



## Metro Inner-South Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Friday, 14 October 2022; 9:30am  
**Meeting Number:** MISJDAP/113  
**Meeting Venue:** Town of Victoria Park  
99 Shepperton Road, Victoria Park

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## Attendance

### DAP Members

Mr Clayton Higham (Presiding Member)  
Ms Gabriela Poezyn (A/Deputy Presiding Member)  
Mr Peter Lee (Third Specialist Member)  
Cr Vicki Potter (Local Government Member, Town of Victoria Park)  
Cr Claire Anderson (Local Government Member, Town of Victoria Park)

### Officers in attendance

Mr Robert Cruickshank (Town of Victoria Park)

### Applicants and Submitters

Mr Ian Wu (Cottee Parker)  
Mr Matthew Cain (Planning Solutions)

### Minute Taker

Mr Robert Cruickshank (Town of Victoria Park)

### Members of the Public / Media

Nil

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.30am on 14 October 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.

## 2. Apologies

Ms Rachel Chapman (Deputy Presiding Member)  
Cr Luana Lisandro (Local Government Member, Town of Victoria Park)

## 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 Ian Wu (Cottee Parker) 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 Matthew Cain (Planning Solutions) 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 Town of Victoria Park 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. 2 (Lot 100) Hawthorne Place, Burswood

Development Description: Mixed use development comprising of multiple dwellings and offices  
Applicant: Planning Solutions  
Owner: SKS Hawthorne Pty Ltd  
Responsible Authority: Town of Victoria Park  
DAP File No: DAP/22/02237

#### REPORT RECOMMENDATION

**Moved by:** Cr Vicki Potter

**Seconded by:** Cr Claire Anderson

That the Metro Inner-South JDAP resolves to:

Approve DAP Application reference DAP/22/02237 and accompanying plans at **Attachment 2** in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Metropolitan Region Scheme, and the provisions of the Town of Victoria Park Town Planning Scheme No. 1, subject to the following conditions:



1. Prior to submission of an application for a building permit, revised drawings are to be submitted and be approved by the Town in relation to :
  - (a) An alternative treatment in lieu of the metal roof to the townhouses fronting GO Edwards Park, so as to improve the appearance of the roof when viewed from the apartments above.
  - (b) Provision of EV charging infrastructure (in terms of transformer and switchboard capacity and metering systems) for one car for each dwelling.
  - (c) Details of the proposed 'visibility truncation screens' adjacent to driveways.
2. Prior to submission of an application for a building permit, a report is to be provided from a suitably qualified professional to the satisfaction of the Town demonstrating that the development achieves a minimum 4 star Green Star rating (or equivalent) pre-certified (design), and achieves a minimum and average NatHERS rating of not less than 5.5 stars and 7 stars respectively.
3. The height of the building being consistent with the approved drawings, and with no part of the development or any of its ancillary structures exceeding a maximum height of 71.5m Australian Height Datum.
4. Prior to submission of an application for the relevant building permit, complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings and all fencing visible from the public realm, are to be submitted to and approved in writing by the Town, on advice of its Design Review Panel. The development shall be constructed in accordance with the approved details and shall be thereafter maintained (refer to related advice note).
5. Prior to lodging an application for a building permit, the applicant/owner is to contribute a sum of 1% of the value of the total construction value towards public art. (Refer related Advice Note)

No building structures, landscaping or improvements are to be located within the 1.0 metre wide strip of right-of-way widening for the length of the common boundary with the right-of-way to allow for the future widening of the right-of-way.
6. The approved Waste Management Plan being implemented at all times to the satisfaction of the Town.
7. The works required to construct a turning area for waste collection vehicles as per the approved Waste Management Plan, are to be undertaken by the Town or its contractor prior to occupation of the development. Should the development reach practical completion prior to the Town commencing right-of-way upgrade works then the owner shall be responsible for 50% of the cost of the works necessary to install the turning area. In other instances the full cost of construction of the turning area shall be borne by the Town.
8. Prior to submission of an application for the relevant building permit, a detailed landscaping plan and reticulation plan for the site prepared by a landscape architect shall be submitted to and approved in writing by the Town, on advice of its Design Review Panel (refer to related advice note).



