



Metro Central Joint Development Assessment Panel Minutes

Meeting Date and Time: 7 March 2019; 4:00pm
Meeting Number: MCJDAP/337
Meeting Venue: City of Melville
10 Almondbury Road
Booragoon

Attendance

DAP Members

Ms Megan Adair (Presiding Member)
Ms Rachel Chapman (Deputy Presiding Member)
Mr Michael Hardy (Specialist Member)

Item 8.1

Cr Filomena Piffaretti (Local Government Member, City of Bayswater)

Item 8.2

Cr Nicole Robins (Local Government Member, City of Melville)
Cr Tim Barling (Local Government Member, City of Melville)

Officers in attendance

Item 8.1

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

Item 8.2

Mr Troy Cappellucci (City of Melville)
Mr Peter Prendergast (City of Melville)
Mr Mark Scarfone (City of Melville)

Minute Secretary

Ms Corinne Crotty (City of Melville)
Ms Lucy Barrett (City of Melville)

Applicants and Submitters

Item 8.1

Mr Nik Hidding (Peter Webb and Associates)
Mr Behnam Bordbar (Transcore)

Ms Megan Adair
Presiding Member, Metro Central JDAP



Item 8.2

Mr Mike Burns
Mr Barry MacKinnon
Dr Lisa Booth
Mr Lyndon Rowe (Swan Foreshore Protection Association)
Mr Clive Ross
Ms Laura Emery
Mrs Kathryn Kirk (on behalf of Mr Geoff Kirk)
Ms Dayle Kenny
Cr Nicholas Pazolli on behalf of Mayor Russell Aubrey (City of Melville)
Mr Nick Zborowski (Applecross Land Holdings Pty Ltd)
Mr Mark Ciesielski (MJA Studio)
Mr Wes Barrett (MJA Studio)
Mr Hide Shigeyoshi (Tuscom Subdivision Consultations)
Mr Richard Hassell (WOHA)
Mr James Thompson (MJA)

Members of the Public / Media

There were 56 members of the public in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 4:06pm on 7 March 2019 and acknowledged the past and present traditional owners and custodians 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

Cr Catherine Ehrhardt (Local Government Member, City of Bayswater)
Cr Chris Cornish (Local Government Member, City of Bayswater)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).



5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Cr Nicole Robins, declared that she participated in a prior Council meeting in relation to the application at item 8.2. However, under section 2.1.2 of the DAP Code of Conduct 2017, Cr Robins acknowledged that she is not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before her, which will be considered on its planning merits.

7. Deputations and Presentations

7.1 Mr Behnam Bordbar (Transcore) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Nik Hidding (Peter Webb & Associates) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.3 City of Bayswater Administration addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

The presentation at Item 7.1 – 7.3 were heard prior to the application at Item 8.1.

7.4 Mr Mike Burns addressed the DAP against the application at Item 8.2.

7.5 Mr Barry MacKinnon addressed the DAP against the application at Item 8.2.

7.6 Dr Lisa Booth addressed the DAP against the application at Item 8.2.

7.7 Mr Lyndon Rowe (Swan Foreshore Protection Association) addressed the DAP against the application at Item 8.2.

7.8 Mr Clive Ross addressed the DAP against the application at Item 8.2.

7.9 Ms Laura Emery addressed the DAP against the application at Item 8.2.

7.10 Mrs Kathryn Kirk (on behalf of Mr Geoff Kirk) addressed the DAP against the application at Item 8.2.

7.11 Mr Dayle Kenny addressed the DAP against the application at Item 8.2.

7.12 Cr Nicholas Pazolli addressed the DAP against the application at Item 8.2.

7.13 Mr Richard Hassell (WOHA) and Mr James Thompson (MJA) addressed the DAP in support of the application at Item 8.2 and responded to questions from the panel.



7.14 Mr Malcolm McKay addressed the DAP to provide a summary of the Design Review Panel's assessment of the application at Item 8.2 and responded to questions from the panel.

7.15 City of Melville Administration addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.

The presentations at Items 7.4 - 7.15 were heard prior to the application at Item 8.2.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1	Property Location:	No.34 (Lot 9) Jackson Street, Bayswater
	Development Description:	Proposed Service Station with Associated Convenience Store and Two Fast Food Outlets Additions to Existing Concrete Recycling Facility
	Applicant:	Peter Webb & Associates
	Owner:	Horizon 73 Pty Ltd 2XT Pty Ltd
	Responsible Authority:	City of Bayswater
	DAP File No:	DAP/18/01492

REPORT RECOMMENDATION

Moved by: Cr Filomena Piffaretti

Seconded by: Mr Michael Hardy

That the Metro Central JDAP resolves to:

1. **Approve** DAP Application reference DAP/18/01492 and accompanying plans 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 Town 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. Revised plan(s) addressing the following matters shall be submitted to and approved by 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 City's policies:
 - (a) The proposed monolith sign adjacent to Collier Road to have a maximum height of 9m and width of 2m.
 - (b) The proposed landscaping shall be a minimum 10 per cent of the site area.

