



Metro West Joint Development Assessment Panel Minutes

Meeting Date and Time: 22 January 2020, 9:00 AM
Meeting Number: MWJDAP/255
Meeting Venue: City of Nedlands Council Chambers
71 Stirling Highway, Nedlands

Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Mr Jarrod Ross (Deputy Presiding Member)
Mr John Syme (A/Specialist Member)
Cr Kerry Smyth (Local Government Member, City of Nedlands)
Cr John Wetherall (Local Government Member, City of Nedlands)

Officers in attendance

Mr Ross Jutras-Minett (City of Nedlands)
Mr Joshua Scrutton (City of Nedlands)

Minute Secretary

Ms Kimberley Richards (City of Nedlands)

Applicants and Submitters

Mr James Carn (Arup)
Mr David Read (element)
Mr Jacob Martin (Cardno)
Mr Basil Voges (Silver Thomas Hanley Architects)
Mr Varghese Komattu Matthews
Mr Kim Holmes

Members of the Public / Media

There were 12 members of the public in attendance.

Ms Victoria Rifici from Western Suburbs Weekly was in attendance.

Mr Ben Dickson from The Post Newspaper was in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 9.00am on 22 January 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 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 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

Nil

7. Deputations and Presentations

7.1 Mr Varughese Komattu Matthews addressed the DAP against the application at Item 8.1.

7.2 Mr Kim Holmes addressed the DAP against the application at Item 8.1.

7.3 Mr David Read (element) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.4 Mr Jacob Martin (Cardno) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.5 Mr Ross Jutras-Minett (City of Nedlands) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

7.6 Mr James Carn (Arup) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

7.7 Mr Josh Scrutton (City of Nedlands) 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 Application

8.1 Property Location:	No. 101 (Lot 564) Monash Avenue, Nedlands
Development Description:	Additions to Hospital comprising wards, emergency department and associated hospital facilities
Applicant:	Element Advisory Pty Ltd
Owner:	Ramsay Hospital Holdings Pty Ltd
Responsible Authority:	City of Nedlands
DAP File No:	DAP/19/01666

REPORT RECOMMENDATION

Moved by: Nil

Seconded by: Nil

That the Metro-West JDAP resolves to:

1. **Refuse** DAP Application reference DAP/19/01666 and accompanying plans (SD.02, SD.03, SD.04, SD.05, SD.06, SD.07, SD.08, SD.09, SD.10, SD.11, SD.12, SD.13, SD.14, SD.15, SD.16, SD.17, SD.18, SD.19 AND SD.20) 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, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme for the following reasons:

Reasons

1. Having regard to clause 67(t)(y) of the Planning and Development (Local Planning Schemes) Regulations 2015, the traffic impacts as a result of the development proposal on the surrounding road network have not been satisfactorily addressed. The applicant's Transport Impact Assessment (TIA) is considered to lack the necessary modelling for a development of this scale. Based on the applicant's submitted report, the City therefore has determined that the development will adversely affect the local road network and pedestrian safety. Proper modelling should be undertaken before a decision is made.
2. Having regard to clause 67(a)(b)(m)(n)(t), the traffic generated by the proposed development has an impact on the amenity of the locality, and would therefore not satisfy the aims of LPS 3, and prejudices the orderly and proper planning of the UWA- QEII Specialised Activity Centre.

The Report Recommendation LAPSED for want of a mover and a seconder.



ALTERNATE MOTION

Moved by: Mr John Syme

Seconded by: Mr Jarrod Ross

That the Metro-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/19/01666 and accompanying plans (SD.02, SD.03, SD.04, SD.05, SD.06, SD.07, SD.08, SD.09, SD.10, SD.11, SD.12, SD.13, SD.14, SD.15, SD.16, SD.17, SD.18, SD.19 AND SD.20) 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, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme for the following reasons:

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. The development shall be in accordance with the Hospital land use as defined within Local Planning Scheme No. 3, the approved plan(s), any other supporting information and conditions of approval.
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 storm event. No stormwater will be permitted to enter the City of Nedlands's stormwater drainage system unless otherwise approved.
5. 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.
6. Prior to commencement of development, 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.
7. Prior to occupation, the proposed car parking and vehicle 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 to the satisfaction of the City of Nedlands.
8. Prior to the approval of a demolition permit a photographic record of the buildings identified in the Municipal Inventory shall be submitted to the City, to the satisfaction of the City of Nedlands.



