



Minutes of the Metro Central Joint Development Assessment Panel

Meeting Date and Time: Monday, 9 February 2015; 3pm
Meeting Number: MCJDAP/87
Meeting Venue: City of Belmont
215 Wright Street
Cloverdale

Attendance

DAP Members

Mr Charles Johnson (Presiding Member)
Mr Ian Birch (Deputy Presiding Member)
Mr Luigi D'Alessandro (Specialist Member)
Cr Phil Marks (Local Government Member, City of Belmont)
Cr Robert Rossi (Local Government Member, City of Belmont)
Cr Jennie Carter (Local Government Member, Town of Bassendean)

Officers in attendance

Mr Brian Reed (Town of Bassendean)
Mr Ryan Hall (Department of Planning)
Mr Wilmot Loh (City of Belmont)

Local Government Minute Secretary

Ms Rebecca Brockman

Applicants and Submitters

Ms Mandy Leung (Hillam Architects)
Mr David Hillam (Hillam Architects)
Mr Kim Doepel (Doepel Marsh)

Members of the Public

There were six members of the public in attendance.

1. Declaration of Opening

The Presiding Member, Mr Charles Johnson declared the meeting open at 3.11pm on Monday, 9 February 2015 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

Mr Charles Johnson
Presiding Member, Metro Central JDAP



The Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

2. Apologies

Nil

3. Members on Leave of absence

Nil

4. Noting of minutes

Note the Minutes of the Metro Central JDAP meeting No. 84 held on the 21 January 2015.

The Minutes of the Metro Central JDAP Meeting No. 85 held on 28 January 2015 and Meeting No. 86 held on the 5 February 2015 were not available at time of Agenda preparation.

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 Kim Doepel (Doepel Marsh) presenting for the application at Item 8.1.

The presentation at Item 7.1 was heard prior to the application at Item 8.1

7.2 Mr David Hllam (Hllam Architects) presenting for the application at Item 8.2.
The presentation will present the architectural design concept to the Panel.

The presentation at Item 7.2 was heard prior to the application at Item 8.2.



8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location:	Lots 90-92 (Nos. 7-11) Parker Street and Lots 8 & 9 (Nos. 2 & 4A) Wilson Street, Bassendean
Application Details:	Mixed Development Comprising Additions and Alterations to Place of Worship, Shop and 35 Multiple Dwellings
Applicant:	Doepel Marsh Architects Pty Ltd
Owner:	Saint Marks Anglican Church
Responsible authority:	Town of Bassendean
DoP File No:	DAP/14/00603

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Ian Birch

Seconded by: Cr Jennie Carter

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/14/00603 and accompanying plans dated 23 January 2015 in accordance with Clause 10.3 of the Town of Bassendean Local Planning Scheme No.10, subject to the following conditions:

1. Prior to the issue of a building permit for this development, Lots 8, 9, 90, 91 & 92 shall be amalgamated into a single lot on a Certificate of Title or the owner shall enter into a legal agreement with the Town prepared by the Town's Solicitors 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.
2. Screening shown on the southern facing balconies outside units 15, 16, 23, 24, 30 and 31 shall meet the provisions of clause 6.4.1 C1.2 of the R-Codes being 1.6m minimum height, 75% minimum obscure, permanently fixed, made of durable material and restrict the angle of view toward the house at Nos. 4 – 6 Wilson Street, Bassendean.
3. A detailed landscape plan being submitted prior to or with the application for a Building Permit for the Town's approval which provides full detail of the scope of works to be undertaken in both the private realm and the public realm adjoining the development site, including, but not limited to:
 - (a) the location, type and size of proposed trees, shrubs and ground cover to be planted;
 - (b) methods of protection of existing street trees during the construction process; and
 - (c) reticulation methods, including arrangements incorporated into the design to minimize water use.
4. Existing street trees within the street verge adjacent to the development site being protected with barricades during construction in accordance with the Town's Policy for street tree protection.

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5. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
6. The sealing and kerbing of all car parking areas and access ways to the Town's specifications.
7. The on site car parking spaces and access ways being constructed and maintained thereafter to the Town's satisfaction.
8. Car parking on any subsequent strata plan shall be allocated in accordance with the approved drawings and the following requirements:
 - (a) Units 1 - 34 shall each be allocated at least one car parking bay;
 - (b) Unit 35 shall be allocated two car parking spaces; and
 - (c) Visitor parking bays V1 – V20 shall be made available for the shared use of both the residential and non-residential components of the development.
9. Visitor parking spaces being clearly marked for "Visitors Only" and used as such.
10. A minimum of 12 bicycle parking spaces shall be provided for residents, and a minimum of 4 bicycle parking spaces shall be provided for visitors. The resident bicycle parking spaces shall be located in a weather protected area and shall be constructed in accordance with the provisions of AS 2890.3 (as amended).
11. Bicycle parking facilities shall be provided for the church / church hall / op shop component of the development to a number and at a location to be agreed with the Town.
12. Prior to the submission of an application for a building permit, details of the security intercom system are to be provided to demonstrate that visitors can make contact with the residential units in order to gain access to the resident visitor parking bays. The security intercom system is required to be installed and operational in accordance with the approved details prior to the occupation of the Multiple Dwellings on the subject lot and maintained thereafter.
13. Separate approval being obtained from the Town's Asset Services for the proposed crossovers on the Parker Street and Wilson Street frontages of the development site and these crossovers being constructed in accordance with that approval. The southernmost crossover on the Parker Street frontage of the development site shall be modified by way of relocating the existing power pole clear of the crossover location. In all cases the width of the crossover shall align with the width of vehicular driveway on private property.
14. 1.5 metre x 1.5 metre sight line truncations shall be provided adjacent to the intersection of each driveway and the street alignment on both the Parker Street and Wilson Street frontages of the development site.

