



Metro Inner-South Joint Development Assessment Panel Minutes

Meeting Date and Time: Friday, 2 February 2024; 9:30am
Meeting Number: MISJDAP/170
Meeting Venue: Town of Victoria Park
99 Shepperton Road, Victoria Park

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Clayton Higham
Presiding Member, Metro Inner-South JDAP



Attendance

DAP Members

Clayton Higham (Presiding Member)
Sheryl Chaffer (A/Deputy Presiding Member)
Neema Premji (A/Third Specialist Member)
Cr Peter Melrosa (Local Government Member, Town of Victoria Park)
Cr Daniel Minson (Local Government Member, Town of Victoria Park)

Officers in attendance

Item 8.1a

Robert Cruickshank (Town of Victoria Park)
Sturt McDonald (Town of Victoria Park)

Item 8.1b

Nina Lytton (Western Australian Planning Commission)
Reece Woo (Western Australian Planning Commission)

Minute Secretary

Janine Martin (Town of Victoria Park)

Applicants and Submitters

Item 8.1 a&b

Callum Thatcher (Element Advisory Pty Ltd)
David Read (Element Advisory Pty Ltd)

Members of the Public / Media

There was 1 member of the public in attendance.

Claire Tyrrell from Business News and Jessica Evensen from Seven West Media were in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.33am on 2 February 2024 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*.

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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.

2. Apologies

Rachel Chapman (Deputy Presiding Member)
Peter Lee (Third Specialist Member)

3. Members on Leave of Absence

DAP Member, Peter Lee has been granted leave of absence by the Director General for the period of 24 January 2024 to 9 February 2024 inclusive.

4. Noting of Minutes

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

5. Declaration of Due Consideration

The Presiding Member notes an addendum to the responsible authority report was published in relation to Item 8.1a, received on 31 January 2024.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1 Callum Thatcher (element) addressed the DAP in support of the recommendation for the application at Item 8.1a&b and responded to questions from the panel.
- 7.2 Sturt McDonald (Town of Victoria Park) addressed the DAP in relation to the application at Item 8.1a and responded to questions from the panel.
- 7.3 Nina Lytton (Western Australian Planning Commission) addressed the DAP in relation to the application at Item 8.1b.

The presentations at Items 7.1 - 7.3 were heard prior to the application at Item 8.1 a and b.

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8. Form 1 – Responsible Authority Reports – DAP Applications

8.1a Lot 3001 (No 3) Graham Farmer Freeway, Burswood

Development Description:	Mixed Use Development Comprising 200 Multiple Dwellings, Shops and Restaurant/Cafe
Applicant:	Element Advisory
Owner:	Golden Sedayu Pty Ltd
Responsible Authority:	Town of Victoria Park
DAP File No:	DAP/23/02578

REPORT RECOMMENDATION

Moved by: Neema Premji

Seconded by: Cr Peter Melrosa

That the Metro Inner South Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/23/02578 and accompanying plans at Attachment 2 (Dated received 8/12/2023) 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 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. 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.
3. Prior to lodging an application for a 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 a building permit, a Sustainable Design Assessment Report (SDAR) being provided to demonstrate how the project will achieve a minimum of 35 points against the Green Star Benchmarks (self-assessed) to the satisfaction of the Town.
5. Prior to the occupation or strata-titling of the building(s), whichever occurs first, an updated Sustainable Design Assessment Report (SDAR) being provided to demonstrate how the project as-constructed achieves a minimum of 35 points against the Green Star Benchmarks (self-assessed), to the satisfaction of the Town.

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6. Prior to the occupation or strata-titling of the building(s), whichever occurs first, individual water metering to each dwelling being implemented and demonstrated to the satisfaction of the Town.
7. Prior to lodging an application for a building permit, it shall be demonstrated to the Town's satisfaction that the energy rating for the apartments exceed the requirements of the NCC (BCA) current at the time of approval by at least 1 star and energy modelling shall demonstrate that the building's energy use is at least 20% less than a reference building, including renewable generation on site.
8. No natural gas is to be used for dwelling heating.
9. Prior to lodging an application for a building permit, the owner entering into a legal agreement with the Town prepared by the Town's Solicitors at the owner's cost which : (a) agrees to the provision of a minimum of ten (10) dwellings within the development designated as affordable dwellings in perpetuity to the satisfaction of the Town. These designated dwellings are to consist of a minimum of eight (8) single bedroom dwellings and two (2) two-bedroom dwellings; (b) restricts the sale of the dwellings generally consistent with the provisions of the Local Development Plan; and (c) where necessary provides for a restrictive covenant registered against the title of the relevant dwellings.
10. Prior to occupation or strata titling of the dwellings referred to in condition 10, whichever occurs first, the owner shall provide the Town with a Housing Agreement made between the owner and a Community Housing Provider or Department of Communities or other State/Federally funded community organisation, for the occupation of the dwellings by householders with low to moderate incomes or have a disability, who are not eligible for social housing. The Agreement shall be to the satisfaction of the Town.
11. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town details of the proposed Electric Vehicle charging infrastructure (see related advice note).
12. Prior to the occupation or strata-titling of the building(s), whichever occurs first, Electric Vehicle charging infrastructure as per the approved details being implemented to the satisfaction of the Town.
13. Prior to lodging an application for a building permit, a detailed landscaping, reticulation and landscaping maintenance plan for the subject site and the adjacent road verge(s) must be submitted to and approved by the Town (see related advice note).
14. Development and works are to be undertaken in accordance with an approved Landscaping Management Plan to the satisfaction of the Town on the advice of the Department of Biodiversity, Conservation and Attractions (see related advice Note).

