



Perth Local Development Assessment Panel Minutes

Meeting Date and Time: Monday, 23 January 2023; 9:30am
Meeting Number: PLDAP/122
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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A/Presiding Member, Perth LDAP

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Attendance

DAP Members

Mr Jarrod Ross (A/Presiding Member)
Mr Paul Kotsoglo (A/Deputy Presiding Member)
Ms Diana Goldswain (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)
Mr Craig Smith (City of Perth)
Ms Ashlee Buck (City of Perth)
Mr Fabian Jas (City of Perth)
Mr Ben Hesketh (Western Australian Planning Commission)
Mr Pasutasoll Seangsong (Western Australian Planning Commission)

Minute Secretary

Mr Stephen Haimés (DAP Secretariat)

Applicants and Submitters

Mr Daniel Lees (Element Advisory Pty Ltd)
Mr David Ockenden (GDI)
Ms Hazel Porter (Woods Bagot)

Members of the Public / Media

There was 1 member of the public in attendance.

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

1. Opening of Meeting, Welcome and Acknowledgement

The A/Presiding Member declared the meeting open at 9:32am on 23 January 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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A/Presiding Member, Perth LDAP

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1.1 Announcements by Presiding Member

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.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

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

3. Members on Leave of Absence

Nil.

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 Daniel Lees (element) 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 David Ockenden (GDI) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

7.3 Ms Hazel Porter (Woods Bagot) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

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

7.5 The Western Australian Planning Commission 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

8.1a Lot 5 (No. 197) St Georges Terrace, Perth

Development Description: Proposed 21 Level Office Development
Applicant: Element Advisory Pty Ltd
Owner: The Trust Company Limited ATF GDI No35 Perth
Prime CBD Office Trust
Responsible Authority: City of Perth
DAP File No: DAP/22/02322

REPORT RECOMMENDATION

Moved by: Cr Liam Gobbert

Seconded by: Mr Paul Kotsoglo

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

1. **Approve** DAP Application reference DAP/22/02322 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 Planning Scheme No. 2 subject to the following conditions:

Conditions

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 31 October 2022 and 15 December 2022, with particular attention to demonstrating the provision of a high quality interface with the adjacent public realm, 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;
2. the design and dimensions of the raised planter boxes along the Mill Street frontage being revised to ensure a minimum height clearance of 2.75 metres from the existing footpath level is achieved, with final details being submitted for approval by the City prior to applying for a building permit;
3. any proposed air-conditioning condensers, external building plant, lift overruns, piping, ducting, water tanks, transformers 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 impacts, including any such plant or services located within the vehicle entrances of the development and with fire boosters being integrated into the design of the building or landscaping, 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;
4. final details of all landscaped areas, including soil depths, irrigation, plant species and management, being submitted for approval by the City prior to applying for a building permit, with the approved landscaping being installed prior to occupation of the development and thereafter maintained to a high standard, to the City's satisfaction;


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5. any signage for the development being integrated into the design of the building, with any signage which is not exempt from approval under the City's Signs Policy 4.6 being subject to a separate application for approval;
6. 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;
7. the proposed floor levels of the pedestrian and vehicular entrances to the building and commercial tenancies at pedestrian level being designed to match the current levels of the immediately adjacent footpaths to the City's satisfaction, with details being submitted for approval by the City prior to applying for the relevant building permit;
8. the dimensions of any new and/or modified car parking bays, loading 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;
9. a maximum of 219 tenant car parking bays, including a maximum of 42 tenant parking bays as part of this development, being provided on-site for the exclusive use of staff/guests/customers of the development and not being leased or otherwise reserved for the use of tenants or occupants of other buildings or sites;
10. a Parking Management Plan being submitted for approval by the City, in consultation with the Department of Transport, including but not limited to the following information, prior to the car parking area coming into operation;
 - a) the total number and location of the approved commercial tenant bays, universal access bays, motorcycle/scooter bays and loading bays;
 - b) safety and security measures to minimise conflicts between vehicles entering/exiting the site and pedestrians/cyclists within the adjacent Mill Street and Mounts Bay Road footpath and carriageway;with all management measures being implemented by the operator thereafter to the satisfaction of the City;
11. the approved Waste Management Plan prepared by Encycle Consulting dated 7 December 2022, being implemented by the building manager/operator on an ongoing basis to the satisfaction of the City;
12. a final Traffic Impact Assessment being submitted for approval by the City prior to applying for a building permit, with any recommended management measures being implemented at the cost of the applicant/developer, to the satisfaction of the City;
13. the existing street trees located in the road verge on Mounts Bay Road and Mill Street 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;