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15. All storm water being contained and disposed of on site. Details of the method of storm water containment and disposal shall be included with the drawings submitted for a Building Permit.
16. Prior to the submission of an application for a building permit, a detailed lighting plan is to be provided showing all security and safety lighting throughout all public and interior circulation areas, along with external lighting to the Parker Street and Wilson Street frontages of the development site is to be submitted for the approval of the Town, prior to the issue of a building permit.
17. The street number being prominently displayed at the front of the development.
18. The provision of an externally accessed storage unit of not less than 4 sq.metres internal area for each dwelling, constructed of the same materials as the main building.
19. The provision of side and rear fences, behind the street setback line, of 1.8 metres in height, unless higher fencing is shown on the approved drawings. Where the ground levels vary on either side of the fence, the required height shall be measured above the higher ground level. Fencing to be constructed of brick or other such material as may be approved by the Town where so shown on the drawings.
20. Any fencing on the Parker Street frontage of the development site demonstrating compliance with the following requirements:
 - (a) The solid component of fencing generally not exceeding that shown on the approved drawings;
 - (b) The overall height of fencing not exceeding 1.8 metres above ground level; and
 - (c) Infill panels for fencing on this frontage of the site above base level solid components being visually permeable.
21. External fixtures, including but not restricted to air-conditioning units, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the street. Prior to the issue of a building permit, details being submitted of all proposed ventilation systems, including the location of plant equipment, vents and air conditioning units for the Town's approval. All equipment must be adequately screened to the satisfaction of the Town.
22. External clothes drying is prohibited on any of the balconies unless screened from view of the street or other public place.
23. Each dwelling shall be provided with an electric clothes dryer.
24. A Waste Management Plan (WMP) is to be submitted for the Town's approval prior to or in conjunction with the application for a Building Permit. The WMP shall address matters including, but not necessarily limited to, the following:

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- (a) Measures to be implemented for the purpose of minimising the delivery of waste to landfill during occupation, including: the onsite separation of materials for recycling and the expectations of owners and /or tenants;
 - (b) Site Plan showing the location and size of the on-site rubbish disposal area, including the number of general rubbish and recycling bins to be provided for the development, including sharing arrangements where the number of bins is less than the number of dwellings;
 - (c) An estimation of the volume of waste to be generated by the proposed development and the capacity of this volume of waste to be accommodated by on site bin storage capacity;
 - (d) Details of intended method of collection (by private contractor);
 - (e) Details of where the bins would be located when waiting collection;
 - (f) Details of advice to be provided to owners and occupiers regarding the WMP; and
 - (g) Details of how the WMP will continue to be applied in perpetuity across the life of the development, including the WMP being incorporated into the strata by-laws for the proposed development.
25. The bin storage area is:
- (a) To be surrounded by a 1.8 metre high minimum wall with a self-closing gate;
 - (b) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both the bins and bin storage area to be washed out; and
 - (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.
26. Bins shall be stored only in an approved, designated location, and shall not be stored within any of the approved car parking bays or associated access aisles.
27. Signage for the non-residential component of the development being the subject of separate application and approval.
28. Visually impermeable roller shutters (external and internal), doors, grilles and security bars shall not be installed on any part of the frontage of the non-residential development facing Wilson Street.
29. The proposed boundary walls being finished to the satisfaction of the Town.
30. An acid sulfate soils self-assessment form and, if required as a result of the self-assessment, an acid sulfate soils report and an acid sulfate soils management plan shall be submitted to and approved by the Department of Environment Regulation before the development is commenced. Where an acid sulfate soils management plan is required to be submitted, all development shall be carried out in accordance with the approved management plan.
31. Prior to the issue of a building permit the applicant shall lodge a Construction Management Plan to the satisfaction of the Town of Bassendean that provides details of the following:
- (a) Estimated timeline and phasing of construction;

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- (b) Dust control measures;
 - (c) Noise control measures;
 - (d) Access points for heavy vehicles during demolition and construction; and
 - (e) 24 hours contact details of staff available to deal with either an emergency situation or to respond to complaints.
32. The incorporation of public art into the proposed development or a cash-in-lieu payment of one percent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 "Percent for Art Policy". Detailed arrangements and agreement with respect to art to be provided on site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit.
33. Prior to the issue of a building permit, the applicant shall jointly with the Town develop and agree upon a plan for the 2% contribution of the building construction costs as prescribed under LPP No. 1 - Town Centre Area Strategy and Guidelines for Bassendean, being a 1% contribution toward infrastructure and 1% contribution toward public art.
34. Prior to the issue of a building permit, a development bond for the sum of \$17,500 being lodged with Council to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works.
35. Prior to the issue of a building permit, an acoustic report shall be submitted to the Town for approval which shall:
- (a) be prepared by an acoustical consultant with relevant qualifications and experience equivalent to those required for admission as a Member of the Australian Acoustical Society (to the satisfaction of the Town's Health Services);
 - (b) to satisfaction of the Town, address all matters that are required to demonstrate that the acceptable noise criteria will be achieved including:
 - the identification of all noise sources to be addressed, including the potential for live bands within the various rooms, vehicle and patron noise, cool rooms and the like from the adjoining hotel and plant equipment associated with the proposed development itself;
 - determination of noise source levels and character;
 - acoustic data to be in octave bands where noise sources are internal;
 - the establishment of Assigned Levels for noise sensitive premises in the vicinity in accordance with the *Environmental Protection (Noise) Regulations 1997*;
 - the provision of the following:
 - (1) date, time and results of measurements and or modelling used to represent the noise associated with live bands;
 - (2) assigned Levels determined for adjacent areas/noise sensitive premises in the vicinity; and
 - (3) recommendations for construction and noise control.

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36. Prior to the issue of a Building Permit a detailed schedule of all colours and materials to be used in the construction of the development shall be submitted for the Town's approval, paying particular relevance to the provisions of clause 8.8 of the Bassendean Town Centre Strategy and Guidelines – Materials and Colour.
37. The issue of a Building Permit prior to the commencement of any works on site.
38. The building hereby approved shall not be occupied until all of the conditions of planning consent have been complied with to the satisfaction of the Manager Development Services, unless the applicant has entered into an agreement with Council to comply with those conditions within a specified period.
39. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

Advice Notes:

1. The Town will permit the Owner to defer compliance with the condition relating to amalgamation, provided that the Owner enters into a deed of agreement with the Town prepared by the Town's solicitors at the Owner's cost agreeing to complete the amalgamation within 12 months of the issue of the building permit. The agreement shall require the registration of an absolute caveat on the title to the subject land, until such time as the amalgamation has been completed to the Town's satisfaction.
2. The applicant is advised that in relation to the requirement for a 1% Public Art contribution to be made that the Town can consider on site art works subject to Council approval and demonstration of equivalent value and public access.
3. The Town of Bassendean encourages the retention of stormwater on-site through various best management practices, as laid out in its Planning Policy. Details of the stormwater containment and disposal method are to be provided with the building licence application.
4. Dial Before You Dig:
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please telephone 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via Dial Before You Dig "1100" number in advance of any construction activities.
5. Telecommunications Act 1997 (Commonwealth):

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Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, please contact Telstra's Network Integrity Team on 1800810443.

6. If the planning approval lapses, no development shall be carried out without further approval having first been sought and obtained.
7. If an applicant is aggrieved by this determination there is a right of review under Part 14 of the *Planning and Development Act 2005*. An application for review must be lodged within 28 days of the determination.

