



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Friday, 9 September 2022; 9:30am
Meeting Number: MINJDAP/151
Meeting Venue: City of Vincent
244 Vincent Street, Leederville

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Ms Francesca Lefante
Presiding Member, JDAP



Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Mr Brian Curtis (A/Deputy Presiding Member)
Mr John Syme (Third Specialist Member)
Cr Jonathan Hallett (Local Government Member, City of Vincent)

Officers in attendance

Mr Dan McCluggage (City of Vincent)
Mr Jay Naidoo (City of Vincent)

Minute Secretary

Ms Kylie Tichelaar (City of Vincent)

Applicants and Submitters

Dr Iain Cameron
Ms Caroline But for Yen Kha
Ms Claire Kappel
Mr Peter Macliver
Ms Louise Ruyg
Ms Janine Marsh & Mr Kym Doepel (Doepel Marsh Architects)

Members of the Public / Media

There were 10 members of the public in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:31 on 9 September 2022 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 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Ms Francesca Lefante
Presiding Member, JDAP



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

Ms Lee O'Donohue (Deputy Presiding Member)
Cr Susan Gontaszewski (Local Government Member, City of Vincent)
Cr Ashley Wallace (Local Government Member, City of Vincent)
Cr Dan Loden (Local Government Member, City of Vincent)

3. Members on Leave of Absence

DAP Member, Ms Lee O'Donohue has been granted leave of absence by the Director General for the period of 1 September 2022 to 28 September 2022 inclusive.

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.

Ms Francesca Lefante
Presiding Member, JDAP



6. Disclosure of Interests

Nil.

7. Deputations and Presentations

- 7.1 Dr Iain Cameron addressed the DAP against the recommendation for the application at Item 8.1.
- 7.2 Ms Caroline Bur for Yen Kha addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Ms Claire Kappel addressed the DAP against the recommendation for the application at Item 8.1.
- 7.4 Mr Peter Macliver addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.5 Ms Louise Ruyg addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.6 Ms Janine Marsh & Mr Kym Doepel (Doepel Marsh Architects) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.7 The City in Vincent addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

Written submissions from Ms Lynley Coen, Phung Kha and Ms Kristen Goy were received against the recommendation and circulated to the DAP Members for their consideration.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 No.6/469 (No.6/469) William Street, Perth

Development Description:	Mixed Use Development
Applicant:	Doepel Marsh Architects
Owner:	GPG No 15 Pty Ltd
Responsible Authority:	City of Vincent
DAP File No:	DAP/22/02225

Ms Francesca Lefante
Presiding Member, JDAP



REPORT RECOMMENDATION

Moved by: Mr John Syme

Seconded by: Cr Jonathan Hallett

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

(i) That Condition 14.1 will have a third dot point added:

- ***Or Private waste collection***

REASON: To provide suitable options to address waste collection arrangements

(ii) That Condition 14.2 be amended to read as follows:

The Waste management plan identified in Condition ~~6.4~~ 14.1 above must be implemented at all times, to the satisfaction of the City.

REASON: To correct a typographical error.

(iii) That an Advice note 9 be added to read as follows:

The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the dwellings. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.

REASON: To provide clarity to prospective owners or occupations on restrictions to resident street parking permits

That the Metro Inner North JDAP resolves to:

1. **Approve** DAP Application reference DAP/22/02225 and accompanying plans included in **Attachment 2** 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 Vincent Local Planning Scheme No. 2, subject to the following conditions:

Conditions

1. General

- 1.1. 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.

Ms Francesca Lefante
Presiding Member, JDAP



- 1.2. 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 specified period, the approval shall lapse and be of no further effect.
- 1.3. This approval is for a mixed use development comprising of 12 Multiple Dwellings and one Office as shown on the approved plans dated 22 August 2022. No other development forms part of this approval.

2. Building Design

- 2.1. The surface finish of boundary walls facing adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City.
- 2.2. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.
- 2.3. Doors and windows and adjacent floor areas fronting William Street shall maintain an active and interactive relationship with this street, darkened obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited.
- 2.4. Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited.
- 2.5. Metre boxes shall be located behind the primary street setback area, not be visible from the street or be integrated into the building, to the satisfaction of the City.
- 2.6. The fire hydrant booster shall be integrated into the design of the building, to the satisfaction of the City.
- 2.7. The awning within the William Street road reservation attached to the façade of the building shall be designed to be removable, to the satisfaction of the City.

3. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval.



4. Landscaping

4.1. A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City **prior to commencement of the development**. The plan shall be drawn to a scale of 1:100, be generally in accordance with the landscaping plan dated 6 May 2022 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum 1.9 percent deep soil area, as defined by the Residential Design Codes Volume 2;
- The provision of a minimum of 101.1 square meters of on-structure planting.
- The provision of trees contributing towards canopy coverage within deep soil areas and on-structure planting areas provided. The tree species are to be in accordance with the City's recommended tree species list.
- The provision of two new verge trees within the William Street verge adjacent to the subject site. The species of the new street trees shall be *Platanus acerifolia* (London Plane) and they shall be a minimum of 200 litre capacity.

4.2. All works shown in the plans as identified in Condition 4.1 above shall be undertaken in accordance with the approved plans to the satisfaction of the City, **prior to occupancy or use of the development** and maintained thereafter to the satisfaction of the City, at the expense of the owners/occupiers.

5. Car Parking, Access and Bicycle Facilities

5.1. **Prior to the first occupation or use of the development**, three visitor car parking spaces, 11 multiple dwelling car parking spaces and one commercial car parking space shall be being provided on site are to be permanently marked for the exclusive use of the mixed use development parking in accordance with Australian Standard AS2890.1.

5.2. **Prior to the first occupation or use of the development**, the car parking spaces provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development.

5.3. All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans **prior to the first occupation or use of the development** and maintained thereafter by the owner/occupier to the satisfaction of the City.



- 5.4. Three visitor parking bays shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City.
- 5.5. **Prior to the first occupation or use of the development**, redundant or “blind” crossovers shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner’s full expense.
- 5.6. A total of 12 bicycle bays shall be installed in the following locations:
- A minimum of 8 long term resident bicycle facilities provided on-site;
 - A minimum of 1 long term commercial bicycle facility provided on-site; and
 - A minimum of 3 short term bicycle facilities provided within the adjacent verge;

The design and construction of the bike bays shall be in accordance with Australian Standards AS2890.3: 2015 Parking Facilities Part 3: Bicycle Parking and shall be installed **prior to occupancy or use of the development**, to the satisfaction of the City.

- 5.7. **Prior to the occupation or use of the development**, an amended Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include, but not limited to, addressing the following:
- Detailed management measures for the operation of the vehicular entry gate/s, to ensure access is readily available for owners/visitors/tenants to the residential and non-residential units at all times;
 - The installation of signage to advise users that bays V1 and V2 shall accommodate forward parking only due to the height clearance to the mezzanine vehicle access ramp above;
 - The installation of signage along the William Street frontage of the building to identify the location of, and access to the on-site car parking area.
 - The installation of signage within the 10 metre wide portion of the Amy Street road reservation, in close proximity to the entrance to the 5 metre wide right of way which advises approaching vehicles that the width of the right of way only allows for one way traffic. This signage shall be arranged and approved by the City, at the expense of the owner/applicant.
 - The allocation of the car parking bays to ensure that there is a total of 11 resident bays, 3 visitor bays and 1 commercial bay.

The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers.

Ms Francesca Lefante
Presiding Member, JDAP



6. Acoustic Report

6.1. **Prior to the issue of the building permit** a revised Acoustic Report shall be lodged with and approved by the City, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation. The revised acoustic report shall include details related to mechanical and plant equipment.

6.2. All recommended measures included in the acoustic report in Condition 6.1 shall be implemented prior to the occupation or use of the development and be maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers. Written certification from an acoustic consultant shall be provided to the City demonstrating that the recommended measures have been undertaken to the City's satisfaction, **prior to occupancy or use of the development.**

7. Construction Management

7.1. **Prior to the issue of a Building Permit**, a Construction Management and Staging Plan is to be prepared and submitted to the City that details how the construction of the development will be staged and managed to minimise the impact on the surrounding area (including demolition and/or forward works). The Construction Management and Staging Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors;
- Consultation plan with nearby properties;
- Building Permit and implementation staging; and
- Compliance with AS4970-2009 relating to the protection of trees on the development site.

