



Metro Inner South Joint Development Assessment Panel Minutes

Meeting Date and Time: Monday, 7 December 2020; 9:30am
Meeting Number: MISJDAP/26
Meeting Venue: City of Fremantle
70 Parry Street, Fremantle

1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement.....	2
2.	Apologies.....	3
3.	Members on Leave of Absence.....	3
4.	Noting of Minutes.....	3
5.	Declaration of Due Consideration.....	3
6.	Disclosure of Interests.....	3
7.	Deputations and Presentations.....	4
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	4
8.1	Knutsford Street, No. 76, (Lot 2) Fremantle	4
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	14
	Nil	14
10.	State Administrative Tribunal Applications and Supreme Court Appeals ...	14
11.	General Business.....	14
12.	Meeting Closure	14



Attendance

DAP Members

Mr Clayton Higham (Presiding Member)
Ms Rachel Chapman (Deputy Presiding Member)
Mr John Syme (A/Third Specialist Member)
Cr Andrew Sullivan (Local Government Member, City of Fremantle)
Cr Rachel Pemberton (Local Government Member, City of Fremantle)

Officers in attendance

Ms Catherine Sullivan (City of Fremantle)
Ms Julia Kingsbury (City of Fremantle)

Minute Secretary

Ms Kayla Goodchild (City of Fremantle)

Applicants and Submitters

Mr Alison Healey (element)
Mr Daniel Lees (element)
Mr Luke Parker (OP Properties)
Mr Nic Osboine (OP Properties)
Ms Mandy Leung (Hillam)
Mr Oliver Grimaldi (Cundall)
Mr Tom Griffiths (Aspect Studios)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.34 on 7 December 2020 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The Presiding Member advised that 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 meeting would not be recorded.



2. Apologies

Mr Peter Lee (Third Specialist Member)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

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

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Cr Rachel Pemberton, declared that she participated in a prior Council meeting in relation to the application at item 8.1. However, under section 2.1.2 of the DAP Code of Conduct 2017, Cr Rachel Pemberton acknowledged that she is not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before her, which will be considered on its planning merits. Cr Pemberton also applied for a job with Element in April 2020 and had an initial conversation with staff about the role, however the recruitment process did not proceed due to COVID. Cr Pemberton is no longer pursuing and future employment opportunity with element.

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

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the members listed above are permitted to participate in the discussion and voting on the items.



7. Deputations and Presentations

- 7.1 Mr Luke Parker (OP Properties) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.2 Ms Mandy Leung (Hillam) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.2 Ms Alison Healey (Element) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.3 Ms Julia Kingsbury (City of Fremantle) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Knutsford Street, No. 76, (Lot 2) Fremantle

Development Description:	Five Storey Mixed Use Development Containing 39 Multiple Dwellings and Restaurant
Applicant:	Element
Owner:	OP Properties
Responsible Authority:	City of Fremantle
DAP File No:	DAP/20/01854

REPORT RECOMMENDATION

Moved by: Cr Rachel Pemberton

Seconded by: Cr Andrew Sullivan

That the Metro Inner-South JDAP resolves to:

1. **Approve** DAP Application reference DAP/20/01854 and accompanying plans (Site Plan 20/08/20 A1-01 Rev N; Basement Plan 27/08/20 A2-01 Rev R; Ground Floor Plan 27/10/20 A2-02 Rev S; Level 1 Plan 27/10/20 A2-03 Rev R; Level 2 Plan 27/10/20 A2-04 Rev R; Level 3 Plan 27/10/20 A2-05 Rev R; Level 4 Plan 27/10/20 A2-06 Rev S; Roof Plan 01/09/20 A2-07 Rev Q; South Elevation 20/08/20 A03-01 Rev N; East Elevation 20/08/20 A03-02 Rev N; North Elevation 20/08/20 A03-03 Rev N; West Elevation 20/08/20 A03-04 Rev N; Section 20/08/20 A4-01 Rev N) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City of Fremantle Local Planning Scheme No. 4, subject to the following conditions:

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. This approval relates only to the development as indicated on the approved plans, dated 14 September, 29 October and 13 November 2020. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.



