



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 13 March 2024; 9.30am
Meeting Number: MIDAP/1
Meeting Venue: 140 William Street, Perth
Public Observing: via Electronic Means

This DAP meeting was live streamed open to the public rather than requiring attendance in person.

A recording of the meeting is available via the following link: [MIDAP/1 - 13 March 2024 - Town of Cambridge - City of Stirling](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – TOWN OF CAMBRIDGE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 No 187 (Lot 30) Salvado Road, Jolimont - 7 Storey apartment building – DAP/23/02466
 - 4.2 No. 130 (Lot 2) and No 132 (Lot 3) Brookdale Street, Floreat – Child Care Centre – DAP/18/01384
5. Section 31 SAT Reconsiderations

PART C – CITY OF STIRLING

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 No 194 (Lot 3) The Esplanade and No 5 (Lot 4) Brighton Rd, Scarborough - 12-storey residential development with 21 dwellings & associated parking, access, landscaping and amenities – DAP/23/02555
 - 3.2a Lot 110 (No 19) Twyford Place, Innaloo - DAP/23/02581

Francesca Lefante
Presiding Member, Metro Inner DAP



3.2b Lot 110 (No 19) Twyford Place, Innaloo - DAP/23/02581

4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. General Business
3. Meeting Closure

A handwritten signature in black ink, appearing to read 'Francesca Lefante'.

Francesca Lefante
Presiding Member, Metro Inner DAP



Attendance	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Francesca Lefante (Presiding Member)	Tenielle Brownfield
Lee O'Donohue (Deputy Presiding Member)	Ashlee Kelly
John Syme	
<i>Part B – Town of Cambridge</i>	
Local Government DAP Members	Officers in Attendance
Cr Kate Barlow	Christian Parker
Cr Ben Mayes	Kane Smith
	Steve Laming
<i>Part C – City of Stirling</i>	
Local Government DAP Members	Officers in Attendance
Cr Suzanne Migdale	Karina Bowater
Cr Michael Dudek	Michael Italiano
	Giovanna Lumbaca
	Dean Williams
	Adam Stillitano
	Peter Prendergast
	Jeremy Thompson

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Applicant and Submitters
<i>Part B – Town of Cambridge</i>
Alison Healey (Element Advisory Pty Ltd) Nathan Stewart (Rowe Group) Alex McGlue (Lavan) Sarah Jones (Lavan)
<i>Part C – City of Stirling</i>
Matthew Cain (Planning Solutions) Tayne Evershed (Planning Solutions) Dennis Chew (DKO) Cassandra Putri (DKO) Adrian Dhue (Lateral Planning) Daniel Hollingworth (Lateral Planning) Rod Del Carlo

Members of the Public / Media

Nil.

Observers via livestream

There were 25 persons observing the meeting via the livestream.

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PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 09.35am on 13 March 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 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Nil.

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](#).

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PART B – TOWN OF CAMBRIDGE

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Additional Information.

2. Disclosure of Interests

In accordance with section 2.4.9 of the DAP Code of Conduct 2024, DAP Member, Cr Kate Barlow and Cr Ben Mayes, declared that they had participated in a prior Council meeting in relation to the application at PART C – Item 4.1 and 4.2. However, under section 2.1.2 of the DAP Code of Conduct 2024, Cr Kate Barlow and Cr Ben Mayes acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

3. Form 1 DAP Applications

Nil.

4. Form 2 DAP Applications

4.1 No 187 (Lot 30) Salvado Road, Jolimont - 7 Storey apartment building – DAP/23/02466

REPORT RECOMMENDATION

Moved by: Cr Ben Mayes

Seconded by: Cr Kate Barlow

It is recommended that the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/23/02466 as detailed on the DAP Form 2 dated 13 December 2023 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/23/02466 in accordance with Clause 68 and Clause 77 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 68 of the Town of Cambridge Local Planning Scheme No. 1, for the proposed minor amendment to the approved 7 Storey Multiple Dwelling Development at Lot 30 (No. 187) Salvado Road, Jolimont, subject to:

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Deleted Condition:

14. Prior to the lodgement of a Building Permit application, the landowner(s) shall comply with the Town's Local Planning Policy 3.19 - Percent for Public Art [LPP3.19] and satisfy the public art contribution via the cash-in-lieu option.
 - i) The applicant will advise in writing the estimated construction value.
 - ii) The contribution amount shall be made as a cash contribution of at least 1% of the construction value as defined in [LPP3.19], but no more than \$500,000.
 - iii) Following the issue of an invoice by the Town for the contribution amount, the applicant will pay the invoice in full prior to lodgement of the Building Permit application.