7.2. The construction management plan referred to in Condition 7.1 above shall be complied with at all times, for the duration of the construction of the development.

8. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.



9. Signage

All signage is to be in strict accordance with the City's Local Planning Policy Signs and Advertising, unless further development approval is obtained.

10. Sight Lines

No walls, letterboxes or fences above 0.75 metres in height to be constructed within the 1.5 metre of where:

- walls, letterboxes or fences adjoin vehicular access points to the site; or
- a driveway meets a public street; or
- two streets intersect;

Unless otherwise approved by the City of Vincent.

11. Public Art

11.1. In accordance with the City's Policy No. 7.5.13 - Percent for Art the application is required to make a public art contribution of \$55,000 being one percent of the \$5.5 million cost of development.

To comply with the Policy, the owner(s) or applicant, on behalf of the owner(s) shall submit a statutory declaration **prior to the lodgement of a Building Permit** stipulating the choice of:

Option 1: Owner/Applicant chooses to co-ordinate the Public Art project themselves or by engaging an art consultant

OR

Option 2: Owner/Applicant chooses to pay cash-in-lieu. Owner/Applicants who choose Option 2 will receive a 15% discount on the Percent for Art contribution.

11.2. The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 in conjunction with the above chosen option:

Option 1 –

Prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; and

Prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;

OR

Option 2 –

Prior to the issue of an Occupancy Permit pay the above cash-in-lieu contribution amount.



12. Clothes Drying Facilities

Prior to the occupation or use of the development, each multiple dwelling shall be provided with a clothes drying area screened from the public realm in accordance with the Residential Design Codes Volume 2, to the satisfaction of the City.

13. Contaminated Sites – Department of Water and Environmental Regulation

13.1. **Prior to commencement of development**, investigation for soil and groundwater contamination shall be carried out at Lots 4 and 241 to determine if remediation is required.

13.2. If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works at Lots 4 and 241, to the satisfaction of the City, on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.

Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Water and Environmental Regulation contaminated sites guidelines.

14. Waste Management

14.1. **Prior to the issue of a Building Permit** an amended Waste Management Plan must be submitted to and approved by the City. The plan must include the following details to the satisfaction and specification of the City:

- An alternative bin collection method from Amy Street; or
- Confirmation that a legal right of access has been obtained to use the portion of No. 146 Brisbane Street for the purpose of bin transportation and collection.
- Or Private waste collection

14.2. The Waste Management Plan identified in Condition 14.1 above must be implemented at all times, to the satisfaction of the City.

15. Amalgamation

In accordance with the City's Policy No. 7.5.19 – Amalgamation Condition on Planning Approvals, **prior to occupation or use of the development**, the subject land (Lots 4 and 241) shall be amalgamated into a single lot on the Certificate of Title.



Advice Notes

- All new crossovers to lots are subject to a separate application to be approved by the City. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications, which specify that the portion of the existing footpath traversing the proposed crossover (subject to the Footpath being in good condition as determined by the Infrastructure and Environment Services Directorate), must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths.
- The footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the City's specification. The verge upgrade may include landscaping, as directed by the City. A plan of the proposed works must be submitted and approved prior to commencement of works. A refundable footpath upgrade bond shall be lodged prior to the commencement of building works and will be held until all works have been completed and/or any damage to the existing facilities have been re-instated to the satisfaction of the City. An application to the City for the refund of the upgrade bond must be made in writing.
- The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
- All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.
- In reference to Condition 7, the owner/applicant may be required to obtain a Work Zone Permit from the City in order to satisfy this Condition due to the location of the site on a regional road with access constraints. The requirement for, and cost of any such permit shall be determined by the City following the lodgement of a Building Permit.
- The owner/applicant is advised of the Water Corporation sewage line running along the southern lot boundary. Approval from Water Corporation may be required. For more information regarding the sewerage pipe please contact Water Corporation on 13 13 95.

