



## **Metro Central Joint Development Assessment Panel Minutes**

**Meeting Date and Time:** 19 February 2020; 9:30AM  
**Meeting Number:** MCJDAP/388  
**Meeting Venue:** City of South Perth Civic Centre  
Cnr Sandgate Street & South Terrace

### **Attendance**

#### **DAP Members**

Ms Megan Adair (Presiding Member)  
Ms Rachel Chapman (Deputy Presiding Member)  
Mr John Syme (A/Specialist Member)  
Cr Carl Celedin (Local Government Member, City of South Perth)  
Cr Mary Choy (Local Government Member, City of South Perth)

#### **Officers in attendance**

Ms Fiona Mullen (City of South Perth)  
Ms Laura Kelliher (City of South Perth)  
Ms Victoria Madigan (City of South Perth)

#### **Minute Secretary**

Ms Sarah Wickham (City of South Perth)

#### **Applicants and Submitters**

Mr Peter Simpson (PTS Town Planning Pty Ltd)  
Mr Andrew TangSmith (Woods Bagot)  
Mr Neil Magro

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

There were two (2) members of the public in attendance.

#### **1. Declaration of Opening**

The Presiding Member declared the meeting open at 9.39am on 19 February 2020 and acknowledged the traditional owners and paid 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 the meeting is being audio recorded 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

**2. Apologies**

Nil

**3. Members on Leave of Absence**

Nil

**4. Noting of Minutes**

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

**5. Declaration of Due Consideration**

All members declared that they had duly considered the documents.

**6. Disclosure of Interests**

Nil

**7. Deputations and Presentations**

7.1 Mr Neil Magro addressed the DAP against the application at Item 8.1.

7.2 Mr Andrew TangSmith (Woods Bagot) addressed the DAP in support of the application at Item 8.1.

7.3 Mr Peter Simpson (PTS Town Planning Pty Ltd) addressed the DAP in support of the application at Item 8.1.

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

8.1 Property Location:	Lot 105, No. 69 South Perth Esplanade, South Perth
Development Description:	5 Storey Mixed Use Development
Applicant:	PTS Town Planning Pty Ltd
Owner:	Indah Purwitasari Subagijo, Juni Setiawati Wonowidjojo, Dewi Kurniawati Subajijo, Ratna Puspitasari Subagijo
Responsible Authority:	City of South Perth
DAP File No:	DAP/19/01683



## REPORT RECOMMENDATION

**Moved by:** Ms Rachel Chapman

**Seconded by:** Mr John Syme

That the Metro Central Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/19/01683 and accompanying plans Perspective 01 Sheet number 0002 (26.09.2019), Perspective 02 Sheet number 0003 (26.09.2019), Site Plan Sheet number 1100 (26.09.2019), Existing Site Survey Sheet number 1101 (26.09.2019), Shadow Analysis – 21 December Sheet number 1102 (26.09.2019), Shadow Analysis – 21<sup>st</sup> June Sheet number 1103 (26.09.2019), Shadow Analysis – 21<sup>st</sup> September Sheet number 1104 (26.09.2019), Ground Level Sheet number 2200 (17.12.2019), Level 01 Sheet number 2201 (26.09.19), Level 02 Sheet number 2202 (26.09.2019), Level 03 Sheet number 2203 (26.09.2019), Penthouse Sheet number 2204 (10.12.2019), Roof Sheet number 2205 (10.12.2019), West Elevation Sheet number 1300 (12.12.2019), North Elevation Sheet number 1301 (12.12.2019), East Elevation Sheet number 1302 (17.12.2019), South Elevation Sheet number 1303 (26.09.2019), West Section Sheet number 1304 (10.12.2019), Plot Ratio Calculation Sheet number 1700 (17.12.2019), Area Schedule Sheet number 1701 (17.12.2019), Hydraulic Services Ground Level Rev A (29.10.2019), 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 South Perth's Town Planning Scheme No. 6, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme, subject to the following conditions:

### Conditions

1. If the development the subject of this approval is not substantially commenced within a period of 3 years after the date of determination, the approval will lapse and be of no further effect. Where an approval has so lapsed no development must be carried out without the further approval of the local government having first been sought and obtained.
2. This approval does not pertain to the erection, placement and display of any advertisements. A separate application is to be submitted and development approval is to be obtained for any proposed advertisements that are not exempt from requiring development approval of the local government.

