



Metro Inner-North Joint Development Assessment Panel Minutes

Meeting Date and Time: Monday, 4 October 2021; 9.00am
Meeting Number: MINJDAP/109
Meeting Venue: electronic means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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Attendance

DAP Members

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

Item 8.1

Cr Suzanne Migdale (Local Government Member, City of Stirling)
Cr Felicity Farrelly (Local Government Member, City of Stirling)

Item 8.2

Cr Rick Powell (Local Government Member, City of Subiaco)
Cr Derek Nash (Local Government Member, City of Subiaco)

Officers in attendance

Item 8.1

Ms Giovanna Lumbaca (City of Stirling)
Mr Van Phan (City of Stirling)

Item 8.2

Ms Chantel Weerasekera (City of Subiaco)
Mr Anthony Denholm (City of Subiaco)
Mr Philip Griffiths (City of Subiaco)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)
Ms Zoe Hendry (DAP Secretariat)

Applicants and Submitters

Item 8.1

Mr Finn Smith (Planning Solutions)
Mr Tayne Evershed (Planning Solutions)
Mr Tome Nunes (Total Project Management)
Mr Sean McGivern (Kerry Hill Architects)

Item 8.2

Mr Justin Crooks (Cedar Woods)
Mr Daniel Calderwood (Cedar Woods)
Mr Daniel Hollingworth (Rowe Group)
Mr Dennis Chew (DKO Architects)
Ms Callie Chai (DKO Architects)
Mr Lionel Mawhinney (DKO Architects)
Mr Michael Memeo (REALM Studios)



Members of the Public / Media

Mr Lloyd Gorman from Post Newspapers, Ms Tyler Brown from PerthNow, Ms Victoria Rifici from Community News and Ms Nadia Budihardjo from Community News were in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.00am on 4 October 2021 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 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 meeting would not be recorded.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

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

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil



7. Deputations and Presentations

- 7.1 Mr Finn Smith (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Sean McGivern (Kerry Hill Architects) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 The City of Stirling Officers addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

The presentations at Items 7.1 - 7.3 were heard prior to the application at Item 8.1.

- 7.4 Mr Justin Crooks (Cedar Woods Properties) addressed the DAP in support of the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.5 Mr Daniel Hollingworth (Rowe Group) addressed the DAP in support of the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.6 The City of Subiaco Officers 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 - 7.6 were heard prior to the application at Item 8.2.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 160 (Lots 50 & 123) Hale Road, Wembley Downs

Development Description:	Proposed Partial Demolition and Additions to an Educational Establishment
Applicant:	Planning Solutions
Owner:	The Governors of Hale School
Responsible Authority:	City of Stirling
DAP File No:	DAP/21/02001



REPORT RECOMMENDATION

Moved by: Cr Felicity Farrelly

Seconded by: Mr John Syme

That the Metro Inner-North JDAP resolves to:

Approve DAP Application reference DAP/21/02001 and accompanying plans (Attachment 1) 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 Stirling Local Planning Scheme No. 3, for the proposed Partial Demolition and Additions to an Educational Establishment at Lots 50 and 123, House Number 160, Hale Road, Wembley Downs, subject to the following conditions:

Conditions

1. Pursuant to Clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under Clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the City of Stirling. The plans approved as part of this application form part of the planning approval issued.

Drawing Title	Date	Drawn By
Site Plan	October 2020	Site Architecture Studio
Feature Survey	18 February 2021	McMullen Nolan Group
Memorial Hall Site Plan Demolition	11 May 2021	Kerry Hill Architects
Memorial Hall Site Plan Proposed	11 May 2021	Kerry Hill Architects
Memorial Hall Overall Ground Floor Site Plan	11 May 2021	Kerry Hill Architects
Memorial Hall Ground Floor Demolition Plan	11 May 2021	Kerry Hill Architects
Memorial Hall First Floor Demolition Plan	11 May 2021	Kerry Hill Architects
Memorial Hall Ground Floor Plan	11 May 2021	Kerry Hill Architects
Media Studies Ground Floor Plan	11 May 2021	Kerry Hill Architects
Stow Theatre Ground Floor Plan	11 May 2021	Kerry Hill Architects
Memorial Hall First Floor Plan	11 May 2021	Kerry Hill Architects
Stow Theatre First Floor Plan	11 May 2021	Kerry Hill Architects



Memorial Hall Roof Plan	11 May 2021	Kerry Hill Architects
Media Studies Roof Plan	11 May 2021	Kerry Hill Architects
Stow Theatre Roof Plan	11 May 2021	Kerry Hill Architects
Memorial Hall Precinct Eastern Elevation	11 May 2021	Kerry Hill Architects
Memorial Hall Precinct Western Elevation	11 May 2021	Kerry Hill Architects
Stow Theatre South Elevation and Memorial Hall North Elevation	11 May 2021	Kerry Hill Architects
Stow Theatre North Elevation and Memorial Hall South Elevation	11 May 2021	Kerry Hill Architects
Sections - Section A and B	21 May 2021	Kerry Hill Architects
Sections - Section C and D	21 May 2021	Kerry Hill Architects
Aerial View from North East Corner	11 May 2021	Kerry Hill Architects
Aerial View from South East Corner	11 May 2021	Kerry Hill Architects
View towards Stow Theatre from Hale Road	11 May 2021	Kerry Hill Architects
South Elevation of Stow Theatre	11 May 2021	Kerry Hill Architects
Aerial View from South West Corner	11 May 2021	Kerry Hill Architects
Aerial View from North West Corner	11 May 2021	Kerry Hill Architects
Site Plan – New Carpark and Maintenance Shed	October 2020	Site Architecture Studio
Maintenance Shed Floor Plan	October 2020	Site Architecture Studio
Maintenance Shed Elevations	October 2020	Site Architecture Studio
Perspective Views	October 2020	Site Architecture Studio
Finishes Schedule	21 May 2021	Kerry Hill Architects

Landscaping

4. Prior to occupation of the development, all landscaping is to be in accordance with the Approved Plans (Attachment 1) and Landscaping Plans prepared by ASPECT Studios (Attachment 9) submitted as part of this application and any recommendations therein, to the satisfaction of the City of Stirling.
5. All existing site trees are to be protected during construction through the provision of tree protection zones in accordance with the approved plans (Attachment 1) and all landscaped areas is to be maintained in good condition thereafter to the satisfaction of the City of Stirling.



