

## Development Application – Lot 5 and Lot 6 (No. 9 and 15) The Esplanade, Perth – 58 and 21 Storey Mixed Use Development

### Approved Conditions and Advice Notes

- The development is to be undertaken in accordance with the approved plans and documents attached to this approval, details of which are to be provided at working drawings stage, to the satisfaction of the Metropolitan Redevelopment Authority (the Authority), prior to the commencement of construction. The approved plans and documents of development are listed as follows:

<b>Plan / Document Name</b>	<b>Ref.</b>	<b>Date Received</b>
Site Context Plan	EQ56_AR_DA_0200	22 June 2020
Existing Site Plan	EQ56_AR_DA_0201	22 June 2020
Landscape Concept Plant	EQ56_AR_DA_1000	22 June 2020
Basement Level 5	EQ56_AR_DA_1185	22 June 2020
Basement Level 4	EQ56_AR_DA_1184	22 June 2020
Basement Level 3	EQ56_AR_DA_1183	22 June 2020
Basement Level 2	EQ56_AR_DA_1182	22 June 2020
Basement Level 1	EQ56_AR_DA_1181	22 June 2020
Ground Level	EQ56_AR_DA_1100	22 June 2020
Level 1	EQ56_AR_DA_1101	22 June 2020
Lev 2 Typical Office Lot 5; Office / Plant - Lot 6	EQ56_AR_DA_1102	22 June 2020
Lev 3-12 Typical Office Lot 5; Typical Office Lot 6	EQ56_AR_DA_1103	22 June 2020
Level 13 Plant - Lot 5; Typical Office Lot 6	EQ56_AR_DA_1113	22 June 2020
Level 14 Plant - Lot 5; Typical Office Lot 6	EQ56_AR_DA_1114	22 June 2020
Lev 15 Res Amenity Lot 5; Typical Office Lot 6	EQ56_AR_DA_1115	22 June 2020
Lev 15 Mezz Shared Am Lot 5; Typ Office Lot 6	EQ56_AR_DA_1115-M	22 June 2020
Level 16 Hotel Amenity Lot 5; Typical Office Lot 6	EQ56_AR_DA_1116	22 June 2020
Level 16 Mezzanine - Hotel BoH Lot 5; Plant Lot 6	EQ56_AR_DA_1116-M	22 June 2020
Levels 17-20 Typical Hotel Lot 5; Roof Plan Lot 6	EQ56_AR_DA_1117	22 June 2020
Levels 21-24 Typical Branded Residential Lot 5	EQ56_AR_DA_1121	22 June 2020
Level 25 Residential Type 1 (Transfer) Lot 5	EQ56_AR_DA_1125	22 June 2020
Level 26 Residential Type 1 (Transfer) Lot 5	EQ56_AR_DA_1126	22 June 2020
Levels 27-32 Typical Residential Type 1 Lot 5	EQ56_AR_DA_1127	22 June 2020
Levels 33-37 Typical Residential Type 2 Lot 5	EQ56_AR_DA_1133	22 June 2020
Level 38 Residential Type 2 and Plant Lot 5	EQ56_AR_DA_1138	22 June 2020
Levels 39-50 Typical Residential Type 3 Lot 5	EQ56_AR_DA_1139	22 June 2020
Levels 51-52 Typical Residential Type 4 Lot 5	EQ56_AR_DA_1151	22 June 2020
Level 53 Residential Sub-Penthouse Lot 5	EQ56_AR_DA_1153	22 June 2020
Level 54 Residential Penthouse Lot 5	EQ56_AR_DA_1154	22 June 2020
Level 55 Penthouse Terrace & Plant Lot 5	EQ56_AR_DA_1155	22 June 2020
Roof Plan Lot 5	EQ56_AR_DA_1156	22 June 2020
Coloured North Elevation	EQ56_AR_DA_2000	22 June 2020
Coloured East Elevation	EQ56_AR_DA_2001	22 June 2020
Coloured South Elevation	EQ56_AR_DA_2002	22 June 2020
Coloured West Elevation	EQ56_AR_DA_2003	22 June 2020
Overall Building Elevations Lots 5 and 6	EQ56_AR_DA_2004	22 June 2020
North Building Elevation	EQ56_AR_DA_2005	22 June 2020
East Building Elevation	EQ56_AR_DA_2006	22 June 2020
South Building Elevation	EQ56_AR_DA_2007	22 June 2020
West Building Elevation	EQ56_AR_DA_2008	22 June 2020
Enlarged Ground Level Elevations	EQ56_AR_DA_2100	22 June 2020
Enlarged Ground Level Elevations	EQ56_AR_DA_2101	22 June 2020