### Building Design

3. Prior to the submission of a building permit application, a Detailed Material Schedule for all external finishes to the development must be submitted to, and approved in writing by, the City of South Perth, on the advice of the City's Design Review Panel. The approved Schedule shall be incorporated into all relevant building permit applications and prior to the submission of the occupancy permit application, these materials shall have been used and installed in the development.
4. The ground floor façades of the development shall not include any security grilles or other security devices, unless otherwise authorised by the City of South Perth.



### Construction Management

5. Prior to the submission of a building permit application or a demolition permit application, or the commencement of development, whichever is earlier, a Construction Management Plan must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth.

### Landscaping

6. Prior to the submission of a building permit application, an amended Detailed Landscaping Plan for the development site and the street verge, consisting of Hardscape Plans and Softscape (Planting) Plans, must be submitted to, and approved in writing by, the City of South Perth, on the advice of the City's Design Review Panel.
7. Prior to the submission of an occupancy permit application, landscaping areas shall be installed in accordance with the approved Detailed Landscaping Plans. All landscaping areas shall be maintained thereafter to the satisfaction of the City of South Perth.

### Land Use

8. The two commercial floor spaces on the ground floor marked 'F & B' are approved as Café/ Restaurant.
9. Prior to the submission of an occupancy permit application, a comprehensive Management Plan for the serviced apartments must be submitted to, and approved by, the City of South Perth. The plan should outline matters relevant to the functioning of the service apartments such as the following:
  - i. Duration of stay, number of guests and check in and departure procedures.
  - ii. Control of noise and other disturbances.
  - iii. Complaints management procedure.
  - iv. The use and on-going maintenance of all common property and common facilities.
  - v. Security of guests, residents and visitors.
  - vi. Control of anti-social behaviour and potential conflict between the short-term and long-term residents.
  - vii. Vehicle parking management.

The approved plan must be distributed to nearby landowners and occupiers for information purposes.

10. The Management Plan shall be implemented and adhered to at all times, unless otherwise approved by the City of South Perth, to the satisfaction of the City of South Perth.



### Livable Housing Design Guidelines

11. Prior to the submission of a building permit application, certification completed by a Livable Housing Australia assessor confirming that the detailed design of the 'Liveable Homes' dwelling is compliant with the 'Silver Level' of the 'Livable Housing Design Guidelines' produced by Livable Housing Australia, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, all required design features shall be installed and operational.

### Noise

12. Prior to the submission of a building permit application, the applicant is to submit a report or statement detailing how recommendations within the acoustic report by Marshall Day Acoustics (dated 3 October 2019), and that of any further studies, have been addressed and implemented accordingly. Where relevant, any measures shall be reflected in development plans submitted with a building permit application, to the satisfaction of the City of South Perth.
13. Prior to the submission of a building permit application, (relevant to the construction of the affected components of the building), an Acoustic Report, completed by a suitably qualified acoustic engineer, and demonstrating that potential noise from the proposed development will comply with the *Environmental Protection (Noise) Regulations 1997*, must be submitted to, and approved in writing by, the City of South Perth. The approved Acoustic Report, including any specifications, requirements and recommendations cited in the report plus any additional requirements by the City of South Perth, shall be implemented and adhered to all times, including being incorporated into the building permit application documentation, to the satisfaction of the City of South Perth.

### Parking

14. The allocation of car and bicycle parking shall be allocated as follows, to the satisfaction of the City of South Perth:
  - i. Minimum 8 car bays for the occupants of all three-bedroom and four bedroom residential dwellings.
  - ii. Minimum 1 visitor car bays for visitors to the residential component of the development.
  - iii. Minimum 2 car bays for the serviced apartments components of the development.
  - iv. Minimum 3 car bays for the non-residential components of the development.
  - v. Minimum of 2 of the car bays provided for the non-residential components of the development being provided for visitors to the non-residential component of the development.
  - vi. Minimum 2 bicycle bays for the occupants of all residential dwellings.
  - vii. Minimum 1 visitor bicycle bays for visitors to the residential component of the development.
  - viii. Minimum 5 bicycle bays for the non-residential component of the development.
  - ix. Minimum 1 secure clothes locker within a publically accessible end-of-trip facility.



