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## Minutes of the Metro Central Joint Development Assessment Panel

**Meeting Date and Time:** 23 June 2015 at 10.00am  
**Meeting Number:** MCJDAP/110  
**Meeting Venue:** Town of Bassendean Council Chamber  
48 Old Perth Road, Bassendean

### Attendance

#### DAP Members

Mr Ian Birch (A/Presiding Member)  
Mr Clayton Higham (A/Deputy Presiding Member)  
Cr Jennie Carter (Local Government Member, Town of Bassendean)  
Cr Gerry Pule (Local Government Member, Town of Bassendean)

#### Officers in attendance

Mr Brian Reed (Town of Bassendean)  
Mr Christian Buttle (Town of Bassendean)

#### Local Government Minute Secretary

Mrs Amy Holmes

#### Applicants and Submitters

Mr Carlo Famiano (Urban and Rural Perspectives)

#### Members of the Public

Two

### 1. Declaration of Opening

The Presiding Member, Ian Birch declared the meeting open at 10.00am on 23 June 2015 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

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*.

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the Standing Orders 2012; No Recording of Meeting, which states: 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting

**Mr Ian Birch**  
Presiding Member, Metro Central JDAP



*unless the Presiding Member has given permission to do so.'* The Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

**2. Apologies**

Mr Charles Johnson (Presiding Member)  
Mr Luigi D'Alessandro (Specialist Member)

**3. Members on Leave of absence**

Mr Charles Johnson (Presiding Member)

**4. Noting of minutes**

The Minutes of the Metro Central JDAP Meeting No.109 held on 17 June 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 Carlo Famiano (Urban and Rural Perspectives) addressed the DAP and answered questions regarding the application at Item 8.1.

**7.2** Town of Bassendean Planning Officer Christian Buttle addressed the DAP and answered questions regarding the application at Item 8.1.

**8. Form 1 - Responsible Authority Reports – DAP Application**

<b>8.1</b>	Property Location:	Lot 54 (Nos. 72-74) Railway Parade, Bassendean
	Application Details:	14 Multiple Dwellings
	Applicant:	Urban & Rural Perspectives
	Owner:	Mark & Sandra Hammond
	Responsible authority:	Town of Bassendean
	DoP File No:	DAP/15/00740

**REPORT RECOMMENDATION/PRIMARY MOTION**

**Moved by:** Cr Gerry Pule

**Seconded by:** Mr Clayton Higham

That the Metro Central Joint Development Assessment Panel resolves to:

**Mr Ian Birch**  
Presiding Member, Metro Central JDAP



**Approve** DAP Application reference DAP Dap/15/00740 and accompanying plans:

Dwg No.	Drawing Name	Rev No.	Dwg Date
A0.00	22 Bins Verge Pick Up Plan	3	18.05.2015
A1.01	Proposed Site Development Plan (with aerial underlay)	2	11.05.2015
A1.02	Proposed Site Development Plan	2	11.05.2015
A2.01	Proposed Site / Ground Floor Plan (Part A)	2	11.05.2015
A2.02	Proposed Site / Ground Floor Plan (Part B)	2	11.05.2015
A2.05	First Floor Plan	2	11.05.2015
A3.01	Elevations	2	11.05.2015
A3.02	Elevations	2	11.05.2015

in accordance with Clause 10.3 of the Town of Bassendean Local Planning Scheme No. 10, subject to the following conditions:

1. The design/extent of roof cover to balconies of units 12-19 and 22 being modified in order to facilitate the provision of direct solar access to the Living Room windows of the respective units, to the satisfaction of the Town, unless an alternative arrangement, such as the provision of solar hot water systems along with low water use landscaping for the development, can be provided to the satisfaction of the Town (see footnote).
2. Upper floor unit 19 being set back from the left hand (western) side boundary generally in accordance with the Deemed-to-comply provisions of the R-Codes and this side of the building being detailed architecturally in a manner which is generally consistent with that of other dwellings within the development, while also allowing for casual surveillance in the manner described within the Officer report (non-major size fixed openings) to the satisfaction of the Town.
3. Outdoor living areas / Balconies for units 5, 19 and 22 being modified in order that a usable area of 10 sq. metres minimum with width and / or length dimensions of 2.4 metres minimum being provided as measured in any direction.
3. The provision of a pedestrian path which provides wheelchair accessibility connecting the main pedestrian entrance to building 'block 4' with the public footpath.
5. A detailed and professionally prepared 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 and public realms 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; and
  - (b) reticulation methods, including arrangements incorporated into the design to minimize water use.