2. The design is to be amended to address the following items, to demonstrate exemplary design, sense of place, enhanced visual interest, activation and human scale, in accordance with the Central Perth Redevelopment Scheme and the Elizabeth Quay Design Guidelines, with details provided at working drawings stage to the satisfaction of the Authority in consultation with the Authority's Design Review Panel and the City of Perth:
  - a) ameliorate the scale and massing of the building forms, through external articulation and/or design detailing that responds to the built form character of the Project Area and provides increased amenity and visual interest generally;
  - b) increase the fine grain detail, visual interest, activation, weather protection, permeability and wayfinding at the lower levels of the buildings, particularly the interface to The Esplanade and within the Galleria open space, to enhance visual interest and pedestrian amenity;
  - c) integrate all plant and equipment within the building envelope and enhance external materials and finishes, to minimise the visual impact of plant, equipment and building cores as viewed from the public plaza and other areas of the public realm;
  - d) review apartment layouts to modify common circulation corridors to ensure all residential apartments have recessed entries to provide improved amenity and privacy;
  - e) integrate public art as a publicly visible aspect of the building and/or within the public realm and incorporate high quality landscaping within the Galleria, including to the side cores of the buildings, to increase visual interest and enhance the local sense of place; and
  - f) enhance the appearance of the roof treatment of the Lot 6 tower to improve the visual impact from surrounding towers.

(Refer Advice Note b)
3. The façade treatments and material detailing are to be reviewed to ensure the final design outcome exhibits innovation and exemplary design that responds to the site location and context of Elizabeth Quay, in accordance with the Elizabeth Quay Design Guidelines, with elevations, specifications and material samples demonstrating high quality exterior materials, finishes and colours provided at working drawings stage to the satisfaction of the Authority in consultation with the Authority's Design Review Panel and the City of Perth. (Refer Advice Note c)
4. A revised Landscape Plan, relocating plant and equipment to within the building envelope(s) and demonstrating the design and function of the publicly accessible spaces within the site/s are highly activated, welcoming, usable and attractive public spaces, with enhanced sense of place, wayfinding and public benefit, including within the Galleria, is to be provided at working drawings stage to the satisfaction of the Authority in consultation with the Authority's Design Review Panel and the City of Perth. (Refer Advice Note d)
5. A Heritage Agreement and Heritage Interpretation Plan are to be prepared and provided at working drawings stage to the satisfaction of the Authority in consultation with the Department of Planning, Lands and Heritage. (Refer Advice Note e)
6. An updated Wind Amelioration Report and associated revised plans, demonstrating environmental wind conditions suitable for the intended functions of the galleria, public plaza, alfresco areas, adjacent public realm and accessible roof areas, is to be provided at the working drawings stage to the satisfaction of the Authority. (Refer Advice Note f)

7. The number of onsite car parking bays is to comply with the Elizabeth Quay Design Guidelines, with the exception of residential bays which are to a maximum average of 1.9 bays per dwelling, or as otherwise agreed, with non-residential parking bays to comply with the Perth Parking Policy, and is to be supported by a Car Parking, Traffic and Travel Management Plan, details of which are to be provided at working drawings stage to the satisfaction of the Authority in consultation with the Department of Transport, Main Roads WA and the City of Perth. (Refer Advice Note g)
8. Bicycle and end of trip facilities are to be provided in accordance with the Elizabeth Quay Design Guidelines, details of which are to be provided at working drawings stage to the satisfaction of the Authority in consultation with the Department of Transport. (Refer Advice Note h)
9. Affordable Housing is to be provided in accordance with Development Policy 9 Affordable and Diverse Housing, details of which are to be provided at working drawings stage, and prior to the commencement of construction, to the satisfaction of the Authority in consultation with the Department of Communities. (Refer advice Note i)
10. Adaptable Housing is to be provided in accordance with Development Policy 10 Adaptable Housing, details of which are to be provided at the working drawings stage to the satisfaction of the Authority. (Refer Advice Note j)
11. A Design Review Certificate from the Green Building Council of Australia, demonstrating that the proposal has been designed to achieve a minimum 5 Star Green Star rating in accordance with Development Policy 1 Green Building, is to be provided at working drawings stage to the satisfaction of the Authority. (Refer Advice Note k)
12. A report and certification from the Green Building Council of Australia is to be provided within six months of practical completion of each building, confirming each building has achieved the minimum 5 Star Green Star 'as built' rating, to the satisfaction of the Authority.
13. An Acoustic Attenuation Report and certification from a qualified acoustic consultant, confirming that the design and construction of the building will achieve an appropriate level of sound attenuation in accordance with Development Policy 3 Sound Attenuation, is to be provided at working drawing stage to the satisfaction of the Authority. (Refer Advice Note l)
14. Public art is to be provided in accordance with the Development Policy 4 Providing Public Art, details of which are to be provided at working drawings stage to the satisfaction of the Authority in consultation with the Authority's Design Review Panel and the City of Perth. (Refer Advice Note m)
15. A Signage Strategy, detailing the proposed location and size of all external signage consistent with Development Policy 6 Signage, is to be provided at working drawings stage to the satisfaction of the Authority. (Refer Advice Note n)
16. A Lighting Strategy, detailing lighting of the building exterior and ground floor public areas to enhance building features, amenity and security, is to be provided at working drawings stage to the satisfaction of the Authority. (Refer Advice Note o)
17. A Venue Management Strategy for the Dining and Entertainment tenancies of the development is to be provided at working drawings stage to the satisfaction of the Authority in consultation with the City of Perth, and thereafter implemented by each venue operator. (Refer Advice Note p)

