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## Minutes of the South-West Joint Development Assessment Panel

**Meeting Date and Time:** Friday, 13 January 2017; 2.00pm  
**Meeting Number:** MSWJDAP/ 122  
**Meeting Venue:** 140 William Street, Perth – *via teleconference*

### Attendance

#### DAP Members

Mr Ian Birch (Presiding Member)  
Ms Stacey Towne (Deputy Presiding Member)  
Mr Rob Nicholson (Specialist Member)  
Cr Andrew Sullivan (Local Government Member, City of Fremantle)  
Cr Jon Strachan (Local Government Member, City of Fremantle)  
Cr Kelly McManus (Local Government Member, City of Rockingham)  
Cr Joy Stewart (Local Government Member, City of Rockingham)

#### Officers in attendance

Mr Brendan Phillips (City of Fremantle)  
Ms Chloe Johnston (City of Fremantle)  
Ms Donna Shaw (City of Rockingham)  
Mr Greg Delahunty (City of Rockingham)

#### Department of Planning Minute Secretary

Ms Tanya Morgan (DAP Secretariat)

#### Applicants and Submitters

Mr Luke Potthoff (Yaran Property Group)  
Mr Ross Underwood (Planning Solutions)

#### Members of the Public / Media

Nil

### 1. Declaration of Opening

The Presiding Member, Ian Birch declared the meeting open at 2.05pm on 13 January 2017 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

**Mr Ian Birch**  
Presiding Member, Metro South-West JDAP



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**

Nil

## **3. Members on Leave of absence**

Cr Chris Elliott (Local Government Member, City of Rockingham)

## **4. Noting of minutes**

Minutes of the Metro South-West meeting No.121 held on 15 December were noted by DAP members.

## **5. Declaration of Due Consideration**

All members declared that they had duly considered the documents.

## **6. Disclosure of interests**

Panel members, Cr Kelly McManus and Cr Joy Stewart, declared an impartiality interest in item 9.2. Interest disclosed due to the matter being presented to a Council meeting prior to this meeting.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Presiding Member determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in discussion and voting on the items.

## **7. Deputations and presentations**

7.1 Mr Ross Underwood (Planning Solutions) addressed the DAP for the application at Item No.9.2.

## **8. Form 1 - Responsible Authority Reports – DAP Applications**

Nil



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

- 9.1 Property Location: No. 284 (Lot 30) South Terrace, South Fremantle  
Application Details: Demolition of existing buildings and construction of a three (3) storey Mixed Use building (20 Multiple Dwellings and six (6) commercial tenancies (three (3) Offices, two (2) Shops and one (1) Restaurant))
- Applicant: TPG Town Planning  
Owner: South Terrace Management Pty Ltd  
Responsible authority: City of Fremantle  
DoP File No: DAP/16/00972

### REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr Jon Strachan                      **Seconded by:** Cr Andrew Sullivan

That the Metro South West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/16/00972 as detailed on the DAP Form 2 dated 18 November 2016 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/16/00972 as detailed on the DAP Form 2 dated 18 November 2016 and accompanying plans A03.01-03, A05.01, A06.01-02 in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Local Planning Scheme No. 4 and the Metropolitan Region Scheme, for the proposed minor amendment to the approved demolition of existing buildings and construction of a three storey mixed use development (20 Multiple Dwellings and six commercial tenancies which include 3 Offices, 2 Shops and 1 Restaurant Use) at No. 284 (Lot 30) South Terrace, South Fremantle, subject to:

### Amended Conditions

1. This approval relates only to the development as indicated on the approved plans, dated 18 November 2016. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
4. Prior to commencement, the tree located on the northern boundary, as marked in red on the plans dated 18 November 2016, is to be removed and replaced at the applicants expense being of a suitable species and being located to the satisfaction of the City of Fremantle.
9. Prior to occupation of the development approved as part of DAPV007/16, on plans dated 18 November 2016, vehicle crossovers shall be constructed in

Mr Ian Birch  
Presiding Member, Metro South-West JDAP



either paving block, concrete, or bitumen and thereafter maintained to the satisfaction of the City of Fremantle.

### **Deleted Conditions**

12. Prior to the issue of a building permit, the applicant shall provide an amended southern elevation drawing which incorporates a higher level of glazing to the ground floor of commercial tenancy 6 for the front western 2.6 portion of wall, for the purpose of reducing the apparent building bulk and the impact on the southern adjoining property, to the satisfaction of the City of Fremantle.
13. The underside of the awning shall be raised approximately 0.2 metres, to generally match the underside of the awning to the adjacent Local Hotel.
14. The visitor bays shall be reallocated as bays to be available for use by occupants of the commercial tenancies and the security gate for the parking area shall be located towards the street.

### **New Conditions**

12. Prior to the commencement of development, a detailed landscaping plan, including information relating to species selection, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (i.e. mulch, lawn, synthetic grass etc), shall be submitted to and approved by the City of Fremantle.
13. Prior to the occupation of the development approved as part of DAPV007/16 on plans dated 18 November 2016, landscaping shall be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the City of Fremantle. All landscaped areas are to be maintained on an ongoing basis for the life of the development on the site to the satisfaction of the City of Fremantle.

