



# Metro Inner-North Joint Development Assessment Panel Agenda

**Meeting Date and Time:** Friday, 6 August 2021; 1.00pm  
**Meeting Number:** MINJDAP/97  
**Meeting Venue:** via electronic means

To connect to the meeting via your computer - <https://zoom.us/j/97963079605>

To connect to the meeting via teleconference dial the following phone number -  
**+61 8 7150 1149 Australia**

**Insert Meeting ID followed by the hash (#) key when prompted - 979 6307 9605**

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

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## **Attendance**

### **DAP Members**

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

### **Officers in attendance**

Ms Donna Shaw (Town of Bassendean)

### **Minute Secretary**

Ms Ashlee Kelly (DAP Secretariat)

### **Applicants and Submitters**

Mr Danny Kapinkoff (Bassendean Hotel Holdings Pty Ltd)

### **Members of the Public / Media**

Nil

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

The Presiding Member declares the meeting open and acknowledges the traditional owners and pay respects to Elders past and present of the land on which the meeting is being held.

This meeting is being conducted by electronic means open to the public. Members are reminded to announce their name and title prior to speaking.

#### **2. Apologies**

Nil

#### **3. Members on Leave of Absence**

Nil

#### **4. Noting of Minutes**

Signed minutes of previous meetings are available on the [DAP website](#).

#### **5. Declarations of Due Consideration**

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

#### **6. Disclosure of Interests**

Nil



**7. Deputations and Presentations**

The Town of Bassendean may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

**8. Form 1 – Responsible Authority Reports – DAP Applications**

Nil

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

**9.1 17 & 23 (Lot No.5 & 6) Old Perth Road, Bassendean**

Development Description: Tavern (Additions and Alternations to Bassendean Hotel)  
 Proposed Amendments: Tree Growth Zone and Car Parking Bays  
 Applicant: Bassendean Hotel Holdings Pty Ltd  
 Owner: Bassendean Hotel Holdings Pty Ltd  
 Responsible Authority: Town of Bassendean  
 DAP File No: DAP/21/01954

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

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01651 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 DR155/2020	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	4 Storey Mixed Use Development	16/07/2020

**11. General Business**

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**

# OLD PERTH ROAD, 17 & 23 (LOT NO. 5 & 6), BASSENDEAN - TAVERN (ADDITIONS AND ALTERATIONS TO BASSENDEAN HOTEL)

## Form 2 – Responsible Authority Report (Regulation 17)

<b>DAP Name:</b>	Metro Inner-North JDAP	
<b>Local Government Area:</b>	Town of Bassendean	
<b>Proposed Amendments:</b>	Tree Growth Zone and Car Parking Bays	
<b>Applicant:</b>	Bassendean Hotel Holdings Pty Ltd	
<b>Owner:</b>	Bassendean Hotel Holdings Pty Ltd	
<b>Value of Amendment:</b>	\$3 million	
<b>Responsible Authority:</b>	Town of Bassendean	
<b>Authorising Officer:</b>	Donna Shaw, Manager Development and Place	
<b>LG Reference:</b>	DABC/DBVAPPS/2021-022/01	
<b>DAP File No:</b>	DAP/21/01954	
<b>Date of Original DAP decision:</b>	13 April 2021	
<b>Application Received Date:</b>	28 June 2021	
<b>Application Statutory Process Timeframe:</b>	90 Days	
<b>Attachment(s):</b>	<ol style="list-style-type: none"> <li>1. Original Site Plan</li> <li>2. Existing Planting Plan</li> <li>3. Proposed Planting Plan</li> <li>4. Applicant's Justification</li> <li>5. Arborist Letter</li> <li>6. Previous Determination</li> <li>7. Typical Planting Details</li> </ol>	
<b>Is the Responsible Authority Recommendation the same as the Officer Recommendation?</b>	<input checked="" type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
	<input type="checkbox"/> N/A <input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

### Responsible Authority Recommendation

That the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/21/01954 as detailed on the DAP Form 2 dated 28 June 2021 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/21/01954 and accompanying plans:
  - LA-03-03 Rev F – Planting Plan dated 16 June 2021; and
  - LA-04-05 Rev D – Typical Planning Details dated 16 June 2021

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, by amending the suite of imposed conditions as follows.

### Amended Condition

6. Prior to the occupation of the development, the landscaping and irrigation of the development site, **tree growth zones** and protective barriers to the retained trees are to be installed in accordance with the approved landscape plan and planting plan to the satisfaction of the Town of Bassendean. **The protective barriers must be installed with direct supervision of a suitability qualified arborist.**

### New Condition

19. Prior to construction of the car parking area commencing, a revised Drainage Plan being submitted to and approved by, the Town of Bassendean. All stormwater is required to be retained on site.

All other conditions and requirements detailed on the previous approval dated 13 April 2021 shall remain unless altered by this application.

### Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme Zone/Reserve	Urban
Local Planning Scheme	Local Planning Scheme No. 10
Local Planning Scheme Zone/Reserve	Town Centre
Structure Plan/Precinct Plan	N/A
Structure Plan/Precinct Plan Land Use Designation	N/A
Use Class (proposed) and permissibility:	Renovation and additions to the Bassendean Hotel and adjacent carpark (Tavern – ‘A’ Use)
Lot Size:	Lot 5 (No.17) Old Perth Road – 2,674m <sup>2</sup> Lot 6 (No. 23) Old Perth Road – 1,777m <sup>2</sup> Total: 4,451m <sup>2</sup>
Net Lettable Area (NLA):	743m <sup>2</sup> NLA
Number of Dwellings:	N/A
Existing Land Use:	Tavern
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No

Swan River Trust Area	No
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### Proposal:

The proposal involves amending the existing development approval by:

- Amending the area of the tree protection zones and construction methods of the proposed tree protection barriers; and
- Increasing the number of car parking bays from 75 to 81.