18. A Place Management Strategy for the public accessible places within the site/s, demonstrating activated, inviting, safe and well maintained spaces, is to be provided at working drawings stage to the satisfaction of the Authority in consultation with the City of Perth. (Refer Advice Note q)
19. A Delivery and Waste Management Plan, demonstrating that deliveries, bin collection and waste management services can be adequately provided for and managed within the basement, is to be provided at working drawings stage to the satisfaction of the Authority in consultation with the City of Perth, and thereafter implemented. (Refer Advice Note r)
20. All service areas, service related hardware and piped/wired services (such as car park gates, roof plant areas, fire booster cabinets, service meters, exhaust systems and air intake/outlet areas) are to be located internally, designed as an integral component of the development, or screened from public view, to minimise any detrimental impact on the architectural quality of the building and the amenity of the public realm, details of which are to be provided at working drawings stage to the satisfaction of the Authority. (Refer Advice Note s)
21. Windows and glazed areas on the ground floor are not to be provided with dark or reflective tinting, visually obtrusive signage, obscured glazing or roller shutters, details of which are to be provided at working drawings stage to the satisfaction of the Authority. (Refer Advice Note t)
22. All building and tenancy entrance levels are to be consistent with the constructed paving levels of the adjoining public realm, details of which are to be provided at working drawings stage to the satisfaction of the Authority.
23. A Universal Access Statement for the ground floor public areas and building entries, prepared by a suitably qualified person, is to be provided at working drawings stage to the satisfaction of the Authority, in consultation with the City of Perth. (Refer Advice Note u)
24. A Crime Prevention Through Environmental Design Statement for the ground floor public areas, prepared by a suitably qualified person, is to be provided at working drawings stage to the satisfaction of the Authority, in consultation with the City of Perth. (Refer Advice Note v)
25. The following plans are to be submitted at working drawings stage to the satisfaction of the Authority, in consultation with the City of Perth and the Department of Biodiversity Conservation and Attractions:
  - an Integrated Water Management Plan;
  - a Dewatering Management Plan;
  - a Groundwater Management Plan; and
  - a Stormwater Management Plan.(Refer Advice Note w)
26. An Acid Sulfate Soils Management Plan is to be provided at working drawings stage to the satisfaction of the Authority, in consultation with the Department of Water and Environmental Regulation. (Refer Advice Note x)
27. An Acid Sulfate Soil Closure Report is to be provided at completion of site works and prior to occupation of the site to the satisfaction of the Authority, in consultation with the Department of Water and Environmental Regulation.
28. An Archaeological Management Plan to guide the process of identification, assessment, documentation and management of any archaeological material encountered during ground disturbance is to be provided at working drawings stage to the satisfaction of the Authority in consultation with the Department of Planning, Lands and Heritage. (Refer Advice Note y)

29. A Construction Management Plan is to be provided at working drawings stage to the satisfaction of the Authority, in consultation with the City of Perth. (Refer Advice Note z)
30. A dilapidation survey of the footpaths, kerbs, roads, buildings and open space areas within the immediate locality surrounding the site is to be provided at working drawings stage to the satisfaction of the Authority in consultation with the City of Perth. Any damage caused to the footpaths, kerbs, roads, buildings and open space areas is to be made good at the applicant's expense, prior to occupation of the development. (Refer Advice Note aa)
31. A detailed Staging Plan, outlining the proposed staging scenario for the development of both lots is to be submitted at working drawings stage to the satisfaction of the Authority. (Refer Advice Note bb)
32. An easement in accordance with sections 195 and 196 of the *Land Administration Act 1997*, for the benefit of the public at large, is to be placed on the Certificate of Titles of Lots 5 and 6 confirming unobstructed public access rights to the southern plaza open space in perpetuity, details of which are to be provided at working drawings stage to the satisfaction of the Authority. (Refer Advice Note cc)

## ADVICE NOTES:

- a) A covering letter, two sets of final working drawings (digital and hard copy) and a material samples board are to be submitted to the Authority prior to an application being made to the City of Perth for a building permit and must be cleared prior to the commencement of works on site. Working drawings are to comply with all of the above conditions and any variations from the approved drawings are required to be clearly identified.

In accordance with s62(3) of the *Metropolitan Redevelopment Authority Act 2011* no works are to be undertaken prior to obtaining development approval or in contravention of any condition to which the approval is subject.

Following satisfactory assessment of the working drawings, the Authority will provide a clearance letter and copies of the plans to the City of Perth to enable building permit assessment.

Please refer to the attached City of Perth advice for further information relating to Building Code of Australia requirements which should be addressed in preparing working drawings for a building permit.

