



Metro Inner-South Joint Development Assessment Panel Minutes

Meeting Date and Time: Friday, 1 April 2022; 9:30am
Meeting Number: MISJDAP/94
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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Attendance

DAP Members

Mr Clayton Higham (Presiding Member)
Ms Rachel Chapman (Deputy Presiding Member)
Mr Jason Hick (A/Third Specialist Member)
Cr Glenn Cridland (Local Government Member, City of South Perth)
Cr Carl Celedin (Local Government Member City of South Perth)

Officers in attendance

Ms Fiona Mullen (City of South Perth)
Ms Laura Kelliher (City of South Perth)
Mr Richard Farmer (City of South Perth)

Minute Secretary

Mr Christopher Dodson (DAP Secretariat)
Ms Adele McMahon (DAP Secretariat)

Applicants and Submitters

Mr Paul Nguyen (Shawmac)
Mr Felipe Soto (Space Collective Architects)
Ms Mandy Leung (Space Collective Architects)

Members of the Public / Media

There were 5 members of the public in attendance.

Ms Nadia Budihardjo from Business News from was in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:30am on 1 April 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*.

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.

In response to the COVID-19 situation, this meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

Mr Peter Lee (Third Specialist Member)
Cr Stephen Russell (City of South Perth)

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

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

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

DAP Member, Ms Rachel Chapman, declared an Impartiality Interest in item 8.1. Ms Chapman is a Director and Shareholder of Taylor Burrell Barnett (TBB). TBB lodged a development application (DAP/22/02185) which is not yet determined for 10x grouped dwellings on Lot 235 (124) Lockhart St and Strata lots 1 & 2 (33A & 33B) Edgecumbe St Como in February 2022 which is nearby but not adjacent to the land the subject of this DAP application.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the member listed above, who had disclosed an Impartiality Interest, are permitted to participate in the discussion and voting on the item.



7. Deputations and Presentations

- 7.1 Mr Paul Nguyen (Shawmac) 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 Felipe Soto (Space Collective Architects) 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 City of South Perth 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 No. 3 & 3a (Lot 5) Davilak Street and Units 1-3, No. 135 (Lot 67) Robert Street, Como

Development Description:	Proposed Mixed Development in A 15 Storey Building
Applicant:	Space Collective Architects
Owner:	Canaan PD 1 Pty Ltd
Responsible Authority:	City of South Perth
DAP File No:	DAP/21/02116

REPORT RECOMMENDATION

Moved by: Ms Rachel Chapman

Seconded by: Mr Jason Hick

That the Metro Inner-South JDAP resolves to:

1. **Approve** DAP Application reference DAP/21/02116 and accompanying plans as included in **Attachment 1** in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of South Perth Town Planning Scheme No. 6., for the proposed mixed development comprising 106 multiple dwellings and three ground floor commercial tenancies in a 15 storey building at Lot 5, No. 3 & 3A Davilak Street and Lot 67, Units 1-3, No. 135 Robert Street, Como, 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 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.



3. The development shall be in accordance with the approved plans unless otherwise authorised by the City of South Perth or where relevant the Metro Inner-South JDAP.
4. This approval does not pertain to the erection, placement and display of any advertisement other than what has been included in the approved drawings. A separate application is to be submitted and development approval is to be obtained for any proposed advertisements that are not exempt from requiring development approval of the local government.
5. The property shall not be used for the approval hereby granted until an inspection has been carried out by the City of South Perth and the City of South Perth being satisfied that the conditions of development approval have been complied with.

Construction Management

6. Prior to the submission of a building permit application, a Construction Management Plan must be submitted to, and approved by, the City of South Perth. The Construction Management Plan must address the following issue, where applicable:
 - (i) Public safety and amenity;
 - (ii) Site plan and security;
 - (iii) Contact details of essential site personnel, construction period and operating hours;
 - (iv) Community information, consultation and complaints management plan;
 - (v) Noise, vibration, air and dust management;
 - (vi) Dilapidation reports of nearby properties;
 - (vii) Traffic, access and parking management;
 - (viii) Waste management and materials re-use;
 - (ix) Earthworks, excavation, land retention/piling methods and associated matters;
 - (x) Stormwater and sediment control;
 - (xi) Street tree management and protection;
 - (xii) Asbestos removal management plan; and/or
 - (xiii) Any other matter deemed to be relevant by the City of South Perth.

