



Minutes of the Metro Central Joint Development Assessment Panel

Meeting Date and Time: 15 May 2015; 9:30am
Meeting Number: MCJDAP/104
Meeting Venue: City of Belmont
215 Wright Street
Cloverdale

Attendance

DAP Members

Mr Charles Johnson (Presiding Member)
Mr Clayton Higham (A/Deputy Presiding Member)
Mr Lou D'Alessandro (Specialist Member)
Cr Sharron Hawkins-Zeeb (Local Government Member, City of South Perth)
Cr Kevin Trent (Local Government Member, City of South Perth)
Cr Gerry Pule (Local Government Member, Town of Bassendean)
Cr Paul Bridges (Local Government Member, Town of Bassendean)
Cr Phil Marks (Local Government Member, City of Belmont)
Cr Robert Rossi (Local Government Member, City of Belmont)

Officers in attendance

Mr Cameron Howell (City of South Perth)
Mr Brian Reed (Town of Bassendean)
Mr Wilmot Loh (City of Belmont)
Mr Jarrod Ross (City of Belmont)
Ms Melissa Thomson (City of Belmont)
Mr Kevin Davidson (City of Belmont)
Mr Murray Ralph (City of Belmont)

Local Government Minute Secretary

Ms Caroline Wyder-Saunders (City of Belmont)
Ms Melanie Watts (City of Belmont)

Applicants and Submitters

Mr Tony Dawe (PPR)
Mr Tim Indrisie (Doric Group)
Mr Peter Simpson (PTS Town Planning Pty Ltd)
Mr Edwin Bollig (Bollig Design Group)
Doepel Marsh Architects
Mr Michael Kevill (TPG)
Mr Patrick Hubble, (Hubble Design)
Mr Garry Liang (Bright Corporation Pty Ltd)

Members of the Public

Mr Charles Johnson
Presiding Member, Metro Central JDAP



There were approximately 8 members of the public.

A handwritten signature in black ink, appearing to read 'C Johnson'.

Mr Charles Johnson
Presiding Member, Metro Central JDAP



1. Declaration of Opening

The Presiding Member, Mr Charles Johnson declared the meeting open at 9:32am on 15 May 2015 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

2. Apologies

Cr Colin Cala (City of South Perth)
Cr Glenn Cridland (City of South Perth)
Cr Jennifer Carter (Town of Bassendean)

3. Members on Leave of absence

Mr Ian Birch (Deputy Presiding Member)

4. Noting of minutes

The Minutes of the Metro Central JDAP Meeting No.103 held on 7 May 2015 were not available for noting at the time of the meeting.

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 Tony Dawe (PPR) presenting against the application at Item 8.1. The presentation will present the view of local residents affected by the development, in particular addressing inadequate Transport Impact Assessment, Acoustic Assessment and consultation with local residents.
- 7.2 Mr Peter Simpson (PTS Planning) presenting for the application at Item 9.2. The presentation will support the officer's recommendation however, request that the extension be granted for 3 years.
- 7.3 Mr Michael Kevill (TPG) presenting for the application at Item 9.3. The presentation will be in support of the application however, we request some alterations to the conditions of approval.
- 7.4 The DAP Members allowed Mr Patrick Hubble from Hubble Design to present in support of the application at Item 8.1.

Mr Charles Johnson
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PROCEDURAL MOTION

Moved by: Mr Clayton Higham

Seconded by: Cr Kevin Trent

That the agenda applications at Items 9.2 and 9.3 be heard prior to the application at Item 8.1.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

10:08am The Presiding Member thanked Cr Paul Bridges and Cr Gerry Pule and Officer. Town of Bassendean Councillors and Officer departed the meeting and did not return.

10:10am City of Belmont Cr Phil Marks and Cr Robert Rossi and Officers joined the meeting. Both Councillors declared no interests and advised that they had considered all matters. The Presiding Member welcomed the City of Belmont Councillors and Officers to the meeting.

8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location: Lot 204 (2), Lot 205 (4), Lot 206 (6) and Lot 207 (8) Armadale Road, Rivervale
Application Details: 100 serviced apartments in a six (6) storey building with basement parking.
Applicant: Bright Corporation Pty Ltd
Owner: Bright Corporation Pty Ltd
Responsible authority: City of Belmont
DoP File No: DAP/14/00602

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Lou D'Alessandro

Seconded by: Mr Clayton Higham

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/14/00602 and accompanying plans dated 20 April 2015 in accordance with the provisions of the City of Belmont's Local Planning Scheme No. 15, subject to the following conditions:

CONDITIONS

1. The development plans, as dated marked and stamped "Development Assessment Panels Approved", together with any requirements and annotations detailed thereon, are the plans approved as part of this application and shall form part of the planning approval issued.
2. Lots 204, 205, 206 and 207 shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot prior to lodgement of an application for building permit.

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3. 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 for a building permit, to the satisfaction of the City's Manager Projects & Development.
4. A 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 lodgement of an application for building permit.
5. 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.
6. No existing turf, irrigation or street trees (with the exception of the street tree in the location of the eastern crossover) 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.
7. Prior to occupation or use of the development, the existing street tree in the location of the proposed eastern crossover shall be removed and replaced with four (4) Jacaranda Mimosifolia to be placed along the verge in accordance with the City's Street Tree Strategy to the satisfaction of the City's Manager Parks & Environment.
8. 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 (a total of 90 spaces and 1 service vehicle bay) of which 14 bays comply with AS 2890.1; and 75 bays are provided in the form of car stacker bays.
 - (b) Council's engineering requirements and design guidelines.