All other conditions and requirements detailed on the previous approval dated 17 August 2023 shall remain unless altered by this application.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The panel supported the proposed amendments consistent with the reasons and recommendation contained in the RAR report

4.2 No. 130 (Lot 2) and No 132 (Lot 3) Brookdale Street, Floreat – Child Care Centre – DAP/18/01384

Deputations and Presentations

Alex McGlue (Lavan) and Nathan Stewart (Rowe Group) addressed the DAP against the recommendation for the application at Item 4.2 and responded to questions from the panel.

The Town of Cambridge addressed the DAP in relation to the application at Item 4.2.

REPORT RECOMMENDATION

Moved by: Cr Ben Mayes

Seconded by: Cr Kate Barlow

That the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01384 as detailed on the DAP Form 2 dated 21 December 2023 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;

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2. **Refuse** DAP Application reference DAP/18/01384 and accompanying plans in accordance with Clause 68 and 77 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the *Town of Cambridge Local Planning Scheme No. 1*, for the proposed extension to the term of approval for a child care premises at Lot 2 (No. 130) and Lot 3 (No. 132) Brookdale Street, Floreat, for the following reasons:
 1. The planning framework has substantially changed since the initial development approval was granted in February 2020 and the Town would likely recommend that the development be refused if it is considered under the current planning framework.
 2. There is no evidence that the holder of the development approval has actively and relatively conscientiously pursued the implementation of the development.

The Report Recommendation was put and LOST (2/3).

For: Cr Ben Mayes
Cr Kate Barlow

Against: Francesca Lefante
Lee O'Donohue
John Syme

ALTERNATE MOTION

Moved by: John Syme

Seconded by: Lee O'Donohue

It is recommended that the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01384 as detailed on the DAP Form 2 dated 21 December 2023 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/18/01384 and accompanying plans in accordance with Clause 68 and 77 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the *Town of Cambridge Local Planning Scheme No. 1* for the proposed extension to the term of approval for a proposed child care premises at Lot 2 (No. 130) and Lot 3 (No. 132) Brookdale Street, Floreat, subject to the following conditions:

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Amended Conditions

1. The term of development approval is extended to 6 February 2026.
2. All other conditions and advice notes from the original development approval dated 6 February 2020 and the amended development approval dated 2 October 2020 continue to apply.

The Alternate Motion was put and CARRIED (3/2).

For: Francesca Lefante
Lee O'Donohue
John Syme

Against: Cr Ben Mayes
Cr Kate Barlow

REASON: The majority of the Panel referred to the RAR report on the planning framework hasn't changed significantly - as contained in the RAR, including zoning and use class. That the planning policy limited weight given to certainty of application outcome, and the applicant comments regarding actions taken to implement the development including construction challenges were relevant and accordingly due regard to these aspects. On balance the majority of panel members formed the view that and supported a 2 year extension of time.

5. Section 31 SAT Reconsiderations

Nil

Cr Ben Mayes, Cr Kate Barlow (Local Government Member, Town of Cambridge) and John Syme left the panel at 10.06am.

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PART C – CITY OF STIRLING

Cr Suzanne Migdale, Cr Michael Dudek (Local Government Member, City of Stirling) and John Syme joined the panel at 10.08am.

1. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Part C – Item 3.1, received on 12 March 2024.

The Presiding Member noted an addendum to the responsible authority report was published in relation to Part C - Item 3.1, received on 12 March 2024.

All members declared that they had duly considered the documents contained within Part C of the Agenda and Part C of the Additional Information.

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 No 194 (Lot 3) The Esplanade and No 5 (Lot 4) Brighton Rd, Scarborough - 12-storey residential development with 21 dwellings & associated parking, access, landscaping and amenities – DAP/23/02555

Deputations and Presentations

Dennis Chew (DKO) addressed the DAP in support of the recommendation for the application at PART C - Item 3.1 and responded to questions from the panel.

Matthew Cain and Tayne Evershed (Planning Solutions) addressed the DAP in support of the recommendation for the application at PART C - Item 3.1 and responded to questions from the panel.

The City of Stirling addressed the DAP in relation to the application at PART C - Item 3.1 and responded to questions from the panel.