Parking and Access

6. Vehicular parking manoeuvring and circulation areas indicated on the approved plan being sealed and drained, all parking spaces being marked out and maintained in good repair to the satisfaction of the City of Stirling.
7. All parking bays, areas and ramps are to comply with Australian Standards AS/NZS2890.1 and AS2890.2. The number of ACROD car parking bays and their design and layout are to comply with Australian Standards AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities) and the Building Code of Australia (Volume 1 section D3.5).
8. Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas, to comply with Australian Standards AS/NZS1428.1-2009 (Design for access and mobility – General requirements for access – New building work).
9. Crossovers shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access. Crossovers are to be installed prior to occupation of the development.

Bushfire Prone Area

10. A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the Certificate of Title of the lot and included on the diagram or plan of survey (deposited plan), advising that the site is subject to a Bushfire Management Plan. The notification is to state as follows:

This land is within a Bushfire Prone Area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.

11. Prior to commencement of development, a Bushfire Emergency Evacuation Plan shall be prepared to the City of Stirling satisfaction and thereafter implemented. The Bushfire Emergency Evacuation Plan shall address the following:
 - i. The housekeeping tasks and the emergency evacuation procedure to be clearly identified, including the trigger for building evacuation;
 - ii. Information to be included in relation to any relevant building features, such as warning systems;
 - iii. Flammable materials on site to be detailed in the hazards section;
 - iv. Roles and responsibilities of the facility personnel are to be well defined;
 - v. On-site assembly point on Appendix 6 is to be altered to a location outside of the BAL 12.5 contour; and
 - vi. Evacuation centre to be depicted on Appendix 7.

Health

12. Prior to the submission of a Building Permit, an amended Acoustic Report is to be submitted to the City of Stirling demonstrating compliance with the *Environmental Protection (Noise Regulation) 1997*, specifically providing details of modelling contours and calculations, to the satisfaction of the City of Stirling.



13. Within 6 months of occupation of the development, a Noise Management Plan and Acoustic Verification Plan are to be submitted to the City of Stirling. The Noise Management Plan is to be complied with for the duration of the development.

General

14. Air conditioning units, ducts and other services shall be screened from view.
15. Adequate lighting being provided to communal pathways and parking areas to the satisfaction of the City of Stirling.
16. Any outside lighting to comply with Australian Standards AS 4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any adjacent residential premises.
17. Unless otherwise approved, no walls fences or letterboxes above 0.75 metres in height to be constructed within 1.5 metres of where:
 - a. walls or fences adjoin vehicular access points to the site, or
 - b. a driveway meets a public street, or
 - c. two streets intersect,unless the further approval is obtained.
18. A Site Management Plan is to be submitted to the City of Stirling prior to commencement of works. The Site Management Plan shall address dust, noise, waste management, storage of materials, traffic, parking, onsite and street tree protection zones and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
19. Stormwater from all roofed and paved areas shall be collected and contained on-site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

Advice Notes

- a) The Applicant is advised to ensure due consideration is given to the Department of Fire and Emergency Services comments dated 25 June 2021, 13 August 2021 and 8 September 2021, as contained within Attachment 12.
- b) All works within the road reserve require separate approval through the City of Stirling's Engineering Services Business Unit.
- c) All construction works must comply with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.



- d) All street trees adjoining the subject land that are not conditioned for removal are to be retained and protected throughout the duration of the development. Should these trees die, decline, be damaged or are removed, charges will apply as per the City of Stirling Street and Reserve Tree Policy. Part of or all of the Verge Bond may be retained to cover the associated costs and further penalties and/or legal action may occur. It is the responsibility of the applicant to ensure that the site survey plan is correct as any inaccuracy of the plans will not be considered justification for removal of the trees in the event that their positions are incorrectly shown. The removal of street trees without the written approval of the City of Stirling is an offence under the *City of Stirling Public Places and Thoroughfare Law 2009*.
- e) With respect to Condition 5, tree protection zones should be inspected by the Project Arborist (as defined in Australian Standards AS4970-2009) prior to construction commencement. Any works within tree protection zones should only be undertaken under the supervision of the Project Arborist.
- f) The Stow Theatre Sundry and Kitchen are to comply with the WA Food Act and ANZ Food Safety Standards Code.
- g) The development is to comply with the *Health (Public Building) Regulations 1992*.
- h) The development is to comply with the Australian Standards AS1668.2 – Mechanical Ventilation in Buildings.
- i) Noise levels generated from the use of the building are to comply with the *Environmental Protection (Noise Regulations) 1997*.

AMENDING MOTION 1

Moved by: Mr John Syme

Seconded by: Ms Lee O'Donohue

The following amendments were made en bloc:

- (i) That condition no.5 be amended to read as follows:
*All existing site trees **that are shown to be retained in the Arborist Reports prepared by ArborSafe (Attachment 10)** are to be protected during construction through the provision of tree protection zones **in accordance with the approved plans (Attachment 1)** and all landscaped areas is to be maintained in good condition thereafter to the satisfaction of the City of Stirling.*
- (ii) That condition no.12 be amended to read as follows:
Prior to the submission of a Building Permit, an Acoustic Report is to be submitted to the City of Stirling demonstrating compliance with the Environmental Protection (Noise Regulation) 1997, ~~specifically providing details of modelling contours and calculations,~~ to the satisfaction of the City of Stirling.