Ms Megan Adair
Presiding Member, Metro Central JDAP



3. Revised Transcore Traffic Report addressing the following matters shall be submitted to and approved by the City of Bayswater prior to lodgement of a building permit application:
 - (a) Transcore to confirm the traffic data uses for the modelling takes into account the additional traffic generated from the recently completed Tonkin Highway Industrial Estate.
 - (b) Transcore is required to demonstrate that widening for a basic auxiliary right (BAR) treatment into the development is not required.
4. Prior to the submission of a Building Permit the following are required to be provided:

- (a) 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% or (\$22,000) of the estimated total construction cost of the development (\$2.2 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/applicant could choose cash-in-lieu of public art option. The cash-in-lieu amount is to be no less than 1% of the estimated total construction cost of the development and is to be paid to the City prior to submission of a Building Permit application in accordance with the City's Percent for Public Art Policy. If the applicant chooses this option then detailed plans for the installation of the artwork will not be required;

- (b) A detailed landscape plan shall be submitted to and approved by the City of Bayswater. 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:
 - i. The location and species of all trees and shrubs to be retained or removed.
 - ii. The size and number of new plants to be planted.
 - iii. The location of any lawn areas to be established.
 - iv. Those areas to be reticulated or irrigated.
 - v. 23 trees and associated growth zone as denoted on the plans are to be provided within the lot. A minimum pot size of 35 litres is to be provided for the trees. An arborist report is to be submitted to demonstrate that the growth zone will not be impacted by the vehicle access ways to the satisfaction of the City of Bayswater.
 - vi. All trees are to be provided with a minimum of 1m radius tree growth zone. The tree species shall be to the satisfaction of the City of Bayswater.
 - vii. Trees are to be provided within the northern landscaping strip facing Collier Road to the satisfaction of the City of Bayswater.



- viii. All landscaped areas shall be separated from vehicle access and parking areas through the use of walls, kerbing or bollards to enable the protection of the landscaping.

Landscaping, and reticulation 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.

- (c) A construction management plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area.
- (d) A waste management plan to be provided to address the waste generation, storage, and collection and disposal method to the satisfaction of the City of Bayswater. The approved plan shall thereafter be implemented in its entirety to the satisfaction of the City of Bayswater. The bin storage area to be provided with wash down facilities, the compound must be well ventilated and located on level ground to enable servicing.
- (e) A dust management plan is to be submitted to and approved by the City of Bayswater detailing prevention and control of dust in accordance with the Dust Control Guidelines produced by the Department of Environmental Protection, Department of Water and Environmental Regulation.
- (f) An acoustic report is to be submitted to and approved by the City of Bayswater assessing the potential impact the development has on the surrounding amenity. The noise generated from the construction and operational activities is not to exceed the levels prescribed under the *Environmental Protection (Noise) Regulations 1997*.
- (g) Outdoor lighting plans shall be submitted to and approved by the City of Bayswater. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties. External lighting shall be directed away from sensitive zones to prevent light spill and glare.
- (h) A detailed 'Schedule of Colours and Materials' shall be approved by the City of Bayswater. The proposed fence cladding shall be dark green colour to the satisfaction of the City of Bayswater.
- (i) Detailed plans of a drainage system shall be submitted to and approved by the City. The plans shall include the following:
 - i. All stormwater and drainage runoff retained onsite and to be provided and maintained to the satisfaction of the City of Bayswater.
 - ii. An adequate bunding/drainage system is required to prevent fuel and oil from discharging into the stormwater system and must be directed towards a full retention separator for treatment. The approved plans shall be implemented and thereafter maintained to the satisfaction of the City of Bayswater and the Department of Water and Environmental Regulation.



- (j) A septic tank application is to be submitted in accordance with the requirements of the Health (Treatment of sewage and disposal of effluent and liquid waste) regulations 1974.
 - (k) An environmental health report submitted to and approved by the City of Bayswater demonstrating that the onsite effluent disposal system is suitable for that property. The applicant to provide an amended plan to include the onsite effluent disposal system and other liquid waste system (including grease trap system) on the propose site plan that will work given the proposed location of the septic tanks will not be suitable.
 - (l) Additional information is to be submitted to and approved by the City of Bayswater demonstrating how the existing concrete recycling facility operation will not impact on the proposed development. Any changes in the operation of the concrete recycling facility are to be reviewed and approved by the City of Bayswater.
 - (m) A geotechnical report covering the development area being prepared by a suitably qualified practitioner at the applicant's cost, to the satisfaction of the City of Bayswater. The report is to be lodged with the building permit application, together with certification from a structural engineer that the design is suitable for the site conditions as outlined in the geotechnical report.
 - (n) Applicant demonstrating traffic measures including signage and line markings to minimise traffic conflicts between the users of the concrete recycling facility and the service station and fast food outlets to the satisfaction of the City of Bayswater.
5. Prior to the removal of the seven verge trees, the owner/applicant is to pay the City of Bayswater the amount of \$22,320 as determined by the Helliwell Assessment undertaken by the City to compensate for the loss of amenity value provided by these trees.
6. The seven street trees proposed are to be removed to the satisfaction of the City of Bayswater. The owner/applicant is responsible for engaging a qualified contractor, the cost of removing the trees and any claims that may arise from the removal of the tree. Seven trees in a minimum 45 litre bag size to be planted on the verge, the species and the location will be determined by the City of Bayswater Consulting Arborist.
7. Prior to commencement of works, investigation for soil and ground water contamination is to be carried out to determine if remediation is required. If required remediation, including validation of remediation, of any contamination identified shall be completed prior to the development of the site to the satisfaction of the City of Bayswater on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use. Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Water and Environmental Regulation contaminated sites guidelines.
8. All street tree(s) within the verge adjoining the subject property are to be retained, unless written approval has been granted by the City of Bayswater for their



