



Metro Inner-South Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 26 April 2022; 10:30am
Meeting Number: MISJDAP/98
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)
Ms Diana Goldswain (A/Third Specialist Member)

Item 8.1

Cr Phil Marks (Local Government Member, City of Belmont)
Cr Jenny Davis (Local Government Member, City of Belmont)

Item 8.2

Cr Nicholas Pazolli (Local Government Member, City of Melville)
Cr Matthew Woodall (Local Government Member, City of Melville)

Officers in attendance

Item 8.1

Mr Alex Bott (City of Belmont)
Mr Hayden Krsanac (City of Belmont)

Item 8.2

Mr Peter Prendergast (City of Melville)
Mr Adam Quintiliani (City of Melville)

Minute Secretary

Mr Christopher Dodson (DAP Secretariat)
Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Item 8.1

Mr Wen C. Tseng (Apex Holdings (Aus) Pty Ltd)

Item 8.2

Mr Peter Simpson (PTS Town Planning Pty Ltd)
Mr Robert O'Brien (Silverleaf Investments)

Members of the Public / Media

There was 1 member of the public in attendance.



1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 10:32am on 26 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

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

Nil.

7. Deputations and Presentations

- 7.1 The City of Belmont addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

The presentation at Item 7.1 was heard prior to the application at Item 8.1.



7.2 Mr Peter Simpson (PTS Town Planning Pty Ltd) addressed the DAP in support of the recommendation for the application at Item 8.2 and responded to question from the panel.

7.3 The City of Melville addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.

The presentations at Items 7.2 - 7.3 were heard prior to the application at Item 8.2.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 6 (Lot 173) Tighe Street; 324 (Lot 190) Kew Street; And 475 (Lot 8568) & 477 (Lot 188) Abernethy Road, Cloverdale

Development Description: 15 Two Storey Grouped Dwellings
Applicant: Apex Holdings (Aus) Pty Ltd
Owner: The Bee's Homes WA Pty Ltd
Responsible Authority: City of Belmont
DAP File No: DAP/21/02090

REPORT RECOMMENDATION

Moved by: Ms Rachel Chapman

Seconded by: Ms Diana Goldswain

That the Metro Inner-South JDAP resolves to:

- 1. Defer** the consideration of DAP Application reference DAP/21/02090 until no later than 20 July 2022 to allow further time for the preparation and submission of amended development plans that seek to address concerns raised by the Metro Inner-South JDAP pursuant to DAP Standing Orders 5.10.1a.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The applicant required, and the panel was supportive of, additional time being provided in order to amend the plans to respond to the challenges of the site and enable advertising and advice from the DRP

Cr Phil Marks & Cr Jenny Davis left the panel at 10:36am.

Cr Nicholas Pazolli & Cr Matthew Woodall joined the panel at 10:36am.



8.2 No. 32 (Lot No. 507, 8 And 9) Ardross Street, Applecross WA 6153

Development Description: Alterations And Additions To Existing Commercial Building
Applicant: Mr Peter Simpson, PTS Town Planning Pty Ltd
Owner: RGO Enterprises Pty Ltd
Responsible Authority: City of Melville
DAP File No: DAP/2021/02151

REPORT RECOMMENDATION

Moved by: Ms Rachel Chapman

Seconded by: Ms Diana Goldswain

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

- (i) That the preamble be amended to read as follows:

*Approve DAP Application reference DAP/2021/02151 and accompanying plans 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 Melville Local Planning Scheme No. 6, ~~for the following reasons:~~ **subject to the following conditions:***

REASON: to correct an error in the RAR recommendation.

- (ii) That a new Condition No. 1 be added and the remaining Conditions be re-numbered accordingly.

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.

REASON: To confirm that approval is being granted under the local scheme as well as the MRS.