AMENDING MOTION

Moved: Mr Ian Birch

Seconded: Cr Jennie Carter

That an additional Advice Note 8 be included which reads as follows:

8. That the Town of Bassendean does not accept the use of artificial grass and would expect the landscaping plan to show natural vegetation.

The Amending Motion was put and CARRIED UNANIMOUSLY

Reason: To incorporate Councils expectation regarding the non-use of artificial grass and a preference for native species in accordance with clause 7.10 of the Town Centre Strategy and Guidelines.

AMENDING MOTION

Moved: Mr Ian Birch

Seconded: Mr Luigi D'Alessandro

That Condition 13 be amended as follows:

13. The southernmost crossover on the Parker Street frontage of the development site shall be modified by way of relocating the existing power pole clear of the crossover location. In all cases the width of the crossover shall align with the width of vehicular driveway on private property.

That Advice Note 9 be included which reads as follows:

9. Separate approval being obtained from the Town's Asset Services for the proposed crossovers on the Parker Street and Wilson Street frontages of the development site.

The Amending Motion was put and CARRIED UNANIMOUSLY

Reason: To make it clear that a separate approval is required which is beyond the power of this current approval.

Mr Charles Johnson
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AMENDING MOTION

Moved: Mr Ian Birch

Seconded: Mr Luigi D'Alessandro

That Condition 37 be deleted and the remaining conditions be renumbered accordingly.

That Advice note 10 is included as follows:

10. The issue of a Building Permit is required prior to the commencement of any works on site.

The Amendment was put and CARRIED UNANIMOUSLY

Reason: Building Permits are a separate approval under a different statute and therefore are not appropriate as conditions of planning approval.

PRIMARY MOTION (As Amended)

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/14/00603 and accompanying plans dated 23 January 2015 in accordance with Clause 10.3 of the Town of Bassendean Local Planning Scheme No.10, subject to the following conditions:

1. Prior to the issue of a building permit for this development, Lots 8, 9, 90, 91 & 92 shall be amalgamated into a single lot on a Certificate of Title or the owner shall enter into a legal agreement with the Town prepared by the Town's Solicitors 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.
2. Screening shown on the southern facing balconies outside units 15, 16, 23, 24, 30 and 31 shall meet the provisions of clause 6.4.1 C1.2 of the R-Codes being 1.6m minimum height, 75% minimum obscure, permanently fixed, made of durable material and restrict the angle of view toward the house at Nos. 4 – 6 Wilson Street, Bassendean.
3. A detailed landscape plan being submitted prior to or with the application for a Building Permit for the Town's approval which provides full detail of the scope of works to be undertaken in both the private realm and the public realm adjoining the development site, including, but not limited to:
 - (a) the location, type and size of proposed trees, shrubs and ground cover to be planted;
 - (b) methods of protection of existing street trees during the construction process; and
 - (c) reticulation methods, including arrangements incorporated into the design to minimize water use.

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4. Existing street trees within the street verge adjacent to the development site being protected with barricades during construction in accordance with the Town's Policy for street tree protection.
5. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
6. The sealing and kerbing of all car parking areas and access ways to the Town's specifications.
7. The on site car parking spaces and access ways being constructed and maintained thereafter to the Town's satisfaction.
8. Car parking on any subsequent strata plan shall be allocated in accordance with the approved drawings and the following requirements:
 - (a) Units 1 - 34 shall each be allocated at least one car parking bay;
 - (b) Unit 35 shall be allocated two car parking spaces; and
 - (c) Visitor parking bays V1 – V20 shall be made available for the shared use of both the residential and non-residential components of the development.
9. Visitor parking spaces being clearly marked for "Visitors Only" and used as such.
10. A minimum of 12 bicycle parking spaces shall be provided for residents, and a minimum of 4 bicycle parking spaces shall be provided for visitors. The resident bicycle parking spaces shall be located in a weather protected area and shall be constructed in accordance with the provisions of AS 2890.3 (as amended).
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12. Prior to the submission of an application for a building permit, details of the security intercom system are to be provided to demonstrate that visitors can make contact with the residential units in order to gain access to the resident visitor parking bays. The security intercom system is required to be installed and operational in accordance with the approved details prior to the occupation of the Multiple Dwellings on the subject lot and maintained thereafter.
13. The southernmost crossover on the Parker Street frontage of the development site shall be modified by way of relocating the existing power pole clear of the crossover location. In all cases the width of the crossover shall align with the width of vehicular driveway on private property.
14. 1.5 metre x 1.5 metre sight line truncations shall be provided adjacent to the intersection of each driveway and the street alignment on both the Parker Street and Wilson Street frontages of the development site.

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15. All storm water being contained and disposed of on site. Details of the method of storm water containment and disposal shall be included with the drawings submitted for a Building Permit.
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17. The street number being prominently displayed at the front of the development.
18. The provision of an externally accessed storage unit of not less than 4 sq.metres internal area for each dwelling, constructed of the same materials as the main building.
19. The provision of side and rear fences, behind the street setback line, of 1.8 metres in height, unless higher fencing is shown on the approved drawings. Where the ground levels vary on either side of the fence, the required height shall be measured above the higher ground level. Fencing to be constructed of brick or other such material as may be approved by the Town where so shown on the drawings.
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 - (a) The solid component of fencing generally not exceeding that shown on the approved drawings;
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 - (c) Infill panels for fencing on this frontage of the site above base level solid components being visually permeable.
21. External fixtures, including but not restricted to air-conditioning units, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the street. Prior to the issue of a building permit, details being submitted of all proposed ventilation systems, including the location of plant equipment, vents and air conditioning units for the Town's approval. All equipment must be adequately screened to the satisfaction of the Town.
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- (a) Measures to be implemented for the purpose of minimising the delivery of waste to landfill during occupation, including: the onsite separation of materials for recycling and the expectations of owners and /or tenants;
 - (b) Site Plan showing the location and size of the on-site rubbish disposal area, including the number of general rubbish and recycling bins to be provided for the development, including sharing arrangements where the number of bins is less than the number of dwellings;
 - (c) An estimation of the volume of waste to be generated by the proposed development and the capacity of this volume of waste to be accommodated by on site bin storage capacity;
 - (d) Details of intended method of collection (by private contractor);
 - (e) Details of where the bins would be located when waiting collection;
 - (f) Details of advice to be provided to owners and occupiers regarding the WMP; and
 - (g) Details of how the WMP will continue to be applied in perpetuity across the life of the development, including the WMP being incorporated into the strata by-laws for the proposed development.
25. The bin storage area is:
- (a) To be surrounded by a 1.8 metre high minimum wall with a self-closing gate;
 - (b) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both the bins and bin storage area to be washed out; and
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26. Bins shall be stored only in an approved, designated location, and shall not be stored within any of the approved car parking bays or associated access aisles.
27. Signage for the non-residential component of the development being the subject of separate application and approval.
28. Visually impermeable roller shutters (external and internal), doors, grilles and security bars shall not be installed on any part of the frontage of the non-residential development facing Wilson Street.
29. The proposed boundary walls being finished to the satisfaction of the Town.
30. An acid sulfate soils self-assessment form and, if required as a result of the self-assessment, an acid sulfate soils report and an acid sulfate soils management plan shall be submitted to and approved by the Department of Environment Regulation before the development is commenced. Where an acid sulfate soils management plan is required to be submitted, all development shall be carried out in accordance with the approved management plan.
31. Prior to the issue of a building permit the applicant shall lodge a Construction Management Plan to the satisfaction of the Town of Bassendean that provides details of the following:
- (a) Estimated timeline and phasing of construction;

