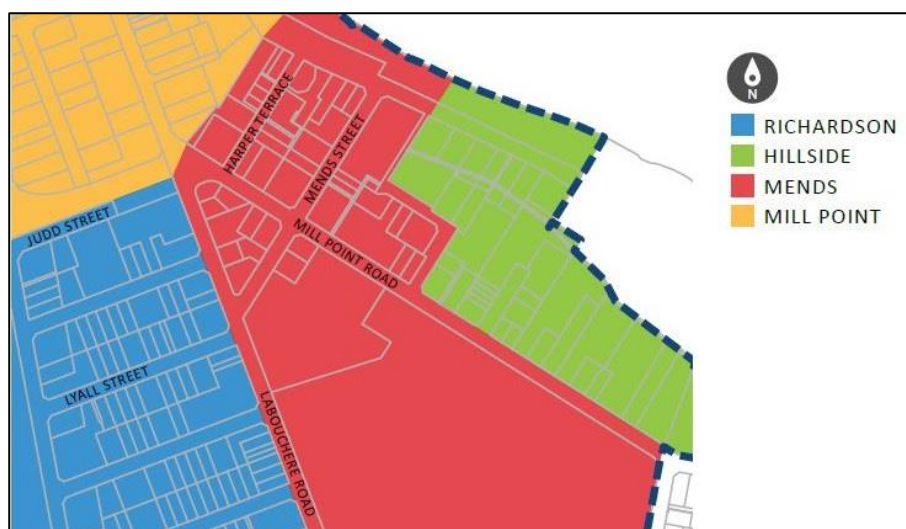


Figure 2b: Recommended modified Mends/Hillside character area boundaries

ii. Corrections to Hillside character area objectives and preferred ground floor land uses

During the public consultation period an inconsistency was identified in Provision 4 of Schedule 9B, which sets out the objectives for each of the four character areas. Clause d, which sets objectives for the Hillside character area, includes references to non-residential uses on South Perth Esplanade that are not permitted under Schedule 9B.

Recommendation:

Remove reference to South Perth Esplanade from objective d.i and to remove reference to 'active commercial ground floors' in objective d.vi.

Remove retail uses from the list of preferred ground floor land uses for South Perth Esplanade in the Hillside character area in Provision 5 element 1.10 of Schedule 9B.

iii. Update to figure showing growth by character areas to reflect changes to typologies and character area boundaries

Part 2 of the ACP explains the intended effect of the ACP and details how the provisions in Part 1 will deliver the vision for the South Perth Activity Centre. Figure 12 (page 91) shows the expected growth in residential, retail and office activity for each of the four character areas.

Recommendation:

This figure will be updated to reflect the expected growth by character area accounting for the modifications to Part 1 of the ACP and Schedule 9B.

Please note that Figure 12 will be updated following Council approval, to reflect the approved ACP and Amendment No. 61.

Building Height

iv. Explanatory note regarding number of storeys likely to be developed under building height limits

Submissions suggested that building height limits should be expressed in storeys, rather than metres, to make the limits easier to interpret and to encourage greater floor-to-ceiling heights that help improve amenity, particularly for residential apartments.

Building height limits are expressed in metres in Schedule 9B to provide certainty regarding the maximum permissible height of buildings. The number of storeys that is possible depends on the height of each storey, which can vary depending on the use and design of each building.

Setting the building height limit in storeys would provide less certainty regarding the maximum permissible height of buildings. Development requirement 4.3.5.1 of the ACP (page 27) sets minimum floor to ceiling heights for development in the ACP area that are greater than the minimums required

under the Building Code of Australia. There are no maximum floor to ceiling limits. Design quality requirements (development requirement 4.3.3.1, page 24 of the ACP) also encourage building designers to consider occupant amenity, which may include greater floor-to-ceiling heights.

Recommendation:

Retain building height limits expressed in metres in Schedule 9B, to retain certainty regarding maximum permissible building heights.

Add an explanatory note and table at section 4.1.1 of the ACP (page 18) to provide an approximate number of storeys that may be developed under the building height limits in Schedule 9B.

v. Modifications to Map 2: Building Height and Plot Ratio Limits in Schedule 9B

Building height and plot ratio typologies have been thoroughly reviewed in light of the outcomes of public consultation. A number of suggestions raised in public submissions were also discussed in workshops with the SRG and Community Panel.

The following recommended modifications to Map 2 in Schedule 9B are shown on Figure 3.

Reduce the height typology on Mill Point Road north of Frasers Lane

Submissions received during the public consultation period suggested reducing the building height limit on the northern part of Mill Point Road. There is rationale for this change as the northern part of the peninsula area is removed from the centre of the ACP area, is less accessible by public transport, and has a strong character of buildings set within landscaping and tree lined streets.

The recommended Medium typology would allow for approximately 7 storey buildings at the Base (Primary) height, or up to 11 storeys if the Tier 1 additional height criteria can be met. Tier 2 additional development potential is not available in this area.

The existing building height limits in this area under Town Planning Scheme No. 6 allows for approximately 9 storey buildings.

It is noted that the recommended reduction of typology results in the Mill Point Character area accommodating a lesser proportion of the overall ACP area growth. However it is considered any loss of development potential can be balanced by the recommended increased typology in the Hillside character area (modification 7, below).

Recommendation:

The recommended modifications are shown on Figure 3 as follows:

1. Lots fronting Mill Point Road on the western side of Mill Point Road and north of Scott Street changed from the Medium-High to the Medium typology; and

2. Lots fronting Mill Point Road on the eastern side of Mill Point Road and between Lot 102 (No. 14) Mill Point Road and Lot 35 (No. 62) Mill Point Road, inclusive, changed from the Medium-High to the Medium typology.

Lot 113 (No. 81-85) South Perth Esplanade having Tier 2 Additional Development Potential Available on the southern part of the lot only

The SRG recommended that Tier 2 height availability be removed from two locations as a way of providing graduated heights from higher at the centre of the ACP area to lower heights adjacent to the foreshore. Both suggestions were considered by the project team:

- Corner of Mends Street and South Perth Esplanade.

This property (Lot 113, No. 81-85 Mends Street, known as 'South Shore') is large and may be suitable for a landmark building in the future; however development on this site must respect the character of the foreshore and provide an appropriately-scaled interface with the foreshore.