(iii) That condition no.14 be amended to read as follows:

Where visible from the public realm, air conditioning units, ducts and other services shall be screened from view.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Minor terminology changes within the context of the conditions.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner-North JDAP resolves to:

Approve DAP Application reference DAP/21/02001 and accompanying plans (Attachment 1) 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 Stirling Local Planning Scheme No. 3, for the proposed Partial Demolition and Additions to an Educational Establishment at Lots 50 and 123, House Number 160, Hale Road, Wembley Downs, subject to the following conditions:

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3. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the City of Stirling. The plans approved as part of this application form part of the planning approval issued.

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Maintenance Shed Elevations	October 2020	Site Architecture Studio
Perspective Views	October 2020	Site Architecture Studio
Finishes Schedule	21 May 2021	Kerry Hill Architects

Landscaping

4. Prior to occupation of the development, all landscaping is to be in accordance with the Approved Plans (Attachment 1) and Landscaping Plans prepared by ASPECT Studios (Attachment 9) submitted as part of this application and any recommendations therein, to the satisfaction of the City of Stirling.



5. All existing site trees that are shown to be retained in the Arborist Reports prepared by ArborSafe (Attachment 10) are to be protected during construction through the provision of tree protection zones in accordance with the approved plans (Attachment 1) and all landscaped areas is to be maintained in good condition thereafter to the satisfaction of the City of Stirling.

Parking and Access

6. Vehicular parking manoeuvring and circulation areas indicated on the approved plan being sealed and drained, all parking spaces being marked out and maintained in good repair to the satisfaction of the City of Stirling.
7. All parking bays, areas and ramps are to comply with Australian Standards AS/NZS2890.1 and AS2890.2. The number of ACROD car parking bays and their design and layout are to comply with Australian Standards AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities) and the Building Code of Australia (Volume 1 section D3.5).
8. Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas, to comply with Australian Standards AS/NZS1428.1-2009 (Design for access and mobility – General requirements for access – New building work).
9. Crossovers shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access. Crossovers are to be installed prior to occupation of the development.

Bushfire Prone Area

10. A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the Certificate of Title of the lot and included on the diagram or plan of survey (deposited plan), advising that the site is subject to a Bushfire Management Plan. The notification is to state as follows:

This land is within a Bushfire Prone Area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.

11. Prior to commencement of development, a Bushfire Emergency Evacuation Plan shall be prepared to the City of Stirling satisfaction and thereafter implemented. The Bushfire Emergency Evacuation Plan shall address the following:
 - i. The housekeeping tasks and the emergency evacuation procedure to be clearly identified, including the trigger for building evacuation;
 - ii. Information to be included in relation to any relevant building features, such as warning systems;
 - iii. Flammable materials on site to be detailed in the hazards section;
 - iv. Roles and responsibilities of the facility personnel are to be well defined;
 - v. On-site assembly point on Appendix 6 is to be altered to a location outside of the BAL 12.5 contour; and
 - vi. Evacuation centre to be depicted on Appendix 7.



Health

12. Prior to the submission of a Building Permit, an amended Acoustic Report is to be submitted to the City of Stirling demonstrating compliance with the *Environmental Protection (Noise Regulation) 1997*, specifically calculations, to the satisfaction of the City of Stirling.
13. Within 6 months of occupation of the development, a Noise Management Plan and Acoustic Verification Plan are to be submitted to the City of Stirling. The Noise Management Plan is to be complied with for the duration of the development.

General

14. Where visible from the public realm, air conditioning units, ducts and other services shall be screened from view.
15. Adequate lighting being provided to communal pathways and parking areas to the satisfaction of the City of Stirling.
16. Any outside lighting to comply with Australian Standards AS 4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any adjacent residential premises.
17. Unless otherwise approved, no walls fences or letterboxes above 0.75 metres in height to be constructed within 1.5 metres of where:
 - a. walls or fences adjoin vehicular access points to the site, or
 - b. a driveway meets a public street, or
 - c. two streets intersect,unless the further approval is obtained.
18. A Site Management Plan is to be submitted to the City of Stirling prior to commencement of works. The Site Management Plan shall address dust, noise, waste management, storage of materials, traffic, parking, onsite and street tree protection zones and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
19. Stormwater from all roofed and paved areas shall be collected and contained on-site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

Advice Notes

- a) The Applicant is advised to ensure due consideration is given to the Department of Fire and Emergency Services comments dated 25 June 2021, 13 August 2021 and 8 September 2021, as contained within Attachment 12.
- b) All works within the road reserve require separate approval through the City of Stirling's Engineering Services Business Unit.



- c) All construction works must comply with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
- d) All street trees adjoining the subject land that are not conditioned for removal are to be retained and protected throughout the duration of the development. Should these trees die, decline, be damaged or are removed, charges will apply as per the City of Stirling Street and Reserve Tree Policy. Part of or all of the Verge Bond may be retained to cover the associated costs and further penalties and/or legal action may occur. It is the responsibility of the applicant to ensure that the site survey plan is correct as any inaccuracy of the plans will not be considered justification for removal of the trees in the event that their positions are incorrectly shown. The removal of street trees without the written approval of the City of Stirling is an offence under the *City of Stirling Public Places and Thoroughfare Law 2009*.
- e) With respect to Condition 5, tree protection zones should be inspected by the Project Arborist (as defined in Australian Standards AS4970-2009) prior to construction commencement. Any works within tree protection zones should only be undertaken under the supervision of the Project Arborist.
- f) The Stow Theatre Servery and Kitchen are to comply with the WA Food Act and ANZ Food Safety Standards Code.
- g) The development is to comply with the *Health (Public Building) Regulations 1992*.
- h) The development is to comply with the Australian Standards AS1668.2 – Mechanical Ventilation in Buildings.
- i) Noise levels generated from the use of the building are to comply with the *Environmental Protection (Noise Regulations) 1997*.

