



## Metro Inner-North Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Tuesday, 13 April 2021; 1.00pm  
**Meeting Number:** MINJDAP/83  
**Meeting Venue:** via electronic means

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

### 1 Table of Contents

|     |  |    |
|-----|--|----|
| 1.  | Opening of Meeting, Welcome and Acknowledgement.....                                     | 2  |
| 2.  | Apologises.....  | 3  |
| 3.  | Members on Leave of Absence.....   | 3  |
| 4.  | Noting of Minutes.....   | 3  |
| 5.  | Declaration of Due Consideration.....  | 3  |
| 6.  | Disclosure of Interests.....   | 3  |
| 7.  | Deputations and Presentations.....   | 3  |
| 8.  | Form 1 – Responsible Authority Reports – DAP Applications.....                           | 3  |
| 8.1 | Lot 5 & 6 (17 & 23) Old Perth Road, Bassendean.....                                      | 3  |
| 9.  | Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval ..... | 10 |
|     | Nil.....   | 10 |
| 10. | State Administrative Tribunal Applications and Supreme Court Appeals ...                 | 10 |
| 11. | General Business.....  | 10 |
| 12. | Meeting Closure .....  | 10 |



## Attendance

### DAP Members

Ms Francesca Lefante (Presiding Member)  
Ms Lee O'Donohue (Deputy Presiding Member)  
Mr John Syme (Third Specialist Member)  
Mayor Renee McLennan (Local Government Member, Town of Bassendean)  
Cr Hilary MacWilliam (Local Government Member, Town of Bassendean)

### Officers in attendance

Ms Donna Shaw (Town of Bassendean)  
Mr Luke Gibson (Town of Bassendean)

### Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)  
Mr Chris Dodson (DAP Secretariat)

### Applicants and Submitters

Mr Adam Kapinkoff (Bassendean Hotel Holdings Pty Ltd)  
Ms Eva Sue (Woods Bagot)

### Members of the Public / Media

There were 7 members of the public in attendance.

Ms Kristie Lim from Community News was in attendance.

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 1.02pm on 13 April 2021 and acknowledged the traditional owners and pay respect to Elders past and present of the land on which the meeting was being held.

The 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*.

### 1.1 Announcements by Presiding Member

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.

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



## 2. Apologises

Cr Kathryn Hamilton (Local Government Member, Town of Bassendean)

## 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 The Town of Bassendean 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 Lot 5 & 6 (17 & 23) Old Perth Road, Bassendean

|                          |  |
|--------------------------|--|
| Development Description: | Tavern (Additions and Alterations to Bassendean Hotel) |
| Applicant:               | Bassendean Hotel Holdings Pty Ltd                      |
| Owner:                   | Bassendean Hotel Holdings Pty Ltd                      |
| Responsible Authority:   | Town of Bassendean                                     |
| DAP File No:             | DAP/21/01954   |

## REPORT RECOMMENDATION

**Moved by:** Ms Lee O'Donohue

**Seconded by:** Mr John Syme

With the agreement of the mover and seconder the following amendments were made to the report recommendation:

That condition no. 2 be amended to read as follows:

*This decision constitutes planning approval only and is valid for a period of 2 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:** To reflect the amendments to the DAP Regulations that came into effect on 15 February 2021 to provide default 4-year approvals.



That the Metro Inner-North JDAP resolves to **Approve** DAP Application reference DAP/21/01954 and accompanying plans:

- A- DA1101 – Site Plan;
- A- DA1301 – Overall Elevations – North, North-West & West;
- A- DA1302 – Overall Elevations – South & East;
- A- DA1303 – Overall Sections;
- A – DA2201 – Ground Floor Plan;
- A – DA2202 – Level 1; and
- A – DA2203 – Roof Plan;

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the Town of Bassendean Local Planning Scheme No. 10, subject to the following conditions:

### Conditions

1. 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.
2. This decision constitutes planning approval only and is valid for a period of 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.
3. Prior to the occupation of the development, Lots 5 and 6 Old Perth Road, Bassendean shall be amalgamated into a single lot on a Certificate of Title or the owner shall enter into a legal agreement with the Town of Bassendean at the owner's cost requiring amalgamation to be completed within twelve months of the issue of a Building Permit, or the completion of the development, whichever occurs earlier.
4. Prior to or in conjunction with an application for a Building Permit, amended plans being submitted and approved to the satisfaction of the Town of Bassendean that provides for at least 107.8m<sup>2</sup> of landscaping, the retention of Tree No.1 (Lemon Scented Gum) and Tree No. 5 (Hill's Weeping Fig) and associated tree growth zones for those trees.
5. Prior to or in conjunction with an application for a Building Permit, a revised landscape plan being submitted and approved to the satisfaction of the Town of Bassendean. The following details are to be included:
  - (i) Details of the location and type of retained and proposed trees, shrubs, ground cover, any lawn areas to be planted;
  - (ii) Low water use plants/irrigation systems;
  - (iii) Landscaping within the car parking area at a rate of 1 tree per 4 bays along the southern boundary of Lots 5 and 6 Old Perth Road, Bassendean. Trees within the car parking area are to be a minimum of 3.0m in height;



