



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 12 June 2025; 9:30am
Meeting Number: MIDAP/80
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:

[MIDAP/80 - 12 June 2025 - City of Perth - Town of Victoria Park](#)

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 PERTH

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 701 (No. 77) Francis Street, Northbridge - Alterations and additions to existing building for use as a multi-purpose event space/function centre – DAP/25/02879
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – TOWN OF VICTORIA PARK

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 700 (16) Leonard Street, Victoria Park - 15 multiple dwellings – DAP/25/02869
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

Karen Hyde
Presiding Member, Metro Inner DAP



| ATTENDANCE | |
|--|--|
| <i>Specialist DAP Members</i> | <i>DAP Secretariat</i> |
| Karen Hyde (Presiding Member) | Kristen Parker |
| Eugene Koltasz (Deputy Presiding Member) | Ashlee Kelly |
| John Syme | |
| <i>Part B – City of Perth</i> | |
| <i>Local Government DAP Members</i> | <i>Officers/Technical Advisors in Attendance</i> |
| Cr Raj Doshi | Julia Knightsbury |
| | Roberto Colalillo |
| <i>Part C – Town of Victoria Park</i> | |
| <i>Local Government DAP Members</i> | <i>Officers/Technical Advisors in Attendance</i> |
| Cr Daniel Minson | Kelly Vilkson |
| Cr Peter Melrosa | Robert Cruickshank |

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Presiding Member, Metro Inner DAP



| Applicant and Submitters |
|---|
| <i>Part B – City of Perth</i> |
| Alan Stewart (Lateral Planning) Jack Tesser (Encon) Ethan Brown (Encon) Brett Gibson (Live Nation) |
| <i>Part C – Town of Victoria Park</i> |
| Nick Grindrod (Rise Urban) David Chandler (Dale Alcock Project) Luke Garswood (Connect Victoria Park) Vicki Potter (Connect Victoria Park) |

Members of the Public / Media

Nil.

Observers via livestream

There were 6 persons observing the meeting via the livestream.

Karen Hyde
Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:35am on 12 June 2025 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 Liam Gobbert (Local Government DAP Member, City of Perth)
Deputy Lord Mayor Bruce Reynold, (Local Government DAP Member, City of Perth)

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](#).

Karen Hyde
Presiding Member, Metro Inner DAP



PART B – CITY OF PERTH

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

Nil.

3. Form 1 DAP Applications

3.1 Lot 701 (No. 77) Francis Street, Northbridge - Alterations and additions to existing building for use as a multi-purpose event space/function centre – DAP/25/02879

Deputations and Presentations

Alan Stewart (Lateral Planning) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

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

REPORT RECOMMENDATION

Moved by: Cr Raj Doshi

Seconded by: Eugene Koltasz

That the Metro Inner Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/25/02879 and development plans (Attachment 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City Planning Scheme No. 2, subject to the following conditions:

Conditions

1. The external alterations and additions being constructed with high quality and durable materials and finishes to a level of detailing that is consistent with the perspectives and elevations received on 24 March 2025 and 2 May 2025, with final details of the design and a sample board of the proposed materials, colours and finishes being submitted for approval by the City prior to applying for the relevant building permit.

Karen Hyde
Presiding Member, Metro Inner DAP



2. Any new or modified building plant and services including air-conditioning condensers, lift overruns, piping, ducting, water tanks, transformers, fire boosters and fire control rooms being located or screened so that they cannot be viewed from any location external to the building (including from above) and to minimise any visual and noise impact, with details of the location and screening of such plant and services being submitted for approval by the City prior to applying for the relevant building permit.
3. The proposed floor levels of the building being designed to match the existing levels of the adjacent footpath on Francis Street, with details being submitted for approval by the City prior to applying for the relevant building permit.
4. On-site stormwater disposal/management is to be to the City's specifications with details being submitted for approval by the City prior to applying for the relevant building permit.
5. All awnings and other protrusions into the public realm providing a minimum clearance height of 2.75 metres above the adjacent existing footpath levels, with final details being submitted for approval by the City prior to applying for the relevant building permit.
6. Any works (with the exception of awnings) external to the property boundaries of the site not being approved as part of this development and being subject to a separate application(s) for approval.
7. Any signage for the development being integrated into the design of the building, with any signage that is not exempt from approval under the City's Signs Policy 4.6 being subject to a separate application for approval.
8. The recommendations outlined in the Acoustic Report prepared by Marshall Day Acoustics, dated 10 March 2025 (Ref: Rp001R0220230937) regarding the noise amelioration construction specifications and other noise management measures, being implemented, with final construction plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations and can achieve compliance with the relevant noise legislation to the satisfaction of the City prior to applying for a building permit.
9. A final Operational Management Plan being submitted for approval by the City, prior to applying for a building permit, with the approved management plan being implemented by the proprietor/manager on an on-going basis to the satisfaction of the City.
10. A Waste Management Plan (separate to the details included in the preliminary Operational Management Plan) being submitted for approval by the City, prior to applying for a building permit, with the approved plan being implemented by the proprietor/manager on an on-going basis to the satisfaction of the City.