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

REASON: The JDAP supported the proposal and are of the opinion that the development is consistent and compliant with the zoning and planning framework. The building design, material and scale complements the existing campus, with the proposal functionality providing good link for students to the various new spaces. Relocation of the carpark from the corner is considered a positive aspect to the site. Modifications and additional parking arrangements to cater for staff via an internal driveway's configuration is considered appropriate. The JDAP supported the proposal, including minor condition changes, consistent with planning framework for the reasons contained within the RAR.

*Cr Felicity Farrelly and Cr Suzanne Migdale left the panel at 9.30am.
Cr Rick Powell and Cr Derek Nash joined the panel at 9.30am.*



8.2 133 (Lots 437 & 438) Salvado Road, Subiaco

Development Description: Construction of A Seven Storey Residential Development (110 Multiple Dwellings)
Applicant: Rowe Group
Owner: Gaythorne Pty Ltd
Responsible Authority: City of Subiaco
DAP File No: DAP/21/02026

REPORT RECOMMENDATION

Moved by: Mr John Syme

Seconded by: Cr Derek Nash

It is recommended that the Metro Inner-North Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/21/02026 and accompanying plans dated received 25 August 2021 (**Attachment 1**) 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 Subiaco Local Planning Scheme No. 5, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for at least the 1 per cent annual exceedance probability (AEP) event. No stormwater will be permitted to enter the City of Subiaco's stormwater drainage system unless otherwise approved.
4. Prior to issue of a Building Permit, the applicant is to demonstrate incorporation of water efficient irrigation systems and water harvesting re-use technologies within the development, to the satisfaction of the City of Subiaco.
5. Prior to issue of a building permit, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street and or secondary street or otherwise located to not be visually obtrusive to the satisfaction of the City of Subiaco.



6. Prior to the issue of a building permit, the applicant is to demonstrate that the development achieves a minimum of 20 percent of all dwellings across a range of dwelling sizes meet Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia) and Development Policy 10 – Adaptable Housing.
7. Prior to the issue of a building permit, the applicant shall submit a schedule of materials, colours, finishes and textures for the development to the satisfaction of the City of Subiaco. The schedule may be subject to review and comment by the City's Design Review Panel.
8. Prior to issue of a building permit, an outdoor lighting plan must be submitted and approved by the City of Subiaco. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties.
9. Prior to occupation of the development, each multiple dwelling shall be provided with a mechanical clothes dryer or alternatively shall have an adequate area provided for drying clothes. This drying area shall be screened from view from any adjacent public place, to the satisfaction of the City of Subiaco.
10. Prior to occupation of the development, landscaping shall be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the City of Subiaco. All landscaped areas, are to be maintained on an ongoing basis for the life of the development on the site to the satisfaction of the City of Subiaco.
11. A minimum of 16 dwellings (comprised of 12 dwellings for sub-precinct 2, and 4 dwellings for the sub-precinct 1 development, deferred to sub-precinct 2) must be Affordable Housing, provided in accordance with Development Policy 9 – Affordable and Diverse Housing and to the satisfaction of the City of Subiaco. The details of the Affordable Housing must be provided to, and approved by, the City of Subiaco prior to commencement of development.
12. Prior to occupation of the development, a notification pursuant to Section 70A of the Transfer of Land Act 1893 shall be registered against the Certificate of Title to the land the subject of the proposed development advising the owners and subsequent owners of the land of the following matter(s):
 - That residential car parking permits are unlikely to be granted by the City of Subiaco to residents and their visitors with respect to the residential units upon the site.The notification is to be prepared by the City's solicitors at the expense of the owner and be executed by all parties prior to occupation.

Public art

13. Prior to issue of a building permit, the applicant/owner shall either:
 - a. Seek approval from the City of Subiaco for an artist to provide public art on the development site in accordance with an approved Public Art Plan, to a minimum value of 1% of the construction cost; or,
 - b. Make arrangements with the City of Subiaco for a cash-in-lieu payment of 1% of the construction cost for the purpose of public art works.



Sustainability

14. Prior to the issue of a building permit, the applicant shall submit Design Review Certificate from the Green Building Council of Australia or equivalent Sustainable Design Assessment Report form a suitably qualified professional confirming that the development has been designed to achieve a minimum 5 Star Green Star building rating, to the satisfaction of the City of Subiaco.
15. Within 12 months of completion of the development, the applicant is to submit to the City of Subiaco documentation confirming that the initiatives identified in the Design Review Certificate or Sustainable Design Assessment Report have been implemented, to the satisfaction of the City of Subiaco.

Noise

16. Prior to commencement of the development, a Noise Management Plan is to be submitted detailing measures that will be undertaken to ensure all noise levels are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997 (as amended). The plan shall be prepared by a suitably qualified consultant and shall include, but is not limited to, the following matters:
 - a. Type and specifications of selected mechanical plant and equipment and screening;
 - b. Predictions of noise levels;
 - c. Sound proofing measures used in the design and construction of the development;
 - d. Control measures to be undertaken (including monitoring procedures); and
 - e. A complaint response procedure.

All sound attenuation measures identified by the plan or as additionally required by the City, are to be implemented prior to occupancy of the development or as otherwise required by the City, and the requirements of the plan are to be observed at all times.

Construction

17. Prior to the issue of a building permit, a Construction Management Plan shall be prepared to the City of Subiaco's satisfaction. This plan is to address:
 - a. construction noise;
 - b. hours of construction;
 - c. dust;
 - d. vibration;
 - e. waste;
 - f. sand;
 - g. temporary fencing;
 - h. scaffolding;
 - i. hoarding;
 - j. gantries;
 - k. site access and egress;
 - l. site deliveries;
 - m. traffic management;
 - n. parking management;
 - o. management of loading and unloading of vehicles;



- p. heavy vehicle access;
- q. protection of verge trees; and
- r. any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process to the satisfaction of the City of Subiaco.

