



Metro Inner-South Joint Development Assessment Panel Minutes

Meeting Date and Time: Friday, 9 June 2023; 9:30am
Meeting Number: MISJDAP/144
Meeting Venue: Town of Victoria Park
99 Shepperton Road, Victoria Park

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Mr Clayton Higham
Presiding Member, Metro Inner-South JDAP



Attendance

DAP Members

Mr Clayton Higham (Presiding Member)
Ms Rachel Chapman (Deputy Presiding Member)
Mr John Syme (A/Third Specialist Member)
Cr Luana Lisandro (Local Government Member, Town of Victoria Park)
Cr Vicki Potter (Local Government Member, Town of Victoria Park)

Officers in attendance

Mr Robert Cruickshank (Town of Victoria Park)

Minute Secretary

Mr Robert Cruickshank (Town of Victoria Park)

Applicants and Submitters

Mr Tim Dawkins (Urbis)
Mr Stuart Hawley (Bluerock Projects)
Mr Tristan Whelan (Plus Architecture)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.33am on 9 June 2023 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 which states 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.', the meeting would not be recorded.


Mr Clayton Higham
Presiding Member, Metro Inner-South JDAP



2. Apologies

Mr Peter Lee (Third Specialist Member)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

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

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

7.1 Mr Tim Dawkins (Urbis), Mr Stuart Hawley (Bluerock Projects) and Mr Tristan Whelan (Plus Architecture) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.

7.2 The Town of Victoria Park addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 No. 12-14 Hampton Street, Burswood

Development Description: 27 Multiple Dwellings
Applicant: Urbis
Owner: Ocean Developments WA Pty Ltd
Responsible Authority: Town of Victoria Park
DAP File No: DAP/22/02309


Mr Clayton Higham
Presiding Member, Metro Inner-South JDAP



REPORT RECOMMENDATION

Moved by: NIL

Seconded by: NIL

That the Metropolitan Inner South JDAP resolves to:

Refuse DAP Application reference DAP/22/02309 and accompanying plans at **Attachment 21** in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme for the following reasons:

Reasons:

1. The development does not satisfy the following matters to be considered under Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - (a) Clause 67(b) – The proposal is inconsistent with orderly and proper planning due to the poor level of amenity for the proposed dwellings and impacts upon the streetscape and adjoining properties.
 - (b) Clause 67(c) – The proposal does not adequately satisfy a number of design principles of State Planning Policy 7.3 Residential Design Codes Volume 2, and therefore is not considered to be an acceptable design outcome for the occupants, the streetscape and the community.
 - (c) Clause 67(g) – The proposal does not adequately satisfy development requirements of the Town of Victoria Park Local Planning Policy 42 – Vehicle Access Policy, as it does not minimise the number of crossovers, which impacts on the appearance of the streetscape.
 - (d) Clause 67(m) – The proposal is not compatible with its setting including the relationship of the development to development on adjoining land in respect to primary street setback, lot boundary setbacks, retention of trees, visual privacy, the number of crossovers and provision of on-site car parking.
 - (e) Clause 67(n) – The proposal is likely to negatively impact on the amenity of the locality, as the development is inconsistent with the existing and desired character of development within the area.
 - (f) Clause 67(p) – The proposal does not provide sufficient soft landscaping within the street setback area due to the inclusion of three crossovers, visitor car parking bays and a decked area, which results in dominating appearance of hard surfaces that will negatively impact on the appearance of the development and the streetscape.


