



Metro West Joint Development Assessment Panel Minutes

Meeting Date and Time: 25 March 2020; 9.00am
Meeting Number: MWJDAP/263
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street
Perth

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) – *via teleconference*

Officers in attendance

Mr Roy Winslow (City of Nedlands) – *via teleconference*
Mr Ross Jutras-Minett (City of Nedlands) – *via teleconference*

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr Simon Anderson (Simon Anderson Architect)
Mr Stuart Pullyblank (Pullyblank Pty Ltd)
Mr Richard Charlesworth – *via teleconference*
Mr Andrew Jackson
Mr Paul Sharman

Members of the Public / Media

There was 12 members of the public in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 9.19am on 25 March 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.

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

Nil

7. Deputations and Presentations

7.1 Mr Andrew Jackson addressed the DAP against the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Paul Sharman addressed the DAP against the application at Item 8.1 and responded to questions from the panel.

7.3 Mr Simon Anderson (Simon Anderson Architect) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.4 Mr Stuart Pullyblank (Pullyblank Pty Ltd) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.5 Mr Richard Charlesworth addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.6 The City of Nedlands Officers responded to questions from the panel in relation to Item 8.1.



PROCEDURAL MOTION

Moved by: Mr Jason Hick

Seconded by: Mayor Cilla de Lacy

That the meeting be adjourned for a period of 5 minutes to allow members a comfort break.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

The meeting was adjourned at 11.20am

The meeting was reconvened at 11.31am

8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 239 (24) Carrington Street, Nedlands
Development Description:	Ten (10) Multiple Dwellings
Applicant:	Richard Ian Charlesworth
Owner:	Richard Ian Charlesworth
Responsible Authority:	City of Nedlands
DAP File No:	DAP/19/01706

REPORT RECOMMENDATION

Moved by: Mayor Cilla de Lacy

Seconded by: Mr Jarrod Ross

That the Metro West Joint Development Panel resolves to:

1. **Approve** DAP Application reference DAP/19/01706 and accompanying plans (Plans SK0, SK0.5 and SK01-SK36 inclusive dated 28 February 2020) 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 / retaining 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. The development, hereby approved, shall at Building Permit stage demonstrate a minimum NATHERS rating of 6.5 stars, or one significant energy efficiency initiative described in State Planning Policy 7.3 – Residential Design Codes Volume 2 - Apartments to the satisfaction of the City of Nedlands.
8. 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, secondary street to the satisfaction of the City of Nedlands.
9. 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.
10. At Building Permit Stage, a minimum of two (2) dwellings, shown on the hereby approved development plans shall meet 'Silver Level' requirements as defined in the Liveable Housing Design Guidelines.
11. Prior to the issue of a Building Permit, a detailed landscaping plan of every floor of the development shall be submitted to and approved by the City of Nedlands and such 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.
12. A Landscaping Management Plan (Boston Ivy) is to be prepared and implemented at all times to the satisfaction of the City of Nedlands as part of the landscaping plan required at Condition 11. This Plan is to provide for the successful growth and management of the Boston Ivy 'green wall' to the Carrington Street and Dalkeith Road facades and will include, but not be limited to, contingencies for replacement of dead and diseased areas of ivy.
13. Prior to the issue of a Building Permit, an arborist report and tree retention plan shall be submitted to the City of Nedlands, demonstrating that the construction and built development will not adversely affect the health of the trees to be retained on site, to the Satisfaction of the City of Nedlands.



14. Prior to the commencement of physical works, a tree protection zone (TPZ) in accordance with AS 4970-2009, is to be established and maintained around each existing tree shown for retention, outlined in red on the approved plans for the duration of the development to the satisfaction of the City of Nedlands. The following restrictions and conditions apply to the TPZ:
- install protective fencing to prevent any damage to the trees in general accordance with Section 4.3 of AS4970-2009;
 - provide signage identifying the 'Tree Protection Zone' on exclusion fencing;
 - no materials are to be stored within the TPZ;
 - no vehicles or machines are to be driven or parking within the TPZ;
 - ensure trees are protected from harm during works on site; and
 - no tree roots within the TPZ are to be cut or damaged.