If the development the subject of this approval is not substantially commenced within a period of two (2) years from the date of this form, the approval shall lapse and be of no further effect. The applicant may seek approval to extend the validity period, by way of an application to amend the development approval in accordance with Clause 5.33 of the Central Perth Redevelopment Scheme.

- b) With regard to Condition 2, the Central Perth Redevelopment Scheme and the Elizabeth Quay Design Guidelines (the Design Guidelines) require innovative, high quality design outcomes which complement the level of design quality achieved in the Elizabeth Quay public realm and enhance amenity for workers, residents and visitors. To ensure the development meets the desired levels of design quality and amenity the following specific improvements are requested:

- i. In accordance with section 3.1.3 Podiums of the Design Guidelines all development is to exhibit a 'fine grain' and 'human scale' character at the podium and street level to ensure a quality street edge and reduce building bulk and massing. The design response is required to be modified to address this requirement and respond to the established and planned character of other buildings within Elizabeth Quay.
- ii. In accordance with section 3.2.1 Architectural Expression and 3.1.2 Active Edges of the Design Guidelines all buildings within Elizabeth Quay are to demonstrate exemplary design quality, with a visually transparent, interesting and activated ground level, incorporating innovative and creative design elements to accentuate entrances and create a vibrant, diverse, interactive and safe urban environment. The uniform glazed ground floor façade does not achieve these requirements, therefore requires revision.

The ground floor interface between the Galleria space and the towers should be revised and refined to provide high levels of interest and activation and to minimise the extent of blank walls/servicing along the edges. The visual appearance of any blank walls should be improved through public art, and/or other interesting treatments such as green walls.

Opportunities to provide a more active interface along The Esplanade and the Northern end of the Galleria, such as though reconfiguring the lobby spaces and/or creating new tenancy spaces, should also be explored.

- iii. In accordance with section 3.1.4 Towers and 3.2.3 Building Layout and Orientation of the Design Guidelines towers are required to make a positive addition to the Perth city skyline and be designed to ensure that all sides of the building provide visual interest. The blank walls of the building core on the external elevations are considered to detract from these requirements.

The ground floor design should also be refined in accordance with section 3.1.2 Urban Grain of the Design Guidelines to maximise the extent of visually and physically permeable facades facing onto the internal public plaza/connection.

The external appearance of building plant and detailing of the proposed curtain wall should be refined to seamlessly integrate air intake and exhaust outlets and minimise any visual impact on the façade.

- iv. In accordance with the benchmark quality of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments, residential corridors should be widened at each apartment entrance to provide a recessed entry point which offers improved privacy and amenity and allows for comfortable movement outside apartment doors.
- v. In accordance with Section 3.1.5 Public Art of the Design Guidelines, the development is required to recognise and interpret the cultural heritage of Elizabeth Quay through the integration of public art and heritage interpretation into the building forms and landscape.
- vi. In accordance section 3.2.6 Roofs of the Design Guidelines, the roof level should be designed as an integral and functional aspect of the overall building design and contribute positively to the amenity of the surrounding area through concealing plant and lift overruns and reduce building heat gain through landscape treatments, such as local xerophytic planting (on roof sections which are not accessible by people).

- c) With regard to Condition 3, further details and information, including final specifications and samples, are to be provided for all external elevations, demonstrating high quality and durability of materials has further detailed and/or enhanced from development application stage through to working drawings and construction.

Materials should be of an extremely high quality to reflect the significance of Elizabeth Quay and the cultural heritage of the site, and be appropriate for the Perth climate and reflect the broader West Australian landscape, through the use of local hard-scape and soft-scape materials, addressing section 3.2.2 of the Design Guidelines.

- d) With regard to Condition 4, the Revised Landscape Plan is to demonstrate enhanced design, material and plant specifications which respond to the Elizabeth Quay context and contribute to an iconic sense of place, in accordance with the Section 1.1 Elizabeth Quay Vision of the Design Guidelines, to ensure highly activated, welcoming, usable and attractive public spaces that have community benefit and enhance the amenity and pedestrian comfort through the project area.

The Landscape Plan and supporting information should include the following items:

- an integrated landscape design across both Lots 5 and 6;
- a separate design for additional landscape treatments for Lot 5, should Lot 6 be delivered as a first stage of development, and vice versa;
- the innovative use of landscaping and/or public art to the side cores of the buildings to provide visual interest and minimise the extent of inactivated frontage within the Galleria;
- details of the how the landscape design, materials, plantings and finished levels will effectively integrate with the adjacent public realm of the project area;
- existing and proposed site levels and provision of universal access;

- species, sizes and types of plantings;
- reticulation to plantings including onsite rain/grey water capture and re-use;
- paving, kerbs and other surface treatments;
- seating, lighting, shade structures and other hard infrastructure;
- integration of public art and heritage interpretation;
- details of ongoing management and maintenance;
- avoid any building or car park related plant or equipment within the public realm; and
- deep soil zones within the site to locate mature native vegetation and to assist with stormwater management.