9. 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, traffic control shall be provided to the City of Nedlands with or before the demolition permit and building permit approval applications are submitted.
10. Prior to commencement of development, a report shall be submitted by a suitably qualified acoustic engineer certifying that the proposal incorporates sufficient sound attenuation measures to limit noise impact on adjoining properties within the requirements of the Environmental Protection Act. The measures identified in the report shall be implemented and thereafter maintained to the satisfaction of the City of Nedlands.
11. Prior to the lodgement 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 lodgement of a building permit, a waste management plan must be prepared and approved by the City of Nedlands to include the following detail to the satisfaction of the City of Nedlands:
 - i. the location of bin storage areas and bin collection areas;
 - ii. the number, volume and type of bins, and the type of waste to be placed in the bins;
 - iii. management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - iv. frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan and maintained at all times, for the duration of development.

13. Prior to the lodgement of a building permit, the applicant shall lodge and have approved a nature strip improvement and crossover application to the satisfaction of the City of Nedlands.
14. The signage hereby approved shall not contain any flashing or moving light or radio; animation or movement in its design or structure; reflective, retro-reflective or fluorescent materials in its design structure.



Advice Notes

1. In relation to condition (4), the legal agreement will note that if the required works are not completed within five (5) years, the City will refund the bond to the applicant.
2. In relation to condition (6), the applicant is advised that the landscaping plan is to include one mature tree capable of providing shade on the eastern side of the hereby approved car parking area.
3. In relation to condition (9), 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) a dilapidation report of adjoining properties from 94 to 106 Monash Avenue or as otherwise agreed by the City;
 - 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) Staging plan for the entire works;
 - s) Applicable timeframes and assigned responsibilities for tasks;
 - t) Onsite storage of materials and equipment;
 - u) Parking for contractors;
 - v) Waste management;
 - w) Management of noise in accordance with the requirements of the Environmental Protection (Noise) Regulations 1997;
 - x) Management of vibrations;
 - y) Complaints and incidents; and
 - z) Site signage showing the builder's direct contact details (telephone number and email address).
 - aa) dewatering management plan;
 - bb) contact details;
 - cc) site offices;
 - dd) details of measures to be implemented to control noise (including vibration) emissions;
 - ee) complaint response procedure to be adopted;
 - ff) 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; and
- gg) 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 hydro-mulching); and
 - hh) any other relevant matters.
4. In relation to condition (10), the applicant is advised that the acoustic report shall include the following:
- a) projected sound power levels of likely noisy equipment and activities and how they will be managed (i.e. early/late deliveries/collections (including waste), plant room design, location and orientation, roof or wall mounted air conditioner and venting units (location, design and projected sound power levels – including some indication of what could be expected at nearby noise sensitive premises). This would need to be modelled on appropriate noise modelling software.
 - b) Details and requirement for acoustic shrouding and /or walls surrounding the loading dock and the development generally (including all significant plant and noise generating equipment).
 - c) LA10 figures to be used for noise sensitive premises by the acoustic consultant, in addition to LA1 figures;
 - d) Projected noise levels for deliveries and collections need to be modelled with doors open/closed and a comparison made of noise received at neighbouring noise sensitive premises (including reversing beepers and the like). Also need to consider noise from loading doors opening and shutting, clanging of chains, bins and other associated activities;
 - e) There is limited information available within the report as to the details and requirement for acoustic shrouding and /or walls surrounding the loading dock and the development generally (including plant).
 - f) Noise from the from the proposed rehab gym (in previous applications this hasn't been considered and historically has been proven to be an issue for receiving noise sensitive premises);
 - g) Detail on plant, in terms of fans and whether timed or variable speed fans etc. will be used to minimise noise impacts on noise sensitive receivers.
5. In relation to condition (12), the applicant is advised that the waste management plan is required to include but is not limited to the following details:
- a) Details of collection times and methods;
 - b) A noise management plan detailing measures that will be undertaken to ensure noise levels are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997 for any waste proposed to be collected between the hours of 7pm to 7am; and
 - c) Appropriate traffic management measures to mitigate conflicts between private vehicles and waste collection vehicles.