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Presiding Member, Metro Inner DAP



11. On-site deliveries, servicing of the building and event space/function activities, being undertaken in accordance with the revised Service Vehicle Access Investigation prepared by Uloth and Associates dated 17 April 2025 by the proprietor/operator on an ongoing basis to the satisfaction of the City.
12. The existing street trees located in the adjacent Francis Street road reserve being retained and protected from damage throughout any demolition and/or construction works with tree protection zones being established and maintained during the demolition and/or construction periods in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the City, with the owner/applicant being liable for any damage or removal of the trees.
13. Prior to commencement of the use the redundant crossovers being removed and the verge and footpaths being reinstated and all new crossovers being located and constructed in accordance with the City's specifications and at the expense of the developer/landowner.
14. Construction management plans for the proposal prepared in accordance with the City's pro-forma and requirements being submitted for approval by the City prior to applying for a building permit.

Advice Notes

1. 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.
2. The proposed outdoor dining area does not form part of this approval and requires a separate application for an Outdoor Dining Permit to be submitted to the City for approval.
3. The City advises that the existing street trees will not be permitted to be pruned, relocated or removed to accommodate demolition and/or construction works at the site, with the amenity value of the trees to be included in any works bond associated with any building permit issued by the City.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The panel was unanimous in support of the proposal which was regarded as appropriate for the zone and location. The development was a creative and well designed reuse of a redundant warehouse which met the design principles and overall assessment criteria in the context of the planning framework and the City Entertainment District. The conditions of approval ensured the appropriate controls during implementation and management and maintenance once constructed and occupied.

Karen Hyde
Presiding Member, Metro Inner DAP



4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Raj Doshi (Local Government DAP Member, City of Perth) left the panel at 9:50am.

Karen Hyde
Presiding Member, Metro Inner DAP



PART C – TOWN OF VICTORIA PARK

Cr Daniel Minson (Local Government DAP Member, Town of Victoria Park) joined the panel at 9:51am.

1. Declaration of Due Consideration

The Presiding Member noted an addendum to the responsible authority report was published in relation to Item 3.1, received on 11 June 2025.

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 700 (16) Leonard Street, Victoria Park - 15 multiple dwellings – DAP/25/02869

Deputations and Presentations

Nick Grindrod (Rise Urban) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

David Chandler (Dale Alcock Project) responded to questions from the panel.

Town of Victoria Park addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

Cr Peter Melrosa (Local Government DAP Member, Town of Victoria Park) joined the panel at 10:05am.

REPORT RECOMMENDATION

Moved by: Eugene Koltasz

Seconded by: John Syme

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/25/02869 and accompanying plans (Attachment 2) 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 Town of Victoria Park Local Planning Scheme No. 2, subject to the following conditions:

Karen Hyde
Presiding Member, Metro Inner DAP



Conditions

1. 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.
2. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town of Victoria Park.
3. Prior to lodging an application for building permit, a covering letter and copy of the final working drawings (prepared for the submission for an application for a building permit) and all associated reports and information that address the conditions of approval are to be submitted to, and cleared by, the Town of Victoria Park.
4. Prior to lodging an application for building permit, the applicant/owner is to contribute the sum of 0.5% of the value of the total construction value towards public art. (Refer to related Advice Note).
5. Prior to lodging an application for building permit, an amended external colours, finishes and materials schedule to be used in the construction of the development, is to be provided to the satisfaction of the Town (refer to Advice Note). Prior to the occupancy or use of the development, the development is to be constructed in accordance with the approved details and is to be thereafter maintained.
6. All driveways and car parking bays to be constructed of brick paving, liquid limestone, exposed aggregate or any alternative material approved by the Town.
7. Prior to lodging an application for building permit, plans and details demonstrating that dwellings have been designed to achieve silver level universal design for Units 1, 4, 5, 10, 11 and 13 and gold level universal design for Units 2, 3, 6 to 9, and 13 to 15 as outlined in the Liveable Housing Design Guidelines are to be provided for approval by the Town; and

Prior to the issuing of an occupancy permit, the applicant/owner shall provide confirmation that the as-constructed development has achieved the approved silver and gold standard accessibility requirements to the satisfaction of the Town of Victoria Park.

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Presiding Member, Metro Inner DAP



8. Prior to lodging an application for building permit, amended plans and details showing the following modifications to the street walls and fences within the street setback area are to be provided for approval by the Town:

- a) The vehicle access gate to be setback from the street boundary a minimum of 8.4 metres, adjoining the front face of the primary living space wall of Unit 1.
- b) The proposed solid 1.8 metre high Colorbond street fence on/adjoining the north-eastern boundary forward of the building line is to be removed or replaced with fencing constructed of timber pickets, brick, limestone, rendered masonry or similar masonry material, of a height compliant with clause 6 of the Town's Local Planning Policy 'Streetscape'.

Prior to the occupation or use of the development, the approved street walls and fences are to be constructed and thereafter maintained to the satisfaction of the Town of Victoria Park.