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15. Prior to the occupation or strata-titling of the building(s), whichever occurs first, landscaping, reticulation and landscaping maintenance infrastructure and systems as per the approved details being implemented to the satisfaction of the Town.
16. Prior to lodging an application for a building permit, details of the wind mitigation measures referred to by RWDI consultants in their letter dated 10 January being incorporated into the design to the satisfaction of the Town. Changes and additions from the mitigation measures are to be reflected in both building plan sets and the landscaping plans.
17. Prior to lodging an application for a building permit, the applicant/owner is to contribute a sum of 1% of the value of the total construction value towards public art. (Refer related Advice Note)
18. Prior to submission of an application for the relevant building permit, complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings and all fencing visible from the public realm, are to be submitted to and approved in writing by the Town, on advice of its Design Review Panel. The development shall be constructed in accordance with the approved details and shall be thereafter maintained (refer to related advice note).
19. Prior to the issuing of a building permit, the applicant/owner shall demonstrate that a minimum of 41 dwellings within the development have been designed to achieve the silver standard accessibility requirements outlined within the Liveable Housing Design Guidelines to the satisfaction of the Town. Prior to the issuing of an occupancy permit, the applicant/owner shall provide confirmation that a minimum of 41 dwellings as constructed have achieved the silver standard.
20. Prior to the occupation or use of the development, all on site car bays being provided in accordance with the approved plans.
21. A minimum of 51 car parking bays to be provided on site for shared use by residential visitors, commercial visitors and commercial staff. These bays shall be marked accordingly prior to the first occupation or commencement of the development.
22. The 12 carparking bays labelled 'COMMERCIAL' on the Ground Floor Plan to be provided on site for the exclusive use of commercial staff. These bays shall be marked for the exclusive use of commercial staff prior to the first occupation or commencement of the development.
23. All car parking bays to be lined-marked and designed in accordance with AS2890.1 and AS2890.6.

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24. 102 bicycle storage spaces being provided within the bike store as per the details provided to the Town date received 8 December 2023. This bicycle storage system is to be installed prior to the occupation or strata-titling of the building(s), whichever occurs first, to the satisfaction of the Town.
25. Prior to the occupation or use of the development, 20 on street bicycle spaces (bike rack spaces) being provided in accordance with the approved plans.
26. Prior to submission of an application for the relevant building permit, all plant equipment, air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas and clothes drying facilities must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Town. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town.
27. Prior to lodging an application for a building permit, a detailed Noise Management Plan/Acoustic Assessment is to be submitted and approved by the Town, which demonstrates that dwellings are sufficiently insulated from noise-sources within the development including communal-areas (such as the gym), air-conditioning units, waste-compaction units, and commercial areas. Any recommended mitigation or design measures are to be incorporated into the drawings and submitted for a building permit and the development shall be constructed in accordance with the approved details.
28. Prior to lodging an application for a building permit, details demonstrating that services accessible from the street will be integrated with either landscape design or building design (to not be visually obtrusive) shall be submitted and approved by the Town. The development shall thereafter be constructed in accordance with the approved details.
29. The Waste Management Plan prepared by Talis consultants dated received 8 December 2023 must be implemented at all times to the satisfaction of the Town.
30. Prior to lodging an application for building permit, the applicant shall submit a Stormwater Management Plan that has been designed and signed by a certified Hydraulic Engineer addressing issues associated with stormwater during storm events of 1:100 Annual Rainfall Interval (ARI) up to 24 hours duration. In the event that changes to the approved plans (i.e finished floor levels and ground levels) are required in order to comply with the stormwater drainage management plan, then an application for amendment to the development approval will be required.
31. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.

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32. Prior to lodging an application for a building permit, the applicant must submit, have approved, and thereafter implement, a management plan detailing how risk of wind and/or water borne erosion and sedimentation will be minimised during the works, to the satisfaction of the Town.
33. No dewatering effluent is to enter the River, either directly or indirectly (via the stormwater system), unless approved by the Department of Biodiversity, Conservation and Attractions (see related advice Note).
34. Works are to be undertaken in accordance with a Sediment and Erosion Control Plan as approved by the Department of Biodiversity, Conservation and Attractions (see related advice Note).
35. Stormwater run-off from constructed impervious surfaces generated by small rainfall events (that is, the first 15 mm of rainfall) must be retained and/or detained and treated (if required) at-source as much as practical and will not be permitted to enter the river untreated to the satisfaction of the Western Australian Planning Commission on the advice of the Department of Biodiversity, Conservation and Attractions.
36.
 - a. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out at Lot 3001 to determine if remediation is required.
 - b. If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works at Lot 3001 to the satisfaction of the planning authority on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use. Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines.
37. The development, including any ancillary or roof-based structures such as plant or antennae, must not exceed 100m AHD in height.
38. Cranage and/or other equipment erected on the site during construction must not exceed 150m AHD in height.
39. Prior to commencement of construction, the applicant/proponent is to provide information to the satisfaction of the Town on advice from Perth Airport that the Airservices Australia assessment of the proposed development did not identify any impacts to Communication, Surveillance and Navigation (CNS) facilities.
40. The applicant or responsible contractor shall lodge an online application to Perth Airport's Protected Airspace Assessment Tool (PAAT). The application must be approved prior to the erection of a crane on the subject site, for works during both construction and operation.

