



City of Perth Local Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 2 July 2020; 9:00am
Meeting Number: PLDAP/110
Meeting Venue: Via Zoom

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

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Attendance

DAP Members

Mr Ray Haeren (Presiding Member)
Mr Jarrod Ross (Deputy Presiding Member)
Ms Diana Goldswain (Third Specialist Member)
Commissioner Andrew Hammond (Local Government Member, City of Perth)

Officers in attendance

Mr Dewald Gericke (City of Perth)
Mr Dimitri Fotev (City of Perth)
Mr Craig Smith (City of Perth)

Minute Secretary

Ms Megan Ventriss (DAP Secretariat)
Mr Phil Goodwin (DAP Secretariat)

Applicants and Submitters

Mr Scott Cameron (Finbar)
Mr Sin Chang (SS Chang Architects)
Mr Peter Simpson (PTS Town Planning)

Members of the Public / Media

There was 1 member of the public in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:00am on 2 July 2020 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017 which states '*A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.*', the meeting would not be recorded.

In response to the COVID-19 situation, this meeting was convened via electronic means. Members were reminded to announce their name and title prior to speaking.



2. Apologies

Commissioner Len Kosova (Local Government Member, City of Perth)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 8.1, received on 30 June 2020.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

7.1 Mr Scott Cameron (Finbar), Mr Peter Simpson (PTS Planning) and Mr Sin Chang (SS Chang Architects) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

7.2 The City of Perth officers addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 102 (240) Adelaide Tce, Perth

Development Description: Demolition of the existing lodging house and the construction of a 32-level mixed-use development containing 119 multiple dwellings, 142 car parking bays and two commercial tenancies

Applicant: Finbar Group Ltd
Owner: 240 Adelaide Terrace Pty Ltd
Responsible Authority: City of Perth
DAP File No: DAP/20/01773

REPORT RECOMMENDATION

Moved by: Mr Jarrod Ross

Seconded by: Commissioner Andrew Hammond

With the approval of the mover and seconder, the following amendments were made:



- i. That condition no. 12 be amended to read as follows:

the waste collection bay and access arrangements within the building being designed to accommodate the City's waste management trucks with a ~~swept path analysis certified by a suitably qualified engineer being submitted for approval by the City prior to applying for the relevant building permit and final engineer's certification confirming that the access and loading facilities have been constructed in accordance with the approved design being submitted to the City prior to occupation of the development;~~

- ii. That condition no. 13 be deleted and the remaining conditions be renumbered accordingly.

- iii. That condition no. 14 (now no. 13) be amended to read as follows:

*a ~~maximum of 138 residential~~ **142** car parking bays being provided on site, **inclusive of a maximum of 25 commercial tenant car bays**, for the exclusive use of residents **and commercial tenants** within the development and their guests and not being leased or otherwise reserved for the use of tenants or occupants of other buildings or sites and with all tandem bays being allocated to the same apartment/unit or remaining for communal use only;*

REASON: To provide greater flexibility to the applicant and consistent with recommendation from technical staff.

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

1. **Approve by absolute majority** DAP Application reference DAP/20/01773 and accompanying perspectives (Attachment 2) and development plans (Attachment 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City Planning Scheme No. 2 and the Metropolitan Region Scheme, subject to the following conditions:

Conditions

1. the proposed development being restricted to a maximum plot ratio of 4.67:1 (7,927m² plot ratio floor area) inclusive of 6.3% bonus plot ratio (427m² plot ratio floor area) for the provision of a right-of-carriageway easement over a portion of the site (public facility on private land) in accordance with Clause 28 of City Planning Scheme No. 2 and Bonus Plot Ratio Policy 4.5.1, and 10.5% (712.9m²) transfer plot ratio, transferred from 76 (Lot 5) Wittenoorn Street, East Perth, 938 (Lot 4) Hay Street, Perth and 474 (Lots 1-75) Murray Street, Perth, in accordance with Clauses 30 of City Planning Scheme No. 2 and Transfer of Plot Ratio Policy 4.5.2;
2. the owner submitting written confirmation to the City that the transaction in respect of transfer of plot ratio has been finalised between the relevant owners of the plot ratio to be transferred from 76 (Lot 5) Wittenoorn Street, East Perth, 938 (Lot 4) Hay Street, Perth and 474 (Lots 1-75) Murray Street, Perth, prior to applying for the relevant building permit;
3. the development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 15 June 2020, with particular attention to the interface of