removal, and shall have measures consistent with AS 4970-2009 undertaken to ensure its/their protection during construction of the subject development to the satisfaction of the City, including but not limited to the following:

- (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
 - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
 - (c) All activities related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.
 - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
 - (e) The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.
 - (f) Should any works be required to be undertaken within the TPZ, approval must be given by the City prior to entering this zone. You may be required to seek advice from an Arborist in regard to the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.
 - (g) Any new crossover shall maintain a minimum clearance of 2.0m from the base of a street tree(s).
9. Prior to the first occupation of the development 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.
 10. Windows, doors and adjacent areas fronting Jackson Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City of Bayswater.
 11. The signage hereby permitted shall not contain any flashing, moving or pulsating lighting, nor contain lighting that is distracting to road users, or interferes with traffic signals, to the satisfaction of the City of Bayswater.



12. Any illuminated signs on site shall have a maximum luminance in accordance with the following:
 - (a) Daytime - 6000cd/m²;
 - (b) Dawn/dusk - 600cd/m²; and
 - (c) Night - 300cd/m²
13. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street, or designed integrally with the building and be located so as not to be visually obtrusive from the street.
14. No storage or display of goods is to occur outside the building, to the satisfaction of the City of Bayswater.
15. Walls, fences and other structures or vegetation shall be truncated or reduced to no higher than 0.75m within 1.5m of where a vehicular access point meets the road reserve.
16. All vehicle crossings being upgraded, designed and constructed to the satisfaction of the City of Bayswater.
17. All advertising signs shall relate only to goods and services provided onsite.
18. The existing conditions of approval for the concrete recycling facility are still applicable.

Advice Notes

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two 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. 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 (Food Hygiene) Regulations 1993*;
 - *Health (Air handling and Water Systems) Regulations 1994*;
 - *Food Act 2008 and Australian Food Code*;
 - *Environmental Protection (Noise) Regulations 1997*;
 - *Treatment of Sewerage and Disposal of Effluent and Liquid Waste Amendment Regulations (No. 2) 1997*.
6. 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.
7. The applicant is required to submit a Building Permit to Water Corporation.
8. The development is required to connect to scheme water and reticulated sewerage as required by the Government Sewerage Policy- Perth Metropolitan Region.
9. All food related areas (kitchen, preparation areas etc) to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines.
10. In accordance with regulation 31(1)(c) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation. A current list of accredited auditors is available from www.dwer.wa.gov.au.
11. Fuel storage is to comply with the requirements of the *Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995*. Management of stormwater and liquid wastes is to comply with the Water and Rivers Commission guidelines.

AMENDING MOTION 1

Moved by: Mr Michael Hardy

Seconded by: Ms Megan Adair

That condition 5 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and LOST WITH THE CASTING VOTE (2/2).

For: Mr Michael Hardy
Ms Megan Adair

Against: Ms Rachel Chapman
Cr Filomena Piffaretti

Ms Megan Adair
Presiding Member, Metro Central JDAP



Due to the equality of votes, the Presiding Member exercised a casting vote against the amending motion in accordance with Section 5.13.1 of the Standing Orders 2017.

REASON: Though the City did not provide a clear outline of the details or application of City policy in relation to tree removal payments it was determined that from a precautionary position the vote should support the local authority recommendation until such time as further information is provided that clarifies the position.

AMENDING MOTION 2

Moved by: Ms Rachel Chapman

Seconded by: Cr Filomena Piffaretti

That condition 2(a) be amended to read as follows:

The proposed monolith sign adjacent to Collier Road to have a maximum height of 9m and width of ~~2m~~ **2.01m**.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Minor change to width only of the sign to accommodate a standard sign width used by the service station operator

AMENDING MOTION 3

Moved by: Ms Rachel Chapman

Seconded by: Mr Michael Hardy

That condition 3 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED (3/1).

For: Mr Michael Hardy
Ms Rachel Chapman
Ms Megan Adair

Against: Cr Filomena Piffaretti

REASON: It was considered that Condition 3 is not required as the matters listed have already been addressed in the Transcore Traffic Report

AMENDING MOTION 4

Moved by: Ms Rachel Chapman

Seconded by: Mr Michael Hardy

That condition 6 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED (3/1).



For: Mr Michael Hardy
Ms Megan Adair
Ms Rachel Chapman

Against: Cr Filomena Piffaretti

REASON: The approved plans show the street trees being removed and the replacement of the street trees is not proposed and not able to be accommodated. Compensation is payable for the loss of the street trees as per Condition 5 and it was not considered appropriate to replace and compensate.

