



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 7 November 2024; 9:30am
Meeting Number: MIDAP/43
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/43 - 7 November 2024 - City of Subiaco - City of Belmont](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF SUBIACO

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lot 30 (No.22-24) Hood Street Subiaco - Deletion of Condition 11 and associated amendments to the development plans – DAP/23/02484

PART C – CITY OF BELMONT

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 753 (No.205) Great Eastern Highway, Ascot - Mixed Use Development - Hotel, Serviced Apartments, Restaurant and Small Bar – DAP/24/02699
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. Meeting Closure

Dale Page
Presiding Member, Metro Inner DAP



Attendance	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Dale Page (Presiding Member)	Laura Simmons
Francesca Lefante (Deputy Presiding Member)	Ashlee Kelly
Eugene Koltasz	
<i>Part B – City of Subiaco</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Penny O'Connor	Aoise Noone
Cr Simon White	Anthony Denholm
	Aurland Baluyot
	Liam Page
<i>Part C – City of Belmont</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Mayor Robert Rossi	Brandon Pang
	Nicholas Reddy
	Penny Wallis

Dale Page
Presiding Member, Metro Inner DAP



Applicant and Submitters
<i>Part B – City of Subiaco</i>
Ken Perry Daniel Hollingworth (Lateral Planning) Adrian Dhue (Lateral Planning) Phillip Dobson (Hotchkin Hanley)
<i>Part C – City of Belmont</i>
Laurie Scanlan (Scanlan Architects) Belinda Moharich (Moharich and More) Tayne Evershed (Planning Solutions) Joe Tilli (Planning Solutions)

Members of the Public / Media

Nil

Observers via livestream

There were 12 persons observing the meeting via the livestream.

Dale Page
Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:30am on 7 November 2024 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Cr Russell Jones (Local Government DAP Member, City of Subiaco)
Cr Rick Powell (Local Government DAP Member, City of Subiaco)
Cr Phil Marks (Local Government DAP Member, City of Belmont)

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](#).

Dale Page
Presiding Member, Metro Inner DAP



PART B – CITY OF SUBIACO

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

2. Disclosure of Interests

DAP Member, Dale Page, declared an impartiality interest in item 4.1. Ms Page was a board member on Development WA over one year ago.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the Deputy Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in the discussion and voting on the item.

In accordance with section 2.4.9 of the DAP Code of Conduct 2024, DAP Members, Cr Penny O'Connor and Cr Simon White, declared that they had participated in a prior Council meeting in relation to the application at item 4.1. However, under section 2.1.2 of the DAP Code of Conduct 2024, Cr O'Connor and Cr White acknowledged that they are 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 them, which will be considered on its planning merits.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the Presiding Member determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in the discussion and voting on the item.

3. Form 1 DAP Applications

Nil.

4. Form 2 DAP Applications

4.1 Lot 30 (No.22-24) Hood Street Subiaco - Deletion of Condition 11 and associated amendments to the development plans – DAP/23/02484

Deputations and Presentations

Ken Perry addressed the DAP in support of the recommendation for the application at Item 4.1.

Phillip Dobson (Hotchkin Hanly) addressed the DAP against the recommendation for the application at Item 4.1 and responded to questions from the panel.

Dale Page
Presiding Member, Metro Inner DAP



Daniel Hollingworth (Lateral Planning) addressed the DAP against the recommendation for the application at Item 4.1 and responded to questions from the panel.

Adrian Dhue (Lateral Planning) responded to questions from the panel.

The City of Subiaco addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Cr Penny O'Connor

Seconded by: Cr Simon White

It is recommended the Metro Inner Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/23/02484 as detailed on the DAP Form 2 dated 19 August 2024 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Refuse** DAP Application reference DAP/23/02484 and accompanying plans dated 19 August 2024 (Plans 1-20, of 20) 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, for the proposed minor amendment to the approved development at Lot 30 (No. 22-24) Hood Street, Subiaco, for the following reasons:

