



## Metro-Inner North Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 27 April 2023; 9.30am  
**Meeting Number:** MINJDAP/178  
**Meeting Venue:** City of Bayswater  
61 Broun Avenue, Morley

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Ms Francesca Lefante  
Presiding Member, Metro Inner-North JDAP



## Attendance

### DAP Members

Ms Francesca Lefante (Presiding Member)  
Mr Paul Kotsoglo (A/Deputy Presiding Member)  
Mr Peter Lee (A/Third Specialist Member)  
Cr Filomena Piffaretti (Local Government Member, City of Bayswater)  
Cr Josh Eveson (Local Government Member, City of Bayswater)

### Officers in attendance

Mr Remajee Narroo (City of Bayswater)  
Ms Courtney Wynn (City of Bayswater)  
Ms Helen Smith (City of Bayswater)

### Minute Secretary

Ms Manon Arnold (City of Bayswater)

### Applicants and Submitters

Mr Steven DePiazzi (Urbanista Town Planning)

### Members of the Public / Media

Ms Victoria Rifici from Seven West Media was in attendance.

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 27 April 2023 and acknowledged the traditional owners and paid 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 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

### 1.1 Announcements by Presiding Member

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the DAP Standing Orders 2020 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.

Ms Francesca Lefante  
Presiding Member, Metro Inner-North JDAP



## **2. Apologies**

Ms Lee O'Donohue (Deputy Presiding Member)  
Mr John Syme (Specialist Member)

## **3. Members on Leave of Absence**

DAP Member, Mr John Syme has been granted leave of absence by the Director General for the period of 26 April 2023 to 17 May 2023 inclusive.

## **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**

Cr Filomena Piffaretti declared an Impartial Interest in item 8.1. Cr Piffaretti knows the directors of Urbanista Town Planning who are the applicants for item 8.1. Cr Piffaretti declared it will have no bearing on her ability to consider and determine the application.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in the discussion and voting on the item.

## **7. Deputations and Presentations**

**7.1** Mr Steven DePiazzi (Urbanista Town Planning) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

**7.2** The City of Bayswater addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP



## 8. Form 1 – Responsible Authority Reports – DAP Applications

### 8.1 42 (Lot 10) Wellington Road and 1A (Lot 11) Vera Street, Morley

Development Description: Childcare Premises  
Applicant: Urbanista Town Planning  
Owner: Debra Lee and Mark Lawrence Passmore- 42  
Wellington Road, Morley  
Stella Cerene Filose- 1A Vera Street, Morley  
Responsible Authority: City of Bayswater  
DAP File No: DAP/23/02414

## REPORT RECOMMENDATION

**Moved by:** Cr Filomena Piffaretti

**Seconded by:** Mr Paul Kotsoglo

That the Metro Inner-North JDAP resolves to:

1. **Approve** DAP Application reference DAP/23/02414 and accompanying plans dated 13 April 2023 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 Bayswater Local Planning Scheme No. 24, subject to the following conditions:

### Conditions

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The number of children to be cared for onsite is limited to 84 only and the number of staff is limited to 15 at any one time, to the satisfaction of the City of Bayswater.
3. Children are not permitted to arrive at the centre prior to 7am on weekdays and on Saturday, are to leave the centre no later than 7pm on weekdays and 1pm on Saturday.