Recommendation:

The recommended modification is shown on Figure 3 as follows.

3. Lot 113 (No. 81-85) South Perth Esplanade is granted Tier 2 Additional Development Potential Available on the southern part of the lot only.
- Between Darley Street and just beyond Parker Street.

The properties fronting Darley and Parker Streets that have Tier 2 additional development potential available are mostly relatively large in size, elevated and, if developed to the available Tier 2 height and plot ratio limits, are likely to be consistent with the character of existing neighbouring development.

It is considered that these properties are suitable for additional height and it is recommended to retain Tier 2 additional development potential over these lots with no change to the ACP provisions.

Boundary between Mends and Hillside character areas

The Mends character area is the commercial heart of the ACP area and the land use and built form requirements reflect this via generally greater permissibility of non-residential land uses and lesser podium (base) setbacks. The Hillside character area is generally more residential in nature and requires 4 metre side and rear boundary setbacks for the podium (base) of buildings. This residential character is evident in the properties fronting South Perth Esplanade east of Mends Street and the properties to the North and east of Darley and Ray Streets. The boundary between these character areas is recommended to be modified to include all properties north and east of Darley and Ray Streets within the Hillside character area.

Recommendation:

The recommended modification is shown on Figure 3 as follows:

4. The boundary between the Mends and Hillside Character Areas modified to follow Darley Street, Ray Street and the laneway separating Lots 113 (No. 81-85) and 36 (No. 87) South Perth Esplanade.

Correct property boundaries for lots in Hillside character area

There was an error on the advertised version of Map 2 whereby the boundaries of some lots were incorrectly shown. It is recommended that this error be corrected so that Map 2 accurately shows the entirety of those lots being subject to Low and High typologies respectively.

Recommendation:

The recommended modifications are shown on Figure 3 as follows:

5. The entirety of Lots 29 (No. 93), 30 (No.95), 31 (No. 97) and 100 (No. 99) South Perth Esplanade as Low typology.
6. The entirety of Lot 501 (No. 9) Parker Street as High typology.

Increase building height within the Hillside character area

Through the community engagement process, in particular the Community Panel, it was suggested that the Hillside character area (with the exception of those lots fronting South Perth Esplanade) would be suitable for the High typology. There are several reasons for an increase in typology in this area:

- The setbacks, podium (base) site cover limits, tower floorplate area limits, and plot ratio limits in many cases restrict development potential to less than is currently possible under Town Planning Scheme No. 6, notwithstanding the increase in building height limit;
- There are many ageing building on large blocks in this area that may provide development opportunities;
- The area is elevated and therefore may be more suitable for basement car parking than other parts of the ACP area;
- There is an existing precedent for height and density development in the area, including multi-storey buildings;
- The area is isolated from other residential areas and is considered suitable for taller built form; and

- The area is very accessible by car and bus, and is within easy walking distance of the ferry and Mends Street commercial centre.

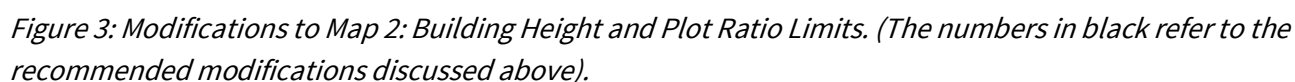
This recommendation would change the base (primary) building height limit from 37.5 metres (approximately 11 storeys) to 50.7 metres (approximately 15 storeys). Current TPS No. 6 permits heights up to 28 metres in the area.

No changes are recommended to the advertised extent of Tier 2 development potential availability in the Hillside character area.

Recommendation:

The recommended modification is shown on Figure 3 as follows:

7. All lots in the Hillside character area fronting Mill Point Road or Parker Street changed from the Medium-High to the High typology.



vi. Replacement of the word “podium” with the word “base”



Recommendation:

Replace the definition of the word “podium” with the word “base” in Schedule 9B (Provision 3) and wherever it occurs throughout the ACP and Schedule 9B. The definition will read:

‘base’ means the ground and lower levels of a multi-storey building that provide a clearly differentiated element, above which all higher parts of the building are situated.

vii. New development requirement for maximum length of walls at street level

There are a number of requirements in the ACP to ensure that buildings provide an attractive, engaging and human-scale street interface (including ACP development requirements at 4.3.1, page 22); however on large sites it may be possible, under the advertised ACP and Schedule 9B requirements, to develop long continuous walls fronting streets for the podium (base) of buildings without any form of articulation.

Recommendation:

Supplement the development requirements at 4.3.1 (ACP page 22) with a new requirement to limit the maximum length of walls fronting the street to 20 metres. Any wall fronting a street that is greater than 20 metres in length would need to introduce a setback or projection with a depth and length of at least 3 metres.

Views and amenity values

viii. New development requirement for Tower Orientation

Loss of views, shadowing and separation between towers were raised as concerns in the feedback and in the SRG and Community Panel discussions. In one location in particular there were a large number of submissions specifically concerned with loss of views and amenity that may occur if new development proceeds. To address this issue, it is recommended that new performance based requirement be added to the ACP to guide the design and orientation of towers. Tower orientation will be required to optimise access to light, ventilation and outlooks in new developments and manage impacts on these matters for neighbouring properties.

The recommended new requirement will allow for solutions to be considered on their merits to find the best possible outcome across the range of potential development scenarios.

Recommendation:

Add a new development requirement to the ACP at Part A section 4.1.3 (page 20) to require the orientation of towers to optimise daylight and solar access, provide attractive outlooks from habitable

rooms and private open spaces within the development, and minimise overlooking, overshadowing, loss of significant views and significant loss of amenity for neighbouring properties.

Car Parking

ix. Modification of development requirement for access to on-site parking

Development requirement 4.3.8.2 (ACP page 30) limits crossovers to on-site parking to one per development in order to limit the impact of crossovers on footpaths and streetscapes. However where a site has more than one street frontage, for example corner sites or sites that have access from two streets, it may be beneficial to allow access from more than one street to facilitate access to parking areas and/or waste collection areas, especially for larger sites.