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Advice Notes

1. With regards to the condition pertaining to a landscaping, reticulation and landscaping maintenance plan, please note the Town's expectations are that details on maintenance will include the following:
 - a. Details of how difficult-to-access balcony planters will be accessed for pruning, replanting, repair, inspection and other maintenance duties including information on:
 - i. Strata bylaws pertaining to access through apartments, as required to undertake maintenance; and/or
 - ii. Abseiling access hardpoints, and details on how these would be accessed; and/or
 - iii. Plans detailing cherry picker access.
 - b. Confirmation difficult-to-access balcony planters that will be located in common property and/or have the strata responsible for the ongoing maintenance responsibilities. (annotate on plans?)
 - c. Confirmation that street-facing balcony planters to levels 1, 2 & 3 will be the responsibility of the strata council.
2. With regards to the condition pertaining to a landscaping, reticulation and landscaping maintenance plan, please be advised that:
 - a. The Town expects the landscaping plan to be broadly consistent with the landscaping plan prepared by DKO dated received 8 December 2023.
 - b. Any verge planting located within vehicle sightline truncation areas should have a plant species selection with a max of 750mm height at maturity.
 - c. Species *Ligularia reniformis* is a mosquito attractant. Accordingly, the developer may wish to reconsider including this in the species selection schedule.
3. 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 NCC 2022 Volume One.
4. The Town's expectation is that the Sustainable Design Assessment Report (SDAR) required prior to lodging the building permit will be based off the Full Circle Design Services report dated received 22 September 2023 and 8 December 2023.
5. With regards to provision of affordable dwellings in perpetuity, it is noted the applicant has stated *"we are accepting of a suitably worded condition and/or agreement to be in place to give confidence to the Town"*. The Town's expectations are that such affordable dwellings are to be consistent with provision 9.2 of the Local Development Plan:

9.2 Diversity and Affordability of Housing

 - a. *Diversity of housing is promoted through the adoption of a variety of townhouse and apartment products which allow for various levels of entry to the market for residents.*
 - b. *Each Racecourse Lot (Apartments) development shall provide various apartment sizes, layouts and orientations.*

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c. A minimum of 5% of total apartment houses in Precinct A shall be designated as affordable housing in perpetuity, being a mix of 4% of one-bedroom apartments and 1% of two-bedroom apartments (rounded to the nearest whole house).

d. The allocation of affordable or disability houses shall be nominated by the Developer at lodgement of DA, which is to be accompanied by a Housing Agreement made between the DA developer and the proposed Community Housing Provider or Department of Communities or other State / Federally funded community organisation, for the occupation of the house by householders who are considered low to moderate incomes or have a disability, but are not eligible for social housing.

e. Should an affordable or disability house be sold to a 3rd party, the property will be sold at the cost of construction and retained in perpetuity through a restrictive covenant registered against the certificate of title of the houses restricting use for affordable or disability housing only.

Low income - means households earning 50-80% of the median household income based on 2021 Census for Perth Metropolitan Region and indexed yearly according to the Wage Price Index (ABS Cat. 6345.0).

Moderate income - means households earning 80-120% of the median household income based on 2021 Census for Perth Metropolitan Region and indexed yearly according to the Wage Price Index (ABS Cat. 6345.0).

6. With regards 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.
7. With regards to the condition pertaining to a noise management plan/acoustic assessment, the Town's expectations are that the recommendations provided by Herring Storer ref: 31489-2-23263 dated October 2023 (particularly sections 6.0 – 6.5 of the report) will be implemented in the design.
8. With regards to the condition pertaining to dewatering effluent, in the event it is proposed to dewater effluent either directly or indirectly (eg. via the stormwater system) to the river, a dewatering management plan, demonstrating that the dewatering effluent discharge standards contained within the Department of Biodiversity, Conservation and Attractions' Policy 50: Planning for dewatering affecting the Swan Canning Development Control Area will be met, is to be approved by the Department of Biodiversity, Conservation and Attractions.

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9. With regards to the condition pertaining to a Sediment and Erosion Control Plan, the Sediment and Erosion Control Plan shall describe how the authorised works will be appropriately managed and implemented to minimise the risk of drainage, erosion and sedimentation on nearby water bodies and foreshore reserve during the work and may include control measures such as
- a. daily recovery of sediment (including imported building sand) from outside
 - b. the works area (e.g. end-of-day sweeping)
 - c. perimeter controls such as sediment control fences
 - d. sediment traps at stormwater drain inlets
 - e. vehicle washdown and vibration grids at entry/exits.

For further guidance on best management practices for sediment and erosion control, refer to the Erosion and Sediment Control Information sheets found at: <https://www.perthnrm.com/resource/sediment-management>

10. Acid sulfate soils (ASS) risk mapping indicates that the site is located within an area identified as representing a high to moderate risk of ASS occurring within 3 metres of the natural soil surface. Please refer to Department of Water and Environmental Regulation's acid sulfate soil guidelines for information to assist with the management of ground and/or groundwater disturbing works.

<https://www.wa.gov.au/government/document-collections/acid-sulfate-soils-publications>

11. In relation to site investigation and remediation and in accordance with regulation 31(1)(c) of the Contaminated Sites Regulations 2006, a mandatory auditor's report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with the condition pertaining to site investigation and remediation. A current list of accredited auditors is available from www.dwer.wa.gov.au.
12. Any fill material brought on to the site should be confirmed as uncontaminated and suitable for future residential land use.
13. Methane gas generation should be considered and appropriate mitigation measures implemented for any proposed below ground level structures prior to development.
14. With regards to the condition pertaining to a Landscaping Management Plan, the Landscaping Management Plan should reflect but not be limited to the following points:
- a. Planting within the urban area should use locally native plants;
 - b. The following species are deciduous, which means that leaves, flowers and seeds can deposit within the drainage system and the river environment – adding nutrients and potentially spreading into the system:
 - a. Jacaranda mimosifolia (Jacaranda)
 - b. Royal Poinciana 'Delonix regia' (Flamboyant tree)
 - c. Plumeria rubra (Frangipani)

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- c. The following species have invasive properties and are either already an environmental weed or have the potential to become one:
 - d. *Fatsia japonica* (Japanese Aralia)
 - e. Royal Poinciana
 - f. *Colocasia esculenta* (Taro/Elephant's Ear)
 - g. *Nandina domestica* (Heavenly Bamboo)
 - h. *Raphiolepis* (Oriental Pearl/Italian Hawthorn)
15. The applicant is advised that the development has been assessed and approved with the indicative street, footpath and verge trees as depicted in the approved plans. The Town's expectation is that footpath works and street trees will be designed and delivered as consistent with the boulevard layout as envisioned in figure 2a of LDP.
 16. With respect to the proposed café, the applicant is required to submit a *Food Business Registration/Notification* form to Council's Environmental Health and Regulatory Services in order to register the food business under the Food Act 2008. Annual food risk assessment fees may apply. The form can be downloaded from the Council's website.
 17. The aquatic facilities are to be constructed in compliance with the *Health (Aquatic Facilities) Regulations 2007* and the Aquatic Facilities Code of Practice.
 18. Plans are to be assessed by a practicing qualified disability Access Consultant who is an accredited member of the Association of Consultants in Access, Australia Inc (ACAA) to confirm compliance with the Disability (Access to Premises – Building) Standards, Building Code of Australia and relevant Australian Standards. A Copy of the certified plans is to be provided as part of the building permit application.
 19. Please note it is the responsibility of the building owner/developer to ensure the development complies with the Disability Discrimination Act 1992. Further information may be obtained from Disability Services (WA).

