



Perth Local Development Assessment Panel Minutes

Meeting Date and Time: Monday, 20 December 2021; 10.00am
Meeting Number: PLDAP116
Meeting Venue: City of Perth
Committee Room 1,
Council House, 27 St Georges Terrace, Perth

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Attendance

DAP Members

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

Officers in attendance

Ms Julia Kingsbury (City of Perth)
Mr Dewald Gericke (City of Perth)
Mr Roberto Colalillo (City of Perth)
Ms Ashlee Buck, (City of Perth)
Mr Craig Smith (City of Perth)
Mr Shervin Family (City of Perth)
Mr William Schaefer (Western Australian Planning Commission)

Minute Secretary

Ms Sarah Hingston (City of Perth)

Applicants and Submitters

Mr Dan Lees (element)
Mr Douglas Rabach (Brookfield Properties)
Mr Kristjan Donaldson (Donaldson Boshard)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 10:05 on 20 December 2021 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 2020 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 2020 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.



2. Apologies

Cr Brent Fleeton (Local Government Member, City of Perth)
Cr Liam Gobbert (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

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1 Mr Douglas Rabach (Brookfield Properties) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Dan Lees (element) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Mr Kristjan Donaldson (Donaldson Boshard) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.4 The City of Perth officers addressed the DAP in relation to the application at Item 8.1a and responded to questions from the panel.
- 7.5 The Western Australian Planning Commission addressed the DAP in relation to the application at Item 8.1b and responded to questions from the panel.



8. Form 1 – Responsible Authority Reports – DAP Applications

8.1a Lot 58 (No.78) Mounts Bay Road, Perth

Development Description:	Nine (9) Storey Commercial Building
Applicant:	element
Owner:	The Perth Diocesan Trustees
Responsible Authority:	City of Perth
DAP File No:	DAP/21/02030

REPORT RECOMMENDATION

Moved by: Cr Catherine Lezer

Seconded by: Cr Viktor Ko

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

1. **Approve** DAP Application reference DAP/21/02030 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 subject to the following conditions:

Conditions

1. 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 17 November 2021, with particular attention to providing:
 - a) the ground level entry and circulation area adjacent to Mounts Bay Road with aesthetic treatments and finishes, providing a high-quality interface between the new development and the street;
 - b) aesthetic treatments and finishes to the exposed/visible portions of the eastern side boundary wall; and
 - c) appropriate screening of the waste 'staging' area located adjacent to the Mounts Bay Road frontage,with the final details of the design including a sample board of the proposed materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;
2. any proposed air-conditioning condensers, external building plant, lift overruns, piping, ducting, water tanks, transformers and fire control rooms being located or screened so that they cannot be viewed from any location external to the building and to minimise any visual and noise impact, including any such plant or services located within the service/loading area 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 a building permit;
3. a final landscape masterplan for the site including the role and function of all landscaping areas with final details including soil depths, plant species, irrigation and management, being submitted for approval by the City prior to applying for a building permit, with all site and landscaping works being completed prior to occupation of the office building and thereafter maintained to a high standard;



4. any signage for the development being integrated into the design of the building, with final details being submitted for approval by the City prior to installation, with any signage which is not exempt from approval under the City's Signs Policy 4.6 being subject to a separate application for approval;
5. a dilapidation survey of Bishop's House prepared by a suitably qualified professional being submitted to the City and Department of Planning, Lands and Heritage, prior to applying for a building permit;
6. a program of monitoring any structural movement and potential vibration impacts on Bishop's House being implemented by the applicant during construction, with the City and Department of Planning, Lands and Heritage being notified immediately if any impact occurs and advised on a recommended course of action by a suitably qualified structural engineer;
7. an archaeological watching brief prepared by a suitably qualified archaeologist being submitted to the City and Department of Planning, Lands and Heritage, prior to the commencement of any ground disturbance work, with the City and Department of Planning, Lands and Heritage being notified immediately if archaeological material or features are encountered and advised on a recommended course of action by the archaeologist, with any required remedial works being undertaken by the applicant/owner to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage;
8. any pruning to the on-site trees being required to be undertaken by a qualified tree surgeon with a minimum Certificate III in Arboriculture, with all works complying with Australian Standard 4373 Pruning of Amenity Trees, to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage;
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 a building permit;
10. 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; and
 - b) noise generated from within the development, including all mechanical services and plant infrastructure;that could potentially affect occupants of the development, can be successfully attenuated in accordance with the *Environmental Protection (Noise) Regulations 1997*. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and submitted to for approval by the City prior to applying for a building permit;
11. a final Waste Management Plan, being submitted for approval by the City prior to applying for a building permit;