- (iv) Details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months;
  - (v) Details of protective barriers to the retained Tree No.1 (Lemon Scented Gum) and Tree No. 5 (Hill's Weeping Fig) and of the tree protection zones; and
  - (vi) Details as to retaining to ensure mulch/soil does not spill into the car parking area or onto the adjacent footpath/road reserve.
6. Prior to the occupation of the development, the landscaping and irrigation of the development site and protective barriers to the retained trees are to be installed in accordance with the approved landscape plan and thereafter maintained to the satisfaction of the Town of Bassendean.
7. The existing street tree within the Parker Street road reserve adjacent to the development site being protected from damage with barricades during construction in accordance with Council Policy 1.8 – Street Trees.
8. Prior to or in conjunction with an application for a Building Permit, a lighting plan detailing lighting to access ways, pathways and car parking areas is to be submitted and approved to the satisfaction of the Town of Bassendean.
9. Prior to the occupation of the development, the lighting plan is to be implemented and thereafter maintained for the duration of the development to the satisfaction of the Town of Bassendean.
10. Prior to the occupation of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line-marked and kerbed in accordance with:
  - (i) The approved plans (as modified in accordance with the amended plans are required by Condition No.1);
  - (ii) Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking;
  - (iii) Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities;
  - (iv) Australian Standard AS 1428.1-2009, Design for access and mobility, Part 1: General Requirements for access-New building work (by providing a link to the main entrance of the development by a continuous accessible path of travel); and
  - (v) Town of Bassendean engineering requirements and design guidelines.

The car parking is to be maintained to the satisfaction of the Town of Bassendean for the duration of the development.
11. The redundant portion of crossovers Old Perth Road and Parker Street shall each be removed and the verge/footpath shall be reinstated to the satisfaction of the Town of Bassendean.



12. Prior to or in conjunction with an application for a Building Permit, details being submitted of all proposed external fixtures and ventilation systems, including the location of plant equipment, vents and air conditioning units, satellite dishes and non-standard television aerials. All fixtures and ventilation systems must be adequately screened from view of the street to the satisfaction of the Town of Bassendean.
13. Prior to or in conjunction with an application for a Building Permit, a revised Waste Management Plan is to be submitted, approved and thereafter implemented to the satisfaction of the Town of Bassendean. The Waste Management Plan shall address matters included in the Western Australian Local Government Association's Commercial Waste Guidelines, including additional information on, but not necessarily limited to, the following:
  - (i) Measures to be implemented for the purpose of minimizing the delivery of waste to landfill, including the onsite separation of materials for recycling;
  - (ii) A detailed plan of the bin storage area;
  - (iii) the volume and the type of waste to be placed in the bins, including a waste generation calculation; and
  - (iv) Details of intended method of collection (by private contractor) in respect to manual handling given the level differences on the site.

All works must be carried out in accordance with the Waste Management Plan and maintained at all times, for the duration of development.

14. Prior to or in conjunction with an application for a Building Permit, the bin storage area must be designed with a size suitable to service the development and screened from view of the street to the satisfaction of the Town of Bassendean. The bin storage area must be:
  - (i) surrounded by a 1.8-metre-high minimum wall with a self-closing gate;
  - (ii) provided with 75mm minimum thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both bins and bin storage area to be washed out; and
  - (iii) provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.

The bin storage area is to be constructed prior to the occupation of the development and must be retained and maintained in good condition for the duration of the development.

15. Visually impermeable roller shutters (external and internal), doors, grilles and security bars shall not be installed on any part of the frontage of the development facing Old Perth Road or Parker Street.



16. Prior to or in conjunction with an application for a Building Permit, a Construction Management Plan shall be submitted and approved to the satisfaction of the Town of Bassendean that provides details of the following:
  - (i) Estimated timeline and phasing of construction;
  - (ii) Dust control measures;
  - (iii) Noise control measures;
  - (iv) Access points for heavy vehicles during demolition and construction; and
  - (v) 24 hours contact details of staff available to deal with either an emergency situation or to respond to complaints.
17. Entries and window frontages facing Old Perth Road must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds, roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Old Perth Road, for the duration of the development.
18. Five bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities prior to or in conjunction with an application for a Building Permit and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.

#### **Advice Notes**

1. The applicant is advised that this Development Approval does not constitute approval for any works within the road reserve abutting the subject land. The *Local Government Act 1995* requires prior approval to be obtained from the Town of Bassendean before any works carried out within the road reserve. It is the responsibility of the applicant to obtain the appropriate permits, with all applications to be made to the Town of Bassendean.
2. The submitted Building Permit application plans are to be consistent with the plans that form part of the relevant Development Approval, to the satisfaction of the Town of Bassendean.
3. The issue of a Building Permit is required prior to the commencement of works onsite.
4. The premises and equipment the subject of this development approval are required to comply with the Food Standards Code, *Food Safety Standards 3.2.3*.