Francesca Lefante
Presiding Member, Metro Inner DAP



REPORT RECOMMENDATION

Moved by: NIL

Seconded by: NIL

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/23/02555 and accompanying plans (as listed in Condition 4) 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 Stirling Local Planning Scheme No.3, and pursuant to Clause 24(1) and 26 of the Metropolitan Region Scheme, for the proposed Multiple Dwelling Development – 21 Multiple Dwellings at Lot 3, House Number 194, The Esplanade, and Lot 4, House Number 5, Brighton Road, Scarborough, subject to the following conditions:

Conditions

1. The development shall comply with all details and amendments to the approved plans, as follows:
 - a. The southern-facing Living window from Apartments 202 and 302 is to be sufficiently screened to 1.6m in height from finished floor level to prevent direct overlooking onto the adjacent outdoor living area of the southern property.
 - b. The doors to stores for Units 1, 2, 3, 9, 10, 11, 12, 13, 14, 20 and 21 are to be reorientated to face the resident car parking bays, or alternatively the store is to be reduced in size to allow a 1m clearance between the store door and the adjacent visitor car parking bay.

Amended plans that address the above modifications are to be submitted to the satisfaction of the City of Stirling as part of the Building Permit submission.

2. 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.
3. 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.
4. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements or changes as required, outlined within Condition 1a and 1b, and annotations detailed thereon by the Metro Inner DAP. The plans approved as part of this application form part of the development approval issued and are listed below:

Francesca Lefante
Presiding Member, Metro Inner DAP



Drawing Title	Date	Drawing Number	Version	Drawn By
(untitled cover page)	23 January 2024			DKO
Drawing List – Architectural Drawings	23 January 2024	DA002	E	DKO
Demolition Plan	23 January 2024	DA200	C	DKO
Site Plan	23 January 2024	DA201	D	DKO
Lower Ground	23 January 2024	DA202	E	DKO
Ground Level	23 January 2024	DA203	E	DKO
Level 01 – Podium	23 January 2024	DA204	D	DKO
Level 02 – 03) (Typical Floor A)	23 January 2024	DA205	C	DKO
Level 04 – 05 (Typical Floor B)	23 January 2024	DA206	C	DKO
Level 06 – 07 (Typical Floor C)	23 January 2024	DA207	C	DKO
Level 08 – 10 (Typical Floor D)	23 January 2024	DA208	C	DKO
Level 11 – Penthouse	23 January 2024	DA209	C	DKO
Roof Services Deck Plan	23 January 2024	DA210	C	DKO
Roof Deck Plan	23 January 2024	DA211	C	DKO
North Elevation	23 January 2024	DA300	D	DKO
West Elevation	23 January 2024	DA301	D	DKO
South Elevation	23 January 2024	DA302	D	DKO
East Elevation	23 January 2024	DA303	C	DKO
Section 1	23 January 2024	DA304	D	DKO
Section 2	23 January 2024	DA305	C	DKO
Artists Impression	25 January 2024	DA515	C	DKO
Artists Impression	25 January 2024	DA518	C	DKO
Artists Impression	25 January 2024	DA520	C	DKO
Artists Impression	25 January 2024	DA521	A	DKO
Artists Impression	25 January 2024	DA522	C	DKO
Artists Impression	25 January 2024	DA523	A	DKO
Feature & Contour Survey	20 October 2023	VS009587	1	Vision Surveys

- The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling, on advice from the City of Stirling Design Review Panel.
- Prior to occupation of the development, Lot 3, House Number 194, The Esplanade and Lot 4, House Number 5, Brighton Road, Scarborough, shall be amalgamated into a single lot on a Certificate of Title, to the satisfaction of the City of Stirling.

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7. A Site Management Plan shall be submitted for approval to the satisfaction of the City of Stirling prior to the submission of a Building Permit. The Site Management Plan shall include but not be limited to measures relating to vibration, dust, noise, waste management, street tree protection zones, construction parking, traffic, storage of materials and site safety and security. The Site Management Plan is to be complied with for the duration of the construction of the development.
8. All Energy Efficiency and Water Management and Conservation measures as identified by the Sustainable Design Assessment Report, as prepared by Full Circle Design, received 30 November 2023, are to be incorporated into the building design and implemented prior to the occupancy of the development, to the satisfaction of the City of Stirling.

Development Contributions

9. Prior to the submission of a Building Permit application, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with Scarborough Development Policy 4 – Public Art must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Design Review Panel (refer to advice note)
10. Prior to the submission of an Occupancy Permit application, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, in accordance Scarborough Development Policy 4 – Public Art, to the satisfaction of the City of Stirling.
11. Prior to the submission of an Occupancy Permit application, the landowner shall pay the City a development contribution in accordance with the City's Local Planning Scheme No. 3 Schedule 11B Scarborough Development Contribution Plan, to the satisfaction of the City of Stirling.