The Construction Management Plan must be complied with at all times during development, to the satisfaction of the City of South Perth.

Waste Management

7. Waste management shall occur in accordance with the Waste Management Plan prepared by Tallis Consultants, dated 9 March 2022 or as amended by the City of South Perth, and shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.



Land Use

8. The use of the ground floor commercial tenancies (72m² and 128 m²) yet to be confirmed shall be consistent with the Canning Bridge Activity Centre Plan land uses.

Liveable Housing Design Guidelines

9. Prior to the submission of a building permit application, certification completed by a Livable Housing Australia assessor confirming that the detailed design of 20% of the dwellings are compliant with the 'Silver Level' of the 'Livable Housing Design Guidelines' produced by Livable Housing Australia, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, all required design features shall be installed and operational.

Landscaping

10. Prior to the submission of a building permit application, the finalised Landscaping Plan for the development site shall be submitted to and approved in writing by the City of South Perth.
11. Prior to submission of an occupancy permit application, landscaping areas shall be installed in accordance with the approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the City of South Perth.
12. Prior to submission of an occupancy permit application, all vegetation, structures, ground coverings and treatments within the Council verge area, aside from the crossover, are to be modified or reinstated to meet the provisions of the City's Verge Street Landscape Guidelines, to the satisfaction of the City of South Perth.
13. Prior to the submission of a building permit application, a tree protection zone shall be indicated on the plans and implemented during construction until occupancy stage, to protect both verge trees at all times, to the satisfaction of the City.
14. No street trees shall be removed, pruned or disturbed in any way, without prior approval from the City.

Public Art

15. Prior to the submission of a building permit application, a public art concept for the subject development or alternatively a contribution to public art within the vicinity of the development, to the value of 1.0% of the total construction value of development (maximum \$500,000 contribution) shall be submitted and approved in writing by the City of South Perth. The approved public art concept shall be to the satisfaction of the City of South Perth.
16. Prior to the submission of an occupancy permit application, the approved public art shall be implemented and maintained thereafter, to the satisfaction of the City of South Perth.



Parking and Traffic Safety

17. A minimum of 11 visitor car bays for visitors to the residential component of the development are to be provided and marked accordingly.
18. Prior to the submission of a building permit application, a Parking and Access Management Plan for residents, staff and visitors of the building, must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth.
19. Prior to the submission of an occupancy permit application, the car parking bays shall be marked on site as indicated on the approved plans, and such car parking bays shall be maintained so that the delineation of parking bays remains clearly visible at all times, to the satisfaction of the City of South Perth.
20. Hard standing areas approved for the purpose of car parking or vehicle access shall be accessible at all times, maintained in good condition, free of potholes and dust and shall be adequately drained, to the satisfaction of the City of South Perth.
21. Prior to the submission of an occupancy permit application, the applicant shall supply certification confirming the constructed design of the design of the pedestrian ramps, car parks and vehicle access-ways are compliant with Australian Standards AS2890.1 and AS1428.1, to the satisfaction of the City of South Perth.
22. Prior to the submission of the relevant building permit application, the applicant shall submit details to confirm the provisioning of an electrical supply system to a minimum of 20 per cent of all car parking bays to allow for future capacity to supply electric vehicle charging points in the form of general power outlets (GPOs), to the satisfaction of the City of South Perth.
23. Prior to the issue of an occupancy permit, an electronic communication system linked to each residential unit in building shall be located at the security barrier to visitor parking bays, to the satisfaction of the City of South Perth.
24. The height of any wall, fence or other structure shall be no higher than 0.75 metres within 1.5 metres of where any driveway meets any public street and solid no higher than 1.2m when forward of the building line, to the satisfaction of the City of South Perth.
25. Prior to any works on the Council verge (Civil &/or Stormwater), approval of the proposed design to be obtained from the City of South Perth Asset & Design Services.

Crossovers

26. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Crossings Application" that confirms the design is to the satisfaction of the City of South Perth. The existing verge levels at the front property boundary and verge assets (inclusive of street trees) shall not be altered without prior approval of the City of South Perth.