12. the existing street trees located in the road verge on Mounts Bay Road being retained and protected from damage throughout any demolition and/or construction works with tree protection zones being established and maintained during the demolition and/or construction periods in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the City, with the owner/applicant being liable for any damage or removal of the trees;
13. all new or modified crossovers being located and constructed to the City's specification and satisfaction, including provision of compliant widths and sight lines, prior to occupation of the development, with all works external to the property boundaries of the site not being approved as part of this development and being subject to a separate application(s) for approval; and
14. demolition and/or construction management plans for the proposal prepared in accordance with the City's pro-forma and requirements being submitted for approval by the City prior to applying for a demolition permit and/or a building permit.

Advice

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 specified period, the approval shall lapse and be of no further effect.
2. The City advises that the final Waste Management Plan is required to address the following additional matters:-
 - a) waste generation calculations for Lamont's Bishop's House including maximum number of bins and proposed collection frequency;
 - b) details of the new bin storage area for Lamont's Bishop's House;
 - c) relocation of the Waste 'Staging' Area access gate westwards to reduce the distance from where the truck stops on Mounts Bay Road to where waste bins can be accessed to minimise manual handling and traffic obstruction; and
 - d) access and security arrangements for the Waste Staging Area noting the City's preference for PIN codes to reduce security risks.
3. The City advises that the existing street trees will not be permitted to be pruned, relocated or removed to accommodate demolition and/or construction works at the site, with the amenity value of nearby street trees to be included in any works bond associated with any building permit issued by the City.
4. With regards to the proposed works shown external to the site including the addition of a vehicle crossover and removal of car parking bays within the Spring Street road reserve, it is advised that approval of this development application should not be construed as support or approval for these works which are subject to separate applications and approval by the City.

The City advises that notwithstanding the dual 'Office' and 'Education 2' land uses approved for the building under the relevant planning framework, the applicant should consider the different building requirements for these uses as classified and prescribed under the Building Code of Australia.



The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: DAP members were satisfied the proposal was acceptable and conditions were appropriate as per the RAR.

8.1b Lot 58 (No.78) Mounts Bay Road, Perth

Development Description:	Nine (9) Storey Commercial Building
Applicant:	element
Owner:	The Perth Diocesan Trustees
Responsible Authority:	Western Australian Planning Commission
DAP File No:	DAP/21/02030

REPORT RECOMMENDATION

Moved by: Cr Viktor Ko

Seconded by: Cr Catherine Lezer

That the City of Perth Local Development Assessment Panel resolves to

Approve DAP Application reference DAP/21/02030 and accompanying plans date stamped 17 November 2021 by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission, in accordance with Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

Conditions

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 specified period, the approval shall lapse and be of no further effect.
2. The development is to be carried out in accordance with the plans date stamped 17 November 2021 (attached) subject to any modifications as required by the conditions of approval.
3. A dilapidation survey of Bishop's House itself, undertaken by a suitably qualified professional, shall be prepared prior to the commencement of any works to the specification of the Heritage Council and satisfaction of the Western Australian Planning Commission.
4. A program of monitoring any structural movement and potential vibration impacts on Bishop's House shall be implemented at the commencement of works. The Heritage Council is to be notified immediately if any impact occurs and advised on a recommended course of action by a suitably qualified structural engineer.
5. An archaeological watching brief by a suitably qualified archaeologist shall be implemented at the commencement of any ground disturbance work. The Heritage Council shall be notified immediately if archaeological material or features are encountered and advised on a recommended course of action by the archaeologist.
6. Pruning to the trees is to be undertaken by a qualified tree surgeon with a minimum Certificate III in Arboriculture and all works shall comply with Australian Standard 4373 Pruning of Amenity Trees.



The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: DAP members were satisfied the proposal was acceptable and conditions were appropriate as per the RAR.

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 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:52am.