



Metro West Joint Development Assessment Panel Minutes

Meeting Date and Time: 6 April 2020; 9:00am
Meeting Number: MWJDAP/265
Meeting Venue: via electronic means

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

Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Mr Jarrod Ross (Deputy Presiding Member)
Mr Jason Hick (Specialist Member)
Mayor Cilla de Lacy (Local Government Member, City of Nedlands)
Cr Kerry Smyth (Local Government Member, City of Nedlands)

Officers in attendance

Mr Roy Winslow (City of Nedlands)
Mr Ross Jutras-Minett (City of Nedlands)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr Graham Hutton (Giorgi)
Mr Ben Carter (Pinnacle Planning)

Members of the Public / Media

There were 16 members of the public in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 9.09am on 6 April 2020 and acknowledged the traditional owners and pay 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 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.



The Presiding Member advised that 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 meeting would not be recorded.

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

2. Apologies

Nil

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

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Mayor Cilla de Lacy, declared that she participated in a prior Council meeting in relation to the application at item 8.1. However, under section 2.1.2 of the DAP Code of Conduct 2017, Mayor Cilla de Lacy acknowledged that she is not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before her, which will be considered on its planning merits.

7. Deputations and Presentations

7.1 Mr Ben Carter (Pinnacle Planning) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.3 The City of Nedlands officers responded to questions from the panel in relation to Item 8.1 addressed the DAP in relation to the application at Item.



8. Form 1 – Responsible Authority Reports – DAP Application/s

8.1 Property Location:	Lots 65 & 66 (14-16) Webster Street, Nedlands
Development Description:	Construction of 10 Residential Townhouses
Applicant:	Building Corporation WA Pty Ltd t/as Giorgi
Owner:	Christopher Robert Whitaker, Margaret Nunn, Barry Nigel Nunn, Joy Vimala Whitaker
Responsible Authority:	City of Nedlands
DAP File No:	DAP/20/01733

REPORT RECOMMENDATION

Moved by: Mr Jarrod Ross

Seconded by: Mr Jason Hick

1. **Approve** DAP Application reference DAP/19/01733 and accompanying plans (Plans A101-A107, A110, 0094-LS-001) 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 Nedlands Local Planning Scheme No.3, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.
2. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
3. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or in:
 - face brick;
 - painted render;
 - painted brickwork; or
 - other clean material as specified on the approved plans and maintained thereafter to the satisfaction of the City of Nedlands.
4. All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for at least 1 in 20-year storms event. No stormwater will be permitted to enter the City of Nedlands's stormwater drainage system unless otherwise approved.
5. Prior to the issue of a building permit, the applicant shall submit a schedule of materials, colours, finishes and textures for the development to the satisfaction of the City of Nedlands.
6. Prior to occupation of the development, each dwelling unit shall be provided with mechanical clothes driers or alternatively shall have an adequate area provided for drying clothes. Any drying area shall be screened from view from any adjacent public place, to the satisfaction of the City of Nedlands.



7. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City of Nedlands.
8. Prior to occupation of the development, all air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located or screened so as not to be highly visible from beyond the boundaries of the development site to the satisfaction of the City of Nedlands.
9. Prior to the issue of a Building Permit, a detailed landscaping plan shall be submitted to and approved by the City of Nedlands and is to be installed and maintained in accordance with that plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City of Nedlands.
10. A Demolition and Construction Management Plan addressing the control of; vibration, dust, noise, waste, sand, sediment, temporary fencing, hoardings, gantries, site access / egress, site deliveries, heavy construction machinery and traffic control shall be provided to the City of Nedlands with or before the demolition permit and building permit approval applications are submitted.
11. Prior to the issue of a building permit, a noise management plan is to be submitted detailing measures that will be undertaken to ensure noise levels are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997. The plan is to be prepared by a suitably qualified consultant and is to include:
 - sound proofing measures used in the design and construction of the development;
 - predictions of noise levels;
 - control measures to be undertaken (including monitoring procedures); and
 - a complaint response procedure.