- the development and ground floor setback area on Adelaide Terrace and with the adjacent right of carriageway, with final details of the design and a sample board of the materials, colours and finishes being submitted for approval by the City prior to applying for the relevant building permit;
4. the balconies being designed as predominately transparent, naturally ventilated spaces that are non-habitable and cannot be fully enclosed, with no window treatments or furnishings being permitted that could diminish the transparency of the balcony or obstruct views to and from the street;
 5. any proposed air-conditioning condensers, external building plant, lift overruns, piping, ducting, water tanks, transformers and fire control rooms being located or screened so that they cannot be viewed from any location external to the site and to minimise any visual and noise impact on the adjacent properties, including any such plant or services located within the vehicle entrances of the development and with fire boosters being integrated into the design of the building or landscaping, with details of the location and screening of such plant and services being submitted for approval by the City prior to applying for the relevant building permit;
 6. the land uses contained within the ground floor commercial tenancies of the development being limited to a café or restaurant ('Dining'), 'Retail (General)', and/or 'Office' with any other proposed uses which are not exempt from approval requiring a separate application for approval;
 7. the proposed development being designed and constructed in such a manner so that existing and possible future noise levels associated with:
 - a) inner city activities including commercial and entertainment uses and activities;
 - b) vehicle traffic;
 - c) noise between dwellings; and
 - d) noise generated from within the development including all mechanical services and plant infrastructure;that could potentially affect occupants of the development, can be successfully attenuated in accordance with the Environmental Protection (Noise) Regulations 1997, City Planning Scheme No. 2 - Residential Design Policy and. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and submitted for approval by the City, prior to applying for the relevant building permit;
 8. any signage for the development being integrated with the design of the building with details of any signage that is not exempt from approval under the City's Planning Policy 4.6 – Signs being subject to a separate application for approval;
 9. on-site stormwater disposal/management being to the City's specifications with details being submitted for approval by the City prior to applying for the relevant building permit;
 10. the proposed floor levels of the front entrances into the building and commercial tenancies being designed to match the current levels of the immediately adjacent footpath, to the City's satisfaction, with details being submitted for approval by the City prior to applying for the relevant building permit;



11. a final Waste Management Plan, identifying a permanent storage and wash down facility for bins for both recyclables and general waste and including a waste disposal/collection strategy, being submitted for approval by the City prior to applying for the relevant building permit;
12. the waste collection bay and access arrangements within the building being designed to accommodate the City's waste management trucks with a final engineer's certification confirming that the access and loading facilities have been constructed in accordance with the approved design being submitted to the City prior to occupation of the development;
13. 142 car parking bays being provided on site, inclusive of a maximum of 25 commercial tenant car bays, for the exclusive use of residents and commercial tenants within the development and their guests and not being leased or otherwise reserved for the use of tenants or occupants of other buildings or sites and with all tandem bays being allocated to the same apartment/unit or remaining for communal use only;
14. the dimensions of all car parking bays, vehicle entrance, aisle widths and circulation areas complying with the Australian Standard AS2890.1, with a certificate of compliance by an architect or engineer being submitted for approval by the City prior to applying for a building permit;
15. the podium car parking levels being designed to ensure all car parking is adequately screened from view from the street and surrounding properties with the final details being submitted for approval by the City prior to applying for the relevant building permit;
16. a right-of-carriageway easement in favour of all the current beneficiaries to the adjoining right-of-carriageway being granted over the proposed side setback area adjacent to the existing right-of-carriageway and being in place to the satisfaction of the City prior to the occupation of the development with all costs associated with the preparation of such an easement being borne by the owner;
17. the existing street tree located adjacent to Lot 102 Adelaide Terrace, being retained and protected from any damage that would impact on the viability of the tree throughout the demolition and development works with a tree protection zone being established and maintained during the demolition and construction periods in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the City;
18. a Demolition Management Plan and a Construction Management Plan for the proposed demolition and development being prepared according to the City's Construction and Demolition Management Plan Pro Forma and being submitted for approval by the City prior to applying for a demolition permit and a building permit;
19. 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 and/or aesthetically screened at the owner's cost to preserve the amenity of the area and to prevent unauthorised car parking and dust and sand being blown from the site. Details and cost estimates of the works shall be submitted for approval by the City and the works shall be secured by a bond or a deed of agreement between the owner and the City, to the value of the proposed works, with the cost of the deed to be borne by the owner prior to the demolition of



the existing buildings on site. The site shall be maintained in a clean and tidy state to the City's satisfaction on an ongoing basis until development of the site commences.

Advice Notes

1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the four (4) year period, the approval shall lapse and be of no further effect.
2. The final plans and details submitted to the City of Perth to satisfy the conditions of this approval will be verified by the City Architect and Statutory Planners. Any substantive changes to the approved plans will need to be made via a Form 2 process.

REASON: As per the amendments, the amended motion enables requirements to be fulfilled whilst providing necessary flexibility for the proponent in delivery. The amendments were in accordance with staff advice and there was comfort that the City's requirements were maintained.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

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

Nil

10. State Administrative Tribunal Applications and Supreme Court Appeals

Nil

11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 9:32am.