Parking and Access

12. The minimum number and allocation of car parking bays provided on-site is to be as follows:
 - a. 16 residential car parking bays; and
 - b. 5 residential visitor car parking bays.
13. All on-site car parking bays are to be compliant with the Australian Standards Australian Standard / New Zealand Standard 2890.1 and Australian Standard / New Zealand Standard 2890.6, to the satisfaction of the City of Stirling.
14. Prior to occupation of the development, vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City of Stirling and the parking spaces being marked out and maintained in good repair.

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Presiding Member, Metro Inner DAP



15. Unless otherwise approved, no walls, fences, letterboxes or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
 - a. Walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. A driveway meets a public or private street, or
 - c. Two streets intersect, or
 - d. A driveway meets a right of way, or

unless the further approval of the City of Stirling is obtained.

16. Prior to occupation, all visitor and ACROD bays are to be permanently marked, drained and clearly sign posted to the satisfaction of the City.
17. All crossovers shall be designed and installed prior to occupation of the development, to the satisfaction of the City of Stirling.

Works in the Road Reserve

18. Any proposed verge infrastructure, including bicycle parking bays and residential footpaths, do not form part of this approval and require separate approval by the City of Stirling.
19. The verge landscaping and street furniture, as demonstrated on the approved plans, forms part of the approval and must be installed prior to occupancy of the development and maintained for the lifetime of the development, at the cost of the owner/s of the development, to the satisfaction of the City of Stirling.
20. In relation to the verge landscaping and street furniture, the works within the verge must maintain a minimum 2.5m width unobstructed footpath, including clearance when benches are occupied, to the satisfaction of the City of Stirling.

Waste Management

21. The development is to comply with the Waste Management Plan prepared by Talis received 1 September 2023, unless otherwise approved by the City of Stirling.
22. Prior to lodgement of a Building Permit, the landowner is to provide an Independent Road Safety Audit which audits the safety impacts of a waste vehicle stopping on the bend of the Brighton Road and The Esplanade intersection, to the satisfaction of the City of Stirling.

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Noise

23. Prior to occupation of the development, a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of the apartment(s) on the subject lot(s) prior to operation of the development. Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:
'This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.'
24. Prior to the lodgement of a Building Permit, the applicant is to provide written confirmation that all recommendations in the Acoustic Report titled Environmental Acoustic Report - State Planning Policy 5.4 and Environmental Acoustic Report, as prepared by Gabriels Hearne Farrell received 30 November 2023 and 1 September 2023, have been incorporated into the building design.

Lighting

25. Architectural lighting of the building and lighting under all awnings, parking areas, service areas, footpaths and entry and exit points to be provided prior to occupation of the development.
26. Any outside lighting to comply with Australian Standards AS4282-2019 (as amended) for the control of obstructive effects of outdoor lighting and must not spill into any adjacent residential premises.

Landscaping

27. Prior to the occupation of the development, an amended Landscaping Plan is to be provided, generally in accordance with the landscaping plans prepared by Plan E received 30 November 2023, which provides the proposed species of all plants, to the satisfaction of the City of Stirling.
28. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved Landscaping Plan and maintained thereafter in perpetuity, to the satisfaction of the City of Stirling.

Sustainability

29. Prior to the lodgement of a Building Permit, the applicant is to provide written confirmation that all recommendations referred to in the Sustainable Design Assessment Report, as prepared by Full Circle Design Services, have been incorporated into the building design and that the development achieves a minimum of a Five Star Green Star of equivalent rating.

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Bushfire

30. Prior to occupation of the development, a notification, pursuant to Section 70A of the Transfer of Land Act 1893 (as amended) is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan) prior to occupation of development. The notification is to state as follows:
"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is/may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land."
Prior to occupation of the development, a copy of the Certificate of Title with the section 70A notification registered against it, or Landgate lodgement receipt, is to be submitted to the City of Stirling.
31. Prior to submission of a Building Permit, a Bushfire Management Plan shall be produced, implemented and maintained in accordance with the approval details and any recommendations therein, to the satisfaction of the City of Stirling.

General

32. Prior to the occupation of the development, each multiple dwelling shall be provided with a mechanical dryer.
33. Stormwater from all roofed and paved areas is to be collected and contained on site. There shall be no connection to the City's drainage infrastructure without the written approval of the City of Stirling.
34. No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
35. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, to the satisfaction of the City of Stirling.
36. All air conditioning units, plant and roof equipment and other external fixtures are to be screened from view from the surrounding streets and adjoining properties, to the satisfaction of the City of Stirling.
37. Prior to occupation of the development, all privacy screening shall be visually impermeable, to the satisfaction of the City of Stirling.
38. The privacy screening to the eastern and western boundary of Level 01 is to be 1.6m in height from the finished floor levels, to the satisfaction of the City of Stirling.
39. The development is to be connected to the sewer.