27. The existing crossovers shall be removed, and the verge and kerbing reinstated, to the satisfaction of the City of South Perth.

Water Management

28. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Stormwater Drainage Application" that confirms the design is to the satisfaction of the City of South Perth.

Building Design

29. The balconies are to be designed as naturally ventilated spaces that are not able to be fully enclosed, with no balcony treatments or furnishings being permitted that could substantially diminish the transparency of the balconies or obstruct views from the street, to the satisfaction of the City of South Perth.
30. All store rooms provided specifically for use in conjunction with 3 bedroom dwellings are to be a minimum of 4.5^m² in area. This revision shall be prepared to the satisfaction of the City of South Perth and incorporated into the plans submitted as part of the relevant building permit application.
31. All store room doors are to open outwards and be marked on the plans accordingly, to the satisfaction of the City of South Perth.
32. The roof terrace canopy structures shall be open roof structures (for the purpose of conforming to the Canning Bridge Activity Centre Plan building height requirements), to the satisfaction of the City of South Perth.
33. Prior to the submission of a building permit application, the applicant is to submit a final material, colours and finishes schedule to the satisfaction of the City of South Perth, on advice from the City of South Perth Design Review Panel. Prior to submission of an occupancy permit application, the endorsed material and finishes schedule shall be implemented into the building design and maintained thereafter to the satisfaction of the City of South Perth.
34. Prior to the submission of an occupancy permit application, boundary walls on or adjacent to the lot boundaries are to be finished externally to the same standard as the rest of the development and maintained thereafter, to the satisfaction of the City of South Perth.

Sustainability

35. The development is to achieve the equivalence of a 5 Star Green Star design rating. All recommendations contained within the Sustainable Design Strategy Report dated 12 October 2021, prepared for this development by Cadds Group are to be implemented in full. Prior to the submission of a building permit application, the applicant is to submit an updated sustainability report confirming the final green star strategy that will guide the construction stage and further demonstrate an equivalent sustainable design rating is to be achieved.



Noise Management

36. All of the recommended measures included in the Acoustic Report prepared by Herring Storer Acoustics, dated September 2021 (Ref: 28385-1-21332), are to be implemented in full with the final plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations prior to submission of the relevant building permit application. All noise attenuation measures, identified by the Acoustic Report shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.
37. Prior to the submission of a building permit application, an Acoustic Report, completed by a suitably qualified acoustic engineer, and demonstrating that potential noise from the proposed development will comply with the Environmental Protection (Noise) Regulations 1997, must be submitted to, and approved in writing by, the City of South Perth. The approved Acoustic Report, including any specifications, requirements and recommendations cited in the report plus any additional requirements by the City of South Perth, shall be implemented and adhered to all times, including being incorporated into the building permit application documentation, to the satisfaction of the City of South Perth.

Utilities and Facilities

38. External fixtures such as air-conditioning infrastructure shall be integrated into the design of the building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City of South Perth.
39. All fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti and/or be decorated in such a way to reduce the effect of blank facades, in accordance with Requirements 15.1 and 16.1 of the Canning Bridge Activity Centre Plan.

Safety and Lighting

40. Prior to the submission of a building permit application, details of the proposed lighting to pathways, communal areas and car parking areas shall be provided to the satisfaction of the City of South Perth.
41. Prior to the submission of an occupancy permit application, the approved lighting plan shall be installed and maintained thereafter, to the satisfaction of the City of South Perth.



Road Reservation

42. In accordance with correspondence from Main Roads WA, dated 3 March 2022, the following conditions are to be satisfied by the applicant:
- i. No part of the development is to encroach into the Primary Regional Road Reservation (Kwinana Freeway). This includes any part of the development below ground level.
 - ii. Prior to the issue of a building permit Lot 67 Robert Street and Lot 8 Davilak Street are to be amalgamated.
 - iii. Maintenance of the wall built to boundary with Kwinana Freeway road reservation is the responsibility of the landowner(s)/developer(s).
 - iv. The noise sensitive component of this development adjacent to a major transport corridor must implement measures to ameliorate the impact of transport noise. The development is to comply with WAPC State Planning Policy 5.4 Road and Rail and implement Noise Insulation "Deemed to Comply" packages for the residential component of this development.
 - v. Prior to the occupation of the building, certification from a qualified acoustic consultant is to be submitted confirming Condition iv. has been achieved. This certification must be provided to the City of South Perth.
 - vi. Prior to the occupation of the building a notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificates of title of the lots. The notification is to state as follows:
'The lots are situated in the vicinity of a transport corridor and are currently affected, or may in future be affected by transport noise.'
 - vii. Stormwater discharge (if any) shall not be discharged into the Kwinana Freeway Road Reserve or the widened road reservation.
 - viii. Anti-graffiti coating is to be applied to the wall abutting the Kwinana Freeway Road Reservation to the specifications of Main Roads.

