



## **Metro Inner-North Development Assessment Panel Minutes**

**Meeting Date and Time:** Tuesday, 2 March 2021; 9.00am  
**Meeting Number:** MINJDAP/70  
**Meeting Venue:** Town of Cambridge  
1 Bold Park Drive, Floreat

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## Attendance

### DAP Members

Ms Francesca Lefante (Presiding Member)  
Ms Lee O'Donohue (Deputy Presiding Member)  
Mr John Syme (Third Specialist Member)  
Cr Alaine Haddon-Casey (Local Government Member, Town of Cambridge)  
Cr Andres Timmermanis (Local Government Member, Town of Cambridge)

### Officers in attendance

Mr Brett Cammell (Town of Cambridge)  
Mr Andrew Bratley (Town of Cambridge)  
Ms Jennifer Heyes (Town of Cambridge)  
Mr Damir Vagaja (RTSM Consulting)

### Minute Secretary

Ms Amanda Decke (Town of Cambridge)

### Applicants and Submitters

Mr Peter Simpson (PTS Town Planning Pty Ltd)  
Mr Nathan James (Georgiou Developments)

### Members of the Public / Media

Ms Victoria Rifici from Community News, Western Suburbs was in attendance.

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:01am on 2 March 2021 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 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

### 1.1 Announcements by Presiding Member

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the DAP Standing Orders 2020 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 Nathan James (Georgiou Developments) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Peter Simpson (PTS Town Planning Pty Ltd) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 The Town of Cambridge officers responded to questions from panel members in relation to Item 8.1.

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

#### 8.1 Lots 226, 703 and 704 (No. 29-33) Northwood Street, West Leederville

Development Description: Three Storey Mixed-Use Development (Office and Child Care Premises)  
Applicant: PTS Town Planning  
Owner: Georgiou Property 2 Pty Ltd  
Responsible Authority: Town of Cambridge  
DAP File No: DAP/20/01911

### REPORT RECOMMENDATION

**Moved by:** Cr Andres Timmermanis

**Seconded by:** Ms Lee O'Donohue

With the agreement of the mover and seconder the following amendments were made to the report recommendation:

- (i) That Condition 2 be amended to read as follows:

*Amended plans **being** submitted to, and approved by, the Town prior to the building permit application being lodged, which show direct access from the child care staff car parking bays to the **footpath abutting the drop off bays** (refer to Advice Note 2).*



**REASON:** To reflect the required for pedestrian access to both tenancies

(ii) That Condition 3 be amended to read as follows:

*Amended plans being submitted to, and approved by, the Town prior to the building permit application being lodged, which show the main child care access to the **shall show the lobby being extended through to the main Northwood Street entrance door.** from the main entrance of the building (being the Northwood Street door). ~~The access is to be shown as not being restricted by the leasing out of the ground floor office space. The amended plans are to also show what measures are proposed so that the main entrance to the child care premises will be clearly defined and identifiable (refer to Advice Note 3).~~*

**REASON:** To ensure that the pedestrian access to both tenancies

(iii) That Condition 4 be deleted, and the remaining conditions be renumbered accordingly.

**REASON:** The condition is not required, as access to the main entrance is address in the modifications to Condition 3

(iv) That Condition 10 (formally Condition 11) be amended to read as follows:

*The subject lots being amalgamated prior to the **building occupancy permit** being issued.*

**REASON:** To reflect the time frame associated with the amalgamation process

## **REPORT RECOMMENDATION (AS AMENDED)**

That the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/20/01911 is appropriate for consideration as a "Child Care Premises and Office" land use and compatible with the objectives of the zoning table in accordance with Clause 16 of the Town of Cambridge Town Planning Scheme No. 1.
2. **Approve** DAP Application reference DAP/20/01911 and accompanying plans (plan numbers A.002, A.101 to A.105, A.201 and A.202, and A.301) 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 Town of Cambridge Town Planning Scheme No. 1, subject to the following:

### **Conditions**

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. Amended plans being submitted to, and approved by, the Town prior to the building permit application being lodged, which show direct access from the child care staff car parking bays to the footpath abutting the drop off bays (refer to Advice Note 2).