18. Prior to the issue of a building permit, a dilapidation report prepared by a suitably qualified professional shall be submitted to the City of Subiaco for approval, and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas and rights of ways), including ancillary structures located on these properties:
- 45 Bishop Street, Jolimont;
 - 41 Bishop Street, Jolimont;
 - 2 Upham Street, Subiaco, and
 - 133 Salvado Road, Subiaco (Sub-precinct 1).

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Subiaco, that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Dilapidation reports shall be prepared to the satisfaction of the City of Subiaco

Infrastructure and Traffic

19. All car parking dimensions, manoeuvring areas, crossovers and driveways shall accord with the Australian Standard AS2890.1 (as amended).
20. All infrastructure in the road reserve adjacent to the development site shall be protected from damage for the duration of the construction of the development, and reinstated to the condition that existed prior to the commencement of the development.
21. Prior to commencement of physical works, a Tree Preservation Zone (TPZ) is to be established and maintained around each existing street tree for the life of the contract.
22. Prior to the occupation of the development, a finalised waste management plan shall be submitted to the City of Subiaco for approval. The plan shall be implemented and adhered to throughout the life of the development to the satisfaction of the City of Subiaco.



23. Prior to occupation of the development, the following bicycle facilities are to be provided:
- a minimum of 20 bicycle parking spaces are to be provided within the communal bike store; and
 - a minimum 12 visitor bicycle parking spaces are to be provided within the primary street setback area; and
 - a minimum of 1 wall-mounted bicycle mount is to be provided within each residential store room.

Bicycle parking spaces shall accord with Australian Standard AS2890.3, to the satisfaction of the City of Subiaco.

24. Prior to occupation of the development, the applicant is to make suitable arrangements with the City of Subiaco and/or Western Power to achieve necessary easement(s) for the purpose of erecting the street light adjacent to Access Way D as annotated on Drawing Number DA 201 as "streetlight pole location".
25. Prior to occupation or at such time as agreed by the City of Subiaco via the use of a legal agreement between the land owner(s) and the City of Subiaco, the Bishop Street Road Reserve adjoining the west of the subject site shall be widened by 0.7m or as otherwise required to ensure an overall footpath width of 1.5m metres. The widening is to be shown on a Diagram or Plan of Survey and vested in the Crown under section 152 of the *Planning & Development Act 2005*, such land to be ceded free of cost and without any compensation by the Crown. The road widening to facilitate a footpath shall be constructed and drained at the cost of the landowner/applicant, prior to occupation.

Advice Notes

- This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or the requirements of any other external agency.
- In relation to the term of approval, a further two years is added to the date by which the development shall be substantially commenced, pursuant to Schedule 4, Clause 4.2 of the Clause 78H Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 8 April 2020 (the notice was subsequently updated on 30 April 2020).
- In relation to external fixtures, the exterior fixture associated with any air-conditioning unit or hot water system is considered an appropriate location where it is positioned:
 - outside of balcony/verandah areas (if applicable); and below the height of a standard dividing fence within a side or rear setback area; or
 - within a screened rooftop plant area or nook.
- In relation to public art, the provision of public art to a minimum value of 1% of the construction costs (i.e.: \$325,000, based in a construction cost of \$32,500,000) is to be incorporated into the development, or through payment of cash in lieu or a combination of both.



- v. In relation to the waste management plan, a revised waste management plan is to be provided which ensures that the bin pick up location does not unduly block pedestrian access ways. For further information the applicant is advised to contact the City's Waste Services.
- vi. In relation to the dilapidation report(s), these should address the following matters to satisfy the City of Subiaco:
 - a. Dilapidation reports are to clearly identify the name of the organisation and person(s) undertaking the inspection and shall include their relevant qualifications;
 - b. Dilapidation reports are to be prepared in accordance with relevant legislation and standards, including Australian Standard AS4349.1 (or equivalent);
 - c. A calibration gauge should be used for measurement, in combination with high resolution photos for accurate record keeping;
 - d. Landowners of properties requiring dilapidation reports are to be afforded the opportunity by the applicant to identify any existing areas of concern that can be visually identified and recorded in any dilapidation report;
 - e. The applicant, in consultation with the owner of the property requiring the dilapidation report, is to ensure that every reasonable effort is made to ensure that they can obtain safe and reasonable access to any and all areas of a property requiring dilapidation reports;
 - f. Landowners of properties requiring dilapidation reports are to be provided the same copy and version of the dilapidation report as any submitted to the City of Subiaco as part of any request to clear conditions of development approval as required; and
 - g. For the City to be fully satisfied, consideration will be given to written feedback from landowners up to seven days after receipt of the dilapidation report.
 - h. In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Subiaco, that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Dilapidation reports shall be prepared to the satisfaction of the City of Subiaco.
- vii. It is recommended that the applicant/owner liaise with the City of Subiaco for the provision of rootable soil zones within the road reserve of Access Way C adjoining the proposed deep soil areas and tree planting, as suggested by the Design Review Panel. In this regard, the applicant is advised to contact the City's Transport and Infrastructure Development branch.