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- (b) Dust control measures;
 - (c) Noise control measures;
 - (d) Access points for heavy vehicles during demolition and construction; and
 - (e) 24 hours contact details of staff available to deal with either an emergency situation or to respond to complaints.
32. The incorporation of public art into the proposed development or a cash-in-lieu payment of one percent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 "Percent for Art Policy". Detailed arrangements and agreement with respect to art to be provided on site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit.
33. Prior to the issue of a building permit, the applicant shall jointly with the Town develop and agree upon a plan for the 2% contribution of the building construction costs as prescribed under LPP No. 1 - Town Centre Area Strategy and Guidelines for Bassendean, being a 1% contribution toward infrastructure and 1% contribution toward public art.
34. Prior to the issue of a building permit, a development bond for the sum of \$17,500 being lodged with Council to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works.
35. Prior to the issue of a building permit, an acoustic report shall be submitted to the Town for approval which shall:
- (a) be prepared by an acoustical consultant with relevant qualifications and experience equivalent to those required for admission as a Member of the Australian Acoustical Society (to the satisfaction of the Town's Health Services);
 - (b) to satisfaction of the Town, address all matters that are required to demonstrate that the acceptable noise criteria will be achieved including:
 - the identification of all noise sources to be addressed, including the potential for live bands within the various rooms, vehicle and patron noise, cool rooms and the like from the adjoining hotel and plant equipment associated with the proposed development itself;
 - determination of noise source levels and character;
 - acoustic data to be in octave bands where noise sources are internal;
 - the establishment of Assigned Levels for noise sensitive premises in the vicinity in accordance with the *Environmental Protection (Noise) Regulations 1997*;
 - the provision of the following:
 - (1) date, time and results of measurements and or modelling used to represent the noise associated with live bands;
 - (2) assigned Levels determined for adjacent areas/noise sensitive premises in the vicinity; and
 - (3) recommendations for construction and noise control.

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36. Prior to the issue of a Building Permit a detailed schedule of all colours and materials to be used in the construction of the development shall be submitted for the Town's approval, paying particular relevance to the provisions of clause 8.8 of the Bassendean Town Centre Strategy and Guidelines – Materials and Colour.
37. The building hereby approved shall not be occupied until all of the conditions of planning consent have been complied with to the satisfaction of the Manager Development Services, unless the applicant has entered into an agreement with Council to comply with those conditions within a specified period.
38. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

Advice Notes:

1. The Town will permit the Owner to defer compliance with the condition relating to amalgamation, provided that the Owner enters into a deed of agreement with the Town prepared by the Town's solicitors at the Owner's cost agreeing to complete the amalgamation within 12 months of the issue of the building permit. The agreement shall require the registration of an absolute caveat on the title to the subject land, until such time as the amalgamation has been completed to the Town's satisfaction.
2. The applicant is advised that in relation to the requirement for a 1% Public Art contribution to be made that the Town can consider on site art works subject to Council approval and demonstration of equivalent value and public access.
3. The Town of Bassendean encourages the retention of stormwater on-site through various best management practices, as laid out in its Planning Policy. Details of the stormwater containment and disposal method are to be provided with the building licence application.
4. **Dial Before You Dig:**
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please telephone 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via Dial Before You Dig "1100" number in advance of any construction activities.
5. **Telecommunications Act 1997 (Commonwealth):**
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person

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interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, please contact Telstra's Network Integrity Team on 1800810443.

6. If the planning approval lapses, no development shall be carried out without further approval having first been sought and obtained.
7. If an applicant is aggrieved by this determination there is a right of review under Part 14 of the *Planning and Development Act 2005*. An application for review must be lodged within 28 days of the determination.
8. That the Town of Bassendean does not accept the use of artificial grass and would expect the landscaping plan to show natural vegetation.
9. Separate approval being obtained from the Town's Asset Services for the proposed crossovers on the Parker Street and Wilson Street frontages of the development site.
10. The issue of a Building Permit is required prior to the commencement of any works on site.

The Primary Motion as Amended was put and CARRIED UNANIMOUSLY

3.45pm The Presiding Member thanked Cr Jennie Carter and Mr Brian Reed from the Town of Bassendean.

3.45pm Cr Jennie Carter and Mr Brian Reed departed the meeting.

3.50pm Cr Phil Marks and Cr Robert Rossi, City of Belmont joined the table. Cr Marks and Cr Rossi advised they did not have any Disclosures of Interest and had given Due Consideration to all matters before the Metro Central JDAP.

8.2 Property Location: Lot 1017 (3) Hawksburn Road, Rivervale
Application Details: 147 Multiple Dwellings and 6 Office Tenancies
Applicant: Hillam Architects Pty Ltd
Owner: Dragon Century Spring Pty Ltd
Responsible authority: City of Belmont
DoP File No: DAP/14/00637

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Luigi D'Alessandro

Seconded by: Mr Ian Birch

Mr Charles Johnson
Presiding Member, Metro Central JDAP



That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/14/00637 and accompanying plans date stamped 19 January 2015 in accordance with the City of Belmont Local Planning Scheme No. 15, subject to the following conditions:

Conditions

1. The development plans, as dated marked and stamped "Approved", together with any requirements and annotations detailed thereon by the City, are the plans approved as part of this application and shall form part of the planning approval issued.
2. A geotechnical report prepared by an appropriately qualified consultant certifying that the land is capable of accommodating the proposed development shall be lodged with the City, at the cost of the owner/applicant, prior to the lodgement of an application for a building permit to the satisfaction of the City's Manager Projects & Development.
3. Prior to removal of the protected tree on the property, the applicant/owner shall pay a tree replacement contribution of \$19,792 to the City, unless otherwise agreed by the City. Upon approval by the City, the protected tree shall then be removed at the applicant/owners cost.
4. Prior to the commencement of any site works, the applicant / owner shall:
 - (i) complete and submit an Acid Sulfate Soils Self-Assessment Form to the Department of Environment Regulation and City of Belmont; and
 - (ii) if required as a result of the self-assessment, subsequently prepare and submit an Acid Sulfate Soils Report and an Acid Sulfate Soils Management Plan to the Department of Environment Regulation and the City of Belmont for approval.