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- (g) Clause 67(s) – The proposal does not provide for adequate vehicle access to the site as it does not minimise the number of crossovers, which impacts on the appearance of the development and the streetscape.
- (h) Clause 67(y) – The proposal does not adequately address concerns raised in submissions received on the application from owners and occupiers of surrounding affected properties.
2. The development does not satisfy the following Element Objectives of State Planning Policy 7.3 Residential Design Codes Volume 2:
- (a) Element Objective O 2.3.1 - The development proposes a primary street setback of ~~0-3~~ 1.0 metres in lieu of the minimum street setback of 2 3.0 metres required under Clause 1 of the Town's Local Planning Policy 25 'Streetscape', which results in a primary street setback that does not reinforce and/or complement the existing or desired character of the streetscape.
- (b) Element Objective O 2.4.1 - The Town is not satisfied that the proposal has adequately demonstrated that the proposed setbacks to the northern boundary provide adequate separation to the neighbouring property.
- (c) Element Objective O2.4.3 in that the setback of the development from the northern boundary has not been demonstrated as enabling the retention of the existing trees located on the adjoining property.
- (d) Element Objective O 3.3.1 - The Town is not satisfied that the proposal has adequately demonstrated that the development protects the viability of trees on the property adjoining the northern boundary.
- (e) Element Objective O 3.5.1 - The proposed screening of the balconies results in the balconies being fully enclosed and in turn restricts daylight and solar access to the balconies and adjacent habitable rooms.
- (f) Element Objective O 3.8.1 - The Town is not satisfied that the proposed vehicle access from three separate crossovers is designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles or is an acceptable planning outcome.
- (g) Element Objective O 3.8.2 - The Town considers that the proposed number of crossovers providing vehicle access to Hampton Street is excessive and unnecessary, which will result in detrimental visual impacts on appearance of the streetscape.
- (h) Element Objective 03.9.1 – The proposed provision of four visitor car parking bays in lieu of five bays does not provide for adequate on-site car parking for the development, also noting that under the amended Residential Design Codes Volume 1 to be gazetted on 1 September 2023, a minimum of seven on-site visitors parking bays would be required.



3. The development does not satisfy the following design principles of State Planning Policy 7.0 Design of the Built Environment:
 - (a) Principle 2 Landscape Quality - the Town is not satisfied that the proposal demonstrates that trees on the neighbouring property will be protected.
 - (b) Principle 3 Built Form and Scale - the Town considers that the siting of the six additional dwellings in the northern part of the site, the reduced side setbacks, proximity to the trees to the north, and other aspects of the design which lack generosity, cumulatively indicate an overdevelopment of the site. This is reinforced by the amendments to the Residential Design Codes Volume 1 which take effect on 1 September 2023, which would restrict the total number of dwellings on the site to a maximum of 23.
 - (c) Principle 6 Amenity Strategy – Views - The proposed development is considered to be an overdevelopment of the site which impacts on the built form design and results in amenity impacts on adjoining properties, the appearance of the streetscape and surrounding area.
4. The proposal is inconsistent with the intent and objectives of the Town's Local Planning Policy 42 'Vehicle Access for Residential Development' as the three proposed crossovers are considered to be excessive and unnecessary to provide adequate vehicle access to the development.

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

ALTERNATE MOTION

Moved by: Mr John Syme

Seconded by: Ms Rachel Chapman

That the Metro Inner-South JDAP resolves to:

Approve DAP Application reference DAP/22/02309 and accompanying plans dated 24 May 2023 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Metropolitan Region Scheme, and the provisions of the Town of Victoria Park Town Planning Scheme No. 1, subject to the following conditions:

1. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town.
2. If the development, the subject of this approval, is not substantially commenced within a period of four (4) years from the date of the approval, the approval will lapse and be of no further effect.


Mr Clayton Higham
Presiding Member, Metro Inner-South JDAP



3. Prior to the submission of an application for a building permit, the applicant is submit drawings to the satisfaction of the Town which include :
 - (a) The existing ground levels and finished levels on the site, on both plan drawings and elevations;
 - (b) The location, boundary setback and height (top and bottom at an assumed datum) of the existing angled concrete slab wall adjacent to the northern boundary;
 - (c) The existing ground levels of the adjoining properties (adjacent to the boundary with the subject site) on both plan drawings and elevations;
 - (d) The proposed finished floor levels and finished ground levels of all dwellings, external areas, parking areas and storerooms;
 - (e) Details of the proposed measures to be implemented to address level differences across the subject site, and between the subject site and adjoining properties (see advice note 11 and advice note 2) inclusive of top of wall and bottom of wall heights (at an assumed datum) for any retaining and/or terraced walls.
 - (f) Section drawings taken through the northern boundary for each of the six new townhouses, depicting the levels referred to in items (a) to (e) as relevant.