AMENDING MOTION 5

Moved by: Ms Rachel Chapman

Seconded by: Mr Michael Hardy

That condition 8 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY

REASON: As the street trees are not proposed to be retained this condition was not considered necessary.

AMENDING MOTION 6

Moved by: Ms Rachel Chapman

Seconded by: Mr Michael Hardy

That condition 18 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: A condition stating that the existing conditions of approval was still valid was not considered necessary.

AMENDING MOTION 7

Moved by: Mr Michael Hardy

Seconded by: Ms Megan Adair

That advice note 8 be deleted and the remaining advice notes be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Advice note is not relevant to this application



REPORT RECOMMENDATION (AS AMENDED)

That the Metro Central JDAP resolves to:

1. **Approve** DAP Application reference DAP/18/01492 and accompanying plans 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 Town 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. Revised plan(s) addressing the following matters shall be submitted to and approved by 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 City's policies:
 - (a) The proposed monolith sign adjacent to Collier Road to have a maximum height of 9m and width of 2.01m.
 - (b) The proposed landscaping shall be a minimum 10 per cent of the site area.
3. Prior to the submission of a Building Permit the following are required to be provided:
 - (a) 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% or (\$22,000) of the estimated total construction cost of the development (\$2.2 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/applicant could choose cash-in-lieu of public art option. The cash-in-lieu amount is to be no less than 1% of the estimated total construction cost of the development and is to be paid to the City prior to submission of a Building Permit application in accordance with the City's Percent for Public Art Policy. If the applicant chooses this option then detailed plans for the installation of the artwork will not be required;

- (b) A detailed landscape plan shall be submitted to and approved by the City of Bayswater. 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:
 - i. The location and species of all trees and shrubs to be retained or removed.



- ii. The size and number of new plants to be planted.
- iii. The location of any lawn areas to be established.
- iv. Those areas to be reticulated or irrigated.
- v. 23 trees and associated growth zone as denoted on the plans are to be provided within the lot. A minimum pot size of 35 litres is to be provided for the trees. An arborist report is to be submitted to demonstrate that the growth zone will not be impacted by the vehicle access ways to the satisfaction of the City of Bayswater.
- vi. All trees are to be provided with a minimum of 1m radius tree growth zone. The tree species shall be to the satisfaction of the City of Bayswater.
- vii. Trees are to be provided within the northern landscaping strip facing Collier Road to the satisfaction of the City of Bayswater.
- viii. All landscaped areas shall be separated from vehicle access and parking areas through the use of walls, kerbing or bollards to enable the protection of the landscaping.

Landscaping, and reticulation 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.

- (c) A construction management plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area.
- (d) A waste management plan to be provided to address the waste generation, storage, and collection and disposal method to the satisfaction of the City of Bayswater. The approved plan shall thereafter be implemented in its entirety to the satisfaction of the City of Bayswater. The bin storage area to be provided with wash down facilities, the compound must be well ventilated and located on level ground to enable servicing.
- (e) A dust management plan is to be submitted to and approved by the City of Bayswater detailing prevention and control of dust in accordance with the Dust Control Guidelines produced by the Department of Environmental Protection, Department of Water and Environmental Regulation.
- (f) An acoustic report is to be submitted to and approved by the City of Bayswater assessing the potential impact the development has on the surrounding amenity. The noise generated from the construction and operational activities is not to exceed the levels prescribed under the *Environmental Protection (Noise) Regulations 1997*.
- (g) Outdoor lighting plans shall be submitted to and approved by the City of Bayswater. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties. External lighting shall be directed away from sensitive zones to prevent light spill and glare.



- (h) A detailed 'Schedule of Colours and Materials' shall be approved by the City of Bayswater. The proposed fence cladding shall be dark green colour to the satisfaction of the City of Bayswater.
 - (i) Detailed plans of a drainage system shall be submitted to and approved by the City. The plans shall include the following:
 - i. All stormwater and drainage runoff retained onsite and to be provided and maintained to the satisfaction of the City of Bayswater.
 - ii. An adequate bunding/drainage system is required to prevent fuel and oil from discharging into the stormwater system and must be directed towards a full retention separator for treatment. The approved plans shall be implemented and thereafter maintained to the satisfaction of the City of Bayswater and the Department of Water and Environmental Regulation.
 - (j) A septic tank application is to be submitted in accordance with the requirements of the Health (Treatment of sewage and disposal of effluent and liquid waste) regulations 1974.
 - (k) An environmental health report submitted to and approved by the City of Bayswater demonstrating that the onsite effluent disposal system is suitable for that property. The applicant to provide an amended plan to include the onsite effluent disposal system and other liquid waste system (including grease trap system) on the propose site plan that will work given the proposed location of the septic tanks will not be suitable.
 - (l) Additional information is to be submitted to and approved by the City of Bayswater demonstrating how the existing concrete recycling facility operation will not impact on the proposed development. Any changes in the operation of the concrete recycling facility are to be reviewed and approved by the City of Bayswater.
 - (m) A geotechnical report covering the development area being prepared by a suitably qualified practitioner at the applicant's cost, to the satisfaction of the City of Bayswater. The report is to be lodged with the building permit application, together with certification from a structural engineer that the design is suitable for the site conditions as outlined in the geotechnical report.
 - (n) Applicant demonstrating traffic measures including signage and line markings to minimise traffic conflicts between the users of the concrete recycling facility and the service station and fast food outlets to the satisfaction of the City of Bayswater.
4. Prior to the removal of the seven verge trees, the owner/applicant is to pay the City of Bayswater the amount of \$22,320 as determined by the Helliwell Assessment undertaken by the City to compensate for the loss of amenity value provided by these trees.
5. Prior to commencement of works, investigation for soil and ground water contamination is to be carried out to determine if remediation is required. If required remediation, including validation of remediation, of any contamination identified shall be completed prior to the development of the site to the