9. Prior to the occupation or strata-titling of the building(s), whichever occurs first, the approved landscaping and reticulation plan must be fully implemented and maintained thereafter, to the satisfaction of the Town.
10. This approval does not relate to the proposed landscaping and improvement works external to the site. Separate approval is to be obtained from the Town for these works.
11. Implementation of the measures recommended in the Arborist Report, to the satisfaction of the Town, so as to retain the existing on-site tree unless otherwise approved by the Town (see related advice note).
12. Prior to lodging an application for a building permit, plans are to be submitted demonstrating to the satisfaction of the Town that the development satisfies the silver standard outlined within the Liveable Housing Design Guidelines, pursuant to Element 4.9 'Universal Design' of State Planning Policy 7.3: Volume 2 – Apartments. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town. (refer to related advice note).
13. Prior to occupation of the development, a Notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the Certificate(s) of Title of the proposed lot(s). Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:  
  
*'This lot is in the vicinity of a transport corridor and is currently affected by road transport noise. Road transport noise levels may rise or fall over time depending on the type and volume of traffic. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction.'*
14. Prior to submission of an application for a building permit, the applicant is to submit a final detailed acoustic assessment report for the Town's approval, taking into consideration final design specifications, and inclusive of the following:
  - further assessment of noise impacts from the development to surrounding properties (mechanical equipment and other sources), and assuming future residential development on surrounding properties of a height, scale and form anticipated by Local Planning Policy 22;
  - demonstrating compliance with SPP5.4 and implementation of any recommended mitigation measures.
  - demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997* and implementation of any recommended mitigation measures.
15. Prior to the submission of an application for a building permit, the applicant is to demonstrate the implementation of the mitigation measures identified at section 5.5 of the Desktop Wind Comfort Report revision date 10 May 2022.
16. Prior to submission of an application for the relevant building permit, a Construction Management Plan must be submitted for approval by the Town, and thereafter implement to the satisfaction of the Town (refer to related advice note).



17. Prior to lodging an application for a building permit, a plan shall be submitted detailing the location of all external lighting, to the satisfaction of the Town. The lighting plan and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.
18. Prior to submission of an application for the relevant building permit, a Stormwater and Drainage Management Plan including details of the on-site stormwater disposal including soakwell sizes and locations to be submitted to and approved in writing by the Town. The development shall be constructed in accordance with the approved details and thereafter maintained (refer to related advice note).
19. An acid sulfate soils self-assessment form and, if required as a result of the self-assessment, an acid sulfate soils report and an acid sulfate soils management plan shall be submitted to and approved by the Department of Environmental Regulation before the development is commenced. Where an acid sulfate soils management plan is required to be submitted, all development shall be carried out in accordance with the approved management plan.
20. Prior to submission of an application for the relevant building permit, all plant equipment, air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas and clothes drying facilities 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 Town. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town.
21. Prior to the occupation or strata-titling of the development, whichever occurs first, all car and motorcycle/scooter parking spaces together with their access aisles are to be clearly constructed, sealed, marked and drained. The on-site parking spaces shall be maintained thereafter, to the satisfaction of the Town.
22. Prior to the occupation or strata-titling of the development, whichever occurs first, the visitor bicycle parking facilities shall be installed and remain in place permanently, unless otherwise approved by the Town.
23. Car parking bays shall be provided on site in accordance with the approved plans prior to occupation of the development. These bays shall be marked and allocated to the respective uses contained within the development or marked for their nominated purpose, and comprise the following at all times:
  - (i) A minimum of one disability access bay for the commercial uses;
  - (ii) Eleven exclusive residential visitors bays;
  - (iii) Eight reciprocal parking bays available for use by the Offices during normal business hours, and being available for residential visitors at all other times, as determined by the approved Parking Management Plan; and
  - (iv) The remaining bays being exclusively for residential use.