Where an Acid Sulfate Soils Management Plan is required to be submitted, all site works shall be carried out in accordance with the approved management plan.

5. No earthworks shall encroach onto the Great Eastern Highway reserve.
6. No stormwater drainage shall be discharged onto the Great Eastern Highway reserve.
7. No vehicle access shall be permitted onto the Great Eastern Highway reserve.
8. The applicant shall make good any damage to the existing verge vegetation within the Great Eastern Highway reserve.
9. The applicant must obtain approval from Main Roads WA before all works are undertaken within the Great Eastern Highway reserve. The applicant seeking access to the Main Roads WA network will be required to submit an application as outlined in the "Application Kit and Guidelines" for State Roads.



10. A detailed schedule of external materials, finishes and colours to be used in the construction of the development shall be submitted to the City prior to lodgement of an application for a building permit to the satisfaction of the City's Director Community & Statutory Services, Manager Planning Services or Coordinator Planning Services.
11. Prior to the commencement of site works, the applicant shall arrange for the preparation of a construction management plan and traffic management plan in accordance with the requirements of AS1742 Pt 3 to the satisfaction of the City's Director Technical Services. The plan shall be thereafter implemented for the duration of the construction of the development.
12. A detailed landscaping and irrigation plan for the subject development site and street verge is to be prepared and submitted to the City for approval within 90 days of the date of this approval.
13. Prior to occupation or use of the development, landscaping, plants and irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan for the duration of the approved development to the satisfaction of the City's Manager Parks and Environment.
14. No existing turf, irrigation or street trees located in the road verge abutting or adjacent to the subject land may be damaged or removed during the course of the development, unless separately approved in writing by the City.
15. No services, such as air conditioners or water heaters shall be visible from the street.
16. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street or a public place.
17. Prior to use or occupation of the development, on-site sustainability measures are to be implemented to the satisfaction of the City's Director Community & Statutory Services or Manager Planning Services.
18. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
 - (a) The approved plan (total of 266 spaces);
 - (b) Australian Standard 2890.1; and
 - (c) Council's engineering requirements and design guidelines.

The areas must be sealed in concrete or brick paving in accordance with the City of Belmont specifications, unless otherwise approved by the City's Director Technical Services. All parking bays must be clearly line marked.

19. A minimum of 21 visitor car parking bays are to be provided for the use of visitors at all times, and maintained to the satisfaction of the City's Manager Projects and Development. A further 16 bays on the Ground Floor or Mezzanine Floor of the development shall be marked 'Visitors (outside business hours)' to the satisfaction of the City's Manager Projects and Development.
20. Prior to occupation of use or development, a Car Parking Management Plan with respect to reciprocal car parking arrangements between the visitor car



parking spaces and office tenancies shall be prepared to the satisfaction of the City's Director Community and Statutory Services, Manager Planning Services or Coordinator Planning Services. The Management Strategy shall then be incorporated to the Strata By-law of the development to the satisfaction of the City; or if otherwise approved by the City, suitably implemented by other means for the life of the development.

21. Prior to occupation of the development, a minimum of 21 bicycle bays accessible to visitors, and end-of-trip facilities for the office tenancies are to be installed and maintained for the course of the development to the specifications contained within the City's Supplementary Planning Guidelines for End of Trip Facilities, to the satisfaction of the City's TravelSmart Officer.
22. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.
23. All stormwater from roofed and paved areas shall be collected and disposed of on-site in accordance with the City of Belmont's engineering requirements and design guidelines.
24. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
 - (i) all illumination is confined within the boundaries of the property; and
 - (ii) there will not be any nuisance caused to an adjoining residents or the local areato the satisfaction of the City's Manager Health and Rangers Services.
25. Within 90 days of the date of this approval, an updated waste and rubbish collection plan shall be submitted for approval by the City's Manager Health and Ranger Services. The approved waste and rubbish collection management plan shall then be implemented for the duration of the development to the satisfaction of the City's Manager Health and Ranger Services.
26. Within 120 days of the date of this approval, the owner/applicant shall elect to either:
 - Seek approval from the City of Belmont for an artist to provide public art on the development site to a minimum value of \$400,000; or
 - Make arrangements with the City of Belmont for a cash-in-lieu payment of \$400,000 being 1% of the estimated cost of the developmentto the satisfaction of the City's Coordinator Community Wellbeing.
27. Where public art will be provided on the development site in accordance with Condition 26, the approved concept/strategy shall be implemented and the artwork constructed prior to use or occupation of the development, and maintained for the life of the development to the satisfaction of the City's Coordinator Community Wellbeing.

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

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commenced within the two (2) year period, the approval shall lapse and be of no further effect.

Advice Notes

1. A planning approval is not an approval to commence any works associated with the development. A building permit must be obtained prior to commencement of any site and building works. An application for a building permit will not be accepted unless proof of payment of all bonds and guarantees accompanies the application documents.
2. Fire requirements to be in accordance with the Building Code of Australia.
3. As of the 1 July 2003, Energy Efficiency requirements were implemented via the Building Code of Australia (BCA) Volume 2 and all residential buildings need to comply with the 'deemed to satisfy' requirements, or alternatively a compliant Energy Audit Report can be submitted by an accredited person. Please be advised that the granting of planning approval from the City is no indication that the approved plans conform to the BCA Volume 2 as amended.
4. Where construction works of the development may encroach onto the road reserve (verge) the applicant shall obtain a Materials On Verge licence for the entire verge for the entire duration of construction works.
5. Application Kits for any work to be undertaken within the Great Eastern Highway reserve can be found on the Main Roads WA website, >"Our Roads">"Conducting Works on Roads">"Application to undertake Works on State Roads">"Application Kit and Guidelines".
6. The required geotechnical report under Condition 2 must identify the geotechnical conditions of the site (including acid sulphate soils) and certify to the City that any earthworks proposed are structurally sound. The earthworks must be carried out in accordance with the geotechnical report as modified (if at all) by the City. Due to excavation to proposed basement levels, the suitability of soil conditions and water table for drainage purposes shall be confirmed with the results of geotechnical investigation.
7. The required "Acid Sulfate Soils Self-Assessment Form" can be downloaded from the Western Australian Planning Commission's website at [http://www.planning.wa.gov.au/dop_pub_pdf/ASS_\(ver_4.0\)_Aug09_interactive.pdf](http://www.planning.wa.gov.au/dop_pub_pdf/ASS_(ver_4.0)_Aug09_interactive.pdf).