AMENDING MOTION

Moved by: Sheryl Chaffer

Seconded by: Neema Premji

The following amendments were made enbloc:

- (i) That a new Condition no. 41 be added to read as follows:

Prior to occupation of the building, a minimum 200m² temporary community facility is to be provided in a location approved by the Town and until such time as a suitable alternative facility is provided.

REASON: In accordance with the Officer's addendum to the RAR to reflect a negotiated and agreed location for the temporary community facility between the developer and the Town of Victoria Park.

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- (ii) That Condition No. 10 be amended to read as follows:

Prior to occupation or strata titling of the dwellings referred to in condition ~~40~~ 9, whichever occurs first, the owner shall provide the Town with a Housing Agreement made between the owner and a Community Housing Provider or Department of Communities or other State/Federally funded community organisation, for the occupation of the dwellings by householders with low to moderate incomes or have a disability, who are not eligible for social housing. The Agreement shall be to the satisfaction of the Town.

REASON: A minor amendment to correct a typing error.

- (iii) That Condition No. 17 be amended to read as follows:

*Prior to lodging an application for a building permit, **satisfactory arrangements to be made with the Town to ensure that the applicant/owner is to contribute** a sum of 1% ~~of the value~~ of the total construction value towards public art **prior to occupation of the building.** (Refer related Advice Note).*

REASON: A minor amendment to the wording of the condition to ensure that details of how and when public art is to be provided is agreed.

- (iv) That Condition No. 34 be amended to read as follows:

*Works are to be undertaken in accordance with a Sediment and Erosion Control Plan as approved by **the Town of Victoria Park on the advice of the Department of Biodiversity, Conservation and Attractions** (see related advice Note).*

REASON: A minor amendment to the condition that refers to the appropriate responsible authority.

- (v) That Condition No. 35 be amended to read as follows:

*Stormwater run-off from constructed impervious surfaces generated by small rainfall events (that is, the first 15 mm of rainfall) must be retained and/or detained and treated (if required) at-source as much as practical and will not be permitted to enter the river untreated to the satisfaction of the ~~Western Australian Planning Commission~~ **Town of Victoria Park on the advice of the Department of Biodiversity, Conservation and Attractions.***

REASON: A minor amendment to the condition that refers to the appropriate responsible authority.



- (vi) That Condition No. 36 be amended to read as follows:
- a. *Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out at Lot 3001 to determine if remediation is required.*
 - b. *If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to ~~completion~~ **commencement** of construction works at Lot 3001 to the satisfaction of the planning authority on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use. Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines.*

REASON: To ensure that any remediation of the site, if required, is completed prior to commencement of the development.

- (vii) That Advice Note 1 be amended to read as follows:

With regards to the condition pertaining to a landscaping, reticulation and landscaping maintenance plan, please note the Towns expectations are that details on maintenance will include the following:

- a. *Details of how difficult-to-access balcony planters will be accessed for pruning, replanting, repair, inspection and other maintenance duties including information on:*
 - i. *Strata bylaws pertaining to access through apartments, as required to undertake maintenance; and/or*
 - ii. *Abseiling access hardpoints, and details on how these would be accessed; and/or*
 - iii. *Plans detailing cherry picker access.*
- b. *Confirmation difficult-to-access balcony planters that will be located in common property and/or have the strata responsible for the ongoing maintenance responsibilities. ~~(annotate on plans?)~~*
- c. *Confirmation that street-facing balcony planters to levels 1, 2 & 3 will be the responsibility of the strata council.*

REASON: To delete unnecessary words.

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(viii) That Advice Note 14 be amended to read as follows:

With regards to the condition pertaining to a Landscaping Management Plan, the Landscaping Management Plan should reflect but not be limited to the following points:

- a. *Planting within the urban area should use locally native plants;*
- b. *The following species are deciduous, which means that leaves, flowers and seeds can deposit within the drainage system and the river environment – adding nutrients and potentially spreading into the system:*
 - ~~a.~~ *Jacaranda mimosifolia (Jacaranda)*
 - ~~b.~~ *Royal Poinciana ‘Delonix regia’ (Flamboyant tree)*
 - ~~c.~~ *Plumeria rubra (Frangipani)*
- c. *The following species have invasive properties and are either already an environmental weed or have the potential to become one:*
 - ~~d.~~ *Fatsia japonica (Japanese Aralia)*
 - ~~e.~~ *Royal Poinciana*
 - ~~f.~~ *Colocasia esculenta (Taro/Elephant’s Ear)*
 - ~~g.~~ *Nandina domestica (Heavenly Bamboo)*
 - ~~h.~~ *Rhaphiolepis (Oriental Pearl/Italian Hawthorn)*

REASON: A minor amendment to correct typing error.

The Amending Motion was put and CARRIED UNANIMOUSLY

REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner South Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/23/02578 and accompanying plans at Attachment 2 (Dated received 8/12/2023) 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 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. 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.
3. Prior to lodging an application for a 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.