All development and works shown on/or outside of the lot boundaries require consent from the landowner / management order holder. The applicant should liaise with DevelopmentWA and the City of Perth to ensure the integration of hard and soft landscaping between the public and private realm and any ongoing maintenance requirements are appropriately considered. Final paving treatments to the perimeter streets will need to reflect the City of Perth and Authority agreed paving types.

The Landscape Plan should be informed by the Heritage Interpretation Plan, Place Management Strategy and Venue Management Strategy.

- e) With regard to Condition 5, the owner is required to enter into a Heritage Agreement with the Heritage Council of Western Australia, binding on itself and its successors in title, to provide for the long-term interpretation of the site.

The Heritage Interpretation Plan should be prepared in accordance with Development Policy 2 Heritage Places, the Elizabeth Quay Design Guidelines and the Perth Waterfront Project Heritage Interpretation Strategy and the Heritage Council's Interpretation Guide.

The design of interpretation elements is to relate to that part of the registered place occupied by the lot/s and shall reference the stories and values identified in the Register Entry and the Assessment Documentation.

The information provided is also to include:

- evidence of how interpretation will be implemented and timelines for its implementation;
- details on how interpretation will be communicated to the public; and
- details on the monitoring and evaluation methods to be employed to ensure interpretation is successful.

The Heritage Interpretation Plan should be used to inform the Landscape Plan, Lighting Strategy, Signage Strategy and Place Activation Strategy to ensure ongoing and contemporary interpretation of the heritage place.

- f) With regard to Condition 6, the Elizabeth Quay Design Guidelines section 3.1.8 Wind, requires developments to be designed to provide acceptable environmental wind conditions in the public realm in accordance with the pedestrian comfort criteria for activity, as suitable for the desired functions of the external spaces.

Wind amelioration strategies are to be integrated into the building design, detailing and function. The use of 'add-ons' (such as screens and physical barriers) within the public realm are not supported as these are considered to obstruct visual and physical permeability and limit the integration and activation of the ground floor land uses.



- g) With regard to Condition 7, the application proposes a significant increase in residential car parking bays above the minimum 0.7 bay per dwelling ratio of the Elizabeth Quay Design Guidelines, which is contrary to the intent for Elizabeth Quay as a sustainable, Transit Oriented Development (TOD) hub.

Consistent with existing approved developments within Elizabeth Quay, a maximum average of 1.3 bays per dwelling is accepted for the development. Consideration may also be given to a further increase, to a maximum of 1.9 bays per dwelling, where supported by a Transport Impact Assessment demonstrating that any increased car parking will have no detrimental impact on the safe and efficient operation of the local road network. Where additional residential car bays above the maximum 1.3 average are to be considered, these should provide for innovative approaches to the provision and use of car parking consistent with the principles and intent of a TOD, such as unbundled car parking operated as a car sharing arrangement for residents.

The TIA is to include detailed plans of all necessary road works for the development to operate in a safe and legible manner, including any required modification to signalised intersections (or additional signals), to be completed by the developer at its expense prior to the occupation of the development.

With regard to the tenant bay parking, the proposed Perth Parking Policy variation has not been supported by the Department of Transport and the Authority does not have discretion to vary the Policy without approval from the Minister for Transport (on advice from the Department of Transport).

The Car Parking, Traffic and Travel Management Plan should include details on the following, and be reflected in the working drawings:

- a maximum average allocation of residential car parking bays of 1.3 bays per dwelling, or as otherwise agreed;
- allocation of non-residential car parking bays in accordance with the Perth Parking Policy, being a maximum of 108 bays based on the proposed 7,221m<sup>2</sup> site with integrated access, or as otherwise agreed;
- effective and safe management of traffic movements to, from and within the car parking areas;
- protection of cyclists routes in and around the development;
- traffic management techniques for the development, including any additional management measures during event periods at the Elizabeth Quay;
- the dimensions of all car parking bays, loading bays, vehicle entrances, crossovers, aisle widths and circulation areas complying with AS 2890.1;
- identification of ACROD bays;
- identification of parking, loading, delivery and waste management areas in accordance with the Delivery and Waste Management Plan; and
- identification of clear, safe and accessible pedestrian paths through car parking and delivery areas; and
- a detailed Travel Plan demonstrating how residents, staff and visitors will access/egress the development by prioritising a mix of public transport patronage and active transport modes (walking and cycling), providing/promoting alternative innovative travel options such as car share / ride share schemes, electric car charging infrastructure within the development.

The Car Parking, Traffic and Travel Management Plan is to be supported by a revised Transport Impact Assessment (TIA) prepared in accordance with the WAPC Transport Impact Assessment Guidelines (August 2016) and electronic SIDRA files in version 8,

addressing all matters raised in MRWA comments dated 19 March 2020 (as relayed by the Authority in the Planning Advice Note dated 5 May 2020);

The Car Parking, Traffic and Travel Management Plan should be implemented on an ongoing basis. All car parking bays are to be marked/signed and operated in accordance with the approved Car Parking and Traffic Management Plan.

