



Metro West Joint Development Assessment Panel Minutes

Meeting Date and Time: 7 March 2019, 9:00am
Meeting Number: MWJDAP/224
Meeting Venue: City of Vincent
244 Vincent Street
Leederville

Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Mr Clayton Higham (A/Deputy Presiding Member)
Mr John Syme (A/Specialist Member)

Items 8.1

Cr Dan Loden (Local Government Member, City of Vincent)
Cr Joshua Topelberg (Local Government Member, City of Vincent)

Item 9.1

Cr Andres Timmermanis (Local Government Member, Town of Cambridge)
Cr Rod Bradley (Local Government Member, Town of Cambridge)

Officers in attendance

Items 8.1

Ms Clair Morrison (City of Vincent)
Ms Joslin Colli (City of Vincent)

Item 9.1

Mr Ryan Munyard (Town of Cambridge)

Minute Secretary

Ms Kylie Tichelaar (City of Vincent)

Applicants and Submitters

Item 8.1

Mr Chris Hazebroek (Alijn Built Forms)

Item 9.1

Ms Sarah Asher (MJA Studio)
Mr Wes Barrett (MJA Studio)
Mr Jon Sparks (Stirling Jolimont Pty Ltd)
Mr Luke Reinecke (Stirling Jolimont Pty Ltd)



Members of the Public / Media

There were 4 members of the public in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 9:03am on 7 March 2019 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the DAP Standing Orders 2017 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Mr Jarrod Ross (Deputy Presiding Member)
Mr Jason Hick (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

DAP Member, Mr Jarrod Ross, declared an impartiality interest in item 9.1. Mr Ross' employer, Taylor Burrell Barnett are employed by the Town of Cambridge to prepare their Local Planning Strategy, including community engagement, preparation of the required documentation and provision of advice on process.

In accordance with section 6.3.1 of the DAP Standing Orders 2017, the Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was not permitted to participate in the discussion or voting on the item.

7. Deputations and Presentations

7.1 Mr Chris Hazebroek (Alijn Built Forms) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.2 Ms Joslin Colli (City of Vincent) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.



The presentations at Items 7.1 to 7.2 were heard prior to the application at Item 8.1.

- 7.3 Ms Sarah Asher (MJA Studio) addressed the DAP in support of the application at Item 9.1 and responded to questions from the panel.

The presentation at Item 7.3 was heard prior to the application at Item 9.1.

8. Form 1 – Responsible Authority Reports – DAP Applications

- 8.1 Property Location: No. 333 (Lot 9) Oxford Street, Leederville
Development Description: Mixed Use Development comprising of two Commercial Tenancies, seven Multiple Dwellings and Associated Car Parking
Applicant: Alijn Built Forms
Owner: FAT 01 Pty Ltd
Responsible Authority: City of Vincent
DAP File No: DAP/18/01535

REPORT RECOMMENDATION

Moved by: Cr Joshua Topelberg

Seconded by: Cr Dan Loden

That the Metro West Joint Development Assessment Panel (JDAP) resolves to:

1. **Approve** DAP Application reference DAP/18/01535 and accompanying plans A.03 to A.11, A.13 to A.21 and Landscape 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 Vincent Local Planning Scheme No. 2 subject to the following conditions as follows:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

2. Use of Premises

The use of the tenancies on the ground floor indicated as 'Commercial 1' and 'Retail' are to be used in accordance with the respective definitions of Office and Shop within the City of Vincent Local Planning Scheme No. 2 as follows:

Office means premises used for administration, clerical, technical, professional or similar business activities.

Shop means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.



3. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls in a good and clean condition prior to occupation or use of the development. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City.

4. Building Design

4.1 Windows and doors of the ground floor tenancies fronting Oxford Street shall provide an active and interactive relationship to the street to the satisfaction of the City and shall be maintained thereafter to the satisfaction of the City.

4.2 Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited.

5. Schedule of External Finishes

Prior to the commencement of development, a detailed schedule of external finishes (including materials, colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development.

6. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City.

7. Clothes Drying Facilities

Each multiple dwelling shall be provided with a clothes drying area that shall be adequately screened in accordance with the Residential Design Codes prior to occupancy or use of the development and shall be completed to the satisfaction of the City.

