



# Metro Inner-South Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Tuesday, 19 April 2022; 9:30am  
**Meeting Number:** MISJDAP/97  
**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 Peter Lee (Third Specialist Member)  
Cr Phil Marks (Local Government Member, City of Belmont)  
Cr Jenny Davis (Local Government Member, City of Belmont)

### Officers in attendance

Mr Alex Bott (City of Belmont)  
Mr Wilmot Loh (City of Belmont)

### Minute Secretary

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

### Applicants and Submitters

Mr Nik Hidding (Peter Webb & Associates)

### Members of the Public / Media

Ms Victoria Rifici from Perth Now was in attendance.

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:35am on 19 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 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

Cr Robert Rossi (City of Belmont)

## 3. Members on Leave of Absence

Nil.

## 4. Noting of Minutes

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

## 5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

## 6. Disclosure of Interests

Nil.

## 7. Deputations and Presentations

7.1 Mr Nik Hidding (Peter Webb & Associates) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

7.2 The City of Belmont 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

### 8.1 454 (Lot 1) Belmont Avenue and 3 - 5 (Lot 2) Miles Road Kewdale

Development Description: Proposed Logistics Centre (Ancillary Workshop, Washbay And Associated Signage)  
Applicant: Peter Webb & Associates  
Owner: R C Sadlier Pty Ltd  
Responsible Authority: City of Belmont  
DAP File No: DAP/22/02175



## REPORT RECOMMENDATION

**Moved by:** Cr Phil Marks

**Seconded by:** Cr Jenny Davis

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

- (i) That Condition No. 2 be amended to read as follows:

*Prior to lodging an application for a building permit, the owner/applicant shall submit updated plans showing a minimum of ~~14~~ **5** bays in the area marked 'Overflow Parking' on the approved plans, to the satisfaction of the City.*

**REASON:** Following a review of staff numbers and shifts as they relate to the different uses proposed on the site, only an additional 5 bays was considered necessary for marking out in the overflow parking area.

- (ii) That Condition No. 4 be amended to read as follows:

*Prior to commencement of use, **the boundaries for Lot 1 Belmont Avenue and part Lot 2 Miles Road shall be amalgamated, and a new Certificate of Title obtained for the lot, in accordance with the approved plans, realigned so that the development subject to this approval is located within a single lot.***

**REASON:** A realignment of boundaries was considered to meet the objective of ensuring no buildings straddled lot boundaries.

- (iii) That Condition No. 5 be amended to read as follows:

*Prior to occupation of the development or commencement of the use, the owner shall enter into a legal agreement with the City prepared by the City's solicitors by which the owner covenants to construct the shortfall of ~~77~~ **46** car parking bays within the area shown as 'Overflow Parking' on the approved plans, when required by the City and agrees to the registration of an absolute caveat against the Certificate/s of Title to the land. The owner is to bear all costs associated with the preparation and stamping of the agreement and the registration of the caveat.*

**REASON:** Following a review of staff numbers and shifts as they relate to the different uses proposed on the site, only a shortfall of 46 car parking bays was identified, so the condition was amended accordingly.

- (iv) That Condition No. 6 be amended to read as follows:

*Prior to lodging an application for a building permit, the owner/applicant shall submit updated plans showing an additional ~~11~~ **7** bicycle bays, to the satisfaction of the City.*

**REASON:** Following a review of staff numbers and shifts as they relate to the different uses proposed on the site, only an additional 7 bicycle bays were considered necessary.



(v) That Condition No. 13 be amended to read as follows:

~~The maximum size of vehicles to be parked on site shall be limited to B-Double trucks.~~ **Prior to lodging an application for a building permit, the owner/applicant shall submit updated plans to accommodate swept paths for a 36.5m vehicle, to the satisfaction of the City of Belmont.**

**REASON:** The Panel supported, in principle, larger vehicles being accommodated on the site so as not to restrict the site's use and operation as a Logistics Centre but wanted to ensure that the larger vehicles could physically be accommodated.