Recommendation:

Modify development requirement 4.3.8.2 to allow additional crossovers to be considered for sites with more than one street frontage, provided that the relevant access objectives are met and that a maximum of one crossover is provided per street frontage.

Plot Ratio

x. Allowance for adaptable floor space to count towards minimum non-residential plot ratio requirement in Mends and Richardson character areas

Feedback raised that the requirement to provide a minimum amount of non-residential floor space in the Mends and Richardson character areas (development requirement 3.1.4 in the ACP, page 17) is very difficult to achieve when market demand for commercial floor space is low.

It is considered that this may have the effect making development difficult, creating large amounts of vacant commercial floor space, and/or encouraging larger mixed use buildings, wherein the commercial floor space is effectively subsidised by the residential or other parts of the building.

Conversely, the requirement for non-residential floor space is important to ensure that development in the Mends and Richardson character areas provides for growth in local services and employment opportunities, to support the growth in residential population.

A modification to the ACP will allow flexibility for development to respond to market conditions, while ensuring that new development complements and supports the mixed use character of the Mends and Richardson character areas.

Recommendation:

Modify development requirement 3.1.4 in the ACP (page 17) to allow adaptable floor space to count towards the minimum non-residential space requirement.

Adaptable floor space is defined at section 4.3.5 of the ACP (page 27) and includes the requirement for greater floor-to-ceiling heights (minimum 3.3 or 4 metres) to allow for future conversion between residential and non-residential uses. Adaptable floor space may be occupied by residential use in the short term, but is designed be easily convertible to non-residential uses in the future.

Overshadowing

xi. Modification of development requirement for overshadowing

Shadowing of nearby properties was a significant concern raised through public submissions and SRG and Community Panel discussions. Overshadowing requirements protect neighbouring properties, especially those parts of properties where access to direct sun is particularly important. However it must be acknowledged that larger buildings will cause some overshadowing impacts on neighbouring properties at certain times of the day and it may not be possible to eliminate the cumulative effects of overshadowing in all cases.

Recommendation:

Strengthen the requirement for overshadowing (ACP development requirement 4.3.3.4, page 25) so that it applies to any lot (rather than only those lots adjoining the development).

Introduce a new requirement that building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties on 21 June (winter solstice).

xii. New objective and development requirement regarding amenity and overshadowing of Perth Zoo

Perth Zoo is a unique and invaluable asset to the ACP area and submissions raised concern that its amenity should be protected. A new objective and development requirement are recommended to directly respond to concerns that development should not negatively impact on the zoo and that overshadowing of the zoo to be limited.

Recommendation:

Add a new objective to the ACP Part 1 section 4.3.3 (page 24) *to ensure that development does not have a significant negative impact on the amenity of Perth Zoo.*

Add a new development requirement to the ACP at 4.3.3.5 (page 25) that *development shall not cast a shadow over more than 5% of the Perth Zoo for more than 2 hours between 9am and 3pm on 21 June.*

Setbacks

xiii. New development requirement to prevent the use of street setback areas for car parking

Street setback areas are intended to contribute to the desired character of streets via landscaping and/or alfresco spaces and these areas should not be used for car parking.

Recommendation:

Add a new development requirement (4.1.2.3, page 19) to specifically prohibit the use of street setback areas for car parking.

xiv. Discretion to reduce rear setbacks within the Mill Point, Hillside and Richardson character areas

The SRG and Community Panel, along with community submissions, highlighted the importance of flexibility regarding the location of podiums (bases) on sites. On small sites, such as in the Richardson character area, it is important to ensure that setback requirements do not unnecessarily restrict or prevent development, while on larger sites it is important to allow podiums (bases) to be optimally located.

Element 3 of Provision 5 of Schedule 9B allows for side setbacks to be varied down to nil, subject to relevant character area objectives and considerations, within the Mill Point, Hillside and Richardson character areas. A similar provision to reduce rear setbacks, where appropriate, would allow flexibility for podiums (bases) to be located on a site (behind the required street setback) provided that there is no negative impact of any reduced setbacks.

Recommendation:

Discretion to reduce setbacks be extended to apply to rear setbacks, as well as side setbacks, via modifications to ACP development requirement 4.1.2.4 (page 19) and Element 3 of Provision 5 of Schedule 9B, including Table 3.

xv. Replace Map 3 – Street Setbacks with a new Map 3 - Base Street Setbacks and modify selected base street setbacks

It was evident based on the feedback received that the street setback requirements were not well understood. Clarification of the requirements is recommended. Street setbacks were reviewed following the public consultation period in light of the feedback received and a number of modifications are recommended to street setbacks for specific properties.

Recommendation:

Modify Map 3 in Schedule 9B to make the interpretation of podium (base) street setback requirements easier. Tower street setbacks also refer to Map 3 in the advertised Schedule 9B and it is recommended to

add a separate map to illustrate tower street setbacks. This will allow for simplification of Tables 3 and 4 in Schedule 9B.

The following recommended modifications to Map 3 in Schedule 9B are shown on Figure 4:

1. The northern boundary of Lot 50 (No. 23) Mill Point Road to be subject to an 8 metre setback. This boundary was not included on the advertised version of Map 3 and this modification corrects that error.
2. Lots 36 (No. 49), 101 (No. 51), 2 (No. 53) and 77 (No. 59) South Perth Esplanade, and Lot 501 (No. 5) Ferry Street subject to an 8 metre setback to South Perth Esplanade. The SRG recommended an increase to this setback as a transition between the larger (15 metre) setback to the north of Fraser Lane and the smaller (3 metre) setback to the east.
3. Lots 2 (No. 86), 15 (No. 88) and 16 (No. 90) Mill Point Road subject to a 6 metre setback to Mill Point Road. The SRG and Community Panel discussed a number of options to provide appropriate definition to the corner of Mill Point Road at the intersection with the Freeway on-ramp and transition between the large nil-setback podium of the Aurelia building and the residential character of the Mill Point character area. A 6 metre street setback is recommended to provide transition between the 8 metre setback to Mill Point Road north of Ferry Street and the nil setback to Mill Point Road to the east.
4. Remove the indication of a street setback from the southern portion of Lot 11 Stone Street (Stone Street Reserve). There is no street interface at this location and the reserve is not planned to be developed.
5. Lot 1 (No 1 and 5) Harper Terrace provided with a nil setback to Mill Point Road to reflect the existing nil setback of recently-constructed buildings.
6. All lots fronting Ray and Darley Streets subject to an 8 metre setback to Ray and Darley Streets to reflect the desired future character of this area, with the northern and eastern sides of Darley and Ray Streets recommended to be included in the Hillside area as discussed above.
7. All lots fronting Mill Point Road east of Darley Street subject to an 8 metre setback to Mill Point Road to reflect a consistent street setback in line with the desired future character of the Hillside character area.
8. All lots fronting Judd Street subject to a 6 metre setback to Judd Street to reflect the Garden Street type of Judd Street and consistent with other similar streets in the Richardson character area.
9. All lots fronting Melville Parade between Judd Street and Charles Street subject to a 6 metre setback to Melville Parade to reflect the Garden Street type of Melville Parade and consistent with other similar streets in the Richardson character area.