The areas must be sealed in bitumen or concrete 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.

9. Prior to the application for a building permit or other such time agreed to in writing by the City, a Management Strategy with respect to parking provisions on site shall be prepared to the satisfaction of the City's Director Community & Statutory Services, Manager Planning Services or Coordinator Planning Services that includes allocation of employee bays as well as the location and management of bays for use of serviced apartment guests and restaurant patrons.
10. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines. The one way and two way accessways, the drop off/pick up lane, service



vehicle bay and vehicle headway clearances shall be appropriately signposted onsite to the satisfaction of the City's Manager Projects and Development.

11. The applicant shall arrange for the preparation and implementation of a construction and traffic management plan and footpath management plan in accordance with the requirements of AS 1742 Pt 3 prior to the commencement of site works. The construction and traffic management plan and footpath management plan shall be submitted for the approval of the City's Technical Services no later than 14 days prior to the commencement of site works.
12. Prior to commencement of site works, a Dust and Noise Management Plan with respect to construction activities for the site / development shall be submitted to the satisfaction of the City's Manager Projects and Development.
13. Prior to occupation or use of the development, the redundant crossovers to the subject lot/s, as shown on the approved plans, shall be removed and the verge and kerb reinstated in accordance with the City's Technical Specifications, to the satisfaction of the City's Manager Projects and Development with respect to the local roads.
14. Prior to occupation or use of the development, the owner/applicant shall, after having obtained written approval from the City's Technical Services (Technical Services Clearance Application), construct a vehicle crossover/s in accordance the approved plans and Council's engineering specifications to the satisfaction of the City's Manager Projects and Development.
15. Prior to occupation of the development, a minimum number of 16 bicycle bays, 16 ventilated equipment lockers, 1 male and 1 female showers 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.
16. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
 - (a) all illumination is confined within the boundaries of the property; and
 - (b) there will not be any nuisance caused to an adjoining residents

to the satisfaction of the City's Manager Health & Rangers Services

17. Prior to the application for a building permit or other such time agreed to in writing by the City, a public art concept/strategy for the subject development to the total value of \$ 132,000 shall be submitted to the City in accordance with the provisions of the City of Belmont Public Art Contribution Local Planning Policy, to the satisfaction of the City's Director Community & Statutory Services or Manager Planning Services.
18. The approved public art concept/strategy shall be thereafter implemented and the artwork constructed prior to use/occupation of the development, and



maintained for the life of the development to the satisfaction of the City's Director Community & Statutory Services.

19. Prior to commencement of the use a management plan / strategy for the waste (rubbish collection) and general servicing with regard the laundry and kitchen activities for the site / development shall be submitted to the satisfaction of the City's Manager Health & Ranger Services.
20. The side of balconies that are located parallel to the southeast side boundary (adjacent to No. 10 Armadale Road) and the southwest rear boundary of the lot (adjacent to No. 1-5 Fitzroy Road), shall be provided with obscure screen to a minimum height of 1.6m from the finished floor level of the balcony, as shown on the approved plans.
21. Prior to the application for a building permit or other such time agreed to in writing by the City, a detailed schedule of external materials, finishes and colours to be used in the construction of the development, including the treatment of the 4m high wall adjacent to the disabled parking bay 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.
22. Signage identifying 'No Entry' and/or 'Exit only' shall be placed on site near the northern corner/crossover to identify the 'one way' movement of vehicles in this location.

FOOTNOTES

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. Please liaise with the City's Building Department to ascertain the requirements to allow for a building permit to be issued.
2. Prior to a building permit being issued, detailed plans, specifications and certified structural details shall be submitted with a copy of the planning approval and such other approvals as listed below:
 - (a) Fire and Rescue Services of WA approval.
 - (b) Public Health approvals
3. The development shall have regard for compliance with Environmental Health legislation:
 - (a) Health Act 1911.
 - (b) Health (Air Handling and Water Systems) Regulations 1994.
 - (c) Health (Carbon Monoxide) Regulations 1975.
 - (d) City of Belmont Health Local Law 2002.
 - (e) Sewerage (Lighting Ventilation and Construction) Regulations 1971.
 - (f) Metro Water Supply, Sewerage and Drainage Bylaws 1981.

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Presiding Member, Metro Central JDAP



- (g) Environmental Protection (Noise) Regulations 1997. (Plant, car stackers, bin collection/service vehicles air conditioners shall comply with Regulations)
 - (h) Health (Public Buildings) Regulations 1992 (Plans for the restaurant to be submitted in compliance with Regulations)
 - (i) Food Act 2008 (Plans for the restaurant to be submitted in compliance with Act)
 - (j) Food Regulations 2009
 - (k) Health Act 1911 and Lodging House provisions (the development is assessed as requiring 6 washing machines, 6 dryers and 4 wash troughs).
4. This planning approval is not a demolition permit. A demolition permit must be obtained from the City's Building Services prior to commencement of any demolition works. Please liaise with the City's Building Services for further information.
 5. 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.
 6. In regard to Condition 2 the applicant is advised that should the owners wish to have a Building Permit issued prior to amalgamating the lots, then the City may permit the owner to enter into a legal agreement with City to defer the satisfaction of the condition. The legal agreement must be prepared by the City's solicitors (at the owner's full cost), finalised and signed, and then registered as an absolute caveat on the property's certificate of title prior to application for a building permit being submitted.