### Background:

#### *Site Context*

The subject site includes two lots, located on the corners of Parker Street, Old Perth Road and Wilson Street, Bassendean. The subject site is zoned 'Town Centre' under the Town of Bassendean Local Planning Scheme No.10 (LPS 10). The site is surrounded by commercial, community and civic land uses, with residential development on the periphery of the Town Centre to the south of the subject site.

#### *Previous Decision*

On 13 April 2021, the Metro Inner-North JDAP approved an application for a Tavern (Additions and Alterations to Bassendean Hotel), including the following conditions which are relevant to this application:

- “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.”*

### *Tree Preservation Orders*

On 25 May 2021, Council resolved to make Tree Preservation Orders for the eastern most Lemon Scented Gum (*Corymbia citriodora*) (Tree 1) and two Hill's Weeping Fig Trees (Tree 5 and 6) located at Lot 6 (No. 23) Old Perth Road, Bassendean.

In accordance with Clause 4.7.7.4 of Local Planning Scheme No.10, except with the prior written consent of the local government, a person shall not:

- (i) *cut, remove or otherwise destroy; or*
- (ii) *cause or permit to be cut, removed or otherwise destroyed a tree which is the subject of an order, or an amended order, or where the owner has been given notice of a proposed order, under this section.*

### **Legislation and Policy:**

#### Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Metropolitan Region Scheme
- Local Planning Scheme No. 10 (LPS 10)
- *Environmental Protection (Noise) Regulations 1997*

#### State Government Policies

- State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2)
- State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0)
- State Planning Policy 7.2 – Precinct Design (SPP 7.2)

#### Structure Plans/Activity Centre Plans

N/A

#### Local Policies

- Local Planning Policy 1 – Bassendean Town Centre Strategy and Guidelines
- Local Planning Policy No. 8 – Parking Specifications
- Local Planning Policy No. 9 – Design Review Panel
- Local Planning Policy No. 14 – Stormwater

### **Consultation:**

#### Public Consultation

Given the proposal is to amend the tree growth zone and car parking arrangements, and not to modify the use or the Bassendean Hotel, further consultation on the proposal was not undertaken.

Referrals/consultation with Government/Service Agencies

No referrals required.

Design Review Panel Advice

The original application was supported by the Design Review Panel. Given the proposal does not relate to any built form elements of the proposal and the trees are proposed to be retained, the proposal was not presented to the Design Review Panel for consideration.

**Planning Assessment:**

Town of Bassendean Local Planning Scheme No. 10 (LPS 10)

*Development Standards - Car Parking*

As set out in the previous Responsible Authority Report, LPS 10 required 254 bays; with the development approval providing for a 179 bay variation. The current proposal, to increase the number of bays from 75 to 81, reduces the variation from 179 bays to 173 bays.

Whilst noting the proposal increases the amount of bays, reducing the extent of non-compliance with LPS 10, a shortfall is still proposed. The Town maintains its support for the shortfall for the same reasons as the original decision as detailed above.

*Development Standards - Landscaping for Off-Street Parking*

Clause 4.7.2.7 of LPS 10 requires the following:

- Boundary landscaping with a minimum width of 2.0m abutting public streets, where car parking areas accommodate more than five bays; and
- Interior landscaping for open car parking areas with 21 or more parking spaces at a rate of 1m<sup>2</sup> of landscaping per 10m<sup>2</sup> of car parking bay area.

The amended proposal modifies the area of car parking and interior landscaping. The total area of landscaping on the site, including the exact width of the landscaping strip to the southern boundary, has been assessed as follows:

<b>LPS 10 Car Parking Landscaping Standard</b>	<b>Landscaping Required Area</b>	<b>Landscaping Provided Area</b>
1m <sup>2</sup> of landscaping per 10m <sup>2</sup> of parking bay area where 21 car bays or more provided.	1,099m <sup>2</sup> of parking bay area = 109.9 <sup>2</sup> landscaping required	244m <sup>2</sup>
<b>Total</b>	<b>109.9m<sup>2</sup> required</b>	<b>244m<sup>2</sup> provided</b>

The proposal therefore complies with the interior landscaping requirements of LPS 10 and does not reduce the number of additional trees that are proposed to be planted on the site.

### Tree Protective Barriers

The applicant had originally proposed an exploratory root assessment using a hydrovac to determine the extent of the root mass for Tree No.5 and Tree No.6, with all works under the direct supervision of a qualified arborist.

In order to retain the trees and limit impacts, the applicant's arborist has determined that the extension of subsoil excavation should be limited and open lot trenching was not appropriate. The arborist's advice is contained as Attachment 5. It is instead proposed to install post and rail barriers, with any excavations for footings impacting roots to be avoided and the footings repositioned.

The Town has reviewed the proposed method of protecting the trees from construction works, and is satisfied they are suitable subject to works being undertaken under direct supervision of a suitably qualified arborist.