9. Prior to lodging an application for a building permit, a Stormwater Management Plan designed and signed by a certified Hydraulic Engineer, providing for stormwater runoff from roofs, driveways and other impervious surfaces generated by a small rainfall event to be retained on site, is to be submitted for approval by the Town of Victoria Park; and

Prior to the occupation or use of the development, the approved stormwater disposal system is to be constructed and thereafter maintained to the satisfaction of the Town of Victoria Park.

10. Prior to lodging an application for building permit, plans and details showing visual privacy obscure glazing and screening as listed below is to be provided for approval by the Town:

- a) The south-western facing windows of the primary living space of Units 9 and 15 are to be provided with permanent obscure glazing up to a minimum sill height of 1.6 metres above the finished floor level;
- b) The south-western sides of the balconies of Units 9 and 15 are to be provided with permanent screening that is a minimum 75 per cent obscure up to a minimum height of 1.6 metres above the finished floor level; and

Prior to the occupation or use of the development, the approved visual privacy obscure glazing and screening is to be constructed/installed and thereafter maintained to the satisfaction of the Town of Victoria Park.

11. Prior to lodging an application for building permit, a detailed Landscaping and Lighting Plan/s showing soft landscaping and reticulation, hard landscaping and lighting for the subject site, is to be submitted to and approved by the Town of Victoria Park. The detailed landscaping plans are to demonstrate:

- a) Soft landscaping details as listed in Appendix A3 of the Residential Design Codes;
- b) Privacy screening in the form of soft landscaping or alternative screening device/s between the terrace and bedroom window of Unit 1 and the communal open space;

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- c) Construction details and methodology or materials for the pedestrian footpaths and other relevant hardstand areas demonstrating compliance with universal access design requirements; and

Prior to the occupation or use of the development, landscaping and lighting works are to be undertaken in accordance with the approved Landscaping and Lighting Plan/s to the satisfaction of the Town and thereafter maintained to the satisfaction of the Town of Victoria Park. (Refer to related Advice Note)

- 12. The proposed three trees, as shown on the approved plan, shall be a species of tree that has the potential at maturity to be a minimum height of 5 metres and a minimum canopy width of 4 metres and is a minimum size of at least 35 litres when planted. The proposed tree shall be maintained via an automated irrigation system or other similar method by the landowner or developer for the first two summers after the occupation of the dwelling. If the proposed tree is of poor health and is removed, it is to be replaced with a suitable replacement tree by the owner or developer.
- 13. A Tree Growth Zone around each proposed tree, as shown on the approved plans, shall be maintained to the satisfaction of the Town of Victoria Park. No structure, unless water permeable, is to encroach within the Tree Growth Zone/s.
- 14. Prior to lodging an application for building permit, plans and details showing the provision of eight (8) occupant bicycle parking spaces and two (2) visitor bicycle parking spaces are to be provided for approval by the Town of Victoria Park. Prior to the occupation or use of the development, all bicycle parking spaces are to be provided and thereafter maintained to the satisfaction of the Town of Victoria Park.
- 15. Prior to lodging an application for building permit, a Waste Management Plan is to be submitted to and approved by the Town of Victoria Park. The plan is to include the following details to the satisfaction and specification of the Town:
 - a) The location of bin storage areas and bin collection areas;
 - b) The number, volume and type of bins, and the type of waste to be placed in the bins;
 - c) Details of the future ongoing management of the bins and the bin storage areas;
 - d) Plans and details of screening around the bin store area to prevent views of the bins from the communal areas, including the car parking area;
 - e) Frequency of bin collections; and

The approved Waste Management Plan must be implemented at all times during the lifetime of the development, unless otherwise approved in writing by the Town of Victoria Park.

Karen Hyde
Presiding Member, Metro Inner DAP



16. Prior to lodging an application for building permit, the applicant must submit and have approved by the Town, and thereafter implement to the satisfaction of the Town, a Construction Management Plan addressing the following matters:
 - a) How materials and equipment will be delivered and removed from the site;
 - b) How materials and equipment will be stored on the site;
 - c) Parking arrangements for contractors;
 - d) Construction waste disposal strategy and location of waste disposal bins;
 - e) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
 - f) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
 - g) Construction traffic and pedestrian management; and
 - h) Other matters likely to impact on the surrounding properties.
17. Prior to the commencement of any site works, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the Town, must be submitted to the Town of Victoria Park. The plan must address, but not be limited to, the following matters:
 - a) Recycling of demolition materials including concrete;
 - b) Removal of hazardous materials and disposal at any approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works;
18. Prior to the occupation or use of the development, the applicant must submit and have approved by the Town of Victoria Park details of the proposed future provision of Electric Vehicle charging infrastructure including provision of switchboard capacity, metering and cable access to the proposed future location. (Refer to related Advice Note)
19. Prior to the occupation or use of the development, four (4) visitor car parking bays, as shown on the approved plans, are to be constructed and line marked and/or sign posted for the purpose of 'Visitor Parking Only', to the satisfaction of the Town.
20. Prior to the occupation or use of the development, all car bays being provided in accordance with the Australian Standards for off street car parking (AS2890.1) and the Australian Standards for off-street parking for people with disabilities (AS2890.6), as applicable, and thereafter maintained to the satisfaction of the Town of Victoria Park. (Refer to related Advice Note)
21. Prior to the occupation or use of the development, the redundant crossover providing access to the property on the north-western side of the Council verge, as shown on the approved plans, must be removed and the verge and kerb reinstated at the cost of the owner to the specification and satisfaction of the Town of Victoria Park.