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4. Prior to lodging an application for a building permit, a Sustainable Design Assessment Report (SDAR) being provided to demonstrate how the project will achieve a minimum of 35 points against the Green Star Benchmarks (self-assessed) to the satisfaction of the Town.
5. Prior to the occupation or strata-titling of the building(s), whichever occurs first, an updated Sustainable Design Assessment Report (SDAR) being provided to demonstrate how the project as-constructed achieves a minimum of 35 points against the Green Star Benchmarks (self-assessed), to the satisfaction of the Town.
6. Prior to the occupation or strata-titling of the building(s), whichever occurs first, individual water metering to each dwelling being implemented and demonstrated to the satisfaction of the Town.
7. Prior to lodging an application for a building permit, it shall be demonstrated to the Town's satisfaction that the energy rating for the apartments exceed the requirements of the NCC (BCA) current at the time of approval by at least 1 star and energy modelling shall demonstrate that the building's energy use is at least 20% less than a reference building, including renewable generation on site.
8. No natural gas is to be used for dwelling heating.
9. Prior to lodging an application for a building permit, the owner entering into a legal agreement with the Town prepared by the Town's Solicitors at the owner's cost which : (a) agrees to the provision of a minimum of ten (10) dwellings within the development designated as affordable dwellings in perpetuity to the satisfaction of the Town. These designated dwellings are to consist of a minimum of eight (8) single bedroom dwellings and two (2) two-bedroom dwellings; (b) restricts the sale of the dwellings generally consistent with the provisions of the Local Development Plan; and (c) where necessary provides for a restrictive covenant registered against the title of the relevant dwellings.
10. Prior to occupation or strata titling of the dwellings referred to in condition 9, whichever occurs first, the owner shall provide the Town with a Housing Agreement made between the owner and a Community Housing Provider or Department of Communities or other State/Federally funded community organisation, for the occupation of the dwellings by householders with low to moderate incomes or have a disability, who are not eligible for social housing. The Agreement shall be to the satisfaction of the Town.
11. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town details of the proposed Electric Vehicle charging infrastructure (see related advice note).
12. Prior to the occupation or strata-titling of the building(s), whichever occurs first, Electric Vehicle charging infrastructure as per the approved details being implemented to the satisfaction of the Town.

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13. Prior to lodging an application for a building permit, a detailed landscaping, reticulation and landscaping maintenance plan for the subject site and the adjacent road verge(s) must be submitted to and approved by the Town (see related advice note).
14. Development and works are to be undertaken in accordance with an approved Landscaping Management Plan to the satisfaction of the Town on the advice of the Department of Biodiversity, Conservation and Attractions (see related advice Note).
15. Prior to the occupation or strata-titling of the building(s), whichever occurs first, landscaping, reticulation and landscaping maintenance infrastructure and systems as per the approved details being implemented to the satisfaction of the Town.
16. Prior to lodging an application for a building permit, details of the wind mitigation measures referred to by RWDI consultants in their letter dated 10 January being incorporated into the design to the satisfaction of the Town. Changes and additions from the mitigation measures are to be reflected in both building plan sets and the landscaping plans.
17. Prior to lodging an application for a building permit, satisfactory arrangements to be made with the Town to ensure that the applicant/owner contributes a sum of 1% of the total construction value towards public art prior to occupation of the building. (Refer related Advice Note)
18. Prior to submission of an application for the relevant building permit, complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings and all fencing visible from the public realm, are to be submitted to and approved in writing by the Town, on advice of its Design Review Panel. The development shall be constructed in accordance with the approved details and shall be thereafter maintained (refer to related advice note).
19. Prior to the issuing of a building permit, the applicant/owner shall demonstrate that a minimum of 41 dwellings within the development have been designed to achieve the silver standard accessibility requirements outlined within the Liveable Housing Design Guidelines to the satisfaction of the Town. Prior to the issuing of an occupancy permit, the applicant/owner shall provide confirmation that a minimum of 41 dwellings as constructed have achieved the silver standard.
20. Prior to the occupation or use of the development, all on site car bays being provided in accordance with the approved plans.
21. A minimum of 51 car parking bays to be provided on site for shared use by residential visitors, commercial visitors and commercial staff. These bays shall be marked accordingly prior to the first occupation or commencement of the development.

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22. The 12 carparking bays labelled 'COMMERCIAL' on the Ground Floor Plan to be provided on site for the exclusive use of commercial staff. These bays shall be marked for the exclusive use of commercial staff prior to the first occupation or commencement of the development.
23. All car parking bays to be lined-marked and designed in accordance with AS2890.1 and AS2890.6.
24. 102 bicycle storage spaces being provided within the bike store as per the details provided to the Town date received 8 December 2023. This bicycle storage system is to be installed prior to the occupation or strata-titling of the building(s), whichever occurs first, to the satisfaction of the Town.
25. Prior to the occupation or use of the development, 20 on street bicycle spaces (bike rack spaces) being provided in accordance with the approved plans.
26. Prior to submission of an application for the relevant building permit, all plant equipment, air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas and clothes drying facilities must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Town. The development shall be constructed in accordance with the approved details, and maintained thereafter, to the satisfaction of the Town.
27. Prior to lodging an application for a building permit, a detailed Noise Management Plan/Acoustic Assessment is to be submitted and approved by the Town, which demonstrates that dwellings are sufficiently insulated from noise-sources within the development including communal-areas (such as the gym), air-conditioning units, waste-compaction units, and commercial areas. Any recommended mitigation or design measures are to be incorporated into the drawings and submitted for a building permit and the development shall be constructed in accordance with the approved details.
28. Prior to lodging an application for a building permit, details demonstrating that services accessible from the street will be integrated with either landscape design or building design (to not be visually obtrusive) shall be submitted and approved by the Town. The development shall thereafter be constructed in accordance with the approved details.
29. The Waste Management Plan prepared by Talis consultants dated received 8 December 2023 must be implemented at all times to the satisfaction of the Town.