4. Prior to the submission of an application for a building permit, the applicant is to submit a report to the satisfaction of the Town, prepared by a suitably qualified arborist, which :
 - (a) assesses the impact of the proposed site works (based upon the levels and details to be provided as per condition 3) and development upon the existing trees located on No. 16 (Lot 238) Hampton Street (see advice note 12).
 - (b) should the arborist report demonstrate there being no adverse impact upon the adjoining trees, also include details of Tree Protection Zones, Structural Root Zones and the proposed management and mitigation measures to be put in place to ensure the protection of all existing trees located on No. 16 (Lot 238) Hampton Street.
 - (c) details whether or not access to the adjoining property has been granted, and accordingly the pruning and other measures proposed to the adjoining trees and demonstrating that ~~this~~ these measures will not have an adverse impact upon the health of the adjoining trees.

The applicant is to implement any recommendations contained in the arborist's report at all times to the satisfaction of the Town.

5. Prior to lodging an application for a building permit, plans are to be submitted demonstrating to the satisfaction of the Town that the development satisfies the silver standard outlined within the Liveable Housing Design Guidelines, pursuant to Element 4.9 'Universal Design' of State Planning Policy 7.3: Volume 2 – Apartments. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town.



6. Prior to lodging an application for a building permit, revised plans being submitted to the satisfaction of the Town demonstrating the following in relation to the provision of a storage area to the ground floor units within the existing building :
 - (a) The provision of a storage area to all seven ground floor units (note drawings currently show stores to five of the seven units); and
 - (b) Each storage area is to achieve a minimum area of 3m² with a minimum internal dimension of 1.5 metres and height of 2.1 metres, and be located in a convenient location to each unit; and
 - (c) All storage areas either visible from Hampton Street or the internal driveway are to be of masonry construction and of a material finish and colour to match the existing building; and
 - (d) The relocation of the storeroom that sits in front of the building line to a location behind the building line.
7. Prior to lodging an application for a building permit, an amended Site Plan is to be submitted to the satisfaction of the Town showing the conversion of the two Small Car Bays to provide one car parking bay that complies with the Australian Standards for Off-Street Car Parking (AS/NZS 2890.1).
8. Prior to lodging an application for a building permit, the applicant is to submit details to the satisfaction of the Town demonstrating that the gradient of the crossovers and driveways comply with the Australian Standards for Off-Street Car Parking (AS/NZS 2890.1).
9. Prior to lodging an application for a building permit, amended plans are to be submitted to the satisfaction of the Town showing the removal/deletion of the Communal Decking area located over the visitor car parking bays within the street setback area.
10. Prior to lodging an application for a building permit, plans being submitted to the satisfaction of the Town demonstrating that all air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas and clothes drying facilities are located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street.
11. Prior to lodging an application for a building permit, complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings are to be provided to the satisfaction of the Town. The development shall be constructed in accordance with the approved details and shall be thereafter maintained.
12. Prior to lodging an application for a building permit, a Stormwater and Drainage Management Plan including details of the on-site stormwater disposal including soakwell sizes and locations to be submitted to and approved in writing by the Town. The development shall be constructed in accordance with the approved details and thereafter maintained.