10. All lots fronting Lyall Street subject to a 3 metre setback to Lyall Street to clarify the advertised 0-3 metre setback requirement.

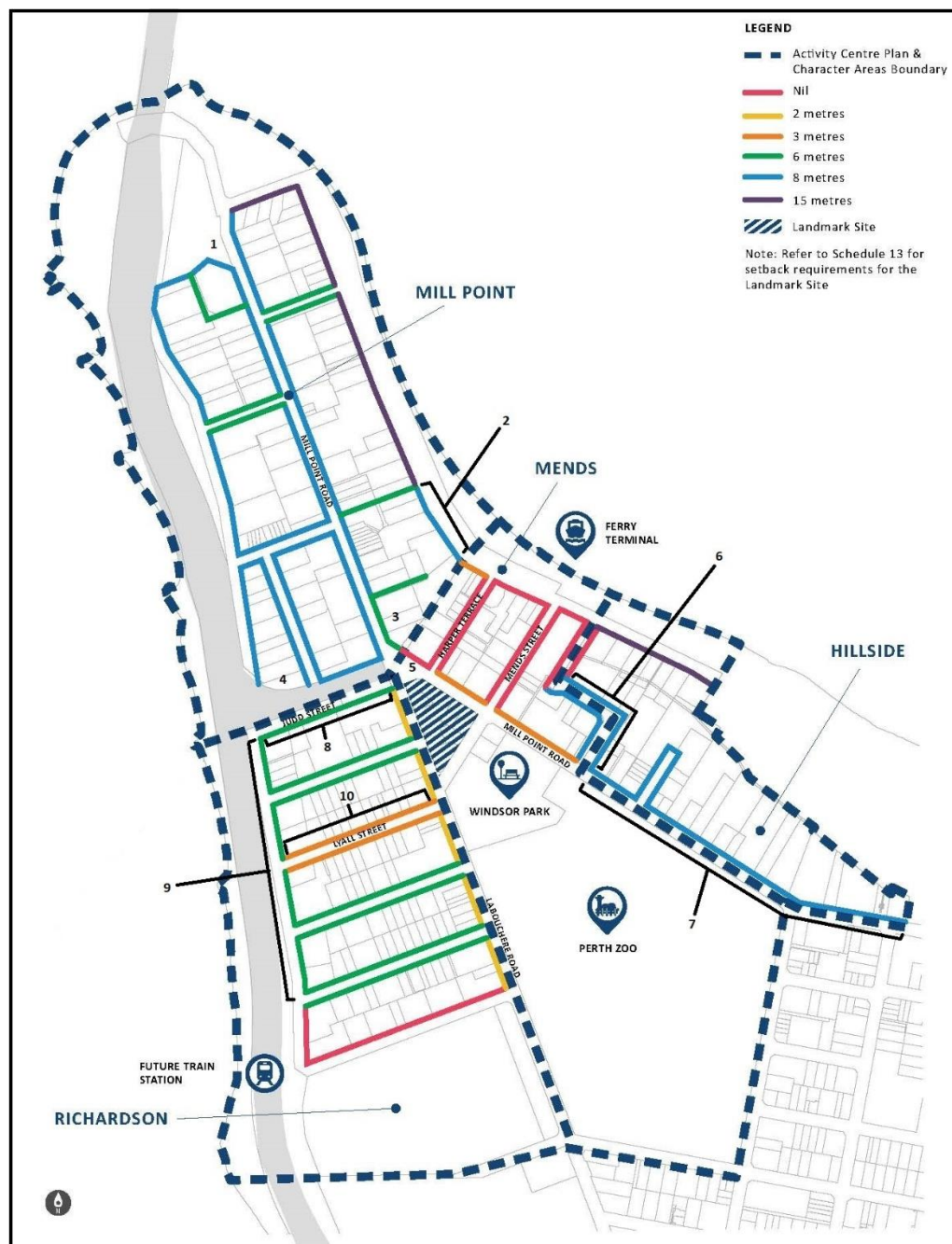


Figure 4: Modifications to Map 3: Base Street Setbacks. (The numbers in black refer to the recommended modifications discussed above)

xvi. New Map 4: Tower street setbacks, and modifications to Tower street setbacks

Tower street setbacks in the advertised Schedule 9B were shown on the same map as the podium (base) street setbacks (Map 3). In order to improve the clarity of Schedule 9B, it is recommended to include a

separate tower street setbacks map. In addition, a number of changes to tower street setbacks are proposed to align with the modified podium (base) street setbacks discussed above.

Recommendation:

Recommended modifications to tower street setbacks are shown on Figure 5. The modifications are discussed at Recommendation xv, above.