- x. Minimum 1 unisex end-of-trip shower facilities within a publically accessible end-of-trip facility.

If the development becomes subject to a Strata Plan and car parking is bundled with the dwellings, the allocation of car parking on the approved Strata Plan shall be consistent with this allocation, to the satisfaction of the City of South Perth.

15. Prior to the submission of an occupancy permit application, the applicant shall install a wall mounted bicycle rack within two of the three ground floor storerooms, to the satisfaction of the City of South Perth. This revision shall be prepared to the satisfaction of the City of South Perth and incorporated into the plans submitted as part of the relevant building permit application
16. Prior to the submission of a building permit application, a Parking and Access Management Plan for residents, staff and visitors of the building, must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth.
17. Prior to the submission of an occupancy permit application, all bicycle parking and associated end-of-trip facilities shall be installed and operational. The provision of bicycle parking bays, associated bicycle infrastructure and end-of-trip facilities (including shower and clothes locker) for residents, staff and visitors shall be provided as indicated on the approved development plans and retained in perpetuity and maintained for the life of the development, to the satisfaction of the City of South Perth.
18. Prior to the submission of a building permit application, certification confirming that the design of all parking areas, including the car parking bays, loading bays, disabled bays, vehicle accessways, manoeuvring and circulation areas and bicycle bays are compliant with Australian Standards AS2890.1, AS2890.3 and the approved plans, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, certification confirming the constructed design and markings of all parking areas are compliant with Australian Standards AS2890.1, AS2890.3 and the approved plans, must be submitted to, and approved in writing by, the City of South Perth. This certification shall include a parking facility design using the B99 standard single turn swept path vehicle template in accordance with Australian Standard AS2890.1/2004 and AS/NZS 1428 for the dimensions of all vehicle access/egress entrances, ramps, circulation areas and avoidance of blind isles in areas open to the public, prepared to the satisfaction of the City of South Perth.
19. Prior to the issue of an occupancy permit, an electronic communication system linked to each occupier of the building shall be located at the security barrier to visitor parking bays, to the satisfaction of the City of South Perth.
20. The height of any wall, fence or other structure shall be no higher than 0.75 metres within 1.5 metres of where any driveway meets any public street, to the satisfaction of the City of South Perth



### Public Art

21. Prior to the submission of a building permit application, a Public Art Concept for the subject development or alternatively a contribution to public art within the vicinity of the development, to the value of 1.0% of the construction value, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, the approved Concept shall be implemented and maintained thereafter, to the satisfaction of the City of South Perth.

### Public Realm Works

22. Prior to the submission of an occupancy permit application, the owner/applicant shall remove all existing crossovers, reinstate the verge and kerbing and construct the new crossovers / vehicle accessways between the road and the property boundary in accordance with the approved plans (with works on Crown land at the owner's expense), to the satisfaction of the City of South Perth.
23. Prior to the submission of an occupancy permit application, the owner/applicant shall prepare and have approved to the satisfaction of the City of South Perth, an LED lighting plan addressing:
  - i. Carpark lighting - LED lighting to the satisfaction of the City;
  - ii. Amenity - All external lighting positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZ 4282- 1997;
  - iii. Standard - Any outside lighting should meet Australia Standards AS 4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any residential premises;
  - iv. Canopies - Exterior lighting shall be provided under all awnings, along footpaths and walkways and at all entry locations.

### Revised Plans

24. Prior to the submission of a building permit application, revised plans shall be prepared incorporating the following amendments:
  - i. The corner of the 'Winter Alfresco' and corner of the 'F & B' tenancy (98m<sup>2</sup>) shall be wholly contained within the lot property boundaries.