Karen Hyde
Presiding Member, Metro Inner DAP



22. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.

Advice Notes

1. In regard to a public art contribution, the contribution being either:
 - a) Payment directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct; or
 - b) The owner/applicant is to provide public art on the development site in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by Council. The public art is to be completed and installed to the satisfaction of the Town prior to the occupation of the development. The public art is to be maintained thereafter by the owner/occupiers.
2. In regard to the colours and materials schedule, the Town's Design Review Panel have recommended to amend the colours, finishes and materials of the upper floor walls to improve the vibrancy and richness of the facades visible from the street.
3. In regard to the construction of street walls and fences or retaining wall/s on or near the lot boundary, the landowner / applicant is advised that:
 - a) This development approval does not grant permission to use the adjoining property or to remove or replace the existing dividing (boundary) fence without neighbour's consent. Boundary fences are controlled through the *Dividing Fences Act 1961*. Accordingly, the developer/owner(s) is to liaise with the adjoining landowner if there is an intention to remove or replace any portion of fencing.
 - b) All boundary fencing to be provided in accordance with the *Dividing Fences Act 1961* and all boundary fencing behind the front building line to be a minimum of 1.8 metres and a maximum of 2.4 metres in height (or such other height agreed to in writing by the relevant adjoining land owners) at any point along the boundary, measured from the highest retained ground level.
4. In regard to the required landscaping, reticulation and lighting plan/s, please be advised that:
 - a) The Town expects the landscaping plan/s to be broadly consistent with the Indicative Landscaping Plan and Indicative Lighting Plan (Attachments 5.a and 5.b).
 - b) Construction details, methodology or materials for the seating are to be provided.
 - c) Lighting details including lighting types, lux levels and applicable design standards are to be provided.
 - d) Soft landscaping is to be updated to address the following matters: –
 - i. Include the verge in the landscape scope of works.
 - ii. Use plants to create a more welcoming entrance.

Karen Hyde
Presiding Member, Metro Inner DAP



- iii. Provide more detail on the landscape intent, including evolution of the landscape palette.
 - iv. Consider retaining the existing tree located in the rear eastern corner of the site, subject to the health of the tree and protection of the Water Corporation sewer infrastructure which traverses through the rear of the property setback approximately 1.0 metres parallel to the south-eastern lot boundary.
 - v. Provide more detail on the landscape to the communal spaces to the front and side adjacent to the lift lobby. This is to include surface finishes, fixed furniture and seating and other landscape features.
 - vi. Adequately address privacy between the street front communal area and the adjacent unit.
 - vii. Widen the planting strip along the boundary adjacent to the driveway.
 - viii. Details of deep soil and tree root zone provision.
5. In regard to the required Stormwater Management Plan, please address the following matters:
 - a) The plan is to be designed and signed by a qualified, practising Hydraulic Engineer.
 - b) The proposed pit lids within vehicle access and car parking manoeuvring areas are to be of a trafficable standard.
 - c) The plan is to depict how the stormwater downpipes and the system connect to the soakwell system.
 - d) Details are to be provided proposed drainage cell system, including in relation to the structural suitability for the expected vehicle load/s.
 - e) Details regarding how the system accessed for maintenance, replacement, and cleaning.
6. In regard to the provision of Electric Vehicle charging infrastructure, the Town's expectation is that provision (electrical capacity, space, metering and management system) for Electric Vehicle charging will be in accordance with section J9D4 of the National Construction Code 2022 Volume One.
7. A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.
8. Your attention is drawn to the need to comply with the requirements of Part D3 of the Building Code of Australia - Access for People with Disabilities, including parking, sanitary facilities and tactile indicators in accordance with AS 1428.1, AS 1428.4, AS 1428.5 and AS/NZS 2890.6.
9. A Work Zone Permit application is to be submitted to and approval issued the Town, prior to any works or temporary storage on a public thoroughfare (including roads, parking bays, footpaths or verges). To download an application form and for further information, please refer to the Town's website or contact the Town's Street Improvement business unit on (08) 9311 8111.

Karen Hyde
Presiding Member, Metro Inner DAP



10. A separate application is to be submitted to the Town's Street Improvement business unit for approval prior to construction of a new crossover. To submit a crossover application please complete a 'Crossover Installation Application Form' and refer to the 'Crossover Installation Package'. Both documents are available from the Town's website.
11. Prior to the occupation of the development, any alterations, relocation or damage of existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the Town of Victoria Park.
12. In regard to the street trees located on the adjoining Council verge, the landowner / applicant is advised that:
 - a) Street tree(s) are to be protected from damage during all phases of development. Pruning of any street tree affected by the development on the subject site is to be undertaken by the Town of Victoria Park, at the owner/applicant's cost.
 - b) Unauthorised verge tree pruning or removal is subject to a penalty under the Activities on Thoroughfares and Public Places Local Law 2000, Division 1 – General, 2.1 General Prohibitions.

