



City of Perth

**Planning Committee
Minutes**

**22 August 2017
5.30pm**

**Committee Room 1
Level 9
Council House**

APPROVED FOR RELEASE

**MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER**



City of Perth

**Planning Committee
Minutes**

**22 August 2017
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

[Handwritten signature]

DATE: *19/9/17*

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 Landers Acting Director Community and Commercial Services
Ms Smith Manager Development Approvals
Mr Ridgwell Manager Governance
Mr Watts Manager Transport
Mr Farley Manager City Planning
Mr Smith City Architect
Mr Close Place Development Officer
Ms Best Governance and Risk Officer

Guests and Deputations:

Sandy Anghie Historic Heath of Perth Inc
Adrian Fini Historic Heart of Perth Inc
Sean Morrison Urbis
Phil Griffiths Griffiths Architects

11 members of the public.
One member of the press.

Observers:

Deputy Lord Mayor (departed the meeting at 5.45pm)
Cr Harley (departed the meeting at 5.45pm)

1. Declaration of Opening

5.30pm 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 –25 July 2017

Moved Cr Adamos, seconded Cr Yong

That the minutes of the meeting of the Planning Committee held on 25 July 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

Meeting Note: The Planning Committee agreed that the order of business detailed in the agenda be amended so that Item 8.3, for which the Presiding Member approved a deputation for can be considered as the first item of business, specifically:

1. Item 8.3 – Historic Heart Inc. Initiative – Application for the Installation of Temporary Decorated Benches and Planter Boxes;
2. Item 8.1 – 108 (Lots 58, 59, 60, F9 And F10) St Georges Terrace, Perth – Request for minor plot ratio bonus to change the use of a portion of the office lobby to a café dining area;
3. Item 8.2 – Advocacy for Extended CAT Bus Operations;
4. Item 8.4 – Proposed Entry of 317 – 323 Wellington Street Perth, in the City Planning Scheme No.2 Heritage List; and
5. Item 8.5 – Initiation of Proposed Amendments to Local Planning Scheme No. 26 – Area 21 Constitution Hill North Design Guidelines.

DEPUTATION: Item 8.3 – Historic Heart Inc. Initiative – Application for the Installation of Temporary Decorated Benches and Planter Boxes

The Presiding Member approved a Deputation from Sandy Anghie and Adrian Fini (TRIM 161111/17).

5.35pm Ms Anghie and Mr Fini commenced the deputation and provided an overview of the objectives of the Historic Heart Project and the proposed Historic Heart of Perth Inc's initiatives and concerns surrounding the proposed Officer recommendations indicated in Item 8.3.

5.45pm The deputation concluded.

Item 8.3 Historic Heart Inc. Initiative – Application for the Installation of Temporary Decorated Benches and Planter Boxes**OFFICER RECOMMENDATION**

That Council:

1. APPROVES the application from the Historic Heart Initiative for the installation of temporary decorated benches and planter boxes within existing licenced alfresco dining areas in Hay Street, Murray Street and Pier Street east of Barrack Street, Perth as shown on Attachment 8.3A subject to:
 - 1.1 Historic Heart Initiative, through the execution of a Deed of Indemnity to the City's satisfaction, indemnifying and releasing the City against all liability in the event of any claim made as a result of any damage or alleged damage caused by or associated with the installation of the temporary planter boxes and benches;
 - 1.2 the proposed planter boxes and benches being a minimum of 600mm from the street kerb with final details of the locations of the planter boxes and benches being submitted to the City for approval to ensure they do not impede pedestrian movement and street cleaning equipment, or access to any premises, fire-fighting equipment and services or to any service pits within the road reserve;
 - 1.3 the planter boxes and benches are removed on receiving written notification from the City in relation to any substantiated complaints or for any construction works approved through the City's Obstruction Permit system;