6. In relation to condition (12) the applicant is advised that in order to comply with the City's Health Local Laws 2017, the enclosure for the storage and cleaning of waste receptacles to be provided on the premises must demonstrate the following:
 - 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; and
 - h) Adequately ventilated, such that they do not create a nuisance to residences (odour)
7. In relation to condition (13), the City's Technical Services advises that the proposed crossover must be slightly modified to account for an existing pedestrian refuge island.
8. The applicant is advised that all rubbish bins must be serviced from within the site and not presented on the City's verge.
9. The applicant is advised that where building works are proposed a building permit shall be applied for prior to works commencing.
10. The applicant is advised that where parts of the existing building and structures are to be demolished, a demolition permit is required prior to demolition works occurring. All works are required to comply with relevant statutory provisions.
11. This facility will require referral to and assessment and approval of the WA Department of Health (Radiation Health Unit). This will include full compliance with the Radiation Safety Act 1975 and Radiation Safety (General) Regulations 1983
12. The landowner is advised that all mechanical equipment (e.g. air-conditioner, swimming pool or spa) is required to comply with the Environmental Protection (Noise) Regulations 1997, in relation to noise.
13. The applicant is advised that 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.
14. 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.
15. 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.



16. The applicant is advised that the development is to be provided with suitable enclosures for the storage and cleaning of waste receptacles on the premises per the following requirements:
 - a) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
 - b) 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;
 - c) Smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
 - d) Easily accessible to allow for the removal of the receptacles;
 - e) Provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City; and
 - f) Provided with a tap connected to an adequate supply of water;
 - g) Adequately ventilated to mitigate odour.
17. The applicant and landowner are advised that service and/or delivery vehicles are not to service the premises before 7.00 am or after 7.00 pm Monday to Saturday, and/or before 9.00 am or after 7.00 pm on Sundays and Public Holidays unless otherwise approved by the City beforehand.
18. The applicant and landowner are advised that the location of any bin stores shall be behind the street alignment and so as not to be visible from a street or public place, in accordance with the City's Health Local Law 1997.
19. The applicant and landowner are advised that 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.
20. The applicant and landowner are advised that a Form1 Application to Construct, Extend or Alter a Public Building is required to be submitted to the City, prior to the issuing a Building Permit.
21. The applicant and landowner are advised that adequate staff and public sanitary conveniences shall be provided in accordance with the Building Code of Australia. Where these are situated externally to the public building, the area providing access to the sanitary conveniences shall be illuminated.
22. Prior to commencing a Food Business, a documented Food Safety Program which meets the requirements of the Australian New Zealand Food Standards Code Standard 3.2.1 Food Safety Programs, shall be deemed satisfactory by an Environmental Health Officer at the City.
23. Prior to commencing a Food Business* a proprietor shall lodge with the City a Food Business Registration / Notification Form
24. Prior to the outdoor dining area commencing, the proprietor of the Food Business shall lodge with the City an Application for Outdoor Dining Licence to conduct an outdoor dining area in a street or public place not on the private property. Please note that the outdoor dining areas located on the nature strip/verge will need to be approved by the City's Technical Services Department before the Application for Outdoor Dining Licence is determined.