Please note that a legal agreement must be requested by the owner, in writing, and all costs associated with the preparation of a legal agreement and lodgement of a caveat must be borne by the owner. Generally legal agreements take 3 to 4 weeks to be prepared and therefore any such request should be lodged promptly with the City's Planning Department.
 7. The required geotechnical report under Condition 3 must identify the geotechnical conditions of the site, and include compaction tests for the removal of the bore 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.
 8. The plan required by Condition 4 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 street verge. (including the 4 Jacaranda 'replacement' trees)

It is recommended that the landscaping plan is prepared by a professional horticulturalist or landscape architect.

Mr Charles Johnson
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9. In relation to Condition 5, 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.
10. Approval is given for the removal of the street tree in the location of the eastern crossover. Street tree removal and replacement shall be undertaken by the City at the owners full cost, in accordance with specifications provided by the City's Parks Technical Officer. The four (4) Jacaranda Mimosifolia replacement trees are estimated to cost \$640 each. The owner shall maintain the street trees for a period of 12 months to the satisfaction of the City's Manager Parks and Environment. In the event that a replacement tree cannot be suitably replaced in the verge of the subject property, the City may request a financial contribution for a replacement tree to be planted elsewhere in the City of Belmont.
11. This planning approval is not approval for the removal or alteration of any turf, or irrigation. 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.
12. In relation to Condition 8, 9, 12 and 13 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.

In the event that access ways, parking areas and hard stand is 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.
13. Neither a planning approval nor a building permit constitutes an approval to construct a crossover to a property. Prior to commencement of any site works, separate approval must be obtained from the City's Technical Services Department to construct a crossover to the property (i.e. from the road to connect with the property's internal driveway). This approval shall be sought by way of an application for Technical Services Clearance. Failure to obtain approval from the City's Technical Services for the crossover may result in time delays or refusal of a vehicle crossover subsidy.
14. 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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15. In regards to Condition 15, the development plans shall show adequate shower and changing facilities, bicycle racks and lockers for the use of staff that cycle to work. Shower and changing facilities shall be provided in accordance with the City's 'Supplementary Planning Guidance for End of Trip Facilities'. Please contact the City's Travelsmart Officer for further information.
16. In relation to Conditions 17 and 18, the issue of a building permit must not be misconstrued as approval of a public art proposal. The Public Art Advisory Panel will be required to give final consent for the proposed public art. 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.
17. The applicant/owner is advised that permission to erect a boundary wall near or on the boundary does not grant permission to use the adjoining property or to remove the dividing fence without neighbour's consent. Dividing fences are controlled under the *Dividing Fences Act 1961* and the City of Belmont has no jurisdiction to resolve disputes owners pertaining to this legislation. Please liaise with any adjoining landowner if there is an intention to remove or replace any portion of fencing, or contact the Building Commission at the Department of Commerce for more information on the *Dividing Fences Act 1961*.
18. The applicant/owner is advised to undertake a Dilapidation Report of adjoining/surrounding properties/buildings to enable and assessment of any change to building conditions between 'pre' and 'post' construction on the development site.
19. The applicant is advised that where operation of the car stackers causes the emission of noise in contravention of the *Environmental Protection (Noise) Regulations 1997*, penalties under the relevant legislation may apply.

Having regard for Condition 8 of this approval which requires the provision of 90 car parking spaces for the development, enforcement measures under the *Environmental Protection (Noise) Regulations 1997* which may require cessation of use of the car stackers, will impact on the validity of this planning approval for the serviced apartment and restaurant land uses.

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.

AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Lou D'Alessandro

That Condition 2 be amended to read as follows:

Mr Charles Johnson
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2. Lots 204, 205, 206 and 207 shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot prior to lodgement of an application for building permit unless alternative arrangements are made by way of a legal agreement prepared to the satisfaction of the City at the cost of the applicant.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: It provides for a legal arrangement for Advice Note 6 to be implemented.

AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Lou D'Alessandro

All conditions and footnotes be changed to remove reference 'to the satisfaction of the City's officer position titles' and be replaced with being 'to the satisfaction of the City'.

The Amending Motion was put and CARRIED (3/2).

For: Mr Charles Johnson, Mr Clayton Higham and Mr Lou D'Alessandro
Against: Cr Marks and Cr Ross

REASON: The DAP has received verbal advice that it is legally preferable to have reference to conditions and advice notes being to the satisfaction of the City as it is the legal entity involved.

PRIMARY MOTION (AS AMENDED)

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/14/00602 and accompanying plans dated 20 April 2015 in accordance with the provisions of the City of Belmont's Local Planning Scheme No. 15, subject to the following conditions:

CONDITIONS

1. The development plans, as dated marked and stamped "Development Assessment Panels Approved", together with any requirements and annotations detailed thereon, are the plans approved as part of this application and shall form part of the planning approval issued.
2. Lots 204, 205, 206 and 207 shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot prior to lodgement of an application for building permit unless alternative arrangements are made by way of a legal agreement prepared to the satisfaction of the City at the cost of the applicant.
3. 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 for a building permit, to the satisfaction of the City.

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4. A 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 lodgement of an application for building permit.
5. 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.
6. No existing turf, irrigation or street trees (with the exception of the street tree in the location of the eastern crossover) 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.
7. Prior to occupation or use of the development, the existing street tree in the location of the proposed eastern crossover shall be removed and replaced with four (4) Jacaranda Mimosifolia to be placed along the verge in accordance with the City's Street Tree Strategy to the satisfaction of the City.
8. 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 (a total of 90 spaces and 1 service vehicle bay) of which 14 bays comply with AS 2890.1; and 75 bays are provided in the form of car stacker bays.
 - (b) Council's engineering requirements and design guidelines.