- 1.4 the planter boxes and benches being kept free of graffiti and any maintenance issues being addressed by Historic Heart Initiative and at their cost within 5 business days from the incident report date;
 - 1.5 a maintenance regime for the planter boxes and benches being submitted to and approved by the City prior to their installation, including details of plant replacement, watering schedules, rubbish removal and cleaning;
 - 1.6 the planter boxes within the alfresco dining areas must comply with the original licence conditions;
 - 1.7 if the original dimensions of the alfresco dining area are changed new plans showing all changes to the area must be submitted to the City for approval;
 - 1.8 if the planter boxes and benches are to be placed within a proposed new alfresco dining area, an application by the owner of the food premises for an alfresco dining licence must be submitted to and be approved by the City in accordance with the City's Alfresco Dining Local Law and Policy prior to the installation of any planter boxes and benches;
2. AGREES to the concept of Historic Heart Initiative installing murals on the side and rear walls of buildings located in Hay, Murray and Pier Streets, east of Barrack Street, Perth and advises Historic Heart that development approval must first be obtained from the City prior to the installation of any murals, noting that any application will be required to provide further details regarding the final locations, curation and proposed artwork for the murals, heritage impacts where applicable and proposals for their on-going maintenance or removal;
 3. in accordance with Clause 82 of the Planning and Development (Local Planning Schemes) Regulations 2015 - Deemed provisions for local planning schemes, APPROVES BY AN ABSOLUTE MAJORITY to delegate to the Chief Executive Officer the power to approve the application(s) for the murals referred to in 2 above;
 4. NOTES the proposed roll out of City of Perth street furniture in Hay, Murray and Pier Street from October 2017.

MOTION TO AMEND:

Moved Cr Adamos, seconded by Cr Yong

That the Planning Committee agrees to amend the Officer Recommendation point 1 to include the additional words as follows:

1. ***APPROVES the application from the Historic Heart Initiative for the installation of temporary decorated benches and planter boxes within existing licenced alfresco dining areas and all public realm locations in Hay Street, Murray Street and Pier Street east of Barrack Street, Perth as shown on Attachment 8.3A subject to:***

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong

Against: Nil

PRIMARY MOTION AS AMENDED WAS put

Moved Cr McEvoy, seconded by Cr Yong

That Council:

1. ***APPROVES the application from the Historic Heart Initiative for the installation of temporary decorated benches and planter boxes within existing licenced alfresco dining areas and all public realm locations in Hay Street, Murray Street and Pier Street east of Barrack Street, Perth as shown on Attachment 8.3A subject to:***

- 1.1 ***Historic Heart Initiative, through the execution of a Deed of Indemnity to the City's satisfaction, indemnifying and releasing the City against all liability in the event of any claim made as a result of any damage or alleged damage caused by or associated with the installation of the temporary planter boxes and benches;***

(Cont'd)

- 1.2 the proposed planter boxes and benches being a minimum of 600mm from the street kerb with final details of the locations of the planter boxes and benches being submitted to the City for approval to ensure they do not impede pedestrian movement and street cleaning equipment, or access to any premises, fire-fighting equipment and services or to any service pits within the road reserve;***
- 1.3 the planter boxes and benches are removed on receiving written notification from the City in relation to any substantiated complaints or for any construction works approved through the City's Obstruction Permit system;***
- 1.4 the planter boxes and benches being kept free of graffiti and any maintenance issues being addressed by Historic Heart Initiative and at their cost within 5 business days from the incident report date;***
- 1.5 a maintenance regime for the planter boxes and benches being submitted to and approved by the City prior to their installation, including details of plant replacement, watering schedules, rubbish removal and cleaning;***
- 1.6 the planter boxes within the alfresco dining areas must comply with the original licence conditions;***
- 1.7 if the original dimensions of the alfresco dining area are changed new plans showing all changes to the area must be submitted to the City for approval;***
- 1.8 if the planter boxes and benches are to be placed within a proposed new alfresco dining area, an application by the owner of the food premises for an alfresco dining licence must be submitted to and be approved by the City in accordance with the City's Alfresco Dining Local Law and Policy prior to the installation of any planter boxes and benches;***

(Cont'd)

2. ***AGREES to the concept of Historic Heart Initiative installing murals on the side and rear walls of buildings located in Hay, Murray and Pier Streets, east of Barrack Street, Perth and advises Historic Heart that development approval must first be obtained from the City prior to the installation of any murals, noting that any application will be required to provide further details regarding the final locations, curation and proposed artwork for the murals, heritage impacts where applicable and proposals for their on-going maintenance or removal;***
3. ***in accordance with Clause 82 of the Planning and Development (Local Planning Schemes) Regulations 2015 - Deemed provisions for local planning schemes, APPROVES BY AN ABSOLUTE MAJORITY to delegate to the Chief Executive Officer the power to approve the application(s) for the murals referred to in 2 above;***
4. ***NOTES the proposed roll out of City of Perth street furniture in Hay, Murray and Pier Street from October 2017.***

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong

Against: Nil

Reason: The Planning Committee agreed it appropriate to amend the Officer recommendation to further clarify the Committees intent to approve the whole public realm vicinity as detailed in Attachment 8.3A.