3. This approval does not relate to any proposed work located outside of the cadastral boundaries of the subject site including the adjacent road reserve. These works are subject to separate applications for approval with the relevant authority.
4. The approved development shall be wholly located within the cadastral boundaries of the subject site including any footing details of the development.
5. Prior to the issue of a building permit, the owner is to enter into a legal agreement with the City of Fremantle, drafted by the City's solicitors at the expense of the owner and be executed by all parties concerned. The legal agreement is to specify an agreement, that at the time of strata titling of the Land, an easement in gross, pursuant to sections 195 and 196 of the Land Administrative Act 1997 over a 6 metre wide portion of the northern edge of Lot 2 for the purposes of ensuring public pedestrian access over the land, to the satisfaction of the City of Fremantle.
6. Prior to the issue of a building permit for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.
7. Prior to the issue of a building permit for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
8. Prior to the issue of a building permit, a final detailed landscaping and reticulation plan, including information relating to species selection, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (ie mulch, lawn, etc) shall be submitted to and approved by the City of Fremantle.
9. Prior to the occupation of the development, the approved landscaping shall be completed in accordance with the approved plans or any modifications thereto to the satisfaction of the City of Fremantle. All landscaped areas are to be maintained on an ongoing basis for the life of the development, to the satisfaction of the City of Fremantle.
10. Prior to the issue of a building permit, the applicant/owner is to submit a One Planet Living Action Plan that is certified by Bioregional Australia or a One Planet Living Integrator setting out how the development will achieve One Planet Living Principles, to the satisfaction of the City of Fremantle. The One Planet Living Action Plan is to be adhered to for the life of the development.
11. Prior to occupation, the applicant/owner is to submit a copy of documentation from Bioregional Australia or a One Planet Living Integrator stating that the development as constructed accords with the One Planet Living criteria, to the satisfaction of the City of Fremantle.
12. Prior to the issue of a building permit, details are to be submitted that demonstrate that each dwelling will be individually metered for water use to the satisfaction of the City of Fremantle.



13. Prior to the occupation of the development hereby approved, all car parking, and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.
14. Prior to the issue of a Building Permit for the development hereby approved, all piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle.
15. Prior to issue of a building permit, the owner is to submit a final waste management plan for approval by the City, detailing at a minimum the following:
 - Estimated waste generation
 - Proposed storage of receptacles
 - Collection methodology for waste
 - Additional management requirements to be implemented and maintained for the life of the development.

The waste management plan should give consideration to the fact the City is required to manage residential waste. As a result, the waste management plan will need to align with the waste services available to residents. The Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.
16. Prior to the issue of a Building Permit for the development hereby approved, a Construction Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
 - a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise - Construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management; and
 - m) Works affecting pedestrian areas.

The approved Construction Management Plan shall be adhered to throughout the demolition of the existing building on site and construction of the new development.
17. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation



for compliance specified in that condition), continues whilst the approved development continues.

Advice Notes

- i. A Building Permit is required for the Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.
- ii. The applicant is advised that the City is currently reviewing the road layout of Montreal Street and the proposed path layout shown in the included plans may not align with the pedestrian crossing. The works proposed outside of the boundaries of the subject site are subject to separate approval through the City's Infrastructure and Parks team which will include consideration for the City's Knutsford Street Urban Realm Plan.
- iii. If construction works involve the emission of noise above the assigned levels in the Environmental Protection (Noise) Regulations 1997, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.
Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.
- iv. Design and install all mechanical service systems, including air-conditioners, pool filter motors, gym weight equipment, amplified music, kitchen exhaust ducts and refrigeration motors, etc. to prevent noise levels from exceeding the relevant assigned levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended). It is advised to seek the services of a competent acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.
- v. The applicant is advised that the proposal should comply with the City's *Health Local Laws 1997* or the *Health Act (Laundries and Bathrooms) Regulations*.
- vi. The premises must comply with the Food Act 2008, regulations and the Food Safety Standards incorporating AS4674-2004 *Design, construction and fit-out of food premises*. Detailed architectural plans and elevations must be submitted to Environmental Health Services for approval prior to construction. The food business is required to be registered under the Food Act 2008. For further information contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au



AMENDING MOTION 1

The following amendments were made en bloc:

Moved by: Ms Rachel Chapman

Seconded by: Mr John Syme

(i) To amend Condition 5 to read as follows:

*Prior to ~~the issue of a building permit~~ **works commencing on site**, the owner is to enter into a legal agreement with the City of Fremantle, drafted by the City's solicitors at the expense of the owner and be executed by all parties concerned. The legal agreement is to specify an agreement, that at the time of strata titling of the Land, an easement in gross, pursuant to sections 195 and 196 of the Land Administrative Act 1997 over a generally 6 metre wide ground floor portion of the northern edge of Lot 2 for the purposes of ensuring public pedestrian access over the land, to the satisfaction of the City of Fremantle.*

REASON: The amended wording provides for a Building Permit to be issued while the legal agreement is being finalised, but ensures no works commence until the legal agreement is finalised. This will ensure the Building Permit is not delayed by matters not impacted by building construction standards. The insertion of the words 'generally' and 'ground floor' are to acknowledge that there is some encroachment into the 6m width by the ground floor courtyard and a basement under the proposed PAW which will require a 3D easement to define the area of public access.