The areas must be sealed in bitumen or concrete in accordance with the City of Belmont specifications, unless otherwise approved by the City. All parking bays must be clearly line marked.
9. Prior to the application for a building permit or other such time agreed to in writing by the City, a Management Strategy with respect to parking provisions on site shall be prepared to the satisfaction of the City that includes allocation of employee bays as well as the location and management of bays for use of serviced apartment guests and restaurant patrons.
10. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines. The one way and two way accessways, the drop off/pick up lane, service vehicle bay and vehicle headway clearances shall be appropriately signposted onsite to the satisfaction of the City.
11. The applicant shall arrange for the preparation and implementation of a construction and traffic management plan and footpath management plan in accordance with the requirements of AS 1742 Pt 3 prior to the commencement of site works. The construction and traffic management plan and footpath management plan shall be submitted for the approval of the City's Technical Services no later than 14 days prior to the commencement of site works.

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12. Prior to commencement of site works, a Dust and Noise Management Plan with respect to construction activities for the site / development shall be submitted to the satisfaction of the City.
13. Prior to occupation or use of the development, the redundant crossovers to the subject lot/s, as shown on the approved plans, shall be removed and the verge and kerb reinstated in accordance with the City's Technical Specifications, to the satisfaction of the City with respect to the local roads.
14. Prior to occupation or use of the development, the owner/applicant shall, after having obtained written approval from the City (Technical Services Clearance Application), construct a vehicle crossover/s in accordance the approved plans and Council's engineering specifications to the satisfaction of the City.
15. Prior to occupation of the development, a minimum number of 16 bicycle bays, 16 ventilated equipment lockers, 1 male and 1 female showers 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.
16. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
 - (a) all illumination is confined within the boundaries of the property; and
 - (b) there will not be any nuisance caused to an adjoining residentsto the satisfaction of the City.
17. Prior to the application for a building permit or other such time agreed to in writing by the City, a public art concept/strategy for the subject development to the total value of \$ 132,000 shall be submitted to the City in accordance with the provisions of the City of Belmont Public Art Contribution Local Planning Policy, to the satisfaction of the City.
18. The approved public art concept/strategy shall be thereafter implemented and the artwork constructed prior to use/occupation of the development, and maintained for the life of the development to the satisfaction of the City.
19. Prior to commencement of the use a management plan / strategy for the waste (rubbish collection) and general servicing with regard the laundry and kitchen activities for the site / development shall be submitted to the satisfaction of the City.
20. The side of balconies that are located parallel to the southeast side boundary (adjacent to No. 10 Armadale Road) and the southwest rear boundary of the lot (adjacent to No. 1-5 Fitzroy Road), shall be provided with obscure screen to a minimum height of 1.6m from the finished floor level of the balcony, as shown on the approved plans.
21. Prior to the application for a building permit or other such time agreed to in writing by the City, a detailed schedule of external materials, finishes and

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colours to be used in the construction of the development, including the treatment of the 4m high wall adjacent to the disabled parking bay shall be submitted to the City prior to lodgement of an application for a building permit to the satisfaction of the City.

22. Signage identifying 'No Entry' and/or 'Exit only' shall be placed on site near the northern corner/crossover to identify the 'one way' movement of vehicles in this location.

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. Please liaise with the City to ascertain the requirements to allow for a building permit to be issued.
2. Prior to a building permit being issued, detailed plans, specifications and certified structural details shall be submitted with a copy of the planning approval and such other approvals as listed below:
 - (a) Fire and Rescue Services of WA approval.
 - (b) Public Health approvals
3. The development shall have regard for compliance with Environmental Health legislation:
 - (a) Health Act 1911.
 - (b) Health (Air Handling and Water Systems) Regulations 1994.
 - (c) Health (Carbon Monoxide) Regulations 1975.
 - (d) City of Belmont Health Local Law 2002.
 - (e) Sewerage (Lighting Ventilation and Construction) Regulations 1971.
 - (f) Metro Water Supply, Sewerage and Drainage Bylaws 1981.
 - (g) Environmental Protection (Noise) Regulations 1997. (Plant, car stackers, bin collection/service vehicles air conditioners shall comply with Regulations)
 - (h) Health (Public Buildings) Regulations 1992 (Plans for the restaurant to be submitted in compliance with Regulations)
 - (i) Food Act 2008 (Plans for the restaurant to be submitted in compliance with Act)
 - (j) Food Regulations 2009
 - (k) Health Act 1911 and Lodging House provisions (the development is assessed as requiring 6 washing machines, 6 dryers and 4 wash troughs).
4. This planning approval is not a demolition permit. A demolition permit must be obtained from the City prior to commencement of any demolition works. Please liaise with the City for further information.
5. 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.

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6. In regard to Condition 2 the applicant is advised that should the owners wish to have a Building Permit issued prior to amalgamating the lots, then the City may permit the owner to enter into a legal agreement with City to defer the satisfaction of the condition. The legal agreement must be prepared by the City's solicitors (at the owner's full cost), finalised and signed, and then registered as an absolute caveat on the property's certificate of title prior to application for a building permit being submitted.

Please note that a legal agreement must be requested by the owner, in writing, and all costs associated with the preparation of a legal agreement and lodgement of a caveat must be borne by the owner. Generally legal agreements take 3 to 4 weeks to be prepared and therefore any such request should be lodged promptly with the City's Planning Department.