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Presiding Member, Metro Inner DAP



40. The roof levels have been assessed as service areas only, and are not to be used for habitation or outdoor leisure uses or any other use that is not related to building services.

Advice Notes

General

1. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
2. Construction noise is to comply with the *Environmental Protection (Noise) Regulations*. Noisy Construction Work outside the period 7 am to 7 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued by the City of Stirling.
3. The proposed crossover configuration is subject to the approval of the City of Stirling's Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.

Works in the Road Reserve

4. All works within the road reserve requires a separate approval from the City of Stirling.
5. The City notes that the kerb alignment shown on the development plans is not entirely accurate. The proposed awning is to maintain a minimum 1m clearance to the road edge. Accurate plans are to be provided at Building Permit stage.
6. In relation to proposed verge works, the landowner is required to liaise with the City regarding materiality and proposed verge furniture. Complex pavement treatments within the verge will not be supported as these will require greater maintenance and replacement cost. Street furniture and verge surface treatments will also need to be installed to the satisfaction of the City of Stirling.

Waste Management

7. Bulk bins are not permitted to be collected within the road reserve.

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Presiding Member, Metro Inner DAP



Landscaping

8. Prior to the planting of street trees, the landowner is to contact the City of Stirling to discuss positioning of the proposed street trees within the road reserve. The number of street trees planted within the road reserve will depend on the available space and the location of service alignments to be determined at completion of building. Following planting works, the landowner is to advise the City of Stirling so they can be added to the City of Stirling register of street trees.

Development Contributions

9. In relation to the development contribution in accordance with the City's Local Planning Scheme No. 3, Schedule 11B Scarborough Development Contribution Plan, this cost is estimated at being \$102,280.80.
10. In relation to the Public Art condition requirement, please refer to the City of Stirling Developer's Guide to Public Art, the City of Stirling Public Art Masterplan and Scarborough Planning Policy 4 – Public Art.
11. Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$305,000.

The Report Recommendation LAPSED for want of a mover and a seconder.

ALTERNATE MOTION

Moved by: Cr Suzanne Migdale

Seconded by: Cr Michael Dudek

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/23/02555 and accompanying plans (as listed in Condition 4) 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 Stirling Local Planning Scheme No.3, and pursuant to Clause 24(1) and 26 of the Metropolitan Region Scheme, for the proposed Multiple Dwelling Development – 21 Multiple Dwellings at Lot 3, House Number 194, The Esplanade, and Lot 4, House Number 5, Brighton Road, Scarborough, subject to the following conditions:

Conditions

1. The development shall comply with all details and amendments to the approved plans, as follows:
 - a. The southern-facing Living window from Apartments 202 and 302 is to be sufficiently screened to 1.6m in height from finished floor level to prevent direct overlooking onto the adjacent outdoor living area of the southern property.

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Presiding Member, Metro Inner DAP



- b. The doors to stores for Units 1, 2, 3, 9, 10, 11, 12, 13, 14, 20 and 21 are to be reorientated to face the resident car parking bays, or alternatively the store is to be reduced in size to allow a 1m clearance between the store door and the adjacent visitor car parking bay.

Amended plans that address the above modifications are to be submitted to the satisfaction of the City of Stirling as part of the Building Permit submission.

2. 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.
3. 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.
4. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements or changes as required, outlined within Condition 1a and 1b, and annotations detailed thereon by the Metro Inner DAP. The plans approved as part of this application form part of the development approval issued and are listed below:

Drawing Title	Date	Drawing Number	Version	Drawn By
(untitled cover page)	23 January 2024			DKO
Drawing List – Architectural Drawings	23 January 2024	DA002	E	DKO
Demolition Plan	23 January 2024	DA200	C	DKO
Site Plan	23 January 2024	DA201	D	DKO
Lower Ground	23 January 2024	DA202	E	DKO
Ground Level	23 January 2024	DA203	E	DKO
Level 01 – Podium	23 January 2024	DA204	D	DKO
Level 02 - 03) (Typical Floor A)	23 January 2024	DA205	C	DKO
Level 04 – 05 (Typical Floor B)	23 January 2024	DA206	C	DKO
Level 06 – 07 (Typical Floor C)	23 January 2024	DA207	C	DKO
Level 08 – 10 (Typical Floor D)	23 January 2024	DA208	C	DKO
Level 11 – Penthouse	23 January 2024	DA209	C	DKO
Roof Services Deck Plan	23 January 2024	DA210	C	DKO
Roof Deck Plan	23 January 2024	DA211	C	DKO
North Elevation	23 January 2024	DA300	C	DKO
West Elevation	23 January 2024	DA301	C	DKO