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4. Revised Plans addressing the following matters shall be submitted to and to the satisfaction of the City of Bayswater prior to the lodgement of a building permit application, and not result in any greater variation to the requirements of the town planning scheme and the City's policies:
  - a) The wall of the building on the south-western and north-western facades facing Wellington Road shall be articulated by use of (but not limited to) additional colours, textures and or other architectural detailing/finishes.
  - b) Greater articulation of the fencing design fronting Wellington Road to integrate with the design of the building.
  - c) A final 'Schedule of Colours and Materials.
  - d) Details of the Solar PV system located on the roof are to be provide.
  - e) A minimum of three employee bicycle parking bays are to be relocated to the staff courtyard with an external entry gate. One visitor bicycle parking bay is to be retained at the front of the building adjacent to the store room wall.
  - f) The wall to the store facing Vera Street is to be articulated by use of a different colour and/or material.
  - g) The colour of door to the store facing Wellington Road/Vera Street is to be modified to better integrate with the development.
  - h) Details and location of any services and utilities.
5. Prior to occupation, Lots 10 and 11 are to be amalgamated into a single lot. Alternatively, the owner may enter into a legal agreement with the City of Bayswater, prepared by the City's solicitors at the expense of the owner. The legal agreement will allow the owner 12 months to amalgamate the lots. The agreement is required to be executed by all parties concerned prior to the commencement of the works hereby permitted.
6. A revised landscape plan shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a building permit application. For the purpose of this condition, the plan shall be drawn with a view to reduce large areas of hard stand in passive areas and show the following:
  - a) The location and species of all trees and shrubs to be retained or removed.
  - b) The size and number of new plants to be planted.
  - c) Landscaping areas are to have a minimum soil depth of 300mm.
  - d) The location of any lawn areas to be established noting that artificial lawn is not permitted.
  - e) Those areas to be reticulated or irrigated.
  - f) A minimum of 10% of the lot shall be provided as soft landscaping.
  - g) Additional landscaping shall be provided within the 0.6m wide area in front of the reception windows fronting Vera Street.
  - h) The landscaping proposed adjacent to the seating area/entry is to be revised to improve amenity for parents and provide a better street interface.
  - i) Additional trees shall be provided along the Wellington Street frontage to assist with shading the building from the western sun.
  - j) Additional plants shall be provided to mulched area to an appropriate density in accordance with the City's Landscaping Policy and Guidelines.
  - k) Details of any proposed shade structures.

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Presiding Member, Metro Inner-North JDAP



- l) Finished ground levels.
- m) Details of structure soil system required for all new trees within the car park.
- n) Details of the proposed vertical landscaping planting location (star jasmine) and maintenance details.
- o) The hardstand area within the Vera Street verge shall be reduced as much as practical.
- p) Additional trees are to be provided within the road widening area.

Landscaping, reticulation and the tree(s) required to be planted on the property, shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.

7. Prior to the lodgement of a Building Permit, a Tree Retention and Protection Plan prepared by a Consulting Arborist, shall be submitted to the satisfaction of the City of Bayswater. The Tree Retention and Protection Plan shall make recommendations on the construction of structures within the structural root zone and tree protection area of the retained trees. The recommendations of the approved Tree Retention and Protection Plan shall be implemented to the satisfaction of the City of Bayswater.
8. Prior to occupation, one street tree, of a species that has the potential to grow to at least 4m in height and minimum size of at least 35 litres when planted, is to be planted on the Vera Street verge in front of the subject site, at the full cost of the applicant/owner and to the specifications and satisfaction of the City of Bayswater. The City's tree list can be found @ <https://www.bayswater.wa.gov.au/CityOfBayswater/media/Documents/Environment/201027-CoB-Tree-Planting-Guideline.pdf>
9. An updated acoustic report is to be submitted to and approved by the City. The development is to be undertaken in accordance with the approved acoustic report to the satisfaction of the City of Bayswater. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the acoustic report have been implemented is to be provided to the satisfaction of the City of Bayswater.
10. The owner, or the applicant on behalf of the owner, shall comply with the City of Bayswater policy relating to Percent for Public Art, and provide public art with a minimum value of 1% (\$20,000.00) of the estimated total construction cost of the development (\$2 million). Details of the public art, including plans of the artwork, its cost and construction, and other matters relating to the artwork's on-going maintenance and acknowledgements in accordance with the City's Percent for Public Art Policy shall be submitted to and approved by the City prior to the lodgement of a building permit application.

Alternatively, the owner, or the applicant on behalf of the landowner, may opt to pay a cash-in-lieu contribution for the public art to the City of Bayswater in accordance with the provisions of the City's Percent for Public Art Policy, prior to the submission of a building permit application.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP



11. A car parking management plan, detailing how car parking associated with the child care centre will be managed to minimise the impact on the surrounding area, shall be submitted and approved by the City of Bayswater prior to the submission of a building permit application, and implementation thereafter to the satisfaction of the City of Bayswater.
12. Payment of \$12,000 to the City of Bayswater for cash-in-lieu of the onsite car parking shortfall of four car parking bays, in accordance with the provisions of Town Planning Scheme No. 24 and the City's Cash In Lieu of Car Parking Policy, prior to the submission of a building permit application.
13. Lighting plans detailing how outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties shall be submitted to and approved to the satisfaction of the City of Bayswater, prior to the submission of a building permit application.
14. Upon the reserved land being required for the widening and upgrading of Wellington Road the landscaping and fencing within the road widening area shall be removed at the owner's expense.
15. Details of the design and layout of the bicycle parking facilities shall be submitted to, and to the satisfaction of the City of Bayswater prior to the installation of such facility.
16. A construction management plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a building permit application.
17. An updated Waste Management Plan is to be submitted and approved by the City and shall address the bin store ventilation, wash down facilities and odour management. The approved updated Waste Management Plan shall be implemented in its entirety to the satisfaction of the City of Bayswater.
18. Prior to occupation of the development, wash down facilities for the rubbish bins are to be provided within the bin stores and graded to a floor waste and discharged to the sewer to the satisfaction of the City of Bayswater
19. The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City of Bayswater.
20. All vehicle parking bays, loading bays and staff parking bays are to be line marked, provided with wheel stops and shall be clearly signposted, to the satisfaction of the City of Bayswater.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP





21. All dividing fences shall have a maximum height of 1.8m unless written consent from the owners of 44 Wellington Road, Morley is obtained for the fence to be a maximum of 2.3m along the northern lot boundary.
22. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater. No stormwater drainage is to be discharged onto the Welling Road reserve.
23. Windows, doors and adjacent areas fronting Vera Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City of Bayswater.
24. The proposed crossover and driveway being constructed with brick paving or concrete with grades in accordance with AS 2890.1 to the satisfaction of the City of Bayswater.
25. The redundant crossovers on Wellington Road and Vera Street are to be removed and the verge be reinstated to the satisfaction of the City of Bayswater.
26. Any services and utilities including building service fixtures located where visible from the street, communal areas or pedestrian entry and rooftop amenity area including solar panels and air-conditioning units are to be integrated into the design of the development and shall not detract from the amenity and visual appearance of the street frontage and/or the entry and/or communal open spaces, to the satisfaction of the City of Bayswater.
27. A separate application including plans or description of all signs for the proposed development (including signs painted on a building) which are not compliant with the City's Signage Policy shall be submitted to, and to the satisfaction of the City of Bayswater.
28. No loading or unloading is permitted within the Wellington Road or Vera Street road reserves.
29. The external surfaces of the roof is to be cool roof with a maximum solar absorbance rating of 0.45 as per the City's Sustainability in Design Policy to the satisfaction of the City of Bayswater.
30. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP





## Advice Notes

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of four years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
4. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.
5. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.
6. The development shall comply with the *Environmental Protection Act 1986*, the *Health (Miscellaneous Provisions) Act 1911* and any relevant environmental protection or health regulations including but not limited to the following:
  - *Environmental Protection (Liquid Waste) Regulation 1996*;
  - *Health Act 2016*;
  - *Health (Air handling and Water Systems) Regulations 1994*;
  - *Food Act 2008 and Australian Food Code*;
  - *Environmental Protection (Noise) Regulations 1997* and;
  - *Treatment of Sewerage and Disposal of Effluent and Liquid Waste Amendment Regulations (No. 2) 1997*.
  - *Health (Public Buildings) Regulations 1992*.
  - *Environmental Protection (Noise) Regulations 1997*
7. The operator is to make separate application to the City's Environmental Health Branch demonstrating compliance with the Food Act 2008 and the Australia New Zealand Food Standards Code prior to the submission of a Building Permit.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP



8. The applicant is to make arrangements to the satisfaction of the Water Corporation for the provision of reticulated sewerage to the development. Where the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region.
9. In relation to Condition 4, the required landscaping is to comprise of local native and drought tolerant species to reduce reliance on water and fertilizers.
10. Approval is required to be sought from the City's Engineering Department for the paving of the verge area along Vera Street as per the City's Street Verges Policy.
11. Any proposed vehicular entry gates shall be a minimum 50% visually permeable, and suitable management measures shall be implemented to ensure access is available for visitors at all times. Details of the management measures shall be submitted to, and to the satisfaction of the City of Bayswater.

#### **AMENDING MOTION 1**

**Moved by:** Mr Paul Kotsoglo

**Seconded by:** Cr Filomena Piffaretti

*The following amendments were made en bloc:*

- (i) That Condition No.4 be amended to read as follows:

*Revised Plans addressing the following matters shall be submitted ~~to and~~ to the satisfaction of the City of Bayswater prior to the lodgement of a building permit application, and not result in any greater variation to the requirements of the town planning scheme and the City's policies:*

- (ii) That Condition No.4(d) be amended to read as follows:

*Details of the Solar PV system located on the roof are to be provided.*

- (iii) That Condition No.22 be amended to read as follows:

*All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater. No stormwater drainage is to be discharged onto the Wellington Road reserve.*

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP



(iv) That Advice Note No.1 be amended to read as follows:

*To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of four years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City **Planning Authority** having first been sought and obtained.*

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** To correct typographical errors.