Where required:

- any Acid Sulfate Soils investigation shall follow the provisions of the DEC's *Identification and Investigation of Acid Sulphate Soils and Acidic Landscapes* (May 2009), which can be downloaded from the DER website <http://www.dec.wa.gov.au/content/view/2864/1698/>; and
- any Acid Sulfate Soils management plan shall follow the provisions of the DEC's *Treatment and Management of Soils and Water in Acid Sulfate*

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Soil Landscapes (July 2011), which can be downloaded from the DER website <http://www.dec.wa.gov.au/content/view/2864/1698/>.

8. The construction and traffic management plan shall include a dilapidation survey, dust and noise management arrangements, location of site office, materials storage, construction vehicles access, parking and any temporary road closures. The applicant is advised that any signage, road works or road marking made necessary by the proposed development shall be carried out at the developer's cost.
9. The replacement tree contribution of \$19,792 is based on the City's Arborist valuation on 27 May 2014. The applicant is advised to liaise with the City's Parks Technical Officer in relation to payment of the tree replacement contribution.
10. The landscaping and reticulation plan shall be a minimum size of A3, and is to contain a north point and a scale. The plan must show by numerical code, the botanical name of each plant species, proposed pot size, quantity and must also include the proposed treatments of:
 - (a) all areas of the property visible from the street; and
 - (b) the Great Eastern Highway street verge/interface with the subject property.
11. With regard to implementation of the landscaping plan, the plants are to be nurtured until they reach their typical mature dimensions, and shall thereafter be maintained at those mature dimensions unless Council approves otherwise in writing.
12. This planning approval is not approval for the removal or alteration of any turf, irrigation or street tree. If during the course of the development any existing turf and/or irrigation is damaged or destroyed, the owner/applicant shall:
 - (a) repair, reinstate or replace the item in accordance with any written direction of the City's Manager Parks & Environment; and
 - (b) thereafter maintain the item for a period of 12 months, to the satisfaction of the City's Manager Parks & Environment.

If during the course of the development any existing street tree is damaged or destroyed, the City shall repair or replace the street tree in accordance with any written direction of the City's Manager Parks & Environment. The owner/applicant shall:

- (a) be responsible for any costs associated with repair or replacement; and
 - (b) thereafter maintain the street tree for a period of 12 months, to the satisfaction of the City's Manager Parks & Environment.
13. With regard to maintenance of access ways, parking areas and hard stand areas, in the event that the areas are not satisfactorily maintained, the City's Director Technical Services may require by notice, in writing, that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice



may require that lines marking car bays be re-painted, pot holes be repaired, damaged kerbs be replaced and degraded access or parking areas be resurfaced generally in accordance with Council's Engineering Requirements and Design Guidelines.

14. Council's Engineering Requirements and Design Guidelines contains detailed specifications which must be adhered to in the preparation of plans submitted for approval in respect of such matters as drainage, paving, parking, accessways, crossovers, land fill and retaining.
15. Neither a planning approval nor a building permit constitutes an approval to construct a crossover to a property. Prior to occupation or use of the development, a separate application must be made to the City's Technical Services Department for approval to construct a crossover to the property (i.e. from the road to connect with the property's internal driveway). Failure to submit a separate application for crossover approval may result in delays in receiving a vehicle crossover subsidy.
16. Specification for construction of the crossover is outlined under item ST01D, contained within the Materials Schedule – Landscape Work Rev C2 (February 2010) for The Springs, the Applicant is advised to liaise with the City's Technical Services Department in regard to these specifications.
17. Signage is not approved as part of this application. A separate application for planning approval and building permit is required prior to display of any advertisements/signage.
18. In relation to the required public art contribution, the City's Community Wellbeing Services will be required to give final consent for the proposed public art, including any cash-in-lieu arrangement. Full details and specifications should be submitted at the earliest opportunity to ensure that the finalisation of the public art does not delay the progression of the development.
19. The applicant and owner are advised that the City's Rates Department will confirm under separate letter the street numbering applicable for this property.

AMENDING MOTION

Moved: Cr Phil Marks

Seconded: Cr Robert Rossi

That Condition 19 be amended to read as follows:

19. A minimum of 21 visitor car parking bays are to be provided for the use of visitors at all times, and maintained to the satisfaction of the City's Manager Projects and Development. A further 16 bays on the Ground Floor or Mezzanine Floor of the development shall be marked 'Visitors (Commercial users in business hours)' to the satisfaction of the City's Manager Projects and Development. Ground and Mezzanine Floors must be open and accessible at all times.

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That Advice Note 20 be included which reads as follows:

20. In respect to Condition 19, relating to reciprocal visitor parking, it should be noted that this is not to be seen as setting a precedent with respect to any other development proposal.

The Amending Motion was put and CARRIED UNANIMOUSLY

Reason: To clarify the operation of visitor parking particularly relating to commercial business hours.

AMENDING MOTION

Moved: Mr Ian Birch

Seconded: Mr Luigi D'Alessandro

That Condition 12 be amended to read as follows:

12. A detailed landscaping and irrigation plan for the subject development site and street verge is to be prepared and submitted to the City for approval prior to Building Permit submission.

That Condition 25 be amended to read as follows:

25. Prior to Building Permit submission, an updated waste and rubbish collection plan shall be submitted for approval by the City's Manager Health and Ranger Services. The approved waste and rubbish collection management plan shall then be implemented for the duration of the development to the satisfaction of the City's Manager Health and Ranger Services.

That Condition 26 be amended to read as follows:

26. Prior to Building Permit submission, the owner/applicant shall elect to either:
 - Seek approval from the City of Belmont for an artist to provide public art on the development site to a minimum value of \$400,000; or
 - Make arrangements with the City of Belmont for a cash-in-lieu payment of \$400,000 being 1% of the estimated cost of the developmentto the satisfaction of the City's Coordinator Community Wellbeing.

The Amending Motion was put and CARRIED UNANIMOUSLY

Reason: To provide the applicant with more flexibility in meeting the required conditions.