All sound attenuation measures, identified by the plan or as additionally required by the City, are to be implemented prior to occupancy of the development or as otherwise required by the City and the requirements of the plan are to be observed at all times.
12. Prior to the issue of a Building Permit, the development shall be required to incorporate noise mitigation measures as required by the State Planning Policy 5.4 – Road and Rail Noise, to the satisfaction of the City of Nedlands.
13. The waste management plan received 19 February 2020 forms part of this development approval and shall be complied with at all times to the satisfaction of the City of Nedlands.
14. The responsible entity (strata/corporate body) shall be liable for all bin replacement costs and/or repair costs relating to damage caused as a result of the bin compaction process.



15. The applicant shall arrange a suitably qualified consultant to prepare a lighting plan which demonstrates that the proposed development will not cause adverse amenity impacts on the surrounding locality and comply with the relevant Australian Standard:
 - a) a full site plan indicating the proposed siting of lighting columns including details of their proposed height;
 - b) times of operation;
 - c) a Management Plan to detail the methods that will be employed to mitigate the impacts of light penetration and glare to the occupiers of adjacent property, including the use of an automatic timing device;
 - d) details of orientation and hooding and/or other measures to minimise their impact in the interests of pedestrian and/or vehicular safety and amenity; and
 - e) details where the proposed floodlighting is sited in close proximity to residential property, the spread of lighting from the lighting installation must be restricted in accordance with the relevant Australian Standard.
16. Provision of screen fencing in accordance with section 5.4.1 of State Planning Policy 7.3 Residential Design Codes (Volume 1) along the southern boundary of the site, prior to occupation of the development and to the satisfaction of the City of Nedlands.
17. Suitable arrangements being implemented prior to occupancy for access to the visitor car parking bays via intercom or similar to the satisfaction of the City of Nedlands.
18. All redundant crossovers to be removed and the verge and kerbing reinstated prior to occupation of the development to the satisfaction of the City of Nedlands.
19. Further details of finished levels and retaining walls within the primary street setback to be submitted to and approved by the City of Nedlands prior to issue of the building permit.
20. The louvres shown on the submitted plans are to be installed in a manner to meet the provisions of section 5.4.1 C1.2 of State Planning Policy 7.3 Residential Design Codes Volume 1.



Advice Notes

1. In relation to Condition 10, the applicant is advised that the Construction Management Plan is to address but is not limited to the following matters:
 - a) hours of construction;
 - b) traffic management;
 - c) parking management;
 - d) access management;
 - e) management of loading and unloading of vehicles;
 - f) heavy vehicle access;
 - g) dust management;
 - h) waste management (where applicable);
 - i) protection of infrastructure and street trees within the road reserve;
 - j) the need for a dilapidation report of adjoining properties;
 - k) if required, details of and reasons for construction work on the construction site that is likely to be carried out other than between 7.00 am and 7.00 pm on any day which is not a Sunday or public holiday;
 - l) if required, details of and duration of activities on the construction site likely to result in noise emissions that fail to comply with the standard prescribed under regulation 7 of the Environmental Protection (Noise) Regulations 1997;
 - m) predictions of noise emission on the construction site;
 - n) use of City car parking bays for construction related activities;
 - o) protection of infrastructure and street trees within the road reserve;
 - p) security fencing around construction sites;
 - q) gantries;
 - r) dewatering management plan;
 - s) contact details;
 - t) site offices;
 - u) details of measures to be implemented to control noise (including vibration) emissions;
 - v) complaint response procedure to be adopted;
 - w) details of how dust will be suppressed (e.g. by use of water tanker, independently powered water pumps, high volume hoses) or whether an approval from the water corporation for hydrant standpipe has been granted;
 - x) details of how dust and sand drift will be controlled in the event that the landscape remains bare for any period of time after demolition (consideration of more permanent dust suppression or sand drift measures such as hydromulching); and
 - y) any other relevant matters.
2. The applicant is advised to consult with the City's Building Services before lodging the Building Permit.
3. The applicant is advised that regarding Condition 14, the responsible entity (land owner) is responsible for the maintenance of the common property (including roads) within the development.