### **AMENDING MOTION 2**

**Moved by:** Mr Paul Kotsoglo

**Seconded by:** Ms Francesca Lefante

That Condition No. 12 be deleted, and the remaining conditions be renumbered accordingly.

**The Amending Motion was put and LOST (3/2).**

For: Ms Francesca Lefante  
Mr Paul Kotsoglo

Against: Cr Filomena Piffaretti  
Cr Josh Eveson  
Mr Peter Lee

### **AMENDING MOTION 3**

**Moved by:** Mr Paul Kotsoglo

**Seconded by:** Mr Peter Lee

That Condition No.10 be amended to read as follows:

*Alternatively, the owner, or the applicant on behalf of the landowner, may opt to pay a cash-in-lieu contribution for the public art to the City of Bayswater in accordance with the provisions of the City's Percent for Public Art Policy, prior to ~~the submission of a building permit application~~ **occupation of the development.***

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** It is practical for the public art to be addressed prior to the occupation of the development than prior to the submission of a building permit application so as to avoid any delay for building permit to be issued.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP



## REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner-North JDAP resolves to:

1. **Approve** DAP Application reference DAP/23/02414 and accompanying plans dated 13 April 2023 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 Bayswater Local Planning Scheme No. 24, subject to the following conditions:

### Conditions

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The number of children to be cared for onsite is limited to 84 only and the number of staff is limited to 15 at any one time, to the satisfaction of the City of Bayswater.
3. Children are not permitted to arrive at the centre prior to 7am on weekdays and on Saturday, are to leave the centre no later than 7pm on weekdays and 1pm on Saturday.
4. Revised Plans addressing the following matters shall be submitted to the satisfaction of the City of Bayswater prior to the lodgement of a building permit application, and not result in any greater variation to the requirements of the town planning scheme and the City's policies:
  - a) The wall of the building on the south-western and north-western facades facing Wellington Road shall be articulated by use of (but not limited to) additional colours, textures and or other architectural detailing/finishes.
  - b) Greater articulation of the fencing design fronting Wellington Road to integrate with the design of the building.
  - c) A final 'Schedule of Colours and Materials'.
  - d) Details of the Solar PV system located on the roof are to be provided.
  - e) A minimum of three employee bicycle parking bays are to be relocated to the staff courtyard with an external entry gate. One visitor bicycle parking bay is to be retained at the front of the building adjacent to the store room wall.
  - f) The wall to the store facing Vera Street is to be articulated by use of a different colour and/or material.
  - g) The colour of door to the store facing Wellington Road/Vera Street is to be modified to better integrate with the development.
  - h) Details and location of any services and utilities.
5. Prior to occupation, Lots 10 and 11 are to be amalgamated into a single lot. Alternatively, the owner may enter into a legal agreement with the City of Bayswater, prepared by the City's solicitors at the expense of the owner. The legal agreement will allow the owner 12 months to amalgamate the lots. The agreement is required to be executed by all parties concerned prior to the commencement of the works hereby permitted.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP



6. A revised landscape plan shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a building permit application. For the purpose of this condition, the plan shall be drawn with a view to reduce large areas of hard stand in passive areas and show the following:
- a) The location and species of all trees and shrubs to be retained or removed.
  - b) The size and number of new plants to be planted.
  - c) Landscaping areas are to have a minimum soil depth of 300mm.
  - d) The location of any lawn areas to be established noting that artificial lawn is not permitted.
  - e) Those areas to be reticulated or irrigated.
  - f) A minimum of 10% of the lot shall be provided as soft landscaping.
  - g) Additional landscaping shall be provided within the 0.6m wide area in front of the reception windows fronting Vera Street.
  - h) The landscaping proposed adjacent to the seating area/entry is to be revised to improve amenity for parents and provide a better street interface.
  - i) Additional trees shall be provided along the Wellington Street frontage to assist with shading the building from the western sun.
  - j) Additional plants shall be provided to mulched area to an appropriate density in accordance with the City's Landscaping Policy and Guidelines.
  - k) Details of any proposed shade structures.
  - l) Finished ground levels.
  - m) Details of structure soil system required for all new trees within the car park.
  - n) Details of the proposed vertical landscaping planting location (star jasmine) and maintenance details.
  - o) The hardstand area within the Vera Street verge shall be reduced as much as practical.
  - p) Additional trees are to be provided within the road widening area.

Landscaping, reticulation and the tree(s) required to be planted on the property, shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the City of Bayswater.