8. Visual Privacy

8.1 Screening to a minimum height of 1.6 metres above the finished floor level of all balconies and terraces, 75% obscure, permanently fixed, made of durable material and restricts views into any adjoining property within the 6.0 metre cone of vision shall be installed to all balconies and terraces as indicated on the approved plans dated 16/11/2018 and 07/02/2019; and

8.2 All major openings into habitable rooms with a FFL exceeding 0.5 metres above natural ground level indicated on the approved plans dated 16/11/2018 and 07/02/2019 are to be compliant with Clause 6.4.1 Visual Privacy of the Residential Design Codes, as amended.



- 8.3 All screening is to be shown on the plans at the time of lodging a building permit and must be installed prior to occupation of the development.

9. Car Parking, Access and Bicycle Facilities

- 9.1 A minimum of:
- 5.1.1 Two (2) car parking bays for the tenancy identified as 'Commercial' on the approved plans shall be provided on-site;
 - 5.1.2 Two (2) car parking bays for the tenancy identified as 'Retail' on the approved plans shall be provided on-site;
 - 5.1.3 Nine (9) car parking bays for the Multiple Dwellings shall be provided on-site; and
 - 5.1.4 Two (2) visitor car parking bays for Multiple Dwellings shall be provided on-site.
- 9.2 Vehicle and pedestrian access points are required to match into existing footpath levels.
- 9.3 The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development.
- 9.4 The car park shall be used only by owners, visitors and tenants directly associated with the development.
- 9.5 Bicycle facilities shall be designed and installed on-site in accordance with AS2890.3 and installed in the following locations to the satisfaction of the City:
- 5.5.1 Five (5) long term bicycle facilities; and
 - 5.5.2 Three (3) short term bicycle facilities.
- 9.6 Two (2) visitor car parking spaces shall be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the City.

10. Parking Management Plan

- 10.1 Prior to the occupation of the development, a Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include, but not limited to, addressing the following:
- Detailed management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors/tenants to the residential and non-residential units at all times;
 - The allocation of the car parking bays to ensure that there is a total of nine (9) resident bays and two (2) commercial bays.
- 10.2 The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved



Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers.

11. Right of Way widening

The Right of Way being widened 0.5m in accordance with the approved plan dated 7 February 2019 (attached) by the landowner transferring the land required to the Crown free of cost for the purpose of widening.

12. Public Art

12.1 Percent for public art contribution of \$22,500 being one percent of the total \$2.25 million value of the development shall be allocated towards public art prior to the commencement of the development;

12.2 Confirmation in writing outlining how the proposed development will comply with the City of Vincent Policy No. 7.5.13 – Percent for Art shall be submitted prior to commencement of development; and

12.3 Public art shall be approved by the City and fully installed or alternatively a cash-in-lieu payment made prior to occupation of the development.

13. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City.

14. Verge Infrastructure

No verge tree shall be removed without the prior written approval of the City. The verge tree shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City.

15. Waste Management

15.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved by the City.

15.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan.

15.3 Waste and refuse generated on the site by the Office and Shop shall be collected by a private contractor at the expense of the applicant/landowner unless otherwise approved by the City.

16. Acoustic Report and Noise Management

16.1 An Acoustic Report to the satisfaction of the City, which accords with the City's Policy No. 7.5.21 – Sound Attenuation, shall be lodged with and approved by the City prior to the commencement of the development.

16.2 All of the recommended measures included in the approved Acoustic statement dated November 2018 and the approved Acoustic report shall be implemented prior to the occupation or use of the development and



maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.

17. Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;
- Dilapidation Reports of nearby properties;
- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors; and
- Consultation plan with nearby properties.
- Compliance with AS4970-2009 relating to the protection of trees on the development site.

18. General

Conditions that have a time limitation for compliance, and the condition is not met in the required timeframe, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

Advice Notes

1. This is a development approval only and is issued under the City of Vincent's Local Planning Scheme No. 2 and the Western Australian Planning Commission's Metropolitan Region Scheme only. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with any other laws.
2. This development approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
3. The applicant/landowner is advised to liaise with the Water Corporation in regards to servicing and infrastructure requirements for the development.
4. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any materials within the road reserve.