- viii. In relation to Tree Preservation Zones:
- a. Provisions to be incorporated into the development to ensure that the development does not impact in to the City's tree canopies and root systems that are growing adjacent to the boundary. The City's street tree policy, protocols and Australian Standard relating to the protection of trees adjacent to development site (AS 4970–2009) to be adhered to at all times.
 - b. Tree Preservation Zone (TPZ) Protective fencing shall be formed around the tree prior to works commencing and shall be retained for the entirety of the project. The TPZ is to be a minimum of two (2) metres extending out from the outer part of the trunk base of the tree or where required, protection may be to the drip line of the tree canopy whichever is greater. If works are required within the TPZ then a City representative must be present on site whilst works are being conducted.
 - c. The City's requirements to minimise the risk of tree damage/death a minimum construction clearance of two (2) metres is required from the base of an existing street tree/buttruss roots. Where excavation to a depth greater than 100mm is proposed the clearance should be greater than three (3) metres from the base of an existing street tree is required to protect the structural roots of the tree (SRZ). Where any work including excavation, compaction and/or machine trenching is required adjacent to a City tree, a City officer must be onsite during excavation.
- ix. In relation to Environmental Health matters:
- a. The applicant is to ensure the car park design and construction complies with the Health Act (Carbon Monoxide) Regulations 1975 (as amended).
 - b. The applicant is to ensure noise emissions from the site comply with the Environmental Protection (Noise) Regulations 1997 (as amended).
 - c. All mechanical service systems including air-conditioners etc. to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended).
- x. In relation to Building Services matters:
- a. The responsible Builder must ensure that the work does not adversely affect land beyond the boundaries of the works land. The engineering design details must consider methodologies for minimising the potential for adverse effects on neighbouring properties. If access is required to neighbouring land then the 'Work affecting other land' provisions of Part 6 of the Building Act 2011 will apply. Notification and consent in the form of a BA20 or BA20a should be provided.
- xi. The Water Corporation has reviewed the documentation and has the following comments to make –
- **Water and Wastewater**
The proposed development can be provided with reticulated water and sewerage at the proponent's cost by undertaking connections to and extensions off the existing networks in the locality.
All water and sewer main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the WA Utility Providers Code of Practice.
 - Protection and relocation of existing Water Corporation infrastructure



The Water Corporation owns and operates several large, pressured pipes that traverse the property boundaries and run inside the property in some areas (see attached plan).

A major water distribution main (760mm diameter steel) runs inside the northern frontage along Salvado Road approximately 4.5m within the lot. The developer is required to fund the full cost of relocating and protecting the distribution main into the adjoining Salvado Road reserve.

A major drainage pressure main (460mm diameter) and a water distribution main (760mm diameter steel) run along the eastern frontage of the site down Greenwood Lane. These pipes are in part protected within a Water Corporation owned pipe reserve for approximately 100m of the eastern frontage. However, approximately 25m of these pipes at the south-eastern corner of the site are not protected within easements or reserves.

The developer is required to fund the full cost of protecting or modifying any existing Water Corporation infrastructure which may be affected by the development, including establishing additional easements to protect these pipes.

More information about this process can be found at <https://www.watercorporation.com.au/Developing-and-building/Working-near-assets/Process-for-working-near-our-assets>

The presence of these assets within the site has already been discussed with the landowner prior to this development application. The proponent is aware of the requirement to comply with Water Corporation's standards and practices regarding the protection of these assets.

- General Comments

At the building license stage this proposal will require approval by the Water Corporation's Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.

Further information about building applications can be found at <https://www.watercorporation.com.au/Developing-and-building/Building/Lodging-a-building-application/Single-residential-building-applications>

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.

AMENDING MOTION 1

Moved by: Mr John Syme

Seconded by: Ms Lee O'Donohue

That condition no. 4 be amended to read as follows:

Prior to issue of a Building Permit, the applicant is to demonstrate incorporation of water efficient irrigation systems ~~and water harvesting re-use technologies~~ within the development, to the satisfaction of the City of Subiaco.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Minor changes to reflect the sustainability elements as supported by City officers.



AMENDING MOTION 2

Moved by: Mr John Syme

Seconded by: Ms Lee O'Donohue

That a Condition no. 12 be deleted and replaced with a new Advice Note no. xii to be added to read as follows:

The occupants are advised that the City is unlikely to grant parking permits to residents of guests of the proposal.

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

For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr John Syme
Cr Derek Nash

Against: Cr Rick Powell

REASON: Parking permits are a matter for the city and there is no requirement for it to be included on the title.

REPORT RECOMMENDATION (AS AMENDED)

It is recommended that the Metro Inner-North Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/21/02026 and accompanying plans dated received 25 August 2021 (**Attachment 1**) 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 Subiaco Local Planning Scheme No. 5, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for at least the 1 per cent annual exceedance probability (AEP) event. No stormwater will be permitted to enter the City of Subiaco's stormwater drainage system unless otherwise approved.
4. Prior to issue of a Building Permit, the applicant is to demonstrate incorporation of water efficient irrigation systems within the development, to the satisfaction of the City of Subiaco.



5. Prior to issue of a building permit, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street and or secondary street or otherwise located to not be visually obtrusive to the satisfaction of the City of Subiaco.
6. Prior to the issue of a building permit, the applicant is to demonstrate that the development achieves a minimum of 20 percent of all dwellings across a range of dwelling sizes meet Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia) and Development Policy 10 – Adaptable Housing.
7. Prior to the issue of a building permit, the applicant shall submit a schedule of materials, colours, finishes and textures for the development to the satisfaction of the City of Subiaco. The schedule may be subject to review and comment by the City's Design Review Panel.
8. Prior to issue of a building permit, an outdoor lighting plan must be submitted and approved by the City of Subiaco. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties.
9. Prior to occupation of the development, each multiple dwelling shall be provided with a mechanical clothes dryer or alternatively shall have an adequate area provided for drying clothes. This drying area shall be screened from view from any adjacent public place, to the satisfaction of the City of Subiaco.
10. Prior to occupation of the development, landscaping shall be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the City of Subiaco. All landscaped areas, are to be maintained on an ongoing basis for the life of the development on the site to the satisfaction of the City of Subiaco.
11. A minimum of 16 dwellings (comprised of 12 dwellings for sub-precinct 2, and 4 dwellings for the sub-precinct 1 development, deferred to sub-precinct 2) must be Affordable Housing, provided in accordance with Development Policy 9 – Affordable and Diverse Housing and to the satisfaction of the City of Subiaco. The details of the Affordable Housing must be provided to, and approved by, the City of Subiaco prior to commencement of development.