satisfaction of the City of Bayswater on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use. Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Water and Environmental Regulation contaminated sites guidelines.

6. Prior to the first occupation of the development 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.
7. Windows, doors and adjacent areas fronting Jackson Street shall maintain an active and interactive relationship with the street, to the satisfaction of the City of Bayswater.
8. The signage hereby permitted shall not contain any flashing, moving or pulsating lighting, nor contain lighting that is distracting to road users, or interferes with traffic signals, to the satisfaction of the City of Bayswater.
9. Any illuminated signs on site shall have a maximum luminance in accordance with the following:
 - (a) Daytime - 6000cd/m²;
 - (b) Dawn/dusk - 600cd/m²; and
 - (c) Night - 300cd/m²
10. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street, or designed integrally with the building and be located so as not to be visually obtrusive from the street.
11. No storage or display of goods is to occur outside the building, to the satisfaction of the City of Bayswater.
12. Walls, fences and other structures or vegetation shall be truncated or reduced to no higher than 0.75m within 1.5m of where a vehicular access point meets the road reserve.
13. All vehicle crossings being upgraded, designed and constructed to the satisfaction of the City of Bayswater.
14. All advertising signs shall relate only to goods and services provided onsite.

Advice Notes

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two 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. 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 (Food Hygiene) Regulations 1993*;
 - *Health (Air handling and Water Systems) Regulations 1994*;
 - *Food Act 2008 and Australian Food Code*;
 - *Environmental Protection (Noise) Regulations 1997*;
 - *Treatment of Sewerage and Disposal of Effluent and Liquid Waste Amendment Regulations (No. 2) 1997*.
6. 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.
7. The applicant is required to submit a Building Permit to Water Corporation.
8. All food related areas (kitchen, preparation areas etc) to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines.
9. In accordance with regulation 31(1)(c) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation. A current list of accredited auditors is available from www.dwer.wa.gov.au.
10. Fuel storage is to comply with the requirements of the *Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995*. Management of stormwater and liquid wastes is to comply with the Water and Rivers Commission guidelines.



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

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

8.2 Property Location:	Nos. 10, 12 & 14 (Lots 311, 800 & 801) Forbes Road and Nos. 40A, 40B & 40C (Lots 802, 803 & 804) Kishorn Road, Applecross
Development Description:	20 Storey Mixed-Use Development comprising 97 Multiple Dwellings, 15 Short Stay Accommodation Units and 5 Non-Residential tenancies (Office, Restaurant, Shop and 2 Co-Working Spaces)
Applicant:	Applecross Land Holdings Pty Ltd
Owner:	Applecross Land Holdings Pty Ltd
Responsible Authority:	City of Melville
DAP File No:	DAP/18/01534

REPORT RECOMMENDATION

Moved by: Nil

Seconded by: Nil

That the Metro Central Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/18/01534 and accompanying plans 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 Melville Local Planning Scheme No.6, subject to the following conditions as follows:

Conditions

1. The development the subject of this approval must comply with the approved plans at all times unless otherwise approved in writing by the City of Melville or the Joint Development Assessment Panel.
2. Any development and works within Planning Control Area 117 – Canning Highway between Riseley Street and Henley Street, does not form part of this approval.
3. All stormwater generated on site is to be retained on site.
4. Prior to the commencement of development, Lots 311, 800 & 801 Forbes Road and Lots 802, 803 & 804 Kishorn Road, Applecross, shall be amalgamated and new certificate of title obtained for the amalgamated lots.