5.45pm The Deputy Lord Mayor and Cr Harley departed the meeting and did not return.

**Item 8.1 108 (Lots 58, 59, 60, F9 And F10) St Georges Terrace, Perth
– Request for minor plot ratio bonus to change the use of a
portion of the office lobby to a café dining area**

Moved Cr Adamos, seconded by Cr Yong

That in accordance with Clause 28(6) of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for a minor plot ratio bonus to change the use of a portion of the existing office lobby to café dining area at 108 (Lots 58, 59, 60, F9 & F10) St Georges Terrace, Perth as indicated on the Metropolitan Region Scheme Form One dated 22 May 2017 and as shown on the plans received on 23 May 2017 subject to a maximum bonus plot ratio of 0.4% or 97m² of plot ratio floor area being granted for the site in accordance with the Bonus Plot Ratio Policy 4.5.1.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong

Against: Nil

Item 8.2 Advocacy for Extended CAT Bus Operations

Moved Cr Adamos, seconded by Cr Yong

That the City of Perth formally request the Department of Transport to implement the 'CAT priority actions' as set out in the Central Area Transport Plan (Draft January 2017).

The motion was put and carried

The votes were recorded as follows:

For: Crs Adamos and Yong

Against: Cr McEvoy

DEPUTATION: Item 8.4 – Proposed Entry of 317 – 323 Wellington Street Perth, in the City Planning Scheme No. 2 Heritage List

The Presiding Member approved a Deputation from Mr Sean Morrison and Mr Phil Griffiths (TRIM 205295/17).

5.59pm Mr Morrison commenced the deputation and provided an overview of the proposed application. Mr Morrison and Mr Griffiths sought the approval of the Planning Committee.

6.04pm The deputation concluded.

Item 8.4 Proposed Entry of 317 – 323 Wellington Street Perth, in the City Planning Scheme No.2 Heritage List

Moved Cr McEvoy, seconded by Cr Yong

That Council, in accordance with Part 3 Clause 8 of the Planning and Development (Local Planning Scheme) Regulations 2015:

- 1. NOTES no submissions were received in response to the request for comments to the land owners and occupiers to include 317 – 323 Wellington Street, Perth in the City Planning Scheme No. 2 Heritage List;*
- 2. ADOPTS the assessment at Attachment 8.4A and enters 317 – 323 Wellington Street Perth, in the City Planning Scheme No. 2 Heritage List; and*
- 3. gives NOTICE of (2) above to the Heritage Council of Western Australia and the owner and occupier of the place.*

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 Proposed Amendments to Local Planning Scheme No. 26 – Area 21 Constitution Hill North Design Guidelines

Moved Cr Yong, seconded by Cr Adamos

That Council in accordance with Clause 5 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 resolves to advertise for public comment for a minimum of 21 days an amendment to the Local Planning Scheme No. 26 – Constitution Hill North Design Guidelines (Area 21) as detailed in Attachments 8.5A to 8.5C by:

- 1. placing a notice in a local newspaper;*
- 2. notifying relevant stakeholders in writing; and*
- 3. placing a notice and information on the City's website.*

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

1. Noise Study

Cr Adamos queried the current status of the Noise Study. The Director Planning and Development advised that a meeting was held with State Government to take responsibility over this process. The Manager City Planning advised that the City has recently completed a noise evaluation policy and workshop on noise acoustics in Perth.

2. Regulation of Air BnB Accommodation

Cr Yong queried the existing regulations around Air BnB accommodation in the city. The Manager Development Approvals provided advice around the legalities of the accommodation in the City of Perth for short stay and permanent residential forms, with there being potentially a large number of unlawful apartments in the city, however the City can only play a reactive role in managing complaints regarding this unlawful accommodation.

11. Items for consideration at a future meeting**Outstanding Reports:**

Nil

12. Closure

6.20pm The Presiding Member declared the meeting closed.