### Local Planning Policy No. 14 – Stormwater (LPP 14)

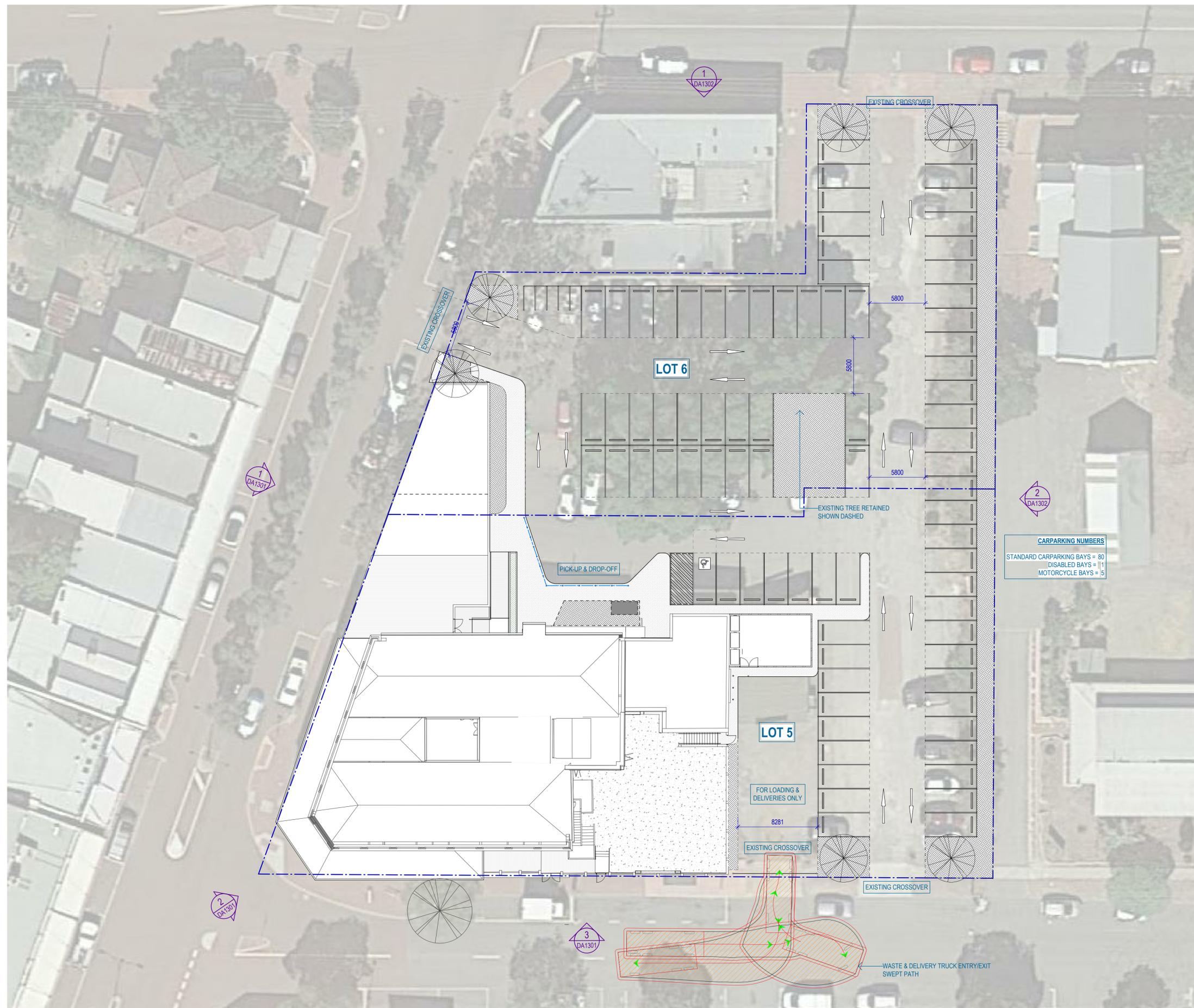
The applicant originally submitted a Drainage Plan in support of the development, which proposes on-site stormwater retention via soakwells and *GRAF Plastics* stormwater detention cells. Given the amended car parking configuration, an updated Drainage Plan will be required. A new condition has been recommended in this respect.

### **Conclusion:**

The proposal provides for additional car parking whilst complying with the landscaping area requirements of LPS 10 and not reducing the number of additional trees that are proposed to be planted on the site.

The proposed development is consistent with LPS 10 and relevant local planning policies, with the exception of those requirements that have previously been adequately addressed via conditions. The Town is satisfied that the proposed development is consistent with the objectives of the Town Centre zone, and is it therefore recommended that the application be approved.

Notes  
 Copyright © Woods Bagot 2018  
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 No material may be reproduced without prior permission  
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings.  
 Do not scale drawings.



