



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 10 March 2022; 09:30am
Meeting Number: MOJDAP/158
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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Mr Ian Birch
Presiding Member, Metro Outer JDAP



Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr John Syme (A/Third Specialist Member)
Cr Chontelle Stone (Local Government Member, City of Cockburn)
Cr Phoebe Cork (Local Government Member, City of Cockburn)

Officers in attendance

Mr David King (City of Cockburn)
Mr Lorenzo Santoriello (City of Cockburn)

Minute Secretary

Ms Samantha Hansen (DAP Secretariat)
Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr Felipe Soto (Space Collective Architects)
Mr Nick Jeffery (Space Collective Architects)
Ms Mandy Leung (Space Collective Architects)
Ms Zoe Wong (SM Venture Capital)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:30am on 10 March 2022 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

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

1.1 Announcements by Presiding Member

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

Mr Ian Birch
Presiding Member, Metro Outer JDAP



In response to the COVID-19 situation, this meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

Mr Jason Hick (Specialist Member)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

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

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1 Mr Felipe Soto (Space Collective Architects) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Nick Jeffery (Space Collective Architects) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Ms Zoe Wong (SM Venture Capital) responded to questions from the panel in relation to the application at Item 8.1.
- 7.4 City of Cockburn officers responded to questions from the panel in relation to the application at Item 8.1.

Mr Ian Birch
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8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 7 (Lot 109) & 1 (Lot 110) Veterans Parade and 9 (Lot 111) Service Mews, Cockburn Central

Development Description: 21 Grouped Dwellings, 170 Multiple Dwellings and Two (2) Commercial Tenancies
Applicant: Space Collective Architects
Owner: SM Venture Capital Pty Ltd
Responsible Authority: City of Cockburn
DAP File No: DAP/21/02135

REPORT RECOMMENDATION

Moved by: Cr Phoebe Corke

Seconded by: Ms Sheryl Chaffer

That the Metro Outer JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/21/02135 is appropriate for consideration as a “Grouped Dwellings, Multiple Dwellings, Office and Shop” land use and compatible with the objectives of the zoning table in accordance with the City of Cockburn Town Planning Scheme No. 3;
2. **Approve** DAP Application reference DAP/21/02135 and accompanying plans 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 City of Cockburn Town Planning Scheme No. 3, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 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 the issue of an application for Building Permit**, arrangements being made to the satisfaction of the City for the pro-rata developer contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3.
4. The commercial tenancy’s being approved for Office and Shop use.
5. **Prior to the issue of an application for Building Permit**, Lot 109 and 110 Veterans Parade, Cockburn Central and Lot 111 Service Mews, Cockburn Central being amalgamated.

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6. **Prior to the lodgement of an application for Building Permit**, the owner of the subject land (Lots 109, 110 and 111 on Deposited Plan 406846) shall enter into a deed with the City of Cockburn (City) pursuant to which the owner shall authorise the City to lodge an absolute caveat against the certificate(s) of title to the land, for the purposes of ensuring the future staged development is completed as Multiple Dwellings. The deed shall be prepared to the satisfaction of the City by the City's solicitors at the owner's cost, and the absolute caveat must be lodged before work on Stage 1 is commenced.
7. **Prior to the occupation of the building**, a crossover application shall be submitted to and approved by the City's Engineering Services. The crossover shall be located and constructed to the City's specifications.
8. **Prior to the lodgement of an application for Building Permit**, a Construction Management Plan (CMP) is to be prepared, submitted to the satisfaction of the City and implemented during construction of the development.
9. **Prior to the lodgement of an application for Building Permit**, a stormwater management plan and calculations shall be prepared and submitted to the satisfaction of the City. The approved stormwater management plan shall be implemented throughout the life of the development.
10. **Prior to the lodgement of an application for Building Permit**, the owner of the subject land (Lots 109, 110 and 111 on Deposited Plan 406846) shall enter into a deed with the City of Cockburn (City) pursuant to which the owner shall authorise the City to lodge an absolute caveat against the certificate(s) of title to the land, for the purposes of staging the public art contribution. The deed shall be prepared to the satisfaction of the City by the City's solicitors at the owner's cost, and the absolute caveat must be lodged before work on Stage 2 is commenced.
11. **Prior to the lodgement of an application for Building Permit**, a schedule of the materials, finishes and colours shall be submitted to and approved by the City. The schedule shall include details of the type of materials proposed to be used, including their colour and texture. The development shall thereafter be maintained in accordance with the approved materials schedule.
12. **Prior to the lodgement of an application for Building Permit**, a revised landscaping plan shall be submitted to and approved by the City. The revised plan shall include;
 - a. The location, number, size and species of existing and proposes vegetation, including 50% of the species selected being endemic;
 - b. Any lawns to be established;
 - c. An irrigation plan;
 - d. Verge treatments;
 - e. Temporary landscape treatments for future stages of the development.