24. Prior to occupation or strata titling of the building (whichever occurs first), the applicant is to submit a Parking Management Plan to the satisfaction of the Town, clarifying how parking will be managed on-site, particularly in relation to the proposed reciprocal parking arrangements. The approved Parking Management Plan shall thereafter be implemented to the satisfaction of the Town.
25. Prior to submission of an application for a building permit, the applicant is to provide details of the security intercom system at the security gate to the car park to the satisfaction of the Town demonstrating that residential visitors can gain access to the on-site residential visitors bays.
26. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
27. To address the conditions of this development approval, a covering letter detailing compliance with each condition, copy of the final working drawings and relevant associated reports and information are to be submitted by the owner/applicant and be cleared in writing by the Town (refer to related advice note).
28. The development, once commenced, is to be carried out in accordance with the approved development plans at all times, unless otherwise authorised by the Town.
29. This decision constitutes planning 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 specified period, the approval shall lapse and be of no further effect.

#### **Advice Notes**

- AN1. This development approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of the Council.
- AN2. A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.
- AN3. With respect to retention of the existing on-site tree, should further investigations determine that the existing tree cannot be retained or requires removal, then replacement with suitable native tree species that meets the minimum requirements of a 'Large Tree' as defined within State Planning Policy 7.3 – Volume 2 should be provided (e.g. Eucalyptus gomphocephala 500L pot size).
- AN4. A verge permit is required to be obtained from the Town prior to commencement of any work in the verge (including, but not limited to, landscaping, parking, paving and lighting) in relation to this development approval.
- AN5. The applicant or responsible contractor shall lodge an online application to Perth Airport's Protected Airspace Assessment Tool (PAAT) prior to the erection of a crane on the subject site.



- AN6. With regards to a public art contribution, the contribution being either:
- a. payment directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct; or
  - b. the owner/applicant is to provide public art on the development site in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by Council. The public art is to be completed and installed to the satisfaction of the Town prior to the occupation of the development. The public art is to be maintained thereafter by the owner/occupiers.
- AN7. With respect to the submission of a detailed Landscaping Plan, consideration is to be given to:
- a. The Landscaping Plan prepared in support of the development application.
  - b. Deep soil areas of sufficient size to sustain the trees and plants selected, with guidance from Table 3.3b 'Tree Sizes' and Table 4.12 'Planting On-Structure' of State Planning Policy 7.3 – Residential Design Codes – Volume 2 – Apartments.
  - c. Waterwise design principles.
  - d. Eliminating opportunities for concealment and maximising opportunities for passive surveillance to the public realm.
  - e. Landscaping integrating or being complementary to the overall building design.
- AN8. Any amendments or modifications to the approved drawings forming part of this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.
- AN9. With respect to the submission of a Stormwater and Drainage Management Plan, all stormwater drainage for multi residential developments shall be designed and signed by a practicing Hydraulic Consultant. An overland flow path is to be included in the design to ensure diversion of stormwater from the developments during storm events.
- AN10. With respect to a Construction Management Plan, it is to address the following matters:
- a) How materials and equipment will be delivered and removed from the site;
  - b) How materials and equipment will be stored on the site;
  - c) Parking arrangements for contractors;
  - d) Construction waste disposal strategy and location of waste disposal bins; e) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
  - e) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
  - f) Construction traffic and pedestrian management; and
  - g) Other matters likely to impact on the surrounding properties.
- AN11. With respect to the submission of a Lighting Plan, it is to include lighting to illuminate the vehicle and pedestrian entry points, communal areas, bicycle parking area(s), public open spaces and any other security and safety lighting for the development.