Landscaping design and species selection shall pay particular attention to provisions contained within the Town of Bassendean Local Planning Policy



- No. 18 – Landscaping with Local Plants, and shall not include the use of artificial turf.
6. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
  7. Submission of a plan detailing the location of all external lighting, to the satisfaction of the Town prior to or in conjunction with the application for a building permit. The lighting plan shall take particular account of the need to for lighting to be provided to pedestrian paths, car parking areas, bicycle parking locations, and the right-of-way within the vicinity of the pedestrian and vehicular entrance to the development and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.
  8. The following works shall be completed within the Railway Parade road reserve to facilitate the proposed development:
    - (a) Existing 1m wide concrete apron associated with redundant crossover forward of No. 74 Railway Parade shall be removed and replaced with barrier kerb and brick paving to match the remainder of the footpath;
    - (b) Existing Paved crossover forward of No. 74 Railway Parade shall be removed and replaced with paving to match the remainder of the footpath (both in material and paving pattern). This includes the removal of the white header course of paving (which defines the alignment of the existing crossover) and replacement to match the remainder of the footpath;
    - (c) The proposed crossover to Railway Parade shall have a 1m concrete apron adjacent to the kerb line. The crossover shall be centrally positioned in line with the access aisle between the visitor car parking spaces and shall be a maximum 6 metre width;
    - (d) The proposed crossover from Railway Parade shall be constructed of heavy duty trafficable brick pavers, the material and colour of which shall match the adjoining footpath. The crossover shall have a cream coloured header course which delineates the crossover from the adjoining footpath; and
    - (e) Prior to the issue of a Building Permit, the applicant shall pay the Town a sum of \$682 to cover the removal and streetscape contribution associated with the loss of existing vegetation within the Railway Parade road reserve to facilitate bin storage.
  9. Prior to the issue of a Building Permit for this development, a 1.0m strip of land shall be excised from the rear of the lot for the purposes of widening the adjoining right-of-way, or the owner shall enter into a legal agreement with the Town prepared by the Town's Solicitors at the owner's cost requiring excision of this land to be completed within twelve months of the issue of a Building Permit, or prior to the completion of the development, whichever occurs earlier.

**Mr Ian Birch**  
Presiding Member, Metro Central JDAP



10. The strip of land to the rear of the site which is excised for right-of-way purposes shall be paved, drained and kerbed to the specifications of the Town prior to occupation of the dwellings.
11. The sealing and kerbing of all car parking areas and access ways to the Town's specifications.
12. The on site car parking spaces and access ways being constructed and maintained thereafter to the Town's satisfaction.
13. Each dwelling being provided with one car parking space. Such arrangement shall be reflected on any subsequent strata plan for the property.
14. Visitor parking spaces being clearly marked for "Visitors Only" and used as such.
15. A minimum of 8 bicycle parking spaces shall be provided for residents, and a minimum of 3 bicycle parking spaces shall be provided for visitors. The resident bicycle parking spaces shall be located in a secure weather protected compound, details of which shall be provided to the Town in advance of, or in conjunction with the application for a building permit, and be constructed in accordance with the provisions of AS 2890.3 (as amended), while visitor bicycle parking spaces shall be relocated close to main pedestrian access points to the development to the satisfaction of the Town as advocated within As2890.3.
16. Access aisles within the car park shall be increased from 5.8m, 5.85m and 5.9 metres respectively to 6.2 metres minimum in accordance with the Town's Local Planning Policy No. 8 – Parking Specifications.
17. The width of visitor car parking bay No. 3 shall be increased to 2.4m minimum.
18. The height of filling and associated retaining adjacent to the left hand (western) side property boundary being reduced to an extent that it does not exceed 500mm above existing ground levels.
19. All storm water being contained and disposed of on site. Details of the method of storm water containment and disposal being included with the drawings submitted for a Building Permit.
20. The street number being prominently displayed at the front of the development.
21. 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 along the common boundary with the adjoining commercial premises at Lot 51 (No. 76) Railway Parade shall be constructed of brick unless otherwise approved by the Town.

