



Minutes of the Metro West Joint Development Assessment Panel

Meeting Date and Time: Monday 8 February 2016; 10:00am
Meeting Number: MWJDAP/123
Meeting Venue: City of Vincent
244 Vincent Street, Leederville

Attendance

DAP Members

Ms Megan Bartle (Presiding Member)
Mr Clayton Higham (Deputy Presiding Member)
Mr Lou D'Alessandro (Alternate Specialist Member)
Cr Joshua Topelberg (Local Government Member, City of Vincent)
Cr Matt Buckels (Local Government Member, City of Vincent)

Officers in Attendance

Ms Gabriela Poezyn, Director Development Services (City of Vincent)
Ms Amie Groom, Statutory Planning Officer (City of Vincent)

Local Government Minute Secretary

Ms Anita Radici (City of Vincent)

Applicants and Submitters

Mr Daniel Lees (TPG Town Planning, Urban Design and Heritage)
Mr Llyod Clark (Match Group)
Mr Simon Kohler
Ms Nikki van Beem

Members of the Public

10 members of the public.

1. Declaration of Opening

The Presiding Member, Ms Megan Bartle declared the meeting open at 10:00am on Monday 8 February 2016 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.



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 John Syme (Specialist Member).

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

Nil.

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 Simon Kohler addressed the DAP for the application at Item No. 8.1.

7.2 Ms Nikki van Beem addressed the DAP against the application at Item No. 8.1.

7.3 Mr Dan Lees (TPG) addressed the DAP for the application at Item No. 8.1. The DAP Members asked questions and Mr Leeds and the City Officers responded accordingly.



8. Form 1 – Responsible Authority Reports – DAP Application

- 8.1 Property Location: Nos. 48 – 70 (Lots 10 and 41) Cowle Street, West Perth
- Application Details: Demolition of Three Dwellings, One Heritage Listed Dwelling and retention of One Heritage Listed Dwelling, and construction of a Four Storey Development Comprising of 32 One-Bedroom Multiple Dwellings, 37 Two-Bedroom Multiple Dwellings and Five Three-Bedroom Multiple Dwellings and Associated Car Parking
- Applicant: TPG
- Owner: Cowle Street Management Pty Ltd
- Responsible Authority: City of Vincent
- Report Date: 29 January 2016
- DoP File No: DAP/15/00892

REPORT RECOMMENDATION/PRIMARY MOTION

Moved by: Cr Topelberg

Seconded by: Cr Higham

That the Metro West JDAP resolves to:

Approve DAP Application reference DAP/15/00892 and accompanying amended plans date stamped 16 November 2015 in accordance with the provisions of City of Vincent Town Planning Scheme No. 1 and Metropolitan Region Scheme, subject to the following conditions:

1. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 72 Cowle Street and the portions of the wall that extends beyond the existing boundary wall on Nos. 28 – 44 Cowle Street, in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork to the satisfaction of the City;

2. Car Parking and Accessways

- 2.1 A minimum of 80 resident, 10 visitor shall be provided onsite;
- 2.2 The car park shall be used only by residents, tenants and visitors directly associated with the development;
- 2.3 The car park bays for visitors shall be shown as common property on any strata plan;
- 2.4 The car parking and access areas are to comply with the requirements of AS2890.1;
- 2.5 Vehicle and pedestrian access points are required to match into existing footpath levels;
- 2.6 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications; and
- 2.7 The footpath and verge area is to be upgraded to the City's satisfaction;



3. External Fixtures

All external fixtures shall not be visually obtrusive from Cowle Street, Victoria Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

4. Car Parking Permits

The applicant shall agree in writing to provide a notice on any Sales Contracts to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings;

5. Verge Trees

With the exception of the tree shown on the plans to be removed. No verge tree shall be removed with the exception of. The verge trees shall be retained and protected from any damage including unauthorised pruning;

6. Within 28 days, the owner or the applicants on behalf of the owner shall comply with the following requirements:

6.1 Percent for Public Art

Advise the City how the proposed development will comply with the City's Policy No. 7.5.13 – Public Art. A value of \$160,000 being the equivalent value of 1% of the estimated total cost of the development (\$16,000,000), is to be allocated towards the public art; and