- AN12. With respect to the submission of details demonstrating that the silver standard of Liveable Housing Design Guidelines are achieved, please be advised that the level of detail required include (but are not limited to) wall reinforcement for future handrails, hobless showers, slip-resistant floor surface etc. The owner/applicant is encouraged to seek the services of a disability access consultant.
- AN13. With respect to clearing the conditions of this development approval, a building permit cannot be issued until those conditions of the development approval requiring clearance 'prior to the submission of an application for the relevant building permit' are given written planning clearance by the Town. It is recommended that the relevant information be submitted prior to the submission of an application for a building permit in order to avoid delays in the processing of a building permit application. Should a building permit application be submitted without written planning clearance, then the building permit application will be put on hold until written planning clearance is obtained or the application may be refused.
- AN14. The bathroom, laundries and kitchens of each dwelling are to comply with the provisions set out in the *Town of Victoria Park Health Local Law 2003*.
- AN15. Car park ventilation to be designed to ensure that the carbon monoxide build up in the parking area does not exceed the requirements in accordance with the *Health Act (Miscellaneous Provisions) Act 1911, (Carbon Monoxide) Regulations 1975* and the *Town of Victoria Park Health Local Law 2003*.
- AN16. The aquatic facilities are to be constructed in compliance with the *Health (Aquatic Facilities) Regulations 2007* and the Aquatic Facilities Code of Practice.
- AN17. Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for a review of the determination of the Metro Inner-South JDAP by the State Administrative Tribunal within 28 days of the date of this decision.

#### **AMENDING MOTION 1**

**Moved by:** Ms Gabriela Poezyn

**Seconded by:** Cr Vicki Potter

That a new Condition No. 31 be added to read as follows:

***Prior to construction works, detailed plans of Tree Protection Zones being provided for those trees likely to be impacted by the construction works to the Town's satisfaction. The tree protection measures are to be implemented at all times during construction.***

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

**REASON:** To ensure the protection of trees adjacent to the development site.



## **AMENDING MOTION 2**

**Moved by:** Ms Gabriela Poezyn

**Seconded by:** Mr Clayton Higham

That a new Condition No. 32 be added to read as follows:

***Prior to occupation of the development, each multiple dwelling shall be provided with a mechanical clothes dryer or alternatively shall have an adequate area provided for drying clothes. This drying area shall be screened from view from any adjacent public place, to the satisfaction of the Town of Victoria Park.***

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

**REASON:** To ensure the provision of adequate, screened clothes drying facilities.

## **AMENDING MOTION 3**

**Moved by:** Ms Gabriela Poezyn

**Seconded by:** Mr Peter Lee

That Condition No. 1a be deleted and the remaining conditions be renumbered accordingly.

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

**REASON:** It was considered that the proposed metal roof would have minimal impact upon the adjacent dwellings in the tower.

## **AMENDING MOTION 4**

**Moved by:** Ms Gabriela Poezyn

**Seconded by:** Mr Peter Lee

That a new Condition No. 33 be added to read as follows:

**Any future solar panels on the roofs of the townhouses are to be placed in a uniform and co-ordinated manner.**

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

**REASON:** To prevent any adverse visual impact resulting from the ad-hoc installation of solar panels by individual owners.



## AMENDING MOTION 5

**Moved by:** Cr Vicki Potter

**Seconded by:** Cr Claire Anderson

That Condition No. 1(b), now 1(a) be amended to read as follows:

*Provision of EV charging infrastructure (in terms of transformer and switchboard capacity and metering systems) for ~~one car for each dwelling~~ a **minimum of 20% of dwellings in addition to all visitors bays.**"*

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

**REASON:** To align with the Design Guidance in SPP7.3 Volume 2.

## REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner-South JDAP resolves to:

Approve DAP Application reference DAP/22/02237 and accompanying plans at **Attachment 2** in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Metropolitan Region Scheme, and the provisions of the Town of Victoria Park Town Planning Scheme No. 1, subject to the following conditions:

1. Prior to submission of an application for a building permit, revised drawings are to be submitted and be approved by the Town in relation to :
  - (a) Provision of EV charging infrastructure (in terms of transformer and switchboard capacity and metering systems) for a minimum 20% of all dwellings and all visitors bays.
  - (b) Details of the proposed 'visibility truncation screens' adjacent to driveways.
2. Prior to submission of an application for a building permit, a report is to be provided from a suitably qualified professional to the satisfaction of the Town demonstrating that the development achieves a minimum 4 star Green Star rating (or equivalent) pre-certified (design), and achieves a minimum and average NatHERS rating of not less than 5.5 stars and 7 stars respectively.
3. The height of the building being consistent with the approved drawings, and with no part of the development or any of its ancillary structures exceeding a maximum height of 71.5m Australian Height Datum.
4. Prior to submission of an application for the relevant building permit, complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings and all fencing visible from the public realm, are to be submitted to and approved in writing by the Town, on advice of its Design Review Panel. The development shall be constructed in accordance with the approved details and shall be thereafter maintained (refer to related advice note).
5. Prior to lodging an application for a building permit, the applicant/owner is to contribute a sum of 1% of the value of the total construction value towards public art. (Refer related Advice Note)



6. No building structures, landscaping or improvements are to be located within the 1.0 metre wide strip of right-of-way widening for the length of the common boundary with the right-of-way to allow for the future widening of the right-of-way.
7. The approved Waste Management Plan being implemented at all times to the satisfaction of the Town.
8. The works required to construct a turning area for waste collection vehicles as per the approved Waste Management Plan, are to be undertaken by the Town or its contractor prior to occupation of the development. Should the development reach practical completion prior to the Town commencing right-of-way upgrade works then the owner shall be responsible for 50% of the cost of the works necessary to install the turning area. In other instances the full cost of construction of the turning area shall be borne by the Town.
9. Prior to submission of an application for the relevant building permit, a detailed landscaping plan and reticulation plan for the site prepared by a landscape architect shall be submitted to and approved in writing by the Town, on advice of its Design Review Panel (refer to related advice note).
10. Prior to the occupation or strata-titling of the building(s), whichever occurs first, the approved landscaping and reticulation plan must be fully implemented and maintained thereafter, to the satisfaction of the Town.
11. This approval does not relate to the proposed landscaping and improvement works external to the site. Separate approval is to be obtained from the Town for these works.
12. Implementation of the measures recommended in the Arborist Report, to the satisfaction of the Town, so as to retain the existing on-site tree unless otherwise approved by the Town (see related advice note).
13. Prior to lodging an application for a building permit, plans are to be submitted demonstrating to the satisfaction of the Town that the development satisfies the silver standard outlined within the Liveable Housing Design Guidelines, pursuant to Element 4.9 'Universal Design' of State Planning Policy 7.3: Volume 2 – Apartments. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town. (refer to related advice note).
14. Prior to occupation of the development, a Notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the Certificate(s) of Title of the proposed lot(s). Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:

*'This lot is in the vicinity of a transport corridor and is currently affected by road transport noise. Road transport noise levels may rise or fall over time depending on the type and volume of traffic. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction.'*



15. Prior to submission of an application for a building permit, the applicant is to submit a final detailed acoustic assessment report for the Town's approval, taking into consideration final design specifications, and inclusive of the following:
  - further assessment of noise impacts from the development to surrounding properties (mechanical equipment and other sources), and assuming future residential development on surrounding properties of a height, scale and form anticipated by Local Planning Policy 22;
  - demonstrating compliance with SPP5.4 and implementation of any recommended mitigation measures.
  - demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997* and implementation of any recommended mitigation measures.
16. Prior to the submission of an application for a building permit, the applicant is to demonstrate the implementation of the mitigation measures identified at section 5.5 of the Desktop Wind Comfort Report revision date 10 May 2022.
17. Prior to submission of an application for the relevant building permit, a Construction Management Plan must be submitted for approval by the Town, and thereafter implement to the satisfaction of the Town (refer to related advice note).
18. Prior to lodging an application for a building permit, a plan shall be submitted detailing the location of all external lighting, to the satisfaction of the Town. The lighting plan and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.
19. Prior to submission of an application for the relevant building permit, a Stormwater and Drainage Management Plan including details of the on-site stormwater disposal including soakwell sizes and locations to be submitted to and approved in writing by the Town. The development shall be constructed in accordance with the approved details and thereafter maintained (refer to related advice note).
20. An acid sulfate soils self-assessment form and, if required as a result of the self-assessment, an acid sulfate soils report and an acid sulfate soils management plan shall be submitted to and approved by the Department of Environmental Regulation before the development is commenced. Where an acid sulfate soils management plan is required to be submitted, all development shall be carried out in accordance with the approved management plan.
21. Prior to submission of an application for the relevant building permit, all plant equipment, air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas and clothes drying facilities 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 Town. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town.