AMENDING MOTION 1

Moved by: Eugene Koltasz

Seconded by: Karen Hyde

That Condition No. 8(a) be deleted, and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The position of the gate as shown on the development plans was regarded as allowing adequate room for pedestrians to move safely along the footpath whilst a vehicle waited for the gates to open. In addition, the position of the gates as shown in the plans allowed for improved amenity through maximising access to the adjacent terrace and reduced the potential for unwanted access to the private realm and driveway in the interest of security and safety. The original requirement in the condition to set back the gates into the property was regarded as unnecessary and without a statutory purpose.

Karen Hyde
Presiding Member, Metro Inner DAP



AMENDING MOTION 2

Moved by: Eugene Koltasz

Seconded by: John Syme

These amendments were made en bloc:

- i) That Condition No. 5 be amended to read as follows:

*Prior to lodging an application for building permit, ~~an amended~~ **final** external colours, finishes and materials schedule to be used in the construction of the development, is to be provided to the satisfaction of the Town (refer to Advice Note). Prior to the occupancy or use of the development, the development is to be constructed in accordance with the approved details and is to be thereafter maintained*

- ii) That Advice Note No.2 be amended to read as follows:

*In regard to the colours and materials schedule, the Town's Design Review Panel have recommended to amend the colours, ~~finishes and materials~~ of the upper floor walls **and/or other design elements** to improve the vibrancy and richness of the facades visible from the street*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The Panel was supportive of the final selection of colours and materials being reviewed and agreed prior to the lodgement for a building permit and regarded the rewording of the condition and advice note to allow for flexibility for that to occur without binding the applicant and Town to the recommendations of the design review panel.

AMENDING MOTION 3

Moved by: Eugene Koltasz

Seconded by: John Syme

That Advice Note No. 4(d) (vii) be deleted.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The dimensions of the landscape strip as shown on the development plans was considered to be consistent with the requirements of the R Codes and the advice note was therefore redundant.

Karen Hyde
Presiding Member, Metro Inner DAP



AMENDING MOTION 4

Moved by: John Syme

Seconded by: Cr Daniel Minson

These amendments were made en bloc:

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

~~Prior to lodging an application for building permit, the applicant/owner is to contribute the sum of 0.5% of the value of the total construction value towards public art. (Refer to related Advice Note)~~

A public art contribution of 0.5% of the total construction value of the development is to be made through either;

(a) A cash-in-lieu payment to the Town prior to occupancy;

Or

(b) The delivery of public art within the development site prior to occupancy; or

(c) A legal agreement deferring the delivery of public art within the development site to no later than 6 months after the occupancy of the development.

Public art installed on the development site is to be maintained thereafter by the owner/occupiers. (Refer to related Advice Note).

- ii) That Advice Note No.1 be amended to read as follows:

~~In regard to a public art contribution, the contribution being either:~~

~~a) Payment directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct; or~~

~~b) The owner/applicant is to provide public art on the development site in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by Council. The public art is to be completed and installed to the satisfaction of the Town prior to the occupation of the development. The public art is to be maintained thereafter by the owner/occupiers.~~

Karen Hyde
Presiding Member, Metro Inner DAP



In regard to the condition requiring a public art contribution:

- a) ***In case of a cash-in-lieu payment, payment is to be made directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct;***
- b) ***In the case of providing public art within the development site, this is to be in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by the Town.***
- c) ***In the case of a legal agreement and the deferred delivery of public art, this option is proposed to enable the public art to be developed by an artist in collaboration with the residents.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The revised wording provided by the Town allowed for the satisfactory resolution of the public art requirements no later than 6 months after the occupation of the development. This flexibility allowed for the design and installation process and was regarded as a reasonable solution and subject to an agreement between the applicant and the Town.

AMENDING MOTION 5

Moved by: John Syme

Seconded by: Eugene Koltasz

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

Prior to lodging an application for building permit, plans and details showing visual privacy obscure glazing and screening as listed below is to be provided for approval by the Town:

- a) *The south-western facing windows of the primary living space of Units 5, 9, 11 and 15 are to be provided with permanent obscure glazing up to a minimum sill height of 1.6 metres above the finished floor level;*
- b) *The south-western sides of the balconies of Units 5, 9, 11 and 15 are to be provided with permanent screening that is a minimum 75 per cent obscure up to a minimum height of 1.6 metres above the finished floor level; and*

*Prior to the occupation or use of the development, the approved visual privacy obscure glazing and screening is to be constructed/installed **unless otherwise agreed by the Town of Victoria Park** and thereafter maintained to the satisfaction of the Town of Victoria Park.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

Karen Hyde
Presiding Member, Metro Inner DAP



REASON: The submitted plans indicated that additional apartments 5 and 11 may require some form of screening, although the plans were unclear as to the extent. The revised wording of the condition therefore allowed for some flexibility and for minor design development to occur and be subject to final approval by the Town

REPORT RECOMMENDATION (AS AMENDED)

With the approval of the Presiding Member, Advice Note 4 (d) was updated on the 20th June 2025 to reflect the correct changes made in Amending Motion 3.