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13. Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with an approved plan and maintained thereafter to the satisfaction of the City. The landscaping shall be implemented during the first available planting season post completion of development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.
14. **Prior to the occupation of the grouped dwelling**, twenty one (21) trees of minimum 90L pot size shall be planted within the areas indicated on the approved plans. The trees must be provided with a minimum nine (9) square metres of soil space and a minimum dimension of two (2) metres at ground level free of intrusions. The tree shall thereafter be maintained in perpetuity to the satisfaction of the City of Cockburn.
15. **Prior to occupation of the grouped dwellings**, the boundaries of lots defined by 'party walls' are to be subject to a party wall easement(s) created pursuant to section 136C of the Transfer of Land Act 1893, which is to be shown on the diagram or plan of survey (deposited plan) as constructed.
16. **Prior to the lodgement of an application for Building Permit**, a revised Traffic Impact Statement being provided to detail the following;
 - a. Two ACROD bays being provided;
 - b. The location and design of traffic control devices including mirrors, wheel stops and location of speedhumps at the crossover access ways;
 - c. The allocation of Residential, visitors and commercial car parking bays within the multiple dwelling development.

Upon approval of the revised Traffic Impact Statement, the allocation of car parking bays shall be reflected on any future subdivision plan for the subject property, to the City's satisfaction.
17. **Prior to the initial occupation of the building**, all vehicle parking, access ways, footpaths and external lighting shall be constructed and maintained in accordance with the Australian Standards AS2890 in the form and layout depicted on the approved plans to the satisfaction of the City.
18. **Prior to the initial occupation of the building**, the parking bays, driveway/s and points of ingress and egress shall be sealed, kerbed, drained, line marked and made available to the satisfaction of the City.
19. Bicycle parking bays are to be designed and installed to comply with Australian Standard 2890.3 within designated bicycle parking areas marked on the site plan.
20. **Prior to the occupation of the dwellings**, each premise must clearly display the street number, to the satisfaction of the City.
21. All mechanical plant and related hardware, clothes drying, air con units and refuse must be screened from view of the public.

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22. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.
23. The provisions identified in the Waste Management Plan provided by Talis Consultants dated 13 December 2021 under project number TW21092, which include recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.
24. Where a driveway and/or parking bay abuts a public street, associated walls, fences and/or adjacent landscaping areas shall be truncated within 1.5 metres thereof or limited in height to 0.75 metres.
25. Front walls and fences within the street setback areas shall be 60% visually permeable, uniform in design and no higher than 1.2 metres above natural ground level in accordance with the Cockburn Central West Design Guidelines.
26. **Prior to the lodgement of an application for a Building Permit**, a further Acoustic Report shall be submitted to the City for approval.
27. Any recommendations for noise attenuation measures in the approved Acoustic Report shall be implemented for the life of the development.
28. **Prior to the lodgement of an application for a Building Permit**, written confirmation that all recommendations in the approved Acoustic Report have been incorporated into the proposed development and building plans shall be submitted to the City.
29. **Prior to the initial occupation of the development**, written confirmation that all recommendations in the approved Acoustic Report have been incorporated into the completed development shall be submitted to the City.
30. A notification under Section 70A of the *Transfer of Land Act 1983* shall be prepared and placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification to be included on the deposited plan. The notification to state as follows:

"This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise. Further information is available on request from the relevant local government offices."

Advice Notes

- a. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency.
- b. With regard to Condition 6, the Condition is recommended to ensure future stages 2-5 of the development are constructed as Multiple Dwellings and meet the intent of the Cockburn Central West Structure Plan area.