- h) With regard to Condition 8, a minimum provision of 450 bicycle bays, 540 lockers and 48 showers are to be provided in accordance with the approved development plans. The end of trip facilities are required to be designed and located in accordance with the acceptable development criteria under Part 4.2 of the Elizabeth Quay Design Guidelines.

Consideration should also be given to increasing the number of lockers in accordance with the Department of Transport's recommended provision of 2 lockers per bike bay, to ensure sufficient provision to cater for the likely additional demand for locker space from other non-cyclist users, such as pedestrians and gym patrons.

- i) With regard to Condition 9, the applicant is advised a minimum provision of 28 (12%) affordable housing dwellings are to be provided in compliance with Development Policy 9 - Affordable and Diverse Housing, details of which are to be provided prior to commencement of construction of the development on Lot 5.

For affordable housing dwellings provided within the development:

- the affordable housing units are to be sold by the developer to the Department of Communities (or alternative housing provider approved by the Authority), based on the Authorities Construction Cost Chart, at the time of practical completion of the development;
- a restrictive covenant is to be registered against the certificates of title of the relevant affordable housing dwellings restricting the use of the units for affordable housing in perpetuity pursuant to section 129BA of the *Transfer of Land Act 1893*;
- the restrictive covenant is to be prepared at the applicant's expense and must be executed in registrable form prior to the clearance of working drawings to the satisfaction of the Authority and Department of Communities.

In the event that the applicant proposes an alternative model to deliver the affordable housing in an alternate location within the Central Perth Redevelopment Area a detailed report, and binding agreement, confirming the proposed location, timing and delivery methodology for the minimum 12% affordable housing units is to be submitted prior to the clearance of the first stage of the Lot 5 working drawings.

The report is to include details of agreed land/unit tenure and contractual arrangements with the Department of Communities or alternative housing provider as approved by the Authority.

Where affordable housing is unable to be delivered within the development or in an alternate location within the Central Perth Redevelopment Area, a cash payment in lieu of provision of affordable housing, calculated in accordance with Development Policy 9 - Affordable and Diverse Housing, may be accepted at the discretion of the Authority.

- j) With regard to Condition 10, an Accessibility Report should be provided demonstrating that a minimum 20% of the total number of dwellings conform to the Core Liveable Housing Design Elements outlined in MRA Development Policy 10 Adaptable Housing. Accessible / adaptable parking spaces should also be provided for these dwellings.
- k) With regard to Condition 11, Development Policy 1 Green Building requires new buildings on Tier 2 sites to be designed and built to achieve a minimum certified 5 Star Green Star rating

from the Green Building Council of Australia (GBCA). Section 3.2.5 Sustainability of the Elizabeth Quay Design Guidelines also requires developments to achieve international excellence for environmental sustainability through innovative design, construction and management.

All buildings are to be design to comply with the Redevelopment Objective of enhancing environmental integrity, by including ecologically sustainable design, resource efficiency, recycling, renewable energy and protection of the local ecology. In particular the design, construction and operation/management of the building and associated areas of public open space should demonstrate a “whole of site” approach to sustainable design and address, as a minimum:

- water efficiency;
- strategies and methodology to minimise potable water usage through rain water capture and reuse and/or waste water recycling;
- energy efficiency and energy efficient fixtures and appliances; and
- a naturally comfortable indoor environment including access to natural light and ventilation as well as thermal comfort levels.

A minimum 5 Star Green Star certification from the Green Building Council of Australia is the baseline standard required for the project. It is the Authority’s expectation that both buildings meet or exceed this level of certification, to demonstrate a design response that achieves the exemplary sustainability outcomes required by the Design Guidelines.

- l) With regard to Condition 13, the applicant is advised that the report is to certify that the construction of the building will achieve an appropriate level of sound attenuation in accordance with Development Policy 3 Sound Attenuation. The report should address (amongst other issues):
- potential noise intrusion sources from adjacent land uses including traffic, dining and entertainment, recreational activities and the ringing of the Swan Bells at the Bell Tower; and
  - mechanical service systems (such as exhaust systems and air conditioners) to be designed and located to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the Environmental Protection (Noise) Regulations 1997.
- m) With regard to Condition 14, the provision of public art is to be in accordance with Development Policy 4 Providing Public Art and the Elizabeth Quay Public Art Strategy, with a minimum contribution, either as public art or cash-in-lieu, of \$2,010,000 based on the development value of \$367 million.

Consideration should be given to an integrated approach to public art that is embedded within the architecture and/or landscape design. The applicant is encouraged to discuss the approach to public art with the Authority’s Design Review Panel.

- n) With regard to Condition 15, the Signage Strategy should provide an indicative plan of all proposed signage (including wayfinding signage) outlining the locations and dimensions, demonstrating that such signage will be complementary to the architectural design.

