



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

**Meeting Date and Time:** 4 March 2020; 9:00 AM  
**Meeting Number:** MCJDAP/389  
**Meeting Venue:** Department of Planning, Lands and Heritage  
140 William Street  
Perth

### **Attendance**

#### **DAP Members**

Ms Megan Adair (Presiding Member)  
Mr Clayton Higham (A/Deputy Presiding Member)  
Mr John Syme (A/Specialist Member)

#### *Item 8.1*

Cr Steve Kepert (Local Government Member, City of Melville) – *via teleconference*  
Cr Matthew Woodall (Local Government Member, City of Melville) – *via teleconference*

#### *Item 9.1*

Cr Carl Celedin (Local Government Member, City of South Perth) – *via teleconference*  
Cr Mary Choy (Local Government Member, City of South Perth) – *via teleconference*

### **Officers in attendance**

#### *Item 8.1*

Ms Delia Neglie (Western Australia Planning Commission)  
Mr Mark Simpson (Western Australia Planning Commission)

#### *Item 9.1*

Ms Fiona Mullen (City of South Perth) - *via teleconference*  
Mr Kevin Tang (City of South Perth) - *via teleconference*

### **Minute Secretary**

Ms Adele McMahon (DAP Secretariat)  
Ms Megan Ventriss (DAP Secretariat)

### **Applicants and Submitters**

#### *Item 8.1*

Mr Scott Vincent (Planning Solutions)  
Ms Ruby Pettit (Planning Solutions)  
Mr Andrew Weston (Murdoch University)  
Ms Niamh O'Connor (DCWC)  
Mr Ed Berry (Lyons Architects) – *via teleconference*



*Item 9.1*

Mr Dan Lees (element) – *via teleconference*

Mr George Ashton (element) – *via teleconference*

**Members of the Public / Media**

Nil

**1. Declaration of Opening**

The Presiding Member declared the meeting open at 09:10am on 4 March 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 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.

**2. Apologies**

Ms Rachel Chapman (Deputy Presiding Member)  
Cr Nicholas Pazzolli (Local Government Member, City of Melville)  
Cr Glenn Cridland (Local Government Member, City of South Perth)  
Cr Stephen Russell (Local Government Member, City of South Perth)

**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 Dan Lees (element) responded to questions from the panel in relation to the application at Item 9.1.

7.2 Ms Fiona Mullen (City of South Perth) responded to questions from the panel in relation to the application at Item 9.1.

***The presentation at Items 7.1 – 7.2 were heard prior to the application at Item 9.1***

7.3 Mr Scott Vincent (Planning Solutions) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.4 Mr Andrew Weston (Murdoch University) responded to questions from the panel in relation to the application at Item 8.1.

7.5 Ms Delia Neglie (Western Australia Planning Commission) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

***The presentations at Items 7.3 - 7.5 were heard prior to the application at Item 8.1.***

## PROCEDURAL MOTION

**Moved by:** Mr Clayton Higham

**Seconded by:** Mr John Syme

That the application at Item 9.1 be heard prior to the application at Item 8.1.

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

**REASON:** The order of business was changed to accommodate travel arrangements for a Panel Member considering item 9.1.

*Cr Steve Kepert and Cr Matthew Woodall (City of Melville) left the panel at 9:14am  
Cr Carl Celedin and Cr Mary Choy (City of South Perth) joined the panel at 9:14am*

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

|                          |   |
|--------------------------|---|
| 8.1 Property Location:   | Lot 820 (No.90) South Street, Murdoch University, Murdoch |
| Development Description: | New Academic Building at Murdoch University               |
| Applicant:               | Planning Solutions  |
| Owner:                   | Murdoch University  |
| Responsible Authority:   | Western Australian Planning Commission                    |
| DAP File No:             | DAP/20/01731  |



## REPORT RECOMMENDATION

**Moved by:** Cr Steve Kepert

**Seconded by:** Cr Matthew Woodall

That the Metro Central JDAP resolves to:

**Approve** DAP Application reference DAP/20/01731 and accompanying plans, date-stamped 14 January 2020 by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission, in accordance with the provisions of the Metropolitan Region Scheme, subject to the following conditions:

### Conditions

1. The development is to be carried out generally in accordance with the plans date-stamped 14 January 2020 (attached). This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. All stormwater generated on site is to be retained on site to the specification of the City of Melville and to the satisfaction of the Western Australian Planning Commission.
3. Prior to occupation, a detailed landscaping and reticulation plan for the subject site and internal road verge adjacent to the site shall be submitted, and thereafter implemented in its entirety and maintained, to the specification of the City of Melville and the satisfaction of the Western Australian Planning Commission.
4. Prior to the commencement of site works, a Construction Management Plan shall be prepared, and thereafter implemented in its entirety, to the specification of the City of Melville and the satisfaction of the Western Australian Planning Commission.
5. The development is to be operated in accordance with the Waste Management Plan dated 21 November 2019 to the satisfaction of the Western Australian Planning Commission on the advice of the City of Melville.
6. Prior to the commencement of site works, a Service Vehicle Access Plan shall be prepared, and thereafter implemented in its entirety, to the satisfaction of the Western Australian Planning Commission.