**CARPARKING NUMBERS**  
 STANDARD CARPARKING BAYS = 80  
 DISABLED BAYS = 1  
 MOTORCYCLE BAYS = 5

Project  
**BASSEDEAN HOTEL**

Client  
**ARK GROUP**

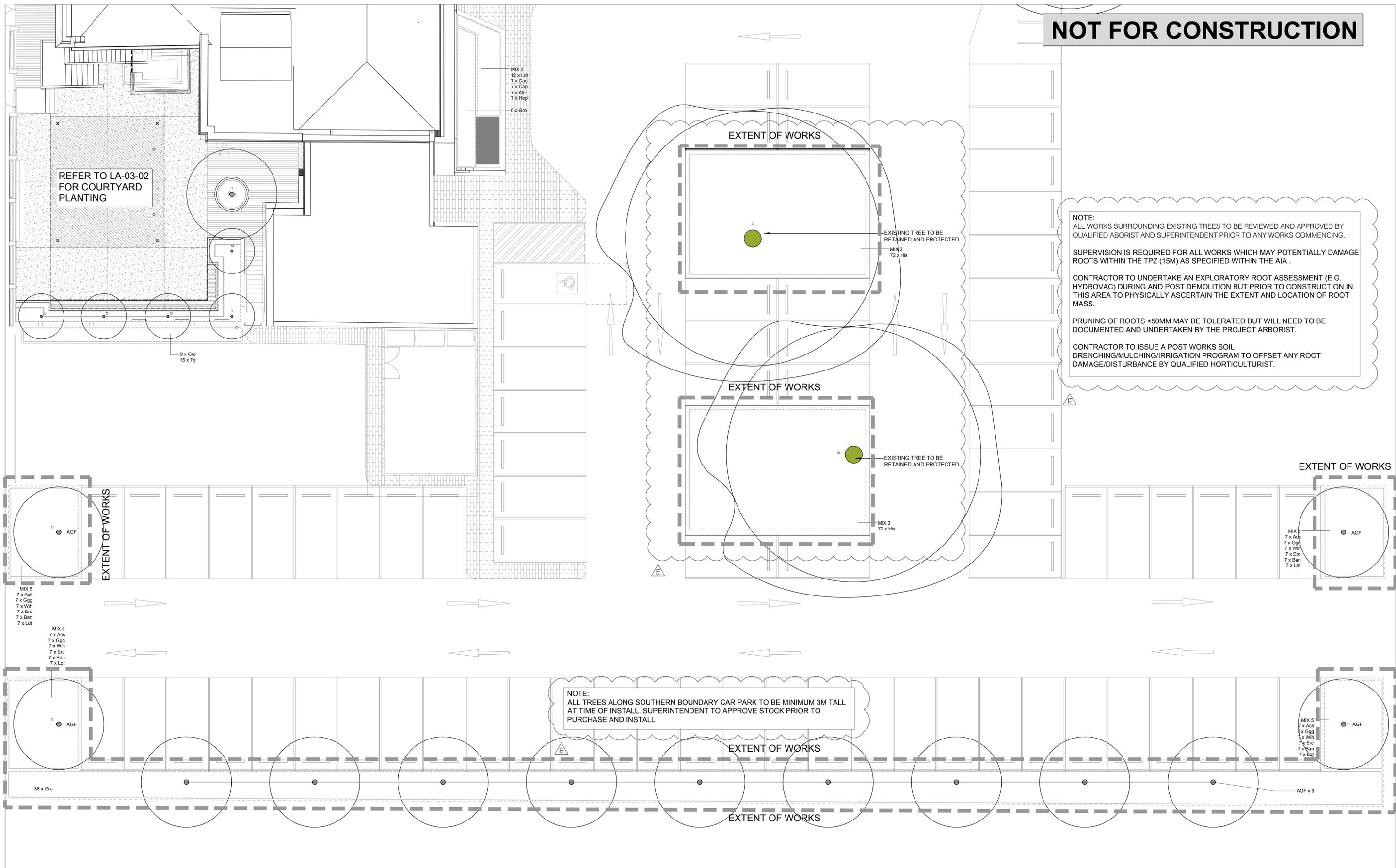
Issuer  
**WOODS BAGOT**

Project number	Size check	
160734	25mm	⊖
Checked KL	Approved ES	Sheet size A1
		Scale 1:200

Sheet title  
**DEVELOPMENT APPLICATION SITE PLAN**

Sheet number	Revision
<b>A-DA1101</b>	<b>A</b>
Status	
DA	

**NOT FOR CONSTRUCTION**



**NOTE:**  
ALL WORKS SURROUNDING EXISTING TREES TO BE REVIEWED AND APPROVED BY QUALIFIED ARBORIST AND SUPERINTENDENT PRIOR TO ANY WORKS COMMENCING.

SUPERVISION IS REQUIRED FOR ALL WORKS WHICH MAY POTENTIALLY DAMAGE ROOTS WITHIN THE TPZ (15M) AS SPECIFIED WITHIN THE AIA.

CONTRACTOR TO UNDERTAKE AN EXPLORATORY ROOT ASSESSMENT (E.G. HYDROVAC) DURING AND POST DEMOLITION BUT PRIOR TO CONSTRUCTION IN THIS AREA TO PHYSICALLY ASCERTAIN THE EXTENT AND LOCATION OF ROOT MASS.

PRUNING OF ROOTS <50MM MAY BE TOLERATED BUT WILL NEED TO BE DOCUMENTED AND UNDERTAKEN BY THE PROJECT ARBORIST.

CONTRACTOR TO ISSUE A POST WORKS SOIL DRENCHING/MULCHING/IRRIGATION PROGRAM TO OFFSET ANY ROOT DAMAGE/DISTURBANCE BY QUALIFIED HORTICULTURIST.

REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
A	26/02/2021	ISSUE FOR BUILDING LICENSE			
B	15/03/2021	ISSUE FOR TENDER			
C	23/03/2021	ISSUE FOR TENDER			
D	16/04/2021	ISSUE FOR BUILDING LICENSE			
E	27/04/2021	ISSUE FOR BUILDING LICENSE			