A qualified arborist must approve any modification to a TPZ.

15. 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.
16. Prior to the issuing of a building permit the landowner is to demonstrate compliance with the recommendations within the acoustic report completed by Herring Storer dated 21 November 2019 to the City's satisfaction. Where detailed acoustic assessment is recommended to achieve compliance with the requirements of the Environmental Protection (Noise) Regulations 1997 this is to be undertaken.
17. 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.

18. The waste management plan dated 3 March 2020 forms part of this development approval and shall be complied with at all times to the satisfaction of the City of Nedlands.
19. 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.



20. 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.
21. Walls / fences parallel to the vehicle access driveway are to be reduced in height to a maximum of 0.75m above driveway level within 1.5m of the street boundary to ensure appropriate sight lines for exiting vehicles, to the satisfaction of the City of Nedlands.
22. The visitor parking bays are to be clearly marked, directional signposted and made available to visitors at all times through use of an intercom system or similar, to the satisfaction of the City of Nedlands.
23. Prior to issue of a Building Permit, the external windows to Units A3 Bed 1, A6 Bed 3 and A9 Bed 3 to be modified to provide a minimum of 10% of the room's floor area in glazing, to the satisfaction of the City of Nedlands.
24. Prior to issues of a Building Permit, the storerooms are to be redesigned to ensure compliance with Element 4.6 of the Residential Design Codes Volume 2 – Apartments, to the satisfaction of the City of Nedlands.

Advice Notes

1. In relation to Condition 10, the development is to satisfy A4.9.1(a) of Element 4.9 – Universal Design.
2. In relation to Condition 15, 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.
3. The applicant is advised to consult with the City's Building Services before lodging the Building Permit.
 4. The applicant is advised that regarding Condition 19, the responsible entity (landowner) is responsible for the maintenance of the common property (including roads) within the development.
 5. In relation to Condition 20 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.
 6. 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.



7. 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.
8. 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.
9. The applicant is advised that the maximum number of 240L bins allowed on the verge for collection is 8 in total (which includes 3x240L City of Nedlands weekly waste bins and 5x City of Nedlands fortnightly recycling bins).
10. Any internal bins used by each unit shall be purchased and maintained by the developer by private arrangement.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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>.



16. 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.
17. 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.
18. 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.
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

Moved by: Mayor Cilla de Lacy

Seconded by: Mr Jarrod Ross

That Condition 23 be amended to read as follows:

Prior to issue of a Building Permit, the external windows to Units A3 Bed 1, A6 Bed 3 and A9 Bed 3 to be modified **with consideration given to a second east facing openable highlight window to improve cross ventilation** to provide a minimum of 10% of the room's floor area in glazing, to the satisfaction of the City of Nedlands.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To provide options for these units to meet the requirements for light into bedroom and to facilitate cross ventilation to create a Western Easterly breeze.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro West Joint Development Panel resolves to:

1. **Approve** DAP Application reference DAP/19/01706 and accompanying plans (Plans SK0, SK0.5 and SK01-SK36 inclusive dated 28 February 2020) 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 / retaining 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. The development, hereby approved, shall at Building Permit stage demonstrate a minimum NATHERS rating of 6.5 stars, or one significant energy efficiency initiative described in State Planning Policy 7.3 – Residential Design Codes Volume 2 - Apartments to the satisfaction of the City of Nedlands.
8. 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, secondary street to the satisfaction of the City of Nedlands.
9. 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.
10. At Building Permit Stage, a minimum of two (2) dwellings, shown on the hereby approved development plans shall meet 'Silver Level' requirements as defined in the Liveable Housing Design Guidelines.
11. Prior to the issue of a Building Permit, a detailed landscaping plan of every floor of the development shall be submitted to and approved by the City of Nedlands and such 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.
12. A Landscaping Management Plan (Boston Ivy) is to be prepared and implemented at all times to the satisfaction of the City of Nedlands as part of the landscaping plan required at Condition 11. This Plan is to provide for the successful growth and management of the Boston Ivy 'green wall' to the Carrington Street and Dalkeith Road facades and will include, but not be limited to, contingencies for replacement of dead and diseased areas of ivy.
13. Prior to the issue of a Building Permit, an arborist report and tree retention plan shall be submitted to the City of Nedlands, demonstrating that the construction and built development will not adversely affect the health of the trees to be retained on site, to the Satisfaction of the City of Nedlands.