AMENDING MOTION

Moved: Luigi D'Alessandro

Seconded: Mr Ian Birch

That an additional condition number 28 be included which reads as follows:

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28. Prior to the use or occupation of the development, noise attenuation measures to satisfy Australian standard 2107:2000 and State planning Policy 5.4 shall be implemented to the satisfaction of the City.

The Amending Motion was put and CARRIED UNANIMOUSLY

Reason: To add a condition which was referred to in the Responsible Authority Report.

AMENDING MOTION

Moved: Mr Ian Birch

Seconded: Mr Luigi D'Alessandro

That the following statement be removed from the end of the Conditions and Advice Note 21 be included:

21. 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 two (2) year period, the approval shall lapse and be of no further effect.

The Amending Motion was put and CARRIED UNANIMOUSLY

Reason: To make it clear that this is an advice note.

The Amending Motion was put and CARRIED UNANIMOUSLY

PRIMARY MOTION (As Amended)

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/14/00637 and accompanying plans date stamped 19 January 2015 in accordance with the City of Belmont Local Planning Scheme No. 15, subject to the following conditions:

Conditions

1. The development plans, as dated marked and stamped "Approved", together with any requirements and annotations detailed thereon by the City, are the plans approved as part of this application and shall form part of the planning approval issued.
2. A geotechnical report prepared by an appropriately qualified consultant certifying that the land is capable of accommodating the proposed development shall be lodged with the City, at the cost of the owner/applicant, prior to the lodgement of an application for a building permit to the satisfaction of the City's Manager Projects & Development.
3. Prior to removal of the protected tree on the property, the applicant/owner shall pay a tree replacement contribution of \$19,792 to the City, unless otherwise agreed by the City. Upon approval by the City, the protected tree shall then be removed at the applicant/owners cost.

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4. Prior to the commencement of any site works, the applicant / owner shall:
 - (iii) complete and submit an Acid Sulfate Soils Self-Assessment Form to the Department of Environment Regulation and City of Belmont; and
 - (iv) if required as a result of the self-assessment, subsequently prepare and submit an Acid Sulfate Soils Report and an Acid Sulfate Soils Management Plan to the Department of Environment Regulation and the City of Belmont for approval.

Where an Acid Sulfate Soils Management Plan is required to be submitted, all site works shall be carried out in accordance with the approved management plan.

5. No earthworks shall encroach onto the Great Eastern Highway reserve.
6. No stormwater drainage shall be discharged onto the Great Eastern Highway reserve.
7. No vehicle access shall be permitted onto the Great Eastern Highway reserve.
8. The applicant shall make good any damage to the existing verge vegetation within the Great Eastern Highway reserve.
9. The applicant must obtain approval from Main Roads WA before all works are undertaken within the Great Eastern Highway reserve. The applicant seeking access to the Main Roads WA network will be required to submit an application as outlined in the "Application Kit and Guidelines" for State Roads.
10. A detailed schedule of external materials, finishes and colours to be used in the construction of the development shall be submitted to the City prior to lodgement of an application for a building permit to the satisfaction of the City's Director Community & Statutory Services, Manager Planning Services or Coordinator Planning Services.
11. Prior to the commencement of site works, the applicant shall arrange for the preparation of a construction management plan and traffic management plan in accordance with the requirements of AS1742 Pt 3 to the satisfaction of the City's Director Technical Services. The plan shall be thereafter implemented for the duration of the construction of the development.
12. A detailed landscaping and irrigation plan for the subject development site and street verge is to be prepared and submitted to the City for approval prior to Building Permit submission.
13. Prior to occupation or use of the development, landscaping, plants and irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan for the duration of the approved development to the satisfaction of the City's Manager Parks and Environment.
14. No existing turf, irrigation or street trees located in the road verge abutting or adjacent to the subject land may be damaged or removed during the course of the development, unless separately approved in writing by the City.



15. No services, such as air conditioners or water heaters shall be visible from the street.
16. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street or a public place.
17. Prior to use or occupation of the development, on-site sustainability measures are to be implemented to the satisfaction of the City's Director Community & Statutory Services or Manager Planning Services.
18. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
 - (a) The approved plan (total of 266 spaces);
 - (b) Australian Standard 2890.1; and
 - (c) Council's engineering requirements and design guidelines.

The areas must be sealed in concrete or brick paving in accordance with the City of Belmont specifications, unless otherwise approved by the City's Director Technical Services. All parking bays must be clearly line marked.

19. A minimum of 21 visitor car parking bays are to be provided for the use of visitors at all times, and maintained to the satisfaction of the City's Manager Projects and Development. A further 16 bays on the Ground Floor or Mezzanine Floor of the development shall be marked 'Visitors (Commercial users in business hours)' to the satisfaction of the City's Manager Projects and Development. Ground and Mezzanine Floors must be open and accessible at all times.
20. Prior to occupation of use or development, a Car Parking Management Plan with respect to reciprocal car parking arrangements between the visitor car parking spaces and office tenancies shall be prepared to the satisfaction of the City's Director Community and Statutory Services, Manager Planning Services or Coordinator Planning Services. The Management Strategy shall then be incorporated to the Strata By-law of the development to the satisfaction of the City; or if otherwise approved by the City, suitably implemented by other means for the life of the development.
21. Prior to occupation of the development, a minimum of 21 bicycle bays accessible to visitors, and end-of-trip facilities for the office tenancies are to be installed and maintained for the course of the development to the specifications contained within the City's Supplementary Planning Guidelines for End of Trip Facilities, to the satisfaction of the City's TravelSmart Officer.
22. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.
23. All stormwater from roofed and paved areas shall be collected and disposed of on-site in accordance with the City of Belmont's engineering requirements and design guidelines.
24. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
 - (iii) all illumination is confined within the boundaries of the property; and



- (iv) there will not be any nuisance caused to an adjoining residents or the local area
- to the satisfaction of the City's Manager Health and Rangers Services.
25. Prior to Building Permit submission, an updated waste and rubbish collection plan shall be submitted for approval by the City's Manager Health and Ranger Services. The approved waste and rubbish collection management plan shall then be implemented for the duration of the development to the satisfaction of the City's Manager Health and Ranger Services.
26. Prior to Building Permit submission, the owner/applicant shall elect to either:
- Seek approval from the City of Belmont for an artist to provide public art on the development site to a minimum value of \$400,000; or
 - Make arrangements with the City of Belmont for a cash-in-lieu payment of \$400,000 being 1% of the estimated cost of the development
- to the satisfaction of the City's Coordinator Community Wellbeing.
27. Where public art will be provided on the development site in accordance with Condition 26, the approved concept/strategy shall be implemented and the artwork constructed prior to use or occupation of the development, and maintained for the life of the development to the satisfaction of the City's Coordinator Community Wellbeing.
28. Prior to the use or occupation of the development, noise attenuation measures to satisfy Australian standard 2107:2000 and State planning Policy 5.4 shall be implemented to the satisfaction of the City.