PROJECT:  
**BASSEDEAN HOTEL**

CLIENT:  
ARK HOSPITALITY GROUP

DRAWING:  
**PLANTING PLAN**

DWG NO: LA-03-03

DRAWN: EG    REVIEWED: JB

SCALE: 1:100 @ A1

DATE: 27/04/2021

REV: **E**

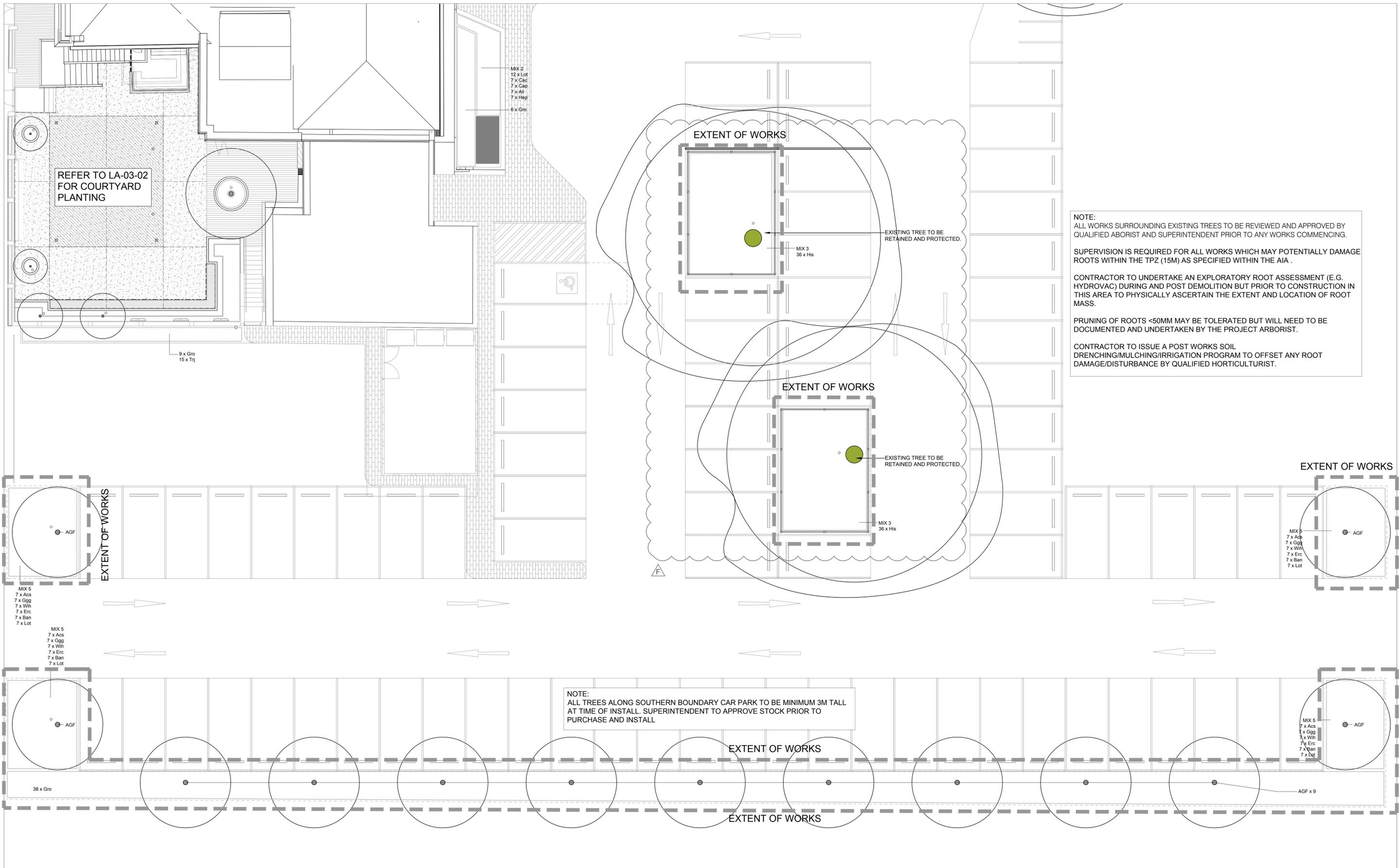
**NOTE:**

- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN.
- THIS IS A CAD DRAWING. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.
- CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS AND ANGLES ON SITE. BEFORE PROCEEDING WITH THE WORK. SEEDSIGN STUDIO SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES.
- THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS AND DRAWINGS.

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PROJECT NUMBER: 317



**NOTE:**  
 ALL WORKS SURROUNDING EXISTING TREES TO BE REVIEWED AND APPROVED BY QUALIFIED ARBORIST AND SUPERINTENDENT PRIOR TO ANY WORKS COMMENCING.

SUPERVISION IS REQUIRED FOR ALL WORKS WHICH MAY POTENTIALLY DAMAGE ROOTS WITHIN THE TPZ (15M) AS SPECIFIED WITHIN THE AIA .

CONTRACTOR TO UNDERTAKE AN EXPLORATORY ROOT ASSESSMENT (E.G. HYDROVAC) DURING AND POST DEMOLITION BUT PRIOR TO CONSTRUCTION IN THIS AREA TO PHYSICALLY ASCERTAIN THE EXTENT AND LOCATION OF ROOT MASS.

PRUNING OF ROOTS <50MM MAY BE TOLERATED BUT WILL NEED TO BE DOCUMENTED AND UNDERTAKEN BY THE PROJECT ARBORIST.

CONTRACTOR TO ISSUE A POST WORKS SOIL DRENCHING/MULCHING/IRRIGATION PROGRAM TO OFFSET ANY ROOT DAMAGE/DISTURBANCE BY QUALIFIED HORTICULTURIST.

**NOTE:**  
 ALL TREES ALONG SOUTHERN BOUNDARY CAR PARK TO BE MINIMUM 3M TALL AT TIME OF INSTALL. SUPERINTENDENT TO APPROVE STOCK PRIOR TO PURCHASE AND INSTALL

REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
A	26/02/2021	ISSUE FOR BUILDING LICENSE			
B	15/03/2021	ISSUE FOR TENDER			
C	23/03/2021	ISSUE FOR TENDER			
D	16/04/2021	ISSUE FOR BUILDING LICENSE			
E	27/04/2021	ISSUE FOR BUILDING LICENSE			
F	16/06/2021	ISSUE FOR CONSTRUCTION			

PROJECT: <b>BASSENDEANE HOTEL</b>		DRAWING: <b>PLANTING PLAN</b>		SCALE: 1:100 @ A1
CLIENT: ARK HOSPITALITY GROUP		DWG NO: LA-03-03		DATE: 16/06/2021
DRAWN: EG	REVIEWED: JB	PROJECT NUMBER: 317	REV: <b>F</b>	NOTE: 1. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. 2. THIS IS A CAD DRAWING. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. 3. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS AND ANGLES ON SITE. BEFORE PROCEEDING WITH THE WORK. SEED DESIGN STUDIO SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. 4. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS AND DRAWINGS. © ANY FORM OF REPRODUCTION OF THIS DRAWING IN FULL OR IN PART WITHOUT WRITTEN PERMISSION FROM SEED DESIGN STUDIO, CONSTITUTES AN INFRINGEMENT OF COPYRIGHT.



# ARK GROUP



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Perth, WA, 6000

[arkgroup.com.au](http://arkgroup.com.au)

22/06/2021

LG Reference: DABC/DBVAPPS/2021-022

DAP Ref: DAP/21/01954

Property Location: Lot 5 & 6 (17 & 23 Old Perth Road, Bassendean)

## **Plantar Amendment to Tree 5 and 6 (Hills Weeping Fig Trees) – The Bassendean Hotel**

The purpose of this letter is to outline the justification for the minor amendment to the design of the plantars surrounding and protecting Tree 5 and 6 in the carpark.

As per condition 5 (v) of the Metro Inner North JDAP approval there is an obligation on the developer to protect these trees, which the new design still safely achieves.