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30. Prior to lodging an application for building permit, the applicant shall submit a Stormwater Management Plan that has been designed and signed by a certified Hydraulic Engineer addressing issues associated with stormwater during storm events of 1:100 Annual Rainfall Interval (ARI) up to 24 hours duration. In the event that changes to the approved plans (i.e finished floor levels and ground levels) are required in order to comply with the stormwater drainage management plan, then an application for amendment to the development approval will be required.
31. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
32. Prior to lodging an application for a building permit, the applicant must submit, have approved, and thereafter implement, a management plan detailing how risk of wind and/or water borne erosion and sedimentation will be minimised during the works, to the satisfaction of the Town.
33. No dewatering effluent is to enter the River, either directly or indirectly (via the stormwater system), unless approved by the Department of Biodiversity, Conservation and Attractions (see related advice Note).
34. Works are to be undertaken in accordance with a Sediment and Erosion Control Plan as approved by the Town of Victoria Park on the advice of the Department of Biodiversity, Conservation and Attractions (see related advice Note).
35. Stormwater run-off from constructed impervious surfaces generated by small rainfall events (that is, the first 15 mm of rainfall) must be retained and/or detained and treated (if required) at-source as much as practical and will not be permitted to enter the river untreated to the satisfaction of the Town of Victoria Park on the advice of the Department of Biodiversity, Conservation and Attractions.
36.
 - a. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out at Lot 3001 to determine if remediation is required.
 - b. If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to commencement of construction works at Lot 3001 to the satisfaction of the planning authority on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use. Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines.
37. The development, including any ancillary or roof-based structures such as plant or antennae, must not exceed 100m AHD in height.

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38. Cranage and/or other equipment erected on the site during construction must not exceed 150m AHD in height.
39. Prior to commencement of construction, the applicant/proponent is to provide information to the satisfaction of the Town on advice from Perth Airport that the Airservices Australia assessment of the proposed development did not identify any impacts to Communication, Surveillance and Navigation (CNS) facilities.
40. The applicant or responsible contractor shall lodge an online application to Perth Airport's Protected Airspace Assessment Tool (PAAT). The application must be approved prior to the erection of a crane on the subject site, for works during both construction and operation.
41. Prior to occupation of the building, a minimum 200m² temporary community facility is to be provided in a location approved by the Town and until such time as a suitable alternative facility is provided.

Advice Notes

1. With regards to the condition pertaining to a landscaping, reticulation and landscaping maintenance plan, please note the Town's expectations are that details on maintenance will include the following:
 - a. Details of how difficult-to-access balcony planters will be accessed for pruning, replanting, repair, inspection and other maintenance duties including information on:
 - i. Strata bylaws pertaining to access through apartments, as required to undertake maintenance; and/or
 - ii. Abseiling access hardpoints, and details on how these would be accessed; and/or
 - iii. Plans detailing cherry picker access.
 - b. Confirmation difficult-to-access balcony planters that will be located in common property and/or have the strata responsible for the ongoing maintenance responsibilities.
 - c. Confirmation that street-facing balcony planters to levels 1, 2 & 3 will be the responsibility of the strata council.
2. With regards to the condition pertaining to a landscaping, reticulation and landscaping maintenance plan, please be advised that:
 - a. The Town expects the landscaping plan to be broadly consistent with the landscaping plan prepared by DKO dated received 8 December 2023.
 - b. Any verge planting located within vehicle sightline truncation areas should have a plant species selection with a max of 750mm height at maturity.
 - c. Species *Ligularia reniformis* is a mosquito attractant. Accordingly, the developer may wish to reconsider including this in the species selection schedule.

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3. 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 NCC 2022 Volume One.
4. The Town's expectation is that the Sustainable Design Assessment Report (SDAR) required prior to lodging the building permit will be based off the Full Circle Design Services report dated received 22 September 2023 and 8 December 2023.
5. With regards to provision of affordable dwellings in perpetuity, it is noted the applicant has stated *"we are accepting of a suitably worded condition and/or agreement to be in place to give confidence to the Town"*. The Town's expectations are that such affordable dwellings are to be consistent with provision 9.2 of the Local Development Plan:

9.2 Diversity and Affordability of Housing

a. Diversity of housing is promoted through the adoption of a variety of townhouse and apartment products which allow for various levels of entry to the market for residents.

b. Each Racecourse Lot (Apartments) development shall provide various apartment sizes, layouts and orientations.

c. A minimum of 5% of total apartment houses in Precinct A shall be designated as affordable housing in perpetuity, being a mix of 4% of one-bedroom apartments and 1% of two-bedroom apartments (rounded to the nearest whole house).

d. The allocation of affordable or disability houses shall be nominated by the Developer at lodgement of DA, which is to be accompanied by a Housing Agreement made between the DA developer and the proposed Community Housing Provider or Department of Communities or other State / Federally funded community organisation, for the occupation of the house by householders who are considered low to moderate incomes or have a disability, but are not eligible for social housing.

e. Should an affordable or disability house be sold to a 3rd party, the property will be sold at the cost of construction and retained in perpetuity through a restrictive covenant registered against the certificate of title of the houses restricting use for affordable or disability housing only.

Low income - means households earning 50-80% of the median household income based on 2021 Census for Perth Metropolitan Region and indexed yearly according to the Wage Price Index (ABS Cat. 6345.0).

Moderate income - means households earning 80-120% of the median household income based on 2021 Census for Perth Metropolitan Region and indexed yearly according to the Wage Price Index (ABS Cat. 6345.0).

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6. With regards 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.

7. With regards to the condition pertaining to a noise management plan/acoustic assessment, the Town's expectations are that the recommendations provided by Herring Storer ref: 31489-2-23263 dated October 2023 (particularly sections 6.0 – 6.5 of the report) will be implemented in the design.

