



Perth Local Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 25 February 2021; 9:30am
Meeting Number: PLDAP/112
Meeting Venue: via electronic means

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)
Cr Brent Fleeton (Local Government Member, City of Perth)
Cr Viktor Ko (Local Government Member, City of Perth)

Officers in attendance

Item 8.1a

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

Item 8.1b

Mr Pasutadoll (Top) Seangsong (Western Australian Planning Commission)
Mr Ben Hesketh (Western Australian Planning Commission)

Minute Secretary

Ms Megan Ventris (DAP Secretariat)
Mr Chris Dodson (DAP Secretariat)
Ms Fenix Laffar-Mansell (DAP Secretariat)

Applicants and Submitters

Mr Dan Lees (element)
Mr Andrew Baranowski (Plan E Landscape Architects)
Mr Andrew Tang-Smith (Woods Bagot)
Mr David Ockenden (GDI)
Mr Angus Reynolds (GDI)
Ms Hazel Porter (Woods Bagot)

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 9:30am on 25 February 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.

This meeting was convened via electronic means. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Nil

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 the agenda was updated to include the late submission of the responsible authority report recommendation for Item 8.1a that was received on 18 February 2021.

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 8.1a, received on 23 February 2021.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil.

7. Deputations and Presentations

7.1 Mr David Ockenden (GDI) addressed the DAP in support of the recommendation for the application at Item 8.1a&b 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 8.1a&b.

7.3 Mr Andrew Tang-Smith (Woods Bagot) addressed the DAP in support of the recommendation for the application at Item 8.1a&b.



7.4 Mr Andrew Baranowski (Plan E Landscape Architects) addressed the DAP in support of the recommendation for the application at Item 8.1a&b and responded to questions from the panel.

7.5 City of Perth Officers addressed the DAP in relation to the application at Item 8.1a and responded to questions from the panel.

The presentation at Item 7.1- 7.5 was heard prior to the application at Item 8.1a.

7.6 Western Australian Planning Commission Officers addressed the DAP in relation to the application at Item 8.1b and responded to questions from the panel.

The presentation at Item 7.6 was heard prior to the application at Item 8.1b.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1a Lot 5 (197) St Georges Terrace, Perth

Development Description:	Development of a New Commercial Office Tower and Associated Upgrades to Public Spaces and Pedestrian Facilities
Applicant:	Element Advisory Pty Ltd
Owner:	The Trust Company Limited ATF GDI No 35 Perth Prime CBD Office Trust
Responsible Authority:	City of Perth
DAP File No:	DAP/20/01897

REPORT RECOMMENDATION

Moved by: Mr Jarrod Ross

Seconded by: Ms Diana Goldswain

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

1. **Approve** DAP Application reference DAP/20/01897 and accompanying plans 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 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 February 2021 and 17 February 2021, including final details of the treatments of the elevated pedestrian walkway, the interface of the public plaza with Mill Street and details of the vehicle entries up to and inclusive of the gates, with a sample board of the proposed materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;

Mr Ray Haeren
Presiding Member, Perth LDAP



2. the building facades being designed to mitigate potential high levels of glare or excessive solar reflection to the surrounding public realm and nearby properties to the satisfaction of the City, with final details of the façade design and a reflection assessment/report prepared by a suitably qualified consultant being submitted for approval by the City prior to applying for a building permit;
3. final details of the design, treatment of and access to the public spaces and pedestrian links, including provision of universal access, landscaping, furniture, art, lighting, security, maintenance and litter control, together with the proposed management and maintenance of these areas being submitted for approval by the City prior to applying for a building permit;
4. the public being granted permanent, unrestricted access through the forecourt/plaza areas of the three towers between 5.00am and 1.00am of the following day, including the elevated walkway and the pedestrian access link between the adjacent Forrest Centre (221 St Georges Terrace) and the subject site, but not including those areas required to be closed to the public in order to secure the building(s) on the site, for 364 days out of every year, with the written consent of the City being first obtained if it becomes necessary for public access to these areas to be restricted for more than one day per year;
5. the child care centre being available for use by the public to the City's satisfaction and not being limited to the exclusive use by tenants or occupants of the buildings on the site, with the facility being operational within three months of the occupation of the approved office tower development and thereafter maintained as a publicly available facility to the satisfaction of the City. In the event of the child care centre not continuing, any new proposed use being subject to a separate application for approval by the City and being limited to a public facility complying with the provisions of the City's Bonus Plot Ratio Policy (4.5.1) to the City's satisfaction;
6. a leasing strategy and management plan for the tenancing and on-going operation of the child care centre, demonstrating compliance with the above condition, being prepared in accordance with the provisions of Section 5.4 'Provision of Specific Facilities on Private Land' of the City's Bonus Plot Ratio Policy (4.5.1) and being submitted for approval by the City prior to the occupation of the approved development;
7. 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 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 a building permit;
8. final details of all landscaping areas including soil depths, plant species, use of substantial/mature plant stock where appropriate, irrigation and management, including modelling and refinement of the wintergarden public space microclimate, being submitted for approval by the City prior to its installation and thereafter maintained to a high standard;



