



City of Perth

**Planning Committee  
Minutes**

**14 November 2017  
5.30pm**

**Committee Room 1  
Level 9  
Council House**

**APPROVED FOR RELEASE**

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**MARTIN MILEHAM  
CHIEF EXECUTIVE OFFICER**



# City of Perth

## Planning Committee Minutes

14 November 2017  
5.30pm

Committee Room 1  
Level 9  
Council House

Minutes to be confirmed at the next **Planning** meeting.

**THESE MINUTES ARE HEREBY CERTIFIED AS  
CONFIRMED**

**PRESIDING MEMBER'S SIGNATURE**

**DATE:**

*[Handwritten Signature]*  
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*12/12/17*  
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Minutes of the **Planning** meeting of the City of Perth in Committee Room 1, Ninth Floor, Council House, 27 St Georges Terrace, Perth on Tuesday, 14 November 2017.

**Members in Attendance:**

Cr Adamos                                      Presiding Member  
Cr Davidson  
Cr Hasluck

**Officers:**

Mr Mileham                                    Chief Executive Officer  
Ms Barrenger                                Director Planning and Development  
Ms Smith                                        Manager Development Approvals  
Mr Ridgwell                                  Manager Governance (departed the meeting at 6.25pm)  
Mr Farley                                        Manager City Planning  
Mr Smith                                        City Architect  
Mr Fotev                                        3D Modeller  
Ms Best                                         Governance and Risk Officer

**Guests and Deputations:**

Mr Algeri                                      Altus Planning  
Mr Simpson                                  PTS Town Planning Pty Ltd  
Mr Hays                                        Hames Sharley  
Mr Lees                                         TPG and Placematch

Three members of the public.

**1. Declaration of Opening**

**5.41pm**                      The Chief Executive Officer declared the meeting open.

**Item 8.1 Planning Committee – Election of Presiding Member****Election of Presiding Member**

The Chief Executive Officer advised that in accordance with Section 5.12(1) of the *Local Government Act 1995*, Committee Members are required to elect a Presiding Member to the Planning Committee.

**The Chief Executive Officer advised that no nominations had been received and therefore sought nominations from the Members.**

**Cr Davidson nominated Cr Adamos for the position of Presiding Member. Cr Adamos accepted the nomination.**

**There being only one Elected Member nominated, the Chief Executive Officer declared that Cr Adamos was elected Presiding Member of the Planning Committee.**

Cr Adamos assumed the Chair.

- 2. **Apologies and Members on Leave of Absence**  
Nil
- 3. **Question Time for the Public**  
Nil
- 4. **Confirmation of Minutes – 19 September 2017**

*Moved Cr Davidson, seconded Cr Adamos*

*That the minutes of the meeting of the Planning Committee held on 19 September 2017 be confirmed as a true and correct record.*

*The motion was put and carried*

The votes were recorded as follows:

**For:** Crs Adamos, Davidson and Hasluck

**Against:** Nil

- 5. **Correspondence**  
Nil
- 6. **Disclosures of Members' Interests**

Member/Officer	Item No. and Title	Nature/Extent of Interest
Cr Hasluck (CM 326453/17)	Item 8.3 - 66-84 (Lot 200) Railway Street, West Perth - Two Proposed Third Party Variable Content Wall Signs	Direct Financial Interest – Nature and Extent: The Landowner G Harvey leases a building that Cr Hasluck manages through his business.

- 7. **Matters for which the Meeting may be Closed**  
Nil

## 8. Reports

**Item 8.2 180 (Lot 2) Bennett Street, East Perth – Proposed Demolition of Existing Single Storey Building and Construction of a Sixteen Level Hotel ('Special Residential') Development Comprising 85 Hotel Rooms and a Restaurant ('Dining') Use and Bar ('Entertainment') Use - Request for Bonus Plot Ratio**

*Moved Cr Davidson, seconded Cr Hasluck*

*That, in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for local planning schemes, Council APPROVES BY AN ABSOLUTE MAJORITY the application for the proposed demolition of the existing building and construction of a sixteen storey hotel ('Special Residential') development containing 85 hotel rooms, with ground floor 'dining' and 'entertainment' uses, as indicated on the Metropolitan Region Scheme Form One dated 16 August 2016, and as shown on the plans received on 6 September 2017, subject to:*

