



Metro Central Joint Development Assessment Panel Minutes

Meeting Date and Time: 20 April 2020; 9.00am
Meeting Number: MCJDAP/396
Meeting Venue: This meeting is available for members of the public to attend via teleconference.

Attendance

DAP Members

Ms Megan Adair (Presiding Member)
Mr Clayton Higham (A/Deputy Presiding Member)
Mr John Syme (Specialist Member)
Cr Nicholas Pazolli (Local Government Member, City of Melville)
Cr Matthew Woodall (Local Government Member, City of Melville)

Officers in attendance

Mr Ben Ashwood (City of Melville)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Ms Jesse Dunbar (Taylor Burrell Barnett)
Mr Craig Forman (CCN Architects)
Ms Margaret Sandford
Mr Max FitzGibbon

Members of the Public / Media

There were 3 members of the public in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 9.05am on 20 April 2020 and acknowledged the traditional owners and pay respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.



The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017 which states '*A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.*', the meeting would not be recorded.

In response to the COVID-19 situation, this meeting was convened via teleconference. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Ms Rachel Chapman (Deputy Presiding Member)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

DAP Member, Ms Rachel Chapman, declared an indirect pecuniary interest in Item 8.1. Ms Rachel Chapman is a director and shareholder of Taylor Burrell Barnett. Taylor Burrell Barnett is the applicant for the application.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2017, the Presiding Member determined that the member listed above, who had disclosed an indirect pecuniary interest, was not permitted to participate in the discussion and voting on the item.

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Cr Nicholas Pazolli, declared that he participated in a prior Council meeting in relation to the application at item 8.1. However, under section 2.1.2 of the DAP Code of Conduct 2017, Cr Nicholas Pazolli acknowledged that he is not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before him, which will be considered on its planning merits.



7. Deputations and Presentations

- 7.1 Mr Max FitzGibbon addressed the DAP against the application at Item 8.1.
- 7.2 Ms Margaret Sandford addressed the DAP against the application at Item 8.1.
- 7.3 Ms Jesse Dunbar (Taylor Burrell Barnett) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.
- 7.4 Mr Craig Forman (CCN Architects) responded to questions from the panel in relation to Item 8.1.
- 7.5 The City of Melville Officers addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Application

- 8.1 Property Location: No. 109-141 (Lot 369) Somerville Boulevard,
Winthrop
Development Description: Five Storey Multiple Dwelling Development
Applicant: Taylor Burrell Barnett
Owner: Nostoc Pty Ltd
Responsible Authority: City of Melville
DAP File No: DAP/19/01707

REPORT RECOMMENDATION

Moved by: Mr John Syme

Seconded by: Mr Clayton Higham

Approve DAP Application reference DAP/19/01707 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Melville Local Planning Scheme No.6, subject to the following conditions:

Conditions

1. The development the subject of this approval must comply with the approved plans at all times unless otherwise approved in writing by the City of Melville or the Joint Development Assessment Panel.
2. All stormwater generated on-site is to be retained on-site in accordance with a plan approved in writing by the City. To achieve this, prior to the commencement of development a stormwater design plan certified by an accredited registered Civil Engineer with a recommended ARI of 1 in 100 year for a 24 hour storm duration shall be submitted to and approved in writing by the City.
3. The development shall be constructed in accordance with the exterior colours, materials and finishes detailed on the approved plans, to the satisfaction of the City.



4. Prior to the initial occupation of the development, all unused crossover(s) shall be removed and the kerbing and road verge reinstated at the owners cost to the satisfaction of the City.
5. Prior to commencement of development a crossover application shall be submitted to and approved in writing by the City. The crossover shall be designed to be;
 - a maximum width of 6m;
 - located a minimum of 2m away from the outside of the trunk of any street tree; and
 - a minimum of 1m from any existing street infrastructure.

The approved crossover is to be constructed prior to the initial occupation of the development to the satisfaction of the City.