7. Prior to the lodgement of a Building Permit, a Tree Retention and Protection Plan prepared by a Consulting Arborist, shall be submitted to the satisfaction of the City of Bayswater. The Tree Retention and Protection Plan shall make recommendations on the construction of structures within the structural root zone and tree protection area of the retained trees. The recommendations of the approved Tree Retention and Protection Plan shall be implemented to the satisfaction of the City of Bayswater.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP



8. Prior to occupation, one street tree, of a species that has the potential to grow to at least 4m in height and minimum size of at least 35 litres when planted, is to be planted on the Vera Street verge in front of the subject site, at the full cost of the applicant/owner and to the specifications and satisfaction of the City of Bayswater. The City's tree list can be found @ <https://www.bayswater.wa.gov.au/CityOfBayswater/media/Documents/Environment/201027-CoB-Tree-Planting-Guideline.pdf>
9. An updated acoustic report is to be submitted to and approved by the City. The development is to be undertaken in accordance with the approved acoustic report to the satisfaction of the City of Bayswater. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the acoustic report have been implemented is to be provided to the satisfaction of the City of Bayswater.
10. The owner, or the applicant on behalf of the owner, shall comply with the City of Bayswater policy relating to Percent for Public Art, and provide public art with a minimum value of 1% (\$20,000.00) of the estimated total construction cost of the development (\$2 million). Details of the public art, including plans of the artwork, its cost and construction, and other matters relating to the artwork's on-going maintenance and acknowledgements in accordance with the City's Percent for Public Art Policy shall be submitted to and approved by the City prior to occupation of the development.

Alternatively, the owner, or the applicant on behalf of the landowner, may opt to pay a cash-in-lieu contribution for the public art to the City of Bayswater in accordance with the provisions of the City's Percent for Public Art Policy, prior to occupation.

11. A car parking management plan, detailing how car parking associated with the child care centre will be managed to minimise the impact on the surrounding area, shall be submitted and approved by the City of Bayswater prior to the submission of a building permit application, and implementation thereafter to the satisfaction of the City of Bayswater.
12. Payment of \$12,000 to the City of Bayswater for cash-in-lieu of the onsite car parking shortfall of four car parking bays, in accordance with the provisions of Town Planning Scheme No. 24 and the City's Cash In Lieu of Car Parking Policy, prior to the submission of a building permit application.
13. Lighting plans detailing how outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties shall be submitted to and approved to the satisfaction of the City of Bayswater, prior to the submission of a building permit application.
14. Upon the reserved land being required for the widening and upgrading of Wellington Road the landscaping and fencing within the road widening area shall be removed at the owner's expense.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP





15. Details of the design and layout of the bicycle parking facilities shall be submitted to, and to the satisfaction of the City of Bayswater prior to the installation of such facility.
16. A construction management plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to, and to the satisfaction of the City of Bayswater, prior to the submission of a building permit application.
17. An updated Waste Management Plan is to be submitted and approved by the City and shall address the bin store ventilation, wash down facilities and odour management. The approved updated Waste Management Plan shall be implemented in its entirety to the satisfaction of the City of Bayswater.
18. Prior to occupation of the development, wash down facilities for the rubbish bins are to be provided within the bin stores and graded to a floor waste and discharged to the sewer to the satisfaction of the City of Bayswater
19. The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City of Bayswater.
20. All vehicle parking bays, loading bays and staff parking bays are to be line marked, provided with wheel stops and shall be clearly signposted, to the satisfaction of the City of Bayswater.
21. All dividing fences shall have a maximum height of 1.8m unless written consent from the owners of 44 Wellington Road, Morley is obtained for the fence to be a maximum of 2.3m along the northern lot boundary.
22. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater. No stormwater drainage is to be discharged onto the Wellington Road reserve.
23. Windows, doors and adjacent areas fronting Vera Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City of Bayswater.
24. The proposed crossover and driveway being constructed with brick paving or concrete with grades in accordance with AS 2890.1 to the satisfaction of the City of Bayswater.
25. The redundant crossovers on Wellington Road and Vera Street are to be removed and the verge be reinstated to the satisfaction of the City of Bayswater.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP





26. Any services and utilities including building service fixtures located where visible from the street, communal areas or pedestrian entry and rooftop amenity area including solar panels and air-conditioning units are to be integrated into the design of the development and shall not detract from the amenity and visual appearance of the street frontage and/or the entry and/or communal open spaces, to the satisfaction of the City of Bayswater.
27. A separate application including plans or description of all signs for the proposed development (including signs painted on a building) which are not compliant with the City's Signage Policy shall be submitted to, and to the satisfaction of the City of Bayswater.
28. No loading or unloading is permitted within the Wellington Road or Vera Street road reserves.
29. The external surfaces of the roof is to be cool roof with a maximum solar absorbance rating of 0.45 as per the City's Sustainability in Design Policy to the satisfaction of the City of Bayswater.
30. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

#### **Advice Notes**

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of four years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the Planning Authority having first been sought and obtained.
2. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws
3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
4. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.