6.2 Section 70A Notification under the *Transfer of Land Act 1893*

The owner shall agree in writing to a notification being lodged under Section 70A of the *Transfer of Land Act 1893* notifying proprietors and/or (prospective) purchasers of the property that the use or enjoyment of the property may be affected by increased noise levels resulting from music, traffic, car parking and other impacts associated with nearby non-residential activities;

7. Prior to the issue of a Building Permit, the following shall be submitted to and approved by the City:

7.1 Legal Agreement

The owners shall enter into a legal agreement secured by a caveat on the Certificate of Title, that requires that the external built form of the existing Heritage Building at No. 54 Cowle Street is retained and maintained to the satisfaction of the City;



7.2 Revised Plans showing:

7.2.1 Visual Privacy

The balcony for the northern most unit on the third floor at any point within the cone of vision less than 6 metres from a neighbouring boundaries shall be screened to the satisfaction of the City in accordance with the requirements of the Residential Design Codes;

7.3 Acoustic Report

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be prepared and submitted. The recommended measures of the report shall be implemented;

7.4 Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the City for assessment and approval. The plan shall be drawn to a scale of 1:100 and show the following:

- 7.4.1 The location and type of existing and proposed trees and plants;
- 7.4.2 Areas to be irrigated or reticulated;
- 7.4.3 The removal of the redundant crossovers;
- 7.4.4 A minimum of 15 mature trees (500L) on site; and
- 7.4.5 The location of a 500L Weeping Peppermint Tree within the verge area;

7.5 Schedule of External Finishes

Detailed elevations of external finishes (noting materials, colour schemes and details) is to be provided to the satisfaction of the City;

7.6 Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

7.7 Waste Management

- 7.7.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved; and
- 7.7.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan;



7.8 Vehicle Entry Gate – Management Plan

Any proposed vehicular entry gate to the car parking area shall have a minimum 50 per cent visual permeability and a plan detailing management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors/tenants to the residential units at all times; and

8. Prior to occupation of the development, the following shall be completed to the satisfaction of the City:

8.1 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes;

8.2 Car Parking

The car parking areas on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owners/occupiers to the satisfaction of the City;

8.3 Stormwater

All storm water produced on the subject land shall be retained on site, by suitable means to the satisfaction of the City;

8.4 Public Art

With reference to Condition 6.1, should the applicant choose to provide public art, the approved public art work shall be installed and thereafter maintained by the owner/occupiers. All costs associated with this condition shall be borne by the applicant/owners;

8.5 Section 70A Notification under the *Transfer of Land Act 1893* lodgement and registration

With reference to Condition 6.2, the notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

8.6 Acoustic Report Certification

With reference to Condition 7.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

8.7 Landscape Plan and Verge Upgrade Plan

With reference to Condition 7.4, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense;



8.8 Bicycle Bays

A minimum of 25 resident bays and seven visitor bays are to be provided on-site. Bicycle bays must be provided at a location convenient to the entrance and publically accessible. The bicycle facilities shall be designed in accordance with AS2890.3;

8.9 Verge Tree

With reference to condition 7.4.5 the 500 litre Weeping Peppermint Tree is to be provided within the verge area in a location approved by the City; and

8.10 Visual Privacy

All Visual Privacy shown on the approved plans shall be installed to the satisfaction of the City.

ADVICE NOTES:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With reference to Condition 2.5, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;
3. With reference to Condition 2.6, all new crossovers to the development site are subject to a separate application to be approved by the City;
4. A Road and Verge security bond for the sum of \$10,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of a security bond shall be made in writing. The bond is non-transferable;
5. With reference to Condition 6.1, relating to Public Art the applicant has the following options:
 - 5.1 Option 1

Prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; or
 - 5.2 Option 2

Provide cash-in-lieu of an art project. Payment must be made prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first);



6. With reference to Condition 7.4, the City encourages landscaping methods and species selection which do not rely on reticulation;
7. With reference to Condition 7.1, all costs associated with this condition shall be borne by the applicant/owners of the land;
8. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
9. With reference to Condition 8.3, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
10. With reference to Condition 2.4, the booster cabinet is to be relocated or of a size that does not interfere with visual truncations; and
11. Any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. The applicant is requested to liaise with the City in this regard during the building permit process.

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

9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP Development Approval

Nil.

10. Appeals to the State Administrative Tribunal

Nil.

11. Meeting Close

There being no further business, the presiding member declared the meeting closed at 10:35am.