**Approve** DAP Application reference DAP/22/02175 and accompanying plans dated 22 March 2022 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 Belmont Local Planning Scheme No. 15, subject to the following:

### Conditions

1. Development/land use shall be in accordance with the attached approved plan(s) dated 22 March 2022 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the City.
2. Prior to lodging an application for a building permit, the owner/applicant shall submit updated plans showing a minimum of 5 bays in the area marked 'Overflow Parking' on the approved plans, to the satisfaction of the City.
3. Prior to lodging an application for a building permit, the owner/applicant shall submit updated plans showing at least 3 metres of the building setback area to the primary street boundary is set aside for landscaping, to the satisfaction of the City.
4. Prior to commencement of use, the boundaries for Lot 1 Belmont Avenue and Lot 2 Miles Road shall be realigned so that the development subject to this approval is located within a single lot.
5. Prior to occupation of the development or commencement of the use, the owner shall enter into a legal agreement with the City prepared by the City's solicitors by which the owner covenants to construct the shortfall of 46 car parking bays within the area shown as 'Overflow Parking' on the approved plans, when required by the City and agrees to the registration of an absolute caveat against the Certificate/s of Title to the land. The owner is to bear all costs associated with the preparation and stamping of the agreement and the registration of the caveat.
6. Prior to lodging an application for a building permit, the owner/applicant shall submit updated plans showing an additional 7 bicycle bays, to the satisfaction of the City.
7. Prior to lodging an application for a building permit, the owner/applicant shall seek approval from the City of Belmont for an artist to provide public art on the development site to a minimum value of \$220,000 (exclusive GST) to the satisfaction of the City.



8. Prior to occupation, the approved public art concept/strategy shall be implemented and the artwork constructed, in accordance with Condition 7. The artwork shall be maintained for the life of the development to the satisfaction of the City.
9. Prior to lodging an application for a building permit, a detailed landscaping plan for the subject site and/or the road verge(s) *shall be* submitted for approval and implemented to the satisfaction of the City. The plan must include the landscaping of:
  - (a) all areas of the property visible from the street; and
  - (b) the street verge in compliance with the Consolidated Local Law 2020
10. Prior to lodging an application for a building permit, the applicant/ owner shall submit a Sustainability Report *to the satisfaction of the City, on the advice of the Design Review Panel*. The Sustainability Report shall be prepared by a qualified sustainability/ environmental consultant and include:
  - (a) specification of the recycled asphalt for the light vehicle car park;
  - (b) details indicating the stormwater collection and storage system and the connection to landscaping irrigation system; and
  - (c) details and specification of the solar panels on the roof.

Once approved, the measures identified in the Sustainability Report shall be implemented and maintained for the life of the development, to the satisfaction of the City.
11. Prior to occupation or use of the development, landscaping, plants, verge treatment and/or irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan to the satisfaction of the City. Any species which fail to establish within the first two planting seasons following implementation must be replaced in consultation with and to the satisfaction of the City.
12. All commercial vehicles and trucks shall ingress and egress the site in forward gear. No reversing of vehicles and trucks to or from the site via a public road is permitted.
13. Prior to lodging an application for a building permit, the owner/applicant shall submit updated plans to accommodate swept paths for a 36.5m vehicle, to the satisfaction of the City of Belmont.



14. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
- (a) The approved plan (as amended by condition 2);
  - (b) Australian Standard AS/NZS 2890 and AS/NZS 1428;
  - (c) Schedule 7 of City of Belmont Local Planning Scheme No. 15; and
  - (d) The City's engineering requirements and design guidelines.

The areas must be sealed in bitumen or concrete in accordance with the City's specifications and thereafter maintained for the life of the development, to the satisfaction of the City.

15. Parking bays are to be constructed and maintained in accordance with the City's engineering requirements and design guidelines to the satisfaction of the City. The bays must be individually marked on site and made available for use by visitors and staff members at all times.
16. Bicycle parking and end of trip facilities shall be provided in accordance with the specifications outlined within *Austrroads Guide AP-R527-16-Bicycle Parking Facilities Guidelines for Design and Installation* and AS2890.3:2015 to the satisfaction of the City.
17. The loading and/or unloading of vehicles is to occur on-site and in a manner that does not interfere with the parking of vehicles in the car park. All car parking bays in the car park are to be always made available for the parking of vehicles by visitors and employees.
18. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines to the satisfaction of the City.
19. Prior to occupation or use of the development, the owner / applicant shall, after having obtained written approval from the City (Crossover Upgrade Application), construct a vehicle crossover in accordance with the approved plans and the City's engineering specifications to the satisfaction of the City.
20. Prior to occupation or use of the development, the redundant crossover/s to Lot 1, as shown on the approved plans, shall be removed and the verge and kerb reinstated in accordance with the City's Technical Specifications, to the satisfaction of the City.
21. Other than for the purpose of reuse, all stormwater runoff from roofed and paved areas shall be collected and disposed of with a combination system of on-site and off-site disposal via an approved sand trapped manhole/ oil and silt separator device in accordance with the City of Belmont's engineering requirements and design guidelines.
22. Bin storage areas shall be paved with an impervious material and shall drain to an approved disposal system to the satisfaction of the City. Bin storage areas must not drain to a stormwater drainage system or to the environment.



