



Minutes of the Metro Central Joint Development Assessment Panel

Meeting Date and Time: Monday, 9 December 2013; 2:00 pm
Meeting Number: MCJDAP/48
Meeting Venue: Department of Planning; 140 William Street, Perth

Attendance

DAP Members

Mr Ian Hocking (Alternate Presiding Member)
Mr Rory O'Brien (Alternate Deputy Presiding Member)
Mr Luigi D'Alessandro (Specialist Member)
Cr Phil Marks (Local Government Member, City of Belmont)
Cr Margie Bass (Local Government Member, City of Belmont)
Cr Jennifer Carter (Local Government Member, Town of Bassendean)
Cr Gerry Pule (Local Government Member, Town of Bassendean)

Officers in attendance

Ms Karen Newman, Development Assessment Panels
Mr Wilmot Loh, City of Belmont
Mr Murray Ralph, City of Belmont
Mr Jaun Bernal, City of Belmont
Mr Brian Reed, Town of Bassendean

Department of Planning Minute Secretary

Mr Luke Downes, Development Assessment Panels

Applicants and Submitters

Mr Ron Jee, Design Inc. Perth Pty Ltd
Mr Peter Fitzgerald, Rowe Group
Mr Adam Casotti, Statesman Homes Pty Ltd
Mr Michael Gribble, Resident
Mr Ross Catalano, BGC

Members of the Public

Nil

1. Declaration of Opening

Due to the absence of the Presiding Member and in accordance with section 2.4.1 of the Standing Orders 2012, the Deputy Presiding Member Mr Ian Hocking took the chair and declared the meeting open at 2.00 pm on 9 December 2013. The Deputy Presiding Member acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.



The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the Standing Orders 2012; No Recording of Meeting, which states: 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.' The Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Mr Charles Johnson, Presiding Member

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro Central JDAP meeting no.46 and no.47 held on 19 November and 28 November 2013 were noted by DAP members.

5. Disclosure of interests

Nil

6. Declaration of Due Consideration

All members declared that they had duly considered the documents.

PROCEDURAL MOTION

That the application at Item 9.2 be heard prior to Item 7.1

The Procedural Motion was put and CARRIED UNANIMOUSLY.

7. Deputations and presentations

7.1 Mr Michael Griddle (resident) presented against the application at Item 8.1. The presentation addressed concerns in regards to traffic and noise pollution. The Presiding Member approved the deputation request from the floor for a duration of 5 minutes.

7.2 Mr Peter Fitzgerald (Rowe Group) presented for the application at Item 9.1. The presentation will provide an overview of the proposed development.

The presentation at Item 7.2 was heard prior to the application at Item 9.1



8. Form 1 - Responsible Authority Reports – DAP Application

- 8.1 Property Location:
- Lot 702 (215) Great Eastern Hwy
 - St Lots 1-5 (223 and 223A) Great Eastern Hwy and (22 and 24) Hargreaves St
 - Lot 4 (7) Belgravia St
 - Lot 180 (9) Belgravia St
- Application Details: Complex of four (4) buildings comprising:
- Hotel (240 rooms)
 - 36 Serviced Apartments
 - 88 Multiple Dwellings
 - Restaurant
 - Office
 - Showrooms
 - Consulting Rooms
 - Lunch Bar
 - Fast Food / Takeaway
- Applicant: Design Inc Perth Pty Ltd
Owner: Great Eastern Group Pty Ltd
Responsible authority: City of Belmont
Report date: 3 December 2013
DoP File No: DP/13/00715

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Luigi D'Alessandro

Seconded by: Mr Rory O'Brien

That the Metro Central Joint Development Assessment Panel resolves to:

Approve DAP Application reference DP/13/00715 and accompanying plans dated 7 November 2013 in accordance with the provisions of the City of Belmont's Local Planning Scheme No. 15, subject to the following conditions:

Conditions

1. The development plans, as dated marked and stamped "Development Assessment Panels Approved", together with any requirements and annotations detailed thereon, are the plans approved as part of this application and shall form part of the planning approval issued.
2. Lots 702, 4, 180 and Strata Lots 1-5 shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot prior lodgement of an application for building permit.
3. A geotechnical report prepared for the City by an appropriately qualified consultant shall be lodged with the City, at the cost of the owner/applicant, prior to an application for a building permit, to the satisfaction of the City's Manager Projects and Development.
4. A detailed landscaping and irrigation plan for the subject development site and street verge is to be prepared by the owner/applicant and submitted to the City for approval within 60 days from the date of this planning approval.