4. In relation to Condition 15 the applicant is advised that:
 - a) a Suitably qualified lighting consultant – is to be a Member of the illuminating Engineering Society of Australia and New Zealand;
 - b) the Relevant Australian Standard is Australian Standard AS.4282 – Control of the Obtrusive Effects of Outdoor Lighting; and
 - c) certification by a suitably qualified lighting consultant shall demonstrate that the development is in compliance with the relevant Australian Standard. On completion of the installation, the consultant is to confirm that the lighting conforms to the relevant Australian Standard and if not, remedial measures are to be undertaken to rectify the situation and bring about compliance with the relevant Australian Standard. The requirement for confirmation certification on completion of the installation is to be included as a condition on all planning approvals granted by the City.
5. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.
6. Removal and disposal of ACM shall be in accordance with Health (Asbestos) Regulations 1992, Regulations 5.43 - 5.53 of the Occupational Safety and Health Regulations 1996, Code of Practice for the Safe Removal of Asbestos 2nd Edition, Code of Practice for the Management and Control of Asbestos in a Workplace, and any Department of Commerce Worksafe requirements.
7. Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.
8. The applicant is advised that the maximum number of 240L bins allowed on the verge for collection is 8 in total (which includes 3x2 40L City of Nedlands weekly waste bins and 5x City of Nedlands fortnightly recycling bins).
9. Any internal bins used by each unit shall be purchased and maintained by the developer by private arrangement.
10. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.
11. A sewage treatment and effluent disposal system or greywater reuse or treatment system shall not be installed unless an Approval to Construct or Install an Apparatus for the Treatment of Sewage has been issued by the City beforehand.
12. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.
13. The applicant is advised that laundry facilities are to be provided in accordance with the Building Code of Australia, and adequately ventilated to reduce condensation, in accordance with AS1668.2 The use of mechanical ventilation and Air-conditioning in buildings.



14. The applicant is advised that developers are responsible for providing telecommunications infrastructure in their developments. To provide this infrastructure, they need to contract a carrier to install telecommunications infrastructure in their new development. If you choose National Broadband Network (NBN) to service your development, you will need to enter into a developer agreement with NBN. The first step is to register the development via <http://www.NBNco.com.au/develop-orplanwiththeNBN/newdevelopments.html>, once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least six months before the required service date. All telecommunications infrastructure should be built to NBN guidelines found at <http://www.NBNco.com.au/develop-or-plan-withtheNBN/newdevelopments/builders-designers.html>.
15. The applicant is advised to consult the City's Acoustic Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours. Prior to selecting a location for an air-conditioner, the applicant the applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide to prevent noise affecting neighbouring properties.
16. As the proposal consists of more than 3 dwellings the applicant is advised that the City's Health Local Laws 2017 require an enclosure for the storage and cleaning of waste receptacles to be provided on the premises, per the following requirements:
 - a) sufficient in size to accommodate all receptacles used on the premises;
 - b) constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
 - c) walls not less than 1.8m in height and access of not less than 1.0 metre in width fitted with a self-closing gate;
 - d) smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
 - e) easily accessible to allow for the removal of the receptacles;
 - f) provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City;
 - g) provided with a tap connected to an adequate supply of water;
 - h) adequately ventilated, such that they do not create a nuisance to residences (odour); and
 - i) the location of all exhaust systems, ductwork and any other mechanical service is not to be such that it will cause a nuisance for residents.
17. The applicant is advised that all works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, also require a separate approval from the City of Nedlands prior to construction commencing.
18. Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Works Application (NSWA) to be lodged with, and approved by, the City's Technical Services department, prior to construction commencing.