Ms Francesca Lefante
Presiding Member, JDAP



- The City's Health Services team have provided the following advice in relation to the proposed development:
 - Any external artificial lighting installations, including in carparks and common areas, is to comply with Australian Standard AS 4282-1997 'Control of the obtrusive effects of outdoor lighting' and must not be permitted to shine or reflect into other properties, creating a nuisance.
- The Department of Water and Environmental Regulation have provided the following advice in relation to the proposed development:
 - In relation to Condition 13 and in accordance with regulation 31(1)(c) of the *Contaminated Sites Regulations 2006*, a mandatory auditor's report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with Condition 13. A current list of accredited auditors is available from www.dwer.wa.gov.au.
- The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the dwellings. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.

AMENDING MOTION 1

The following amendments were made en bloc:

Moved by: Ms Francesca Lefante

Seconded by: Mr Brian Curtis

- (i) That Condition No. 5.1 be amended to read as follows:

*Prior to the first occupation or use of the development, ~~three~~ **two** visitor car parking spaces, ~~11~~ **12** multiple dwelling car parking spaces and one commercial car parking space shall be ~~being~~ provided on site and ~~are to~~ be permanently marked for the exclusive use of the mixed use development parking in accordance with Australian Standard AS2890.1.*

- (ii) That Condition No. 5.4 be amended to read as follows:

*~~Three~~ **Two** visitor parking bays shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City.*

Ms Francesca Lefante
Presiding Member, JDAP



The Amending Motion was put and CARRIED (3/1).

For: Ms Francesca Lefante
Mr John Syme
Mr Brian Curtis

Against: Cr Jonathan Hallett

REASON: The increase in onsite dedicated residential parking to one bay per unit considered appropriate in the context of the location.

AMENDING MOTION 2

Moved by: Ms Francesca Lefante

Seconded by: Cr Jonathan Hallett

That a new Condition No. 16 be added to read as follows:

No development within the pedestrian access way on the adjoining properties to the south forms part of this approval.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To clarify that use of the pedestrian access does not form part of the approval and is subject to separate legal arrangements.

REPORT RECOMMENDATION (AS AMENDED)

1. **Approve** DAP Application reference DAP/22/02225 and accompanying plans included in **Attachment 2** 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 Vincent Local Planning Scheme No. 2, subject to the following conditions:

Conditions

1. General

- 1.1. 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.
- 1.2. 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 specified period, the approval shall lapse and be of no further effect.
- 1.3. This approval is for a mixed use development comprising of 12 Multiple Dwellings and one Office as shown on the approved plans dated 22 August 2022. No other development forms part of this approval.

Ms Francesca Lefante
Presiding Member, JDAP



2. Building Design

- 2.1. The surface finish of boundary walls facing adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City.
- 2.2. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.
- 2.3. Doors and windows and adjacent floor areas fronting William Street shall maintain an active and interactive relationship with this street, darkened obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited.
- 2.4. Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited.
- 2.5. Metre boxes shall be located behind the primary street setback area, not be visible from the street or be integrated into the building, to the satisfaction of the City.
- 2.6. The fire hydrant booster shall be integrated into the design of the building, to the satisfaction of the City.
- 2.7. The awning within the William Street road reservation attached to the façade of the building shall be designed to be removable, to the satisfaction of the City.

3. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval.



4. Landscaping

4.1. A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City **prior to commencement of the development**. The plan shall be drawn to a scale of 1:100, be generally in accordance with the landscaping plan dated 6 May 2022 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum 1.9 percent deep soil area, as defined by the Residential Design Codes Volume 2;
- The provision of a minimum of 101.1 square meters of on-structure planting.
- The provision of trees contributing towards canopy coverage within deep soil areas and on-structure planting areas provided. The tree species are to be in accordance with the City's recommended tree species list.
- The provision of two new verge trees within the William Street verge adjacent to the subject site. The species of the new street trees shall be *Platanus acerifolia* (London Plane) and they shall be a minimum of 200 litre capacity.

4.2. All works shown in the plans as identified in Condition 4.1 above shall be undertaken in accordance with the approved plans to the satisfaction of the City, **prior to occupancy or use of the development** and maintained thereafter to the satisfaction of the City, at the expense of the owners/occupiers.

5. Car Parking, Access and Bicycle Facilities

5.1. **Prior to the first occupation or use of the development**, two visitor car parking spaces, 12 multiple dwelling car parking spaces and one commercial car parking space shall be provided on and be permanently marked for the exclusive use of the mixed use development parking in accordance with Australian Standard AS2890.1.