- 1. the proposed development being restricted to a maximum plot ratio of 3.6:1 (1,815m<sup>2</sup>) inclusive of 20% bonus plot ratio (297m<sup>2</sup> plot ratio floor area) on the basis of 20% bonus plot ratio (being 297m<sup>2</sup> of plot ratio floor area) for a new Special Residential use in accordance with clause 28 of City Planning Scheme No. 2 and the requirements of the Bonus Plot Ratio Policy 4.5.1;*
- 2. any subsequent change of use of the Special Residential portions of the development being prohibited within 10 years following the date on which those portions of the development are lawfully occupied, pursuant to Clause 46A of City Planning Scheme No. 2;*
- 3. final details of the design and a sample board of the high quality and durable materials, colours and finishes for the exterior of the hotel building and being submitted for approval by the City prior to applying for a building permit;*

*(Cont'd)*

4. *any proposed external building plant, lift overruns, piping, ducting, water tanks, transformers, air condensers and fire booster cabinets shall be located so as to minimise any visual and noise impact on the adjacent developments and being screened from view of the street, with details of the location and screening of such plant and services being submitted for approval by the City prior to the submission of an application for a building permit;*
5. *a Vehicular, Service and Delivery Access Plan, outlining the management strategies to deal with the dropping off and picking up of hotel guests via taxi or other transport; strategies for advising guests upfront of limitations in parking in the locality; and including arrangements for on-site servicing of the building, being submitted for approval by the City prior to the occupation of the hotel building with the plan being implemented by the hotel proprietor/manager thereafter to the satisfaction of the City;*
6. *a Hotel Management Plan addressing the operation of the hotel in accordance with the provisions of the City's Special Residential (Serviced and Short Term Accommodation) Policy, including but not being limited to the following:*
  - 6.1 *Company name and relevant experience of management/operator;*
  - 6.2 *Cleaning and laundry services, where applicable;*
  - 6.3 *Opening hours for guest check-ins and check-out including the method of reservations/bookings;*
  - 6.4 *Security of the guests and their visitors;*
  - 6.5 *Control of noise and other disturbances; and*
  - 6.6 *A complaints management service.*

*being submitted for approval by the City prior to the commencement of the hotel use, with the management plan being implemented by the proprietor/manager on an ongoing basis to the satisfaction of the City;*
7. *a management plan for the small bar, detailing control of noise, patron behaviour, hours of operation, queuing arrangements and the procedure for addressing complaints, being submitted to the City for approval prior to the small bar use coming into operation, with the management plan being implemented by the proprietor / manager of the premises on an on-going basis;*

(Cont'd)

8. *the Waste Management Strategy dated August 2017 being implemented by the owners of the development, with any alternative waste management proposals that might impact on the design of the building being submitted for approval by the City prior to applying for a building permit;*
9. *details of on-site stormwater disposal/management being to the City's specifications and being submitted for approval by the City prior to applying for a building permit;*
10. *the proposed floor levels of the pedestrian entrances to the building being designed to match the current levels of the adjacent footpaths, to the City's satisfaction, with details being submitted for approval by the City prior to applying for a building permit;*
11. *any signage for the proposed uses being integrated into the design of the building and any signs which are not exempt from approval under the City's Signs Policy 4.6 requiring a separate application for approval;*
12. *in the event that the approved development has not been substantially commenced within six months of the demolition of the existing buildings on site, the site is to be landscaped or aesthetically screened at the owner's cost, with details being submitted and approved by the City prior to installation, in order to preserve the amenity of the area and to prevent dust and sand being blown from the site, with the site being maintained in a clean and tidy state to the City's satisfaction;*
13. *the works referred to in Condition 12, shall be secured by a bond/deed of agreement between the applicant and the City, to the value of the proposed works, with the cost of the deed to be borne by the applicant prior to the demolition of the existing buildings on site;*
14. *the proposed residential part of the development being designed and constructed in such a manner that existing and future noise levels occurring between dwellings, and from external noise sources and mechanical plant and equipment that could potentially affect future occupiers, can be successfully attenuated in accordance with the City Planning Scheme No. 2 - Residential Design Policy. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and be submitted for approval by the City prior to the submission of an application for the relevant building permit;*

