



MINISTERIAL CALL IN OF SAT APPLICATION FOR REVIEW – 247-249 JAMES STREET, NORTHBRIDGE

Under the *Planning and Development Act 2005* (the Act) if the Minister for Planning considers that a State Administrative Tribunal (SAT) application raises issues of such State or regional importance that it would be appropriate for the application to be determined by the Minister, he may call in the application.

On 15 March 2024, the Honourable John Carey, Minister for Planning confirmed his decision to call in the SAT application for review of conditions of approval applied by the City of Perth for a change of use at 247-249 James Street in Northbridge. Out of an abundance of caution, the Minister Carey has transferred authority to consider and determine this review application to the Honourable Amber-Jade Sanderson.

What is the proposed development?

RUAH Community Services Ltd (RUAH) sought approval for a change of use for an existing Engagement Hub at 247-249 James Street in Northbridge to provide a temporary Safe Night Space service for women. The proposal was to enable RUAH to expand its operations at their existing James Street facility. No physical alterations are proposed as part of the application.

On 27 February 2024, the City of Perth Council approved the application, subject to conditions.

Why has the Minister called in the application?

An application for review of the conditions of approval was subsequently lodged by RUAH with the State Administrative Tribunal (SAT) on 6 March 2024.

The Honourable John Carey considered the application raised issues of [such State or regional importance](#) that it was appropriate for him to call-in to determine. Accordingly, pursuant to section 246(2)(a) of the Act, the Minister directed SAT to refer the application for Ministerial determination.

What happens now?

There are no prescribed timeframes set in the Act. Timeframes for this process have been determined and will be as follows:

- The parties have been invited to make submissions with responses due by **5pm Monday 22 April 2024**.
- Each party will receive a copy of the other's submission by **Monday, 29 April 2024**. The parties may review these (together with any other submissions received) and provide final submissions to Minister Sanderson by **5pm Tuesday, 14 May 2024**.
- Extensions to these timeframes are unlikely to be granted, although the Minister reserves the right to do so.

Will the Minister accept submissions from other parties?

The Minister may consider submissions made by other persons. This may also affect the timeframe in which the Minister makes a decision. Except as otherwise directed, to qualify for consideration, such submissions must be written and made within the timeframes listed under "What happens now."

What factors will the Minister consider?

The Minister will consider all relevant planning considerations. However, note under section 247(1) the Minister is not limited to planning considerations but may make the determination having regard to any other matter affecting the public interest.

Who can I make my submission to?

Submissions can be made as follows:

Online: [DPLH Consultation Hub](#)

Email: RUAHsubmissions@dplh.wa.gov.au

Post: Department of Planning, Lands and Heritage
Locked Bag 2506
PERTH WA 6001

Will the submissions be publicly available?

As the matter is under consideration, no further comment can be provided at this time. However, details of the decision and submissions received will be published on the DPLH website <https://www.wa.gov.au/government/document-collections/ruah-safe-night-space-call> on conclusion of the process, once a determination has been made.

When will a decision be made?

The Act does not stipulate a timeframe for the decision. The Minister will give the matter due consideration in accordance with the Act before issuing her determination.

What happens once a decision is made?

The Minister will give each party written notice of her decision and the reasoning for it. This will be laid before Parliament and published on the DPLH website.