5. Any proposed fencing which is visible from a public realm is required to comply with Element 16 of the Canning Bridge Activity Centre Plan to the satisfaction of the City.
6. Prior to the initial occupation of the development, all vehicle and bicycle parking bays, manoeuvring areas and points of ingress and egress shall be provided in accordance with the approved plans, to the satisfaction of the City and shall be retained for the life of the development.
7. Prior to the initial occupation of the development, all unused crossover(s) shall be removed and the kerbing and road verge reinstated at the owners cost to the satisfaction of the City.
8. The development shall be serviced by a concrete vehicle crossover with a maximum width of 6m and located a minimum of 2m away from the outside of the trunk of any street tree. The crossover is to be constructed prior to the initial occupation of the development in accordance with the City's specifications, to the satisfaction of the City.
9. Any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding street(s) or other buildings to the satisfaction of the City.
10. All external clothes drying facilities shall be screened from view of Forbes and Kishorn Roads to the satisfaction of the City.
11. Prior to the commencement of development, details of the exterior colours, materials and finishes are to be submitted to and approved in writing by the City. The development shall thereafter be constructed in accordance with those approved details.
12. In accordance with City of Melville Local Planning Policy *LPP 2.1 - Non-Residential Development*, the removal of, or permanent covering of shopfront windows and openings and the use of reflective or heavily tinted glazing at ground floor level is not permitted.
13. Prior to the commencement of development, a Green Façade Management Plan shall be submitted to and approved in writing by the City. This document shall incorporate but not be limited to the following items at minimum:
 - (a) Provide detailed elevations of the podium level to demonstrate the base architectural position of the green façade, in terms of materials and treatment;
 - (b) Details with regard to access and maintenance;
 - (c) The location, number and type of proposed plants;
 - (d) Description of the planting method and likely plant replacement regime;
 - (e) Fall back position if the green façade fails to establish or is not viable over the longer term; and
 - (f) Details of roles and responsibilities for ongoing maintenance.
14. Prior to the commencement of development, a detailed landscaping and reticulation plan for the subject site and road verges adjacent to the site shall be



submitted to and approved in writing by the City. The landscaping plan is to include details of (but not limited to):

- (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
- (b) Any lawns to be established;
- (c) Any existing vegetation and/or landscaped areas to be retained; and
- (d) Any verge treatments.

The approved landscaping and reticulation plan shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter for the life of the development, to the satisfaction of the City. Any species which fail to establish within the first two planting seasons following implementation shall be replaced in accordance with the City's requirements.

15. The development is to be constructed and operated in accordance with the Waste Management Plan dated 30 January 2019 and the City's Waste Management Guideline for New Developments, to the satisfaction of the City.
16. The development shall operate in accordance with the recommendations set out in the Acoustic Report by Floth dated 5 September 2018 to the satisfaction of the City.
17. Prior to the commencement of development and in accordance with Local Planning Policy *LPP1.4 Provision of Art in Development Proposals* and Element 17 of the Canning Bridge Activity Centre Plan, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. Alternatively, the public art contribution may be satisfied by a cash-in-lieu payment at the same rate, made prior to the commencement of works.
18. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the City and are to be removed prior to initial occupation of the development.
19. A Construction Management Plan is to be prepared by the Applicant and submitted to the City for approval at least 30 days prior to the commencement of development. The Construction Management Plan shall detail how the construction of the development will be managed including the following:
 - public safety and site security;
 - hours of operation;
 - noise and vibration controls;
 - air and dust management;
 - stormwater, groundwater and sediment control;
 - waste and material disposal;



- Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
- the parking arrangements for contractors and sub-contractors;
- on-site delivery times and access arrangements;
- the storage of materials and equipment on site (no storage of materials on the verge will be permitted); and
- any other matters likely to impact upon the surrounding properties or road reserve.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City.

20. Lighting is to be provided to all car parking areas and the exterior entrances to all buildings in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting to be hooded and oriented so that the light source is not directly visible to the travelling public or abutting development.
21. Prior to the commencement of development, the street trees to be retained within the verge are to be protected through the installation of a Tree Protection Zone (TPZ). Each TPZ is to be installed as per Australian Standard AS4970-2009 and in accordance with the following criteria to the satisfaction of the City:
- A free-standing mesh fence erected around each street tree with a minimum height of 1.8m and a 2m minimum radius measured from the outside of the trunk of each tree.
 - If an approved crossover, front fence, footpath, road or similar is located within the 2m radius, the TPZ fencing shall be amended to be the minimum distance necessary to allow the works to be completed.
 - Fixed signs are to be provided on all visible sides of the TPZ fencing clearly stating 'Tree Protection Zone – No Entry'.
 - The following actions shall not be undertaken within any TPZ:
 - Storage of materials, equipment fuel, oil dumps or chemicals
 - Servicing and refuelling of equipment and vehicles
 - Attachment of any device to any tree (including signage, temporary service wires, nails, screws, winches or any other fixing device)
 - Open-cut trenching or excavation works (whether or not for laying of services)
 - Changes to the natural ground level of the verge
 - Location of any temporary buildings including portable toilets
 - The unauthorised entry by any person, vehicle or machinery
 - No unauthorised pruning of the canopy or roots of any Street Tree is permissible under the City of Melville's Street Tree Policy CP-029. Pruning may only be undertaken by the City's approved contractors following a written submission to and approval by the City.

Once erected to the required standard, the TPZ shall be maintained in good condition to the satisfaction of the City and may only be removed upon occupation of the development.

22. Prior to the commencement of development, detailed plans shall be submitted to and approved in writing by the City demonstrating the proposed car parking bays



within the basement and the width and grades of the access ramp to the basement car park are designed in accordance to AS/NZS 2890.1:2004.