5. Prior to occupation or use of the development, landscaping, plants and irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan for the duration of the approved development at the cost of the owner/applicant, to the satisfaction of the City's Manager Parks and Environment.
6. No existing turf, irrigation or street trees located in the road verge abutting or adjacent to the subject land may be damaged or removed during the course of the development, unless separately approved in writing by the City.
7. Prior to occupation or use of the development, noise attenuation measures in accordance with SPP5.4 shall be implemented by the owner/applicant, to the satisfaction of the City's Director Community and Statutory Services, Manager Planning Services or Coordinator Planning Services.
8. No services, such as air conditioners or water heaters shall be visible from the street.
9. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street or a public place.
10. Storerooms with a minimum area of 4m² and a minimum dimension of 1.5m, accessible from outside the dwelling shall be provided for each dwelling.
11. The occupancy of the Conference/Meeting Room on the Podium Level of the development shall be limited to a maximum of 80 persons at any one time.
12. 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 (a total of 390 spaces that comply with AS 2890.1);
 - (b) Schedule 11 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 otherwise approved by the City's Director Technical Services. All parking bays must be clearly line marked.
13. Prior to use or occupation of the development, an Access and Parking Management Plan shall be prepared at the applicant's cost to the satisfaction of the City, and thereafter implemented for the life of the development.
14. A minimum of 93 bicycle bays and the associated end of trip facilities are to be installed prior to use/occupation of the development, and maintained for the life of the development to the specifications contained within the City's Supplementary Planning Guidelines for End of Trip Facilities, to the satisfaction of the City's TravelSmart Officer.
15. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.



16. Prior to occupation or use of the development, the redundant vehicle crossovers to the subject lot/s shall be removed and the verge/footpath made good at the cost of the owner/applicant, in accordance with the City of Belmont's engineering requirements and design guidelines.
17. Prior to occupation or use of the development, the owner/applicant shall submit an application for construction of a vehicle crossover/s to City's Technical Services. Upon receipt of approval from the City's Technical Services, construction of the crossover/s shall be undertaken in concrete, brick paving or hot mix in accordance with the City of Belmont crossover specifications.
18. A Stormwater Management Plan to satisfy the City of Belmont's engineering requirements and design guidelines shall be submitted for approval by the City prior to application for a building permit.
19. The applicant shall prepare and submit a Construction Management Plan to the satisfaction of the City's Manager Projects and Development prior to commencement of any site works or construction associated with the development.
20. No earthworks shall encroach onto the Great Eastern Highway road reserve.
21. No stormwater drainage shall be discharged onto the Great Eastern Highway road reserve.
22. Any damage caused by the development to the Great Eastern Highway verge shall be made good at the cost of the owner/applicant.
23. At least two weeks prior to the use of any cranes during the construction of the development, the applicant shall contact and refer the matter to Perth Airport's Senior Airports Operations Officer (phone 9478 8424, mobile 0419 195 790).
24. Within 60 days from the date of this planning approval, a public art concept/strategy for the subject development to the value of \$650,000 shall be submitted to the City in accordance with the provisions of the City of Belmont Public Art Contribution Local Planning Policy, to the satisfaction of the City's Director Community and Statutory Services or Manager Planning Services.
25. The approved public art concept/strategy shall be thereafter implemented and the artwork constructed prior to use/occupation of the development, and maintained for the life of the development to the satisfaction of the City's Director Community and Statutory Services.
26. Prior to occupation of the development, a detailed Waste and Rubbish Collection Management Plan shall be submitted for the approval of the City's Manager Health and Rangers Services. The approved waste and rubbish collection management plan shall be thereafter implemented for the life of the development.



Footnotes

1. A planning 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. An application for a building permit will not be accepted unless proof of payment of all bonds and guarantees accompanies the application documents.
2. Fire requirements to be in accordance with the Building Code of Australia.
3. As of the 1 July 2003, Energy Efficiency requirements were implemented via the Building Code of Australia (BCA) Volume 2 and all residential buildings need to comply with the 'deemed to satisfy' requirements, or alternatively a compliant Energy Audit Report can be submitted by an accredited person. Please be advised that the granting of planning approval from the City is no indication that the approved plans conform to the BCA Volume 2 as amended.
4. Where construction works of the development may encroach onto the road reserve (verge) the applicant shall obtain a Materials On Verge licence for the entire verge for the entire duration of construction works.
5. In regard to Condition 2 the applicant is advised that should the owners wish to have a Building Permit issued prior to amalgamating the lots, then the City may permit the owner to enter into a legal agreement with City to defer the satisfaction of the condition. The legal agreement must be prepared by the City's solicitors (at the owner's full cost), finalised and signed, and then registered as an absolute caveat on the property's certificate of title prior to application for a building permit being submitted.