7. The required geotechnical report under Condition 3 must identify the geotechnical conditions of the site, and include compaction tests for the removal of the bore 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.
8. The plan required by Condition 4 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 street verge. (including the 4 Jacaranda 'replacement' trees)

It is recommended that the landscaping plan is prepared by a professional horticulturalist or landscape architect.

9. In relation to Condition 5, 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.
10. Approval is given for the removal of the street tree in the location of the eastern crossover. Street tree removal and replacement shall be undertaken by the City at the owners full cost, in accordance with specifications provided by the City. The four (4) Jacaranda Mimosifolia replacement trees are estimated to cost \$640 each. The owner shall maintain the street trees for a period of 12 months to the satisfaction of the City. In the event that a replacement tree cannot be suitably replaced in the verge of the subject property, the City may request a financial contribution for a replacement tree to be planted elsewhere in the City of Belmont.
11. This planning approval is not approval for the removal or alteration of any turf, or irrigation. 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; and



- (b) thereafter maintain the item for a period of 12 months, to the satisfaction of the City.
12. In relation to Condition 8, 9, 12 and 13 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.
- In the event that access ways, parking areas and hard stand is not satisfactorily maintained, the City 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.
13. Neither a planning approval nor a building permit constitutes an approval to construct a crossover to a property. Prior to commencement of any site works, separate approval must be obtained from the City to construct a crossover to the property (i.e. from the road to connect with the property's internal driveway). This approval shall be sought by way of an application for Technical Services Clearance. Failure to obtain approval from the City for the crossover may result in time delays or refusal of a vehicle crossover subsidy.
14. 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.
15. In regards to Condition 15, the development plans shall show adequate shower and changing facilities, bicycle racks and lockers for the use of staff that cycle to work. Shower and changing facilities shall be provided in accordance with the City's 'Supplementary Planning Guidance for End of Trip Facilities'. Please contact the City for further information.
16. In relation to Conditions 17 and 18, the issue of a building permit must not be misconstrued as approval of a public art proposal. The Public Art Advisory Panel will be required to give final consent for the proposed public art. 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.
17. The applicant/owner is advised that permission to erect a boundary wall near or on the boundary does not grant permission to use the adjoining property or to remove the dividing fence without neighbour's consent. Dividing fences are controlled under the *Dividing Fences Act 1961* and the City of Belmont has no jurisdiction to resolve disputes owners pertaining to this legislation. Please liaise with any adjoining landowner if there is an intention to remove or replace any portion of fencing, or contact the Building Commission at the Department of Commerce for more information on the *Dividing Fences Act 1961*.

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18. The applicant/owner is advised to undertake a Dilapidation Report of adjoining/surrounding properties/buildings to enable and assessment of any change to building conditions between 'pre' and 'post' construction on the development site.
19. The applicant is advised that where operation of the car stackers causes the emission of noise in contravention of the *Environmental Protection (Noise) Regulations 1997*, penalties under the relevant legislation may apply.

Having regard for Condition 8 of this approval which requires the provision of 90 car parking spaces for the development, enforcement measures under the *Environmental Protection (Noise) Regulations 1997* which may require cessation of use of the car stackers, will impact on the validity of this planning approval for the serviced apartment and restaurant land uses.

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 Primary Motion (as amended) was put and CARRIED (3/2).

For: Mr Lou D'Alessandro, Mr Clayton Higham and Mr Charles Johnson
Against: Cr Marks and Cr Rossi

9. Form 2 – Responsible Authority Reports - Amending or Cancelling DAP Development Approval

- 9.1** Property Location: Lots 130-133 (40-46) Riversdale Road, Rivervale WA 6103
- Application Details: Extension of approval period for previously approved 168 Multiple Dwelling development
- Applicant: Doric Contractors Pty Ltd
- Owner: Park on Swan Pty Ltd
- Responsible authority: City of Belmont
- DoP File No: DP/13/00304

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Lou D'Alessandro

Officer Recommendation:

That the Metro Central JDAP resolves to:

1. **Accept** that the DAP Application reference DP/13/00304 as detailed on the DAP Form 2 dated 20 March 2015 is appropriate for consideration in accordance with regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*;

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2. **Approve** the DAP Application reference DP/13/00304 as detailed on the DAP Form 2 dated 20 March 2015 and accompanying plans date stamped 30 June 2014 in accordance with the provisions of the City of Belmont Local Planning Scheme No. 15, for the proposed extension to the approval period for a further two (2) years within which the development of 168 Multiple Dwellings at 40-46 Riversdale Road, Rivervale must be substantially commenced, subject to:

Conditions (as consistent with the amended approval dated 25 August 2014)

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. Lots 130, 131, 132 & 133 shall be amalgamated in accordance with the approved plan, and
 - (a) a new certificate of title obtained for the amalgamated lot; or
 - (b) the owner shall enter into a legal agreement with the City prepared by the City's solicitors by which the owner covenants to the required subdivision of the land within a specified period and agrees to the registration of an absolute caveat on the Certificate/s of Title to the land. The owner is to bear all costs associated with the preparation and stamping of the agreement and the registration of the caveat.
3. A geotechnical report prepared for the City by an appropriately qualified consultant shall be lodged with the City, at the cost of the owner/applicant, prior to an application for a building licence, to the satisfaction of the City's Manager Projects & Development.
4. Prior to the commencement of any site works, the applicant I owner shall:
 - (i) complete and submit an Acid Sulfate Soils Self-Assessment Form to the Department of Environment & Conservation 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 and Conservation 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. 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 AS 1742 Pt 3 to the satisfaction of the