23. Prior to the commencement of development, a Management Plan for the control of deliveries to and from the site shall be submitted to and approved in writing by the City. The Management Plan shall be prepared to ensure that all service vehicles entering and exiting the site do so in forward motion. The development shall operate in accordance with the approved Management Plan for the lifetime of the development to the satisfaction of the City.
24. Prior to the commencement of development, a Road Safety Audit needs to be submitted to and approved in writing by the City in accordance with the City's Road Safety Audit Policy.
25. Where a driveway meets the street, walls or fencing within sight line areas are to meet the requirements contained under clause 5 of Local Planning Policy LPP3.1 Residential Development, to the satisfaction of the City.
26. Prior to the commencement of development, detailed drawings shall be provided to and approved by the City, in relation to the proposed streetscape improvements not within Planning Control Area 117, including street furniture and landscaping.
27. Prior to the occupation of development, a signage strategy shall be submitted to and approved in writing by the City. The strategy shall demonstrate how the future signage requirements for all uses are to be accommodated. Once approved, the signage strategy will inform the future assessment of applications for signage on the development.
28. Prior to the commencement of development, a way-finding strategy shall be submitted to and approved in writing by the City. The approved strategy shall be implemented prior to initial occupation.
29. Prior to the occupation of development, the land affected by Planning Control Area 117 shall be ceded free of cost to the State of Western Australia for the purpose of upgrading Forbes Road.
30. Subject to the other conditions of this approval, the community benefit items described by Advice Note (1), and as shown on the plans hereby approved must be provided and maintained throughout the life of the development by the owner (from time to time) of the land at Lots 311, 800 and 1061 (Nos. 10, 12 & 14) Forbes Road and Lots 802, 803 & 804 (Nos. 40A, 40B & 40C) Kishorn Road, Applecross. The obligation on the owner to maintain the community benefits will continue notwithstanding the Land may be subsequently subject to a strata title or other form of subdivision.
31. In order to secure the provision and ongoing maintenance of the community benefits, the owner of the Land must enter into a deed with the City of Melville (City). The deed:
 - (a) must be signed by the owner before any use authorised by this approval is commenced;



- (b) is to be prepared by the City's solicitors on the City's instructions at the owner's cost;
 - (c) shall charge the Land in favour of the City to allow the City to lodge an absolute caveat against the certificates of title to the Land;
 - (d) shall make provision for the matters described in the following conditions; and
 - (e) shall include other provisions necessary or convenient for the purpose of ensuring the community benefits are provided and maintained.
32. The deed required by the proceeding condition shall include provisions which address:
- (a) the provision of the landscape treatments, end of trip facilities and public car parking prior to the occupation of the development, and for those community benefits to thereafter be maintained to a standard satisfactory to the City by the owner (and future owners) for the life of the development. This may include (without limitation) things such as the provision of lighting, signage, painting and/or marking out as the case may be and, if required by the City, the requirement for the owner to obtain and maintain adequate public liability insurance and to indemnify the City against any claim connected with the use of these areas;
 - (b) the obligation for the owner, in the event the Land is the subject of a strata / survey strata subdivision, to ensure that the strata company adopts a bylaw by way of a management statement under section 5C of the Strata Titles Act, which provides for the strata company to be responsible for the ongoing maintenance of the community benefits, and for the public to be able to access and use any of the community benefits which are located on common property; and
 - (c) the need for the management statement required by the preceding paragraph to be expressed to require the consent of the City to any amendment or repeal of the management statement, pursuant to section 42(2d) of the Strata Titles Act.
33. In addition to the provisions in the preceding conditions, the deed between the owner and the City shall include provisions addressing the following matters relating to the provision and maintenance of the community benefit spaces as described in Advice Note (1) of this approval, and as outlined in the approved plans:
- (a) the community facilities areas may only be used for the purposes described in the development application, or for another purpose approved by the City which (in its absolute discretion) provides a similar and adequate community benefit;
 - (b) the community facilities areas may not be used or tenanted without the prior approval of the City;
 - (c) in the event the Land is the subject of a strata / survey strata subdivision that creates separate lots for the community facilities areas, a notification pursuant to section 70A of the Transfer of Land Act shall be registered against the certificate/s of title which describes the limitation on the use of those lots in terms satisfactory to the City;
 - (d) the requirement for the owner to use best endeavours to ensure that the community benefit spaces detailed by Advice Note 1 are always used



- during business hours for a community purpose approved by the City, and not left vacant or inoperative;
- (e) that the City is not required to pay any 'start up' or ongoing costs with respect to the community facilities areas, except normal maintenance costs associated with the ownership of the community facilities areas; and
 - (f) the management statement required by the preceding condition is to include provisions acceptable to the City with respect to the limitation on the use of the community facilities areas.
34. A 5 Star Green Star - Design & As Built certified rating (demonstrating 'Australian Excellence') must be achieved from the Green Building Council of Australia (GBCA) Prior to the commencement of development a Green Star Registration Certificate must be submitted to the City to confirm the intention to achieve an As Built rating. This should be supported by a project plan or similar confirmation document. Within 24 months of practical completion, As Built certification must be achieved, as per the Green Star – Design & As Built requirements, and evidence of this provided and approved in writing by the City.