13. Prior to lodging an application for a building permit, a Construction Management Plan must be submitted for approval by the Town, and thereafter implemented to the satisfaction of the Town.
14. Prior to the occupation of the development, all car parking spaces together with their access aisles, are to be clearly paved, sealed, marked and drained and thereafter maintained to the satisfaction of the Town.
15. A minimum of four visitor car parking bays are to be constructed on-site prior to the occupation or strata titling of the dwellings, and be marked for the exclusive use of visitors to the satisfaction of the Town.
16. All driveways and car parking bays to be constructed of brick paving, liquid limestone, exposed aggregate or any alternative material approved by the Town.
17. Prior to lodging an application for a building permit, a detailed landscaping and reticulation plan for the subject site and the adjacent road verge(s) is to be submitted to and approved by the Town, and must include the following:
 - a) The location, number and type of the proposed trees and shrubs including planter and/or tree pit sizes and planting density;
 - b) New on-site tree planting and deep soil areas (per tree) as per Tables 3.3a and 3.3b of the R-Codes Volume 2; and
 - c) Any lawn to be established.
18. Prior to the occupation or strata-titling of the building(s), whichever occurs first, the approved landscaping and reticulation plan must be fully implemented and maintained thereafter, to the satisfaction of the Town.
19. Existing trees located within the verge are a Town asset and as such must be retained except where otherwise approved for removal by the Town.
20. Prior to the occupation or use of the development, any alterations, relocation or damage to existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the Town.
21. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
22. Clothes drying areas to be screened from view from all streets and public places to the satisfaction of the Town.
23. To address the conditions of this approval, a covering letter (detailing compliance with each condition), copy of the final working drawings and relevant associated reports and information, are to be submitted by the applicant and be cleared by the Town.



24. Prior to lodging an application for a building permit, an updated Waste Management Plan is to be submitted to the satisfaction of the Town which depicts the proposed area for bins to be collected from the verge, ~~that~~ and being in a location that does not conflict with the proposed street trees as per the landscaping plan, the proposed crossovers and the remaining on-street parking bays.

Advice Notes:

1. Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for a review of the determination of Council by the State Administrative Tribunal within 28 days of the date of this decision.
2. Any amendments or modifications to the approved drawings forming part of this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.
3. In relation to the condition requiring the submission of details demonstrating that the silver standard of Liveable Housing Design Guidelines are achieved, please be advised that the level of detail required include (but are not limited to) wall reinforcement for future handrails, hobless showers, slip-resistant floor surface etc. The owner/applicant is encouraged to seek the services of a disability access consultant.
4. In relation to the condition requiring the submission of a Construction Management Plan, the Plan is to address 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.
5. In relation to Condition 23, a building permit cannot be issued until the conditions of the development approval have been given a planning clearance by the Town. It is recommended that the relevant information be submitted prior to the submission of an application for a building permit in order to avoid delays in the processing of the building permit application. Should a building permit application be submitted without a planning clearance, then the building permit application will be put hold until a planning clearance is obtained or the application may be refused.



6. The owner or occupier is required to display the street number allocated to the property in a prominent location clearly visible from the street and/or right-of-way that the building faces.
7. All stormwater drainage shall be designed and signed by a certified Hydraulic Engineer. An overland flow path is to be included in the design to ensure diversion of stormwater from the developments during storm events.
8. 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. It is noted that a Work Zone permit may not be permitted along some sections of Berwick Street.
9. Where works and/or building permits are to be staged, only those conditions relevant to the proposed stage of works need to be satisfied prior to the issuing of a building permit.
10. This development approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of Council.
11. In relation to condition 3 above, the proposed measures to deal with level differences should not encroach into or reduce the size of the ground floor outdoor living areas to the six new townhouses.
12. Should the arborist report required by condition 4 demonstrate a negative impact upon the adjoining trees, then an application for an amendment to development approval will be required.

AMENDING MOTION 1

Moved by: Ms Rachel Chapman

Seconded by: Mr John Syme

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

*Prior to lodging an application for a building permit, plans are to be submitted demonstrating to the satisfaction of the Town that **a minimum of one of the six new dwellings** ~~the development~~ satisfies the silver standard outlined within the Liveable Housing Design Guidelines pursuant to ~~Element 4.9 'Universal Design' of State Planning Policy 7.3: Volume 2 - Apartments~~. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town.*

The Amending Motion was put and CARRIED UNANIMOUSLY

REASON: To clarify that the standard applies to the new dwellings only rather than the existing dwellings.