25. Designated storage areas for cleaning chemicals and equipment and personal belongings shall be available and separate from any food preparation or food storage area.
26. Adequate staff and public sanitary conveniences shall be provided in accordance with the Building Code of Australia.
27. 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.
28. The applicant is advised that ventilation of any proposed food premises shall be provided in accordance with the requirements of Australian Standards AS1668.2-1991 "The use of mechanical ventilation for acceptable indoor air quality" and Building Code of Australia (BCA) and be sufficient in ensuring mitigation of odour, so as not to affect other commercial or residential units.
29. Any proposed food tenancies will need to comply fully with all provisions of the Food Act 2008 and the Australian and New Zealand Food Standards Code. This will include the submission and approval of full detailed design and food tenancy fit out plans that are scaled at not less than 1:100 scale. They will need to include details of all surfaces, finishes, equipment, processes and satisfactory demonstrates food safety outcomes.
30. 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.
31. The applicant and landowner are 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 and paid for by the owner of the property where the development is proposed, unless otherwise approved.

AMENDING MOTION (AS AMENDED)

Moved by: Mr Jarrod Ross

Seconded by: Mr John Syme

The following amendments were made en bloc:

- (i) That Advice Note 1 be deleted and the remaining advice notes be renumbered accordingly.

REASON: Advice note 1 referred to former condition 4 of the alternate recommendation which was not carried over as part of the alternate motion



(ii) That condition 10 be amended to read as follows:

Prior to commencement of ~~development~~ **construction**, a report shall be submitted by a suitably qualified acoustic engineer certifying that the proposal incorporates sufficient sound attenuation measures to limit noise impact on adjoining properties within the requirements of the Environmental Protection Act. The measures identified in the report shall be implemented and thereafter maintained to the satisfaction of the City of Nedlands.

REASON: Condition 10 should refer to construction rather than development to avoid any requirement for an acoustic report being prepared for demolition or preliminary works not directly associated with the construction proposed.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Mr John Syme left the panel at 11.08am.

Mr John Syme joined the panel at 11.10am.

ALTERNATE MOTION (AS AMENDED)

That the Metro-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/19/01666 and accompanying plans (SD.02, SD.03, SD.04, SD.05, SD.06, SD.07, SD.08, SD.09, SD.10, SD.11, SD.12, SD.13, SD.14, SD.15, SD.16, SD.17, SD.18, SD.19 AND SD.20) 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, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme for the following reasons:

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. The development shall be in accordance with the Hospital land use as defined within Local Planning Scheme No. 3, the approved plan(s), any other supporting information and conditions of approval.
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 storm event. No stormwater will be permitted to enter the City of Nedlands's stormwater drainage system unless otherwise approved.



5. 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.
6. Prior to commencement of development, 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.
7. Prior to occupation, the proposed car parking and vehicle 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 to the satisfaction of the City of Nedlands.
8. Prior to the approval of a demolition permit a photographic record of the buildings identified in the Municipal Inventory shall be submitted to the City, to the satisfaction of the City of Nedlands.
9. 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, traffic control shall be provided to the City of Nedlands with or before the demolition permit and building permit approval applications are submitted.
10. Prior to commencement of construction, a report shall be submitted by a suitably qualified acoustic engineer certifying that the proposal incorporates sufficient sound attenuation measures to limit noise impact on adjoining properties within the requirements of the Environmental Protection Act. The measures identified in the report shall be implemented and thereafter maintained to the satisfaction of the City of Nedlands.
11. Prior to the lodgement 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 lodgement of a building permit, a waste management plan must be prepared and approved by the City of Nedlands to include the following detail to the satisfaction of the City of Nedlands:
 - i. the location of bin storage areas and bin collection areas;
 - ii. the number, volume and type of bins, and the type of waste to be placed in the bins;
 - iii. management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - iv. frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan and maintained at all times, for the duration of development.