Advice Notes

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



AMENDING MOTION 1

Moved by: Cr Glenn Cridland

Seconded by: Cr Carl Celedin

That Condition No.17 be amended to read as follows:

*A minimum of ~~11~~ **14** visitor car bays for visitors to the residential component of the development are to be provided **onsite** and marked accordingly. **The parking bays shown on the street are to be removed and the verge landscaped appropriately.***

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

REASON: The panel members expressed concern over the shortfall in visitor parking and noted the problem with regard to the increased use of the available street parking in the locality. Given that the proposed development has an excess of on-site residential parking it was considered appropriate that the shortfall in visitor parking be met on-site and that the proposed embayments for street parking be appropriately landscaped.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner-South JDAP resolves to:

1. **Approve** DAP Application reference DAP/21/02116 and accompanying plans as included in **Attachment 1** in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of South Perth Town Planning Scheme No. 6., for the proposed mixed development comprising 106 multiple dwellings and three ground floor commercial tenancies in a 15 storey building at Lot 5, No. 3 & 3A Davilak Street and Lot 67, Units 1-3, No. 135 Robert Street, Como, subject to the following conditions:

Conditions

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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.
3. The development shall be in accordance with the approved plans unless otherwise authorised by the City of South Perth or where relevant the Metro Inner-South JDAP.



4. This approval does not pertain to the erection, placement and display of any advertisement other than what has been included in the approved drawings. A separate application is to be submitted and development approval is to be obtained for any proposed advertisements that are not exempt from requiring development approval of the local government.
5. The property shall not be used for the approval hereby granted until an inspection has been carried out by the City of South Perth and the City of South Perth being satisfied that the conditions of development approval have been complied with.

Construction Management

6. Prior to the submission of a building permit application, a Construction Management Plan must be submitted to, and approved by, the City of South Perth. The Construction Management Plan must address the following issue, where applicable:
 - (i) Public safety and amenity;
 - (ii) Site plan and security;
 - (iii) Contact details of essential site personnel, construction period and operating hours;
 - (iv) Community information, consultation and complaints management plan;
 - (v) Noise, vibration, air and dust management;
 - (vi) Dilapidation reports of nearby properties;
 - (vii) Traffic, access and parking management;
 - (viii) Waste management and materials re-use;
 - (ix) Earthworks, excavation, land retention/piling methods and associated matters;
 - (x) Stormwater and sediment control;
 - (xi) Street tree management and protection;
 - (xii) Asbestos removal management plan; and/or
 - (xiii) Any other matter deemed to be relevant by the City of South Perth.

The Construction Management Plan must be complied with at all times during development, to the satisfaction of the City of South Perth.

Waste Management

7. Waste management shall occur in accordance with the Waste Management Plan prepared by Tallis Consultants, dated 9 March 2022 or as amended by the City of South Perth, and shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.

Land Use

8. The use of the ground floor commercial tenancies (72m² and 128 m²) yet to be confirmed shall be consistent with the Canning Bridge Activity Centre Plan land uses.



Liveable Housing Design Guidelines

9. Prior to the submission of a building permit application, certification completed by a Livable Housing Australia assessor confirming that the detailed design of 20% of the dwellings are compliant with the 'Silver Level' of the 'Livable Housing Design Guidelines' produced by Livable Housing Australia, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, all required design features shall be installed and operational.