Mr Clayton Higham
Presiding Member, Metro Inner-South JDAP



AMENDING MOTION 2

Moved by: Ms Rachel Chapman

Seconded by: Mr John Syme

That Condition No. 6(a) and 6(b) be deleted, and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY

REASON: The provision of storage areas as shown on the plans is sufficient.

AMENDING MOTION 3

The following amendments were made en bloc;

Moved by: Ms Rachel Chapman

Seconded by: Cr Vicki Potter

- i. That Condition No. 7 be deleted, and the remaining conditions be renumbered accordingly.
- ii. That Condition No. 8 (now Condition No. 7) be amended to read as follows:

*Prior to lodging an application for a building permit, the applicant is to submit details to the satisfaction of the Town demonstrating that the **car bays**, gradient of the crossovers and driveways comply with the Australian Standards for Off-Street Car Parking (AS/NZS 2890.1).*

The Amending Motion was put and CARRIED UNANIMOUSLY

REASON: The provision of small car bays is permitted under the relevant Australian Standard, with the amendment to condition 8 (now renumbered condition 7) ensuring this.

AMENDING MOTION 4

Moved by: Ms Rachel Chapman

Seconded by: Cr Vicki Potter

That Condition No. 16 (now Condition No. 15) be amended to read as follows:

*All driveways and car parking bays to be constructed of brick paving, liquid limestone, exposed aggregate, **permeable paving** or any alternative material approved by the Town.*

The Amending Motion was put and CARRIED UNANIMOUSLY

REASON: To clarify that the permeable paving shown on the approved plans is acceptable.



AMENDING MOTION 5

Moved by: Ms Rachel Chapman

Seconded: NIL

That Condition No. 17 (now renumbered as condition 16) be amended to read as follows:

Prior to lodging an application for a building permit, a detailed landscaping and reticulation plan for the subject site and the adjacent road verge(s) is to be submitted to and approved by the Town, and must include the following:

- a) The location, number and type of the proposed trees and shrubs including planter and/or tree pit sizes and planting density;
- b) New on-site tree planting and deep soil areas (per tree) as per **approved plans Tables 3.3a and 3.3b of the R-Codes Volume 2**; and
- c) Any lawn to be established.

The Amending Motion was put and LAPSED for want of a Secunder.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner-South JDAP resolves to:

Approve DAP Application reference DAP/22/02309 and accompanying plans dated 24 May 2023 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Metropolitan Region Scheme, and the provisions of the Town of Victoria Park Town Planning Scheme No. 1, subject to the following conditions:

1. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town.
2. If the development, the subject of this approval, is not substantially commenced within a period of four (4) years from the date of the approval, the approval will lapse and be of no further effect.
3. Prior to the submission of an application for a building permit, the applicant is submit drawings to the satisfaction of the Town which include :
 - (a) The existing ground levels and finished levels on the site, on both plan drawings and elevations;
 - (b) The location, boundary setback and height (top and bottom at an assumed datum) of the existing angled concrete slab wall adjacent to the northern boundary;
 - (c) The existing ground levels of the adjoining properties (adjacent to the boundary with the subject site) on both plan drawings and elevations;
 - (d) The proposed finished floor levels and finished ground levels of all dwellings, external areas, parking areas and storerooms;


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- (e) Details of the proposed measures to be implemented to address level differences across the subject site, and between the subject site and adjoining properties (see advice note 11 and advice note 2) inclusive of top of wall and bottom of wall heights (at an assumed datum) for any retaining and/or terraced walls.
 - (f) Section drawings taken through the northern boundary for each of the six new townhouses, depicting the levels referred to in items (a) to (e) as relevant.
4. Prior to the submission of an application for a building permit, the applicant is to submit a report to the satisfaction of the Town, prepared by a suitably qualified arborist, which:
 - (a) assesses the impact of the proposed site works (based upon the levels and details to be provided as per condition 3) and development upon the existing trees located on No. 16 (Lot 238) Hampton Street (see advice note 12).
 - (b) should the arborist report demonstrate there being no adverse impact upon the adjoining trees, also include details of Tree Protection Zones, Structural Root Zones and the proposed management and mitigation measures to be put in place to ensure the protection of all existing trees located on No. 16 (Lot 238) Hampton Street.
 - (c) details whether or not access to the adjoining property has been granted, and accordingly the pruning and other measures proposed to the adjoining trees and demonstrating that these measures will not have an adverse impact upon the health of the adjoining trees.