23. Signage shall only advertise the businesses operating on the subject lot. The street number of the property shall be included on the north-eastern façade of the proposed development in a legible and prominent manner to the satisfaction of the City.
24. Stormwater discharge (if any) shall not be discharged to the Leach Highway Road Reserve or the widened road reservation.
25. No works are permitted within the Leach Highway Road Reservation unless Main Roads has issued a working on Roads Permit.
26. This decision constitutes development approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the four (4) year period, the approval shall lapse and be of no further effect.

### **Advice Notes**

1. This development approval is not a demolition permit. A demolition permit must be obtained from the City's Safer Communities – Building Surveying prior to commencement of any demolition works. Please liaise with the City's Safer Communities – Building Surveying for further information.
2. The proposed public art concept will be forwarded to the Public Art Advisory Panel which will make recommendations for approval by the City's Co-ordinator Arts and Place. Full details and specifications should be submitted at the earliest opportunity to ensure that the finalisation of the public art does not delay the progression of the development.
3. The landscaping plan shall be a minimum size of A3 at a scale of not less than 1:200. It is recommended that the landscaping plan is prepared by a qualified landscape architect / designer and meets the requirements specified in the City's Landscaping Plan Information Sheet.
4. The plants are to be nurtured until they reach their typical mature dimensions and shall thereafter be maintained at those mature dimensions unless the City approves otherwise in writing.
5. Commercial Vehicles' shall have the definition given in Schedule 1 of Local Planning Scheme No. 15. 'Trucks' include any motor vehicle with a gross vehicle mass over 4.5 tonnes, except a bus or tractor as defined in the *Road Traffic Code 2000*.



6. The City's Engineering Requirements and Design Guidelines contains detailed specifications which must be adhered to in the preparation of plans submitted for approval in respect of such matters as drainage, paving, parking, accessways, crossovers, land fill and retaining.

If access ways, parking areas and hard stand is not satisfactorily maintained, the City may require by notice, in writing, that the area be brought up to a satisfactory standard within a specified period and the notice shall be complied with within that period. Without limitation, the notice may require that lines marking car bays be repainted, potholes be repaired, damaged kerbs be replaced and degraded access or parking areas be resurfaced generally in accordance with the City's Engineering Requirements and Design Guidelines.

7. Neither a development approval nor a building permit constitutes an approval to construct a crossover to a property. Prior to commencement of any site works, separate approval must be obtained from the City's Infrastructure Services Department to construct a crossover to the property (i.e. from the road to connect with the property's internal driveway). This approval shall be sought by way of an application for Infrastructure Services Clearance. Failure to obtain approval from the City's Infrastructure Services for the crossover may result in time delays or refusal of a vehicle crossover subsidy. Please note Infrastructure Services Clearance Applications are determined within 30 working days from date of lodgment provided further information is not required.
8. The applicant is advised that development approval is not approval for the erection and/or construction of any signage. A building permit is required prior to the erection and/or construction of signage. Please liaise with the City's Safer Communities – Building Surveying for more information.
9. The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads

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

**REASON:** The proposed use and development was considered to be consistent with the objectives and intent for the Industrial zone and would complement other uses and operations in the Kewdale Industrial Estate. Furthermore, the Panel considered the requirement for a minimum 3m setback to Belmont Ave to be highly desirable and necessary in order to achieve suitable, substantial landscaping and enhance the amenity of the area.



**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 -

| <b>Current SAT Applications</b>  |                       |  |                                |                    |
|----------------------------------|-----------------------|--|--------------------------------|--------------------|
| <b>File No. &amp; SAT DR No.</b> | <b>LG Name</b>        | <b>Property Location</b>                       | <b>Application Description</b> | <b>Date Lodged</b> |
| DAP/21/01936<br>DR 168/2021      | Town of Victoria Park | No. 176 (Lot 40)<br>Burswood Road,<br>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 10:13am.