Landscaping

10. Prior to the submission of a building permit application, the finalised Landscaping Plan for the development site shall be submitted to and approved in writing by the City of South Perth.
11. Prior to submission of an occupancy permit application, landscaping areas shall be installed in accordance with the approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the City of South Perth.
12. Prior to submission of an occupancy permit application, all vegetation, structures, ground coverings and treatments within the Council verge area, aside from the crossover, are to be modified or reinstated to meet the provisions of the City's Verge Street Landscape Guidelines, to the satisfaction of the City of South Perth.
13. Prior to the submission of a building permit application, a tree protection zone shall be indicated on the plans and implemented during construction until occupancy stage, to protect both verge trees at all times, to the satisfaction of the City.
14. No street trees shall be removed, pruned or disturbed in any way, without prior approval from the City.

Public Art

15. Prior to the submission of a building permit application, a public art concept for the subject development or alternatively a contribution to public art within the vicinity of the development, to the value of 1.0% of the total construction value of development (maximum \$500,000 contribution) shall be submitted and approved in writing by the City of South Perth. The approved public art concept shall be to the satisfaction of the City of South Perth.
16. Prior to the submission of an occupancy permit application, the approved public art shall be implemented and maintained thereafter, to the satisfaction of the City of South Perth.



Parking and Traffic Safety

17. A minimum of 14 visitor car bays for visitors to the residential component of the development are to be provided onsite and marked accordingly. The parking bays shown on the street are to be removed and landscaped appropriately.
18. Prior to the submission of a building permit application, a Parking and Access Management Plan for residents, staff and visitors of the building, must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth.
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20. Hard standing areas approved for the purpose of car parking or vehicle access shall be accessible at all times, maintained in good condition, free of potholes and dust and shall be adequately drained, to the satisfaction of the City of South Perth.
21. Prior to the submission of an occupancy permit application, the applicant shall supply certification confirming the constructed design of the design of the pedestrian ramps, car parks and vehicle access-ways are compliant with Australian Standards AS2890.1 and AS1428.1, to the satisfaction of the City of South Perth.
22. Prior to the submission of the relevant building permit application, the applicant shall submit details to confirm the provisioning of an electrical supply system to a minimum of 20 per cent of all car parking bays to allow for future capacity to supply electric vehicle charging points in the form of general power outlets (GPOs), to the satisfaction of the City of South Perth.
23. Prior to the issue of an occupancy permit, an electronic communication system linked to each residential unit in building shall be located at the security barrier to visitor parking bays, to the satisfaction of the City of South Perth.
24. The height of any wall, fence or other structure shall be no higher than 0.75 metres within 1.5 metres of where any driveway meets any public street and solid no higher than 1.2m when forward of the building line, to the satisfaction of the City of South Perth.
25. Prior to any works on the Council verge (Civil &/or Stormwater), approval of the proposed design to be obtained from the City of South Perth Asset & Design Services.



Crossovers

26. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Crossings Application" that confirms the design is to the satisfaction of the City of South Perth. The existing verge levels at the front property boundary and verge assets (inclusive of street trees) shall not be altered without prior approval of the City of South Perth.
27. The existing crossovers shall be removed, and the verge and kerbing reinstated, to the satisfaction of the City of South Perth.

Water Management

28. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Stormwater Drainage Application" that confirms the design is to the satisfaction of the City of South Perth.

Building Design

29. The balconies are to be designed as naturally ventilated spaces that are not able to be fully enclosed, with no balcony treatments or furnishings being permitted that could substantially diminish the transparency of the balconies or obstruct views from the street, to the satisfaction of the City of South Perth.
30. All store rooms provided specifically for use in conjunction with 3 bedroom dwellings are to be a minimum of 4.5^m2 in area. This revision shall be prepared to the satisfaction of the City of South Perth and incorporated into the plans submitted as part of the relevant building permit application.
31. All store room doors are to open outwards and be marked on the plans accordingly, to the satisfaction of the City of South Perth.
32. The roof terrace canopy structures shall be open roof structures (for the purpose of conforming to the Canning Bridge Activity Centre Plan building height requirements), to the satisfaction of the City of South Perth.
33. Prior to the submission of a building permit application, the applicant is to submit a final material, colours and finishes schedule to the satisfaction of the City of South Perth, on advice from the City of South Perth Design Review Panel. Prior to submission of an occupancy permit application, the endorsed material and finishes schedule shall be implemented into the building design and maintained thereafter to the satisfaction of the City of South Perth.
34. Prior to the submission of an occupancy permit application, boundary walls on or adjacent to the lot boundaries are to be finished externally to the same standard as the rest of the development and maintained thereafter, to the satisfaction of the City of South Perth.



