



Perth Local Development Assessment Panel Minutes

Meeting Date and Time: Monday, 3 April 2023; 9:30am
Meeting Number: PLDAP/124
Meeting Venue: City of Perth
Committee Room 1, Council House,
27 St Georges Terrace, Perth

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Mr Jarrod Ross
A/Presiding Member, Perth LDAP



Attendance

DAP Members

Mr Jarrod Ross (A/Presiding Member)
Ms Lee O'Donohue (A/Deputy Presiding Member)
Mr John Syme (A/Third Specialist Member)
Cr Catherine Lezer (Local Government Member, City of Perth)
Cr Liam Gobbert (Local Government Member, City of Perth)

Officers in attendance

Ms Julia Kingsbury (City of Perth)
Ms Jasmine Hancock (City of Perth)
Mr Craig Smith (City of Perth)
Mr Roberto Colalillo (City of Perth)
Mr Dimitri Fotev (City of Perth)
Mr Thomas Pecheur (City of Perth)

Minute Secretary

Ms Anne-Marie Bartlett (City of Perth)

Applicants and Submitters

Mr David Gulland (Hassell)
Mr Peter Simpson (PTS Town Planning)
Mr Todd Thatcher (St Georges Anglican Grammar School)
Ms Tina Campbell (St Georges Anglican Grammar School)
Mr Jared Robertson (Tomahawk Property)
Mr Tom Carmody (Tomahawk Property)

Members of the Public / Media

There were 5 members of the public in attendance.

Ms Nadia Budihardjo from Business News and Ms Victoria Rifici from Perth Now were in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The A/Presiding Member declared the meeting open at 9:30am on 3 April 2023 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The A/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 Jarrod Ross
A/Presiding Member, Perth LDAP



1.1 Announcements by Presiding Member

The A/Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The A/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 Paul Kotsoglo (A/Deputy Presiding Member)
Ms Diana Goldswain (Third Specialist Member)
Cr Viktor Ko (Local Government Member, City of Perth)

3. Members on Leave of Absence

DAP Member, Ms Diana Goldswain has been granted leave of absence by the Director General for the period of 30 March 2023 to 21 April 2023 inclusive.

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 David Gulland (Hassell) 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 Peter Simpson (PTS Town Planning) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

7.3 The City of Perth addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

Mr Jarrod Ross
A/Presiding Member, Perth LDAP



8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 441 (Lots 50 and 123) Murray Street, Perth

Development Description: Additions and alterations to an existing office building for the adaptive reuse as a secondary college ('Education 2') and school head offices ('Office')

Applicant: PTS Town Planning Pty Ltd
Owner: The Anglican Schools Commission Inc.
Responsible Authority: City of Perth
DAP File No: DAP/22/02374

REPORT RECOMMENDATION

Moved by: Cr Catherine Lezer

Seconded by: Cr Liam Gobbert

With the agreement of the mover and seconder, the following changes were made:

- (i) That Condition No. 2 be deleted, the remaining conditions be renumbered accordingly and inserted as an Advice Note, to read as follows:

The design modifications in response to the recommendation of the City's Design Review Panel, including the changes to the ground floor staff and student forecourt; the internal glazed classroom walls; the netting to the roof terrace; and the provision of power in the basement for future electric scooter charging is to be documented in working drawings for a future building permit(s).

REASON: The panel did not consider there to be sufficient need and nexus between the proposed changes to the plans and development proposed. Whilst it is accepted that each are highly beneficial to the functionality and sustainability of the development, and the applicant has volunteered these measures as a component of the development proposal, their absolute requirement via a condition was not considered appropriate, and an advice note for their annotation as a component of working drawings is considered a better approach.

- (ii) That Condition No. 3 and Condition No. 12 be deleted, and the remaining conditions be renumbered accordingly.

REASON: The panel did not consider there to be sufficient need for:

- a) Condition 3, on the basis that ESD initiatives were provided voluntarily by the proponent, and as such the City's determination of the ESD report would be of limited relevance;
- b) Condition 12, on the basis that the arrangement for drop off and pickup would occur within the existing street and subject to the parking restrictions enforced by the City.