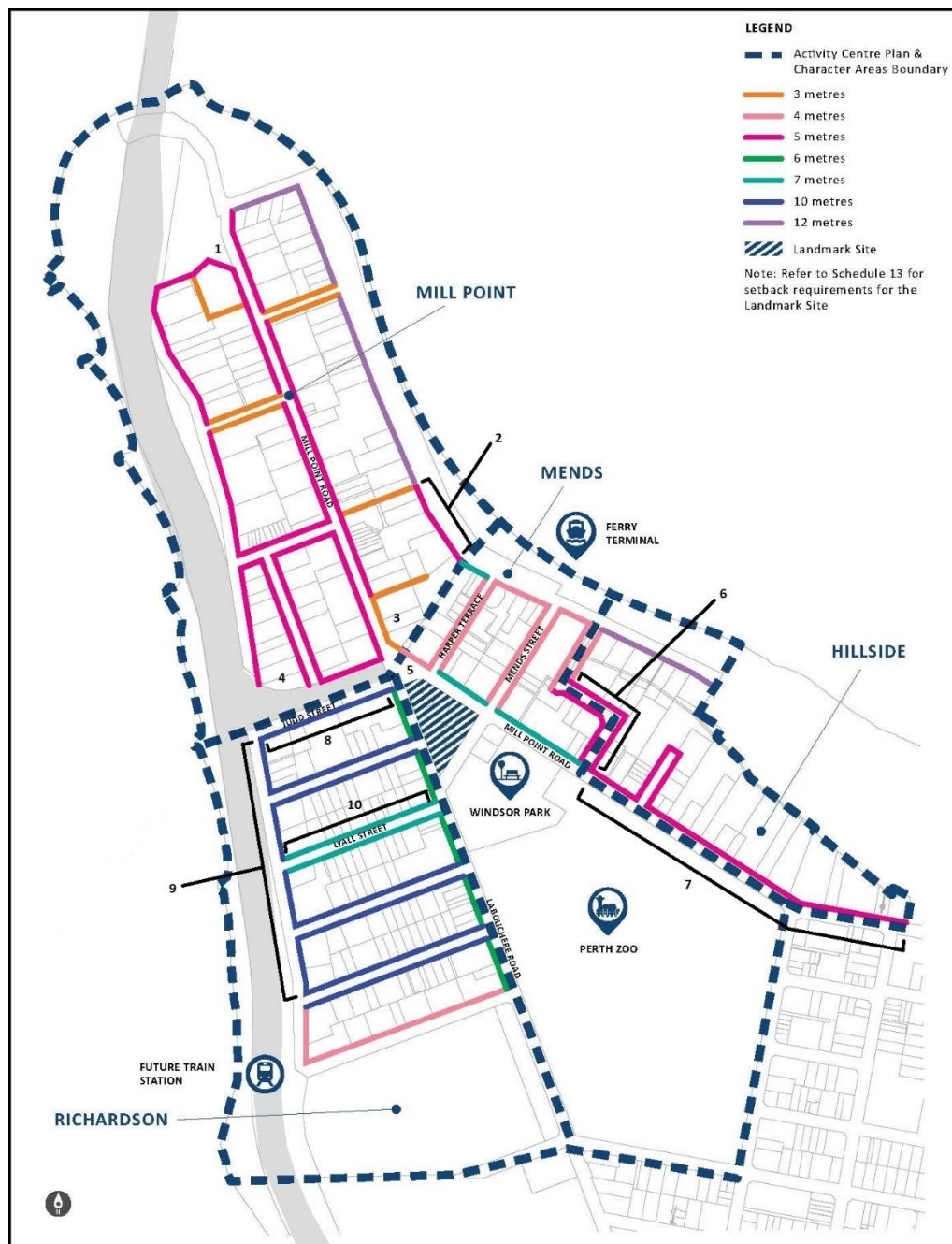


Figure 5: Recommended new Map 4: Tower Street Setbacks. (The numbers in black refer to the recommended modifications discussed above)

Environment

xvii. New objective and development requirement for water sensitive urban design

The Department of Water and Environmental Regulation (DWER) provided feedback regarding water sensitive urban design, groundwater management and floodplain management. The DWER supports the existing ACP requirements regarding groundwater management (ACP development requirement 4.3.4.4 (page 26) and Part 1 section 8.2 (page 41)). However improvements were recommended for water sensitive urban design and flood protection.

Recommendation:

Add a new development requirement 4.3.4.6 (page 26) that *all development should incorporate water sensitive design principles and consider integrated water cycle management, including water supply and efficiency, groundwater, stormwater, wastewater, flooding, waterways and wetlands, consistent with the Better Urban Water Management (WAPC, 2008) framework (as amended).*

Add a new development requirement 4.3.4.7 (page 26) that *all development shall have adequate flood protection from at least a 1 in 100 (1%) Annual Exceedance Probability (AEP) flood and shall not detrimentally impact on the existing flooding regime of the area.*

Land Use

xviii. Modifications to land use permissibility table for the Mill Point character area

Submissions were received relating to a specific site in the Mill Point character area, which identified that there should be no prohibition of serviced apartments (as serviced apartments are already present in the area) and that uses such as Hotel, Mixed Use, Serviced Apartment, Tourism Accommodation and Tourist Development should all be permitted uses in the area.

The uses 'Mixed Development', 'Tourist Accommodation' and 'Tourist Development' are already listed as 'discretionary uses with consultation' in Table 1 of Schedule 9B for the Mill Point character area and this classification is considered appropriate.

Recommendation:

The uses 'Hotel', 'Indoor Sporting Activities' and 'Serviced Apartment' be also listed as 'discretionary uses with consultation' in Table 1 of Schedule 9B for the Mill Point character area.

Public Realm

xix. Clarification of guidance for location of private pocket parks and mid-block links

Submissions raised concerns relating to the impact that private pocket parks and mid-block links may have in some locations, as discussed at Part 1 section 6.3 (page 38) and shown on Plan 5 (page 51) of the ACP. It is intended that the locations of public open space on private land shown on Plan 5 are indicative

only and that the exact location of mid-block links and pocket parks will be determined as development progresses.

Recommendation:

Clarify development requirements 6.3.1 and 6.3.2 (ACP page 38) by adding text to explain that the exact location of private pocket parks and mid-block links are to be determined as development progresses. It is also recommended to add text to the legend on Plan 5 (page 51) to explain that locations are indicative only.

Heritage

xx. Introduction of list of State Registered Heritage Places within the ACP area

The State Heritage Office provided feedback that there are a number of State Registered Heritage Places within the ACP area and these should be listed in the ACP.

Recommendation:

Add reference to State Registered Heritage Places at Part 1 section 4.3.2 (page 24) and add a list of these places.