**Mr Ian Birch**  
Presiding Member, Metro Central JDAP



22. Any fencing which is situated between a building and the Railway Parade or right-of-way frontages of the development site demonstrating compliance with the following requirements:
  - (a) The overall height of fencing not exceeding 1.8 metres above natural ground levels as viewed from outside of the development site; and
  - (b) Infill panels above base level solid components which are shown on the approved drawings being visually permeable.
23. 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.
24. External clothes drying is prohibited on any of the balconies unless screened from view of the street or other public place.
25. Each dwelling shall be provided with an electric clothes dryer.
26. 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:
  - (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(s), 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;
  - (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.
27. The bin storage areas are:
  - (a) To be increased in size to cater for bulky rubbish storage while awaiting collection to the satisfaction of the Town;



- (b) To be surrounded by a 1.8 metre high minimum wall with a self-closing gate;
  - (c) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, connected to sewer, with a hose cock to enable both the bins and bin storage area to be washed out; and
  - (d) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.
28. 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.
29. The surface finish of boundary walls on the common boundaries with adjoining properties to be the same finish as the external wall finish for the remainder of the dwelling, unless otherwise approved by the Town.
30. 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;
  - (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.
31. 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.
32. Prior to the issue of a building permit, a development bond for the sum of \$11,000 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.
33. 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 acoustic 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) include the presence of tonal components, amplitude or frequency modulations or impulses to ensure noise emissions received at the



- proposed noise sensitive premises are in compliance with the requirements of the Environmental Protection Act 1986.
- (c) to satisfaction of the Town, address all matters that are required to demonstrate that acceptable noise criteria will be achieved including:
- the identification of all noise sources to be addressed from adjacent road and rail infrastructure as well as private properties at Lot 51 (No. 76) Railway Parade and Lot 4 (No. 6) Ivanhoe Street, including, but not limited to: noise emissions from refrigeration motors, air-conditioning units, vehicular movements (including customers and delivery vehicles) and rubbish disposal and collection;
  - 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*; and
  - incorporate the following data:
    - (i) date, time and results of measurements and or modelling used to represent the noise associated with live bands;
    - (ii) assigned Levels determined for adjacent areas/noise sensitive premises in the vicinity; and
    - (iii) recommendations for construction and noise control.
34. Measures recommended within the acoustic report shall be implemented to the satisfaction of the Town, and any costs associated with such implementation shall be the responsibility of the owner/applicant.
35. The building hereby approved shall not be occupied until all of the conditions of planning approval 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.
36. 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. Council's Local Planning Policy No. 2 (LPP2), read in conjunction with Clause 5.3 of the Town's Local Planning Scheme No. 10, requires that each dwelling achieve a minimum 70 point score against the checklist contained within LPP2 to facilitate the density of development which has been proposed. Options available to the applicant to facilitate an increased points score for units 12-19 and 22 include:
- (a) Cutting back the roof cover to balconies by approximately 1.0m in order to facilitate direct winter sun penetration to living areas of these units



- (increasing the points score for each dwelling from 57.5 to the minimum required 70 point score); or alternatively
- (b) Providing a solar hot water system for each of these dwellings (increasing the points score for each dwelling from 57.5 to 67.5) along with provision of a detailed landscaping plan which demonstrates low water use for the development as a whole (which would increase points score for each dwelling by a further 5 points to 72.5 points per dwelling).