Advice Notes

1. A planning approval is not an approval to commence any works associated with the development. A building permit must be obtained prior to commencement of any site and building works. An application for a building permit will not be accepted unless proof of payment of all bonds and guarantees accompanies the application documents.
2. Fire requirements to be in accordance with the Building Code of Australia.
3. As of the 1 July 2003, Energy Efficiency requirements were implemented via the Building Code of Australia (BCA) Volume 2 and all residential buildings need to comply with the 'deemed to satisfy' requirements, or alternatively a compliant Energy Audit Report can be submitted by an accredited person. Please be advised that the granting of planning approval from the City is no indication that the approved plans conform to the BCA Volume 2 as amended.
4. Where construction works of the development may encroach onto the road reserve (verge) the applicant shall obtain a Materials On Verge licence for the entire verge for the entire duration of construction works.
5. Application Kits for any work to be undertaken within the Great Eastern Highway reserve can be found on the Main Roads WA website, >"Our

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Roads">"Conducting Works on Roads">"Application to undertake Works on State Roads">"Application Kit and Guidelines".

6. The required geotechnical report under Condition 2 must identify the geotechnical conditions of the site (including acid sulphate soils) and certify to the City that any earthworks proposed are structurally sound. The earthworks must be carried out in accordance with the geotechnical report as modified (if at all) by the City. Due to excavation to proposed basement levels, the suitability of soil conditions and water table for drainage purposes shall be confirmed with the results of geotechnical investigation.
7. The required "Acid Sulfate Soils Self-Assessment Form" can be downloaded from the Western Australian Planning Commission's website at [http://www.planning.wa.gov.au/dop_pub_pdf/ASS_\(ver_4.0\)_Aug09_interactive.pdf](http://www.planning.wa.gov.au/dop_pub_pdf/ASS_(ver_4.0)_Aug09_interactive.pdf).

Where required:

- any Acid Sulfate Soils investigation shall follow the provisions of the DEC's *Identification and Investigation of Acid Sulphate Soils and Acidic Landscapes* (May 2009), which can be downloaded from the DER website <http://www.dec.wa.gov.au/content/view/2864/1698/>; and
 - any Acid Sulfate Soils management plan shall follow the provisions of the DEC's *Treatment and Management of Soils and Water in Acid Sulfate Soil Landscapes* (July 2011), which can be downloaded from the DER website <http://www.dec.wa.gov.au/content/view/2864/1698/>.
8. The construction and traffic management plan shall include a dilapidation survey, dust and noise management arrangements, location of site office, materials storage, construction vehicles access, parking and any temporary road closures. The applicant is advised that any signage, road works or road marking made necessary by the proposed development shall be carried out at the developer's cost.
 9. The replacement tree contribution of \$19,792 is based on the City's Arborist valuation on 27 May 2014. The applicant is advised to liaise with the City's Parks Technical Officer in relation to payment of the tree replacement contribution.
 10. The landscaping and reticulation plan shall be a minimum size of A3, and is to contain a north point and a scale. The plan must show by numerical code, the botanical name of each plant species, proposed pot size, quantity and must also include the proposed treatments of:
 - (a) all areas of the property visible from the street; and
 - (b) the Great Eastern Highway street verge/interface with the subject property.
 11. With regard to implementation of the landscaping plan, the plants are to be nurtured until they reach their typical mature dimensions, and shall thereafter be maintained at those mature dimensions unless Council approves otherwise in writing.



12. This planning approval is not approval for the removal or alteration of any turf, irrigation or street tree. If during the course of the development any existing turf and/or irrigation is damaged or destroyed, the owner/applicant shall:
- (a) repair, reinstate or replace the item in accordance with any written direction of the City's Manager Parks & Environment; and
 - (b) thereafter maintain the item for a period of 12 months, to the satisfaction of the City's Manager Parks & Environment.

If during the course of the development any existing street tree is damaged or destroyed, the City shall repair or replace the street tree in accordance with any written direction of the City's Manager Parks & Environment. The owner/applicant shall:

- (a) be responsible for any costs associated with repair or replacement; and
 - (b) thereafter maintain the street tree for a period of 12 months, to the satisfaction of the City's Manager Parks & Environment.
13. With regard to maintenance of access ways, parking areas and hard stand areas, in the event that the areas are not satisfactorily maintained, the City's Director Technical Services may require by notice, in writing, that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice may require that lines marking car bays be re-painted, pot holes be repaired, damaged kerbs be replaced and degraded access or parking areas be resurfaced generally in accordance with Council's Engineering Requirements and Design Guidelines.
14. Council's Engineering Requirements and Design Guidelines contains detailed specifications which must be adhered to in the preparation of plans submitted for approval in respect of such matters as drainage, paving, parking, accessways, crossovers, land fill and retaining.
15. Neither a planning approval nor a building permit constitutes an approval to construct a crossover to a property. Prior to occupation or use of the development, a separate application must be made to the City's Technical Services Department for approval to construct a crossover to the property (i.e. from the road to connect with the property's internal driveway). Failure to submit a separate application for crossover approval may result in delays in receiving a vehicle crossover subsidy.
16. Specification for construction of the crossover is outlined under item ST01D, contained within the Materials Schedule – Landscape Work Rev C2 (February 2010) for The Springs, the Applicant is advised to liaise with the City's Technical Services Department in regard to these specifications.
17. Signage is not approved as part of this application. A separate application for planning approval and building permit is required prior to display of any advertisements/signage.

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18. In relation to the required public art contribution, the City's Community Wellbeing Services will be required to give final consent for the proposed public art, including any cash-in-lieu arrangement. Full details and specifications should be submitted at the earliest opportunity to ensure that the finalisation of the public art does not delay the progression of the development.
19. The applicant and owner are advised that the City's Rates Department will confirm under separate letter the street numbering applicable for this property.
20. In respect to Condition 19, relating to reciprocal visitor parking, it should be noted that this is not to be seen as setting a precedent with respect to any other development proposal.
21. 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 two (2) year period, the approval shall lapse and be of no further effect.

9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval

Nil

10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Close

There being no further business, the presiding member thanked the City of Belmont for their hospitality and declared the meeting closed at 5.05pm.

Mr Charles Johnson
Presiding Member, Metro Central JDAP