The applicant is to implement any recommendations contained in the arborist's report at all times to the satisfaction of the Town.
5. Prior to lodging an application for a building permit, plans are to be submitted demonstrating to the satisfaction of the Town that a minimum of one of the six new dwellings satisfies the silver standard outlined within the Liveable Housing Design Guidelines. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town.
6. Prior to lodging an application for a building permit, revised plans being submitted to the satisfaction of the Town demonstrating the following in relation to the provision of a storage area to the ground floor units within the existing building :
 - (a) All storage areas either visible from Hampton Street or the internal driveway are to be of masonry construction and of a material finish and colour to match the existing building; and
 - (b) The relocation of the storeroom that sits in front of the building line to a location behind the building line.
7. Prior to lodging an application for a building permit, the applicant is to submit details to the satisfaction of the Town demonstrating that the car bays, gradient of the crossovers and driveways comply with the Australian Standards for Off-Street Car Parking (AS/NZS 2890.1).



8. Prior to lodging an application for a building permit, amended plans are to be submitted to the satisfaction of the Town showing the removal/deletion of the Communal Decking area located over the visitor car parking bays within the street setback area.
9. Prior to lodging an application for a building permit, plans being submitted to the satisfaction of the Town demonstrating that all air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas and clothes drying facilities are located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street.
10. Prior to lodging an application for a building permit, complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings are to be provided to the satisfaction of the Town. The development shall be constructed in accordance with the approved details and shall be thereafter maintained.
11. Prior to lodging an application for a building permit, a Stormwater and Drainage Management Plan including details of the on-site stormwater disposal including soakwell sizes and locations to be submitted to and approved in writing by the Town. The development shall be constructed in accordance with the approved details and thereafter maintained.
12. Prior to lodging an application for a building permit, a Construction Management Plan must be submitted for approval by the Town, and thereafter implemented to the satisfaction of the Town.
13. Prior to the occupation of the development, all car parking spaces together with their access aisles, are to be clearly paved, sealed, marked and drained and thereafter maintained to the satisfaction of the Town.
14. A minimum of four visitor car parking bays are to be constructed on-site prior to the occupation or strata titling of the dwellings, and be marked for the exclusive use of visitors to the satisfaction of the Town.
15. All driveways and car parking bays to be constructed of brick paving, liquid limestone, exposed aggregate, permeable paving or any alternative material approved by the Town.



16. Prior to lodging an application for a building permit, a detailed landscaping and reticulation plan for the subject site and the adjacent road verge(s) is to be submitted to and approved by the Town, and must include the following:
 - a) The location, number and type of the proposed trees and shrubs including planter and/or tree pit sizes and planting density;
 - b) New on-site tree planting and deep soil areas (per tree) as per Tables 3.3a and 3.3b of the R-Codes Volume 2; and
 - c) Any lawn to be established.
17. Prior to the occupation or strata-titling of the building(s), whichever occurs first, the approved landscaping and reticulation plan must be fully implemented and maintained thereafter, to the satisfaction of the Town.
18. Existing trees located within the verge are a Town asset and as such must be retained except where otherwise approved for removal by the Town.
19. Prior to the occupation or use of the development, any alterations, relocation or damage to existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the Town.
20. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
21. Clothes drying areas to be screened from view from all streets and public places to the satisfaction of the Town.
22. To address the conditions of this approval, a covering letter (detailing compliance with each condition), copy of the final working drawings and relevant associated reports and information, are to be submitted by the applicant and be cleared by the Town.
23. Prior to lodging an application for a building permit, an updated Waste Management Plan is to be submitted to the satisfaction of the Town which depicts the proposed area for bins to be collected from the verge, and being in a location that does not conflict with the proposed street trees as per the landscaping plan, the proposed crossovers and the remaining on-street parking bays.