The applicant is requested to incorporate solar hot water systems into the proposed development.

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. Please liaise with the Town's Operational Services Directorate in relation to obtaining detailed specifications for works associated with widening of the right-of-way to the rear of the site, prior to undertaking any works on site.
4. The applicant is advised that the central median island within the Railway Parade road reserve allows for only left in / left out vehicle movements from the visitor parking bays on the Railway Parade frontage of the development site.
5. The issue of a Building Permit is required prior to the commencement of any works on site.
6. 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.
7. 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 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.



8. If the planning approval lapses, no development shall be carried out without further approval having first been sought and obtained.
9. 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 by:** Mr Clayton Higham

**Seconded by:** Cr Gerry Pule

That condition 2 be amended as follows:

2. Upper floor unit 19 being set back from the left hand (western) side boundary generally in accordance with the Deemed-to-comply provisions of the R-Codes **or a section of the wall being setback to achieve a light-well between the two bathrooms** and this side of the building being detailed architecturally in a manner which is generally consistent with that of other dwellings within the development, while also allowing for casual surveillance in the manner described within the Officer report (non-major size fixed openings) to the satisfaction of the Town.

**The Amending Motion was put and CARRIED UNANIMOUSLY**

**REASON:** To allow an option within the current design which breaks up the mass of the building on this side and allows natural light into the bathrooms, without necessarily requiring the entire wall to be setback.

#### AMENDING MOTION

**Moved by:** Mr Ian Birch

**Seconded by:** Mr Clayton Higham

That condition 16 be deleted.

**The Amending Motion was put and CARRIED UNANIMOUSLY**

**REASON:** It was considered that the parking could still function adequately and that it was undesirable to increase the area of hard surfacing at the expense of landscaping.

#### AMENDING MOTION

**Moved by:** Cr Gerry Pule

**Seconded by:** Cr Jennie Carter

That condition 25 be amended as follows:

25. Each dwelling shall be provided with an **effective clothes drying facility**.

Mr Ian Birch  
Presiding Member, Metro Central JDAP



**The Amending Motion was put and CARRIED UNANIMOUSLY**

**REASON:** To allow for options beside an electric clothes dryer.

**AMENDING MOTION**

**Moved by:** Mr Clayton Higham                      **Seconded by:** Cr Jennie Carter

That condition 27 (a) be amended as follows:

27. The bin storage areas are:

- (a) To be increased in size **equivalent to that which would be occupied by two additional bins** to cater for bulky rubbish storage while awaiting collection, to the satisfaction of the Town;

**The Amending Motion was put and CARRIED UNANIMOUSLY**

**REASON:** To give greater clarity to the requirement of the condition.

**AMENDING MOTION**

**Moved by:** Mr Clayton Higham                      **Seconded by:** Mr Ian Birch

That all relevant conditions be amended to read *“to the satisfaction of the Town”* not, to the satisfaction of the Officer.

**The Amending Motion was put and CARRIED UNANIMOUSLY**

**REASON:** The Town is the responsible authority, not the Officer.

**PRIMARY MOTION (AS AMENDED)**

**Moved by:** Cr Gerry Pule                      **Seconded by:** Mr Clayton Higham

That the Metro Central Joint Development Assessment Panel resolves to:

**Approve** DAP Application reference DAP Dap/15/00740 and accompanying plans:

Dwg No.	Drawing Name	Rev No.	Dwg Date
A0.00	22 Bins Verge Pick Up Plan	3	18.05.2015
A1.01	Proposed Site Development Plan (with aerial underlay)	2	11.05.2015
A1.02	Proposed Site Development Plan	2	11.05.2015
A2.01	Proposed Site / Ground Floor Plan (Part A)	2	11.05.2015
A2.02	Proposed Site / Ground Floor Plan (Part B)	2	11.05.2015
A2.05	First Floor Plan	2	11.05.2015

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A3.01	Elevations	2	11.05.2015
A3.02	Elevations	2	11.05.2015

in accordance with Clause 10.3 of the Town of Bassendean Local Planning Scheme No. 10, subject to the following conditions:

1. The design/extent of roof cover to balconies of units 12-19 and 22 being modified in order to facilitate the provision of direct solar access to the Living Room windows of the respective units, to the satisfaction of the Town, unless an alternative arrangement, such as the provision of solar hot water systems along with low water use landscaping for the development, can be provided to the satisfaction of the Town (see footnote).
2. Upper floor unit 19 being set back from the left hand (western) side boundary generally in accordance with the Deemed-to-comply provisions of the R-Codes **or a section of the wall being setback to achieve a light-well between the two bathrooms** and this side of the building being detailed architecturally in a manner which is generally consistent with that of other dwellings within the development, while also allowing for casual surveillance in the manner described within the Officer report (non-major size fixed openings) to the satisfaction of the Town.
3. Outdoor living areas / Balconies for units 5, 19 and 22 being modified in order that a usable area of 10 sq. metres minimum with width and / or length dimensions of 2.4 metres minimum being provided as measured in any direction.
4. The provision of a pedestrian path which provides wheelchair accessibility connecting the main pedestrian entrance to building 'block 4' with the public footpath.
5. A detailed and professionally prepared 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 and public realms 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; and
  - (b) reticulation methods, including arrangements incorporated into the design to minimize water use.

Landscaping design and species selection shall pay particular attention to provisions contained within the Town of Bassendean Local Planning Policy No. 18 – Landscaping with Local Plants, and shall not include the use of artificial turf.

6. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
7. Submission of a plan detailing the location of all external lighting, to the satisfaction of the Town prior to or in conjunction with the application for a



building permit. The lighting plan shall take particular account of the need to for lighting to be provided to pedestrian paths, car parking areas, bicycle parking locations, and the right-of-way within the vicinity of the pedestrian and vehicular entrance to the development and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.

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  - (b) Existing Paved crossover forward of No. 74 Railway Parade shall be removed and replaced with paving to match the remainder of the footpath (both in material and paving pattern). This includes the removal of the white header course of paving (which defines the alignment of the existing crossover) and replacement to match the remainder of the footpath;
  - (c) The proposed crossover to Railway Parade shall have a 1m concrete apron adjacent to the kerb line. The crossover shall be centrally positioned in line with the access aisle between the visitor car parking spaces and shall be a maximum 6 metre width;
  - (d) The proposed crossover from Railway Parade shall be constructed of heavy duty trafficable brick pavers, the material and colour of which shall match the adjoining footpath. The crossover shall have a cream coloured header course which delineates the crossover from the adjoining footpath; and
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10. The strip of land to the rear of the site which is excised for right-of-way purposes shall be paved, drained and kerbed to the specifications of the Town prior to occupation of the dwellings.
11. The sealing and kerbing of all car parking areas and access ways to the Town's specifications.

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12. The on-site car parking spaces and access ways being constructed and maintained thereafter to the Town's satisfaction.
13. Each dwelling being provided with one car parking space. Such arrangement shall be reflected on any subsequent strata plan for the property.
14. Visitor parking spaces being clearly marked for "Visitors Only" and used as such.
15. A minimum of 8 bicycle parking spaces shall be provided for residents, and a minimum of 3 bicycle parking spaces shall be provided for visitors. The resident bicycle parking spaces shall be located in a secure weather protected compound, details of which shall be provided to the Town in advance of, or in conjunction with the application for a building permit, and be constructed in accordance with the provisions of AS 2890.3 (as amended), while visitor bicycle parking spaces shall be relocated close to main pedestrian access points to the development to the satisfaction of the Town as advocated within As2890.3.
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18. All storm water being contained and disposed of on site. Details of the method of storm water containment and disposal being included with the drawings submitted for a Building Permit.
19. The street number being prominently displayed at the front of the development.
20. 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 along the common boundary with the adjoining commercial premises at Lot 51 (No. 76) Railway Parade shall be constructed of brick unless otherwise approved by the Town.
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  - (a) The overall height of fencing not exceeding 1.8 metres above natural ground levels as viewed from outside of the development site; and
  - (b) Infill panels above base level solid components which are shown on the approved drawings being visually permeable.



