



Minutes of the Metro West Joint Development Assessment Panel

Meeting Date and Time: Monday, 23 October 2017; 9.30am
Meeting Number: MWJDAP/173
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street, Perth

Attendance

DAP Members

Ms Megan Adair (Presiding Member)
Mr Clayton Higham (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Dan Loden (Local Government Member, City of Vincent)
Cr Josh Topelberg (Local Government Member, City of Vincent)

Officers in attendance

Mr Remajee Narroo (City of Vincent)
Ms Joslin Colli (City of Vincent)
Ms Rana Murad (City of Vincent)

Minute Secretary

Ms Dallas Downes (Department of Planning, Lands and Heritage)

Applicants and Submitters

Mr James Paull (Yolk Property Group)
Mr Daniel Lees (TPG + Place Match)
Mr George Ashton (TPG + Place Match)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member, Ms Megan Adair declared the meeting open at 9.33am on 23 October 2017 and 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 DAP Standing Orders 2017; 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

Nil

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro West JDAP meeting no.172 held on 16 October 2017 were noted by DAP members.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of interests

Nil

7. Deputations and presentations

Nil

8. Form 1 - Responsible Authority Reports – DAP Application

Nil

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

- 9.1** Property Location: Nos. 77 – 83 (Lots 456 and 17) Scarborough Beach Road, Mount Hawthorn
- Application Details: Extension to the Term of Approval and Minor Amendment – Five Storey Mixed Use Development Comprising of Two Offices, Nine One Bedroom Multiple Dwellings, 28 Two Bedroom Multiple Dwellings, Five Three-Bedroom Multiple Dwellings and Associated Car Parking
- Applicant: Yolk Mt Hawthorn No.4 Pty Ltd
- Owner: Yolk Mt Hawthorn No.4 Pty Ltd
- Responsible authority: City of Vincent
- DAP File No: DAP/15/00866

REPORT RECOMMENDATION

With the agreement of the Mover and Seconder, the Presiding Member declared that the Primary Motion be separated into two (2) parts in accordance with Section 5.5.3 of the Standing Orders 2012.



SEQUENTIAL MOTION

Moved by: Mr Fred Zuideveld

Seconded by: Mr Clayton Higham

That the Metro West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/15/00866 as detailed on the DAP Form 2 dated 11 July 2017 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 DAP/15/0086 as detailed on the DAP Form 2 date 11 July 2017 and accompanying plans dated 2 October 2017 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the extension of term of approval and minor amendment to the approved Five Storey Mixed Use Development Comprising of Two Offices, Nine One Bedroom Multiple Dwellings, 28 Two Bedroom Multiple Dwellings, Five Three-Bedroom Multiple Dwellings and Associated Car Parking at Nos.77-83 Scarborough Beach Road, Mount Hawthorn subject to the following:
 1. Condition 12 be added as follows

"12. This approval is valid from 9 November 2017 for 2 years."

The Sequential Motion was put and CARRIED UNANIMOUSLY

SEQUENTIAL MOTION

Moved by: Mr Fred Zuideveld

Seconded by: Mr Clayton Higham

2. Condition 8.2.2 be deleted and replaced as follows;

"8.2.2 The planting of a new 500 Litres Jacaranda tree in the south-western corner of the site. Alternatively if a 500 Litre Jacaranda tree cannot be sourced an Arborist Report is to be submitted to demonstrate an equivalent tree is acceptable to the satisfaction of the City."

All other conditions and requirements detailed on the original approval dated 9 November 2015 (Form 1), 25 February 2016 and subsequent approval dated 5 April 2017 (Form 2) shall remain unless altered by this application.

AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Fred Zuideveld

To amend Condition 8.2.2 to include the following words, "planted prior to the occupation of development." So as to read as follows:

*"The planting of a new 500 Litres Jacaranda tree in the south-western corner of the site **planted prior to the occupation of development**. Alternatively if a 500 Litre Jacaranda tree cannot be sourced an Arborist Report is to be*



submitted to demonstrate an equivalent tree is acceptable to the satisfaction of the City.”

REASON: To ensure that the planting of the tree is done at the correct stage of the development process.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Cr Josh Topelberg

Seconded by: Mr Clayton Higham

To amend newly amended Condition 8.2.2 so as to read as follows:

*“The planting of a new 500 Litres Jacaranda tree in the south-western corner of the site planted prior to the occupation of development. **Prior to the lodgement of a building permit, the applicant is required to submit an arborist report to support the plan to allow a new 500 litre tree to be installed and maintained in accordance with the arborist report.** Alternatively if a 500 Litre Jacaranda tree cannot be sourced an Arborist Report is to be submitted to demonstrate an equivalent tree is acceptable to the satisfaction of the City.”*

REASON: To ensure that the mature tree proposed in the condition is able to be accommodated on site.

The Amending Motion was put and CARRIED UNANIMOUSLY.

SEQUENTIAL MOTION (as Amended)

2. Condition 8.2.2 be deleted and replaced as follows;

*“8.2.2 The planting of a new 500 Litres Jacaranda tree in the south-western corner of the site planted prior to the occupation of development. **Prior to the lodgement of a building permit, the applicant is required to submit an arborist report to support the plan to allow a new 500 litre tree to be installed and maintained in accordance with the arborist report.** Alternatively if a 500 Litre Jacaranda tree cannot be sourced an Arborist Report is to be submitted to demonstrate an equivalent tree is acceptable to the satisfaction of the City.”*

All other conditions and requirements detailed on the original approval dated 9 November 2015 (Form 1), 25 February 2016 and subsequent approval dated 5 April 2017 (Form 2) shall remain unless altered by this application.

REASON: The panel were of the view that by removing this condition, they would in effect remove the opportunity to pursue compliance with the original condition.

The Sequential Motion (as Amended) was LOST



9.2 Property Location:	Nos. 48 - 70 (Lots 10 and 41) Cowle Street, West Perth
Application Details:	Extension to Approval Period - 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 Place Match
Owner:	Cowle Street Management Pty Ltd
Responsible authority:	City of Vincent
DAP File No:	DAP/15/00892

REPORT RECOMMENDATION

Moved by: Cr Josh Topelberg

Seconded by: Mr Clayton Higham

With agreement of the mover and seconder, Condition 2 was reworded as follows:

“This decision constitutes development approval only and is valid for two years from 8 February 2018. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.”

REASON: For consistency when extending the term of approval to ensure the extension period is to commence from the expiry date of the original approval.

That the Metro West Joint Development Assessment Panel (JDAP) resolves to:

1. **Accept** the DAP application reference DAP/15/00892 as detailed on the DAP Form 2 dated 2 August 2017, is appropriate for consideration in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and
2. **Approve** DAP application reference DAP/15/00892 as detailed on the DAP Form 2 dated 2 August 2017, in accordance with the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, for an extension to the approval period for the Multiple Dwelling Development at Lots 10 and 41 Cowle Street, West Perth, subject to:

Amended Conditions

1. All conditions and advice notes detailed on the development approval granted on 3 March 2017 and included in **Attachment 2** continue to apply to this approval.
2. This decision constitutes development approval only and is valid for two years from 8 February 2018. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.



Amended Advice Note

1. Where an approval has so lapsed, no development must be carried out without further approval of the Metro West Joint Development Assessment Panel having first been sought and obtained.

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motion.

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

10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Close

The Presiding Member reminded the meeting that in accordance with Section 7.3 of DAP Standing Order 2017 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.

There being no further business, the presiding member declared the meeting closed at 9.58am.