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14. all redundant crossovers being removed and the verge and footpath/s being reinstated in accordance with the City's specifications and satisfaction and at the expense of the developer/landowner, with any additional works 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; and
15. 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

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 City advises that the final Traffic Impact Assessment is required to address the following additional matters:-
 - a) ACROD bay to conform to AS:2890.6 specifically regarding the use of bollards within the shared zone and overall clearances from obstructions;
 - b) further investigation of internal vehicle manoeuvring to reduce vehicle conflicts; and
 - c) review of service vehicles accessibility and potential conflict with street trees, infrastructure and pedestrians.
3. The City advises that the existing street trees will not be permitted to be pruned, relocated or removed to accommodate demolition and/or construction works at the site, with the amenity value of the trees to be included in any works bond associated with any building permit issued by the City.
4. The applicant is advised that any non-residential/tenant car parking bays provided as part of the development will need to be licensed by the Department of Transport in accordance with the requirements of the Perth Parking Management Act. Development approval facilitating the construction and use of bays under relevant planning legislation should not be construed as implied approval from the Department of Transport for the future licensing and use of any car parking bays.

The Report Recommendation was put and CARRIED UNANIMOUSLY .

REASON: The LDAP considered the Department of Transport recommendation was made in relation to separate legislation under the Perth Parking Management Act and licensing was to be dealt with under that legislation and would therefore be determined separately and not as part of the planning application.

The Parliament House Precinct Policy was not considered to have significant weight under the circumstances of the date of the Policy and its apparent outdated nature other approvals which had exceeded the limits recommended.

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The recommendation was adopted by the LDAP on the basis it was consistent with the Responsible Authority Recommendation and was regarded as consistent with orderly and proper planning.

8.1b Lot 5 (No. 197) St Georges Terrace, Perth

Development Description: Proposed 21 Level Office Development
Applicant: Element Advisory Pty Ltd
Owner: The Trust Company Limited ATF GDI No35 Perth
Prime CBD Office Trust
Responsible Authority: Western Australian Planning Commission
DAP File No: DAP/22/02322

REPORT RECOMMENDATION

Moved by: Cr Catherine Lezer

Seconded by: Ms Diana Goldswain

With the agreement of the mover and seconder, the following change was made:

That Condition No. 1 be amended to read as follows:

*This decision constitutes planning approval only and is valid for a period of ~~two~~ **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.*

REASON: The extension of the approval period was made by the LDAP to make the approval consistent with the City of Perth Approval and the requirements of the planning framework

That the City of Perth Local Development Assessment Panel resolves to **Approve** DAP Application reference DAP/22/02322 and accompanying plans dated stamped 15 December 2022 by the Department of Planning, Lands and Heritage, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two (2) 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 development is to be carried out generally in accordance with the plans date stamped 15 December 2022 (attached) subject to any modifications as required by the conditions of approval.

Advice Notes

1. The applicant is advised that approval to this development does not negate the need to obtain a demolition/building licence from the City of Perth prior to any commencement of works.

Mr Jarrod Ross
A/Presiding Member, Perth LDAP



The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The reason the amended report recommendation was granted was on the basis it was consistent with the Responsible Authority Recommendation and was regarded as consistent with orderly and proper planning

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 10:39am.

Mr Jarrod Ross
A/Presiding Member, Perth LDAP

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