- This is a significant development and investment in the Bassendean Town Centre that will serve as a community amenity, provide vibrancy and activation to the Old Perth Road and is in the public interest.
- Our new plantar design approach is supported and approved by an arborist (Nicholas Arnold from ArborSafe letter attached), who is a subject matter expert.
- Private enterprise must be supported to encourage ongoing investment with red tape limited through the approval processes. It must be noted, this is a minor and inconsequential amendment to the site being proposed.
- ARK Group voluntarily retained Tree 1, 5 and 6 onsite before the establishment of a Tree Protection Order ('TPO') approved on the 25<sup>th</sup> of May at the council meeting.
- The previous proposed construction methodology detailed trenching around the tree, which would have compromised the tree protection zone ('TPZ'), root health and long-term health of Tree 5 and 6.
- The new proposal is above ground and minimally invasive, will be supervised by an arborist, proximal to the location of the base of the tree and proportionate. This is a better long-term outcome for the trees.
- Holistically, there is beautification of the site generally – redevelopment, additions and renovation of the existing tavern done in a considered manner acknowledging the sites history, a new carpark and a significant amount of new landscaping around the site (694 x 140mm shrubs, 66 x 200 200mm shrubs, 22 x 100L trees, 5 x 400L trees, 5 x 500L trees, 2 x 1000L trees).
- ARK Group feel this site wide approach to landscaping and planting should be given weight in consideration of condition 4 of the JDAP approval, and the approving authority act reasonably to provide a concession and waive the Local Planning Scheme No10 requirement for 1m<sup>2</sup> of landscaping for 10m<sup>2</sup> of carparking area.

If you need anymore information, don't hesitate to contact the undersigned.

Kind Regards,

Adam Kapinkoff  
Group General Manager

24 June 2021

C02241

Adam Kapinkoff  
Ark Hospitality Group  
Level 1, 66 King Street  
Perth 6000

**RE: Tree Planter Amendment – Bassendean Hotel Development Project**

Hello Adam,

I am able to provide the following addendum in support of proposed amendments to the tree pit detailing located within the carpark area of the proposed Bassendean Hotel development project.

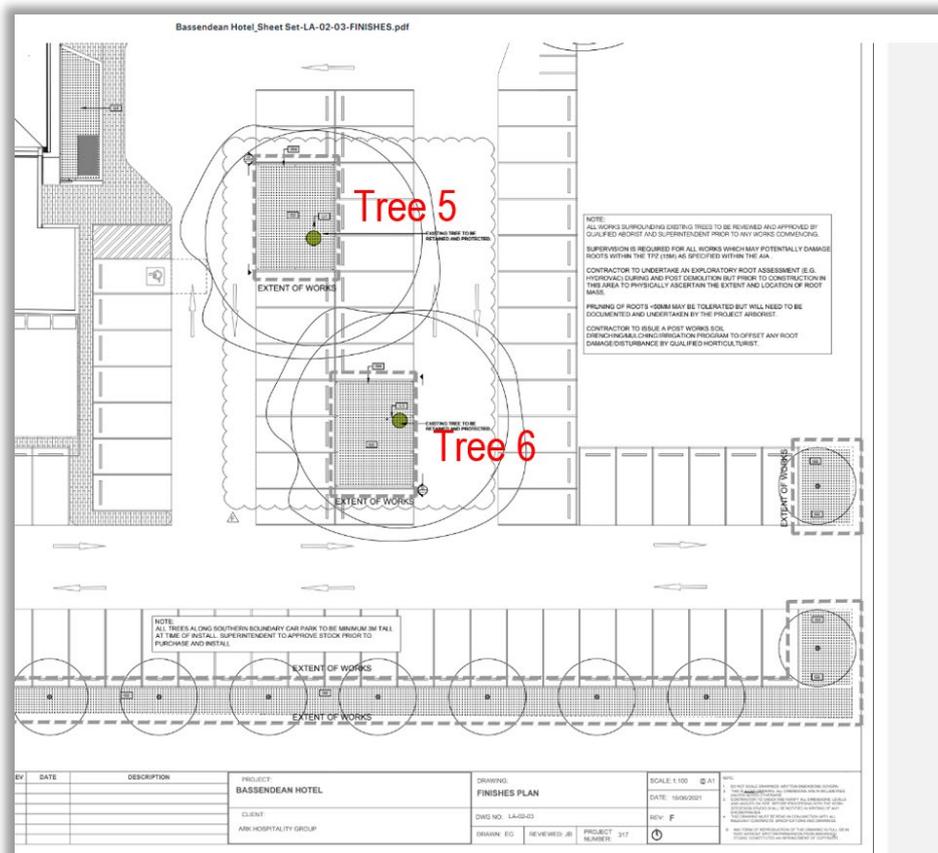


Figure 1. Excerpt from Finishes Plan LA-02-03 – tree numbers added by author. (16 June 2021).

This letter is to be submitted as an addendum to the previously supplied AIA (Arboricultural Impact Assessment – C92145 – 2020) as pertains to the Bassendean Hotel site.

### Proposed Planter Design (Amendment) – Trees 5 and 6

Trees 5 and 6 (see Figure 1) were documented in the site’s AIA as mature examples of *Ficus microcarpa* var. *hillii* (Hill’s Weeping Fig). Both trees were estimated to have radial TPZ’s (Tree Protection Zones) of between 12–15m, with noted signs of extensive root activity (and associated seal/surfacing damage) throughout the original carpark area.

In order to retain Trees 5 and 6 and to limit the potential impacts of the proposed development, it was determined that subsoil excavation, within the respective TPZs of Trees 5 and 6, would need to be limited and that open/slot trenching should be avoided entirely.