The revisions shall be prepared to the satisfaction of the City of South Perth and incorporated into the plans submitted as part of the relevant building permit application.

### Sustainability

25. The development is to achieve a 4 Star Green Star rating or the equivalent under another formally recognised ecologically sustainable rating system. At the building permit stage, the applicant is to submit a secondary sustainability report confirming the final green star strategy (or equivalent) that will guide the construction stage of the development and beyond; this report shall clearly demonstrate that a 4 Star Green Star rating or equivalent sustainable design rating is to be achieved for the development. Where relevant, elements of the sustainability report and strategy should clearly be reflected in documentation and plans submitted with the building permit application. All sustainable design features proposed in the development shall be implemented.



### Utilities and Facilities

26. External fixtures, such as air-conditioning infrastructure, shall be integrated into the design of the building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City of South Perth.
27. External clothes drying facilities shall be screened from view from the street or any other public place.

### Waste Management

28. The Waste Management Plan, prepared by Encycle Consulting, dated 28 January 2020 must be implemented and adhered to all times, unless otherwise approved by the City of South Perth.

### Water Management

29. In accordance with correspondence from Department of Biodiversity, Conservation and Attractions (DCBA), dated 24 January 2020 the following conditions are to be satisfied by the applicant:
  - i. At least thirty (30) days prior to the submission of an application for a building permit, the applicant shall submit a Stormwater Management Plan to the City of South Perth, on advice from the Department of Biodiversity, Conservation and Attractions.
  - ii. In the event that any dewatering is required during the construction works, the applicant shall submit a Dewatering Management Plan to the satisfaction of the Department of Biodiversity, Conservation and Attractions.

These conditions are to be met to the satisfaction of the City of South Perth on the advice of the DCBA.

### **Advice Notes**

1. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
2. This is a notice of determination on application for development approval issued in accordance the Planning and Development Act 2005, the Planning and Development (Local Planning Schemes) Regulations 2015, the City of South Perth Town Planning Scheme No. 6, and related policies. It is not a building permit or an approval to carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

All other advice notes will be included in a separate letter to the applicant from the City of South Perth.





## AMENDING MOTION

**Moved by:** Ms Rachel Chapman

**Seconded by:** Mr Carl Celedin

*The following amendments were made en bloc:*

- (i) A new condition be inserted before Condition 9, and the remaining conditions be renumbered accordingly, to read as follows:

**The three serviced apartments, comprising the two apartments on level 1 and one apartment on level 2, are approved as ‘Serviced Apartments’ (Tourist Accommodation).**

**REASON:** Condition 9 appropriately references the mandated non-residential plot ratio requirement being implemented through the serviced apartments being included in the development to fulfil the requirement of the Scheme and is to ensure that they are not used as multiple dwellings.

- (ii) That Condition 12 and Condition 13 be deleted, a new Condition 13 inserted, and remaining conditions be renumbered accordingly, to read as follows:

**Prior to the submission of a building permit application, the applicant is to submit a report or statement detailing how recommendations within the acoustic report by Marshall Day Acoustics (dated 3 October 2019), and any further studies, have been addressed and implemented accordingly; in particular demonstrating that potential noise from the proposed development will comply with the *Environmental Protection (Noise) Regulations 1997*. Where relevant, any measures shall be reflected in development plans submitted with a building permit application, to the satisfaction of the City of South Perth.**

**REASON:** Amalgamates Conditions 12 and 13 removing any overlapping requirements whilst addressing the two matters as they relate to implementing the acoustic report recommendations and compliance with the Environmental Protection (Noise) Regulations.

