



Metro West Joint Development Assessment Panel Minutes

Meeting Date and Time: 30 January 2020, 9:30 AM
Meeting Number: MWJDAP/256
Meeting Venue: City of Vincent
244 Vincent Street
Leederville

Attendance

DAP Members

Mr Jarrod Ross (A/Presiding Member)
Mr Clayton Higham (A/Deputy Presiding Member)
Mr John Syme (A/Specialist Member)
Cr Susan Gontaszewski (Local Government Member, City of Vincent)
Cr Josh Topelberg (Local Government Member, City of Vincent)

Officers in attendance

Mr Jay Naidoo (City of Vincent)
Mr Mitchell Hoad (City of Vincent)

Minute Secretary

Ms Kylie Tichelaar (City of Vincent)

Applicants and Submitters

Mr Daniel Lees (element)
Mr Tim Mack (FJM Property)
Mr Yong Lee (Hassell Studio)

Members of the Public / Media

Nil

1. Declaration of Opening

The A/Presiding Member declared the meeting open at 9:30 am on 30 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 A/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 A/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

Ms Francesca Lefante (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

Nil

7. Deputations and Presentations

7.1 Mr Tim Mack (FJM Property) addressed the DAP in support of the application at Item 9.1.

7.2 Mr Yong Lee (Hassell Studio) addressed the DAP in support of the application at Item 9.1.

7.3 Mr Dan Lees (element) addressed the DAP in support of the application at Item 9.1 and responded to questions from the panel.

7.4 Mr Jay Naidoo (City of Vincent) addressed the DAP in relation to the application at Item 9.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

Nil



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

9.1 Property Location:	No. 742 (Lot 30) Newcastle Street and No. 301 (Lot 8) Vincent Street, Leederville
Development Description:	Seven Storey Commercial Development
Proposed Amendments:	Amendment to Development Approval to Extend Ground Floor Showroom
Applicant:	Element
Owner:	Fabray Pty Ltd, Bantoy Pty Ltd, Yalaba Pty Ltd, Argyle Holdings Pty Ltd, Tegra Pty Ltd, Goldprize Investments Pty Ltd, Michael Fini
Responsible Authority:	City of Vincent
DAP File No:	DAP/19/01581

REPORT RECOMMENDATION

Moved by: Cr Joshua Topelberg

Seconded by: Cr Susan Gontaszewski

That the Metro West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/19/01581 as detailed on the DAP Form 2 dated 1 November 2019 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and
2. **Approve** the DAP Application reference DAP/19/01581 as detailed on the DAP Form 2 dated 1 November 2019 and accompanying plans DA_01 to DA_07, DA_07.1, and DA_08 to DA_12 dated 13 January 2020 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 City of Vincent Local Planning Scheme No. 2, for the proposed minor amendment to the approved Seven Storey Commercial Development at No. 742 Newcastle Street and No. 301 Vincent Street, Leederville, subject to the following:

Amended Conditions

1. Amend Condition 5.1 to read as follows:
 - 5.1 A minimum of 161 car parking bays shall be provided on site.
2. Amend Condition 5.4 to read as follows:
 - 5.4 A minimum of 198 bicycle parking spaces shall be provided on site. Bicycle parking spaces shall be designed in accordance with AS2890.3 and installed in accordance with the approved plans, to the satisfaction of the City.
3. Amend Condition 5.5 to read as follows:
 - 5.5 Outside of the office operating hours of 8am to 5:30pm, 123 of the car parking bays shall be provided for public car parking.



4. Amend Condition 8.1 to read as follows:
- 8.1 A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan is to be prepared generally in accordance with the Landscape DA Report dated 13 January 2020, and be to the satisfaction of the City. The plan shall be lodged with and approved by the City prior to commencement of the development.

The plan shall be drawn to a scale of 1:100 and show the following:

Details and Specifications

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The appropriate selection of tree species (consistent with the City's Tree Selection Tool) to be located within the planting areas to maximise the provision of canopy coverage;

Deep Soil Area Landscaping

- A minimum of 2.0 percent deep soil area as defined by the City's Policy No. 7.1.1 – Built Form;

On-Structure Landscaping

- The inclusion of a minimum of ~~597.8~~ 473.5 square metres of on-structure landscaping across the first, fifth and sixth floors, and the southern façade of the development, in accordance with the approved plans;
- The inclusion of street furniture and seating opportunities within the first floor landscaping area abutting Vincent Street;

Verge Treatment

- The provision of low level landscaping and planting within the Vincent Street verge. This landscaped area shall maintain a minimum footpath width of 2.0 metres for the extent of the frontage of the development site;
- The provision of three trees within the verge of Vincent Street adjoining the development shall be provided, including the replacement of two existing verge trees. The tree species shall be Broad Leaved Paperbark ('Melaleuca Quinquenervia'), with a minimum size of 100 litres;

Other Landscaping

- No landscaping around the western boundary unless public access rights exist to the satisfaction of the City; and
- No landscaping around the southern boundary and appropriate paving and/or treatment of the 1.5 metre wide public access easement to the satisfaction of the City to provide for pedestrian and vehicle movement along the right of way.



5. Amend Condition 8.3 to read as follows:

- 8.3 With the exception of the removal and replacement of the two verge trees covered within this approval, no further verge trees shall be removed without the prior written approval of the City. Verge trees shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared by the landowner and submitted to the City.

Deleted Conditions

1. Condition 9.3 is deleted.

Advice Notes

All other conditions and requirements detailed on the previous approval dated 19 August 2019 shall remain unless altered by this application.