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- City's Director Technical Services. The plan shall be thereafter implemented for the duration of the construction of the development.
6. Upon completion of the works, all waste materials (including excess soil, building materials, rubbish and any other deleterious matter) shall be removed from the site.
 7. A landscaping, irrigation and foreshore management plan for the subject development site, street verge and Swan River foreshore is to be prepared and submitted to the City for approval prior to application for a building permit.
 8. 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, irrigation and foreshore management plan for the duration of the approved development to the satisfaction of the City's Manager Parks and Environment.
 9. 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.
 10. The applicant shall ensure that no damage to the foreshore, riverbank, or waterway (including infrastructure and vegetation) occurs as a result of the works. Should any inadvertent damage occur, the applicant is required to notify the Swan River Trust within 48 hours.
 11. No soil, building materials, rubbish or any other deleterious matter shall be placed on the Parks and Recreation Reserve or be allowed to enter the river as a result of the works.
 12. The applicant shall not access the site via the Parks and Recreation reserve unless authorised by the City of Belmont to do so.
 13. The boundary fence to the Parks and Recreation reserve shall be an open view style of a total height not exceeding 2.3m (including the proposed 1.3 metre high retaining wall) in compliance with Swan River Trust policy SRT/D3 Development Setback Requirements, to the satisfaction of the City of Belmont upon advice from the Swan River Trust.
 14. The development shall be finished in darker, non-reflective colours to reduce its visual impact to the satisfaction of the City of Belmont on advice from the Swan River Trust. 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 application for a building permit to the satisfaction of the City of Belmont upon advice from the Swan River Trust.
 15. The finished level of the rear Terrace shall not exceed a height of 16.50m AHD in the Central View Corridor; a clear glass balustrade only, to a maximum height of 17.60m AHD is permitted in the Central View Corridor. No other structure above 16.50m AHD is permitted in the Central View Corridor unless otherwise approved by the City.

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16. The east facing side of all northern oriented balconies in the East Tower, as marked in 'RED' on the approved plans, shall be designed to comply with the acceptable development standards of the Residential Design Codes to the satisfaction of the City's Director Community & Statutory Services, Manager Planning Services, or Coordinator Planning Services.
17. No services, such as air conditioners or water heaters shall be visible from the street.
18. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street or public place.
19. 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 (326 spaces that comply with AS 2890.1); and
 - (b) 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.

20. A minimum of 34 visitor parking bays are to be provided and maintained to the satisfaction of the City's Manager Projects & Development. All visitor bays are to be provided in a location agreed to by the City, constructed, clearly marked on site as 'Visitor Bays', and maintained in accordance with the City's engineering requirements and design guidelines to the satisfaction of the City's Director Technical Services.
21. A Management Strategy with respect to parking provisions on site being prepared to the satisfaction of the City's Director Community & Statutory Services, Manager Planning Services or Coordinator Planning Services that includes allocation of resident bays, location of visitor bays and encourages the use of bicycles and public transport.
22. Prior to occupation of the development, a minimum of 21 bicycle bays 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.
23. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.
24. Prior to occupation or use of the development, the owner / applicant shall submit an application for construction of a vehicle crossover/s to the City's Technical Services. Upon receipt of approval from the City's Technical Services, construction of the crossover/s shall be undertaken in concrete or brick paving in accordance with the City of Belmont crossover specifications.



25. Prior to occupation of the development, a 2.0 metre wide concrete footpath shall be constructed in the Riversdale Road verge adjoining the road kerb for the full width of the property in accordance with the City's specifications to the satisfaction of the City's Director Technical Services.
26. 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.
27. All illumination from proposed lighting shall be confined within the property boundaries to the satisfaction of the City's Manager Health & Ranger Services.
28. Within 60 days of this approval, a public art concept / strategy for the subject development to the value of \$700,000 shall be submitted to the City in accordance with the provisions of the City of Belmont Public Art Contribution Local Planning Policy, to the satisfaction of the City's Director Community & Statutory Services or Manager Planning Services.
29. The approved public art concept / strategy shall be thereafter implemented and the artwork constructed and maintained for the life of the development to the satisfaction of the City's Director Community & Statutory Services.
30. Arrangements being made to the satisfaction of the City for the payment of the relevant development contribution for the infrastructure and administration items identified in Amendment No. 2 to the City of Belmont Local Planning Scheme No. 15, prior to the application for a building Permit.
31. The existing power pole located in the verge area abutting the western boundary shall be relocated at the landowners' full cost, to the satisfaction of Western Power and the City of Belmont.
32. The 'small car' bays reflected on the development plans shall comply with the minimum dimensions of the relevant Australian Standard. These bays shall be appropriately signed/marked 'For Small Cars' prior to use of the development.
33. Within 60 days of this approval, a detailed plan specifying the design and treatment of the balconies facing Riversdale Road shall be submitted for approval by the City. The approved design and balcony treatment shall then be implemented for the life of the development, unless otherwise approved by the City.
34. Within 60 days of this approval, an updated Waste and Rubbish Collection Management Plan shall be submitted for the approval of the City's Manager Health & Rangers Services. The approved waste and rubbish collection management plan shall be thereafter implemented for the duration of the development.

ADVICE NOTES

Mr Charles Johnson
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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 may not be accepted unless:
 - a. proof of payment of all bonds and guarantees; and
 - b. letters from the Planning Department, Technical Services and Health Services (as applicable) confirming conditions of planning approval have been met and technical details provided;

accompanies the application for a Building Permit.