6. Prior to the initial occupation of the development, the surface finish of the boundary walls are to be finished externally to the same standard as the rest of the development to the satisfaction of the City.
7. The development is to be constructed and operated in accordance with the Waste Management Plan dated 27 February 2020, Clause 5.2 of the approved Traffic Impact Statement dated 20 March 2020 and Local Planning Policy *LPP1.3 - Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments*, to the satisfaction of the City.
8. Any roof mounted or freestanding plant or equipment (incl. AC condensers) shall be located and/or screened so as not to be visible from the surrounding street(s) to the satisfaction of the City.
9. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the City and are to be removed prior to initial occupation of the development.
10. A Construction Management Plan is to be prepared by the applicant and submitted to the City for approval at least 30 days prior to the commencement of development. The Construction Management Plan shall detail how the construction of the development will be managed including the following:
 - public safety and site security;
 - hours of operation,
 - noise and vibration controls;
 - air and dust management;
 - stormwater, groundwater and sediment control;
 - waste and material disposal;
 - Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
 - the parking arrangements for contractors and sub-contractors;
 - on-site delivery times and access arrangements;
 - the storage of materials and equipment on site (no storage of materials on the verge will be permitted); and



- any other matters likely to impact upon the surrounding properties or road reserve.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City.

11. Any street walls, fences or planter boxes (including the height of any retaining walls) constructed within the primary street setback area shall meet the requirements contained under clause 4 of Local Planning Policy *LPP3.1-Residential Development*, to the satisfaction of the City.
12. Where a driveway meets the street, walls or fencing within associated sight line areas are to meet the requirements contained under Clause 5 of Local Planning Policy *LPP3.1-Residential Development*, to the satisfaction of the City.
13. The approved landscaping and reticulation plan dated 14 February 2020 shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter, to the satisfaction of the City. The applicant is also required to liaise with the City regarding the choice of tree species within the verge. Any species which fail to establish within the first two planting seasons following implementation shall be replaced in accordance with the City's requirements.
14. In accordance with Local Planning Policy *LPP1.4 Provision of Art in Development Proposals*, prior to the commencement of development, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City.
15. Prior to the commencement of development detailed engineering drawings for the proposed verge works are required to be submitted to and approved in writing by the City. The approved verge works are thereafter to be constructed at the applicant's cost, in accordance with the approved plans and prior to the initial occupation of the development, to the satisfaction of the City.
16. Prior to the commencement of development, a Road Safety Audit (RSA) shall be submitted to and approved in writing by the City in accordance with the City's Road Safety Audit Policy. The recommendations of the RSA shall be incorporated into the development to the satisfaction of the City.
17. The trees within the identified Tree Preservation Zone are to be retained and protected in accordance with the approved arborist report dated 24 March 2020. Unless otherwise approved in writing by the City, the Development Recommendations in Clause 5.1 and 5.2 of the report are to be undertaken to the satisfaction of the City.
18. All car parking facilities, access driveways, ramps, and crossovers shall be designed, constructed, and linemarked in accordance with Australian Standard AS/NZS 2890.1 (as revised), and City's Crossover Guidelines (as revised).
19. The resident and visitor bike parking hereby approved shall be made available for use prior to the initial occupation of the development, to the satisfaction of the City.



20. Lighting is to be provided to all car parking areas and the exterior entrances to all buildings in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting shall be provided such that the light source does not compromise safety and/or amenity.
21. Prior to development commencement, an assessment by a Green Star Accredited Professional using the Green Star rating system shall be undertaken to ensure that it has achieved the equivalent of a 4 Star Green Star rating. A copy of the report shall be provided to and approved in writing by the City prior to construction. Prior to initial occupation a report which demonstrates compliance in achieving the required 4 Star Green Star rating shall be provided to and agreed to in writing by the City.
22. Materials and finishes on the ground floor are to be chosen having regard to the ease of removal of graffiti, or alternatively treated with a non-sacrificial anti-graffiti agent.
23. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four year period, the approval shall lapse and be of no further effect.
24. Prior to the occupation of the development, the applicant shall demonstrate that a legal agreement, easement or any other suitable legal device has been endorsed to provide access for the City's waste collection vehicles on an ongoing basis.