14. Prior to the commencement of physical works, a tree protection zone (TPZ) in accordance with AS 4970-2009, is to be established and maintained around each existing tree shown for retention, outlined in red on the approved plans for the duration of the development to the satisfaction of the City of Nedlands. The following restrictions and conditions apply to the TPZ:
- install protective fencing to prevent any damage to the trees in general accordance with Section 4.3 of AS4970-2009;
 - provide signage identifying the 'Tree Protection Zone' on exclusion fencing;
 - no materials are to be stored within the TPZ;
 - no vehicles or machines are to be driven or parking within the TPZ;
 - ensure trees are protected from harm during works on site; and
 - no tree roots within the TPZ are to be cut or damaged.

A qualified arborist must approve any modification to a TPZ.

15. 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.
16. Prior to the issuing of a building permit the landowner is to demonstrate compliance with the recommendations within the acoustic report completed by Herring Storer dated 21 November 2019 to the City's satisfaction. Where detailed acoustic assessment is recommended to achieve compliance with the requirements of the Environmental Protection (Noise) Regulations 1997 this is to be undertaken.
17. 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.

18. The waste management plan dated 3 March 2020 forms part of this development approval and shall be complied with at all times to the satisfaction of the City of Nedlands.
19. 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.



20. 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.
21. Walls / fences parallel to the vehicle access driveway are to be reduced in height to a maximum of 0.75m above driveway level within 1.5m of the street boundary to ensure appropriate sight lines for exiting vehicles, to the satisfaction of the City of Nedlands.
22. The visitor parking bays are to be clearly marked, directional signposted and made available to visitors at all times through use of an intercom system or similar, to the satisfaction of the City of Nedlands.
23. Prior to issue of a Building Permit, the external windows to Units A3 Bed 1, A6 Bed 3 and A9 Bed 3 to be modified with consideration given to a second east facing openable highlight window to improve cross ventilation to provide a minimum of 10% of the room's floor area in glazing, to the satisfaction of the City of Nedlands.
24. Prior to issues of a Building Permit, the storerooms are to be redesigned to ensure compliance with Element 4.6 of the Residential Design Codes Volume 2 – Apartments, to the satisfaction of the City of Nedlands.

Advice Notes

1. In relation to Condition 10, the development is to satisfy A4.9.1(a) of Element 4.9 – Universal Design.
2. In relation to Condition 15, 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.
3. The applicant is advised to consult with the City's Building Services before lodging the Building Permit.
 4. The applicant is advised that regarding Condition 19, the responsible entity (landowner) is responsible for the maintenance of the common property (including roads) within the development.
 5. In relation to Condition 20 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.
 6. 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.



7. 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.
8. 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.
9. The applicant is advised that the maximum number of 240L bins allowed on the verge for collection is 8 in total (which includes 3x240L City of Nedlands weekly waste bins and 5x City of Nedlands fortnightly recycling bins).
10. Any internal bins used by each unit shall be purchased and maintained by the developer by private arrangement.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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>.



16. 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.
17. 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.
18. 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.
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.

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



REASON: The proposal is considered to meet the existing planning framework for the site, including setbacks, minimisation of crossovers, streetscape interface, low front fencing. The design is reflective of contemporary character permitted within the area. The variations to the plot ratio are acceptable in the context of building bulk and scale which is mitigated through articulation, site landscaping and retention of trees.

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 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 12.13pm.