13. Prior to the lodgement of a building permit, the applicant shall lodge and have approved a nature strip improvement and crossover application to the satisfaction of the City of Nedlands.
14. The signage hereby approved shall not contain any flashing or moving light or radio; animation or movement in its design or structure; reflective, retro-reflective or fluorescent materials in its design structure.

Advice Notes

1. In relation to condition (6), the applicant is advised that the landscaping plan is to include one mature tree capable of providing shade on the eastern side of the hereby approved car parking area.
2. In relation to condition (9), 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) a dilapidation report of adjoining properties from 94 to 106 Monash Avenue or as otherwise agreed by the City;
 - 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) Staging plan for the entire works;
 - s) Applicable timeframes and assigned responsibilities for tasks;



- t) Onsite storage of materials and equipment;
 - u) Parking for contractors;
 - v) Waste management;
 - w) Management of noise in accordance with the requirements of the Environmental Protection (Noise) Regulations 1997;
 - x) Management of vibrations;
 - y) Complaints and incidents; and
 - z) Site signage showing the builder's direct contact details (telephone number and email address).
 - aa) dewatering management plan;
 - bb) contact details;
 - cc) site offices;
 - dd) details of measures to be implemented to control noise (including vibration) emissions;
 - ee) complaint response procedure to be adopted;
 - ff) 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; and
 - gg) 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 hydro-mulching); and
 - hh) any other relevant matters.
3. In relation to condition (10), the applicant is advised that the acoustic report shall include the following:
- a) projected sound power levels of likely noisy equipment and activities and how they will be managed (i.e. early/late deliveries/collections (including waste), plant room design, location and orientation, roof or wall mounted air conditioner and venting units (location, design and projected sound power levels – including some indication of what could be expected at nearby noise sensitive premises). This would need to be modelled on appropriate noise modelling software.
 - b) Details and requirement for acoustic shrouding and /or walls surrounding the loading dock and the development generally (including all significant plant and noise generating equipment).
 - c) LA10 figures to be used for noise sensitive premises by the acoustic consultant, in addition to LA1 figures;
 - d) Projected noise levels for deliveries and collections need to be modelled with doors open/closed and a comparison made of noise received at neighbouring noise sensitive premises (including reversing beepers and the like). Also need to consider noise from loading doors opening and shutting, clanging of chains, bins and other associated activities;
 - e) There is limited information available within the report as to the details and requirement for acoustic shrouding and /or walls surrounding the loading dock and the development generally (including plant).
 - f) Noise from the from the proposed rehab gym (in previous applications this hasn't been considered and historically has been proven to be an issue for receiving noise sensitive premises);
 - g) Detail on plant, in terms of fans and whether timed or variable speed fans etc. will be used to minimise noise impacts on noise sensitive receivers.



4. In relation to condition (12), the applicant is advised that the waste management plan is required to include but is not limited to the following details:
 - a) Details of collection times and methods;
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 - c) Appropriate traffic management measures to mitigate conflicts between private vehicles and waste collection vehicles.

5. In relation to condition (12) the applicant is advised that in order to comply with the City's Health Local Laws 2017, the enclosure for the storage and cleaning of waste receptacles to be provided on the premises must demonstrate the following:
 - 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; and
 - h) Adequately ventilated, such that they do not create a nuisance to residences (odour)

6. In relation to condition (13), the City's Technical Services advises that the proposed crossover must be slightly modified to account for an existing pedestrian refuge island.

7. The applicant is advised that all rubbish bins must be serviced from within the site and not presented on the City's verge.

8. The applicant is advised that where building works are proposed a building permit shall be applied for prior to works commencing.

9. The applicant is advised that where parts of the existing building and structures are to be demolished, a demolition permit is required prior to demolition works occurring. All works are required to comply with relevant statutory provisions.

10. This facility will require referral to and assessment and approval of the WA Department of Health (Radiation Health Unit). This will include full compliance with the Radiation Safety Act 1975 and Radiation Safety (General) Regulations 1983

11. The landowner is advised that all mechanical equipment (e.g. air-conditioner, swimming pool or spa) is required to comply with the Environmental Protection (Noise) Regulations 1997, in relation to noise.