### Advice Notes

1. The applicant is advised that future minor design refinements to the original approval that are of a minor nature, and do not alter the fundamental nature of the original approval or give rise to additional issues, may not warrant a Form 2 application subject to advice from the Western Australian Planning Commission.
2. All development must comply with Health Regulations, Australian Standards, the Building Code of Australia and all other relevant Acts, Regulations and Local Laws. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required, and to commence and carry out development in accordance with all relevant laws.



3. In relation to Condition 3, landscaping and reticulation plan is to be in accordance with the Landscape Concept Plans dated December 2019 submitted with the application and include details of (but not limited to):
- (a) fauna habitat and foraging potential (on the advice of the Department of Biodiversity, Conservation and Attractions);
  - (b) the location, number and type of proposed trees and shrubs including planter size and planting density;
  - (c) any lawns to be established;
  - (d) existing vegetation and/or landscaped areas to be retained; and
  - (e) verge treatments.

The approved landscaping and reticulation plan is to be fully implemented within the first available planting season after the initial occupation of the development and any species which fail to establish within the first two planting seasons are expected to be replaced.

4. In relation to Condition 4, the Construction Management Plan shall detail how the construction of the development will be managed and is to include:
- 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 accredited personnel for the various phases of the construction, including any proposed road closures;
  - parking arrangements for contractors and sub-contractors;
  - on-site delivery times and access arrangements;
  - the storage of materials and equipment on site;
  - any other matters likely to impact upon surrounding properties or the road reserve; and
  - the location of temporary structures necessary to facilitate storage, administration and construction activities, such as demountable offices, portable toilets and skip bins. These are to be located so as not to obstruct vehicle sight lines of the subject site, the adjacent road network or adjoining properties, and to be removed prior to initial occupation of the development.
5. In relation to Condition 6, the Service Vehicle Access Plan is to demonstrate how buildings currently serviced via Tea Tree Loop will continue to be serviced once site works commence.



6. It is the applicant's responsibility to determine any impact that the development may have upon the habitat of any threatened black cockatoo species and to satisfy any obligations for referral to the federal Department of Agriculture, Water and the Environment for consideration under the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999*.

It is also the applicant's responsibility to determine whether the proposal is exempt from the requirement of a permit for the clearing of native vegetation from the Western Australian Department of Water and Environmental Regulation under the *Environmental Protection Act 1986* and *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

7. Trees intended to be retained are to be protected in accordance with Australian Standard AS 4970-2009 *Protection of Trees on Development Sites*.
8. ATCO Gas advises that prior to any construction or excavation works 'Dial Before You Dig' (Ph 1100) must be contacted to determine the location of buried gas infrastructure.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** In accordance with details contained in the Responsible Authority Report.

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

- 9.1 Property Location: Lot 250 (154) Lockhart Street, Como  
 Development Description: Amendments to Previously Approved Four Storey Multiple Dwelling Development  
 Proposed Amendments: Minor amendments to existing DAP approval, including additional basement level, modifications to dwelling mix and apartment layouts, and adjustments to servicing infrastructure.  
 Applicant: element  
 Owner: Blueperth Pty Ltd  
 Responsible Authority: City of South Perth  
 DAP File No: DAP/18/01548

**REPORT RECOMMENDATION**

*The New Condition was renumbered administratively to No.27 to be inline with the numbering of the original approval.*

**Moved by:** Mr Clayton Higham

**Seconded by:** Mr John Syme

That the Metro Central JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01548 as detailed on the DAP Form 2 dated 29 November 2019 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;



2. **Approve** the DAP Application reference DAP/18/01548 as detailed on the DAP Form 2 dated 29 November 2019 and accompanying plans (Attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the provisions of the *City of South Perth Town Planning Scheme No. 6* and pursuant to clause 24(1) and 26 of the *Metropolitan Region Scheme*, for the proposed minor amendments to the approved development plans, subject to:

#### **Replacement Condition**

22. Prior to the submission of a Building Permit application, the applicant must be in receipt of an approved "Stormwater Drainage Application", that confirms the design is to the satisfaction of the City.

#### **New Condition**

27. Prior to the submission of a Building Permit application, the applicant must be in receipt of an approved "Crossings Application", that confirms the design is to the satisfaction of the City.

All other conditions and requirements detailed on the previous approval dated 15 March 2019 shall remain unless altered by this application.

#### **The Report Recommendation was put and CARRIED (4/1).**

For: Ms Megan Adair  
Mr Clayton Higham  
Mr John Syme  
Cr Mary Choy

Against: Cr Carl Celedin

**REASON:** In accordance with details contained in the Responsible Authority Report.

*Cr Carl Celedin and Cr Mary Choy (City of South Perth) left the panel at 09:23am.*

*Cr Steve Kepert and Cr Matthew Woodall (City of Melville) joined the panel at 09:23am.*



## 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  |

| Finalised Applications |   |   |
|------------------------|---|---|
| LG Name                | Property Location   | Application Description   |
| 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 09:41am.