Reasons

1. Having regard to clause 9 of the City of Subiaco's Local Planning Scheme No. 5, the amendment is inconsistent with the following aims owing to the deletion of condition 11:
 - a) Aim (a) – does not foster a sense of place.
 - b) Aim (b) – does not improve the City's provision of housing choice and variety.
 - c) Aim (d) – is inconsistent with the wider regional planning framework.
 - d) Aim (f) – does not contribute to social amenity within the City.
 - e) Aim (p) – does not facilitate a seamless transition from a redevelopment area to a normalised area.
2. Having regard to clause 16, Table 2 of the City of Subiaco's Local Planning Scheme No. 5, the amendment is inconsistent with the following objectives of the Centre zone by virtue of the deletion of condition 11:
 - a) Objective (b) – is inconsistent with the provisions of Development Policy No. 9 – Affordable and Diverse Housing as adopted under Local Planning Scheme No. 5.
 - b) Objective (e) – does not enhance the regional nature of the City or provide certainty to future developers.

Dale Page
Presiding Member, Metro Inner DAP



3. Having regard to DevelopmentWA Development Policy No. 9 – Affordable and Diverse Housing, the deletion of condition 11:
 - a) Does not satisfy the objections outlined in Part 2 of the policy.
 - b) Does not satisfy the performance standards outlined in P3, P4, P5, P6 and P7 of the policy.
4. Having regard to Principle 9 – Community of State Planning Policy 7.0 Design of the Built Environment, the deletion of condition 11 does not deliver any affordable housing dwellings which:
 - a) Does not respond to social demands.
 - b) Does not provide housing choice.
 - c) Does not address different living needs and household budgets.
5. Having regard to the Element 4.8 Dwelling Mix of the Residential Design Codes Volume 2 – Apartments, the deletion of condition 11 does not satisfy Element Objective 4.8.1.

AMENDING MOTION 1

Moved by: Dale Page

Seconded by: Eugene Koltasz

The following amendments were made en bloc to the report recommendation;

- (i) That a new Reason No. 6 be added to read as follows:

The applicant was fully aware of the City's Affordable Housing DP 9 when it lodged its development application last year by making 6 affordable dwellings on the development application plans that it sought DAP approval for on 21 August, 2023.

- (ii) That a new Reason No. 7 be added to read as follows:

Condition 11 imposed on 21 August 2023 fairly and reasonably relates to the development applied for on the factual basis that point 5.5 of the applicant's development application report submitted to the DAP and received on 11 May 2023 states that the proposed development provides diverse housing in accordance with the Performance Standards of Development Policy 9.

- (iii) That a new Reason No. 8 be added to read as follows:

Deleting condition 11 would create inequity and an undesirable precedent for future developments that fall within the remit of Development Policy 9, both in the city of Subiaco and in other redevelopment of normalised redevelopment areas.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To provide further reasons on the validity and nexus of condition 11 in relation to the development and to outline possible impacts of the deletion of the condition

Dale Page
Presiding Member, Metro Inner DAP



REPORT RECOMMENDATION (AS AMENDED)

It is recommended the Metro Inner Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/23/02484 as detailed on the DAP Form 2 dated 19 August 2024 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Refuse** DAP Application reference DAP/23/02484 and accompanying plans dated 19 August 2024 (Plans 1-20, of 20) 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, for the proposed minor amendment to the approved development at Lot 30 (No. 22-24) Hood Street, Subiaco, for the following reasons:

Reasons

1. Having regard to clause 9 of the City of Subiaco's Local Planning Scheme No. 5, the amendment is inconsistent with the following aims owing to the deletion of condition 11:
 - a) Aim (a) – does not foster a sense of place.
 - b) Aim (b) – does not improve the City's provision of housing choice and variety.
 - c) Aim (d) – is inconsistent with the wider regional planning framework.
 - d) Aim (f) – does not contribute to social amenity within the City.
 - e) Aim (p) – does not facilitate a seamless transition from a redevelopment area to a normalised area.
2. Having regard to clause 16, Table 2 of the City of Subiaco's Local Planning Scheme No. 5, the amendment is inconsistent with the following objectives of the Centre zone by virtue of the deletion of condition 11:
 - a) Objective (b) – is inconsistent with the provisions of Development Policy No. 9 – Affordable and Diverse Housing as adopted under Local Planning Scheme No. 5.
 - b) Objective (e) – does not enhance the regional nature of the City or provide certainty to future developers.
3. Having regard to DevelopmentWA Development Policy No. 9 – Affordable and Diverse Housing, the deletion of condition 11:
 - a) Does not satisfy the objections outlined in Part 2 of the policy.
 - b) Does not satisfy the performance standards outlined in P3, P4, P5, P6 and P7 of the policy.
4. Having regard to Principle 9 – Community of State Planning Policy 7.0 Design of the Built Environment, the deletion of condition 11 does not deliver any affordable housing dwellings which:
 - a) Does not respond to social demands.
 - b) Does not provide housing choice.
 - c) Does not address different living needs and household budgets.