5. The right of way shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If, at completion of construction of the development, the condition of the right of way has deteriorated the applicant/owner shall make good the surface to the full satisfaction of the City.
6. An Infrastructure Protection Bond for the sum of \$3,000 together with a non-refundable inspection fee of \$100 shall be lodged with the City by the applicant, prior to the commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
7. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and right of way levels to the satisfaction of the City.
8. The City accepts no liability for the relocation of any public utility and/or any other services that may be required as a consequence of this development. The applicant/owner shall ensure that the location of all services is identified prior to submitting an application of building permit. The cost of relocated any services shall be borne by the applicant/owner.
9. With respect to stormwater, no further consideration shall be given to the disposal of stormwater 'off-site' without the submission of a geotechnical report from a qualified consultant. Should the approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
10. With respect to vehicle parking permits, the applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.
11. With respect to waste, the applicant/landowner is advised that should the private waste collection cease and the City be required to collect the waste generated on-site, the applicant/landowner is to liaise with the City in respect to the City's requirements and specifications. Any alterations made in order to meet the City's specifications may require an amendment to this approval.
12. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first be sought and obtained.
13. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005*, Part 14. An application must be made within 28 days of the determination.



AMENDING MOTION 1

Moved by: Cr Joshua Topelberg

Seconded by: Cr Dan Loden

The following new conditions were made en bloc:

(i) That a new Condition 19 be added to read as follows:

The existing vehicle crossover to Oxford Street shall be removed, and the verge and kerb reinstated prior to the practical completion of the development to the City's satisfaction.

REASON: To ensure the removal of the crossover and reinstatement of the tree.

(ii) That a new Condition 20 be added to read as follows:

Landscaping

20.1 *A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit. The plan shall be drawn to a scale of 1:100 and show the following:*

- *The location and type of existing and proposed trees and plants;*
- *Areas to be irrigated or reticulated;*
- *The provision of a minimum of 13.5 percent deep soil area, as defined by the City's Policy No. 7.1.1 – Built Form; and*
- *The provision of trees contributing towards 17.1 percent canopy coverage within deep soil areas provided and within the side and rear setback area. The tree species are to be in accordance with the City's recommended tree species list.*
- *Provision of one tree within the verge of Oxford Street adjoining the development shall be provided within the existing tree well. The tree species shall be Broad Leaved Paperbark – *Melaleuca quinquenervia*.*

20.2 *All works shown in the plans as identified in condition 20.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.*

REASON: To secure landscaping shown on plan.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 2

Moved by: Cr Joshua Topelberg

Seconded by: Cr Dan Loden

That a new Advice Note 14 be added to read as follows:

Landscaping as required by condition 20 of the approval is required to be maintained following implementation, a requirement for maintenance and irrigation of landscaping shall be incorporated within any strata management plan.



The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure the maintenance of the landscaping by future owner.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro West Joint Development Assessment Panel (JDAP) resolves to:

1. **Approve** DAP Application reference DAP/18/01535 and accompanying plans A.03 to A.11, A.13 to A.21 and Landscape 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 Vincent Local Planning Scheme No. 2 subject to the following conditions as follows:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

2. Use of Premises

The use of the tenancies on the ground floor indicated as 'Commercial 1' and 'Retail' are to be used in accordance with the respective definitions of Office and Shop within the City of Vincent Local Planning Scheme No. 2 as follows:

Office means premises used for administration, clerical, technical, professional or similar business activities.

Shop means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

3. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls in a good and clean condition prior to occupation or use of the development. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City.

4. Building Design

- 4.1 Windows and doors of the ground floor tenancies fronting Oxford Street shall provide an active and interactive relationship to the street to the satisfaction of the City and shall be maintained thereafter to the satisfaction of the City.

- 4.2 Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured,



mirrored or tinted glass or other similar materials as considered by the City is prohibited.

5. Schedule of External Finishes

Prior to the commencement of development, a detailed schedule of external finishes (including materials, colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development.

6. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City.

7. Clothes Drying Facilities

Each multiple dwelling shall be provided with a clothes drying area that shall be adequately screened in accordance with the Residential Design Codes prior to occupancy or use of the development and shall be completed to the satisfaction of the City.

8. Visual Privacy

8.1 Screening to a minimum height of 1.6 metres above the finished floor level of all balconies and terraces, 75% obscure, permanently fixed, made of durable material and restricts views into any adjoining property within the 6.0 metre cone of vision shall be installed to all balconies and terraces as indicated on the approved plans dated 16/11/2018 and 07/02/2019; and

8.2 All major openings into habitable rooms with a FFL exceeding 0.5 metres above natural ground level indicated on the approved plans dated 16/11/2018 and 07/02/2019 are to be compliant with Clause 6.4.1 Visual Privacy of the Residential Design Codes, as amended.