That the Metro Inner South Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/2021/02151 and accompanying plans 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 Melville Local Planning Scheme No. 6, subject to the following conditions:

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. The development the subject of this approval must comply with the approved plans at all times unless otherwise approved in writing by the City of Melville or the Joint Development Assessment Panel.
3. All stormwater generated on site is to be retained on site to the satisfaction of the City.
4. In accordance with City of Melville Local Planning Policy LPP 2.1 - Non-Residential Development, the removal of, or permanent covering of shopfront windows and openings and the use of reflective or heavily tinted glazing at ground floor level is not permitted.
5. Prior to the initial occupation of the development, all vehicle and bicycle parking bays, manoeuvring areas and points of ingress and egress shall be provided in accordance with the approved plans and AS/NZS 2890.1:2004, to the satisfaction of the City and shall be retained for the life of the development.
6. The exterior colours, materials and finishes of the development shall align with the details shown on the approved Development Plans unless otherwise approved in writing by the City.
7. Any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding streets prior to the initial occupation of the development to the satisfaction of the City.
8. Prior to commencement of construction a crossover application shall be submitted to and approved in writing by the City's Technical Services department. The crossover shall be designed to be;
 - a maximum width in accordance with the City's Crossover Guidelines, Standards and Specifications;
 - located a minimum of 2m away from the outside of the trunk of any street tree; and
 - a minimum of 1m from any existing street infrastructure.

The crossover is to be constructed prior to the initial occupation of the development in accordance with the City's specifications, to the satisfaction of the City.

9. Where a driveway meets the street, walls or fencing within sight line areas are to meet the requirements contained under clause 8.7 of Local Planning Policy *LPP2.1 Non-Residential Development*, to the satisfaction of the City.



10. A Construction Management Plan is to be prepared by the applicant and submitted to the City for approval at least 30 days prior to lodging a Building Application. The Construction Management Plan shall detail how the construction of the development will be managed including the following:
- public safety and site security;
 - hours of operation;
 - noise and vibration controls;
 - air and dust management;
 - stormwater, groundwater and sediment control;
 - waste and material disposal;
 - Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
 - the parking arrangements for employees, contractors and sub-contractors;
 - on-site delivery times and access arrangements;
 - the storage of materials and equipment on site (no storage of materials on the verge will be permitted);
 - the contact details of the site supervisor and details of the complaints handling process to be put in place; and
 - any other matters likely to impact upon the surrounding properties or road reserve.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City. The approved Construction Management Plan may be made publicly available on the City of Melville website.

11. In accordance with Local Planning Policy LPP1.4 Provision of Art in Development Proposals, prior to the commencement of development, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. In lieu of provision of art on site, a cash in lieu contribution may be made as per LPP 1.4.
12. Prior to commencement of development, a detailed landscaping and reticulation plan for the subject site and the road verge(s) adjacent to the site shall be submitted to and approved in writing by the City. The landscaping plan is to include proposed details of (but is not limited to):
- (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
 - (b) Any lawns to be established;
 - (c) Any existing vegetation and/or landscaped areas to be retained; and
 - (d) Any verge treatments

The approved landscaping and reticulation plan shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter, to the satisfaction of the City.



13. The Waste Management Plan shall be in accordance with the approved Waste Management Plan dated December 2022 as per Local Planning Policy *LPP1.3 Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments* and submitted in writing for the approval of the City. Once approved, the development is to be constructed and operated in accordance with the Waste Management Plan, to the satisfaction of the City.
14. Lighting is to be provided to all car parking areas in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting to be hooded and oriented to minimise light spill.
15. Access of service vehicles to the property including deliveries and the operation of forklifts shall not occur before 7:00am or after 7:00pm Monday to Saturday and shall not occur at all on Sundays and Public Holidays.
16. The development is to be constructed and operated in accordance with the Traffic Impact Statement and Travel Plan, to the satisfaction of the City.

Advice Notes

1. The waste enclosure is to be constructed to satisfy the following requirements:
 - (a) Provided with a tap and connected to an adequate supply of water. The tap is to be located in a position so that it will not be susceptible to being damaged by the bins being removed for collection.
 - (b) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness;
 - (c) Having walls not less than 1.8 metres in height and having an access point of not less than 1 metre in width for resident/tenants to access the area and fitted with a self-closing gate;
 - (d) Access point for collection is to be of suitable size for the size of the bins used and the collection method proposed.
 - (e) Containing a smooth and impervious floor of not less than 75 millimetres in thickness; and constructed of impervious concrete graded to a 100mm Industrial Waste provided with adequate and appropriate drainage to sewer. This pertains to commercial properties where approval is required from the Water Corporation for discharge of liquid waste.
2. This development constitutes a “Food Business” as per Section 107 of the Food Act 2008 and therefore is to comply with the provisions of the Food Regulations 2009 and the Food Safety Standards. For further information please contact the City’s Health Services.
3. Prior to the commencement of the Food Business an Application to Register/Notification of a Food Business is to be submitted with plans and specifications of the “Food Business” including details of all fixtures, fittings, appliances and finishes must be submitted to the City of Melville Health Section for approval. The provisions contained in Australian Standard 4674 - Design, Construction and Fitout of Food Premises may be used to determine whether the construction complies with the requirements of Standard 3.2.3 of the Food Safety Standards – “Food Premises and Equipment”.