Dale Page
Presiding Member, Metro Inner DAP



5. Having regard to the Element 4.8 Dwelling Mix of the Residential Design Codes Volume 2 – Apartments, the deletion of condition 11 does not satisfy Element Objective 4.8.1.
6. The applicant was fully aware of the City's Affordable Housing DP 9 when it lodged its development application last year by making 6 affordable dwellings on the development application plans that it sought DAP approval for on 21 August, 2023.
7. Condition 11 imposed on 21 August 2023 fairly and reasonably relates to the development applied for on the factual basis that point 5.5 of the applicant's development application report submitted to the DAP and received on 11 May 2023 states that the proposed development provides diverse housing in accordance with the Performance Standards of Development Policy 9.
8. Deleting condition 11 would create inequity and an undesirable precedent for future developments that fall within the remit of Development Policy 9, both in the city of Subiaco and in other redevelopment of normalised redevelopment areas.

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

REASON: The members considered that the condition has a planning purpose and is reasonable having regard to the development details, RAR comments, policy provisions, legal submissions and presentations. Members were satisfied that the condition is valid and should be retained. Members disagreed with applicant condition modifications and plan changes which are considered to lack certainty and do not provide a suitable mechanism to ensure in perpetuity as provided in Condition 11.

Cr Penny O'Connor and Cr Simon White (Local Government DAP Members, City of Subiaco) left the panel at 10:42am.

Dale Page
Presiding Member, Metro Inner DAP



PART C – CITY OF BELMONT

Mayor Robert Rossi (Local Government DAP Member, City of Belmont) joined the panel at 10:44am.

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part C of the Agenda and Part C of the Related Information.

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 Lot 753 (No.205) Great Eastern Highway, Ascot - Mixed Use Development - Hotel, Serviced Apartments, Restaurant and Small Bar – DAP/24/02699

Deputations and Presentations

Laurie Scanlan (Scanlan Architects) addressed the DAP against the recommendation for the application at Item 3.1 and responded to questions from the panel.

Belinda Moharich (Moharich and More) addressed the DAP against the recommendation for the application at Item 3.1 and responded to questions from the panel.

Tayne Evershed (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

The City of Belmont addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Mayor Robert Rossi

Seconded by: Nil

That the Metro Inner DAP resolves to:

Refuse DAP Application reference DAP/24/02699 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 Belmont Local Planning Scheme No.15 for the following reasons:

Dale Page
Presiding Member, Metro Inner DAP



1. Having regard for Clause 67 (m) of the Planning and Development (Local Planning Schemes) Regulations 2015, the development is not compatible with its setting or with the amenity of the locality, including the relationship to the development on adjoining land and on to land in the locality, in terms of the likely effect of the size, setback and appearance.
2. Having regard for Clause 67 (2)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, approval would set an undesirable precedent.

The Report Recommendation LAPSED for want of a seconder.

ALTERNATE MOTION

Moved by: Dale Page

Seconded by: Francesca Lefante

The Alternate Motion was moved and seconded inclusive of amendments to Condition No. 4 to replace the words “prevent direct” with “minimise”, deletion of Condition No. 19 and Condition No. 20 and amendment to Condition No. 18 to replace “prior to lodging an application for a building permit” with “prior to occupation”.

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/24/02699 and accompanying plans (13 September 2024) 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 Belmont Local Planning Scheme No. 15, subject to the following:

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. Development/land use shall be in accordance with the attached approved plan(s) dated 13 September 2024, and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the City.
3. This decision constitutes planning approval only and is valid for a period of four 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.
4. Prior to the lodgement of an application for a Building Permit, amended plans shall be submitted to address the following:
 - Major openings provided on the north-western elevation are to be provided with screening with horizontal screening to minimise overlooking of adjoining properties.

