



City of Perth

Planning Committee Minutes

21 September 017
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]
14/11/17

MINUTES

TUESDAY, 19 SEPTEMBER 2017

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, 25 July 2017.

Members in Attendance:

Cr McEvoy Presiding Member
Cr Adamos
Cr Yong

Officers:

Ms Barrenger Director Planning and Development
Ms Smith Manager Development Approvals
Mr Ridgwell Manager Governance
Mr Farley Manager City Planning
Mr Smith City Architect
Mr Fotev 3D Modeller
Ms Rutigliano Governance Administration Officer

Guests and Deputations:

Mr Circosta
Mr Lees TPG
Mr Stuart Rowe Group

Six members of the public.

1. Declaration of Opening

5.36pm The Presiding Member declared the meeting open.

2. Apologies and Members on Leave of Absence

Nil

3. Question Time for the Public

Nil

4. Confirmation of Minutes –22 August 2017

Moved Cr McEvoy, seconded Cr Adamos

That the minutes of the meeting of the Planning Committee held on 22 August 2017 be confirmed as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong

Against: Nil

5. Correspondence
Nil
6. Disclosures of Members' Interests
Nil
7. Matters for which the Meeting may be Closed
Nil
8. Reports

DEPUTATION: Item 8.1 – 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 With A Restaurant and Bar

The Presiding Member approved a Deputation from Mr Circosta (TRIM 236579/17).

5.37pm Mr Circosta commenced the deputation on behalf of the Council of Owners of a nearby apartment complex to 180 Bennett Street, East Perth.

5.40pm The deputation concluded.

Item 8.1 180 (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 With A Restaurant and Bar

Moved Cr Adamos, seconded Cr McEvoy

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 a ground floor restaurant and bar, 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:

(Cont'd)

1. *the proposed development being restricted to a maximum plot ratio of 3.6:1 (1,815m²) inclusive of 20% bonus plot ratio (or 297m² plot ratio floor area) for incorporating a new Special Residential use in accordance with clause 28(2)(c)(i) 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 35(1)(b) of City Planning Scheme No. 2;*
3. *the exterior of the hotel building being constructed from high quality and durable materials, colours and finishes with the final details of the design and a sample board of the materials being submitted for approval by the City prior to applying for a building permit;*
4. *any proposed external building plant, lift overruns, piping, ducting, water tanks, transformers, air condensers and fire booster cabinets being located so as to minimise any visual and noise impact on the adjacent developments and being screened from view, 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;*
5. *a final 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 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:-*
 - a. *Company name and relevant experience of management/operator;*
 - b. *Opening hours for guest check-ins and check-out including the method of reservations/bookings;*
 - c. *Security of the guests and their visitors;*

(Cont'd)

- d. Control of noise, patron behaviour and other disturbances, particularly in relation to the use of the bar facilities;*
- e. Cleaning and laundry services, where applicable; and*
- f. 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. the Waste Management Strategy dated August 2017 being implemented by the managers of the hotel, 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;*
- 8. details of on-site storm water disposal/management being to the City's specifications and being submitted for approval by the City prior to applying for a building permit;*
- 9. 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;*
- 10. any external signage for the hotel, including the restaurant and bar, 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 shall require a separate application for approval by the City;*
- 11. 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, to prevent unauthorised car parking 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;*
- 12. the works referred to in Condition 11, 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 owner, prior to the demolition of the existing building on site;*

(Cont'd)

13. *the design of the accommodation rooms within the development incorporating appropriate noise attenuation so that noise occurring between hotel rooms and from external noise sources and mechanical plant and equipment that could potentially affect future occupiers, can be successfully ameliorated. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and be submitted for approval by the City prior to applying for the relevant building permit; and*
14. *demolition and construction management plans for the proposal being prepared in accordance with the City's 'Construction and Demolition Management Plan Pro-Forma' and being submitted for approval by the City prior to applying for the relevant demolition or building permits.*

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong

Against: Nil

DEPUTATION: Item 8.2 – 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 Lees from TPG (TRIM 233897/17).

6.01pm Mr Lees commenced the deputation and provided an overview of the proposal and sought the support of the Planning Committee.

6.08pm The deputation concluded.

- Item 8.2 419 – 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**

OFFICER RECOMMENDATION

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:
 - 1.1 the owner of Forrest Chase entering into an agreement with the City, at the owner's cost, that addresses the cost and timing of the replacement or relocation of the City's existing public seating and facilities that are to be removed from the site as part of this development, prior to the commencement of any works on-site;
 - 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 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;
 - 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;

- 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.

