



Perth Local Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 22 July 2021; 10am
Meeting Number: PLDAP/115
Meeting Venue: City of Perth Committee Room 1,
Council House,
27 St Georges Terrace, Perth

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Attendance

DAP Members

Mr Clayton Higham (Presiding Member)
Mr Brian Curtis (A/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

Ms Jasmine Hancock (City of Perth)
Mr Dewald Gericke (City of Perth)
Mr Craig Smith (City of Perth)
Mr Shervin Family (City of Perth)
Mr Roberto Colalilo (City of Perth)

Minute Secretary

Ms Vanessa Phillips (City of Perth)

Applicants and Submitters

Mr Kris Nolan (Urbis)
Mr Tom Keen (Woolworths)
Mr Dominic Snellgrove (Cameron Chisholm Nicol)
Mr Jon Riley (Riley Consulting)
Mr Declan Creighan (Urbis)
Mr Keat Tan (Cameron Chisholm Nicol)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 10.02am on 22 July 2021 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

Due to the conflict of interest of the Presiding Member and the conflict of interest of the Deputy Presiding Member, Mr Clayton Higham has been appointed as Presiding Member for this meeting in accordance with regulation 27(3A) of the *Planning and Development (Development Assessment Panel) Regulations 2011*.

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*.

Mr Clayton Higham
Presiding Member, Perth LDAP



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

Mr Ray Haeren (Presiding Member)
Mr Jarrod Ross (Deputy Presiding Member)

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 21 and 22 July 2021.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

DAP Member, Mr Ray Haeren, declared a Pecuniary Interest in item 8.1. Urbis are the applicant of the proposed development. Mr Haeren is employed by and a partner of Urbis.

DAP Member, Mr Jarrod Ross, declared an Indirect Pecuniary Interest in item 8.1. Mr Ross is employed as a Principal with Taylor Burrell Barnett Town Planning & Design (TBB). TBB are engaged on behalf of the City of Perth with respect to their Local Planning Strategy review, and this work is proposed to be finalised in July 2021.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member, Mr Clayton Higham determined that the members listed above, who had disclosed a Direct and an Indirect Pecuniary Interest, were not permitted to participate in the discussion and voting on the item.



7. Deputations and Presentations

- 7.1 Mr Kris Nolan (Urbis) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel
- 7.2 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

8.1 707 Murray Street, West Perth

Development Description: Proposed 5 level Mixed Use Shopping Centre Development
Applicant: Fabcot Pty Ltd/ Urbis
Owner: State of Western Australia/Fabcot Pty Ltd
Responsible Authority: City of Perth
DAP File No: DAP/21/01979

REPORT RECOMMENDATION

Moved by: Cr Brent Fleeton

Seconded by: Ms Diana Goldswain

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

1. **Approve** DAP Application reference DAP/21/01979 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 to a level of detailing that is consistent with the elevations and perspectives received on 29 June 2021, with final details of the design and a sample board of the proposed materials, colours and finishes being submitted for approval by the City prior to applying for the relevant building permit;
2. all building plant being located internally or screened from all external views, including from above and within the vehicle entrances, with final details and the location and screening of such plant and services being submitted for approval by the City prior to applying for the relevant building permit;
3. all lights within the car parking or servicing areas being screened or obscured so as not to be visible from external to the site to the City's satisfaction with details being submitted for approval by the City prior to occupation of the building;



4. a final detailed landscaping and reticulation plan being submitted for approval by the City prior to applying for the relevant building permit, with the landscaping, including hard landscaping within the Thomas Street road reserve providing improved access to the pedestrian underpass, and being installed prior to occupation of development and thereafter maintained to a high standard to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage;
5. the commercial tenancies being restricted to shopping centre ('Retail-General'), liquor store, pharmacy and speciality retail shop ('Retail-General' and 'Retail-Local') restaurant/café ('Dining'), medical centre ('Healthcare 1'), childcare centre ('Education 1') and gymnasium ('Recreation and Leisure') uses with any other proposed uses or external alterations to the tenancies requiring separate application(s) to the City for approval;
6. the proposed floor levels of the vehicle and pedestrian access ways into the site being designed to match the existing or modified levels of the adjacent footpaths in Murray Street and Cook Street, to the City's satisfaction, with details being submitted for approval by the City prior to applying for the relevant building permit;
7. the dimensions of all car parking bays, loading bays, vehicle entrances, aisle widths and circulation areas complying with 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;
8. the 44 commercial tenant bays, 166 short stay public parking bays, 8 customer online order pick up bays and 5 universal access bays being provided on site not being leased or otherwise reserved for use of the tenants or occupants of other buildings or sites;
9. the 8 customer online pick up bays being subject to a maximum of 15 minutes parking stay and clearly signposted to display the purpose and time limitations of the bays;
10. a final Traffic Impact Assessment (refer to the relevant advice note) being submitted for approval by the City prior to applying for the relevant building permit;