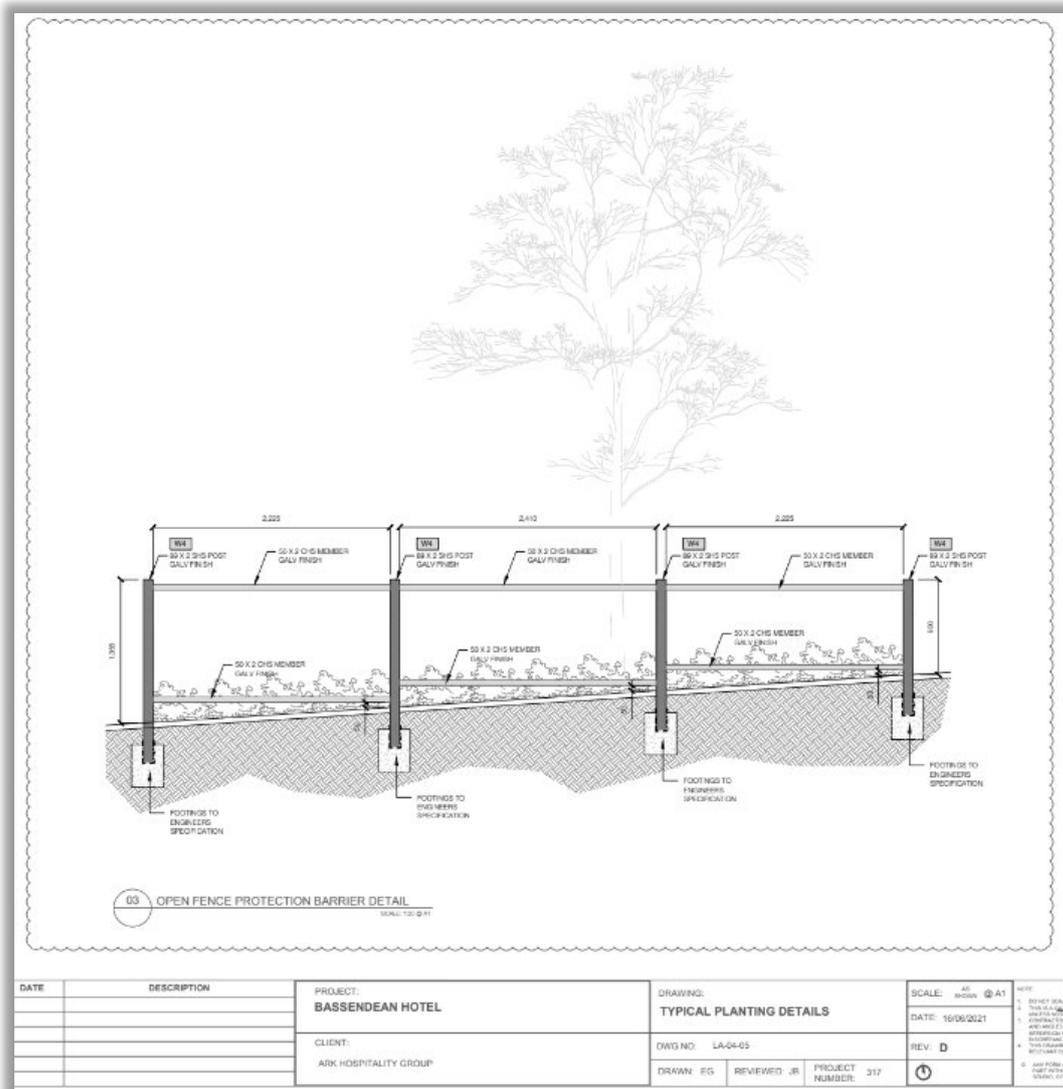


Figure 2. Excerpt from Typical Planting Details, LA-04-05. (16 June 2021).

As an alternative to slot trenching, as would be associated with preparation works for garden bed retaining walls, the installation of a post and rail configuration has been proposed (see Figure 2). This physical delineation methodology will allow for minimal excavation within the TPZs of Trees 5 and 6, whilst meeting other relevant design brief criteria.

Where proposed footing (excavation) works (as per *Open Fence Barrier Detail – LA-04-06*) are located within the documented TPZs of Trees 5 and 6, and as such represent a TPZ encroachment (refer to Section 6 of the AIA), the proposed encroachment shall be considered acceptable where;

- Other relevant generic tree protection measures (as listed in Section 7 of the AIA) can be met and;
- Where all proposed excavations within the TPZ are undertaken in a root sensitive manner (e.g. manually dug and/or through the use of a hydrovac/air spade) and;
- Are undertaken under the direct supervision (or with the expressed consent) of the project arborist.

Where the project arborist deems that excessive root damage will occur as associated with the above excavations, footing relocation and/or repositioning may be required.

Please feel free to contact me directly should you require further guidance or clarification regarding these recommendations.

Yours sincerely,



**Nick Arnold**

Consulting Arborist

Dip. Arb., BSC Biology, MSC Soil Management, NZQF (equiv. AQF) Level 5



## 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*

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## 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 DR161/2019	Town of Claremont	Lots 18 (164) and 19 (162) Alfred Road, Swanbourne	Proposed Childcare Centre	07/10/2019
DAP/19/01651 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 DR155/2020	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	4 Storey Mixed Use Development	16/07/2020
DAP/15/00712 DR21/2021	City of Bayswater	Lot 100, 293 Guildford Road, Maylands	Mixed Use Development	05/02/2021