Moved Cr McEvoy, seconded Cr Adamos

The Planning Committee agreed to defer consideration of the Item titled "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" to allow it to be considered at a future Council Briefing.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong

Against: Nil

Item 8.3 Unit 5/33 (Lot 2) Royal Street, East Perth - Proposed Change of Use From Clothing Store ('Retail') to Dog Day Care and Grooming Salon ('Unlisted Use') Including Alterations/Additions and Signage

Moved Cr McEvoy, seconded Cr Yong

That, in accordance with the provisions of the Local Planning Scheme No. 26, 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, the Council APPROVES BY AN ABSOLUTE MAJORITY, the application for the change of use from clothing store ('Retail') to dog day care and grooming salon ('Unlisted Use') including alterations/additions and signage at Unit 5/33 (Lot 2) Royal Street, East Perth as indicated on the Metropolitan Region Scheme Form One dated 18 July 2017 and as shown on the plans received on 24 July and 16 August 2017 subject to:

- 1. an acoustic report prepared by a qualified acoustic consultant detailing the noise attenuation measures to be undertaken for the development to preserve the amenity of the on-site residents and the locality being submitted for approval by the City prior to the submission of an occupancy permit, with all approved management measures being implemented by the operator thereafter to the satisfaction of the City;*
- 2. the hours of operation of the tenancy being limited to 7:30am to 6.00pm Monday to Friday and 8.00am to 12.00pm Saturday with no animals being kept on the premises overnight;*
- 3. a management plan addressing matters related to scheduling of bookings, dog drop-off and pick up arrangements, control of odours and complaint procedures being submitted for approval by the City prior to the submission of an occupancy permit, with all management measures being implemented by the operator thereafter to the satisfaction of the City;*
- 4. a maximum of 14 dogs (10 day care/four grooming) being permitted on site at any one time;*
- 5. the waste management measures outlined in the associated waste management document submitted by the applicant on 9 August 2017 being implemented by the operator/s on an ongoing basis to the satisfaction of the City; and*

6. *the tenancy facades maintaining a high level of visual permeability at all times to the satisfaction of the City.*

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong

Against: Nil

DEPUTATION: Item 8.4 – Initiation of Amendment No. 38 to City Planning Scheme No.2 to Introduce a Special Control Area over 560 Hay Street and 101 Murray Street, Perth

The Presiding Member approved a Deputation from Mr Stuart from Rowe Group (TRIM 232947/17).

6.38pm Mr Stuart commenced the deputation and provided an overview of the proposal and sought the support of the Planning Committee.

6.42pm The deputation concluded.

Item 8.4 Initiation of Amendment No. 38 to City Planning Scheme No.2 to Introduce a Special Control Area over 560 Hay Street and 101 Murray Street, Perth

Moved Cr McEvoy, seconded Cr Yong

That Council:

- 1. pursuant to section 75 of the Planning and Development Act 2005 (the Act), resolves to initiate Amendment No. 38 to the City Planning Scheme No. 2, as detailed in Attachment 8.4B – Proposed Scheme Amendment No. 38;*
- 2. pursuant to regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), resolves that Amendment No. 38 to the City Planning Scheme No. 2 is a standard amendment pursuant to regulation 34 of the Regulations for the following reasons:*

(Cont'd)

- 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 result 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. 38 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. 38 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 McEvoy, Adamos and Yong

Against: Nil

Item 8.5 Initiation of Amendment No. 39 to City Planning Scheme No.2 to Introduce a Special Control Area Over 553 and 565-579a Hay Street, 38a St Georges Terrace and 28 Barrack Street, Perth

Moved Cr McEvoy, seconded Cr Yong

That Council:

- 1. pursuant to section 75 of the Planning and Development Act 2005 (the Act), resolved to initiate Amendment No. 39 to the City Planning Scheme No. 2, as detailed in Attachment 8.5B – Proposed Scheme Amendment No. 39;*
- 2. pursuant to regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), resolves that Amendment No. 39 to the City Planning Scheme No. 2 is a standard amendment pursuant to regulation 34 of the Regulations for the following reasons:*

(Cont'd)

- 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. 39 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. 39 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 McEvoy, Adamos and Yong

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
Nil
- 11. Items for consideration at a future meeting**
Outstanding Reports:
Nil
- 12. Closure**
6.46pm The Presiding Member declared the meeting closed.