Advice Notes

1. With respect to the Community Benefits related conditions listed above, the community benefits to be provided are as follows:
 - **Design comprising high quality active street frontages.** This space provided to the frontages of the development includes the provision of 151m of active frontage, 860m² of streetscape upgrades, 300m² of alfresco and public space, retention of 6 mature trees, 4 new street trees and verge plantings, planter boxes with seating, covered walkway including through site pedestrian passage and recessed alfresco areas at corner;
 - **Provision of public facilities** including 3 male and 3 female toilets, 2 universal toilets, 1 shower, 3 lockers and 5 bicycle racks;
 - **Provision of 199m² of publicly accessible garden space** by way of a community garden provided at the podium on Level 1 directly accessible via Forbes and Kishorn Roads. Clearly visible and accessible from the street and includes children's play equipment;
 - **Provision of 524m² of co-working space** on the ground floor and Level 1 to be used for community purposes along with a **225m² Community Hall** to comprise a sprung floor, kitchenette, universal toilet and storage room, accessed from Kishorn Road;
 - **15 short stay accommodation units** provided on Level 2, with 2 of the units being accessible for people with a disability; and
 - **125m² of Planning Control Area 117 land to be ceded** free of charge to the State of Western Australia.

Environmental Health Services Advice Notes

2. Prior to the commencement of development, an Acoustic Report shall be submitted to demonstrate that noise from all mechanical services and commercial uses (eg. café) that are associated with this development is capable of complying with the 'Assigned Noise Levels' contained in the *Environmental Protection (Noise) Regulations 1997* when the noise is received at a residential premises associated with this development and any neighbouring residential premises to



the satisfaction of the City. Once approved, the development shall operate in accordance with the recommendations set out in the report to the satisfaction of the City.

Technical Services Advice Notes

3. The City's Technical Services Department provide the following comments:

- The width and cross-section of the proposed access ramps to the car parking areas needs to be provided detailing the length and the grades of the ramps. Also height clearance at the entry to the basement needs to be shown. The head clearances are required to comply with s5.3 and Figure 5.3 of Australian Standard AS/NZS 2890.1, and the width of the proposed ramps is required to comply with AS/NZS 2890.1:2004 section 2.5.2 (ii); and
- The width of blind aisle extensions is required to comply with s2.4.2 of blind aisle extensions. The applicant is also required to show that adequate vertical and horizontal clearances are available for the car stackers.

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

ALTERNATE MOTION

Moved by: Cr Nicole Robins

Seconded by: Cr Tim Barling

That the Metro Central JDAP resolves to:

Refuse DAP Application reference DAP/18/01534 and accompanying plans 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 Melville Local Planning Scheme No.6, for the following reasons:

1. The height of the proposed development is not supported having regard to the "Bonus Provisions" requirements (Elements 21 and 22) of the Canning Bridge Activity Centre Plan, whereby it has not, in the view of the panel, been demonstrated that the community benefit proposed is sufficient to warrant approval of a 100% bonus in the number of storeys permitted as of right in the M10 zone of the Kintail Quarter of the Canning Bridge Activity Centre Plan.
2. The subject site borders the H4 zone, and it is considered by the panel that a twenty-storey building in this location (adjacent to buildings of four storeys or less) cannot be justified by the level of community benefit proposed. The panel is of the view that approval of this development would undermine the building hierarchy envisaged by the Canning Bridge Activity Centre Plan.

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

Ms Megan Adair
Presiding Member, Metro Central JDAP



For: Ms Megan Adair
Mr Michael Hardy
Cr Nicole Robins
Cr Tim Barling

Against: Ms Rachel Chapman

REASON: For the reasons outlined in the Alternate Motion

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

Nil

10. Appeals to the State Administrative Tribunal

The Presiding Member noted the following State Administrative Tribunal Applications -

Current Applications		
LG Name	Property Location	Application Description
City of South Perth	Lots 2-20 (No. 72-74) Mill Point Road, South Perth	36 Level (118.2m) Mixed Use Development
City of South Perth	Lot 4 (No. 3) Lyall Street and Lot 11 (No. 56) Melville Parade, South Perth	43 Storey Mixed Development
City of Melville	Lots 1060 (No. 20) and 1061 (No. 22) Kintail Road, Applecross	16 Storey Mixed Use Residential Development with 91 apartments and 5 non-residential tenancies
City of South Perth	Lots 29-31 (No. 50-52) Melville Parade, South Perth	31 Level (103.1m) Mixed Use Development
City of South Perth	Lots 81 and 82 (No.31) Labouchere Road and Lot 12 (No.24) Lyall Street, South Perth	Mixed use development comprising commercial and residential land uses (41 Storey)
City of South Perth	Lots 181, 803, 804, 805 & 806, Nos. 264-270 Canning Highway & Part Lot 182, No. 272 Canning Highway, Como	Proposed Commercial Development within a Single Storey plus Basement Building

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 7:25pm.

Ms Megan Adair
Presiding Member, Metro Central JDAP