9. the public open space and pedestrian walkways being completed to a high standard and in accordance with the approved plans to the City's satisfaction prior to occupation of the development;
10. a lighting plan for the development, including details of how the elevated pedestrian walkway will be illuminated to provide a safe and functional space at night, being submitted for approval by the City prior to applying for a building permit;
11. any signage for the development being integrated into the design of the building, 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;
12. 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;
13. the proposed floor levels of the pedestrian and vehicular entrances to the building and commercial tenancies at pedestrian level being designed to match the current levels of the immediately adjacent footpaths to the City's satisfaction, with details being submitted for approval by the City prior to applying for the relevant building permit;
14. the office tower wellness centre tenancy being for the exclusive use of tenants or occupants of the building and not being accessed by the general public, with any change to the use of this tenancy being subject to a separate application for approval by the City, with the tenancy maintaining a high level of visibility to and from the adjacent street environment with all windows/doors remaining transparent with any coating, screening, internal furnishings and signs not exceeding 25% of the window area;
15. the ground floor commercial tenancies being limited to 'Dining', 'Retail (General)', 'Retail (Local)' and 'Entertainment' (excluding nightclubs and taverns) uses;
16. if any commercial tenancy is proposed be used as a small bar ('Entertainment'), prior to the use coming into operation, the applicant shall submit for approval by the City, a detailed management plan for the venue outlining the control of noise, patron behaviour, queuing, hours of operation and waste management, with the approved management plan being implemented by the proprietor/manager of the small bar tenancy on an on-going basis;
17. the dimensions of all car parking bays, loading bays, the vehicle entrances, 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;
18. a maximum of 221 tenant car parking bays being provided on-site for the exclusive use of staff/guests/customers of the development and not being leased or otherwise reserved for the use of tenants or occupants of other buildings or sites;
19. the seven drop off bays fronting Mounts Bay Road being for the exclusive use of customers of the child care facility located within the office tower, with each vehicle being limited to remain in a bay for a maximum period of 15 minutes;



20. 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;
21. a final Waste Management Plan, being submitted for approval by the City prior to applying for a building permit;
22. a final Wind Impact Statement, including wind tunnel model measurements, being undertaken to quantify and compare the wind conditions against acceptable pedestrian wind comfort criteria and, if necessary, including mitigation strategies to achieve compliance with the criteria, with details being submitted by the applicant for approval by the City prior to applying for a building permit, with any significant design changes resulting from the amended wind impact analysis being the subject of a separate application for approval;
23. the existing street trees located in the road verge on Mounts Bay Road and Mill Street 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;
24. all redundant crossovers being removed and the verge and footpath/s being reinstated in accordance with the City's specifications and satisfaction and at the expense of the developer/landowner and all new proposed crossovers being located and constructed to the City's specification and satisfaction prior to occupation of the development, with any additional 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
25. demolition and 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 development is approved with a maximum plot ratio of 7.2:1 (62,827m² of plot ratio floor area) inclusive of 20% bonus plot ratio (10,471m² plot ratio floor area) for the provision of a public facilities (additional and enhanced public spaces and pedestrian access/links) and specific facilities on private land (childcare centre) in the development in accordance with Clause 28 of City Planning Scheme No. 2 and the requirements of the Bonus Plot Ratio Policy 4.5.1.
3. The City advises that the final Waste Management Plan is required to address the following additional matters:-
 - a) surfaces per premises type to confirm generation rates, number of bins and service frequency;
 - b) access arrangements for collectors of all waste types confirming the suitability of the entry gate, driveway and waste dock for the relevant waste vehicles; and
 - c) provision of bin wash facilities for all bin storage areas.
4. 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 the trees to be included in any works bond associated with any building permit issued by the City.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The panel were satisfied by the officer and applicant information and determined the application in line with officer recommendations.

8.1b Lot 5 (197) St Georges Terrace, Perth

Development Description:	Development of a New Commercial Office Tower and Associated Upgrades to Public Spaces and Pedestrian Facilities
Applicant:	Element Advisory Pty Ltd
Owner:	The Trust Company Limited ATF GDI No 35 Perth Prime CBD Office Trust
Responsible Authority:	City of Perth
DAP File No:	DAP/20/01897

REPORT RECOMMENDATION

Moved by: Mr Jarrod Ross

Seconded by: Ms Diana Goldswain

That the City of Perth Local Development Assessment Panel resolves to **approve** DAP Application reference DAP/20/01897 and accompanying plans date stamped 15 February 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 two (2) 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 generally in accordance with the plans date stamped 15 February 2021 (attached) subject to any modifications as required by the conditions of approval.

Advice Notes

1. The applicant is advised that approval to this development does not negate the need to obtain a demolition/building licence from the City of Perth prior to construction of works.

The Report Recommendation was put and **CARRIED UNANIMOUSLY.**

REASON: The panel were satisfied by the officer and applicant information and determined the application in line with officer recommendations

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 10:30am.