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/25/02869 and accompanying plans (Attachment 2) 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 Town of Victoria Park Local Planning Scheme No. 2, subject to the following conditions:

Conditions

1. 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.
2. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town of Victoria Park.
3. Prior to lodging an application for building permit, a covering letter and copy of the final working drawings (prepared for the submission for an application for a building permit) and all associated reports and information that address the conditions of approval are to be submitted to, and cleared by, the Town of Victoria Park.
4. A public art contribution of 0.5% of the total construction value of the development is to be made through either;
 - (a) A cash-in-lieu payment to the Town prior to occupancy; or
 - (b) The delivery of public art within the development site prior to occupancy; or
 - (c) A legal agreement deferring the delivery of public art within the development site to no later than 6 months after the occupancy of the development.

Public art installed on the development site is to be maintained thereafter by the owner/occupiers. (Refer to related Advice Note).

5. Prior to lodging an application for building permit, final external colours, finishes and materials schedule to be used in the construction of the development, is to be provided to the satisfaction of the Town (refer to Advice Note). Prior to the occupancy or use of the development, the development is to be constructed in accordance with the approved details and is to be thereafter maintained.

Karen Hyde
Presiding Member, Metro Inner DAP



6. All driveways and car parking bays to be constructed of brick paving, liquid limestone, exposed aggregate or any alternative material approved by the Town.
7. Prior to lodging an application for building permit, plans and details demonstrating that dwellings have been designed to achieve silver level universal design for Units 1, 4, 5, 10, 11 and 13 and gold level universal design for Units 2, 3, 6 to 9, and 13 to 15 as outlined in the Liveable Housing Design Guidelines are to be provided for approval by the Town; and

Prior to the issuing of an occupancy permit, the applicant/owner shall provide confirmation that the as-constructed development has achieved the approved silver and gold standard accessibility requirements to the satisfaction of the Town of Victoria Park.

8. Prior to lodging an application for building permit, amended plans and details showing the following modifications to the street walls and fences within the street setback area are to be provided for approval by the Town:
 - a) The proposed solid 1.8 metre high Colorbond street fence on/adjoining the north-eastern boundary forward of the building line is to be removed or replaced with fencing constructed of timber pickets, brick, limestone, rendered masonry or similar masonry material, of a height compliant with clause 6 of the Town's Local Planning Policy 'Streetscape'.

Prior to the occupation or use of the development, the approved street walls and fences are to be constructed and thereafter maintained to the satisfaction of the Town of Victoria Park.

9. Prior to lodging an application for a building permit, a Stormwater Management Plan designed and signed by a certified Hydraulic Engineer, providing for stormwater runoff from roofs, driveways and other impervious surfaces generated by a small rainfall event to be retained on site, is to be submitted for approval by the Town of Victoria Park; and

Prior to the occupation or use of the development, the approved stormwater disposal system is to be constructed and thereafter maintained to the satisfaction of the Town of Victoria Park.

10. Prior to lodging an application for building permit, plans and details showing visual privacy obscure glazing and screening as listed below is to be provided for approval by the Town:
 - a) The south-western facing windows of the primary living space of Units 5, 9, 11 and 15 are to be provided with permanent obscure glazing up to a minimum sill height of 1.6 metres above the finished floor level;

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Presiding Member, Metro Inner DAP



- b) The south-western sides of the balconies of Units 5, 9, 11 and 15 are to be provided with permanent screening that is a minimum 75 per cent obscure up to a minimum height of 1.6 metres above the finished floor level; and

Prior to the occupation or use of the development, the approved visual privacy obscure glazing and screening is to be constructed/installed unless otherwise agreed by the Town of Victoria Park and thereafter maintained to the satisfaction of the Town of Victoria Park.

11. Prior to lodging an application for building permit, a detailed Landscaping and Lighting Plan/s showing soft landscaping and reticulation, hard landscaping and lighting for the subject site, is to be submitted to and approved by the Town of Victoria Park. The detailed landscaping plans are to demonstrate:
- a) Soft landscaping details as listed in Appendix A3 of the Residential Design Codes;
 - b) Privacy screening in the form of soft landscaping or alternative screening device/s between the terrace and bedroom window of Unit 1 and the communal open space;
 - c) Construction details and methodology or materials for the pedestrian footpaths and other relevant hardstand areas demonstrating compliance with universal access design requirements; and

Prior to the occupation or use of the development, landscaping and lighting works are to be undertaken in accordance with the approved Landscaping and Lighting Plan/s to the satisfaction of the Town and thereafter maintained to the satisfaction of the Town of Victoria Park. (Refer to related Advice Note)