Mr Jarrod Ross
A/Presiding Member, Perth LDAP



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

1. **Approve** DAP Application reference DAP/22/02374 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:

Condition:

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 3 March 2023, with particularly attention to the longevity of colour and materiality of the external 'red ribbon' stair on the front elevation and the finish of the eastern and western elevations, with final details of the design and a sample board of the materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;
2. any proposed building plant and services including air-conditioning condensers, lift overruns, piping, ducting, water tanks, transformers, fire boosters and fire control rooms being located or screened so that they cannot be viewed from any location external to the building (including from above) and to minimise any visual and noise impact. This includes any such plant or services located within the vehicle entrance of the development, 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 landscaping and reticulation plan, including details of structures/fixtures that provide shade and privacy to the level 2 terrace and landscaping to the student forecourt and vehicle entrance, with details being submitted for approval by the City prior to applying for a building permit. The approved landscaping is to be installed prior to occupation of development and thereafter maintained to a high standard to the City's satisfaction;
4. a final noise impact and management report that meets the City's noise impact and management report guidance note and addresses the recommendations outlined in the preliminary Acoustic Report prepared by Marshall Day Acoustics dated 12 October 2022 regarding the noise amelioration construction specifications and other noise management measures, being submitted to the City prior to applying for a building permit, with final construction plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations and can achieve compliance with the relevant noise legislation to the satisfaction of the City prior to the commencement of construction;
5. all signage for the development being integrated with the design of the building with details of any signage that is not exempt from approval under the City's Signs Policy 4.6, being subject to a separate application for approval;
6. the dimensions of all car parking bays, vehicle entrance and aisle widths and circulation areas complying with the Australian Standard AS2890.1;

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A/Presiding Member, Perth LDAP



7. final details of the vehicle entrance, including retention of the existing speed bump and introduction of to ensure the safety of pedestrians using the adjacent footpath, being submitted to the City for approval prior to applying for a building permit;
8. a maximum of nine (9) commercial tenant car parking bays and one (1) universal access bay being provided on site for the exclusive use of staff and visitors to the school and not being leased or otherwise reserved for use of the tenants, occupants or visitors of other buildings or sites;
9. a minimum of fifteen (15) bicycle parking bays being provided on site for the use of staff, visitors and students of the school;
10. 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;
11. the approved Waste Management Plan prepared by Talis Consultants dated 7 February 2023 being implemented by the owner/proprietor on an ongoing basis to the satisfaction of the City;
12. the proposed floor levels of the pedestrian and vehicle entrances to the building being designed to match the current levels of the immediately adjacent footpath, to the satisfaction of the City;
13. any works external to the property boundaries of the site, including the light projections onto the adjacent property at 451 Murray Street, not being approved as part of this development and being subject to a separate application(s) for approval;
14. the existing street trees located in the adjacent Murray Street road reserve 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; and
15. a Staging Plan for the proposed development, which sets out the conditions of approval to be cleared at each stage of the proposed works, being submitted to the City for approval prior to applying for a building permit; and
16. 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 Notes

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 Alliance Manager of Development Approvals. Any substantive changes to the approved plans will need to be made via a Form 2 process.
3. The design modifications in response to the recommendation of the City's Design Review Panel, including the changes to the ground floor staff and student forecourt; the internal glazed classroom walls; the netting to the roof terrace; and the provision of power in the basement for future electric scooter charging is to be documented in working drawings for a future building permit(s).

AMENDING MOTION

Moved by: Mr Jarrod Ross

Seconded by: Mr John Syme

- (i) That Condition No. 4 is deleted, the remaining conditions are renumbered accordingly and a new Advice Note No. 4, is added to read as follows:

The applicant is advised that the City is aware that the building includes existing plant and service equipment that will be retained and therefore acknowledges that any existing plant and service equipment will not be compliant with the condition requiring screening.

- (ii) That Condition No. 5 be amended to read as follows:

*a final landscaping and reticulation plan **for each stage**, including details of structures/fixtures that provide shade and privacy to the level 2 terrace and landscaping to the student forecourt and vehicle entrance, with details being submitted for approval by the City prior to applying for a building permit. The approved landscaping is to be installed prior to occupation of development and thereafter maintained to a high standard to the City's satisfaction;*

Mr Jarrod Ross
A/Presiding Member, Perth LDAP



- (iii) That Condition No. 6 be amended to read as follows:

*a final noise impact and management report **for each stage** that meets the City's noise impact and management report guidance note and addresses the recommendations outlined in the preliminary Acoustic Report prepared by Marshall Day Acoustics dated 12 October 2022 regarding the noise amelioration construction specifications and other noise management measures, being submitted to the City prior to applying for a building permit, with final construction plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations and can achieve compliance with the relevant noise legislation to the satisfaction of the City prior to the commencement of construction;*