5.2. **Prior to the first occupation or use of the development**, the car parking spaces provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development.

5.3. All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans **prior to the first occupation or use of the development** and maintained thereafter by the owner/occupier to the satisfaction of the City.



- 5.4. Two visitor parking bays shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City.
- 5.5. **Prior to the first occupation or use of the development**, redundant or “blind” crossovers shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner’s full expense.
- 5.6. A total of 12 bicycle bays shall be installed in the following locations:
- A minimum of 8 long term resident bicycle facilities provided on-site;
 - A minimum of 1 long term commercial bicycle facility provided on-site; and
 - A minimum of 3 short term bicycle facilities provided within the adjacent verge;

The design and construction of the bike bays shall be in accordance with Australian Standards AS2890.3: 2015 Parking Facilities Part 3: Bicycle Parking and shall be installed **prior to occupancy or use of the development**, to the satisfaction of the City.

- 5.7. **Prior to the occupation or use of the development**, an amended Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include, but not limited to, addressing the following:
- Detailed management measures for the operation of the vehicular entry gate/s, to ensure access is readily available for owners/visitors/tenants to the residential and non-residential units at all times;
 - The installation of signage to advise users that bays V1 and V2 shall accommodate forward parking only due to the height clearance to the mezzanine vehicle access ramp above;
 - The installation of signage along the William Street frontage of the building to identify the location of, and access to the on-site car parking area.
 - The installation of signage within the 10 metre wide portion of the Amy Street road reservation, in close proximity to the entrance to the 5 metre wide right of way which advises approaching vehicles that the width of the right of way only allows for one way traffic. This signage shall be arranged and approved by the City, at the expense of the owner/applicant.
 - The allocation of the car parking bays to ensure that there is a total of 12 resident bays, 2 visitor bays and 1 commercial bay.

The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers.



6. Acoustic Report

6.1. **Prior to the issue of the building permit** a revised Acoustic Report shall be lodged with and approved by the City, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation. The revised acoustic report shall include details related to mechanical and plant equipment.

6.2. All recommended measures included in the acoustic report in Condition 6.1 shall be implemented prior to the occupation or use of the development and be maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers. Written certification from an acoustic consultant shall be provided to the City demonstrating that the recommended measures have been undertaken to the City's satisfaction, **prior to occupancy or use of the development.**

7. Construction Management

7.1. **Prior to the issue of a Building Permit**, a Construction Management and Staging Plan is to be prepared and submitted to the City that details how the construction of the development will be staged and managed to minimise the impact on the surrounding area (including demolition and/or forward works). The Construction Management and Staging Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors;
- Consultation plan with nearby properties;
- Building Permit and implementation staging; and
- Compliance with AS4970-2009 relating to the protection of trees on the development site.

7.2. The construction management plan referred to in Condition 7.1 above shall be complied with at all times, for the duration of the construction of the development.

8. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.



9. Signage

All signage is to be in strict accordance with the City's Local Planning Policy Signs and Advertising, unless further development approval is obtained.

10. Sight Lines

No walls, letterboxes or fences above 0.75 metres in height to be constructed within the 1.5 metre of where:

- walls, letterboxes or fences adjoin vehicular access points to the site; or
- a driveway meets a public street; or
- two streets intersect;

Unless otherwise approved by the City of Vincent.

11. Public Art

11.1. In accordance with the City's Policy No. 7.5.13 - Percent for Art the application is required to make a public art contribution of \$55,000 being one percent of the \$5.5 million cost of development.

To comply with the Policy, the owner(s) or applicant, on behalf of the owner(s) shall submit a statutory declaration **prior to the lodgement of a Building Permit** stipulating the choice of:

Option 1: Owner/Applicant chooses to co-ordinate the Public Art project themselves or by engaging an art consultant

OR

Option 2: Owner/Applicant chooses to pay cash-in-lieu. Owner/Applicants who choose Option 2 will receive a 15% discount on the Percent for Art contribution.

11.2. The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 in conjunction with the above chosen option:

Option 1 –

Prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; and

Prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;

OR

Option 2 –

Prior to the issue of an Occupancy Permit pay the above cash-in-lieu contribution amount.