5. An application shall be made to the Town of Bassendean's Health Services for environmental health/food related matters. In this regard, please submit two (2) sets of scaled plans (minimum 1:100) and specifications detailing the design and fit out, to Health Services which include the following information:
- (i) the structural finishes of walls, floors, ceilings, benches, shelves and other surfaces;
  - (ii) the position and type of all fixtures, fittings and equipment;
  - (iii) all floor wastes/bucket traps/cleaner's sinks, grease traps, etc.;
  - (iv) waste storage and disposal areas;
  - (v) elevations of food handling and storage areas;
  - (vi) plans and specifications of the mechanical exhaust system including roof plan for discharge location.

An inspection of the premises will be required to be carried out by Health Services prior to occupation of the development.

6. All internal W.C.'s shall be provided with mechanical exhaust ventilation and flumed to the external air in accordance with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.
7. The development and operation of the premises shall comply with the *Environmental Protection (Noise) Regulations 1997*.
8. Grease trap requirements to be to the satisfaction of the Industrial Waste Section of the Water Corporation and installed to the satisfaction of the Town of Bassendean's Health Services.
9. With respect to construction/modification of crossovers, please liaise with the Town of Bassendean's Asset Services. The applicant is advised that the Town of Bassendean Verge permit (2020/21 fee) is to be applied for and fee to be paid in this respect. Further:
- (i) Additional details of the fencing abutting the crossover onto Old Perth Road is required to ensure adequate sight lines are achieved; and
  - (ii) In respect to redundant crossovers to be removed, the verge is to be reinstated in accordance with the Town of Bassendean *Specification for the Construction of Old Perth Road Paved Crossovers*.
10. With respect to the Waste Management Plan, the applicant is encouraged to undertake waste management in accordance with the Food Organics Garden Organics system and consider participation in the State Government's Container Deposit Scheme.
11. This approval does not relate to any signage. A separate application is required to be lodged and approved by the Town of Bassendean prior to the installation of any signage.





12. The development and operation of the premises shall comply with the *Health (Public Buildings) Regulations 1992*. An application shall be made to the Town of Bassendean's Health Services. In this regard, please submit two (2) sets of scaled plans (minimum 1:100) and specifications detailing:
- (i) location and width of emergency exits;
  - (ii) location of emergency exit signage;
  - (iii) location and number of sanitary facilities;
  - (iv) emergency lighting; and
  - (v) intended use of each public building area.

An inspection of the premises will be required to be carried out by Health Services prior to occupation of the development. The Town of Bassendean also advises the following in respect to the *Health (Public Buildings) Regulations 1992*:

- (i) The provision of designated exits to public buildings is required. Such exits are required to open in the direction of egress;
- (ii) The proposed number of doors which open in the direction of egress will restrict the number of patrons permitted in each public building area at any one time. This number will be significantly less than that, which would be permitted based on the floor area of each public building area and also the sanitary facilities available;
- (iii) Additional designated exits will need to be provided in order to accommodate the proposed patron numbers shown in the proposed ground floor plan, should the premises operate in accordance with the Design Report prepared by Woods Bagot, dated February 2021; and
- (iv) The building must not be opened to the public until a Certificate of Approval or a Variation of Certificate of Approval has been issued by the Town of Bassendean in accordance with section 178 of the *Health Act 1911*.

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

**REASON:** The proposed refurbishment, restoration and on-going use of this heritage building is considered to enhance the town centre amenity. The JDAP acknowledged the unsuitability of some trees and site modifications to accommodate an outdoor landscaped courtyard activating the street interface which required the removal of some mature trees. The inclusion of various landscaping treatments and new trees in the carpark and the courtyard and entry are considered to enhance the overall development. The JDAP supported the proposal consistent, which is consistent with the zoning and planning frameworks, and accordingly adopted the RAR recommendation with minor modifications to a condition.



**9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval**

Nil

**10. State Administrative Tribunal Applications and Supreme Court Appeals**

The Presiding Member noted the following State Administrative Tribunal Applications -

| <b>Current SAT Applications</b>  |                   |  |                                |                    |
|----------------------------------|-------------------|--|--------------------------------|--------------------|
| <b>File No. &amp; SAT DR No.</b> | <b>LG Name</b>    | <b>Property Location</b>   | <b>Application Description</b> | <b>Date Lodged</b> |
| DAP/19/01600<br>DR161/2019       | Town of Claremont | Lots 18 (164) and 19 (162) Alfred Road, Swanbourne   | Proposed Childcare Centre      | 07/10/2019         |
| DAP/19/01651<br>DR160/2020       | City of Nedlands  | Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands | Shopping Centre                | 21/07/2020         |
| DAP/19/01722<br>DR155/2020       | City of Stirling  | Lot 1 (331) West Coast Drive, Trigg  | 4 Storey Mixed Use Development | 16/07/2020         |
| DAP/15/00712<br>DR21/2021        | City of Bayswater | Lot 100, 293 Guildford Road, Maylands  | Mixed Use Development          | 05/02/2021         |

**11. General Business**

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the 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 Presiding Member declared the meeting closed at 1.36pm.