19. The applicant is advised that a new crossover or modification to an existing crossover will require a separate approval from the City of Nedlands prior to construction commencing.
20. The applicant is advised that the contractor/developer shall protect the City's street trees from any damage that may be caused by the scope of works covered by this contract for the duration of the contract. All work carried out under this contract is to comply with the City's policies, guidelines and Australian Standards relating to the protection of trees on or adjacent to development sites (AS 4870-2009).
21. The applicant is advised that all street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved by the City of Nedlands.

AMENDING MOTION 1

Moved by: Mr Jason Hick

Seconded by: Mr Jarrod Ross

That Condition 9 be amended to read as follows:

~~Prior to the issue of a Building Permit, a detailed landscaping plan shall be submitted to and approved by the City of Nedlands and~~ The landscaping plan received by the City on 20 February 2020 shall form part of this approval. The landscaping is to be installed and maintained in accordance with that plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City of Nedlands.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The applicant had already submitted and negotiated a landscaping plan with the City and this was considered to be of a suitable level of detail for implementation, and as such it was not considered necessary to require a further plan or to delay the progression of a building permit application.

AMENDING MOTION 2

Moved by: Mr Jason Hick

Seconded by: Mr Jarrod Ross

That Condition 15 and Advice Note No 4 be deleted and the remaining conditions and advice notes be renumbered accordingly.

The Amending Motion was put and CARRIED (4/1).

For: Ms Francesca Lefante
Mr Jarrod Ross
Mr Jason Hick
Mayor Cilla de Lacy

Against: Cr Kerry Smyth



REASON: Condition 15, and the corresponding advice note, were not considered necessary given the development proposed is medium density residential dwellings which would generally not result in light spill to surrounding residents.

REPORT RECOMMENDATION (AS AMENDED)

1. **Approve** DAP Application reference DAP/19/01733 and accompanying plans (Plans A101-A107, A110, 0094-LS-001) 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 Nedlands Local Planning Scheme No.3, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.
2. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
3. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or in:
 - face brick;
 - painted render;
 - painted brickwork; or
 - other clean material as specified on the approved plans and maintained thereafter to the satisfaction of the City of Nedlands.
4. All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for at least 1 in 20-year storms event. No stormwater will be permitted to enter the City of Nedlands's stormwater drainage system unless otherwise approved.
5. Prior to the issue of a building permit, the applicant shall submit a schedule of materials, colours, finishes and textures for the development to the satisfaction of the City of Nedlands.
6. Prior to occupation of the development, each dwelling unit shall be provided with mechanical clothes driers or alternatively shall have an adequate area provided for drying clothes. Any drying area shall be screened from view from any adjacent public place, to the satisfaction of the City of Nedlands.
7. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City of Nedlands.



8. Prior to occupation of the development, all air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located or screened so as not to be highly visible from beyond the boundaries of the development site to the satisfaction of the City of Nedlands.
9. The landscaping plan received by the City on 20 February 2020 shall form part of this approval. The landscaping is to be installed and maintained in accordance with that plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City of Nedlands.
10. A Demolition and Construction Management Plan addressing the control of; vibration, dust, noise, waste, sand, sediment, temporary fencing, hoardings, gantries, site access / egress, site deliveries, heavy construction machinery and traffic control shall be provided to the City of Nedlands with or before the demolition permit and building permit approval applications are submitted.
11. Prior to the issue of a building permit, a noise management plan is to be submitted detailing measures that will be undertaken to ensure noise levels are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997. The plan is to be prepared by a suitably qualified consultant and is to include:
 - sound proofing measures used in the design and construction of the development;
 - predictions of noise levels;
 - control measures to be undertaken (including monitoring procedures); and
 - a complaint response procedure.