(ii) To amend Condition 8 to read as follows:

*Prior to ~~the issue of a building permit~~ **works commencing on site**, a final detailed landscaping and reticulation plan, including information relating to species selection, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (ie mulch, lawn, etc) shall be submitted to and approved by the City of Fremantle.*

REASON: This will allow landscaping details to be finalised post issue of the Building Permit but before works commence, noting the City's Landscape Team were satisfied with the information provided as part of the application and therefore there was no risk of changing being required to plans to accommodate landscaping.



(iii) To amend Condition 10 to read as follows:

*Prior to the issue of a building permit, the applicant/owner is to submit a One Planet Living Action Plan that is ~~certified~~ **endorsed** by Bioregional Australia or a One Planet Living Integrator setting out how the development will achieve One Planet Living Principles, to the satisfaction of the City of Fremantle. The One Planet Living Action Plan is to be adhered to for the life of the development.*

REASON: To reflect that Bioregional Australia only has the ability to endorse the One Planet Living Action Plan.

(iv) To amend Condition 15 to read as follows:

*Prior to issue of a building permit, the owner is to submit a final waste management plan **in accordance with the Encycle plan dated 20 Aug 2020 Rev_0 unless otherwise agreed**, for approval by the City, detailing at a minimum the following:*

- *Estimated waste generation*
- *Proposed storage of receptacles*
- *Collection methodology for waste*
- *Additional management requirements to be implemented and maintained for the life of the development.*

The waste management plan should give consideration to the fact the City is required to manage residential waste. As a result, the waste management plan will need to align with the waste services available to residents. The Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.

REASON: To acknowledge that the listed modifications to the Waste Management Plan have been reflected in the Encycle revised plan, whilst also providing scope for further modifications to the plan, if required.

The Amending Motion was put and CARRIED UNANIMOUSLY

AMENDING MOTION 2

Moved by: Ms Rachel Chapman

Seconded by: Mr John Syme

To amend Condition 16 to read as follows:

*Prior to the issue of building permit the applicant is to submit a **draft** Construction Management Plan to the City of Fremantle **for review and comment and then prior to works commencing on site a final Construction Management Plan addressing all comments raised is to be submitted and approved**, to the satisfaction of the City of Fremantle, including but not limited to the following matters:*

- a) *Use of City car parking bays for construction related activities;*
- b) *Protection of infrastructure and street trees within the road reserve;*
- c) *Security fencing around construction sites;*
- d) *Gantries;*



- e) *Access to site by construction vehicles;*
- f) *Contact details;*
- g) *Site offices;*
- h) *Noise-Construction work and deliveries;*
- i) *Sand drift and dust management;*
- j) *Waste management;*
- k) *Dewatering management plan;*
- l) *Traffic management; and*
- m) *Works affecting pedestrian areas.*

The approved Construction Management Plan shall be adhered to throughout the demolition of the existing building on site and construction of the new development.

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

REASON: The panel acknowledged that it is best practice to require a CMP to be prepared and approved prior to a Building Permit being issued to ensure matters relating to potential impacts on neighbours and neighbouring streets are addressed upfront, however the panel was satisfied that provided a draft CMP was lodged prior to the issue of a Building Permit and the City was provided opportunity to review and provide comments, before a final CMP was approved prior to works commencing on site, a Building Permit could be issued. It was also acknowledged that the development site is outside of the central area and therefore construction activities were less likely to result in significant interruptions to traffic, and, accordingly, no significant road closures.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner-South JDAP resolves to:

1. **Approve** DAP Application reference DAP/20/01854 and accompanying plans (Site Plan 20/08/20 A1-01 Rev N; Basement Plan 27/08/20 A2-01 Rev R; Ground Floor Plan 27/10/20 A2-02 Rev S; Level 1 Plan 27/10/20 A2-03 Rev R; Level 2 Plan 27/10/20 A2-04 Rev R; Level 3 Plan 27/10/20 A2-05 Rev R; Level 4 Plan 27/10/20 A2-06 Rev S; Roof Plan 01/09/20 A2-07 Rev Q; South Elevation 20/08/20 A03-01 Rev N; East Elevation 20/08/20 A03-02 Rev N; North Elevation 20/08/20 A03-03 Rev N; West Elevation 20/08/20 A03-04 Rev N; Section 20/08/20 A4-01 Rev N) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City of Fremantle Local Planning Scheme No. 4, subject to the following conditions:

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. This approval relates only to the development as indicated on the approved plans, dated 14 September, 29 October and 13 November 2020. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.