Sustainability

35. The development is to achieve the equivalence of a 5 Star Green Star design rating. All recommendations contained within the Sustainable Design Strategy Report dated 12 October 2021, prepared for this development by Cadds Group are to be implemented in full. Prior to the submission of a building permit application, the applicant is to submit an updated sustainability report confirming the final green star strategy that will guide the construction stage and further demonstrate an equivalent sustainable design rating is to be achieved.

Noise Management

36. All of the recommended measures included in the Acoustic Report prepared by Herring Storer Acoustics, dated September 2021 (Ref: 28385-1-21332), are to be implemented in full with the final plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations prior to submission of the relevant building permit application. All noise attenuation measures, identified by the Acoustic Report shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.
37. Prior to the submission of a building permit application, an Acoustic Report, completed by a suitably qualified acoustic engineer, and demonstrating that potential noise from the proposed development will comply with the Environmental Protection (Noise) Regulations 1997, must be submitted to, and approved in writing by, the City of South Perth. The approved Acoustic Report, including any specifications, requirements and recommendations cited in the report plus any additional requirements by the City of South Perth, shall be implemented and adhered to all times, including being incorporated into the building permit application documentation, to the satisfaction of the City of South Perth.

Utilities and Facilities

38. External fixtures such as air-conditioning infrastructure shall be integrated into the design of the building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City of South Perth.
39. All fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti and/or be decorated in such a way to reduce the effect of blank facades, in accordance with Requirements 15.1 and 16.1 of the Canning Bridge Activity Centre Plan.

Safety and Lighting

40. Prior to the submission of a building permit application, details of the proposed lighting to pathways, communal areas and car parking areas shall be provided to the satisfaction of the City of South Perth.
41. Prior to the submission of an occupancy permit application, the approved lighting plan shall be installed and maintained thereafter, to the satisfaction of the City of South Perth.



Road Reservation

42. In accordance with correspondence from Main Roads WA, dated 3 March 2022, the following conditions are to be satisfied by the applicant:
- i. No part of the development is to encroach into the Primary Regional Road Reservation (Kwinana Freeway). This includes any part of the development below ground level.
 - ii. Prior to the issue of a building permit Lot 67 Robert Street and Lot 8 Davilak Street are to be amalgamated.
 - iii. Maintenance of the wall built to boundary with Kwinana Freeway road reservation is the responsibility of the landowner(s)/developer(s).
 - iv. The noise sensitive component of this development adjacent to a major transport corridor must implement measures to ameliorate the impact of transport noise. The development is to comply with WAPC State Planning Policy 5.4 Road and Rail and implement Noise Insulation "Deemed to Comply" packages for the residential component of this development.
 - v. Prior to the occupation of the building, certification from a qualified acoustic consultant is to be submitted confirming Condition iv. has been achieved. This certification must be provided to the City of South Perth.
 - vi. Prior to the occupation of the building a notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificates of title of the lots. The notification is to state as follows:
'The lots are situated in the vicinity of a transport corridor and are currently affected, or may in future be affected by transport noise.'
 - vii. Stormwater discharge (if any) shall not be discharged into the Kwinana Freeway Road Reserve or the widened road reservation.
 - viii. Anti-graffiti coating is to be applied to the wall abutting the Kwinana Freeway Road Reservation to the specifications of Main Roads.

Advice Notes

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



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

REASON: The Panel were satisfied that, with the inclusion of a condition requiring on-site visitor car parking in accordance to the minimum requirements of the CBACP and in acknowledgement of the demand for parking in this part of the CBACP, the proposal suitably responds to and addresses the desired outcomes of the CBASP and is a very high standard of design when assessed against the 10 design principles of SPP 7.0. Accordingly, the panel were of a unanimous opinion that the development proposed, should be conditionally approved.

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/21/01936 DR 168/2021	Town of Victoria Park	No. 176 (Lot 40) Burswood Road, Burswood	Proposed Office Tower	09/08/2021

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 10:35am.