Minor Modifications – Definitions, Plans and Figures

xxi. Corrections to ACP plan series (Plans 1-5)

Minor modifications are recommended to Plans 1-5 in part 1 of the ACP (pages 47-51) to remove unnecessary detail from the underlying cadastral map, correct inconsistencies between the plans and ACP text, and improve readability of the plans.

xxii. Modifications to definitions in Provision 3 of Schedule 9B

Provision 3 of Schedule 9B defines terms that have specific meanings in the Schedule. The following modifications are recommended to clarify and/or update the meanings of terms.

Recommendation:

- a) Addition of a definition of the term 'basement', meaning *a building floor level in which 50 per cent or more of its volume is below natural ground level.*
- b) Clarification of the definition of the term 'plot ratio'. The recommended modification does not change the definition of the term but expresses it more clearly.
- c) Replacement of the term 'podium' in Provision 3 with the term 'base', to reflect the change in language outlined previously in this report. The terms 'podium' and 'base' have the same meaning in this context.

xxiii. Replacement of the word “base” with the word “primary” when referring to building height/plot ratio limits

As outlined earlier in this report, the podium element was not well understood by many stakeholders during the public consultation period and the term is therefore recommended to be replaced with the term ‘base’. Similarly there was some confusion with the term ‘base’ where it is used to define building height limits in Provision 5 Element 2 of Schedule 9B. It is recommended to clarify these terms and change the terminology from ‘base’ to ‘primary’ where it refers to building height/plot ratio limits. This does not change the operation of the tiered system of building height and plot ratio limits.

Recommendation:

Replace the term ‘base’ in the context of building height and plot ratio limits (elements 2 and 6 of Schedule 9B) with the term ‘primary’. The three tiers of building height and plot ratio limits will be:

- Primary: All properties can build up to the Primary building height or plot ratio limit;
- Tier 1: Building may be approved up to the Tier 1 building height or plot ratio limit, additional building height/plot ratio limit, if the tower floorplate area is reduced, and the building achieves an excellent standard of design quality, and a public benefit contribution is provided; and
- Tier 2: On certain sites (identified on Map 2 of Schedule 9B) a building may be approved up to the Tier 2 additional building height/plot ratio limit if the tower floorplate area is further reduced, and the building achieves an exemplary standard of design quality, and a public benefit contribution is provided.

xxiv. Addition of a new element to define the boundaries of typologies on lots where more than one typology applies

In the Mends and Mill Point character areas there are two lots where more than one typology (building height and plot ratio limits) apply on different parts of the lot. This is shown on Map 2 in Schedule 9B (as per Figure 6, below).

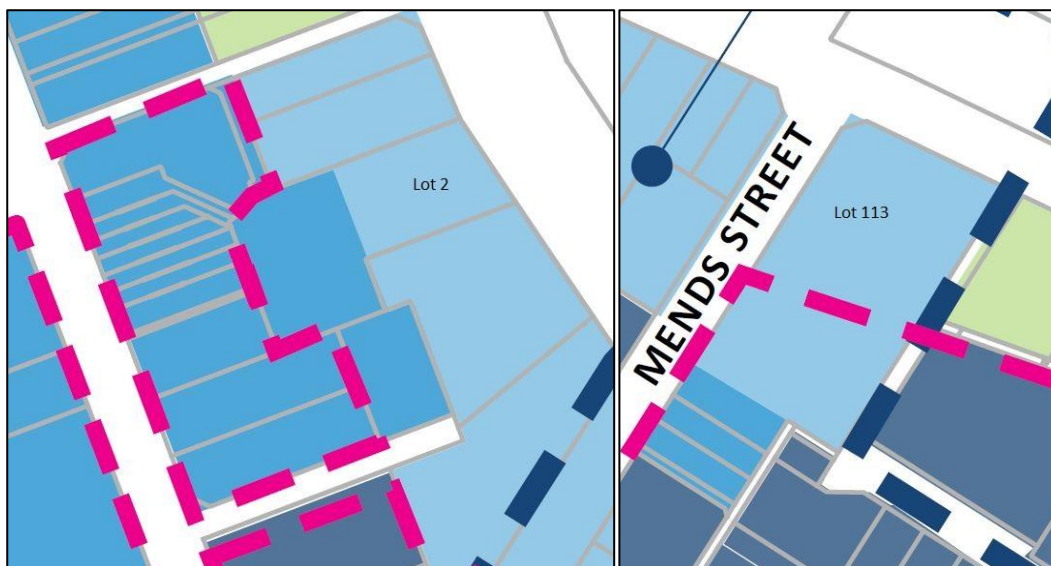


Figure 6: Lots 2 and 113 South Perth Esplanade, showing different typologies on parts of each lot

Recommendation:

Add a new element 2.4 to clarify the boundary of typologies on Lots 2 and 113 South Perth Esplanade.

- xxv. Replacement of the term ‘Height Type’ with the term “Typology” in the ACP and Amendment No. 61 documents

There were a wide variety of views expressed during the public comment period regarding building height; however most respondents agreed with the heights generally stepping down from the centre of the ACP area and reducing towards the river, as a key principle of the draft documents.

In reviewing the ACP and Amendment No. 61, and considering community feedback, the word “typology” is considered to provide a more accurate term than “height type” when referring to building height/plot ratio limits.

Recommendation:

Replace the word “Height Type” with the word “Typology” where it occurs in the ACP and Amendment No. 61 documents.

- xxvi. Minor corrections and typographic corrections to ACP and Schedule 9B

Minor modifications are recommended to text and figures throughout the ACP and Schedule 9B to correct minor errors and remove inconsistencies between plans, maps and text.

The full lists of recommended modifications to the ACP and Schedule 9B (in Amendment No. 61) are available on the City of South Perth website.

Outcomes of consultation without recommended modifications

Notwithstanding the above modifications, a number of other observations arose from the public consultation that have not resulted in a recommended modification to the draft ACP or proposed Amendment No. 61.

The Schedule of Submissions available on the City of South Perth website provides detailed responses to every comment received during the public consultation period. Key suggested modifications that are not supported are summarised below:

- i. Reduce building height along the western side of Labouchere Road to preserve light access to Perth Zoo.

Land on the western side of Labouchere Road has either a High or Medium-High typology. The primary concern raised in the feedback relating to building height limits along Labouchere Road concerned the potential loss of light this height may cause to the adjacent Perth Zoo.