8.3 All screening is to be shown on the plans at the time of lodging a building permit and must be installed prior to occupation of the development.

9. Car Parking, Access and Bicycle Facilities

9.1 A minimum of:

5.1.1 Two (2) car parking bays for the tenancy identified as 'Commercial' on the approved plans shall be provided on-site;

5.1.2 Two (2) car parking bays for the tenancy identified as 'Retail' on the approved plans shall be provided on-site;

5.1.3 Nine (9) car parking bays for the Multiple Dwellings shall be provided on-site; and

5.1.4 Two (2) visitor car parking bays for Multiple Dwellings shall be provided on-site.



- 9.2 Vehicle and pedestrian access points are required to match into existing footpath levels.
- 9.3 The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development.
- 9.4 The car park shall be used only by owners, visitors and tenants directly associated with the development.
- 9.5 Bicycle facilities shall be designed and installed on-site in accordance with AS2890.3 and installed in the following locations to the satisfaction of the City:
 - 5.5.1 Five (5) long term bicycle facilities; and
 - 5.5.2 Three (3) short term bicycle facilities.
- 9.6 Two (2) visitor car parking spaces shall be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the City.

10. Parking Management Plan

- 10.1 Prior to the occupation of the development, a Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include, but not limited to, addressing the following:
 - Detailed management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors/tenants to the residential and non-residential units at all times;
 - The allocation of the car parking bays to ensure that there is a total of nine (9) resident bays and two (2) commercial bays.
- 10.2 The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers.

11. Right of Way widening

The Right of Way being widened 0.5m in accordance with the approved plan dated 7 February 2019 (attached) by the landowner transferring the land required to the Crown free of cost for the purpose of widening.

12. Public Art

- 12.1 Percent for public art contribution of \$22,500 being one percent of the total \$2.25 million value of the development shall be allocated towards public art prior to the commencement of the development;



12.2 Confirmation in writing outlining how the proposed development will comply with the City of Vincent Policy No. 7.5.13 – Percent for Art shall be submitted prior to commencement of development; and

12.3 Public art shall be approved by the City and fully installed or alternatively a cash-in-lieu payment made prior to occupation of the development.

13. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City.

14. Verge Infrastructure

No verge tree shall be removed without the prior written approval of the City. The verge tree shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City.

15. Waste Management

15.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved by the City.

15.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan.

15.3 Waste and refuse generated on the site by the Office and Shop shall be collected by a private contractor at the expense of the applicant/landowner unless otherwise approved by the City.

16. Acoustic Report and Noise Management

16.1 An Acoustic Report to the satisfaction of the City, which accords with the City's Policy No. 7.5.21 – Sound Attenuation, shall be lodged with and approved by the City prior to the commencement of the development.

16.2 All of the recommended measures included in the approved Acoustic statement dated November 2018 and the approved Acoustic report shall be implemented prior to the occupation or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.

17. Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;
- Dilapidation Reports of nearby properties;



- Air, sand and dust management;
- Stormwater and sediment control;
- Soil excavation method;
- Waste management and materials re-use;
- Traffic and access management;
- Parking arrangements for contractors and subcontractors; and
- Consultation plan with nearby properties.
- Compliance with AS4970-2009 relating to the protection of trees on the development site.

18. General

Conditions that have a time limitation for compliance, and the condition is not met in the required timeframe, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

19. The existing vehicle crossover to Oxford Street shall be removed, and the verge and kerb reinstated prior to the practical completion of the development to the City's satisfaction.

20. Landscaping

20.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum of 13.5 percent deep soil area, as defined by the City's Policy No. 7.1.1 – Built Form; and
- The provision of trees contributing towards 17.1 percent canopy coverage within deep soil areas provided and within the side and rear setback area. The tree species are to be in accordance with the City's recommended tree species list.
- Provision of one tree within the verge of Oxford Street adjoining the development shall be provided within the existing tree well. The tree species shall be Broad Leaved Paperbark – *Melaleuca quinquenervia*.

20.2 All works shown in the plans as identified in condition 20.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.

Advice Notes

1. This is a development approval only and is issued under the City of Vincent's Local Planning Scheme No. 2 and the Western Australian Planning Commission's Metropolitan Region Scheme only. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with any other laws.