3. This approval does not relate to any proposed work located outside of the cadastral boundaries of the subject site including the adjacent road reserve. These works are subject to separate applications for approval with the relevant authority.
4. The approved development shall be wholly located within the cadastral boundaries of the subject site including any footing details of the development.
5. Prior to works commencing on site, the owner is to enter into a legal agreement with the City of Fremantle, drafted by the City's solicitors at the expense of the owner and be executed by all parties concerned. The legal agreement is to specify an agreement, that at the time of strata titling of the Land, an easement in gross, pursuant to sections 195 and 196 of the Land Administrative Act 1997 over a generally 6 metre wide ground floor portion of the northern edge of Lot 2 for the purposes of ensuring public pedestrian access over the land, to the satisfaction of the City of Fremantle.
6. Prior to the issue of a building permit for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle, on the advice of the City's Design Advisory Committee.
7. Prior to the issue of a building permit for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
8. Prior to works commencing on site, a final detailed landscaping and reticulation plan, including information relating to species selection, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (ie mulch, lawn, etc) shall be submitted to and approved by the City of Fremantle.
9. Prior to the occupation of the development, the approved landscaping shall be completed in accordance with the approved plans or any modifications thereto to the satisfaction of the City of Fremantle. All landscaped areas are to be maintained on an ongoing basis for the life of the development, to the satisfaction of the City of Fremantle.
10. Prior to the issue of a building permit, the applicant/owner is to submit a One Planet Living Action Plan that is endorsed by Bioregional Australia or a One Planet Living Integrator setting out how the development will achieve One Planet Living Principles, to the satisfaction of the City of Fremantle. The One Planet Living Action Plan is to be adhered to for the life of the development.
11. Prior to occupation, the applicant/owner is to submit a copy of documentation from Bioregional Australia or a One Planet Living Integrator stating that the development as constructed accords with the One Planet Living criteria, to the satisfaction of the City of Fremantle.
12. Prior to the issue of a building permit, details are to be submitted that demonstrate that each dwelling will be individually metered for water use to the satisfaction of the City of Fremantle.



13. Prior to the occupation of the development hereby approved, all car parking, and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.
14. Prior to the issue of a Building Permit for the development hereby approved, all piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle.
15. Prior to issue of a building permit, the owner is to submit a final waste management plan in accordance with the Encycle plan dated 20 Aug 2020 Rev_0 unless otherwise agreed, for approval by the City, detailing at a minimum the following:
 - Estimated waste generation
 - Proposed storage of receptacles
 - Collection methodology for waste
 - Additional management requirements to be implemented and maintained for the life of the development.

The waste management plan should give consideration to the fact the City is required to manage residential waste. As a result, the waste management plan will need to align with the waste services available to residents. The Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.
16. Prior to the issue of building permit the applicant is to submit a draft Construction Management Plan to the City of Fremantle for review and comment and then prior to works commencing on site a final Construction Management Plan addressing all comments raised is to be submitted and approved, to the satisfaction of the City of Fremantle, including but not limited to the following matters:
 - a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise-Construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management; and
 - m) Works affecting pedestrian areas.



The approved Construction Management Plan shall be adhered to throughout the demolition of the existing building on site and construction of the new development.

17. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

Advice Notes

- i. A Building Permit is required for the Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.
- ii. The applicant is advised that the City is currently reviewing the road layout of Montreal Street and the proposed path layout shown in the included plans may not align with the pedestrian crossing. The works proposed outside of the boundaries of the subject site are subject to separate approval through the City's Infrastructure and Parks team which will include consideration for the City's Knutsford Street Urban Realm Plan.
- iii. If construction works involve the emission of noise above the assigned levels in the Environmental Protection (Noise) Regulations 1997, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.
Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.
- iv. Design and install all mechanical service systems, including air-conditioners, pool filter motors, gym weight equipment, amplified music, kitchen exhaust ducts and refrigeration motors, etc. to prevent noise levels from exceeding the relevant assigned levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended). It is advised to seek the services of a competent acoustic consultant to assist the applicant to address the potential noise impacts on noise sensitive receivers.
- v. The applicant is advised that the proposal should comply with the City's *Health Local Laws 1997* or the *Health Act (Laundries and Bathrooms) Regulations*.
- vi. The premises must comply with the Food Act 2008, regulations and the Food Safety Standards incorporating AS4674-2004 *Design, construction and fit-out of food premises*. Detailed architectural plans and elevations must be submitted to Environmental Health Services for approval prior to construction. The food business is required to be registered under the Food Act 2008. For further



information contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au

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

REASON:The panel felt that the proposed development was of exception quality both in the way the built form related to its context and in the attention to detail for prospective residents and users of the development. The additional height and plot ratio was offset by the design of the building and the sustainability initiatives being applied.

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/17/01320 DR 184/2020	City of Melville	No. 18A (Lot 899) and No. 18B (Lot 898) Tweeddale Road Applecross	Ten (10) Multiple Dwellings	12/08/2020

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 10.10am