Development Policy 6 Signage requires signage to demonstrate restraint in scale, size and collective amount of signage installed, in order to minimise visual clutter, protect amenity, and support a safe, attractive and legible public realm.

- o) With regard to Condition 16, the Lighting Strategy is to:

- include a plan which illustrates how the building will be illuminated to highlight architectural elements, to provide an attractive building at night;
- demonstrate how lighting and safe access will be provided between the development and the public realm and within loading areas and pathways; and
- be designed to comply with Australian Standard 1158 (Public Lighting Code) and Australian Standard 4282 (Control of the Effects of Outdoor Lighting) in order to ensure that any nuisance light to adjoining properties and to passing vehicular traffic are controlled to an acceptable level.

Further night time expression through lighting is encouraged, with a skyline emphasis recommended. The Lighting Strategy should also be informed by the Heritage Interpretation Plan and the Place Activation Strategy.

p) With regard to Condition 17, the Venue Management Strategy is intended to provide guidance for all future tenancies and may inform the development of individual Venue Management Plans. The Strategy is to include, but not be limited to the following:

- hours of operation;
- types of proposed liquor licences;
- any proposed entertainment or music, including noise attenuation reports and plans for any premises proposing live music, amplified music or other entertainment with noise levels above ordinary background music;
- management of noise and patron behaviour and minimising adverse impacts on other uses within the development;
- alfresco management, including location of alfresco, proposed structures and furniture, wind impact management, operating times, alcohol service and any music or entertainment in the alfresco area; and
- any other matters deemed appropriate by the Authority.

q) With regard to Condition 18, the Place Management Strategy is to include, but is not limited to the following:

- the role and function(s) of the Galleria and south plaza public spaces, and how these complement, as opposed to compete with or replicate, the activation of the wider Elizabeth Quay Project Area;
- detail of how the spaces have been designed to accommodate the intended functions and activity levels;
- details of infrastructure, equipment and security measures to support the intended functions and activity levels;
- details of any alfresco areas provided for ground floor restaurants/cafes;
- details of the ongoing maintenance, management and security of all publicly accessible spaces; and
- details of how the legibility and public nature of the galleria will be maintained on an ongoing basis, demonstrating an inviting and inclusive public connection throughout the site.

r) With regard to Condition 19, the Delivery and Waste Management Plan is to ensure all deliveries and collections occur within the basement, including the provision of adequate loading, storage and vehicle manoeuvring space for such functions. The Delivery and Waste Management Plan is to outline proposed management regime to facilitate controlled access and egress to the basement, consistent with the Car Parking, Traffic and Travel Management Plan. The applicant is advised to liaise with the City of Perth regarding the City's standards for waste management plans.

s) With regard to Condition 20, services and service related infrastructure includes but is not limited to all piped and wired services, car parking areas and associated ventilation, roof plant / plant areas, bin storage areas, service meters and related infrastructure, fire booster cabinets, exhaust systems, air-conditioning units, antennae and satellite dishes. Details of plant areas and service infrastructure should demonstrate:

- integration into the development in a manner that does not undermine the overall architectural quality.
- material treatment and finishes consistent with the remainder of the façade, to ensure a sophisticated design of the development is not compromised.
- roof treatments that conceals plant and considers views from above, given future height in this area; and
- relocation of basement air intake/outlet grilles from the southern plaza public space to within the envelope of the proposed buildings.

The applicant is advised to liaise with service authorities to rationalise and consolidate service infrastructure, where possible.

t) With regard to Condition 21, protection of windows from the sun or privacy screening, should be achieved through architectural devices, passive solar design and appropriate glazing specifications, rather than through reflective glazing or coatings or roller shutters/security blinds.

u) With regard to Condition 23, the applicant is advised that the development is to comply with the requirements of Part D3 of the Building Code of Australia (Access for People with Disabilities) and Australian Standard 1428.1 and the Disability Discrimination Act 1992.

v) With regard to Condition 24, the CPTED Report is should address the safety of publically accessible/communal external and internal areas, including public plaza, public spaces the basement levels, end of trip facilities zones, as well as CCTV locations and management. The CPTED Report should inform the Landscape Plan, Place Management Strategy and Lighting Strategy.

w) With regard to Condition 25, the applicant is advised:

- the Integrated Water Management Plan is to demonstrate achievement or exceedance of best practice water sensitive principles for the design and operation of the building as well as the public realm interface. The plan should sufficiently demonstrate how the proposal has been designed to respond to the approved Elizabeth Quay District Water Management Plan.
- the development should seek to minimise scheme water consumption throughout the development with consideration given to rainwater capture and reuse, wastewater recycling and the use of efficient appliances, usage monitors and a sustainable management regime in accordance with Statement of Planning Policy No. 2 Environment and Natural Resources Policy (WAPC 2003), State Planning Policy 2.9 Water Resources (WAPC 2006), Better Urban Water Management (WAPC 2008), State Planning Policy 2.10 Swan-Canning River System (WAPC 2006) and Water Sensitive Design Guidelines (Department of Water 2011).
- the Dewatering Management Plan is to be prepared in accordance with Department of Biodiversity, Conservation and Attractions' Policy 50 - Planning for dewatering in the Swan Canning Development Control Area, and include:
  - The location, extent and quality of groundwater at the site;
  - Proposed treatment and disposal methods of the discharge;
  - Dewatering commencement date, duration, frequency, flow rates and volumes; and