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

## REPORT RECOMMENDATION (AS AMENDED)

That the Metro Central Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/19/01683 and accompanying plans Perspective 01 Sheet number 0002 (26.09.2019), Perspective 02 Sheet number 0003 (26.09.2019), Site Plan Sheet number 1100 (26.09.2019), Existing Site Survey Sheet number 1101 (26.09.2019), Shadow Analysis – 21 December Sheet number 1102 (26.09.2019), Shadow Analysis – 21<sup>st</sup> June Sheet number 1103 (26.09.2019), Shadow Analysis – 21<sup>st</sup> September Sheet number 1104 (26.09.2019), Ground Level Sheet number 2200 (17.12.2019), Level 01 Sheet number 2201 (26.09.19), Level 02 Sheet number 2202 (26.09.2019), Level 03 Sheet number 2203 (26.09.2019), Penthouse Sheet number 2204 (10.12.2019), Roof Sheet number 2205 (10.12.2019), West Elevation Sheet number 1300 (12.12.2019), North Elevation Sheet number 1301 (12.12.2019), East Elevation Sheet number 1302 (17.12.2019), South Elevation Sheet number 1303



(26.09.2019), West Section Sheet number 1304 (10.12.2019), Plot Ratio Calculation Sheet number 1700 (17.12.2019), Area Schedule Sheet number 1701 (17.12.2019), Hydraulic Services Ground Level Rev A (29.10.2019), 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 South Perth's Town Planning Scheme No. 6, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme, subject to the following conditions:

### **Conditions**

1. If the development the subject of this approval is not substantially commenced within a period of 3 years after the date of determination, the approval will lapse and be of no further effect. Where an approval has so lapsed no development must be carried out without the further approval of the local government having first been sought and obtained.
2. This approval does not pertain to the erection, placement and display of any advertisements. A separate application is to be submitted and development approval is to be obtained for any proposed advertisements that are not exempt from requiring development approval of the local government.

### Building Design

3. Prior to the submission of a building permit application, a Detailed Material Schedule for all external finishes to the development must be submitted to, and approved in writing by, the City of South Perth, on the advice of the City's Design Review Panel. The approved Schedule shall be incorporated into all relevant building permit applications and prior to the submission of the occupancy permit application, these materials shall have been used and installed in the development.
4. The ground floor façades of the development shall not include any security grilles or other security devices, unless otherwise authorised by the City of South Perth.

### Construction Management

5. Prior to the submission of a building permit application or a demolition permit application, or the commencement of development, whichever is earlier, a Construction Management Plan must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth.

### Landscaping

6. Prior to the submission of a building permit application, an amended Detailed Landscaping Plan for the development site and the street verge, consisting of Hardscape Plans and Softscape (Planting) Plans, must be submitted to, and approved in writing by, the City of South Perth, on the advice of the City's Design Review Panel.



7. Prior to the submission of an occupancy permit application, landscaping areas shall be installed in accordance with the approved Detailed Landscaping Plans. All landscaping areas shall be maintained thereafter to the satisfaction of the City of South Perth.

#### Land Use

8. The two commercial floor spaces on the ground floor marked 'F & B' are approved as Café/ Restaurant.
9. The three serviced apartments, comprising the two apartments on level 1 and one apartment on level 2, are approved as 'Serviced Apartments' (Tourist Accommodation).
10. Prior to the submission of an occupancy permit application, a comprehensive Management Plan for the serviced apartments must be submitted to, and approved by, the City of South Perth. The plan should outline matters relevant to the functioning of the service apartments such as the following:
  - i. Duration of stay, number of guests and check in and departure procedures.
  - ii. Control of noise and other disturbances.
  - iii. Complaints management procedure.
  - iv. The use and on-going maintenance of all common property and common facilities.
  - v. Security of guests, residents and visitors.
  - vi. Control of anti-social behaviour and potential conflict between the short-term and long-term residents.
  - vii. Vehicle parking management.

The approved plan must be distributed to nearby landowners and occupiers for information purposes.

11. The Management Plan shall be implemented and adhered to at all times, unless otherwise approved by the City of South Perth, to the satisfaction of the City of South Perth.

#### Livable Housing Design Guidelines

12. Prior to the submission of a building permit application, certification completed by a Livable Housing Australia assessor confirming that the detailed design of the 'Liveable Homes' dwelling is compliant with the 'Silver Level' of the 'Livable Housing Design Guidelines' produced by Livable Housing Australia, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, all required design features shall be installed and operational.