All other conditions and requirements detailed on the previous approval dated 18 March 2016 shall remain unless altered by this application.

**REASON: In accordance with details contained in the Responsible Authority Report Recommendation.**

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

<b>9.2</b> Property Location:	Lots 900-907 (No.12-26) Westralia Garden, Rockingham
Application Details:	Amendment to Development Approval for 167 Multiple Dwellings
Applicant:	Yaran Property Group Pty Ltd
Owner:	Westralia Garden Pty Ltd
Responsible authority:	City of Rockingham
DoP File No:	DP/14/00064

**Mr Ian Birch**  
Presiding Member, Metro South-West JDAP



## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Mr Rob Nicholson      **Seconded by:** Cr Joy Stewart

That the Metro South-West JDAP resolves to:

1. **Accept** that the DAP Application reference DP/14/00064 as detailed on the DAP Form 2 dated 8 November 2016 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DP/14/00064 as detailed on the DAP Form 2 date 8 November 2016 and accompanying plans:
  - Site Plan, Drawing No.A002 Rev A, dated November 2016;
  - Ground Floor Plan, Drawing No.A003, dated November 2016;
  - Upper Levels, Drawing No.A004 Rev F, dated November 2016;
  - Apartment Types, Drawing No.A005 Rev C, dated November 2016;
  - Apartment Types, Drawing A006 Rev C, dated November 2016;
  - Elevations, Drawing No.A007 Rev D, dated November 2016;
  - Elevations, Drawing No.A008 Rev D, dated November 2016

in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Metropolitan Region Scheme, for the proposed minor amendment to the approved 167 Multiple Dwellings at Lot 12 (No.12-24) Westralia Garden, Rockingham, subject to the approval dated 12 March 2014, amended condition 9 and 20 and additional conditions 21 and 22 and advice note:

### Amended Conditions

9. 74 short-term bicycle parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities*, prior to applying for a Building Permit. The bicycle parking spaces must be constructed prior to the occupation of the development, and must be retained and maintained in good condition at all times.
20. Vertical or Horizontal louver screening must be installed on all west facing balconies and windows of the building on Lots 901 and 902 Westralia Garden, Rockingham to prevent direct overlooking of the adjoining development, in accordance with a design submitted to the City's satisfaction prior to lodgement of a Building Permit.

### New Conditions

21. Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for the amalgamation of Lot 901 and Lot 902 Westralia Garden, Rockingham, onto one Certificate of Title. The amalgamation must be completed prior to occupation of the development.

Mr Ian Birch  
Presiding Member, Metro South-West JDAP



22. The standard of finish to the walls built up to boundaries must be to the satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City of Rockingham.

All other conditions and requirements detailed on the previous approval dated 12 March 2014 shall remain unless altered by this application.

### **AMENDING MOTION**

**Moved by:** Mr Rob Nicholson      **Seconded by:** Cr Kelly McManus

To insert the following advice note:

#### **Advice Note**

1. This approval term is extended for 2 years from the date of this decision being 13 January 2017.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### **PRIMARY MOTION (AS AMENDED)**

That the Metro South-West JDAP resolves to:

1. **Accept** that the DAP Application reference DP/14/00064 as detailed on the DAP Form 2 dated 8 November 2016 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
3. **Approve** the DAP Application reference DP/14/00064 as detailed on the DAP Form 2 date 8 November 2016 and accompanying plans:
  - Site Plan, Drawing No.A002 Rev A, dated November 2016;
  - Ground Floor Plan, Drawing No.A003, dated November 2016;
  - Upper Levels, Drawing No.A004 Rev F, dated November 2016;
  - Apartment Types, Drawing No.A005 Rev C, dated November 2016;
  - Apartment Types, Drawing A006 Rev C, dated November 2016;
  - Elevations, Drawing No.A007 Rev D, dated November 2016;
  - Elevations, Drawing No.A008 Rev D, dated November 2016

in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Metropolitan Region Scheme, for the proposed minor amendment to the approved 167 Multiple Dwellings at Lot 12 (No.12-24) Westralia Garden, Rockingham, subject to the approval dated 12 March 2014, amended condition 9 and 20 and additional conditions 21 and 22 and advice note:

#### **Amended Conditions**

10. 74 short-term bicycle parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities*, prior to

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applying for a Building Permit. The bicycle parking spaces must be constructed prior to the occupation of the development, and must be retained and maintained in good condition at all times.

20. Vertical or Horizontal louver screening must be installed on all west facing balconies and windows of the building on Lots 901 and 902 Westralia Garden, Rockingham to prevent direct overlooking of the adjoining development, in accordance with a design submitted to the City's satisfaction prior to lodgement of a Building Permit.

### **New Conditions**

21. Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for the amalgamation of Lot 901 and Lot 902 Westralia Garden, Rockingham, onto one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
22. The standard of finish to the walls built up to boundaries must be to the satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City of Rockingham.

### **Advice Note**

1. This approval term is extended for 2 years from the date of this decision being 13 January 2017.

All other conditions and requirements detailed on the previous approval dated 12 March 2014 shall remain unless altered by this application.

**The Primary Motion (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 Standing Order 7.3 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 2.22pm.