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Presiding Member, Metro Inner DAP



South Elevation	23 January 2024	DA302	C	DKO
East Elevation	23 January 2024	DA303	C	DKO
Section 1	23 January 2024	DA304	D	DKO
Section 2	23 January 2024	DA305	C	DKO
Feature & Contour Survey	20 October 2023	VS009587	1	Vision Surveys

5. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling, on advice from the City of Stirling Design Review Panel.
6. Prior to occupation of the development, Lot 3, House Number 194, The Esplanade and Lot 4, House Number 5, Brighton Road, Scarborough, shall be amalgamated into a single lot on a Certificate of Title, to the satisfaction of the City of Stirling.
7. A Site Management Plan shall be submitted for approval to the satisfaction of the City of Stirling prior to the submission of a Building Permit. The Site Management Plan shall include but not be limited to measures relating to vibration, dust, noise, waste management, street tree protection zones, construction parking, traffic, storage of materials and site safety and security. The Site Management Plan is to be complied with for the duration of the construction of the development.
8. All Energy Efficiency and Water Management and Conservation measures as identified by the Sustainable Design Assessment Report, as prepared by Full Circle Design, received 30 November 2023, are to be incorporated into the building design and implemented prior to the occupancy of the development, unless otherwise approved, to the satisfaction of the City of Stirling.

Development Contributions

9. Prior to the submission of a Building Permit application for the substantive works, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with Scarborough Development Policy 4 – Public Art must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Design Review Panel (refer to advice note)
10. Prior to occupation of the development, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, to the satisfaction of the City of Stirling.
11. Prior to the submission of an Occupancy Permit application, the landowner shall pay the City a development contribution in accordance with the City's Local Planning Scheme No. 3 Schedule 11B Scarborough Development Contribution Plan, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Parking and Access

12. The minimum number and allocation of car parking bays provided on-site is to be as follows:
 - a. 16 residential car parking bays; and
 - b. 5 residential visitor car parking bays.
13. All on-site car parking bays are to be compliant with the Australian Standards Australian Standard / New Zealand Standard 2890.1, to the satisfaction of the City of Stirling.
14. Prior to occupation of the development, vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City of Stirling and the parking spaces being marked out and maintained in good repair.
15. Unless otherwise approved, no walls, fences, letterboxes or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
 - a. Walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. A driveway meets a public or private street, or
 - c. Two streets intersect, or
 - d. A driveway meets a right of way, orunless the further approval of the City of Stirling is obtained.
16. Prior to occupation, all visitor bays are to be permanently marked, drained and clearly sign posted to the satisfaction of the City.
17. All crossovers shall be designed and installed prior to occupation of the development, to the satisfaction of the City of Stirling.

Works in the Road Reserve

18. The verge landscaping and street furniture, as demonstrated on the approved plans, must be installed prior to occupancy of the development and maintained for the lifetime of the development, at the cost of the owner/s of the development, to the satisfaction of the City of Stirling.
19. In relation to the verge landscaping and street furniture, the works within the verge must maintain a minimum 2.5m width unobstructed footpath, including clearance when benches are occupied, to the satisfaction of the City of Stirling.

Waste Management

20. The development is to comply with the Waste Management Plan prepared by Talis received 1 September 2023, unless otherwise approved by the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



21. Prior to lodgement of a Building Permit, the landowner is to provide an Independent Road Safety Audit which audits the safety impacts of a waste vehicle stopping on the bend of the Brighton Road and The Esplanade intersection, to the satisfaction of the City of Stirling.

Noise

22. Prior to occupation of the development, a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of the apartment(s) on Level 04 and above (inclusive) on the subject lot(s) prior to operation of the development. Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:

'This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.'

23. Prior to the lodgement of a Building Permit, the applicant is to provide written confirmation that all recommendations in the Acoustic Report titled Environmental Acoustic Report - State Planning Policy 5.4 and Environmental Acoustic Report, as prepared by Gabriels Hearne Farrell received 30 November 2023 and 1 September 2023, have been incorporated into the building design.

Lighting

24. Architectural lighting of the building and lighting under all awnings, parking areas, service areas, footpaths and entry and exit points to be provided prior to occupation of the development.
25. Any outside lighting to comply with Australian Standards AS4282-2019 (as amended) for the control of obstructive effects of outdoor lighting and must not spill into any adjacent residential premises.

