



## Perth Local Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 29 June 2023; 10.30am  
**Meeting Number:** PLDAP/125  
**Meeting Venue:** Council House, 27 St Georges Terrace, Perth

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Mr Jarrod Ross  
A/Presiding Member, Perth LDAP



## Attendance

### DAP Members

Jarrold Ross (A/Presiding Member)  
Brian Curtis (A/Deputy Presiding Member)  
Diana Goldswain (Third Specialist Member)  
Cr Liam Gobbert (Local Government Member, City of Perth)  
Cr Brent Fleeton (Local Government Member, City of Perth)

### Officers in attendance

Roberto Colalillo (City of Perth)  
Julia Kingsbury (City of Perth)  
Craig Smith (City of Perth)  
Dimitri Fotev (City of Perth)

### Minute Secretary

Anne-Marie Bartlett (City of Perth)

### Applicants and Submitters

Matthew Cain (Planning Solutions)  
Jozef Ewing (Planning Solutions)  
Colin Conn (Box Architecture)  
Akki Singh (SKS Group)

### Members of the Public / Media

There were 3 members of the public, and 2 members of the media in attendance.

#### 1. Opening of Meeting, Welcome and Acknowledgement

The A/Presiding Member declared the meeting open at 10:31am on 29 June 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*.

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## 1.1 Announcements by A/Presiding Member

The 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 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

Ray Haeren (Presiding Member)  
Cr Catherine Lezer (Local Government Member, City of Perth)  
Cr Viktor Ko (Local Government Member, City of Perth)

## 3. Members on Leave of Absence

DAP Member, Catherine Lezer has been granted leave of absence by the Director General for the period of 22 May 2023 to 6 July 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

Cr Liam Gobbert, Local Government Member, declared an impartiality interest in item 8.1. Matthew Cain is presenting on behalf of Planning Solutions & is known to Cr Gobbert through their past university studies.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the A/Presiding Member determined that the member listed above, who had disclosed a impartiality interest, was permitted to participate in the discussion and voting on the item.

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## 7. Deputations and Presentations

- 7.1 Colin Conn (Box Architecture) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Matthew Cain (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Julia Kingsbury (City of Perth) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.
- 7.4 Craig Smith (City of Perth) 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

### 8.1 581-583 (Lots 6 and 36) Murray Street, West Perth

Development Description:	Proposed 21 Level Mixed Use Development Comprising 117 Multiple Dwellings, 84 Serviced Apartments, One Commercial Tenancy And 136 Car Parking Bays
Applicant:	Matthew Cain
Owner:	SKS Claremont Pty Ltd
Responsible Authority:	City of Perth
DAP File No:	DAP/23/02444

### REPORT RECOMMENDATION

**Moved by:** Cr Liam Gobbert

**Seconded by:** Diana Goldswain

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

- (i) That a new Condition 24 be added, to read as follows:

***Pursuant to Clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under Clause 24 (1) of the Metropolitan Region Scheme.***

**REASON:** To provide clarity that this approval also constitutes an approval under the Metropolitan Region Scheme.

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

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1. **Approve** that the DAP Application reference DAP/23/02444 and accompanying 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 of Perth Planning Scheme No.2 subject to the following conditions:

### Conditions

1. any subsequent change of use of the 'Special Residential' (Serviced Apartment) portion of the development being prohibited within 10 years from the date of lawful occupation of those portions of the development pursuant to Clause 35 of City Planning Scheme No. 2;
2. a section 70A notification under the Transfer of Land Act 1893 prepared to the City's satisfaction at the cost of the subject owner/s, being placed on the title(s) of the development prior to occupation of the 'Special Residential' (Serviced Apartment) use and prior to any transfer of ownership, advising prospective purchasers of:-
  - a) the presence of serviced apartments for short term accommodation throughout the building and the resulting impact that may have on the amenity of long term residential/occupants by way of noise, security and other activity; and
  - b) the approved 'Special Residential' (Serviced Apartment) portion of the approved development being prohibited from any subsequent change of use within 10 years from the lawful occupation of those portions of the development;
3. 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 7 June 2023, with final details of the design including a sample board of the proposed materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;
4. the approved boundary walls and footings being constructed wholly within the subject lot, with the external surface of the walls being finished to complement the approved development. Final details to be submitted for approval by the City prior to applying for a building permit;
5. 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

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- services being submitted for approval by the City prior to applying for a building permit;
6. the podium car parking levels being designed to ensure all car parking is screened from view from the street and surrounding properties with the final details being submitted for approval by the City prior to applying for a building permit;
  7. a final landscaping and reticulation plan, 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;
  8. a Serviced Apartments/Short Stay Management Plan addressing the operation of the short stay accommodation in accordance with the provisions of the City's Special Residential (Serviced and Short Term Accommodation) Policy 3.9 being submitted for approval by the City prior to the occupancy of the accommodation with the management plan being implemented by the proprietor/manager on an on-going basis and to the satisfaction of the City;
  9. the ground floor commercial tenancy being limited to 'Business Services', 'Dining', and 'Retail (Local)' uses, with any other uses requiring a separate application for approval;
  10. a final Acoustic Report addressing the requirements outlined in the preliminary Acoustic Report prepared by Lloyd George Acoustics dated February 2023 regarding the noise amelioration construction specifications and other noise management measures and requirements of State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning, 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;
  11. the approved Waste Management Plan prepared by Talis Consultants dated 22 May 2023, being implemented by the building manager/operator on an ongoing basis to the satisfaction of the City;
  12. the dimensions of all car parking bays, 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;
  13. a minimum of one car bay being allocated to each multiple dwelling within the development and with all on-site residential car bays being for the exclusive use of the residents of the development and their visitors;

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14. a maximum of 9 commercial tenant car parking bays being provided on site, being for the exclusive use of occupants of the serviced apartments and commercial tenancy within the development and not being leased or otherwise reserved for the use of the tenants or occupants of other buildings or sites to the satisfaction of the City,
15. 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;
16. all redundant crossovers being removed and the verge and footpaths 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 (with the exception of awnings) 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;
17. 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;
18. any signage for the development required to be integrated into the design of the building in accordance with the City's Signs Policy 4.6 and subject to a separate application for approval where required;
19. the existing street trees located in the road verge on Murray Street and Harvest Terrace 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;
20. in the event of the development not proceeding within six months of the demolition of the existing building/s on the site, the site is to be aesthetically fenced and landscaped to the satisfaction of the City in order to preserve the amenity of the area, prevent unauthorised car parking and minimise dust and sand being blown from the site and shall be maintained in a clean and tidy state;
21. the works referred to in the above condition, being secured by a bond and deed of agreement between the landowner/applicant and the City, to the value of the proposed works as determined by the City, with the cost of the deed to be borne by the applicant and the bond/deed being finalised to City's satisfaction prior to any demolition works being undertaken;

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22. the subject lots being amalgamated into one lot on one Certificate of Title prior to the occupation of any of the buildings within the development; and
23. a demolition and construction management plan 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 or building permit.
24. Pursuant to Clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under Clause 24 (1) of the Metropolitan Region Scheme.

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

*The panel members were satisfied that the development proposal was consistent with the statutory and policy framework for the locality, and consistent the vision for the West Perth precinct. As a result, the application was supported and approved subject to the conditions as amended.*

**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 11:23am.

**Mr Jarrod Ross**  
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