This matter is recommended to be directly addressed by a modification that provides an additional objective and development requirement for any site near to the Perth Zoo (refer modification (xii) above). This approach directly addresses the concern raised, rather than arbitrarily reducing the building height and plot ratio typologies.

- ii. Reduce building height along South Perth Esplanade from Medium typology to the Low-Medium or Low typology.

The building height limit along South Perth Esplanade focusses taller buildings close to Mends Street to ensure larger scale development and population is within walking distance of the Mends Street ferry terminal.

The existing Town Planning Scheme No. 6 has a building height limit of 25 metres in this area, which is measured to the finished floor level of the upper-most storey. This allows for a total building height of up to approximately 30 metres in total. Properties on South Perth Esplanade to the east of Harper Terrace are able to have additional height above this building height limit, with no upper limit on building height. Tower setbacks are required to be 4 metres or less and there are no tower floorplate area limits.

In the Medium typology the Base (Primary) building height limit of 24.3 metres is the expected typical height for development, whilst the tier system allows for potentially taller buildings up to a 37.5 metre limit (Tier 1). Building heights are to be measured to the highest point of wall or roof of the building. In addition, tower floorplate area limits require buildings above the Base (Primary) building height limit to be slimmer, thus providing greater separation between buildings, wider view corridors and more ventilation.

It is not recommended to decrease the typology along South Perth Esplanade from the advertised Medium typology. However, it is recommended to introduce a new requirement into the ACP to ensure that the orientation of towers is optimised for both the development and neighbouring properties (refer

to modification viii above). The recommended performance-based requirement will allow for appropriate solutions to be designed and assessed on a site-specific basis.

- iii. Provide a variable scale of plot ratio where plot ratio increases incrementally as building height increases to encourage a diversity in building size.

There were suggestions raised during the consultation that the building height and plot ratio tiers should be set on a variable scale whereby the plot ratio limit incrementally increases as the building increases in height (up to the maximum height applicable for each site). It is suggested that this approach could result in a greater diversity of building sizes/heights.

The suggestion may have merit; however there is no evidence that the tiered system as proposed in the ACP and Amendment No. 61 will create a lack of diversity of building heights. It is expected that building height on each site will be determined by the interplay of the different development requirements and that the optimal outcome will vary from site to site.

Ongoing monitoring of the documents will be undertaken to assess if this concern is realised and a revised system using a variable scale of height and plot ratio limits may be developed at a later date.

- iv. Reconsider the appropriateness of the design competition requirements applicable to building developed to the 'Tier 2' height limit.

Developments that exceed the Tier 1 height/plot ratio limit must be of exemplary design quality, which is defined in the draft ACP as “being of a standard that provides a high benchmark for design, innovation, and sustainability, and is visually striking and memorable in the context of the locality”. In order to achieve this standard the applicant must undertake a competitive design process between a minimum of three suitably qualified architects that is independently assessed in accordance with the City’s South Perth Activity Centre Competitive Design Policy (P321). This requirement reflects the scale and significance of development above the Tier 1 limits.

It is not recommended to remove the requirement to undertake a design competition for proposals seeking to achieve exemplary design quality as it is considered that the design competition is an appropriate mechanism to help ensure that exemplary design is achieved. However opportunity remains to review and amend policy P321 to refine the design competition process once the ACP and Amendment No. 61 are finalised.

Conclusion

The discussion in this report outlines the recommended response to feedback received during the public consultation period. The community and stakeholder consultation process was an important aspect of this project and a comprehensive and very large amount of feedback was received, including a number of detailed suggestions to improve the draft ACP and Amendment No. 61 documents. Consequently, a number of modifications have been suggested in response to this feedback.

It is submitted that, while a number of submissions were received on a variety of topics, the relatively limited extent/impact of modifications proposed is generally reflective of the extensive and comprehensive process of plan preparation. This included Councillor engagement and stakeholder consultation undertaken prior the commencement of formal public consultation.

Accordingly, as the modifications are not considered to be significant, with many being dealt with through text or map modifications and that these modifications have not substantially altered the intent of the ACP, it is not considered necessary to re-advertise the draft ACP or proposed Amendment No. 61. This is in due regard to the purpose of clause 42(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and clause 35(1)(d) of the Deemed Provisions (Schedule 2 of the Regulations).

Consultation

The preparation of the ACP and Amendment No. 61 has been a significant undertaking, involving a wide range of detailed engagement and consultative exercises. Both documents have been greatly informed by input from a range of stakeholders through a number of different forums and consultation processes.

In accordance with the Regulations and Deemed Provisions, formal consultation of the draft ACP and proposed Amendment No. 61 was carried out for a period of 68 days between 14 May 2019 and 22 July 2019. City officers undertook a number of structured engagement activities to raise awareness of the project and to encourage feedback from as many stakeholders as possible.

Pursuant to regulation 36(2) of the Deemed Provisions and 44(1) of the Regulations, the City is required to submit a schedule of submissions/responses to the WAPC. The Schedule of Submissions available on the City of South Perth website includes responses to each submission received during the comment period.

Summary sheets and feedback forms

As the draft ACP and proposed Amendment No. 61 are lengthy and complex, City staff developed a set of summary sheets and feedback forms to make it easier for stakeholders to provide feedback. Stakeholders were encouraged to read the Overview and Background document first, which explained the background and development of the two documents and how to provide the most useful and constructive feedback.

The summary sheets and feedback forms were designed to enable stakeholders to comment on as few or as many elements as they wished. The key elements were:

- Land Use
- Building Size (Height and Plot Ratio)
- Podiums

- Towers
- Design Quality
- Additional Development Potential and Public Benefits
- Bicycle and Car Parking
- Movement and Access
- Public Realm

Each key element corresponded to a feedback form, available on the Your Say South Perth website or in hard copy, which included questions to direct and help prompt feedback to improve the draft documents. A General Comment feedback form was also available for any other feedback including on matters not covered in the summary sheets. None of the questions on the feedback forms were compulsory to answer.

Draft Local Planning Policy P321 South Perth Activity Centre Competitive Design Policy (Policy P321) was also open for public comment and had a separate feedback form.