12. Clothes Drying Facilities

Prior to the occupation or use of the development, each multiple dwelling shall be provided with a clothes drying area screened from the public realm in accordance with the Residential Design Codes Volume 2, to the satisfaction of the City.

13. Contaminated Sites – Department of Water and Environmental Regulation

13.1. **Prior to commencement of development**, investigation for soil and groundwater contamination shall be carried out at Lots 4 and 241 to determine if remediation is required.

13.2. If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works at Lots 4 and 241, to the satisfaction of the City, on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.

Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Water and Environmental Regulation contaminated sites guidelines.

14. Waste Management

14.1. **Prior to the issue of a Building Permit** an amended Waste Management Plan must be submitted to and approved by the City. The plan must include the following details to the satisfaction and specification of the City:

- An alternative bin collection method from Amy Street; or
- Confirmation that a legal right of access has been obtained to use the portion of No. 146 Brisbane Street for the purpose of bin transportation and collection.
- Or private waste collection

14.2. The Waste Management Plan identified in Condition 14.1 above must be implemented at all times, to the satisfaction of the City.

15. Amalgamation

In accordance with the City's Policy No. 7.5.19 – Amalgamation Condition on Planning Approvals, **prior to occupation or use of the development**, the subject land (Lots 4 and 241) shall be amalgamated into a single lot on the Certificate of Title.

16. No development within the pedestrian access way on the adjoining properties to the south forms part of this approval.



Advice Notes

1. All new crossovers to lots are subject to a separate application to be approved by the City. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications, which specify that the portion of the existing footpath traversing the proposed crossover (subject to the Footpath being in good condition as determined by the Infrastructure and Environment Services Directorate), must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths.
2. The footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the City's specification. The verge upgrade may include landscaping, as directed by the City. A plan of the proposed works must be submitted and approved prior to commencement of works. A refundable footpath upgrade bond shall be lodged prior to the commencement of building works and will be held until all works have been completed and/or any damage to the existing facilities have been re-instated to the satisfaction of the City. An application to the City for the refund of the upgrade bond must be made in writing.
3. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
4. All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.
5. In reference to Condition 7, the owner/applicant may be required to obtain a Work Zone Permit from the City in order to satisfy this Condition due to the location of the site on a regional road with access constraints. The requirement for, and cost of any such permit shall be determined by the City following the lodgement of a Building Permit.
6. The owner/applicant is advised of the Water Corporation sewage line running along the southern lot boundary. Approval from Water Corporation may be required. For more information regarding the sewerage pipe please contact Water Corporation on 13 13 95.
7. The City's Health Services team have provided the following advice in relation to the proposed development:

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- Any external artificial lighting installations, including in carparks and common areas, is to comply with Australian Standard AS 4282-1997 'Control of the obtrusive effects of outdoor lighting' and must not be permitted to shine or reflect into other properties, creating a nuisance.
8. The Department of Water and Environmental Regulation have provided the following advice in relation to the proposed development:
- In relation to Condition 13 and in accordance with regulation 31(1)(c) of the *Contaminated Sites Regulations 2006*, a mandatory auditor's report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with Condition 13. A current list of accredited auditors is available from www.dwer.wa.gov.au.
9. The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the dwellings. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.

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

REASON: The panel members were of the opinion that the proposal is consistent with the planning framework and scheme provisions. The modern art deco design, and on structure landscaping, building setbacks and ground floor commercial uses was considered appropriate in the character and location of the site. Due regard was given to the William St Guidelines in determining that the overall height and bulk which was consistent with the envisaged future streetscape. Members supported a condition for private contractor waste collection from the site via the laneway to address the local context. Overlooking and privacy were considered suitably resolved by window locations, setbacks, development floor levels, balcony landscaping and screening treatments. On balance the proposal was supported having regard to the above and the reasons as given in the RAR.

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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 SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
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/21/02136 DR60/2022	City of Nedlands	No. 43 Esplanade, Nedlands	Proposed Mixed Use Development - One consulting room and three multiple dwellings	01/04/2022
DAP/18/01491 DR61/2022	City of Vincent	No. 636-640 Newcastle Street, Leederville	Mixed Use Development comprising of 32 Multiple Dwellings, 10 Offices, One Restaurant/Café and One Shop	04/04/2022

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 12:46 pm.