22. 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(s), 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;
  - (e) Details of where the bins would be located when waiting collection;
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  - (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.
26. The bin storage areas are:
  - (a) To be increased in size **equivalent to that which would be occupied by two additional bins** to cater for bulky rubbish storage while awaiting collection, to the satisfaction of the Town;
  - (b) To be surrounded by a 1.8 metre high minimum wall with a self-closing gate;
  - (c) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, connected to sewer, with a hose cock to enable both the bins and bin storage area to be washed out; and
  - (d) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.



27. 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.
28. The surface finish of boundary walls on the common boundaries with adjoining properties to be the same finish as the external wall finish for the remainder of the dwelling, unless otherwise approved by the Town.
29. 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;
  - (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.
30. 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.
31. Prior to the issue of a building permit, a development bond for the sum of \$11,000 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.
32. 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 acoustic 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) include the presence of tonal components, amplitude or frequency modulations or impulses to ensure noise emissions received at the proposed noise sensitive premises are in compliance with the requirements of the Environmental Protection Act 1986.
  - (c) to satisfaction of the Town, address all matters that are required to demonstrate that acceptable noise criteria will be achieved including:
    - the identification of all noise sources to be addressed from adjacent road and rail infrastructure as well as private properties at Lot 51 (No. 76) Railway Parade and Lot 4 (No. 6) Ivanhoe Street, including, but not limited to: noise emissions from refrigeration motors, air-conditioning units, vehicular movements



- (including customers and delivery vehicles) and rubbish disposal and collection;
- 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*; and
  - incorporate the following data:
    - (i) date, time and results of measurements and or modelling used to represent the noise associated with live bands;
    - (ii) assigned Levels determined for adjacent areas/noise sensitive premises in the vicinity; and
    - (iii) recommendations for construction and noise control.
33. Measures recommended within the acoustic report shall be implemented to the satisfaction of the Town, and any costs associated with such implementation shall be the responsibility of the owner/applicant.
34. The building hereby approved shall not be occupied until all of the conditions of planning approval have been complied with to the satisfaction of the Town, unless the applicant has entered into an agreement with Council to comply with those conditions within a specified period.
35. 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. Council's Local Planning Policy No. 2 (LPP2), read in conjunction with Clause 5.3 of the Town's Local Planning Scheme No. 10, requires that each dwelling achieve a minimum 70 point score against the checklist contained within LPP2 to facilitate the density of development which has been proposed. Options available to the applicant to facilitate an increased points score for units 12-19 and 22 include:
- (a) Cutting back the roof cover to balconies by approximately 1.0m in order to facilitate direct winter sun penetration to living areas of these units (increasing the points score for each dwelling from 57.5 to the minimum required 70 point score); or alternatively
  - (b) Providing a solar hot water system for each of these dwellings (increasing the points score for each dwelling from 57.5 to 67.5) along with provision of a detailed landscaping plan which demonstrates low water use for the development as a whole (which would increase points score for each dwelling by a further 5 points to 72.5 points per dwelling).

The applicant is requested to incorporate solar hot water systems into the proposed development.



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. Please liaise with the Town's Operational Services Directorate in relation to obtaining detailed specifications for works associated with widening of the right-of-way to the rear of the site, prior to undertaking any works on site.
4. The applicant is advised that the central median island within the Railway Parade road reserve allows for only left in / left out vehicle movements from the visitor parking bays on the Railway Parade frontage of the development site.
5. The issue of a Building Permit is required prior to the commencement of any works on site.
6. 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.
7. 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 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.
8. If the planning approval lapses, no development shall be carried out without further approval having first been sought and obtained.
9. 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.

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

Mr Ian Birch  
Presiding Member, Metro Central JDAP



**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 declared the meeting closed at 11.25am.

A handwritten signature in black ink, appearing to read 'Ian Birch'.