8. With regards to the condition pertaining to dewatering effluent, in the event it is proposed to dewater effluent either directly or indirectly (eg. via the stormwater system) to the river, a dewatering management plan, demonstrating that the dewatering effluent discharge standards contained within the Department of Biodiversity, Conservation and Attractions' Policy 50: Planning for dewatering affecting the Swan Canning Development Control Area will be met, is to be approved by the Department of Biodiversity, Conservation and Attractions.

9. With regards to the condition pertaining to a Sediment and Erosion Control Plan, the Sediment and Erosion Control Plan shall describe how the authorised works will be appropriately managed and implemented to minimise the risk of drainage, erosion and sedimentation on nearby water bodies and foreshore reserve during the work and may include control measures such as
 - a. daily recovery of sediment (including imported building sand) from outside
 - b. the works area (e.g. end-of-day sweeping)
 - c. perimeter controls such as sediment control fences
 - d. sediment traps at stormwater drain inlets
 - e. vehicle washdown and vibration grids at entry/exits.

For further guidance on best management practices for sediment and erosion control, refer to the Erosion and Sediment Control Information sheets found at: <https://www.perthnrm.com/resource/sediment-management>

10. Acid sulfate soils (ASS) risk mapping indicates that the site is located within an area identified as representing a high to moderate risk of ASS occurring within 3 metres of the natural soil surface. Please refer to Department of Water and Environmental Regulation's acid sulfate soil guidelines for information to assist with the management of ground and/or groundwater disturbing works.

<https://www.wa.gov.au/government/document-collections/acid-sulfate-soils-publications>

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11. In relation to site investigation and remediation and in accordance with regulation 31(1)(c) of the Contaminated Sites Regulations 2006, a mandatory auditor's report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with the condition pertaining to site investigation and remediation. A current list of accredited auditors is available from www.dwer.wa.gov.au.
12. Any fill material brought on to the site should be confirmed as uncontaminated and suitable for future residential land use.
13. Methane gas generation should be considered and appropriate mitigation measures implemented for any proposed below ground level structures prior to development.
14. With regards to the condition pertaining to a Landscaping Management Plan, the Landscaping Management Plan should reflect but not be limited to the following points:
 - a. Planting within the urban area should use locally native plants;
 - b. The following species are deciduous, which means that leaves, flowers and seeds can deposit within the drainage system and the river environment – adding nutrients and potentially spreading into the system:
 - Jacaranda mimosifolia (Jacaranda)
 - Royal Poinciana 'Delonix regia' (Flamboyant tree)
 - Plumeria rubra (Frangipani)
 - c. The following species have invasive properties and are either already an environmental weed or have the potential to become one:
 - Fatsia japonica (Japanese Aralia)
 - Royal Poinciana
 - Colocasia esculenta (Taro/Elephant's Ear)
 - Nandina domestica (Heavenly Bamboo)
 - Rhamphiolepis (Oriental Pearl/Italian Hawthorn)
15. The applicant is advised that the development has been assessed and approved with the indicative street, footpath and verge trees as depicted in the approved plans. The Town's expectation is that footpath works and street trees will be designed and delivered as consistent with the boulevard layout as envisioned in figure 2a of LDP.
16. With respect to the proposed café, the applicant is required to submit a *Food Business Registration/Notification* form to Council's Environmental Health and Regulatory Services in order to register the food business under the Food Act 2008. Annual food risk assessment fees may apply. The form can be downloaded from the Council's website.
17. The aquatic facilities are to be constructed in compliance with the *Health (Aquatic Facilities) Regulations 2007* and the Aquatic Facilities Code of Practice.

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18. Plans are to be assessed by a practicing qualified disability Access Consultant who is an accredited member of the Association of Consultants in Access, Australia Inc (ACAA) to confirm compliance with the Disability (Access to Premises – Building) Standards, Building Code of Australia and relevant Australian Standards. A Copy of the certified plans is to be provided as part of the building permit application.
19. Please note it is the responsibility of the building owner/developer to ensure the development complies with the Disability Discrimination Act 1992. Further information may be obtained from Disability Services (WA).

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

For: Clayton Higham
Sheryl Chaffer
Neema Premji
Cr Peter Melrosa

Against: Cr Daniel Minson

REASON: The majority of the panel considered that the proposed development met the vision and objectives of the Structure Plan and LDP. The variations to the development standards, particularly height, were assessed by the panel as appropriate in the context of the location of the development, noting the support of the DRP for the development. The panel were of the view that the conditions were appropriate and would address the amenity and other concerns raised during the advertising period.

8.1b Lot 3001 (No 3) Graham Farmer Freeway, Burswood

Development Description:	Two Mixed-Use Towers
Applicant:	Element Advisory
Owner:	Golden Sedayu Pty Ltd
Responsible Authority:	Western Australian Planning Commission
DAP File No:	DAP/23/02578

REPORT RECOMMENDATION

Moved by: Neema Premji

Seconded by: Sheryl Chaffer

That the Metro Inner-South Joint Development Assessment Panel resolves to **approve** DAP Application reference DAP/23/02578 and accompanying plans date stamped **8 December 2023** in accordance with Clause 29, 30 and 30A of the *Metropolitan Region Scheme*, subject to the following conditions:

Clayton Higham
Presiding Member, Metro Inner-South JDAP



Conditions

General

1. This decision constitutes planning approval only and is valid for a period of four 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. Prior to commencement of development works, detailed stormwater engineering plans shall be submitted and approved to the specification of the Town of Victoria Park and the satisfaction of the Western Australian Planning Commission.
3. Stormwater run-off from constructed impervious surfaces generated by small rainfall events (that is, the first 15 mm of rainfall) must be retained and/or detained and treated (if required) at-source as much as practical and will not be permitted to enter the river untreated to the specification of the Department of Biodiversity, Conservation and Attractions and the satisfaction of the Western Australian Planning Commission.
4. No dewatering effluent is to enter the Swan River, either directly or indirectly (via the stormwater system) to the specification of the Department of Biodiversity, Conservation and Attractions to the satisfaction of the Western Australian Planning Commission.
5. Prior to commencement of development works, a Sediment and Erosion Control Plan is to be prepared and approved to the specification of the Department of Biodiversity, Conservation and Attractions and the satisfaction of the Western Australian Planning Commission.
6. Prior to commencement of development works, a Landscaping Management Plan is to be prepared and approved to the specification of the Department of Biodiversity, Conservation and Attractions and the satisfaction of the Western Australian Planning Commission.
7. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out over the development site to determine if remediation is required to the specification of the Department of Water and Environmental Regulation and the satisfaction of the Western Australian Planning Commission.
8. Prior to occupancy, the subject lots are to be created in accordance with the subdivision approval (WAPC Ref: 163991) for the site, to the satisfaction of Western Australian Planning Commission.