Landscaping

26. Prior to the occupation of the development, an amended Landscaping Plan is to be provided, generally in accordance with the landscaping plans prepared by Plan E received 30 November 2023, which provides the proposed species of all plants, to the satisfaction of the City of Stirling.
27. Prior to the occupation of the development, all on-site landscaped areas are to be planted, reticulated and mulched in accordance with the approved Landscaping Plan and maintained thereafter in perpetuity, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Sustainability

28. Prior to the lodgement of a Building Permit, the applicant is to provide written confirmation that all recommendations referred to in the Sustainable Design Assessment Report, as prepared by Full Circle Design Services, have been incorporated into the building design and that the development achieves a minimum of a Five Star Green Star or equivalent rating.

Bushfire

29. Prior to occupation of the development, a notification, pursuant to Section 70A of the Transfer of Land Act 1893 (as amended) is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan) prior to occupation of development. The notification is to state as follows:

“This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is/may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.”

Prior to occupation of the development, a copy of the Certificate of Title with the section 70A notification registered against it, or Landgate lodgement receipt, is to be submitted to the City of Stirling.

30. Prior to submission of a Building Permit, a Bushfire Management Plan shall be produced, implemented and maintained in accordance with the approval details and any recommendations therein, to the satisfaction of the City of Stirling.

General

31. Prior to the occupation of the development, each multiple dwelling shall be provided with a mechanical dryer.
32. Stormwater from all roofed and paved areas is to be collected and contained on site. There shall be no connection to the City's drainage infrastructure without the written approval of the City of Stirling.
33. No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
34. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, to the satisfaction of the City of Stirling.
35. All air conditioning units, plant and roof equipment and other external fixtures are to be screened from view from the surrounding streets and adjoining properties, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



36. Prior to occupation of the development, all privacy screening shall be at least 75% obscure and a height of 1.6m from the finished floor level, to the satisfaction of the City of Stirling.
37. The boundary walls to the eastern and southern elevations of Level 01 are to be 1.6m in height from the finished floor levels, to the satisfaction of the City of Stirling.
38. The development is to be connected to the sewer.
39. The roof levels have been assessed as service areas only, and are not to be used for habitation or outdoor leisure uses or any other use that is not related to building services.

Advice Notes

General

1. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
2. Construction noise is to comply with the *Environmental Protection (Noise) Regulations*. Noisy Construction Work outside the period 7 am to 7 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued by the City of Stirling.
3. The proposed crossover configuration is subject to the approval of the City of Stirling's Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.

Works in the Road Reserve

4. All works within the road reserve requires a separate approval from the City of Stirling.
5. The City notes that the kerb alignment shown on the development plans is not entirely accurate. The proposed awning is to maintain a minimum 1m clearance to the road edge. Accurate plans are to be provided at Building Permit stage.
6. In relation to proposed verge works, the landowner is required to liaise with the City regarding materiality and proposed verge furniture. Complex pavement treatments within the verge will not be supported as these will require greater maintenance and replacement cost. Street furniture and verge surface treatments will also need to be installed to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Waste Management

7. Bulk bins are not permitted to be collected within the road reserve.

Landscaping

8. Prior to the planting of street trees, the landowner is to contact the City of Stirling to discuss positioning of the proposed street trees within the road reserve. The number of street trees planted within the road reserve will depend on the available space and the location of service alignments to be determined at completion of building. Following planting works, the landowner is to advise the City of Stirling so they can be added to the City of Stirling register of street trees.

Development Contributions

9. In relation to the development contribution in accordance with the City's Local Planning Scheme No. 3, Schedule 11B Scarborough Development Contribution Plan, this cost is estimated at being \$102,280.80.
10. In relation to the Public Art condition requirement, please refer to the [City of Stirling Developer's Guide to Public Art](#), the [City of Stirling Public Art Masterplan](#) and Scarborough Planning Policy 4 – Public Art.
11. Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$305,000.

AMENDING MOTION 1

Moved by: John Syme

Seconded by: Lee O'Donohue

That Condition No. 1b be deleted, and the remaining conditions be renumbered accordingly.

The Amending Motion was put and LOST (2/3).

For: Lee O'Donohue
John Syme

Against: Francesca Lefante
Cr Suzanne Migdale
Cr Michael Dudek

Francesca Lefante
Presiding Member, Metro Inner DAP



AMENDING MOTION 2

Moved by: John Syme

Seconded by: NIL

That Condition No. 12b be amended to read as follows:

*5 residential visitor car parking bays **not allocated to individual apartments.***

The Amending Motion was put and LAPSED for want of a seconder.