Dale Page
Presiding Member, Metro Inner DAP



5. Prior to lodging an application for a building permit, a detailed landscaping plan for the subject site and/or the road verge *shall be* submitted for approval and implemented to the satisfaction of the City. The plan must include the following:
 - (a) landscaping to all areas of the property visible from the street and communal open spaces;
 - (b) irrigation details and methods;
 - (c) details of planting on structures; and
 - (d) the street verge in compliance with the Consolidated Local Law 2020.
6. Prior to occupation or use of the development, landscaping, plants, verge treatment and irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan to the satisfaction of the City.
7. Prior to lodging an application for a building permit, the owner/applicant shall seek approval from the City of Belmont for an artist to provide public art on the development site to a minimum value of \$400,000 (exclusive GST) to the satisfaction of the City.
8. Where public art will be provided on the development site, the approved concept/strategy shall be thereafter implemented, and the artwork constructed and maintained for the life of the development to the satisfaction of the City.
9. Prior to the commencement of site works the applicant shall submit a Construction Management Plan to the City that outlines the following measures:
 - i. Public safety and amenity;
 - ii. Site plan and security;
 - iii. Contact details of essential site personnel, construction period and operating hours;
 - iv. Community information, consultation and complaints management procedures;
 - v. Noise, vibration, air and dust management;
 - vi. Dilapidation reports of nearby properties;
 - vii. Traffic, access and parking management that accords with the requirements of AS1742 Pt3;
 - viii. Waste management and materials re-use;
 - ix. Earthworks, excavation, land retention/piling methods and associated matters;
 - x. Street tree management and protection; and/or
 - xi. Any other matter deemed relevant by the City.

The plan shall thereafter be implemented to the satisfaction of the City.

10. Prior to the commencement of development, a lighting plan *shall be* submitted for approval and implemented to the satisfaction of the City. The plan must show lighting for the communal areas, landscaped areas, storage, hallways, driveway and pedestrian access to the development.

Dale Page
Presiding Member, Metro Inner DAP



11. Prior to lodging an application for a building permit, the applicant/ owner shall submit a Sustainability Report *to the satisfaction of the City*. The Sustainability Report shall be prepared by a qualified sustainability/ environmental consultant and include:

- (a) Details of all on site sustainability initiatives such as electric vehicle (EV) charging and share options, construction materials and finishes, PV systems, waste management, lighting, sustainable fixtures and landscaping.

The Sustainability Report is to be endorsed by a qualified sustainability/ environmental consultant and thereafter implemented and maintained for the life of the development.

12. Prior to occupation or use of development, a Car Parking Management Plan shall be prepared and submitted to the satisfaction of the City. The Management Plan shall include:

- i. Operational information regarding the management of car parking onsite;
- ii. Details of the management of EV shared vehicles and bicycle hire initiatives;
- iii. details regarding the allocation of car parking bays for staff and guests, and shift change management;
- iv. details of wayfinding signage, line marking and lighting throughout the parking areas;

13. Prior to lodging an application for a building permit, a detailed schedule of external materials, finishes and colours to be used in the construction of the development shall be submitted for approval and implemented to the satisfaction of the City.

14. Prior to occupation or use of the development, the external face of the insert wall built on the boundary shall be finished in either:

- (a) face brick;
- (b) painted render; or
- (c) painted brick work.

to the satisfaction of the City.

15. Prior to occupation or commencement of the use, a signage strategy for the site / development shall be prepared and submitted to the City as a separate application for development approval.



16. Prior to occupation or use of the development, an updated Acoustic Report shall be prepared and submitted to the satisfaction of the City. The Acoustic Report shall include the following:

- Hours of operation for the rooftop bar area and amplified music;
- Hours of the turntable operation and bin collection; and
- Mechanical services operation.

Once approved, the noise attenuation measures outlined in the updated Acoustic Report shall be implemented at all times to the satisfaction of the City of Belmont.

17. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the approved acoustic report prepared by Herring Storer Acoustics and dated 6 September 2024 have been implemented is to be provided to the satisfaction of the City of Belmont. The implemented acoustic measures must be maintained for the life of the development to the satisfaction of the City of Belmont.

18. Prior to occupation, the proprietor must consent to the City lodging for registration on the Certificate of Title for the land a notification under Section 70A of the *Transfer of Land Act 1893*. The notification is to state as follows:

"The lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise."

The notification and registration are at the full cost of the applicant.

19. All commercial vehicles and trucks shall ingress and egress the site in forward gear. No reversing of vehicles and trucks to or from the site via a public road is permitted.
20. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
- (a) The approved plan;
 - (b) Schedule 7 of City of Belmont Local Planning Scheme No. 15; and
 - (c) Council's engineering requirements and design guidelines.

The areas must be sealed in concrete or brick paving in accordance with the City of Belmont specifications, unless approved in writing by the City. All parking bays must be clearly line marked.

21. All access ways, parking areas and hard stand areas shall be constructed and maintained in accordance with the City's engineering requirements and design guidelines.



22. Prior to occupation or use of the development, the owner / applicant shall, after having obtained written approval from the City (Infrastructure Services Clearance Application/ Crossover Upgrade Application), construct a vehicle crossover in accordance with the approved plans and the City's engineering specifications to the satisfaction of the City.
23. Prior to lodging an application for a building permit, a geotechnical report prepared by an appropriately qualified consultant shall be submitted to the City certifying that the ground can accommodate the proposed development, to the satisfaction of the City.
24. All stormwater from roofed and paved areas shall be collected and disposed of off-site via an approved sand trapped manhole/oil and silt separator device in accordance with the City's engineering requirements and design guidelines. Prior to lodging an application for a building permit, stormwater disposal plans, details and calculations prepared in accordance with the City's engineering requirements and design guidelines shall be submitted for approval and thereafter implemented, constructed, and maintained to the satisfaction of the City.
25. Prior to occupation of the development, a minimum of twenty (20) bicycle bays are to be installed and thereafter maintained for the course of the development to the specifications outlined within Austroads Guide AP-R527-16-Bicycle Parking Facilities Guidelines for Design and Installation and AS2890.3:2015 to the satisfaction of the City.
26. No services, such as air conditioners, fire boosters, metre service boards or water heaters shall be visible from the street, unless approved in writing by the City.
27. Bin store is to be of a large enough size to accommodate current bin requirements, along with provision to contain additional bins in the future if required.
28. Bin storage areas shall be paved with an impervious material and shall drain to an approved disposal system to the satisfaction of the City. Bin storage areas must not drain to a stormwater drainage system or to the environment.
29. Stormwater shall not be discharged to the Great Eastern Highway Road Reserve or the widened road reservation.
30. No waste collection is permitted from Great Eastern Highway.
31. No works are permitted within the Great Eastern Highway Road Reservation unless Main Roads has issued a Working on Roads Permit.

Advice Notes

1. A development approval is not an approval to commence any works associated with the development. A Building Permit must be obtained prior to commencement of any site and building works. Please liaise with the City's Building Services Department to ascertain the requirements for a building permit to be issued.

Dale Page
Presiding Member, Metro Inner DAP



2. The owner is advised that any change to the property which amends the Gross Rental Value (as determined by the Valuer-General) may result in the issue of an Interim Rate Notice as per the Local Government Act 1995. If you have any queries regarding the Gross Rental Value of your property, please contact the City's Rates team on 9477 7222.
3. Once the works the subject of a Building Permit have been completed, an application for an Occupancy Permit must be made. The application must be accompanied by a Certificate of Construction Compliance and payment of the statutory fees. The Occupancy Permit must be granted prior to commencing occupancy.
4. The food business must comply with the Food Act 2008 and submit a Registration Form and detailed fit out plans to the City's Health Services for assessment prior to construction. The Food Act Registration form and information on registering a food business is available on the City of Belmont's website.
5. The applicant must provide a copy of their Water Corporation Trade Waste Permit to the City's Health Services prior to the lodgement of an application for a Building Occupancy Certificate.
6. All construction must be undertaken in compliance with the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997 in regard to noise levels. No construction works that exceed the assigned noise levels may be conducted outside the hours of 7am to 7pm, Monday to Saturday excluding public holidays.
7. In relation to the finish of the boundary wall(s), the owner is encouraged to liaise with the adjoining property owner(s) to ascertain a finish that satisfies both parties.
8. The landscaping plan shall be a minimum size of A3 at a scale of not less than 1:200. It is recommended that the landscaping plan is prepared by a qualified landscape architect / designer and meets the requirements specified in the City's Landscaping Plan Information Sheet.
9. In relation to the landscaping, the plants are to be nurtured until they reach their typical mature dimensions and shall thereafter be maintained at those mature dimensions unless the City approves otherwise in writing.
10. The installation of outdoor lighting shall be in accordance with the requirements of Australian Standard AS 4282 – 1997 "Control of the Obtrusive Effects of Outdoor Lighting".