*(Cont'd)*

**15. a construction management plan for the proposal being submitted for approval by the City prior to applying for a building permit, detailing how it is proposed to manage:**

**15.1 the delivery of materials and equipment to the site;**

**15.2 the storage of materials and equipment on the site;**

**15.3 the parking arrangements for the contractors and subcontractors;**

**15.4 the protection and retention of street trees and other City assets;**

**15.5 any dewatering of the site; and**

**15.6 other matters likely to impact on the surrounding properties.**

***The motion was put and carried***

The votes were recorded as follows:

**For:** Crs Adamos, Davidson & Hasluck

**Against:** Nil

**6.06pm** Cr Hasluck departed the meeting due to a direct financial interest in Item 8.3, as disclosed at Item 6.

**DEPUTATION: Item 8.3 – 66-84 (Lot 200) Railway Street, West Perth – Two Proposed Third Party Variable Content Wall Signs**

The Presiding Member approved a Deputation from Mr Algeri (CM – 322316/17).

**6.06pm** Mr Algeri commenced the deputation and provided an overview of the proposed application and requested the approval of the Planning Committee.

**6.12pm** The deputation concluded.

**6.17pm** The Chief Executive Officer and the Manager Governance departed the meeting.

**Item 8.3 66-84 (Lot 200) Railway Street, West Perth - Two Proposed Third Party Variable Content Wall Signs**

*Moved Cr Adamos, seconded Cr Davidson*

*That, in accordance with the provisions of the City Planning Scheme No. 2, the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for Local Planning Schemes and the Metropolitan Region Scheme, the Council **REFUSES** the application for two proposed third party variable content wall signs at 66-84 (Lot 200) Railway Street, West Perth as indicated on the Local Planning Scheme Form and Metropolitan Region Scheme Form One dated 18 July 2017 and as shown on the plans received on 24 July 2017 and 23 October 2017 for the following reasons:*

- 1. the proposed signs are considered to be contrary to the orderly and proper planning of the locality and will be inconsistent with conservation of the amenities of the locality given that:*
  - 1.1 the third party advertising content is contrary to clause 5.0 h) ‘General Principles’ of City Planning Scheme No. 2 Policy 4.6 Signs as it will potentially impact on the visual quality, amenity and safety within the area;*
  - 1.2 the signs are contrary to clause 5.0 j) ‘General Principles’ and clause 6.3 e) ‘Safety’ of City Planning Scheme No. 2 Policy 4.6 Signs as the signs are likely to cause a distraction to road users as they are intended to be viewed by passing motorists entering various intersections and freeway interchanges, creating potential traffic safety hazards; and*
  - 1.3 the signs are contrary to clause 6.6 c) i) A) ‘Sign Content’ and 6.8 c) i) ‘Variable Content’ of City Planning Scheme No. 2 Policy 4.6 Signs as they are not facing or in a public space as intended in the Policy and are not located within the Entertainment Area, the Retail Core Area, a Town Centre Area or The Terraces Area (as identified in Figure 2 of the Policy) where the viewing area is designed and intended for pedestrians to linger for an extended period of time and are oriented for viewing within the space and not from adjacent streets.*

*The motion was put and carried*

The votes were recorded as follows:

**For:** Crs Adamos and Davidson

**Against:** Nil

- 6.20pm** The Chief Executive Officer and the Manager Governance returned to the meeting.
- 6.21pm** Cr Hasluck returned to the meeting.
- DEPUTATION:** **Item 8.4 – 419 – 447 Wellington Street and Forrest Place (Lots 54, 976, 977 and 978) and Wellington Street, Perth – Alfresco Dining and including minor works to Forrest Place associated with the approved Forrest Chase/Place Redevelopment Works**
- The Presiding Member approved a Deputation from Mr Hays and Mr Lees (CM 324387/17).
- 6.22pm** Mr Lees commenced the deputation and provided a brief overview of the proposed development, Mr Hays also provided an overview of the proposal in support of the Officer recommendation.
- 6.25pm** The Manager Governance departed the meeting and did not return.
- 6.30pm** The deputation concluded.