3. Amended plans being submitted to, and approved by, the Town prior to the building permit application being lodged and shall show the lobby being extended through to the main Northwood Street entrance door.
4. The crossovers shall be constructed in accordance with the Town's specifications and thereafter be maintained for the life of the development to the satisfaction of the Town.
5. Prior to the practicable completion of the development, all car parking bays and manoeuvring/circulation areas shown on the approved plans shall be sealed/paved, and surface marked, in accordance with Australian Standard 2890.1 - Off-street car parking and Australian Standard 2890.6 - Off-street parking for people with disabilities (where relevant), kerbed and drained and thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town.
6. Prior to practical completion of the development, the external surface of the boundary walls shall have white painted vertical bands on acratex grey, in accordance with the approved north and south elevations (or similar alternative to the Town's satisfaction), and be finished to a professional standard (provided access is granted by the adjoining landowner(s)), and thereafter be maintained, by the landowners for the life of the development to the satisfaction of the Town (refer to Advice Note 4).
7. All structures (and associated footings) shall be contained within the lot boundaries of the subject site.
8. The Waste Management Plan (prepared by Talis, dated 17 December 2020) is to be implemented to the satisfaction of the Town prior to the occupation of any part of the building, and is to be thereafter complied with by the residents and the landowner for the life of the development.
9. Prior to commencement of the uses, the Acoustic Report (prepared by Hewshott Acoustics and dated 17 December 2020) shall be implemented and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the Town. This includes, but is not limited to, the external activity areas not being used prior to 7.00am.
10. The subject lots being amalgamated prior to the occupancy permit being issued.
11. Redundant vehicle crossover(s) to be removed and the kerbing, verge, and footpath reinstated by the landowner to the Town specifications.
12. The landowner(s) shall comply with the Town's Local Planning Policy 3.19 - Percent for Public Art via one of the following options:
  - i) Provide public art on the subject site, with a minimum value of 1% of the development's construction value (Option 1); or
  - ii) Provide public art in the vicinity of the subject site in the public realm, with a minimum value of 1% of the development's construction value, (Option 2); or
  - iii) Pay 1% of the development's construction value, in accordance with Local Planning Policy 3.19 - Percent for Public Art, in lieu of providing public art on the subject site (Option 3).



If Option 1 or 2 is elected, the public art design shall be submitted to, and approved by the Town prior to lodgement of the Building Permit application (refer to Advice Note 5).

Prior to commencement of use/occupation of any part of the development, a Notification pursuant to Section 70A of the Transfer of Land Act 1893 shall be registered on the Certificate of Title of the subject site at the landowner's cost and to the satisfaction of the Town to notify owners and prospective purchasers that the public art forming part of the development shall be maintained at their cost for the life of the development, or have an alternative agreement where applicable, to the Town's satisfaction.

The public art shall be installed prior to commencement of use/occupation of any part of the development and thereafter maintained for the life of the development to the satisfaction of the Town.

If Option 3 is elected, the cash-in-lieu amount shall be paid in full to the Town prior to lodgement of the Building Permit application

13. The window on the northern façade of the ground floor tenancy (the window directly facing into the internal vehicle access way) not being frosted and/or covered with signage, so as to allow maximum surveillance.
14. The ground floor windows directly facing Northwood Street not being frosted and/or covered with signage, so as to allow maximum surveillance.
15. The child care premises shall only be permitted to operate between Monday and Friday, 6.30am to 6.00pm.
16. Prior to lodgement of the Building Permit application, a Construction Management Plan must be submitted to, and approved by, the Town. The Plan must address the following issues, where applicable (as determined by the Town):
  - Staging plan for the entire works, including timeframes and assigned responsibilities for tasks;
  - Contact details of essential site personnel, construction period and operating hours;
  - The on-site storage of materials and equipment • Site security and public safety and amenity measures;
  - Community information, consultation and complaints and incident procedures;
  - Traffic, access and parking management;
  - Vibration, air, dust and noise management;
  - Dilapidation reports of nearby properties;
  - Waste management and materials re-use;
  - Earthworks, excavation, land retention/piling methods and associated matters;
  - Stormwater and sediment control;
  - Protection of existing roads, kerbs, footpaths, street trees and miscellaneous services;
  - Asbestos removal;
  - Any other matter deemed relevant by the Town.



The Plan must be implemented upon commencement of any site works/development for their entire duration to the satisfaction of the Town.

17. The landscaping areas shown on the approved landscaping plans shall be installed and reticulated within six months of practical completion of the development, and be thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town.