12. The applicant is advised that 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.
13. 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.
14. 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.
15. The applicant is advised that the development is to be provided with suitable enclosures for the storage and cleaning of waste receptacles on the premises per the following requirements:
 - a) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
 - b) 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;
 - c) Smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
 - d) Easily accessible to allow for the removal of the receptacles;
 - e) Provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City; and
 - f) Provided with a tap connected to an adequate supply of water;
 - g) Adequately ventilated to mitigate odour.
16. The applicant and landowner are advised that service and/or delivery vehicles are not to service the premises before 7.00 am or after 7.00 pm Monday to Saturday, and/or before 9.00 am or after 7.00 pm on Sundays and Public Holidays unless otherwise approved by the City beforehand.
17. The applicant and landowner are advised that the location of any bin stores shall be behind the street alignment and so as not to be visible from a street or public place, in accordance with the City's Health Local Law 1997.
18. The applicant and landowner are advised that 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.
19. The applicant and landowner are advised that a Form1 Application to Construct, Extend or Alter a Public Building is required to be submitted to the City, prior to the issuing a Building Permit.
20. The applicant and landowner are advised that adequate staff and public sanitary conveniences shall be provided in accordance with the Building Code of Australia. Where these are situated externally to the public building, the area providing access to the sanitary conveniences shall be illuminated.



21. Prior to commencing a Food Business, a documented Food Safety Program which meets the requirements of the Australian New Zealand Food Standards Code Standard 3.2.1 Food Safety Programs, shall be deemed satisfactory by an Environmental Health Officer at the City.
22. Prior to commencing a Food Business* a proprietor shall lodge with the City a Food Business Registration / Notification Form
23. Prior to the outdoor dining area commencing, the proprietor of the Food Business shall lodge with the City an Application for Outdoor Dining Licence to conduct an outdoor dining area in a street or public place not on the private property. Please note that the outdoor dining areas located on the nature strip/verge will need to be approved by the City's Technical Services Department before the Application for Outdoor Dining Licence is determined.
24. Designated storage areas for cleaning chemicals and equipment and personal belongings shall be available and separate from any food preparation or food storage area.
25. Adequate staff and public sanitary conveniences shall be provided in accordance with the Building Code of Australia.
26. 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.
27. The applicant is advised that ventilation of any proposed food premises shall be provided in accordance with the requirements of Australian Standards AS1668.2-1991 "The use of mechanical ventilation for acceptable indoor air quality" and Building Code of Australia (BCA) and be sufficient in ensuring mitigation of odour, so as not to affect other commercial or residential units.
28. Any proposed food tenancies will need to comply fully with all provisions of the Food Act 2008 and the Australian and New Zealand Food Standards Code. This will include the submission and approval of full detailed design and food tenancy fit out plans that are scaled at not less than 1:100 scale. They will need to include details of all surfaces, finishes, equipment, processes and satisfactory demonstrates food safety outcomes.
29. 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.
30. The applicant and landowner are 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 and paid for by the owner of the property where the development is proposed, unless otherwise approved.

The Alternate Motion (as amended) was put and CARRIED UNANIMOUSLY.



REASON: The development form, bulk and scale is consistent with the planning framework and the traffic generated by this development does not significantly impact on the road network and the nexus between this development and specific roadworks has not been established.

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 Applications –

Current Applications		
LG Name	Property Location	Application Description
Town of Cambridge	Lot 2 (130) and Lot 3 (132) Brookdale Street, Floreat	Child Care Centre
Town of Claremont	Lots 18 (164) and 19 (162) Alfred Road, Swanbourne	Proposed Childcare Centre
City of Nedlands	Lot 684 (135) Broadway, Nedlands	Serviced Apartments

11. General Business / Meeting Close

There being no further business, the Presiding Member declared the meeting closed at 11.47am.