### Noise

13. Prior to the submission of a building permit application, the applicant is to submit a report or statement detailing how recommendations within the acoustic report by Marshall Day Acoustics (dated 3 October 2019), and any further studies, have been addressed and implemented accordingly; in particular demonstrating that potential noise from the proposed development will comply with the *Environmental Protection (Noise) Regulations 1997*. Where relevant, any measures shall be reflected in development plans submitted with a building permit application, to the satisfaction of the City of South Perth.

### Parking

14. The allocation of car and bicycle parking shall be allocated as follows, to the satisfaction of the City of South Perth:
  - i. Minimum 8 car bays for the occupants of all three-bedroom and four bedroom residential dwellings.
  - ii. Minimum 1 visitor car bays for visitors to the residential component of the development.
  - iii. Minimum 2 car bays for the serviced apartments components of the development.
  - iv. Minimum 3 car bays for the non-residential components of the development.
  - v. Minimum of 2 of the car bays provided for the non-residential components of the development being provided for visitors to the non-residential component of the development.
  - vi. Minimum 2 bicycle bays for the occupants of all residential dwellings.
  - vii. Minimum 1 visitor bicycle bays for visitors to the residential component of the development.
  - viii. Minimum 5 bicycle bays for the non-residential component of the development.
  - ix. Minimum 1 secure clothes locker within a publically accessible end-of-trip facility.
  - x. Minimum 1 unisex end-of-trip shower facilities within a publically accessible end-of-trip facility.

If the development becomes subject to a Strata Plan and car parking is bundled with the dwellings, the allocation of car parking on the approved Strata Plan shall be consistent with this allocation, to the satisfaction of the City of South Perth.

15. Prior to the submission of an occupancy permit application, the applicant shall install a wall mounted bicycle rack within two of the three ground floor storerooms, to the satisfaction of the City of South Perth. This revision shall be prepared to the satisfaction of the City of South Perth and incorporated into the plans submitted as part of the relevant building permit application
16. Prior to the submission of a building permit application, a Parking and Access Management Plan for residents, staff and visitors of the building, must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth.



17. Prior to the submission of an occupancy permit application, all bicycle parking and associated end-of-trip facilities shall be installed and operational. The provision of bicycle parking bays, associated bicycle infrastructure and end-of-trip facilities (including shower and clothes locker) for residents, staff and visitors shall be provided as indicated on the approved development plans and retained in perpetuity and maintained for the life of the development, to the satisfaction of the City of South Perth.
18. Prior to the submission of a building permit application, certification confirming that the design of all parking areas, including the car parking bays, loading bays, disabled bays, vehicle accessways, manoeuvring and circulation areas and bicycle bays are compliant with Australian Standards AS2890.1, AS2890.3 and the approved plans, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, certification confirming the constructed design and markings of all parking areas are compliant with Australian Standards AS2890.1, AS2890.3 and the approved plans, must be submitted to, and approved in writing by, the City of South Perth. This certification shall include a parking facility design using the B99 standard single turn swept path vehicle template in accordance with Australian Standard AS2890.1/2004 and AS/NZS 1428 for the dimensions of all vehicle access/egress entrances, ramps, circulation areas and avoidance of blind isles in areas open to the public, prepared to the satisfaction of the City of South Perth.
19. Prior to the issue of an occupancy permit, an electronic communication system linked to each occupier of the building shall be located at the security barrier to visitor parking bays, to the satisfaction of the City of South Perth.
20. The height of any wall, fence or other structure shall be no higher than 0.75 metres within 1.5 metres of where any driveway meets any public street, to the satisfaction of the City of South Perth

#### Public Art

21. Prior to the submission of a building permit application, a Public Art Concept for the subject development or alternatively a contribution to public art within the vicinity of the development, to the value of 1.0% of the construction value, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, the approved Concept shall be implemented and maintained thereafter, to the satisfaction of the City of South Perth.

#### Public Realm Works

22. Prior to the submission of an occupancy permit application, the owner/applicant shall remove all existing crossovers, reinstate the verge and kerbing and construct the new crossovers / vehicle accessways between the road and the property boundary in accordance with the approved plans (with works on Crown land at the owner's expense), to the satisfaction of the City of South Perth.