### Advice Notes

1. 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 specified period, the approval shall lapse and be of no further effect.
2. With regard to Condition 2, the applicant and the landowner are advised that the Town has concerns that there will not be the ability for child care staff and visitors to use a front door to access the child care premises if the ground floor tenancy changes in future. To overcome this issue, more direct child care access from the child care staff car parking bays to the ground floor lobby is required. This could be achieved, for example, by providing more direct access from the child care staff car parking bay area to the footpath adjacent to the drop off and pick up car parking bays.
3. With regard to Condition 3, the applicant and the landowner are advised that it is a requirement under the draft West Leederville Activity Centre Plan for uses to obtain their main public pedestrian entry directly from with the Active Street (in this case, Northwood Street) interface.

The Town has concerns that there will not be the ability for child care staff and visitors to use the front door to access the child care premises if the ground floor office tenancy changes in future. The amended plans are to show permanent unrestricted access from the building's main entrance to the lobby for the child care premises (above ground floor tenancy(s)).

It is important that uses, particularly the main use on a property (in this case the child care premises), has a main entrance which is clearly defined and identifiable. The amended plans will also need to show what measures are proposed to ensure that the building's main entrance to the child care is clearly defined and identifiable should the ground floor office tenancy change in the future (e.g. signage).

4. With regard to Condition 6, the applicant and the landowner are to consider using different shades and textures to break the walls' scale, for instance, at the stepped parapet walls for the second floor rear balcony. This will add interest, and break up the appearance of the walls.
5. With regard to Condition 12, the applicant and the landowner are advised that it is accepted that the development has the potential to contribute to a strong sense of community through extensive active frontage (awning works as public art) at the ground floor along Northwood Street. Therefore, if the awning works are incorporated into the design as public art, it will be expected to show a variety of materials and colours being used, which ideally make use of the natural light, and such that the appearance of the public art has some connection with the land uses.



6. The landowner/applicant shall be responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. The applicant and the landowner are advised that the noise generated by activities on-site, including machinery motors or vehicles is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997.
8. The applicant and the landowner are advised that the implementation of the development shall not cause a dust nuisance to surrounding properties (as determined by the Town) in accordance with the Town of Cambridge Private Property Local Law 2016 (as amended). Where appropriate, measures such as installation of sprinklers, use of water tanks, mulching or other land management systems shall be implemented by the landowner/developer at the direction of the Town if the Town determines that a dust nuisance exists.
9. All development works are to be carried out in accordance with control of noise practices set out in Section 6 of Australia Standard 2436:2010 - Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites.
10. The applicant and the landowner are advised that all works within the road reserve, such as crossovers, verge treatments and landscaping require a separate application and approval by the Town's Infrastructure branch. All works shall conform to the Town's specifications.
11. The landowner is advised that a "Food Act 2008 Notification/Registration Form" shall be submitted to, and approved by the Town prior to any food being prepared/sold on the subject premises in accordance with the *Food Act 2008* and *Food Regulations 2009*.
12. The landowner is advised that:
  - i) a Demolition Permit application shall be submitted to, and approved by the Town prior to any demolition work commencing on the subject site; and
  - ii) a Building Permit application shall be submitted to, and approved by the Town prior to any construction or site works commencing on the subject site in accordance with the *Building Act 2011* and *Building Regulations 2012*.

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

**REASON:** The JDAP supported the proposal, which is considered to be consistent with the planning framework, a good design that fits in with the street, including on structure landscaping, and for the reasons contained within the RAR, inclusive of minor condition modifications.

**9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval**

Nil





## 10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following State Administrative Tribunal Applications -

<b>Current SAT Applications</b>				
<b>File No. &amp; SAT DR No.</b>	<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>	<b>Date Lodged</b>
DAP/19/01600 DR161/2019	Town of Claremont	Lots 18 (164) and 19 (162) Alfred Road, Swanbourne	Proposed Childcare Centre	07/10/2019
DAP/19/01651 DR160/2020	City of Nedlands	Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands	Shopping Centre	21/07/2020
DAP/19/01722 DR155/2020	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	4 Storey Mixed Use Development	16/07/2020
DAP/15/00712 DR21/2021	City of Bayswater	Lot 100, 293 Guildford Road, Maylands	Mixed Use Development	05/02/2021

## 11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 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.

## 12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:15am.