- Details of the proposed engineering/construction methods which will be used to reduce the volumes of dewatering tailwater and reduce the groundwater drawdown impact zone radius;
  - the applicant is advised that the Department of Biodiversity, Conservation and Attractions is unlikely to support the connection of subsoil drains, if required, to the local stormwater system and the river without treatment onsite prior to discharge.
  - the Ground Water Management Plan is to demonstrate how groundwater will be managed post-development. The applicant is advised that the Department of Biodiversity, Conservation and Attractions is unlikely to support the connection of subsoil drains, if required, to the local stormwater system and the river without treatment onsite prior to discharge.
  - the Stormwater Management Plan is to be in accordance with City's requirements for stormwater management as well as the Department of Biodiversity, Conservation and Attractions' Policy 49 - Planning for stormwater management affecting the Swan Canning Development Control Area, the Department of Water and Environmental Regulation's Stormwater Management Manual for Western Australia (2004-2007), Decision Process for Stormwater Management In Western Australia (2017), and water sensitive urban design principles. The stormwater management system is to be designed to prevent mobilisation of sediment, nutrients and contaminants from the site to the river.
- x) With regard to Condition 26, the Acid Sulfate Soils Management Plan for these works should seek to manage dewatering and development at depth, so that drawdown of the groundwater table is restricted to the extent that it does not extend to areas beyond the site boundaries. At the completion of works, an acid sulfate soil closure report should be submitted to the Department of Water and Environmental Regulation.

The management plan is required to minimise risks associated with potential interception of residual impacts in fill and underlying natural soils and to ensure that during ground disturbing work that any intercepted contamination is appropriately identified and managed.

- y) With regard to Condition 28, the Archaeological Management Plan should be prepared by an archaeologist with relevant demonstrated experience and should contain management recommendations and policies for any archaeological resources identified during ground disturbing activities.
- z) With regard to Condition 29, the Construction Management Plan is to address the following matters:
- construction operation days/hours, with consideration for surrounding premises and residents;
  - management of dust, noise, vibration and other construction activities;
  - details of deliveries, collections and on site storage;
  - workers car parking arrangements;
  - traffic management, including management of all construction works traffic and all measures to minimise disruption to traffic and pedestrian movements within the vicinity of the site and to Western Promenade and the PTA Ferry Terminal;
  - details of all signage and fencing, including high quality site hoardings, and any gantry arrangements;
  - measures to limit the impact of disturbance to the operation and amenity of Elizabeth Quay and surrounding buildings;
  - community consultation to notify surrounding premises of the works and to manage enquiries and complaints;
  - any other matters deemed appropriate by the Authority.

- aa) With regard to Condition 30, the applicant is advised that the dilapidation survey should include, as a minimum, all public realm features immediately surrounding the development and all buildings of recognised heritage significance within close proximity to the site.
- bb) With regard to Condition 31, the Staging Plan is to outline the confirmed staging scenario for the development of Lot 5 and Lot 6 and should address the following:
- proposed development staging including any factors that may affect the intended staging approach;
  - details of how each building will be constructed separately;
  - details of how the second lot will be maintained and activated prior to it being developed;
  - details of how the public space running north to south between the two towers, and along the southern boundary, would be protected and/or developed in a staged scenario and made available to the public;
  - details of how the shared basement and vehicle access ways would be constructed in a staged scenario; and
  - details of how the Lot 6 building design will be modified to achieve improved activation following consolidation of basement vehicle access on Lot 5, through consolidating loading and waste areas within the shared basement.
- cc) With regard to Condition 32, the pedestrian access easement is to encompass the full extent of south plaza as indicated on drawing EQ56\_AR\_DA\_1100 Revision 3. The pedestrian access easement should facilitate ongoing public use of the area in perpetuity.
- dd) The applicant is advised that the subject lots may require amalgamation and / or boundary modifications to facilitate the development as proposed, including development of the Lot 5 tower over the Lot 6 boundary, and the shared basement.

With regard to the shared basement and shared vehicle access, the Department of Transport has advised that the two buildings should have one Special Parking Control Area (SPCA). The SPCA would need to reserve for Lot 5 buildings any additional tenant bays built on Lot 6, and ensure that a single parking entrance/exit (a condition of the 'integrated access' parking bay allowance) is provided once both lots are developed.

Should the development on Lot 6 be constructed as the first stage of development, any temporary ramp providing access from Lot 6 to the basement should be removed upon completion of the Lot 5 building and integrated basement, to ensure a single vehicle access point to the shared basement when completed.