Clayton Higham
Presiding Member, Metro Inner-South JDAP



Advice Notes

1. In regard to Condition 4, the Department of Biodiversity, Conservation and Attractions advises that in the event it is proposed to dewater effluent either directly or indirectly (eg. via the stormwater system) into the river, a dewatering management plan, demonstrating that the dewatering effluent discharge standards contained within the Department of Biodiversity, Conservation and Attractions' *Policy 50: Planning for dewatering affecting the Swan Canning Development Control Area* will be met, is to be approved by the Department of Biodiversity, Conservation and Attractions.
2. In regard to Condition 5, the Department of Biodiversity, Conservation and Attractions advises that the Sediment and Erosion Control Plan shall describe how the authorised works will be appropriately managed and implemented to minimise the risk of drainage, erosion and sedimentation on nearby water bodies and foreshore reserve during the work and may include control measures such as:
 - a. daily recovery of sediment (including imported building sand) from outside the works area (e.g. end-of-day sweeping);
 - b. perimeter controls such as sediment control fences;
 - c. sediment traps at stormwater drain inlets; and
 - d. vehicle washdown and vibration grids at entry/exits.

For further guidance on best management practices for sediment and erosion control, refer to the Erosion and Sediment Control Information sheets found at: <https://www.perthnrm.com/resource/sediment-management/>.

3. In regard to Condition 6, the Department of Biodiversity, Conservation and Attractions advises that the Landscaping Management Plan should reflect but not be limited to the following points:
 - a. planting within the urban area should use locally native plants;
 - b. the following species are deciduous, which means that leaves, flowers and seeds can deposit within the drainage system and the river environment – adding nutrients and potentially spreading into the system:
 - *Jacaranda mimosifolia* (Jacaranda);
 - *Royal Poinciana* 'Delonix regia' (Flamboyant tree);
 - *Plumeria rubra* (Frangipani); and
 - c. The following species have invasive properties and are either already an environmental weed or have the potential to become one:
 - *Fatsia japonica* (Japanese Aralia);
 - Royal Poinciana;
 - *Colocasia esculenta* (Taro/Elephant's Ear);
 - *Nandina domestica* (Heavenly Bamboo); and
 - *Rhaphiolepis* (Oriental Pearl/Italian Hawthorn)

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4. In regard to Condition 7, a mandatory auditor's report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation. A current list of accredited auditors is available from www.dwer.wa.gov.au. Any fill material brought on to the site should be confirmed as uncontaminated and suitable for future residential land use. Methane gas generation should be considered and appropriate mitigation measures implemented for any proposed below ground level structures prior to development.
5. The landowner/applicant is reminded of its obligations to comply with required actions in accordance with the *Airports (Protection of Airspace) Regulations 1996 (C'th)*. These relate to:
 - a. receiving confirmation from Perth Airport that the Airservices Australia assessment of the proposed development does not identify any impacts to Communication, Navigation and Surveillance (CNS) facilities; and
 - b. the lodgement of an online application to Perth Airport's Protected Airspace Assessment Tool (PAAT). The application must be approved prior to the erection of a crane on the subject site, for works during both construction and operation.
6. The applicant is advised the proposed works are located in a high to moderate risk Acid Sulphate Soils risk area and that the Acid Sulphate Soils Guideline Series for guidance on the identification, assessment and management of acid sulphate soils in Western Australia is available from the Department of Water and Environmental Regulation at: www.dwer.wa.gov.au. If Acid Sulphate Soils are exposed during the works, the Department of Water and Environmental Regulation should be contacted for further advice.
7. The applicant/landowner is reminded to contact 'Before You Dig Australia' (www.byda.com.au) to determine the location of any water, gas or electricity infrastructure.
8. The landowner/applicant is reminded of its obligations to obtain any necessary approvals under the *Aboriginal Heritage Act 1972* prior to the commencement of any excavation works.

The Report Recommendation was put and CARRIED UNANIMOUSLY

For: Clayton Higham
Sheryl Chaffer
Neema Premji
Cr Peter Melrosa

Against: Cr Daniel Minson

Clayton Higham
Presiding Member, Metro Inner-South JDAP



REASON: The majority of the panel considered that the proposed development met the vision and objectives of the broader planning framework of the MRS, as well as the Structure Plan and LDP. The variations to the development standards, particularly height, were assessed by the panel as appropriate in the context of the location of the development. The panel were of the view that the conditions were appropriate and would address the amenity and other concerns raised during the advertising period.

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

Nil

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/18/01521 DR15/2023	City of Belmont	225 (Lot 500), Great Eastern Highway, Belmont	Use Not Listed: Third Party Signage	31/01/2023
DAP/22/02259 DR166/2023	City of South Perth	Lots 253 & 50 (4-8) Charles Street, South Perth	Mixed use development	03/11/2023
DAP/23/02550 DR196/2023	City of Belmont	Lots 2, 606, 608 and 609 (No. 97-107) Great Eastern Hwy and Lots 302, 304, 305 (No.2) Acton Ave, Rivervale	Warehouse (Self Storage Facility)	21/12/2023

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 10.40am.

Clayton Higham
Presiding Member, Metro Inner-South JDAP