23. Prior to the submission of an occupancy permit application, the owner/applicant shall prepare and have approved to the satisfaction of the City of South Perth, an LED lighting plan addressing:
- i. Carpark lighting - LED lighting to the satisfaction of the City;
  - ii. Amenity - All external lighting positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZ 4282- 1997;
  - iii. Standard - Any outside lighting should meet Australia Standards AS 4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any residential premises;
  - iv. Canopies - Exterior lighting shall be provided under all awnings, along footpaths and walkways and at all entry locations.

#### Revised Plans

24. Prior to the submission of a building permit application, revised plans shall be prepared incorporating the following amendments:
- i. The corner of the "Winter Alfresco" and corner of the 'F & B' tenancy (98m<sup>2</sup>) shall be wholly contained within the lot property boundaries.

The revisions shall be prepared to the satisfaction of the City of South Perth and incorporated into the plans submitted as part of the relevant building permit application.

#### Sustainability

25. The development is to achieve a 4 Star Green Star rating or the equivalent under another formally recognised ecologically sustainable rating system. At the building permit stage, the applicant is to submit a secondary sustainability report confirming the final green star strategy (or equivalent) that will guide the construction stage of the development and beyond; this report shall clearly demonstrate that a 4 Star Green Star rating or equivalent sustainable design rating is to be achieved for the development. Where relevant, elements of the sustainability report and strategy should clearly be reflected in documentation and plans submitted with the building permit application. All sustainable design features proposed in the development shall be implemented.

#### Utilities and Facilities

26. External fixtures, such as air-conditioning infrastructure, shall be integrated into the design of the building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City of South Perth.
27. External clothes drying facilities shall be screened from view from the street or any other public place.

#### Waste Management

28. The Waste Management Plan, prepared by Encycle Consulting, dated 28 January 2020 must be implemented and adhered to all times, unless otherwise approved by the City of South Perth.



## Water Management

29. In accordance with correspondence from Department of Biodiversity, Conservation and Attractions (DCBA), dated 24 January 2020 the following conditions are to be satisfied by the applicant:
- i. At least thirty (30) days prior to the submission of an application for a building permit, the applicant shall submit a Stormwater Management Plan to the City of South Perth, on advice from the Department of Biodiversity, Conservation and Attractions.
  - ii. In the event that any dewatering is required during the construction works, the applicant shall submit a Dewatering Management Plan to the satisfaction of the Department of Biodiversity, Conservation and Attractions.

These conditions are to be met to the satisfaction of the City of South Perth on the advice of the DCBA.

## **Advice Notes**

1. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
2. This is a notice of determination on application for development approval issued in accordance the Planning and Development Act 2005, the Planning and Development (Local Planning Schemes) Regulations 2015, the City of South Perth Town Planning Scheme No. 6, and related policies. It is not a building permit or an approval to carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

All other advice notes will be included in a separate letter to the applicant from the City of South Perth.

**REASON:** The Panel supported the proposal for the reasons that it represents a high quality development which complies with the maximum overall height requirements of the Scheme (current Schedule 9A requirements) and is consistent with the future vision for redevelopment in the South Perth Station Precinct, having regard to the existing and draft planning framework for this activity centre, noting that the current scheme requirements prevail over the draft scheme provisions. The minor variations to the podium height and setbacks were supported on the basis that the development satisfies the relevant guidance statements in the Scheme, noting that the adjoining building has a nil side setback to this lot boundary for an approximate height of 13m and a landmark building on this corner site will serve to define the boundary of the Mends St Sub-Precinct and provide suitable ground and lower floor land uses to assist in activating this Sub-Precinct.

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



**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-

<b>Current Applications</b>		
<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>
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 South Perth	Lot 4 (No. 3) Lyall Street and Lot 11 (No. 56) Melville Parade, South Perth	43-Storey Mixed Development
City of South Perth	Lot 688 (1) Mends Street, South Perth	Mixed Use Residential and commercial development, modifications to existing post office and former police station buildings and works within the surrounding road reserves (Civic Triangle)

**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 10:16am.