Potential development scenarios and explanatory drawings

Potential development scenarios and explanatory drawings were available on Your Say South Perth to illustrate how the amount of development expected to the years 2031 and 2041, could be distributed. In addition advice was provided on how the built form requirements proposed in Amendment No. 61 combine to determine the building envelope (the three-dimensional space within which a building can be designed).

Consultation and engagement activities

The City sought comment and input by written feedback and through a series of online feedback forms on the Your Say South Perth online engagement platform (<https://yoursay.southperth.wa.gov.au/>). A summary of key engagement and communications activities are provided below:

- Two (2) media releases (May and June) detailing the purpose of the draft ACP and how stakeholders could have their say;
- Letters to all landowners and residents within the ACP area and approximately 150 metres from the ACP boundary (3,600 letters in total). In addition, some 7,000 households and business were mailed directly to advise of the opportunity to be involved in the Community Panel;
- Four (4) direct emails to community members who had previously indicated an interest in the project (340 recipients);

- Five (5) articles in the City's fortnightly e-newsletter;
- Two (2) articles in the Peninsula Magazine (May & July 2019), distributed to approximately 24,000 households;
- Two (2) full-page advertisements in the Peninsula Snapshot (Southern Gazette) feature;
- Twenty-four (24) social media posts across the City's social network platform including a range of paid posts; and
- Posters, postcards and displays at the City's buildings (administration centre and libraries) and to businesses within the ACP area.

In total, the ACP project reached more than 64,000 people through various communication and engagement channels.

Four drop-in sessions were also held at different times and locations during the public comment period with City officers and consultants available to answer questions and provide information. In total approximately 65 people attended the drop-in sessions.

City staff were available in person or by telephone during business hours throughout the public consultation period to discuss the plans and questions could also be submitted online via a dedicated tool on the Your Say South Perth page.

More than 3,000 individuals visited the project page on the Your Say South Perth website and more than 2,500 documents were downloaded, resulting in more than 900 individual participants becoming informed about the project.

South Perth Station Precinct Reference Group and Community Panel

In 2017 the City established a South Perth Station Precinct Reference Group (SPSP) to provide the City and key stakeholders with an additional reference point for planning, development and place initiatives and activities in the activity centre plan area. The group includes 17 members representing a diverse range of stakeholders with interests in the ACP area.

The SRG has been involved at a number of points through the preparation of the draft ACP and Amendment No. 61, and feedback from this group represents a continuous and informed voice that has helped to inform the preparation of the draft documents. Two workshops were held with the SRG, on 3 July 2019 and 2 August 2019.

More information about the outcomes of workshops with the SRG is available on the City of South Perth website.

A separate Community Panel was established for this public engagement process to discuss the question ‘What improvements could we make to the guiding framework for the development of the South Perth Activity Centre now and into the future?’

The Community Panel brought together a group of 42 people selected via a random process to reflect the makeup of the broader community. The Community Panel was selected via an expression of interest process to form a group with:

- Age breakdown that reflects the population of South Perth;
- Equal number of male and female participants;
- 75% of participants from within the ACP area and 25% from South Perth outside of the ACP area;
- Representation from all four character areas; and
- Residents, tenants and business people that reflect the population of the area.

Invitations were sent to approximately 7,000 households within the suburb of South Perth, including all households within the ACP area. People who registered interest to be part of the Community Panel were then pooled and a random sample was taken to select Panel members. Recruitment for the Panel was handled independently by a separate consultant, who were engaged through the City’s specialist engagement consultant Shape Urban. Shape Urban facilitated the Stakeholder Reference Group and Community Panel meetings.

Two workshops were held with the Community Panel, on 27 July 2019 and 3 August 2019. More information about the outcomes of the Community Panel process is available on the City of South Perth website.

Councillor briefings

Elected members were briefed on the outcomes of public consultation and recommended modifications to the draft ACP and Amendment No. 61 at four briefings, held on 11 September, 30 October, 6 November and 3 December 2019.

Feedback and submissions

At the conclusion of the consultation period the City received the following feedback:

- 150 email and hard copy submissions (general feedback).
- 659 online and hard-copy feedback forms were received from 108 people.
- 551 pro forma submissions. The pro forma submissions are site specific, and are summarised separately for this reason.

A number of people provided multiple responses, for example both email and feedback forms. In total the City received 225 individual submissions, in addition to the pro forma submissions.

Each submission received has been analysed in detail to understand the exact nature of the submission and to identify key themes and suggested modifications to the draft ACP and proposed Amendment No. 61. All of the submissions received are included in a Schedule of Submissions, which is available on the City of South Perth website. It is noted that the submissions have not been edited and/or fact checked for the accuracy of statements and claims.

Of all of the submissions, approximately 26% were generally supportive of the ACP and Amendment No. 61, 64% generally did not support various aspects of the documents and 10% can be categorised as neutral or are Government Agencies. This is reflective of a public engagement process designed to encourage a diverse range of responses and suggestions for improvements to the draft documents, and to encourage more critical submissions.

The people providing feedback were highly localised to the ACP area, with 69% of respondents indicating that they were residents of the ACP area, 8% as residents of South Perth and a further 9% as residents of the City of South Perth. 4% of submissions were received from landowners (non-resident) or consultants on behalf of landowners.

Of the submissions where age information was provided, 67% of respondents were over the age of 55 and approximately 35% of all respondents were female and 65% were male.

Details of the engagement processes and outcomes are available on the City of South Perth website.

Next steps

The outcomes of public consultation and the recommended modifications to the draft ACP and proposed Amendment No. 61 will be considered by Council at the Agenda Briefing at 5.30pm Tuesday, 10 December 2019 and the Ordinary Council Meeting at 7pm Tuesday, 17 December 2019.

Details of these meetings and further information about the South Perth Activity Centre Plan project are available on the City of South Perth website or by contacting the City directly.

If Council endorses the modified draft ACP and proposed Amendment No. 61, a copy of the modified documents, along with copies of all feedback received, will be sent to the Western Australian Planning Commission (WAPC) for final approval. Council will receive a further report on the outcomes of consultation on draft Policy P321 once the draft ACP and proposed Amendment No. 61 are approved by the WAPC.