2. This development approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
3. The applicant/landowner is advised to liaise with the Water Corporation in regards to servicing and infrastructure requirements for the development.
4. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any materials within the road reserve.
5. The right of way shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If, at completion of construction of the development, the condition of the right of way has deteriorated the applicant/owner shall make good the surface to the full satisfaction of the City.
6. An Infrastructure Protection Bond for the sum of \$3,000 together with a non-refundable inspection fee of \$100 shall be lodged with the City by the applicant, prior to the commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
7. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and right of way levels to the satisfaction of the City.
8. The City accepts no liability for the relocation of any public utility and/or any other services that may be required as a consequence of this development. The applicant/owner shall ensure that the location of all services is identified prior to submitting an application of building permit. The cost of relocated any services shall be borne by the applicant/owner.
9. With respect to stormwater, no further consideration shall be given to the disposal of stormwater 'off-site' without the submission of a geotechnical report from a qualified consultant. Should the approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
10. With respect to vehicle parking permits, the applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.



11. With respect to waste, the applicant/landowner is advised that should the private waste collection cease and the City be required to collect the waste generated on-site, the applicant/landowner is to liaise with the City in respect to the City's requirements and specifications. Any alterations made in order to meet the City's specifications may require an amendment to this approval.
12. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first be sought and obtained.
13. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005*, Part 14. An application must be made within 28 days of the determination.
14. Landscaping as required by condition 20 of the approval is required to be maintained following implementation, a requirement for maintenance and irrigation of landscaping shall be incorporated within any strata management plan.

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

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motions.

Cr Dan Loden and Cr Joshua Topelberg left the panel at 9:30am.

Cr Andres Timmermanis and Cr Rod Bradley joined the panel at 9:34am.

9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval

9.1 Property Location:	Lot 28 (No.18) Hortus Way, Jolimont
Development Description:	49 Multiple Dwellings
Proposed Amendments:	Dwelling mix, carparking reconfiguration and communal facilities modifications
Applicant:	MJA Studio
Owner:	Stirling Jolimont Pty Ltd
Responsible Authority:	Town of Cambridge
DAP File No:	DAP/17/01292

REPORT RECOMMENDATION

Moved by: Cr Andres Timmermanis

Seconded by: Cr Rod Bradley

That the Metro West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/17/01292 as detailed on the DAP Form 2 dated 8 January 2019 is appropriate for consideration in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/17/01292 as detailed on the DAP Form 2 date 8 January 2019 and accompanying plans dated 17 December 2018 in accordance with Clause 77 of Schedule 2 (Deemed Provisions) of the



Planning and Development (Local Planning Schemes) Regulations 2015 and the provisions of the *Town of Cambridge Town Planning Scheme No.1*, for the proposed minor amendment (for 49 Multiple Dwelling) to the original approved '50 Multiple Dwellings' at Lot 28 (No.18) Hortus Way, Jolimont, subject to the following:

Conditions:

1. The approved plans relate to only those modifications clouded in red. Any other modifications shown on those plans (ie. any that are outside the red clouded areas) do not form part of this approval.
2. All conditions and requirements of the original 27 November 2017 approval apply, unless altered by this approval.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: In accordance with details contained in the Responsible Authority Report.

10. Appeals to the State Administrative Tribunal

The Presiding Member noted the following State Administrative Tribunal Applications -

Current Applications		
LG Name	Property Location	Application Description
City of Vincent	Lot 10 (125) Richmond Street, Leederville	Modifications to the external façade of a Three Storey Multiple Dwelling Development
City of Vincent	Lot 1 (308) and Lot 2 (310) Oxford Street, Leederville	Five Storey Mixed Use Development
Town of Cambridge	Lot 2 (130) and Lot 3 (132) Brookdale Street, Floreat	Child Care Centre
Town of Cambridge	Lot 587 (264) Selby Street, Wembley	Child Care Centre
Town of Cambridge	Lot 181 (61-69) Cambridge Street, West Leederville	Redevelopment of Abbotsford Private Hospital
Town of Claremont	Lot 508 (3) Shenton Road, Claremont	Eight Storey Mixed Use Development
Town of Claremont	Lot 510 (58-62) Bay View Terrace, Claremont	Third storey additions and refurbishment of commercial tenancies and illuminated large format LED signage

11. General Business / Meeting Close

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 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.

There being no further business, the Presiding Member declared the meeting closed at 9:50am.