**Item 8.4 419 – 447 Wellington Street and Forrest Place (Lots 54, 976, 977 and 978) and Wellington Street, Perth – Alfresco Dining and including minor works to Forrest Place associated with the approved Forrest Chase/Place Redevelopment Works**

*Moved Cr Davidson, seconded Cr Adamos*

*That*

- 1. in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme and the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed provisions for local planning schemes, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for Alfresco Dining and including minor works to Forrest Place associated with the approved Forrest Chase/Place Redevelopment Works at 419 – 447 Wellington Street and Forrest Place (Lots 54, 976, 977 and 978) and Wellington Street, Perth as indicated on the Metropolitan Region Scheme Form One dated 28 June 2017 and as shown on the plans received on 29 June 2017 and 1 September 2017 subject to:*

*(Cont'd)*

- 1.1 *prior to commencement of the construction of the alfresco development, the owner of Forrest Chase entering into an agreement with the City, that addresses the removal of the existing public seating and facilities identified as “existing” in the application, their ongoing storage, and relocation at the applicant’s cost to the City’s satisfaction;*
- 1.2 *final details of the design, external materials and finishes for the development, including a sample board demonstrating the use of high quality, robust materials, and specifically illustrating how the solid and louvred canopy roof and the glazed infill roof will be maintained and cleaned, noting its visibility from above, being submitted for approval by the City prior to applying for the relevant building permit;*
- 1.3 *all freestanding moveable alfresco dining furniture being removed from the site and stored securely at the close of business each day of the associated food and beverage tenancies;*
- 1.4 *the owner of Forrest Chase being responsible for the overall management and maintenance of the alfresco dining area including cleaning (with particular attention to the ground surface, furniture and roof), waste removal, general safety and security, management of the alfresco dining furniture (including removal and storage after hours), and maintenance of landscaping, to the City’s satisfaction with any related actions and services undertaken by the City on the owner’s behalf being at the cost of the owner. A Management Plan addressing, but not being limited to, the above matter being submitted to the City prior to applying for the relevant building permit;*
- 1.5 *a Waste Management Plan addressing the City’s requirements for waste collection, being submitted and approved by the City prior to applying for the relevant building permit;*
- 1.6 *a detailed landscaping and reticulation plan being submitted for approval by the City prior to the installation of the approved landscaping (refer to advice note 2.2);*
- 1.7 *no café style operable roller blinds being permitted to the canopy perimeter, with the alfresco dining area remaining unenclosed at all times;*

*(Cont’d)*

- 1.8** *all external signage for the naming or branding of the alfresco dining area, as indicated on the approved plans, being integrated with the design of the overall development with final details of the signs being submitted for approval by the City prior to installation;*
  - 1.9** *any signage or advertising for individual tenants that will be utilising the alfresco dining areas being restricted to the alfresco dining furniture in accordance with the City's Alfresco Dining Policy 2000 and not being erected or displayed on the proposed canopies;*
  - 1.10** *public access through the area shall be maintained at all times to the City's satisfaction;*
  - 1.11** *all stormwater being contained and controlled with final details being submitted for approval by the City prior to applying for a building permit;*
  - 1.12** *a construction management plan for the development being prepared in accordance with the City's 'Construction and Demolition Management Pro-Forma' and being submitted and approved prior to applying for the relevant building permit, with particular attention to how it is proposed to manage:*
    - a.** *delivery of materials and equipment to the site;*
    - b.** *storage of materials and equipment on the site;*
    - c.** *parking arrangements for contractors and subcontractors;*
    - d.** *impacts on the Forrest Place and Murray Street Mall activities and businesses; and*
    - e.** *other matters likely to impact on the surrounding properties.*
- 2.** *the applicant be advised that:*
- 2.1** *the owner of Forrest Chase is required to make the necessary arrangements to enter into leases with the Crown and the City where appropriate on the Crown Land Lots (being Reserves under Management Order) and obtaining permits where required for development in Wellington Street for the alfresco area, with confirmation that the leases have been finalised being submitted to the City prior to applying for the relevant building permit or prior to the commencement of any construction;*