4. In regards to the proposed food premises, prior to the commencement of any works, an application is to be lodged to the Water Corporation for the construction of a grease arrestor or similar device. Please contact the Water Corporation, Industrial Waste Section regarding this requirement on 13 13 95.

Prior to the commencement of the Business, an application is to be lodged to the Water Corporation for an industrial waste permit. Please contact the Water Corporation, Industrial Waste Section regarding this requirement on 13 13 95.

5. In regards to Condition 4, the exit to Stack Lane shall include a "No Entry" sign.
6. Where monitoring of the car and bicycle parking on site identifies a requirement to provide additional facilities such as bicycle parking is required, the applicant is encouraged to liaise with the City to ensure the appropriate approvals are obtained.

AMENDING MOTION 1

The following amendments were made en bloc:

Moved by: Mr Clayton Higham

Seconded by: Ms Rachel Chapman

- (i) That a new Condition No. 17 be added to read as follows:

Within six months from the date of this approval, Lots 8, 9 and 507 (No. 32) Ardross Street, Applecross shall be amalgamated and a new Certificate of Title obtained for the amalgamated lots.

REASON: To ensure that all development, including parking areas, is contained on the one lot.

- (ii) That a new Advice Note No. 6 be added to read as follows:

An alfresco dining permit must be obtained from the City.

REASON: To inform the proponent that that this is separate application process to the City for alfresco dining to be permitted in the verge.

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



REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner South Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/2021/02151 and accompanying plans 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 Melville Local Planning Scheme No. 6, subject to the following conditions:

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. The development the subject of this approval must comply with the approved plans at all times unless otherwise approved in writing by the City of Melville or the Joint Development Assessment Panel.
3. All stormwater generated on site is to be retained on site to the satisfaction of the City.
4. In accordance with City of Melville Local Planning Policy LPP 2.1 - Non-Residential Development, the removal of, or permanent covering of shopfront windows and openings and the use of reflective or heavily tinted glazing at ground floor level is not permitted.
5. Prior to the initial occupation of the development, all vehicle and bicycle parking bays, manoeuvring areas and points of ingress and egress shall be provided in accordance with the approved plans and AS/NZS 2890.1:2004, to the satisfaction of the City and shall be retained for the life of the development.
6. The exterior colours, materials and finishes of the development shall align with the details shown on the approved Development Plans unless otherwise approved in writing by the City.
7. Any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding streets prior to the initial occupation of the development to the satisfaction of the City.
8. Prior to commencement of construction a crossover application shall be submitted to and approved in writing by the City's Technical Services department. The crossover shall be designed to be;
 - a maximum width in accordance with the City's Crossover Guidelines, Standards and Specifications;
 - located a minimum of 2m away from the outside of the trunk of any street tree; and
 - a minimum of 1m from any existing street infrastructure.

The crossover is to be constructed prior to the initial occupation of the development in accordance with the City's specifications, to the satisfaction of the City.



9. Where a driveway meets the street, walls or fencing within sight line areas are to meet the requirements contained under clause 8.7 of Local Planning Policy *LPP2.1 Non-Residential Development*, to the satisfaction of the City.

10. A Construction Management Plan is to be prepared by the applicant and submitted to the City for approval at least 30 days prior to lodging a Building Application. The Construction Management Plan shall detail how the construction of the development will be managed including the following:
 - public safety and site security;
 - hours of operation;
 - noise and vibration controls;
 - air and dust management;
 - stormwater, groundwater and sediment control;
 - waste and material disposal;
 - Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
 - the parking arrangements for employees, contractors and sub-contractors;
 - on-site delivery times and access arrangements;
 - the storage of materials and equipment on site (no storage of materials on the verge will be permitted);
 - the contact details of the site supervisor and details of the complaints handling process to be put in place; and
 - any other matters likely to impact upon the surrounding properties or road reserve.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City. The approved Construction Management Plan may be made publicly available on the City of Melville website.