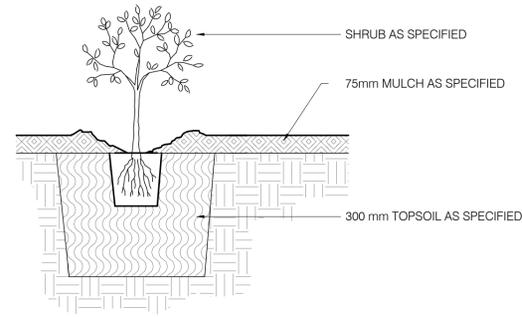
**11. General Business**

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**

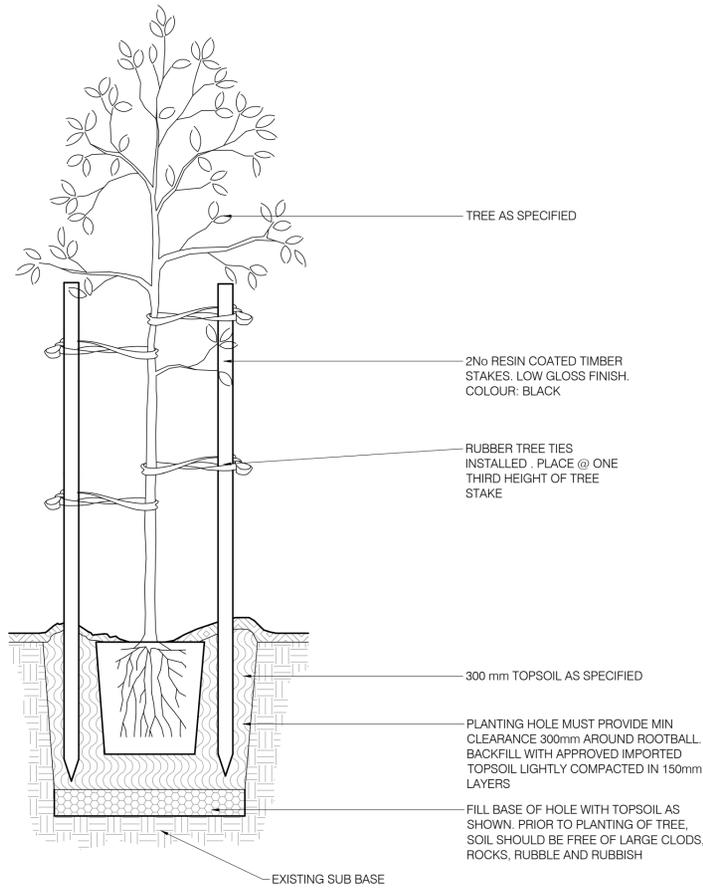
There being no further business, the Presiding Member declared the meeting closed at 1.36pm.

NOTE:  
STRUCTURAL CERTIFIED SHOP DRAWINGS TO BE PROVIDED BY CONTRACTOR  
AND APPROVED BY SUPERINTENDENT AND LANDSCAPE ARCHITECT.



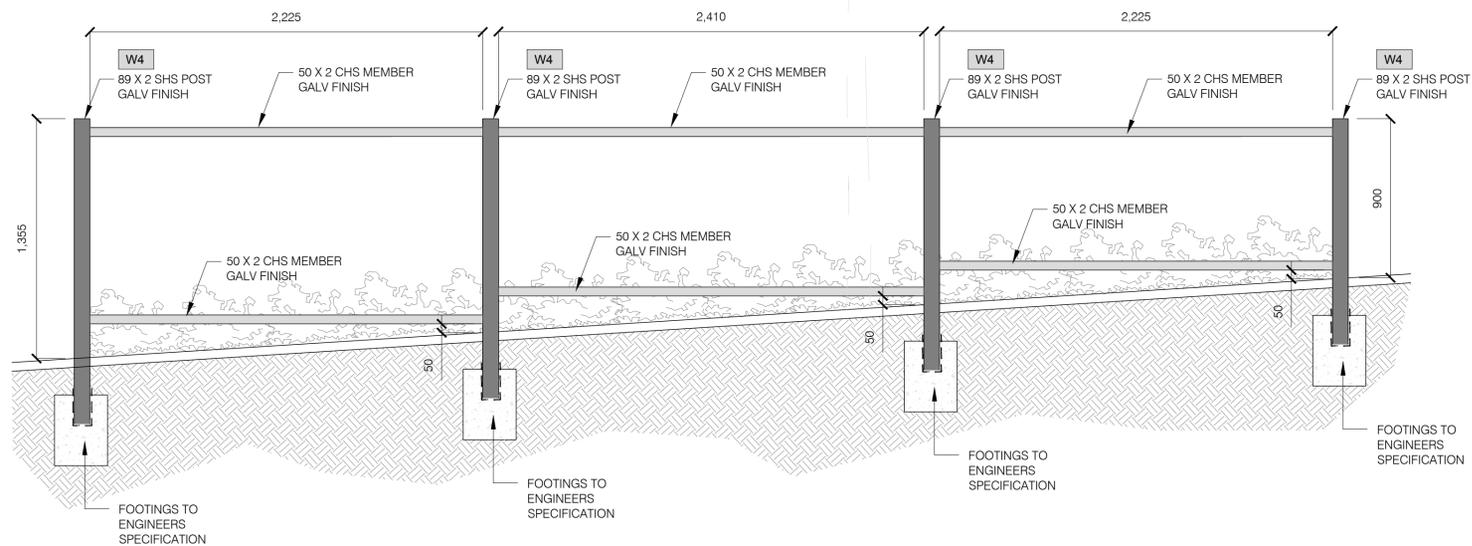
01 TYPICAL SHRUB PLANTING

SCALE: 1:10 @ A1



02 TYPICAL TREE PLANTING

SCALE: 1:20 @ A1



03 OPEN FENCE PROTECTION BARRIER DETAIL

SCALE: 1:20 @ A1



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REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
A	26/02/2021	ISSUE FOR BUILDING LICENSE			
B	15/03/2021	ISSUE FOR TENDER			
C	23/04/2021	ISSUE FOR BUILDING LICENSE			
D	16/06/2021	ISSUE FOR CONSTRUCTION			

PROJECT:  
**BASSEDEAN HOTEL**

CLIENT:  
ARK HOSPITALITY GROUP

DRAWING:  
**TYPICAL PLANTING DETAILS**

DWG NO: LA-04-05

DRAWN: EG

REVIEWED: JB

PROJECT NUMBER: 317

SCALE: AS SHOWN @ A1

DATE: 16/06/2021

REV: **D**



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