22. Prior to the occupation or strata-titling of the development, whichever occurs first, all car and motorcycle/scooter parking spaces together with their access aisles are to be clearly constructed, sealed, marked and drained. The on-site parking spaces shall be maintained thereafter, to the satisfaction of the Town.
23. Prior to the occupation or strata-titling of the development, whichever occurs first, the visitor bicycle parking facilities shall be installed and remain in place permanently, unless otherwise approved by the Town.
24. Car parking bays shall be provided on site in accordance with the approved plans prior to occupation of the development. These bays shall be marked and allocated to the respective uses contained within the development or marked for their nominated purpose, and comprise the following at all times:
  - (i) A minimum of one disability access bay for the commercial uses;
  - (ii) Eleven exclusive residential visitors bays;
  - (iii) Eight reciprocal parking bays available for use by the Offices during normal business hours, and being available for residential visitors at all other times, as determined by the approved Parking Management Plan; and
  - (iv) The remaining bays being exclusively for residential use.
25. Prior to occupation or strata titling of the building (whichever occurs first), the applicant is to submit a Parking Management Plan to the satisfaction of the Town, clarifying how parking will be managed on-site, particularly in relation to the proposed reciprocal parking arrangements. The approved Parking Management Plan shall thereafter be implemented to the satisfaction of the Town.
26. Prior to submission of an application for a building permit, the applicant is to provide details of the security intercom system at the security gate to the car park to the satisfaction of the Town demonstrating that residential visitors can gain access to the on-site residential visitors bays.
27. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
28. To address the conditions of this development approval, a covering letter detailing compliance with each condition, copy of the final working drawings and relevant associated reports and information are to be submitted by the owner/applicant and be cleared in writing by the Town (refer to related advice note).
29. The development, once commenced, is to be carried out in accordance with the approved development plans at all times, unless otherwise authorised by the Town.
30. This decision constitutes planning 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 specified period, the approval shall lapse and be of no further effect.
31. Prior to construction works, detailed plans of Tree Protection Zones being provided for those trees likely to be impacted by the construction works to the Town's satisfaction. The tree protection measures are to be implemented at all times during construction.



32. Prior to occupation of the development, each multiple dwelling shall be provided with a mechanical clothes dryer or alternatively shall have an adequate area provided for drying clothes. This drying area shall be screened from view from any adjacent public place, to the satisfaction of the Town of Victoria Park.
33. Any future solar panels on the roofs of the townhouses are to be placed in a uniform and co-ordinated manner.