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- c. With regard to Condition 7, copies of crossover specifications are available from the City's Engineering Services or from the City's website www.cockburn.wa.gov.au.
- d. With regard to Condition 8, the Construction Management Plan (CMP) shall be in accordance with the City's CMP guidelines accessed on the City's Website and shall address the following items:
- i. Access to and from the site;
 - ii. Delivery of materials and equipment to the site;
 - iii. Storage of materials and equipment on the site;
 - iv. Parking arrangements for contractors and subcontractors;
 - v. Management of construction waste; and
 - vi. Other matters likely to impact on the surrounding properties.
- e. With regard regards to Condition 9, the Cockburn Central West Design Guidelines require stormwater volumes be designed to 1:100.
- f. With regard to Condition 10, the applicant is required to submit to the City for approval prior to lodgement of the building permit application for stage 2 a preliminary proposal for an art work designed be a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be to be located within the subject site as an integral part of the development;
- submit to the City for approval an 'Application for Art Work Design';
 - enter into a contract with a professional artist/s to design and install (if appropriate) the art work approved by the City.
- The art work shall then be installed prior to occupation of the stage 3 building and maintained thereafter to the satisfaction of the City.
- g. Accessible car parking and access shall be provided and designed in accordance with the Australian Standard AS 2890.6.
- h. With regard to Condition 18, the parking bays, driveways and points of ingress and egress are to be designed and constructed in accordance with the Australian Standard for Off-street Car parking (AS 2890) and are to be completed prior to the development being occupied and thereafter maintained to the satisfaction of the City.
- i. The applicant is advised this determination does not constitute an approval for the relocation of the existing electricity infrastructure in the Service Mews cul-de-sac. A third party approval is required for that process.
- j. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.

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- k. The City's Health Services advises that it will require the cessation of any process, activity or equipment employed on the site if it is causing a dust nuisance, until such time as the process, activity or equipment has been satisfactorily modified.
- l. With respect to condition 25, visually permeable means a vertical surface that has:
 - i. Continuous vertical or horizontal gaps of at least 50 mm width occupying not less than one third of its face in aggregate of the entire surface or where narrower than 50mm, occupying at least one half of the face in aggregate as viewed directly from the street;
or;
 - ii. A surface offering equal or lesser obstruction to view.
- m. With regard to the Commercial tenancies approved as Office/Shop, a future Change of Use to a food premises use will require the submission of a Noise Management Plan in accordance with the City's Local Planning Policy 1.12 – Noise Attenuation.
- n. A plan and description of any signage and advertising not exempt under Town Planning Scheme No. 3 shall be submitted to and approved by the City prior to the erection of any signage on the site/building. It is strongly advised to liaise with the City's Planning Services prior to any installation of signage to confirm what approvals, if any, are required.
- o. The applicant is advised that rubbish bins, clothes drying-areas and other utilities of similar nature are to be screened from view of the primary and secondary street in accordance with the Residential Design Codes.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposal is consistent with the broader strategic intent for the development of Cockburn Central West. Variations proposed to provisions in the established planning framework, permitting group dwellings and to certain development standards, notably boundary setbacks, have been assessed as appropriate, given the particular characteristics of the site and indeed in these circumstances are assessed as enhancing the overall urban form in the area.

The applicant's submission displays a comprehensive approach to the plan preparation for this large site and they have responded positively to issues raised through the planning assessment and design review process. Given the scale of the proposal, its development in stages is acknowledged and accepted, with conditions put in place to ensure that it is completed as intended. The recommendation in the Responsible Authority Report to approve the application, with conditions, was unanimously supported by the panel.

Mr Ian Birch
Presiding Member, Metro Outer JDAP



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.21/02016 DR207/2021 | City of Joondalup | Centre Lot 667 (73) Kingsley Drive & Kit 666 (22) Woodford Wells Way, Kingsley | Child care Centre | 28/09/2021 |
| DAP/21/2047 DR257/2021 | City of Swan | Lots 136 (26) & 3235 (34) Asturian Drive and Lots 137 (238) & 138 (230) Henley Street, Henley Brook | Proposed education facility | 03/12/2021 |

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 10:17am.

Mr Ian Birch
Presiding Member, Metro Outer JDAP