Dale Page
Presiding Member, Metro Inner DAP



11. In relation to the maintenance of the access ways, parking areas and hard stand areas, the City's Engineering Requirements and Design Guidelines contains detailed specifications which must be adhered to in the preparation of plans submitted for approval in respect of such matters as drainage, paving, parking, accessways, crossovers, land fill and retaining.

In the event the access ways, parking areas and hard stand is not satisfactorily maintained, the City may require the area be brought up to a satisfactory standard.

12. Neither a development approval nor a building permit constitutes an approval to construct a crossover to a property. Prior to commencement of any site works, separate approval must be obtained from the City's Infrastructure Services Department to construct a crossover to the property (i.e. from the road to connect with the property's internal driveway). This approval shall be sought by way of an application for Infrastructure Services Clearance. Failure to obtain approval from the City's Infrastructure Services for the crossover may result in time delays or refusal of a vehicle crossover subsidy. Please note Infrastructure Services Clearance Applications are determined within 30 working days from date of lodgment provided further information is not required.
13. The acoustic report is to identify noise sources associated with the use, whether the noise generated complies with applicable standards, and any measures suggested to ameliorate or attenuate noise produced. If required by the City, noise attenuation measures suggested by the report or by the City shall be adopted within a time stipulated by the City.
14. The proposed public art concept will be forwarded to the Public Art Advisory Panel which will make recommendations for approval by the City's Co-ordinator Community Place Making. Full details and specifications should be submitted at the earliest opportunity to ensure that the finalisation of the public art does not delay the progression of the development.
15. The section 70A Notification form is available from Landgate's website: <https://www.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-titling-forms>. When completing the form online, under the Authorising Party Execution section, please select the Execution type as A blank execution block. This will allow the City to add its common seal wording. Please print the form double sided. All landowners listed on the Certificate of Title are required to sign the form. Please submit the signed form to the City for execution.
16. The bin store area is to be provided with a tap and floor waste drain connected to the reticulated sewer, to the satisfaction of the City.
17. Signage is not approved as part of this application. A separate application for development approval and building permit is required prior to display of any advertisements and signage.

Dale Page
Presiding Member, Metro Inner DAP



The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website> Technical & Commercial> Working on Roads.

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

For: Dale Page
Francesca Lefante
Eugene Koltasz

Against: Mayor Robert Rossi

REASON: The proposal and land use are consistent with the planning framework. Due consideration was given to the recently adopted strategy, however minimal weight was given as the changes are not certainty or imminent.

Members were satisfied that the design, form, scale and setbacks respond to the site context, scheme height provisions, mix of use and zoning. The inclusion of exterior treatments to minimise direct viewing was supported noted the adjoining zone and development type.

The extent of discretion sought on parking was supported having regard to the site location, site configuration, reciprocity of on-site uses.

On balance the majority of panel members were satisfied that the proposal is appropriate and accordingly supported the development subject to various conditions.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Dale Page
Presiding Member, Metro Inner DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02317 DR81/2023	City of Vincent	41-43 and 45 Angove Street, North Perth	Proposed Service Station	31/05/2023
DAP/22/02372 DR44/2024	City of Perth	Lot 20 (No.141) Wellington Street, East Perth	Proposed Convenient Store	28/03/2024

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:48am.

Dale Page
Presiding Member, Metro Inner DAP