AMENDING MOTION 1

Moved by: Cr Joshua Topelberg

Seconded by: Mr Jarrod Ross

The following amendments were made en bloc:

- (i) Amend Condition 5.4 to read as follows:

A minimum of 198 bicycle parking spaces shall be provided ~~on-site~~. Bicycle parking spaces shall be designed in accordance with AS2890.3 and installed in accordance with the approved plans, to the satisfaction of the City.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To reflect the location of bike racks shown on the development application plans.

- (ii) Amend Condition 5.5 to read as follows:

Outside of the office operating hours of ~~8am-6am~~ to 5:30pm, 123 of the car parking bays shall be provided for public car parking.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To reflect the previously approved condition



(iii) Amend Condition 8.1 to read as follows:

8.1 A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan is to be prepared generally in accordance with the Landscape DA Report dated 13 January 2020 **with the exception of the first floor terrace with the requested change to the first floor landscaping** and be to the satisfaction of the City. The plan shall be lodged with and approved by the City prior to commencement of the development.

The plan shall be drawn to a scale of 1:100 and show the following:

Details and Specifications

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The appropriate selection of tree species (consistent with the City's Tree Selection Tool) to be located within the planting areas to maximise the provision of canopy coverage;

Deep Soil Area Landscaping

- A minimum of 2.0 percent deep soil area as defined by the City's Policy No. 7.1.1 – Built Form;

On-Structure Landscaping

- **The inclusion of a minimum of ~~597.8~~ 473.5 square metres of on-structure landscaping across the first, fifth and sixth floors, and the southern façade of the development, in accordance with the approved plans;**
- The inclusion of street furniture and seating opportunities within the first floor landscaping area abutting Vincent Street;

Verge Treatment

- The provision of low level landscaping and planting within the Vincent Street verge. This landscaped area shall maintain a minimum footpath width of 2.0 metres for the extent of the frontage of the development site;
- The provision of three trees within the verge of Vincent Street adjoining the development shall be provided, including the replacement of two existing verge trees. The tree species shall be Broad Leaved Paperbark ('Melaleuca Quinquenervia'), with a minimum size of 100 litres;

Other Landscaping

- No landscaping around the western boundary unless public access rights exist to the satisfaction of the City; and
- No landscaping around the southern boundary and appropriate paving and/or treatment of the 1.5 metre wide public access easement to the satisfaction of the City to provide for pedestrian and vehicle movement along the right of way.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To reflect the revised plan put forward by the applicant



REPORT RECOMMENDATION (AS AMENDED)

That the Metro West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/19/01581 as detailed on the DAP Form 2 dated 1 November 2019 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and
2. **Approve** the DAP Application reference DAP/19/01581 as detailed on the DAP Form 2 dated 1 November 2019 and accompanying plans DA_01 to DA_07, DA_07.1, and DA_08 to DA_12 dated 13 January 2020 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 City of Vincent Local Planning Scheme No. 2, for the proposed minor amendment to the approved Seven Storey Commercial Development at No. 742 Newcastle Street and No. 301 Vincent Street, Leederville, subject to the following:

Amended Conditions

1. Amend Condition 5.1 to read as follows:
 - 5.1 A minimum of 161 car parking bays shall be provided on site.
2. Amend Condition 5.4 to read as follows:
 - 5.4 A minimum of 198 bicycle parking spaces shall be provided- Bicycle parking spaces shall be designed in accordance with AS2890.3 and installed in accordance with the approved plans, to the satisfaction of the City.
3. Amend Condition 5.5 to read as follows:
 - 5.5 Outside of the office operating hours of 6am to 5:30pm, 123 of the car parking bays shall be provided for public car parking.
4. Amend Condition 8.1 to read as follows:
 - 8.1 A detailed landscape and reticulation plan for the development site and adjoining road verge. The plan is to be prepared generally in accordance with the Landscape DA Report dated 13 January 2020 with the exception of the first floor terrace with the requested change to the first floor landscaping and be to the satisfaction of the City. The plan shall be lodged with and approved by the City prior to commencement of the development.

The plan shall be drawn to a scale of 1:100 and show the following:

Details and Specifications

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The appropriate selection of tree species (consistent with the City's Tree Selection Tool) to be located within the planting areas to maximise the provision of canopy coverage;

Deep Soil Area Landscaping



- A minimum of 2.0 percent deep soil area as defined by the City's Policy No. 7.1.1 – Built Form;

On-Structure Landscaping

- The inclusion of a minimum of 473.5 square metres of on-structure landscaping across the first, fifth and sixth floors, and the southern façade of the development, in accordance with the approved plans;
- The inclusion of street furniture and seating opportunities within the first floor landscaping area abutting Vincent Street;

Verge Treatment

- The provision of low level landscaping and planting within the Vincent Street verge. This landscaped area shall maintain a minimum footpath width of 2.0 metres for the extent of the frontage of the development site;
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Other Landscaping

- No landscaping around the western boundary unless public access rights exist to the satisfaction of the City; and
- No landscaping around the southern boundary and appropriate paving and/or treatment of the 1.5 metre wide public access easement to the satisfaction of the City to provide for pedestrian and vehicle movement along the right of way.

5. Amend Condition 8.3 to read as follows:

- 8.3 With the exception of the removal and replacement of the two verge trees covered within this approval, no further verge trees shall be removed without the prior written approval of the City. Verge trees shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared by the landowner and submitted to the City.

Deleted Conditions

1. Condition 9.3 is deleted.

Advice Notes

All other conditions and requirements detailed on the previous approval dated 19 August 2019 shall remain unless altered by this application.

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

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



10. Appeals to the State Administrative Tribunal

The A/Presiding Member noted the following State Administrative Tribunal Applications -

Current SAT 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

11. General Business / Meeting Close

The A/Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 only the A/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 A/Presiding Member declared the meeting closed at 10:18 am.