### **Advice Notes**

- AN1. This development approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of the Council.
- AN2. A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.
- AN3. With respect to retention of the existing on-site tree, should further investigations determine that the existing tree cannot be retained or requires removal, then replacement with suitable native tree species that meets the minimum requirements of a 'Large Tree' as defined within State Planning Policy 7.3 – Volume 2 should be provided (e.g. *Eucalyptus gomphocephala* 500L pot size).
- AN4. A verge permit is required to be obtained from the Town prior to commencement of any work in the verge (including, but not limited to, landscaping, parking, paving and lighting) in relation to this development approval.
- AN5. The applicant or responsible contractor shall lodge an online application to Perth Airport's Protected Airspace Assessment Tool (PAAT) prior to the erection of a crane on the subject site.
- AN6. With regards to a public art contribution, the contribution being either:
  - a. payment directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct; or
  - b. the owner/applicant is to provide public art on the development site in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by Council. The public art is to be completed and installed to the satisfaction of the Town prior to the occupation of the development. The public art is to be maintained thereafter by the owner/occupiers.
- AN7. With respect to the submission of a detailed Landscaping Plan, consideration is to be given to:
  - a. The Landscaping Plan prepared in support of the development application.
  - b. Deep soil areas of sufficient size to sustain the trees and plants selected, with guidance from Table 3.3b 'Tree Sizes' and Table 4.12 'Planting On-Structure' of State Planning Policy 7.3 – Residential Design Codes – Volume 2 – Apartments.
  - c. Waterwise design principles.
  - d. Eliminating opportunities for concealment and maximising opportunities for passive surveillance to the public realm.



- e. Landscaping integrating or being complementary to the overall building design.
- AN8. Any amendments or modifications to the approved drawings forming part of this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.
- AN9. With respect to the submission of a Stormwater and Drainage Management Plan, all stormwater drainage for multi residential developments shall be designed and signed by a practicing Hydraulic Consultant. An overland flow path is to be included in the design to ensure diversion of stormwater from the developments during storm events.
- AN10. With respect to a Construction Management Plan, it is to address the following matters:
- a) How materials and equipment will be delivered and removed from the site;
  - b) How materials and equipment will be stored on the site;
  - c) Parking arrangements for contractors;
  - d) Construction waste disposal strategy and location of waste disposal bins; e) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
  - e) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
  - f) Construction traffic and pedestrian management; and
  - g) Other matters likely to impact on the surrounding properties.
- AN11. With respect to the submission of a Lighting Plan, it is to include lighting to illuminate the vehicle and pedestrian entry points, communal areas, bicycle parking area(s), public open spaces and any other security and safety lighting for the development.
- AN12. With respect to the submission of details demonstrating that the silver standard of Liveable Housing Design Guidelines are achieved, please be advised that the level of detail required include (but are not limited to) wall reinforcement for future handrails, hobless showers, slip-resistant floor surface etc. The owner/applicant is encouraged to seek the services of a disability access consultant.
- AN13. With respect to clearing the conditions of this development approval, a building permit cannot be issued until those conditions of the development approval requiring clearance 'prior to the submission of an application for the relevant building permit' are given written planning clearance by the Town. It is recommended that the relevant information be submitted prior to the submission of an application for a building permit in order to avoid delays in the processing of a building permit application. Should a building permit application be submitted without written planning clearance, then the building permit application will be put on hold until written planning clearance is obtained or the application may be refused.
- AN14. The bathroom, laundries and kitchens of each dwelling are to comply with the provisions set out in the *Town of Victoria Park Health Local Law 2003*.





- AN15. Car park ventilation to be designed to ensure that the carbon monoxide build up in the parking area does not exceed the requirements in accordance with the *Health Act (Miscellaneous Provisions) Act 1911, (Carbon Monoxide) Regulations 1975* and the *Town of Victoria Park Health Local Law 2003*.
- AN16. The aquatic facilities are to be constructed in compliance with the *Health (Aquatic Facilities) Regulations 2007* and the Aquatic Facilities Code of Practice.
- AN17. Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for a review of the determination of the Metro Inner-South JDAP by the State Administrative Tribunal within 28 days of the date of this decision.

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

**REASON:** The Panel noted that it was a difficult site in terms of its shape and access. The panel further noted that the variations proposed to the requirements of the planning framework were reasonably minor to the extent that the development is unlikely to have any amenity impacts on the immediate or extended locality. The proposed development was considered to be responsive to its context and of a design and landscape quality that warranted approval.

**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 5.2020.709.1	Town of Victoria Park	No. 176 (Lot 40) Burswood Road, Burswood	Proposed Officer 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 10.27am