11. a Parking Management Plan being submitted for approval by the City, in consultation with the Department of Transport, including but not limited to the following information, prior to the short stay public parking use coming into operation;
 - a) the total number and location of the approved commercial tenant bays, customer online order pickup bays, universal access bays and short stay public car parking bays;
 - b) child care drop off and parking arrangements to ensure safe and convenient access for patrons of the child care centre;
 - c) shared vehicle/bicycle markings and signage being provided at the Cook Street entrance ramp to ensure the safe passage of staff accessing the developments end of trip facilities;
 - d) access or control arrangements for public parking bays including any directional signage, signage on bays and entry restrictions when the bays are full;
 - e) enforcement measures that will be used to ensure vehicles park in the correct type of bay;
 - f) public parking pricing structures/time limits ensuring compliance with the definition of short-stay parking;
 - g) temporary measures for dealing with the limited queuing capacity of the access driveway from Murray Street; and
 - h) any other safety and security measures to protect individuals and their property when using the public car park;

with all management measures being implemented by the operator thereafter to the satisfaction of the City;

12. a Vehicular, Service and Delivery Access Plan, outlining the management and arrangements for on-site servicing of the building, being submitted for approval by the City prior to the occupation of the development with the plan being implemented by the proprietor/operator thereafter to the satisfaction of the City;
13. the existing street trees located in the road verges on Murray Street and Cook 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;
14. 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, excluding those approved within the Thomas Street road reserve, not being approved as part of this development and being subject to a separate application(s) for approval;

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15. 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(s) for approval;
16. 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;
17. a final Waste Management Plan, satisfying the City's waste servicing requirements, being submitted for approval by the City, prior to applying for the relevant building permit, with the Plan being implemented by the operators of the development on an ongoing basis;
18. a final Acoustic Report addressing the requirements outlined in the preliminary Acoustic Report prepared by Herring Storer Acoustics dated February 2021 regarding the noise amelioration construction specifications and other noise management measures (refer to relevant advice note), being implemented in full to the satisfaction of the City with final plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations and can achieve compliance with the relevant noise legislation, prior to applying for a building permit;
19. a Demolition Management Plan (for removal of existing structures and clearance of the site) and a Construction Management Plan prepared according to the City's guidelines being submitted for approval by the City prior to applying for the demolition permit and/or relevant building permit; and
20. in the event that the approved development has not been substantially commenced within six months of the demolition of the existing structures and clearance of the site, the site is to be landscaped and aesthetically screened and secured 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 structures and clearance of the 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

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 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.

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3. The conceptual landscaping works proposed within the road reserve on Murray Street and Cook Street are to be designed in consultation and to the specifications of the City and will be subject to a separate approval process.
4. The City advises that the final Transport Impact Assessment is required to address the following additional matters: -
 - a) updated traffic modelling based on the traffic flow/development scenarios of existing and with the development in five and ten years of opening and ten years of the development with the two-way conversion;
 - b) separate figures to be included for the PM peak existing traffic flows, forecast development trips, trip distribution and trip assignment patterns with all figures to show both inbound and outbound traffic flows separately;
 - c) a comprehensive Road Safety Audit looking at all aspects of the development and in particular the requirement to provide a give-way controlled high entry angle left turn auxiliary lane on Thomas Street into Murray Street, potential for queuing in Murry Street for vehicles accessing the site as well as any upgrades that may be required to the surrounding pedestrian crossing facilities, existing intersections and road infrastructure;
 - d) a swept path analysis (all movements) to be provided for the Murray Street and Cook Street access driveways as well as the service vehicle turn movements at the intersection of Thomas Street and Cook Street;
 - e) an operational analysis of the Cook Street access driveway to be undertaken and supported with a figure showing the PM peak inbound and outbound traffic flows; and
 - f) the assessment of all minimum sight lines for pedestrians and the ramp grades at the access driveways from Murray Street and Cook Street in accordance with Australian Standards 2890.1 Section 3.2.4.
5. With regards to the preliminary Acoustic Report, the City advises that the final Acoustic Report is required to address the following additional matters:-
 - a) assessment of all mechanical plant and equipment for the development demonstrating compliance with the Environmental Protection (Noise) Regulations 1997; and
 - b) confirmation of mitigation measures to be implemented in relation to the loading dock and servicing area.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The panel were of the view that the use is a welcome addition to this location in the City and satisfied the planning framework. It was considered that the design had responded well to the initial concerns raised by the design review panel, noting that while the development as proposed is short on landscaping the proposed treatment and ongoing maintenance of the Thomas Street road reserve until is required for road purposes is a positive.

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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 11.15am.

A handwritten signature in black ink, appearing to read 'Clayton Higham'.