Advice Notes:

1. Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for a review of the determination of Council by the State Administrative Tribunal within 28 days of the date of this decision.



2. Any amendments or modifications to the approved drawings forming part of this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.
3. In relation to the condition requiring the submission of details demonstrating that the silver standard of Liveable Housing Design Guidelines are achieved, please be advised that the level of detail required include (but are not limited to) wall reinforcement for future handrails, hobless showers, slip-resistant floor surface etc. The owner/applicant is encouraged to seek the services of a disability access consultant.
4. In relation to the condition requiring the submission of a Construction Management Plan, the Plan is to address 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.
5. In relation to Condition 22, a building permit cannot be issued until the conditions of the development approval have been given a planning clearance by the Town. It is recommended that the relevant information be submitted prior to the submission of an application for a building permit in order to avoid delays in the processing of the building permit application. Should a building permit application be submitted without a planning clearance, then the building permit application will be put hold until a planning clearance is obtained or the application may be refused.
6. The owner or occupier is required to display the street number allocated to the property in a prominent location clearly visible from the street and/or right-of-way that the building faces.
7. All stormwater drainage shall be designed and signed by a certified Hydraulic Engineer. An overland flow path is to be included in the design to ensure diversion of stormwater from the developments during storm events.



8. 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. It is noted that a Work Zone permit may not be permitted along some sections of Berwick Street.
9. Where works and/or building permits are to be staged, only those conditions relevant to the proposed stage of works need to be satisfied prior to the issuing of a building permit.
10. This development approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of Council.
11. In relation to condition 3 above, the proposed measures to deal with level differences should not encroach into or reduce the size of the ground floor outdoor living areas to the six new townhouses.
12. Should the arborist report required by condition 4 demonstrate a negative impact upon the adjoining trees, then an application for an amendment to development approval will be required.

The Report Recommendation (as amended) was put and CARRIED (4/1).

For: Mr Clayton Higham
Ms Rachel Chapman
Mr John Syme
Cr Luana Lisandro

Against: Cr Vicki Potter

REASON: The Panel were of the view that there are positive aspects of the project, including the reuse of the existing building, the improved streetscape outcome, the sustainability outcomes, and the provision of much needed accommodation. The Panel accepted that the site is constrained and there is some compromise to the amenity of the units. The Panel accepted that the matter of the site levels and the impact on the adjoining trees still requires further attention by the applicant. However, on balance, the Panel were of the view that they wanted to see the project succeed and that the outstanding matters can be resolved through conditions which set out a framework for the project to proceed.

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil


Mr Clayton Higham
Presiding Member, Metro Inner-South JDAP



10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02244 DR121/2022	City of Fremantle	Nos. 34-38 (Lots 1823, 1209, 1212 and 1217) Amherst Street and Nos. 2-4 (Lots 1223 and 1222) Stack Street, Fremantle	56 Grouped Dwellings	30/11/2022
DAP/22/02290 DR234/2022	Town of Victoria Park	No.384 (Lot 3) Berwick Street, East Victoria Park	Proposed 13 Grouped Dwellings	23/12/2022
DAP/18/01521 DR15/2023	City of Belmont	225 (Lot 500), Great Eastern Highway, Belmont	Use Not Listed: Third Party Signage	31/01/2023

Finalised SAT Applications*				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/21/01936 DR 168/2021	Town of Victoria Park	No. 176 (Lot 40) Burswood Road, Burswood	Proposed Office Tower	18/08/2021

* Matters finalised during the last meeting cycle.

11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10.47am.


Mr Clayton Higham
Presiding Member, Metro Inner-South JDAP