



City of Perth

**Planning Committee
Minutes**

**4 April 2017
5.30pm**

**Committee Room 1
Level 9
Council House**

APPROVED FOR RELEASE

**MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER**



City of Perth

Planning Committee
Minutes

4 April 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

M. Elroy

DATE: -----

30/5/17

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, 4 April 2017.

Members in Attendance:

Cr McEvoy - Presiding Member
Cr Green - Deputy Member (entered the meeting at 5.30pm)
Cr Yong

Officers:

Mr Mileham - Chief Executive Officer
Ms Battista - Acting Director Economic Development and Activation
Mr Ridgwell - Manager Governance
Ms Smith - Manager Development Approvals
Mr Farley - Manager City Planning
Ms Best - Governance and Risk Officer

Guests and Deputations:

Mr Farrell
Mr Foley
Mr Horner
Mr Aguilera
Ms Dunbar - Planning Solutions
Mrs Sampson

Fifteen members of public.

1. Declaration of Opening

5.29pm The Presiding Member declared the meeting open.

2. Apologies and Members on Leave of Absence

Cr Adamos (Apology)

5.30pm Cr Green entered the meeting.

3. Question Time for the Public

Questions received from Leonie Walker (TRIM 67612/17) in relation to Item 8.2 on the Agenda - 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining And Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'

Question:	What of the lack of any buffer areas between the proposed business and the surrounding residential complexes to the right, left and front of the proposed development and how can the placement of a microbrewery/tavern in the middle of medium to high density living complexes be justified when there is an abundance of other buildings in the East Perth area that are empty and up for lease and/ or development?
Response:	<p>This area within East Perth was traditionally an area dominated by commercial land uses that has become more of a mixed-use precinct following the redevelopment of this and surrounding areas. The Statement of Intent for the Boans Precinct indicates that its close proximity to the Claisebrook Train Station provides a strong opportunity to continue the mixed land use function of the locality while also encouraging medium density residential development. The proposed use of the site is contemplated under the Local Planning Scheme No. 26 provisions and given the intent for this to be a mixed use area there is no requirement for there to be any land use buffer between residential and non-residential uses.</p> <p>The proposal to establish a micro-brewery at this site is a commercial decision by the owner of the property and can be justified by the planning framework that applies to any use or development of the site. While residential uses are preferred in this locality, the site can be considered for a range of light industrial, retail, commercial, dining and entertainment uses.</p>

4. Confirmation of Minutes – 7 March 2017

Moved by Cr Yong, seconded by Cr McEvoy

That the minutes of the meeting of the Planning Committee held on 7 March 2017 be confirmed as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Green and Yong

Against: Nil

5. Correspondence

Nil

6. Disclosures of Members' Interests

Nil

7. Matters for which the Meeting may be Closed

The Chief Executive Officer advised that in accordance with Section 5.23(2) of the *Local Government Act 1995*, should an Elected Member wish to discuss the content of the confidential attachment/s listed below, it is recommended that Council resolve to close the meeting to the public prior to discussion of the following:

Schedule No.	Item No. and Title	Reason
Confidential Attachment 8.2B	Item 8.2 – 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining And Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'	s 5.23(2)(e)(ii)
Confidential Attachments 8.4B & 8.4C	Item 8.4 – Barrack Street Improvement Model – Integrated Private Realm Investment with Streetscape Works – Annual Update	s 5.23(2)(e)(ii)
Confidential Attachment 8.5B	Item 8.5 – Barrack Street Improvement Model – Connor Quinlan Estate Update	s 5.23(2)(e)(ii)

8. Reports**DEPUTATION: Item 8.1 – Councillor Motion – Publishing of Development Applications Online**

The Presiding Member approved a Deputation from Mr Farrell (TRIM 67312/17).

5.32pm Mr Farrell commenced the deputation and provided overview of his support for the proposed motion and requested the Planning Committee approve the motion.

5.33pm The deputation concluded.