Please note that a legal agreement must be requested by the owner, in writing, and all costs associated with the preparation of a legal agreement and lodgement of a caveat must be borne by the owner. Generally legal agreements take three to four weeks to be prepared and therefore any such request should be lodged promptly with the City's Planning Department.

6. The required geotechnical report under Condition 3 must identify the geotechnical conditions of the site (including acid sulphate soils) and certify to the City that any earthworks proposed are structurally sound. The earthworks must be carried out in accordance with the geotechnical report as modified (if at all) by the City. Due to excavation to proposed basement levels, the suitability of soil conditions and water table for drainage purposes shall be confirmed with the results of geotechnical investigation.
7. The plan required by Condition 4 shall be a minimum size of A3, and is to contain a north point and a scale. The plan must show by numerical code, the botanical name of each plant species, proposed pot size, quantity and must also include the proposed treatments of:
 - (a) all areas of the property visible from the street; and
 - (b) the street verge.



8. In relation to Condition 5, the plants are to be nurtured until they reach their typical mature dimensions, and shall thereafter be maintained at those mature dimensions unless Council approves otherwise in writing.
9. This planning approval is not approval for the removal or alteration of any turf, irrigation or street tree. If during the course of the development any existing turf and/or irrigation is damaged or destroyed, the owner/applicant shall:
 - (a) repair, reinstate or replace the item in accordance with any written direction of the City's Manager Parks and Environment; and
 - (b) thereafter maintain the item for a period of 12 months, to the satisfaction of the City's Manager Parks and Environment.

If during the course of the development any existing street tree is damaged or destroyed, the City shall repair or replace the street tree in accordance with any written direction of the City's Manager Parks and Environment. The owner/applicant shall:

- (a) be responsible for any costs associated with repair or replacement; and
 - (b) thereafter maintain the street tree for a period of 12 months, to the satisfaction of the City's Manager Parks and Environment.
10. In relation to Condition 14, the City may at its discretion consider a reduced provision of bicycle parking spaces. The applicant is advised to liaise with the City's Planning Department in this regard.
11. In relation to Condition 15, in the event that access ways, parking areas and hard stand is not satisfactorily maintained, the City's Director Technical Services may require by notice, in writing, that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice may require that lines marking car bays be re-painted, pot holes be repaired, damaged kerbs be replaced and degraded access or parking areas be resurfaced generally in accordance with Council's Engineering Requirements and Design Guidelines.
12. Council'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.
13. Neither a planning approval nor a building license constitutes an approval to construct a crossover to a property. Prior to occupation or use of the development, a separate application must be made to the City's Technical Services Department for approval to construct a crossover to the property (i.e. from the road to connect with the property's internal driveway). Failure to submit a separate application for crossover approval may result in delays in receiving a vehicle crossover subsidy.
14. Signage is not approved as part of this application. A separate application for planning approval and building permit is required prior to display of any advertisements/signage.



15. In relation to Condition 18, a combination of on-site and off-site stormwater drainage with implementation of interconnected soak wells and connection to the City's stormwater system at the existing connection points on Belgravia Street and Hargreaves Street is required. The applicant is advised to liaise with the City's Technical Services Department in this regard.
16. Conditions 20-22 have been applied by Main Roads WA, the applicant is advised to contact Main Roads on (08) 9323 4214 quoting reference number 13/7832 (D13#668222) with regard to any queries relating to these conditions.
17. A separate approval is required from the Commonwealth Department of Infrastructure and Regional Development as the proposed development exceeds the 61m AHD limit and penetrates the Inner Horizontal Surface of the Perth Airport Obstacle Limitation Surfaces. The applicant is advised to contact Perth Airport's Planning Officer on (08) 9478 8479 in regard to making this application.
18. In relation to Conditions 24 and 25, the City's Community Wellbeing Services will be required to give final consent for the proposed public art, including any cash-in-lieu arrangement. 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.
19. In relation to Condition 26, please liaise with the City's Manager Health and Rangers Services for details regarding the finalisation of the Waste and Rubbish Collection management plan.
20. The applicant and owner are advised that the City's Rates Department will confirm under separate letter the street numbering applicable for this property.