Advice Note

1. The City is responsible for the allocation of street numbers in accordance with AS/NZS 4819:2011 Geographic Information – Rural and Urban Addressing. The applicant/owner is advised that the following street numbers have been provisionally allocated to the proposed development:

Current Street Address	Proposed Street Address
No. 109-141 Somerville Boulevard, Winthrop	G01/118 Jackson Avenue, Winthrop (Apt 1)
	G02/118 Jackson Avenue, Winthrop (Apt 2)
	G03/118 Jackson Avenue, Winthrop (Apt 3)
	G04/118 Jackson Avenue, Winthrop (Apt 4)
	G05/118 Jackson Avenue, Winthrop (Apt 5)
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	103/118 Jackson Avenue, Winthrop (Apt 8)
	104/118 Jackson Avenue, Winthrop (Apt 9)
	105/118 Jackson Avenue, Winthrop (Apt 10)
	201/118 Jackson Avenue, Winthrop (Apt 11)
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	203/118 Jackson Avenue, Winthrop (Apt 13)
	204/118 Jackson Avenue, Winthrop (Apt 14)
	205/118 Jackson Avenue, Winthrop (Apt 15)
	301/118 Jackson Avenue, Winthrop (Apt 16)
	302/118 Jackson Avenue, Winthrop (Apt 17)
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102/120 Jackson Avenue, Winthrop (Apt 22)
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204/120 Jackson Avenue, Winthrop (Apt 28)
301/120 Jackson Avenue, Winthrop (Apt 29)
302/120 Jackson Avenue, Winthrop (Apt 30)
303/120 Jackson Avenue, Winthrop (Apt 31)
304/120 Jackson Avenue, Winthrop (Apt 32)
401/120 Jackson Avenue, Winthrop (Apt 33)
402/120 Jackson Avenue, Winthrop (Apt 34)
109-141 Somerville Boulevard, Winthrop (shopping centre)

It is recommended that the Applicant confirm these street numbers with the City prior to the completion of building works. At this time, the City will notify Landgate, Australia Post, Alinta Gas, Western Power and the Water Corporation of the new address details. Please note that Australia Post requires letterboxes to be located on the street to which the property is addressed.

AMENDING MOTION 1

Moved by: Cr Nicolas Pazolli

Seconded by: Cr Matthew Woodall

That a new Condition 25 be added to read as follows:

25. The six on-street car parking bays shown on the plans are to be deleted.

REASON: Road Safety on local government roads is an important function of Local Government. The Austroads Safe System for Vulnerable Road Users (cyclists & pedestrians) highlights that on-street parking by itself without associated street design measures may not improve cyclists & pedestrian safety & may, in fact, degrade road safety. The context of this development’s street location & lack of any other street design measures is felt will result in poorer road safety and therefore removal of the on-street parking component of the development is supported.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

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The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motion.

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

Nil

10. Appeals to the State Administrative Tribunal

The Presiding Member noted the following State Administrative Tribunal Applications –

Current SAT Applications		
LG Name	Property Location	Application Description
City of Melville	Nos. 10, 12 & 14 (Lots 311, 800 & 801) Forbes Road and Nos. 40A, 40B & 40C (Lots 802, 803 & 804) Kishorn Road, Applecross	20 Storey Mixed-Use Development comprising 97 Multiple Dwellings, 15 Short Stay Accommodation Units and 5 Non-Residential tenancies (Office, Restaurant, Shop and 2 Co-Working Spaces)
City of South Perth	Lots 2-20 (72-74) Mill Point Road, South Perth	36 Level (118.2m) Mixed Use Development
City of Belmont	Lot 20 (10) Hendra Street, Cloverdale	14 Multiple Dwellings

11. General Business / Meeting Close

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the Presiding Member declared the meeting closed at 10.07am.