Item 8.1 Councillor Motion – Publishing of Development Applications Online

Moved by Cr Green, seconded by Cr McEvoy

That the City of Perth publishes on its website all development applications that are requiring community consultation, including details and plans of the application and consultation and including capability to submit responses online, by no later than 1 May 2017.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Green and Yong

Against: Nil

DEPUTATION: **Item 8.2 – 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining and Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'**

The Presiding Member approved a Deputation from Mr Foley (TRIM 64940/17).

5.40pm Mr Foley commenced the deputation and provided an overview of his concerns with the proposed application and the impact on the vicinity as a resident and requested the Planning Committee refuse the proposal.

5.48pm The deputation concluded.

DEPUTATION: **Item 8.2 – 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining and Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'**

The Presiding Member approved a Deputation from Mr Horner (TRIM 65260/17).

5.48pm Mr Horner commenced the deputation and provided an overview of his concerns to the proposed application and requested the Planning Committee refuse the proposal.

5.56pm The deputation concluded.

DEPUTATION: **Item 8.2 – 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining and Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'**

The Presiding Member approved a Deputation from Mr Aguilera (TRIM 66110/17).

5.56pm Mr Aguilera commenced the deputation and provided an overview of his concerns to the proposed application and requested the Planning Committee refuse the proposal.

5.59pm The deputation concluded.

DEPUTATION: Item 8.2 – 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining and Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'

The Presiding Member approved a Deputation from Ms Dunbar of Planning Solutions (TRIM 66543/17).

5.59pm Ms Dunbar and Ms Sampson (Applicant) commenced the deputation and provided an overview the proposed development application and requested the Planning Committee approve the proposal.

6.08pm The deputation concluded.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

Moved By Cr Green, seconded by Cr McEvoy

The Planning Committee, in accordance with Section 5.23(2)(e)(ii) of the Local Government Act 1995, resolved to close the meeting to the public to consider Confidential Attachment 8.2B.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Green and Yong

Against: Nil

6.34pm The meeting was close to the public.

Item 8.2 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining And Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'

The Planning Committee agreed to amend the Officer Recommendation as follows:

That, in accordance with the provisions of the Local Planning Scheme No. 26, the City Planning Scheme No. 2, the Planning and Development (Local Planning Schemes) Regulations 2015 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY, the application for the proposed microbrewery ('Light-Industry') and tavern ('Dining and Entertainment'), shopfront alterations and the display of signage for 'Bright Tank Brewing Co.' at 98-100 Brown Street, East Perth as detailed on the Metropolitan Region Scheme Form One dated 1 December 2016 and as shown on the plans received on 15 December 2016, 13 January 2017 and 15 March 2017 subject to:

PRIMARY MOTION AS AMENDED was put

Moved by Cr McEvoy, seconded by Cr Yong

That, in accordance with the provisions of the Local Planning Scheme No. 26, the City Planning Scheme No. 2, the Planning and Development (Local Planning Schemes) Regulations 2015 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY, the application for the proposed microbrewery ('Light-Industry') and tavern ('Dining and Entertainment'), shopfront alterations and the display of signage for 'Bright Tank Brewing Co.' at 98-100 Brown Street, East Perth as detailed on the Metropolitan Region Scheme Form One dated 1 December 2016 and as shown on the plans received on 15 December 2016, 13 January 2017 and 15 March 2017 subject to:

- 1. 'the opening hours of the tavern use being limited to Wednesday 4.00pm to 10.00pm, Thursday 12.00pm (midday) to 10.00pm, Friday and Saturday 12.00pm (midday) to 12am (midnight) and Sunday 10.00am to 10.00pm with any variation to these hours being submitted for approval by the City;***
- 2. any proposed external building plant or services including air condensers, piping, ducting, flues/vents being located to minimise any visual, noise and odour impacts on the adjacent developments and being screened from view of the street, with details of the location and screening of such plant and services being submitted for approval by the City prior to the submission of an application for a building permit;***

(Cont'd)