12. The proposed three trees, as shown on the approved plan, shall be a species of tree that has the potential at maturity to be a minimum height of 5 metres and a minimum canopy width of 4 metres and is a minimum size of at least 35 litres when planted. The proposed tree shall be maintained via an automated irrigation system or other similar method by the landowner or developer for the first two summers after the occupation of the dwelling. If the proposed tree is of poor health and is removed, it is to be replaced with a suitable replacement tree by the owner or developer.
13. A Tree Growth Zone around each proposed tree, as shown on the approved plans, shall be maintained to the satisfaction of the Town of Victoria Park. No structure, unless water permeable, is to encroach within the Tree Growth Zone/s.
14. Prior to lodging an application for building permit, plans and details showing the provision of eight (8) occupant bicycle parking spaces and two (2) visitor bicycle parking spaces are to be provided for approval by the Town of Victoria Park. Prior to the occupation or use of the development, all bicycle parking spaces are to be provided and thereafter maintained to the satisfaction of the Town of Victoria Park.

Karen Hyde
Presiding Member, Metro Inner DAP



15. Prior to lodging an application for building permit, a Waste Management Plan is to be submitted to and approved by the Town of Victoria Park. The plan is to include the following details to the satisfaction and specification of the Town:
- a) The location of bin storage areas and bin collection areas;
 - b) The number, volume and type of bins, and the type of waste to be placed in the bins;
 - c) Details of the future ongoing management of the bins and the bin storage areas;
 - d) Plans and details of screening around the bin store area to prevent views of the bins from the communal areas, including the car parking area;
 - e) Frequency of bin collections; and
- The approved Waste Management Plan must be implemented at all times during the lifetime of the development, unless otherwise approved in writing by the Town of Victoria Park.
16. Prior to lodging an application for building permit, the applicant must submit and have approved by the Town, and thereafter implement to the satisfaction of the Town, a Construction Management Plan addressing the following matters:
- a) How materials and equipment will be delivered and removed from the site;
 - b) How materials and equipment will be stored on the site;
 - c) Parking arrangements for contractors;
 - d) Construction waste disposal strategy and location of waste disposal bins;
 - e) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
 - f) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
 - g) Construction traffic and pedestrian management; and
 - h) Other matters likely to impact on the surrounding properties.
17. Prior to the commencement of any site works, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the Town, must be submitted to the Town of Victoria Park. The plan must address, but not be limited to, the following matters:
- a) Recycling of demolition materials including concrete;
 - b) Removal of hazardous materials and disposal at any approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works;

Karen Hyde
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18. Prior to the occupation or use of the development, the applicant must submit and have approved by the Town of Victoria Park details of the proposed future provision of Electric Vehicle charging infrastructure including provision of switchboard capacity, metering and cable access to the proposed future location. (Refer to related Advice Note)
19. Prior to the occupation or use of the development, four (4) visitor car parking bays, as shown on the approved plans, are to be constructed and line marked and/or sign posted for the purpose of 'Visitor Parking Only', to the satisfaction of the Town.
20. Prior to the occupation or use of the development, all car bays being provided in accordance with the Australian Standards for off street car parking (AS2890.1) and the Australian Standards for off-street parking for people with disabilities (AS2890.6), as applicable, and thereafter maintained to the satisfaction of the Town of Victoria Park. (Refer to related Advice Note)
21. Prior to the occupation or use of the development, the redundant crossover providing access to the property on the north-western side of the Council verge, as shown on the approved plans, must be removed and the verge and kerb reinstated at the cost of the owner to the specification and satisfaction of the Town of Victoria Park.
22. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.

Advice Notes

1. In regard to the condition requiring a public art contribution:
 - a) In case of a cash-in-lieu payment, payment is to be made directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct;
 - b) In the case of providing public art within the development site, this is to be in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by the Town.
 - c) In the case of a legal agreement and the deferred delivery of public art, this option is proposed to enable the public art to be developed by an artist in collaboration with the residents.
2. In regard to the colours and materials schedule, the Town's Design Review Panel have recommended to amend the colours of the upper floor walls and/or other design elements to improve the vibrancy and richness of the facades visible from the street.

Karen Hyde
Presiding Member, Metro Inner DAP



3. In regard to the construction of street walls and fences or retaining wall/s on or near the lot boundary, the landowner / applicant is advised that:
 - a) This development approval does not grant permission to use the adjoining property or to remove or replace the existing dividing (boundary) fence without neighbour's consent. Boundary fences are controlled through the *Dividing Fences Act 1961*. Accordingly, the developer/owner(s) is to liaise with the adjoining landowner if there is an intention to remove or replace any portion of fencing.
 - b) All boundary fencing to be provided in accordance with the *Dividing Fences Act 1961* and all boundary fencing behind the front building line to be a minimum of 1.8 metres and a maximum of 2.4 metres in height (or such other height agreed to in writing by the relevant adjoining land owners) at any point along the boundary, measured from the highest retained ground level.
4. In regard to the required landscaping, reticulation and lighting plan/s, please be advised that:
 - a) The Town expects the landscaping plan/s to be broadly consistent with the Indicative Landscaping Plan and Indicative Lighting Plan (Attachments 5.a and 5.b).
 - b) Construction details, methodology or materials for the seating are to be provided.
 - c) Lighting details including lighting types, lux levels and applicable design standards are to be provided.
 - d) Soft landscaping is to be updated to address the following matters: –
 - i. Include the verge in the landscape scope of works.
 - ii. Use plants to create a more welcoming entrance.
 - iii. Provide more detail on the landscape intent, including evolution of the landscape palette.
 - iv. Consider retaining the existing tree located in the rear eastern corner of the site, subject to the health of the tree and protection of the Water Corporation sewer infrastructure which traverses through the rear of the property setback approximately 1.0 metres parallel to the south-eastern lot boundary.
 - v. Provide more detail on the landscape to the communal spaces to the front and side adjacent to the lift lobby. This is to include surface finishes, fixed furniture and seating and other landscape features.
 - vi. Adequately address privacy between the street front communal area and the adjacent unit.
 - vii. Details of deep soil and tree root zone provision.