Public art

12. Prior to issue of a building permit, the applicant/owner shall either:
 - a. Seek approval from the City of Subiaco for an artist to provide public art on the development site in accordance with an approved Public Art Plan, to a minimum value of 1% of the construction cost; or,
 - b. Make arrangements with the City of Subiaco for a cash-in-lieu payment of 1% of the construction cost for the purpose of public art works.



Sustainability

13. Prior to the issue of a building permit, the applicant shall submit Design Review Certificate from the Green Building Council of Australia or equivalent Sustainable Design Assessment Report form a suitably qualified professional confirming that the development has been designed to achieve a minimum 5 Star Green Star building rating, to the satisfaction of the City of Subiaco.
14. Within 12 months of completion of the development, the applicant is to submit to the City of Subiaco documentation confirming that the initiatives identified in the Design Review Certificate or Sustainable Design Assessment Report have been implemented, to the satisfaction of the City of Subiaco.

Noise

15. Prior to commencement of the development, a Noise Management Plan is to be submitted detailing measures that will be undertaken to ensure all noise levels are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997 (as amended). The plan shall be prepared by a suitably qualified consultant and shall include, but is not limited to, the following matters:
 - a. Type and specifications of selected mechanical plant and equipment and screening;
 - b. Predictions of noise levels;
 - c. Sound proofing measures used in the design and construction of the development;
 - d. Control measures to be undertaken (including monitoring procedures); and
 - e. A complaint response procedure.

All sound attenuation measures identified by the plan or as additionally required by the City, are to be implemented prior to occupancy of the development or as otherwise required by the City, and the requirements of the plan are to be observed at all times.

Construction

16. Prior to the issue of a building permit, a Construction Management Plan shall be prepared to the City of Subiaco's satisfaction. This plan is to address:
 - a. construction noise;
 - b. hours of construction;
 - c. dust;
 - d. vibration;
 - e. waste;
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 - k. site access and egress;
 - l. site deliveries;
 - m. traffic management;
 - n. parking management;
 - o. management of loading and unloading of vehicles;



- p. heavy vehicle access;
- q. protection of verge trees; and
- r. any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process to the satisfaction of the City of Subiaco.

17. Prior to the issue of a building permit, a dilapidation report prepared by a suitably qualified professional shall be submitted to the City of Subiaco for approval, and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas and rights of ways), including ancillary structures located on these properties:
- 45 Bishop Street, Jolimont;
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In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Subiaco, that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Dilapidation reports shall be prepared to the satisfaction of the City of Subiaco

Infrastructure and Traffic

18. All car parking dimensions, manoeuvring areas, crossovers and driveways shall accord with the Australian Standard AS2890.1 (as amended).
19. All infrastructure in the road reserve adjacent to the development site shall be protected from damage for the duration of the construction of the development, and reinstated to the condition that existed prior to the commencement of the development.
20. Prior to commencement of physical works, a Tree Preservation Zone (TPZ) is to be established and maintained around each existing street tree for the life of the contract.
21. Prior to the occupation of the development, a finalised waste management plan shall be submitted to the City of Subiaco for approval. The plan shall be implemented and adhered to throughout the life of the development to the satisfaction of the City of Subiaco.



22. Prior to occupation of the development, the following bicycle facilities are to be provided:
- a minimum of 20 bicycle parking spaces are to be provided within the communal bike store; and
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 - a minimum of 1 wall-mounted bicycle mount is to be provided within each residential store room.

Bicycle parking spaces shall accord with Australian Standard AS2890.3, to the satisfaction of the City of Subiaco.

23. Prior to occupation of the development, the applicant is to make suitable arrangements with the City of Subiaco and/or Western Power to achieve necessary easement(s) for the purpose of erecting the street light adjacent to Access Way D as annotated on Drawing Number DA 201 as "streetlight pole location".
24. Prior to occupation or at such time as agreed by the City of Subiaco via the use of a legal agreement between the land owner(s) and the City of Subiaco, the Bishop Street Road Reserve adjoining the west of the subject site shall be widened by 0.7m or as otherwise required to ensure an overall footpath width of 1.5m metres. The widening is to be shown on a Diagram or Plan of Survey and vested in the Crown under section 152 of the *Planning & Development Act 2005*, such land to be ceded free of cost and without any compensation by the Crown. The road widening to facilitate a footpath shall be constructed and drained at the cost of the landowner/applicant, prior to occupation.

Advice Notes

- This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or the requirements of any other external agency.
- In relation to the term of approval, a further two years is added to the date by which the development shall be substantially commenced, pursuant to Schedule 4, Clause 4.2 of the Clause 78H Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 8 April 2020 (the notice was subsequently updated on 30 April 2020).
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 - outside of balcony/verandah areas (if applicable); and below the height of a standard dividing fence within a side or rear setback area; or
 - within a screened rooftop plant area or nook.
- In relation to public art, the provision of public art to a minimum value of 1% of the construction costs (i.e.: \$325,000, based in a construction cost of \$32,500,000) is to be incorporated into the development, or through payment of cash in lieu or a combination of both.