2. Fire requirements to be in accordance with the Building Code of Australia Parts C and E.
3. Where construction works of the development may encroach onto the road reserve (verge), the applicant is required to obtain a Materials On Verge licence from the City of Belmont for the entire duration of construction works.
4. In relation to access and facilities for people with disabilities the development will be required to comply with the Building Code of Australia, Parts D3, F2.4 and Australian Standard 1428.1. It should be noted that complying with these Regulations will not guarantee your proposed development will comply with the *Disability Discrimination Act 1992*. This is the sole responsibility of the owner, builder and developer. Australian Standard 1428, Parts 2, 3 and 4, may assist you in satisfying the requirements of the *Disability Discrimination Act 1992* or you may wish to telephone the Disability Service Commission for more information, or visit online:
http://humanrights.gov.au/disability_rights/buildings/good.htm.
5. In regard to Condition 2, the applicant is advised that should the owners wish to have a building licence issued prior to amalgamating the lots, then the owner may enter into a legal agreement with City to defer the satisfaction of the condition. The legal agreement must be finalised, signed and lodged as an absolute caveat on the property's certificate of title prior to the issue of a building licence.

Please note that a legal agreement must be requested by the owner, in writing, and all costs associated with the preparation of a legal agreement and lodgement of a caveat must be borne by the owner. Generally legal agreements take 3 to 4 weeks to be prepared and therefore any such request should be lodged promptly.

6. The required geotechnical report under Condition 3 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.

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7. In relation to Condition 4, 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 DEC 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 DEC website <http://www.dec.wa.gov.au/content/view/2864/1698/>.
8. In relation to Condition 5, 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 plan required by Condition 7 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;
 - (b) the street verge; and
 - (c) Swan River foreshore (as appropriate).

The plan should also demonstrate compliance with the Foreshore Reserve Provisions of the Riversdale Road North Precinct detailed area plan in relation to edge treatments and built form within the principal rear setback area. In accordance with the detailed area plan, these should be designed to provide visual relief, a naturalistic appearance and human scale, to the satisfaction of the City of Belmont on advice from the Swan River Trust. Connectivity between the site and the foreshore path should also be addressed.

10. In relation to Condition 8, 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.

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11. 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.
12. In relation to Condition 10, the applicant is advised that it is an offence under the Swan and Canning Rivers Management Regulations 2007 to destroy, pull up, cut back or injure any tree, shrub, aquatic plant or other perennial plant that is in the Swan River Trust Development Control Area, except with the approval of the Swan River Trust.
13. In regard to Condition 11, the applicant shall demonstrate how sand, building materials and rubbish will be prevented from entering the reserve during works for the approval of the City of Belmont on advice from the Swan River Trust.
14. In relation to Condition 13, the boundary fence should consist of open railings rather than clear glass panelling as shown in the development application.
15. In regard to Condition 14, in relation to the finishes to be used, naturalistic finishes, colours and textures should be considered and large expanses of reflective materials should be avoided.
16. In relation to Condition 20, the visitor parking bays shall be located in a position directly adjacent to the entrance to the basement car park.
17. In relation to Condition 23, in the event that access ways, parking areas and hard stand is 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.



18. 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.
19. Neither a planning approval nor a building license 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.
20. 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 signage.
21. In relation to Conditions 28 and 29, the City's Community Wellbeing Services will be required to give final consent for the proposed public art. 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.
22. Condition 30 is in acknowledgement of the obligations of all landowners within proposed Development Contribution Area 1 (The Springs Special Development Precinct) to make a development contribution for public infrastructure. The proposed development contribution applicable to Lots 130-133 Riversdale Road is a total of \$1,000,504.06. This amount is to be paid to the City of Belmont prior to application for a building permit. Alternatively, the City may permit the landowner to enter into a legal agreement with the City for an alternative payment arrangement to the satisfaction of the City's Director Corporate & Governance Services. Please contact the City's Planning Department for more information in relation to this condition.
23. The applicant and owner are advised that the City's Rates Department will confirm under separate letter the street numbering applicable for this property.
24. The applicant is required to liaise with Perth Airport regarding the use and acceptability cranes during the construction of the development.

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

9:35am City of South Perth Cr Sharron Hawkins-Zeeb and Cr Kevin Trent joined the meeting. Both Councillors declared no interest and advised that they had considered all matters. The Presiding Member welcomed the City of South Perth Councillors to the meeting.

9:37am Mr Cameron Howell from the City of South Perth joined the meeting.

Mr Charles Johnson
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- 9.2** Property Location: Lot 1001 (12) Charles Street, South Perth
[previously Lots 151-153 Nos. 12-16]
Application Details: Proposed Amendment (Validity of Approval) to
Approved Non-Residential Development
Comprising 'Office' and 'Café/Restaurant' in a
Nine Storey Building
Applicant: PTS Town Planning Pty Ltd
Owner: Broadway Pty Ltd
Responsible authority: City of South Perth
DoP File No: DAP/13/00447

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Clayton Higham

Seconded by: Cr Kevin Trent

That the Metro Central JDAP resolves to:

1. **Approve** that the DAP Application reference DAP/13/00447 as detailed on the DAP Form 2 dated 16 March 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/13/00447 as detailed on the DAP Form 2 dated 16 March 2015 and the plans previously approved by the Metro Central JDAP in accordance with the provisions of the clause 7.9 of the City of South Perth Town Planning Scheme No. 6, for the proposed amendment (validity of approval) to approved non-residential development comprising 'office' and 'café/restaurant' in a nine storey building at Lot 1001 (No. 12) Charles Street, South Perth [previously Lots 151-153 Nos. 12-16], subject to:

Amended Conditions

18. The validity of this approval shall cease if construction is not substantially commenced within 36 months of the date of planning approval. The date of planning approval is 15 August 2013.