Karen Hyde
Presiding Member, Metro Inner DAP



5. In regard to the required Stormwater Management Plan, please address the following matters:
 - a) The plan is to be designed and signed by a qualified, practising Hydraulic Engineer.
 - b) The proposed pit lids within vehicle access and car parking manoeuvring areas are to be of a trafficable standard.
 - c) The plan is to depict how the stormwater downpipes and the system connect to the soakwell system.
 - d) Details are to be provided proposed drainage cell system, including in relation to the structural suitability for the expected vehicle load/s.
 - e) Details regarding how the system accessed for maintenance, replacement, and cleaning.
6. In regard to the provision of Electric Vehicle charging infrastructure, the Town's expectation is that provision (electrical capacity, space, metering and management system) for Electric Vehicle charging will be in accordance with section J9D4 of the National Construction Code 2022 Volume One.
7. A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.
8. Your attention is drawn to the need to comply with the requirements of Part D3 of the Building Code of Australia - Access for People with Disabilities, including parking, sanitary facilities and tactile indicators in accordance with AS 1428.1, AS 1428.4, AS 1428.5 and AS/NZS 2890.6.
9. A Work Zone Permit application is to be submitted to and approval issued the Town, prior to any works or temporary storage on a public thoroughfare (including roads, parking bays, footpaths or verges). To download an application form and for further information, please refer to the Town's website or contact the Town's Street Improvement business unit on (08) 9311 8111.
10. A separate application is to be submitted to the Town's Street Improvement business unit for approval prior to construction of a new crossover. To submit a crossover application please complete a 'Crossover Installation Application Form' and refer to the 'Crossover Installation Package'. Both documents are available from the Town's website.
11. Prior to the occupation of the development, any alterations, relocation or damage of existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the Town of Victoria Park.

Karen Hyde
Presiding Member, Metro Inner DAP



12. In regard to the street trees located on the adjoining Council verge, the landowner / applicant is advised that:
- a) Street tree(s) are to be protected from damage during all phases of development. Pruning of any street tree affected by the development on the subject site is to be undertaken by the Town of Victoria Park, at the owner/applicant's cost.
 - b) Unauthorised verge tree pruning or removal is subject to a penalty under the Activities on Thoroughfares and Public Places Local Law 2000, Division 1 – General, 2.1 General Prohibitions.

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

REASON: The panel were unanimous in their support of the development proposal for much needed affordable and social housing for an over 55 year old demographic. The typology was appropriate for the R60 code being well proportioned and oriented in proximity to the facilities and services of the Albany Highway and public transport. The proposal was generally supported by the Design Review Panel with the exception of enclosed balconies and obscure glazing. The proponent had revised the design to reduce the amount of screening and obscured glazing whilst maintain the requirements of the R Codes given the sensitivity associated with any overlooking and privacy of neighbouring properties. The development proposal sought to minimise the impact of privacy concerns whilst maintaining good outlook and access to natural light for the future occupants. The conditions of approval allowed for some minor design developments in terms of fencing, screening and materiality whilst maintaining a consistent built form and functionality of the development.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Karen Hyde
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/24/02688 DR191/2024 | City of South Perth | No 44 (Lot 15) Park Street, Como | Proposed Childcare Premises | 16/12/2024 |
| DAP/20/01911 DR192/2024 | Town of Cambridge | Lot 800 (29-33) Northwood Street, West Leederville | Three storey care premises and associated office | 16/12/2024 |
| DAP/24/02763 DR 22/2025 | City of Canning | Lot 15 (268) High Road, Riverton | Redevelopment of Service Station | 27/02/2025 |
| DAP/24/02786 DR/41/2025 | City of South Perth | Lots 1 and 2 (No.13 and 13a) Stone Street, South Perth | Eight Multiple Dwellings | 08/04/2025 |
| DAP/24/02794 DR 42/2025 | City of South Perth | Lot 31 (No. 97) South Perth Esplanade, South Perth | Proposed 7 Multiple Dwellings | 09/04/2025 |
| DAP/2799 DR 44/2025 | City of Nedlands | Lot No 348 (111) Waratah Avenue, Dalkeith | 5 Grouped Dwelling Development | 15/04/2025 |

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:49am.

Karen Hyde
Presiding Member, Metro Inner DAP