All sound attenuation measures, identified by the plan or as additionally required by the City, are to be implemented prior to occupancy of the development or as otherwise required by the City and the requirements of the plan are to be observed at all times.
12. Prior to the issue of a Building Permit, the development shall be required to incorporate noise mitigation measures as required by the State Planning Policy 5.4 – Road and Rail Noise, to the satisfaction of the City of Nedlands.
13. The waste management plan received 19 February 2020 forms part of this development approval and shall be complied with at all times to the satisfaction of the City of Nedlands.
14. The responsible entity (strata/corporate body) shall be liable for all bin replacement costs and/or repair costs relating to damage caused as a result of the bin compaction process.
15. Provision of screen fencing in accordance with section 5.4.1 of State Planning Policy 7.3 Residential Design Codes (Volume 1) along the southern boundary of the site, prior to occupation of the development and to the satisfaction of the City of Nedlands.
16. Suitable arrangements being implemented prior to occupancy for access to the visitor car parking bays via intercom or similar to the satisfaction of the City of Nedlands.



17. All redundant crossovers to be removed and the verge and kerbing reinstated prior to occupation of the development to the satisfaction of the City of Nedlands.
18. Further details of finished levels and retaining walls within the primary street setback to be submitted to and approved by the City of Nedlands prior to issue of the building permit.
19. The louvres shown on the submitted plans are to be installed in a manner to meet the provisions of section 5.4.1 C1.2 of State Planning Policy 7.3 Residential Design Codes Volume 1.

Advice Notes

1. In relation to Condition 10, the applicant is advised that the Construction Management Plan is to address but is not limited to the following matters:
 - a) hours of construction;
 - b) traffic management;
 - c) parking management;
 - d) access management;
 - e) management of loading and unloading of vehicles;
 - f) heavy vehicle access;
 - g) dust management;
 - h) waste management (where applicable);
 - i) protection of infrastructure and street trees within the road reserve;
 - j) the need for a dilapidation report of adjoining properties;
 - k) if required, details of and reasons for construction work on the construction site that is likely to be carried out other than between 7.00 am and 7.00 pm on any day which is not a Sunday or public holiday;
 - l) if required, details of and duration of activities on the construction site likely to result in noise emissions that fail to comply with the standard prescribed under regulation 7 of the Environmental Protection (Noise) Regulations 1997;
 - m) predictions of noise emission on the construction site;
 - n) use of City car parking bays for construction related activities;
 - o) protection of infrastructure and street trees within the road reserve;
 - p) security fencing around construction sites;
 - q) gantries;
 - r) dewatering management plan;
 - s) contact details;
 - t) site offices;
 - u) details of measures to be implemented to control noise (including vibration) emissions;
 - v) complaint response procedure to be adopted;
 - w) details of how dust will be suppressed (e.g. by use of water tanker, independently powered water pumps, high volume hoses) or whether an approval from the water corporation for hydrant standpipe has been granted;
 - x) details of how dust and sand drift will be controlled in the event that the landscape remains bare for any period of time after demolition (consideration of more permanent dust suppression or sand drift measures such as hydromulching); and
 - y) any other relevant matters.



2. The applicant is advised to consult with the City's Building Services before lodging the Building Permit.
3. The applicant is advised that regarding Condition 14, the responsible entity (land owner) is responsible for the maintenance of the common property (including roads) within the development.
4. In relation to Condition 15 the applicant is advised that:
 - a) a Suitably qualified lighting consultant – is to be a Member of the illuminating Engineering Society of Australia and New Zealand;
 - b) the Relevant Australian Standard is Australian Standard AS.4282 – Control of the Obtrusive Effects of Outdoor Lighting; and
 - c) certification by a suitably qualified lighting consultant shall demonstrate that the development is in compliance with the relevant Australian Standard. On completion of the installation, the consultant is to confirm that the lighting conforms to the relevant Australian Standard and if not, remedial measures are to be undertaken to rectify the situation and bring about compliance with the relevant Australian Standard. The requirement for confirmation certification on completion of the installation is to be included as a condition on all planning approvals granted by the City.
5. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.
6. Removal and disposal of ACM shall be in accordance with Health (Asbestos) Regulations 1992, Regulations 5.43 - 5.53 of the Occupational Safety and Health Regulations 1996, Code of Practice for the Safe Removal of Asbestos 2nd Edition, Code of Practice for the Management and Control of Asbestos in a Workplace, and any Department of Commerce Worksafe requirements.
7. Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.
8. The applicant is advised that the maximum number of 240L bins allowed on the verge for collection is 8 in total (which includes 3x2 40L City of Nedlands weekly waste bins and 5x City of Nedlands fortnightly recycling bins).
9. Any internal bins used by each unit shall be purchased and maintained by the developer by private arrangement.
10. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.
11. A sewage treatment and effluent disposal system or greywater reuse or treatment system shall not be installed unless an Approval to Construct or Install an Apparatus for the Treatment of Sewage has been issued by the City beforehand.



12. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.
13. The applicant is advised that laundry facilities are to be provided in accordance with the Building Code of Australia, and adequately ventilated to reduce condensation, in accordance with AS1668.2 The use of mechanical ventilation and Air-conditioning in buildings.
14. The applicant is advised that developers are responsible for providing telecommunications infrastructure in their developments. To provide this infrastructure, they need to contract a carrier to install telecommunications infrastructure in their new development. If you choose National Broadband Network (NBN) to service your development, you will need to enter into a developer agreement with NBN. The first step is to register the development via <http://www.NBNco.com.au/develop-orplanwiththeNBN/newdevelopments.html>, once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least six months before the required service date. All telecommunications infrastructure should be built to NBN guidelines found at <http://www.NBNco.com.au/develop-or-plan-withtheNBN/newdevelopments/builders-designers.html>.
15. The applicant is advised to consult the City's Acoustic Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours. Prior to selecting a location for an air-conditioner, the applicant the applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide to prevent noise affecting neighbouring properties.
16. As the proposal consists of more than 3 dwellings the applicant is advised that the City's Health Local Laws 2017 require an enclosure for the storage and cleaning of waste receptacles to be provided on the premises, per the following requirements:
 - a) sufficient in size to accommodate all receptacles used on the premises;
 - b) constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
 - c) walls not less than 1.8m in height and access of not less than 1.0 metre in width fitted with a self-closing gate;
 - d) smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
 - e) easily accessible to allow for the removal of the receptacles;
 - f) provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City;
 - g) provided with a tap connected to an adequate supply of water;
 - h) adequately ventilated, such that they do not create a nuisance to residences (odour); and
 - i) the location of all exhaust systems, ductwork and any other mechanical service is not to be such that it will cause a nuisance for residents.



17. The applicant is advised that all works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, also require a separate approval from the City of Nedlands prior to construction commencing.
18. Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Works Application (NSWA) to be lodged with, and approved by, the City's Technical Services department, prior to construction commencing.
19. The applicant is advised that a new crossover or modification to an existing crossover will require a separate approval from the City of Nedlands prior to construction commencing.
20. The applicant is advised that the contractor/developer shall protect the City's street trees from any damage that may be caused by the scope of works covered by this contract for the duration of the contract. All work carried out under this contract is to comply with the City's policies, guidelines and Australian Standards relating to the protection of trees on or adjacent to development sites (AS 4870-2009).
21. The applicant is advised that all street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved by the City of Nedlands.

REASON: The proposed development was considered to be of an appropriate scale and design standard for the locality and in the context of the applicable planning framework.

The Report Recommendation (as amended) was put and CARRIED (3/2).

For: Ms Francesca Lefante
Mr Jarrod Ross
Mr Jason Hick

Against: Mayor Cilla de Lacy
Cr Kerry Smyth

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

Nil

10. Appeals to the State Administrative Tribunal

The Presiding Member noted the following State Administrative Tribunal Application –

Current SAT Applications		
LG Name	Property Location	Application Description
Town of Claremont	Lots 18 (164) and 19 (162) Alfred Road, Swanbourne	Proposed Childcare Centre



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 10.53am.