This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

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

9.1	Property Location:	10 Hawksburn Road, Rivervale
	Application Details:	20 Multiple Dwellings (3 Storey)
	Applicant:	Rowe Group
	Owner:	Statesman Homes Pty Ltd
	Responsible authority:	City of Belmont
	Report date:	26 November 2013
	DoP File No:	DP/12/00955

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Phil Marks

Seconded by: Cr Margie Bass

Mr Ian Hocking
A/Presiding Member, Metro Central JDAP



That the Metro Central Joint Development Assessment Panel resolves to:

1. Accept that the DAP Application reference DP/12/00955 as detailed on the DAP Form 2 dated 17 October 2013 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. Approve an extension of the approval term to lapse two (2) years from the date of this Form 2 approval as per DAP Application reference DP/12/00955 (detailed on the DAP Form 2 received by the City of Belmont on 17 October 2013).
3. Approve the amendments to the approved plans of DAP Application reference DP/12/00955 as detailed on the DAP Form 2 dated 17 October 2013 and accompanying plans date stamped 17 October 2013 in accordance with the provisions of the City of Belmont's Local Planning Scheme No. 15, for the proposed amendment to the approved Multiple Dwellings at Lot 1009 (10) Hawksburn Road, Rivervale (formerly part lots 56, 57, 58, 59 and 60 (6, 8, 10, 12 & 14) Hawksburn Road, Rivervale), subject to the following modifications:

DELETION OF CONDITION:

2. Lots 56, 57, 58, 59 and 60 shall be amalgamated and subdivided in accordance with the approved plan, and
 - (a) new certificates of title obtained for the subdivided lots;
 - or
 - (b) the owner shall enter into a legal agreement with the City prepared by the City's solicitors by which the owner covenants to the required subdivision of the land within a specified period and agrees to the registration of an absolute caveat on the Certificate/s of Title to the land. The owner is to bear all costs associated with the preparation and stamping of the agreement and the registration of the caveat.

AND

AMENDED CONDITIONS:

12. 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 (29 spaces that comply with AS 2890.1);
 - (b) Schedule 11 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 otherwise approved by the City's Director Technical Services. All parking bays must be clearly line marked.



14. 5 visitor bays are to be constructed, clearly marked on site as 'Visitor Bays', and maintained in accordance with the City's engineering requirements and design guidelines to the satisfaction of the City's Director Technical Services.

AND

ADDITIONAL CONDITIONS:

22. Parking bay Number 26 as reflected on the Ground Floor Plan shall be deleted and the space marked 'No Parking'.
23. The western facing balcony of Unit 14 on the First Floor Plan, shall be modified to comply with Clause 6.4.1 of the 2013 Residential Design Codes to the satisfaction of the City's Director Community & Statutory Services, Manager Planning Services or Coordinator Planning Services.

AND

RENUMBERING OF CONDITIONS

The Conditions of the Planning Approval to be renumbered accordingly, taking into account the deleted condition and additional conditions.

Advice Notes

- i. All other conditions and requirements detailed on the previous approval dated 11 October 2012 shall remain unless altered by this application.
- ii. In relation to deletion of parking bay no. 26, the space is required to facilitate vehicle manoeuvring/turn-around for users of parking bay nos. 27 and 28. The City may consider satisfactory alternatives to facilitate vehicle manoeuvring (e.g. vehicle turn-table).

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

9.2	Property Location:	Lot 2 (2) West Road, Bassendean
	Application Details:	Bassendean Village Shopping Centre
	Applicant:	Hames Sharley
	Owner:	Hawaiian Investments
	Responsible authority:	Town of Bassendean
	Report date:	22 November 2013
	DoP File No:	DP/12/00535

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Jennifer Carter

Seconded by: Cr Gerry Pule



That the Metro Central Joint Development Assessment Panel resolves to:

1. Accept that the DAP Application reference DP/12/00535 as detailed on the DAP Form 2 dated 10 October 2013 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. Approve the DAP Application reference DP/12/00535 as detailed on the DAP Form 2 date 10 October 2013 and accompanying plans Drawing No A220 - Bassendean Shopping Centre Floor Plans – Overall in accordance with the provisions of Clause 10.3 of the Town of Bassendean Local Planning Scheme for the proposed minor amendment to the approved Bassendean shopping Centre Redevelopment at Lot 2 (2) West Road Bassendean.

Amended Conditions

Nil

Advice Notes

- i. All other conditions and requirements detailed on the previous approval dated 11 September 2012 and 7 May 2013 shall remain unless altered by this application.

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

10. Appeals to the State Administrative Tribunal

Nil

11. Meeting Close

There being no further business, the presiding member declared the meeting closed at 3.19 pm.