*(Cont'd)*

- 2.2** *the works are required to comply with the requirements under the Forrest Place and City Station Development Act 1985 including obtaining approvals/agreements from all parties for any works or actions as required;*
- 2.3** *Landscaping: The landscaped areas are to be maintained by the owner of Forrest Chase to the satisfaction of the City. The existing tree is to remain and shall have a fenced Tree Protection Zone in accordance with AS 4970-2009. The applicant shall arrange for the City's Technical Officer – Arboriculture (9461 3234) to undertake an inspection and appraisal of the existing tree prior to the commencement of site and/or development works. Any change in levels by more than 50mm within the Tree Protection Zone of the London Plane tree, shall be carried out under the supervision of the City of Perth's Technical Officer – Arboriculture. For every metre outside of the tree protection zone, any change in level greater than 100mm will require prior approval from the City. Any damage done to the London Plane tree during the construction phase may incur a fine to the value of the amenity value of the tree which is an amount determined by the City's Technical Officer – Arboriculture using the Tree Amenity Value Method.*

*The motion was put and carried*

The votes were recorded as follows:

**For:** Crs Adamos, Davidson and Hasluck

**Against:** Nil

**DEPUTATION:** Item 8.5 – Initiation of Amendment No. 41 to City Planning Scheme No.2 to Introduce a Special Control Area Over 28 (Lot 51) and 32 (Lot 52) Troode Street and 196 (Lot 200) Colin Place, West Perth

The Presiding Member approved a Deputation from Mr Simpson, PTS Town Planning Pty Ltd (CM 322875/17).

**6.39pm** Mr Simpson commenced the deputation and provided a brief overview in support of the Officer recommendation.

**6.41pm** The deputation concluded.

**Item 8.5 Initiation of Amendment No. 41 to City Planning Scheme No.2 to Introduce a Special Control Area Over 28 (Lot 51) and 32 (Lot 52) Troode Street and 196 (Lot 200) Colin Place, West Perth**

*Moved Cr Davidson, seconded Cr Hasluck*

*That Council:*

- 1. pursuant to section 75 of the Planning and Development Act 2005 (the Act), RESOLVES to initiate Amendment No. 41 to the City Planning Scheme No. 2, as detailed in Attachment 8.5B – Proposed Scheme Amendment No. 41;*
- 2. pursuant to regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), RESOLVES that Amendment No. 41 to the City Planning Scheme No. 2 is a standard amendment pursuant to regulation 34 of the Regulations for the following reasons:*
  - 2.1 the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and*
  - 2.2 the amendment does not reflect in any significant environmental, social, economic or governance impacts on land in the scheme area.*
- 3. pursuant to section 81 of the Act, RESOLVES to refer Amendment No. 41 to the City Planning Scheme No. 2 to the Environmental Protection Authority; and*
- 4. pursuant to section 84 of the Act, RESOLVES to advertise Amendment No. 41 to the City Planning scheme No.2 for public inspection in accordance with regulation 47 of the Regulations.*

*The motion was put and carried*

The votes were recorded as follows:

**For:** Crs Adamos, Davidson and Hasluck

**Against:** Nil

**9. Motions of which previous notice has been given**

Nil

**10. General Business**

10.1 Responses to General Business from a Previous Meeting  
Nil

10.2 New General Business

**1. Haig Park Circle**

Cr Adamos requested whether Elected Members will receive an update regarding Haig Park Circle, or whether information will be distributed by way of Council Briefing. The Manager City Planning advised that the design guidelines are currently being drafted and will be presented to Council in the near future. The outcomes of two community workshops will also be reported back by way of Memorandum to Elected Members

**2. Urban Forrest Award**

The Director Planning and Development advised that the City won the Peer 2017 Award for Planning Excellence for the best planning idea for large projects. The National competition is to be held in April 2018.

**11. Items for consideration at a future meeting**

**Outstanding Reports:**

Nil

**12. Closure**

**6.50pm** The Presiding Member declared the meeting closed.