**Ms Francesca Lefante**  
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5. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.
6. The development shall comply with the *Environmental Protection Act 1986*, the *Health (Miscellaneous Provisions) Act 1911* and any relevant environmental protection or health regulations including but not limited to the following:
  - *Environmental Protection (Liquid Waste) Regulation 1996*;
  - *Health Act 2016*;
  - *Health (Air handling and Water Systems) Regulations 1994*;
  - *Food Act 2008 and Australian Food Code*;
  - *Environmental Protection (Noise) Regulations 1997 and*;
  - *Treatment of Sewerage and Disposal of Effluent and Liquid Waste Amendment Regulations (No. 2) 1997*.
  - *Health (Public Buildings) Regulations 1992*.
  - *Environmental Protection (Noise) Regulations 1997*
7. The operator is to make separate application to the City's Environmental Health Branch demonstrating compliance with the Food Act 2008 and the Australia New Zealand Food Standards Code prior to the submission of a Building Permit.
8. The applicant is to make arrangements to the satisfaction of the Water Corporation for the provision of reticulated sewerage to the development. Where the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region.
9. In relation to Condition 4, the required landscaping is to comprise of local native and drought tolerant species to reduce reliance on water and fertilizers.
10. Approval is required to be sought from the City's Engineering Department for the paving of the verge area along Vera Street as per the City's Street Verges Policy.
11. Any proposed vehicular entry gates shall be a minimum 50% visually permeable, and suitable management measures shall be implemented to ensure access is available for visitors at all times. Details of the management measures shall be submitted to, and to the satisfaction of the City of Bayswater.

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

**REASON:** The JDAP were of the opinion that the proposed development is consistent with the planning framework site zoning and area. The design and scale reflects the sites locational context, character and setting. Overall, the proposal has been assessed as satisfying development standards for the site and is compatible with surrounding uses include the school. On balance the JDAP supported the proposal consistent with the recommendation inclusion of a minor condition change for the reasons outlined in the RAR.

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## 9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil

## 10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications –

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/21/02136 DR60/2022	City of Nedlands	No. 43 Esplanade, Nedlands	Proposed Mixed Use Development - One consulting room and three multiple dwellings	01/04/2022
DAP/20/01770 DR140/2022	City of Nedlands	97 (Lots 1-4) and 105 (Lot 500) Stirling Highway, Nedlands	Mixed use development comprising of basement car parking, restaurants, offices, motor vehicle sales and multiple dwellings.	23/08/2022
DAP/22/02229 DR172/2022	Town of Cambridge	413 (Lot 11) Vincent Street West, Leederville	Two-Storey Childcare Centre	04/10/2022
DAP/22/02191 DR192/2022	City of Vincent	No. 391 (Lot: 20) Lord Street, Mount Lawley	Proposed Mixed Use Development	31/10/2022
DAP/22/02276 DR194/2022	Town of Cottesloe	19 Napoleon Street (Lot 20) Cottesloe (Also Known As 19 & 21 Napoleon Street)	Four-Storey Office Building with Rooftop Terrace, and Change of Use of Existing Ground Floor Buildings To 'Restaurant and Small Bar)	04/11/2022
DAP/22/02219 DR154/2022	City of Bayswater	589-591 (Lot 160-161) Morley Drive, Morley	Proposed Childcare Centre	14/09/2022

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Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02218 DR216/2022	City of Subiaco	No. 414 (Lot 27) Rokeby Road, Subiaco	Demolition Of Existing Building and Construction of a Six Storey Mixed Use Development (Ten Multiple Dwellings and Three Office Tenancies)	07/12/2022
DAP/22/02303 DR14/2023	City of Vincent	Nos. 103 (Lot: 278) Alma Road & 367-373 (Lots 273-277) Fitzgerald Street, North Perth	Proposed Mixed Use Development	31/10/2022

## 11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 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.

## 12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:14am.

**Ms Francesca Lefante**  
Presiding Member, Metro Inner-North JDAP