- (iv) That Condition No. 10 be amended to read as follows:

*~~A maximum of nine (9) commercial~~ **The tenant car parking bays and one (1) universal access bay being are provided on site for the exclusive use of staff and visitors to the school of the building and not being leased or otherwise reserved for use of the tenants, occupants or visitors of other buildings or sites;***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The panel considered that:

- a) Condition 4 was better expressed as an advice note, as the screening of the existing plant and service equipment is not feasible;
- b) Condition 5 and 6 are appropriate to be required as part of each stage of development rather than being required as a component of Stage 1 alone;
- c) Condition 10 required revision given the maximum parking applicable to the development is 18 bays, and the applicant is proposing only 9 bays.

REPORT RECOMMENDATION (AS AMENDED)

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

1. **Approve** DAP Application reference DAP/22/02374 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:

Condition:

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 3 March 2023, with particularly attention to the longevity of colour and materiality of the external 'red ribbon' stair on the front elevation and the finish of the eastern and western elevations, with final details of the design and a sample board of the materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;

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2. a final landscaping and reticulation plan for each stage, including details of structures/fixtures that provide shade and privacy to the level 2 terrace and landscaping to the student forecourt and vehicle entrance, with details being submitted for approval by the City prior to applying for a building permit. The approved landscaping is to be installed prior to occupation of development and thereafter maintained to a high standard to the City's satisfaction;
3. a final noise impact and management report for each stage that meets the City's noise impact and management report guidance note and addresses the recommendations outlined in the preliminary Acoustic Report prepared by Marshall Day Acoustics dated 12 October 2022 regarding the noise amelioration construction specifications and other noise management measures, being submitted to the City prior to applying for a building permit, with final construction plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations and can achieve compliance with the relevant noise legislation to the satisfaction of the City prior to the commencement of construction;
4. all signage for the development being integrated with the design of the building with details of any signage that is not exempt from approval under the City's Signs Policy 4.6, being subject to a separate application for approval;
5. the dimensions of all car parking bays, vehicle entrance and aisle widths and circulation areas complying with the Australian Standard AS2890.1;
6. final details of the vehicle entrance, including retention of the existing speed bump and introduction of a sensor activated illuminated sign to ensure the safety of pedestrians using the adjacent footpath, being submitted to the City for approval prior to applying for a building permit;
7. the tenant car parking bays are for the exclusive use of staff and visitors of the building and not leased or otherwise reserved for use of the tenants, occupants or visitors of other buildings or sites;
8. a minimum of fifteen (15) bicycle parking bays being provided on site for the use of staff, visitors and students of the school;
9. a Transport and Traffic Management Plan, confirming the arrangement for school drop offs and pick ups and bus parking, being submitted to the City for approval prior to applying for a building permit;
10. 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;
11. the approved Waste Management Plan prepared by Talis Consultants dated 7 February 2023 being implemented by the owner/proprietor on an ongoing basis to the satisfaction of the City;

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12. the proposed floor levels of the pedestrian and vehicle entrances to the building being designed to match the current levels of the immediately adjacent footpath, to the satisfaction of the City;
13. any works external to the property boundaries of the site, including the light projections onto the adjacent property at 451 Murray Street, not being approved as part of this development and being subject to a separate application(s) for approval;
14. the existing street trees located in the adjacent Murray Street road reserve 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; and
15. a Staging Plan for the proposed development, which sets out the conditions of approval to be cleared at each stage of the proposed works, being submitted to the City for approval prior to applying for a building permit; and
16. 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 Notes

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 Alliance Manager of Development Approvals. Any substantive changes to the approved plans will need to be made via a Form 2 process.
3. The design modifications in response to the recommendation of the City's Design Review Panel, including the changes to the ground floor staff and student forecourt; the internal glazed classroom walls; the netting to the roof terrace; and the provision of power in the basement for future electric scooter charging is to be documented in working drawings for a future building permit(s).
4. The applicant is advised that the City is aware that the building includes existing plant and service equipment that will be retained and therefore acknowledges that any existing plant and service equipment will not be compliant with the condition requiring screening.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

Mr Jarrod Ross
A/Presiding Member, Perth LDAP



REASON: The panel considered the development was predominantly consistent with the applicable planning framework and was suitable for approval.

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 A/Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the A/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 A/Presiding Member declared the meeting closed at 10:41am.

Mr Jarrod Ross
A/Presiding Member, Perth LDAP