11. In accordance with Local Planning Policy LPP1.4 Provision of Art in Development Proposals, prior to the commencement of development, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. In lieu of provision of art on site, a cash in lieu contribution may be made as per LPP 1.4.



12. Prior to commencement of development, a detailed landscaping and reticulation plan for the subject site and the road verge(s) adjacent to the site shall be submitted to and approved in writing by the City. The landscaping plan is to include proposed details of (but is not limited to):
- (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
 - (b) Any lawns to be established;
 - (c) Any existing vegetation and/or landscaped areas to be retained; and
 - (d) Any verge treatments

The approved landscaping and reticulation plan shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter, to the satisfaction of the City.

13. The Waste Management Plan shall be in accordance with the approved Waste Management Plan dated December 2022 as per Local Planning Policy *LPP1.3 Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments* and submitted in writing for the approval of the City. Once approved, the development is to be constructed and operated in accordance with the Waste Management Plan, to the satisfaction of the City.
14. Lighting is to be provided to all car parking areas in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting to be hooded and oriented to minimise light spill.
15. Access of service vehicles to the property including deliveries and the operation of forklifts shall not occur before 7:00am or after 7:00pm Monday to Saturday and shall not occur at all on Sundays and Public Holidays.
16. The development is to be constructed and operated in accordance with the Traffic Impact Statement and Travel Plan, to the satisfaction of the City.
17. Within six months from the date of this approval, Lots 8, 9 and 507 (No. 32) Ardross Street, Applecross shall be amalgamated and a new Certificate of Title obtained for the amalgamated lots.



Advice Notes

1. The waste enclosure is to be constructed to satisfy the following requirements:
 - (a) Provided with a tap and connected to an adequate supply of water. The tap is to be located in a position so that it will not be susceptible to being damaged by the bins being removed for collection.
 - (b) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness;
 - (c) Having walls not less than 1.8 metres in height and having an access point of not less than 1 metre in width for resident/tenants to access the area and fitted with a self-closing gate;
 - (d) Access point for collection is to be of suitable size for the size of the bins used and the collection method proposed.
 - (e) Containing a smooth and impervious floor of not less than 75 millimetres in thickness; and constructed of impervious concrete graded to a 100mm Industrial Waste provided with adequate and appropriate drainage to sewer. This pertains to commercial properties where approval is required from the Water Corporation for discharge of liquid waste.

2. This development constitutes a “Food Business” as per Section 107 of the Food Act 2008 and therefore is to comply with the provisions of the Food Regulations 2009 and the Food Safety Standards. For further information please contact the City’s Health Services.

3. Prior to the commencement of the Food Business an Application to Register/Notification of a Food Business is to be submitted with plans and specifications of the “Food Business” including details of all fixtures, fittings, appliances and finishes must be submitted to the City of Melville Health Section for approval. The provisions contained in Australian Standard 4674 - Design, Construction and Fitout of Food Premises may be used to determine whether the construction complies with the requirements of Standard 3.2.3 of the Food Safety Standards – “Food Premises and Equipment”.

4. In regards to the proposed food premises, prior to the commencement of any works, an application is to be lodged to the Water Corporation for the construction of a grease arrestor or similar device. Please contact the Water Corporation, Industrial Waste Section regarding this requirement on 13 13 95.

Prior to the commencement of the Business, an application is to be lodged to the Water Corporation for an industrial waste permit. Please contact the Water Corporation, Industrial Waste Section regarding this requirement on 13 13 95.

5. In regards to Condition 4, the exit to Stack Lane shall include a “No Entry” sign.

6. Where monitoring of the car and bicycle parking on site identifies a requirement to provide additional facilities such as bicycle parking is required, the applicant is encouraged to liaise with the City to ensure the appropriate approvals are obtained.

7. An alfresco dining permit must be obtained from the City.



The Report Recommendation (as amended) was put and CARRIED (4/1).

For: Mr Clayton Higham
Ms Rachel Chapman
Ms Diana Goldswain
Cr Matthew Woodall

Against: Cr Nicholas Pazolli

REASON: The proposal was considered to be a significant improvement to the current development in terms of parking areas and presentation to the street. The shortfall in parking was noted but was supported having regard to existing and proposed parking demand generated by development on this site as outlined in the Transport Impact Assessment and the incentives proposed to encourage tenants and staff to use alternative forms of transport to the motor vehicle.

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 11:23am.