All other conditions and requirements detailed on the previous approval dated 15 August 2013 shall remain unless altered by this application.

ALTERNATE RECOMMENDATION

Moved by: Cr Kevin Trent

Seconded by: Mr Clayton Higham

Defer consideration of DAP Application reference DAP/13/00447 as detailed on the DAP Form 2 dated 16 March 2015 to the 25 May 2015 DAP meeting in order to receive legal advice from the Crown Solicitor's Office on the ability of the DAP to extend the approval beyond that specified in the City of South Perth Town Planning Scheme.

The Alternate Recommendation was put and CARRIED UNANIMOUSLY.

Mr Charles Johnson
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REASON: To seek legal advice on the ability of the DAP to extend the approval beyond that specified in the City of South Perth Town Planning Scheme.

9:48am The Presiding Member thanked Cr Sharron Hawkins-Zeeb and Cr Kevin Trent and City Officer. The City of South Perth Councillors and Officer departed the meeting and did not return.

9:49am Town of Bassendean Cr Paul Bridges and Cr Gerry Pule and Town Officer joined the meeting. Both Councillors declared no interests and advised they had considered all matters. The Presiding Member welcomed the Town of Bassendean Councillors and Officer to the meeting.

9.3 Property Location: Lots 90 – 92 (7 – 11) Parker Street and Lots 8 & 9 (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 Mark's Anglican Church
Responsible authority: Town of Bassendean
DoP File No: DAP/14/00603

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Gerry Pule

Seconded by: Cr Paul Bridges

That the Metro Central Joint DAP resolves to:

1. **Approve** that the DAP Application reference DAP/14/00603 as detailed on the DAP Form 2 dated 10 March 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and
2. **Approve** the DAP Application reference DAP/14/00603 as detailed on the DAP Form 2 date 10 March 2015 and accompanying plans Drawing No DA 1.2 – F and DA 1.3- F in accordance with the provisions of Clause 10.3 of the Town of Bassendean Local Planning Scheme, for the proposed minor amendment to the approved Mixed Use Development at Lots 90-92 (Nos 7-11) Parker Street and Lots 8 & 9 (Nos 2 and 4a) Wilson Street, Bassendean. -

Amended Conditions

1. The deletion of condition 16 and its replacement with the following condition:

“Prior to the commencement of construction, a detailed lighting plan is to be provided showing all proposed internal and external lighting to the satisfaction of the Town.”

Mr Charles Johnson
Presiding Member, Metro Central JDAP



2. The deletion of conditions 25 and 26 and their replacement with the following single condition (which will also cause the remainder of the conditions to be renumbered):

Bins are to be stored only in an approved dedicated bin storage area, which shall be:

- (a) *Surrounded by a 1.8 metre high minimum wall with a self-closing gate;*
- (b) *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) *Provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.*

- 3 The deletion of condition 27.

Advice Notes

1. The addition of the following advice note:

Signage for the non-residential component of the development being the subject of separate application and approval

2. All other conditions and requirements detailed on the previous approval dated 17 February 2015 shall remain unless altered by this application.

AMENDING MOTION

Moved by: Cr Gerry Pule

Seconded by: Mr Clayton Higham

That Condition 10 be deleted and replaced with the following:

10. All bicycle bays shall be constructed in accordance with the provisions of AS2890.3.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To clarify that all bicycle bays shall be constructed in accordance with the provisions of AS2890.3.

PRIMARY MOTION (AS AMENDED)

That the Metro Central Joint DAP resolves to:

1. **Approve** that the DAP Application reference DAP/14/00603 as detailed on the DAP Form 2 dated 10 March 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and

Mr Charles Johnson
Presiding Member, Metro Central JDAP



2. **Approve** the DAP Application reference DAP/14/00603 as detailed on the DAP Form 2 date 10 March 2015 and accompanying plans Drawing No DA 1.2 – F and DA 1.3- F in accordance with the provisions of Clause 10.3 of the Town of Bassendean Local Planning Scheme, for the proposed minor amendment to the approved Mixed Use Development at Lots 90-92 (Nos 7-11) Parker Street and Lots 8 & 9 (Nos 2 and 4a) Wilson Street, Bassendean. -

Amended Conditions

1. The deletion of condition 10 and its replacement with the following condition:

“All bicycle bays shall be constructed in accordance with the provisions of AS2890.3.”
2. The deletion of condition 16 and its replacement with the following condition:

“Prior to the commencement of construction, a detailed lighting plan is to be provided showing all proposed internal and external lighting to the satisfaction of the Town.”
3. The deletion of conditions 25 and 26 and their replacement with the following single condition (which will also cause the remainder of the conditions to be renumbered):

Bins are to be stored only in an approved dedicated bin storage area, which shall be:
 - (a) *Surrounded by a 1.8 metre high minimum wall with a self-closing gate;*
 - (b) *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) *Provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.*
4. The deletion of condition 27.

Advice Notes

1. The addition of the following advice note:

Signage for the non-residential component of the development being the subject of separate application and approval
2. All other conditions and requirements detailed on the previous approval dated 17 February 2015 shall remain unless altered by this application.

The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

9. Appeals to the State Administrative Tribunal

Mr Charles Johnson
Presiding Member, Metro Central JDAP



Nil

10. General Business / Meeting Close

There being no further business, the presiding member declared the meeting closed at 11:55am.

A handwritten signature in black ink, appearing to read 'C Johnson'.

Mr Charles Johnson
Presiding Member, Metro Central JDAP