3. *the Waste Management Strategy dated 3 March 2017 prepared by Encycle Consulting being implemented by the proprietor/manager and being expanded to include restrictions on the disposal of bottles and glass, external to the premises, between the hours of 9.00am and 10.00pm Monday to Sunday, with a final waste management plan being submitted for approval by the City prior to applying for a building permit;*
4. *a management plan for the tavern, detailing the control of noise, patron behaviour, hours of operation, queuing, smoking arrangements, and the procedure for addressing complaints, being submitted to the City for approval prior to the tavern use coming into operation, with the management plan being implemented by the proprietor / manager of the premises on an on-going basis;*
5. *the recommendations contained in the Acoustic Assessment Report Reference 21298-2-16281 dated 19 January 2017 by Herring Storer Acoustics, including noise control measures to the four rotary ventilators, being implemented in full prior to the commencement of the approved use and on an ongoing basis, with Noise Management Plans being submitted for approval by the City prior to applying for a building permit; and*
6. *the music levels being limited to ambient or background music levels where normal conversations can occur.*

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Green and Yong

Against: Nil

Reason: The Planning Committee agreed to amend the Officer recommendation for administrative purposes and to provide further clarity to Council.

MOTION TO OPEN THE MEETING TO THE PUBLIC

Moved By Cr Green, seconded by Cr McEvoy

That the Planning Committee resolves to re-open the meeting to the public.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Green and Yong

Against: Nil

6.37pm The meeting was re-opened to the public and 20 members of the public returning.

The Chief Executive Officer advised the public gallery of the decisions made on Item 8.2 as detailed above.

Item 8.3 Proposed Amendments to the City Planning Scheme No. 2 – Local Planning Policies, Registers and Precinct Plans to Accord with the Planning and Development (Local Planning Scheme) Regulations

Moved by Cr McEvoy, seconded by Cr Yong

That Council pursuant to clause 5(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 adopts the proposed minor modifications to the City Planning Scheme No. 2 – Local Planning Policies, Registers and Precinct Plans as detailed in Attachments 8.3A and 8.3B.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Green and Yong

Against: Nil

Item 8.4 Barrack Street Improvement Model – Integrated Private Realm Investment with Streetscape Works – Annual Update

Moved by Cr McEvoy, seconded by Cr Green

That Council:

- 1. notes that over 55% of the dilapidation issues identified in the 2014 dilapidation audit of Barrack Street have been addressed in the first two years of the three year Improvement Program by a combination of implemented works, planning approvals to undertake works, and City Heritage or Business Grants;*
- 2. notes that the targeted sites and measures identified in the Improvement Snapshot included in Confidential Attachment 8.4C have been actioned and / or achieved, with grants totalling \$334,498 generating \$4,161,824 of private investment across 19 sites; and*
- 3. notes that the Implementation Staging Strategy is moving from Stage 2 to Stage 3 with remaining dilapidation works in Barrack Street to be addressed by compliance.*

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Green and Yong

Against: Nil

Item 8.5 Barrack Street Improvement Model – Connor Quinlan Estate Update

Moved by Cr Yong, seconded by Cr Green

That Council:

- 1. amends the 21 July 2015 resolution, awarding a heritage grant of \$61,250 for painting the six buildings facades forming the ‘Connor Quinlan Estate’, at 618 Hay Street, 612-616 Hay Street and 69-99 Barrack Street, by removing the grant funding pre-requisite requiring the owner to fund the removal of visible air conditioners and electricals;*
- 2. pursuant to Council’s endorsed Improvement Model Implementation Staging Strategy, notes that if works on the Connor Quinlan Estate do not proceed in the 17/18 financial year, a report will be prepared for Council to address any non-compliant elements of the Connor Quinlan Estate buildings under Building Act 2011, Local Government Act 1995, Planning and Development Act 2005 or Health Act 1911 (as appropriate); and*
- 3. encourages the owner of the Connor Quinlan Estate to undertake a canopy upgrade to all buildings concurrently with painting the facades, to minimise scaffolding and construction disruption to the Barrack Street businesses and maximise the aesthetic benefits to the Barrack Street Conservation Area;*

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Green and Yong

Against: Nil

9. Motions of which previous notice has been given
Nil

10. General Business

8.1 Responses to General Business from a Previous Meeting
Nil

8.2 New General Business
Nil

11. Items for consideration at a future meeting

Outstanding Items:
Nil

12. Closure

6.53pm The Presiding Member declared the meeting closed.