- v. In relation to the waste management plan, a revised waste management plan is to be provided which ensures that the bin pick up location does not unduly block pedestrian access ways. For further information the applicant is advised to contact the City's Waste Services.
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 - b. Dilapidation reports are to be prepared in accordance with relevant legislation and standards, including Australian Standard AS4349.1 (or equivalent);
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 - e. The applicant, in consultation with the owner of the property requiring the dilapidation report, is to ensure that every reasonable effort is made to ensure that they can obtain safe and reasonable access to any and all areas of a property requiring dilapidation reports;
 - f. Landowners of properties requiring dilapidation reports are to be provided the same copy and version of the dilapidation report as any submitted to the City of Subiaco as part of any request to clear conditions of development approval as required; and
 - g. For the City to be fully satisfied, consideration will be given to written feedback from landowners up to seven days after receipt of the dilapidation report.
 - h. In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Subiaco, that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Dilapidation reports shall be prepared to the satisfaction of the City of Subiaco.
- vii. It is recommended that the applicant/owner liaise with the City of Subiaco for the provision of rootable soil zones within the road reserve of Access Way C adjoining the proposed deep soil areas and tree planting, as suggested by the Design Review Panel. In this regard, the applicant is advised to contact the City's Transport and Infrastructure Development branch.



- viii. In relation to Tree Preservation Zones:
- a. Provisions to be incorporated into the development to ensure that the development does not impact in to the City's tree canopies and root systems that are growing adjacent to the boundary. The City's street tree policy, protocols and Australian Standard relating to the protection of trees adjacent to development site (AS 4970–2009) to be adhered to at all times.
 - b. Tree Preservation Zone (TPZ) Protective fencing shall be formed around the tree prior to works commencing and shall be retained for the entirety of the project. The TPZ is to be a minimum of two (2) metres extending out from the outer part of the trunk base of the tree or where required, protection may be to the drip line of the tree canopy whichever is greater. If works are required within the TPZ then a City representative must be present on site whilst works are being conducted.
 - c. The City's requirements to minimise the risk of tree damage/death a minimum construction clearance of two (2) metres is required from the base of an existing street tree/buttruss roots. Where excavation to a depth greater than 100mm is proposed the clearance should be greater than three (3) metres from the base of an existing street tree is required to protect the structural roots of the tree (SRZ). Where any work including excavation, compaction and/or machine trenching is required adjacent to a City tree, a City officer must be onsite during excavation.
- ix. In relation to Environmental Health matters:
- a. The applicant is to ensure the car park design and construction complies with the Health Act (Carbon Monoxide) Regulations 1975 (as amended).
 - b. The applicant is to ensure noise emissions from the site comply with the Environmental Protection (Noise) Regulations 1997 (as amended).
 - c. All mechanical service systems including air-conditioners etc. to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended).
- x. In relation to Building Services matters:
- a. The responsible Builder must ensure that the work does not adversely affect land beyond the boundaries of the works land. The engineering design details must consider methodologies for minimising the potential for adverse effects on neighbouring properties. If access is required to neighbouring land then the 'Work affecting other land' provisions of Part 6 of the Building Act 2011 will apply. Notification and consent in the form of a BA20 or BA20a should be provided.
- xi. The Water Corporation has reviewed the documentation and has the following comments to make –
- **Water and Wastewater**
The proposed development can be provided with reticulated water and sewerage at the proponent's cost by undertaking connections to and extensions off the existing networks in the locality.
All water and sewer main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the WA Utility Providers Code of Practice.
 - Protection and relocation of existing Water Corporation infrastructure



The Water Corporation owns and operates several large, pressured pipes that traverse the property boundaries and run inside the property in some areas (see attached plan).

A major water distribution main (760mm diameter steel) runs inside the northern frontage along Salvado Road approximately 4.5m within the lot. The developer is required to fund the full cost of relocating and protecting the distribution main into the adjoining Salvado Road reserve.

A major drainage pressure main (460mm diameter) and a water distribution main (760mm diameter steel) run along the eastern frontage of the site down Greenwood Lane. These pipes are in part protected within a Water Corporation owned pipe reserve for approximately 100m of the eastern frontage. However, approximately 25m of these pipes at the south-eastern corner of the site are not protected within easements or reserves.

The developer is required to fund the full cost of protecting or modifying any existing Water Corporation infrastructure which may be affected by the development, including establishing additional easements to protect these pipes.

More information about this process can be found at <https://www.watercorporation.com.au/Developing-and-building/Working-near-assets/Process-for-working-near-our-assets>

The presence of these assets within the site has already been discussed with the landowner prior to this development application. The proponent is aware of the requirement to comply with Water Corporation's standards and practices regarding the protection of these assets.

- General Comments

At the building license stage this proposal will require approval by the Water Corporation's Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.

Further information about building applications can be found at <https://www.watercorporation.com.au/Developing-and-building/Building/Lodging-a-building-application/Single-residential-building-applications>

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.

- xii. The occupants are advised that the City is unlikely to grant parking permits to residents of guests of the proposal.

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



REASON: The JDAP considered the proposal in context of the wider planning framework and were of the opinion that the proposal is consistent and compliant with the scheme and policy provisions. The design, orientation, materials, and streetscape interface of the proposal were considered appropriate, noting the DPR comments on the design and functionality against the various provisions. Panel Members were satisfied with the housing diversity in terms of unit size and mix and inclusion of affordable housing improving housing choice in the area. The minor variation to building height was considered against various R-Code provisions. The exercise of discretion in terms of height is supported given the context, design, and amenity to of the proposal. Overall, the JDAP supported the proposal, which is considered to be consistent with the planning framework, and appropriate scale of development within the local area and for the reasons contained in the RAR. The proposal was approved, with minor modification to conditions.

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/19/01651 DR160/2020	City of Nedlands	Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands	Shopping Centre	21/07/2020
DAP/19/01722 DR155/2020	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	4 Storey Mixed Use Development	16/07/2020

The Presiding Member noted the following Supreme Court Applications –

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/20/01884 CIV 1791 of 2021	City of Stirling	Lot 100 Field Street, Mount Lawley	24 multiple dwellings and six (6) grouped dwellings	11 February 2021



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 10.31am.