AMENDING MOTION 3

Moved by: John Syme

Seconded by: Lee O'Donohue

That Condition No. 18 be amended to read as follows:

*The verge **soft** landscaping and street furniture, as demonstrated on the approved plans, must be installed prior to occupancy of the development and maintained for the lifetime of the development, at the cost of the owner/s of the development, to the satisfaction of the City of Stirling.*

The Amending Motion was put and CARRIED (3/2).

For: Francesca Lefante
Lee O'Donohue
John Syme

Against: Cr Suzanne Migdale
Cr Michael Dudek

REASON: To provide clarity on the verge landscaping elements and maintenance obligations.

Francesca Lefante
Presiding Member, Metro Inner DAP



AMENDING MOTION 4

Moved by: Francesca Lefante

Seconded by: Cr Suzanne Migdale

That a new Condition No. 13 be added to read as follows and the remaining conditions be renumbered:

All on-site visitor parking bays are to be available for any visitors to the complex tenants.

The Amending Motion was put and CARRIED (4/1).

For: Francesca Lefante
Lee O'Donohue
Cr Suzanne Migdale
Cr Michael Dudek

Against: John Syme

REASON: To reflect the requirements that all visitor bays on-site to be available for general visitors to occupants/tenants of the complex. The majority of members were of the opinion that the allocation of on-site visitor bays to a specific unit results in additional private apartment / tenancy bay.

ALTERNATE REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/23/02555 and accompanying plans (as listed in Condition 4) 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 Stirling Local Planning Scheme No.3, and pursuant to Clause 24(1) and 26 of the Metropolitan Region Scheme, for the proposed Multiple Dwelling Development – 21 Multiple Dwellings at Lot 3, House Number 194, The Esplanade, and Lot 4, House Number 5, Brighton Road, Scarborough, subject to the following conditions:

Conditions

1. The development shall comply with all details and amendments to the approved plans, as follows:
 - a. The southern-facing Living window from Apartments 202 and 302 is to be sufficiently screened to 1.6m in height from finished floor level to prevent direct overlooking onto the adjacent outdoor living area of the southern property.

Francesca Lefante
Presiding Member, Metro Inner DAP



- b. The doors to stores for Units 1, 2, 3, 9, 10, 11, 12, 13, 14, 20 and 21 are to be reorientated to face the resident car parking bays, or alternatively the store is to be reduced in size to allow a 1m clearance between the store door and the adjacent visitor car parking bay.

Amended plans that address the above modifications are to be submitted to the satisfaction of the City of Stirling as part of the Building Permit submission.

2. 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.
3. 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.
4. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements or changes as required, outlined within Condition 1a and 1b, and annotations detailed thereon by the Metro Inner DAP. The plans approved as part of this application form part of the development approval issued and are listed below:

Drawing Title	Date	Drawing Number	Version	Drawn By
(untitled cover page)	23 January 2024			DKO
Drawing List – Architectural Drawings	23 January 2024	DA002	E	DKO
Demolition Plan	23 January 2024	DA200	C	DKO
Site Plan	23 January 2024	DA201	D	DKO
Lower Ground	23 January 2024	DA202	E	DKO
Ground Level	23 January 2024	DA203	E	DKO
Level 01 – Podium	23 January 2024	DA204	D	DKO
Level 02 - 03) (Typical Floor A)	23 January 2024	DA205	C	DKO
Level 04 – 05 (Typical Floor B)	23 January 2024	DA206	C	DKO
Level 06 – 07 (Typical Floor C)	23 January 2024	DA207	C	DKO
Level 08 – 10 (Typical Floor D)	23 January 2024	DA208	C	DKO
Level 11 – Penthouse	23 January 2024	DA209	C	DKO
Roof Services Deck Plan	23 January 2024	DA210	C	DKO
Roof Deck Plan	23 January 2024	DA211	C	DKO
North Elevation	23 January 2024	DA300	C	DKO
West Elevation	23 January 2024	DA301	C	DKO

Francesca Lefante
Presiding Member, Metro Inner DAP



South Elevation	23 January 2024	DA302	C	DKO
East Elevation	23 January 2024	DA303	C	DKO
Section 1	23 January 2024	DA304	D	DKO
Section 2	23 January 2024	DA305	C	DKO
Feature & Contour Survey	20 October 2023	VS009587	1	Vision Surveys

5. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling, on advice from the City of Stirling Design Review Panel.
6. Prior to occupation of the development, Lot 3, House Number 194, The Esplanade and Lot 4, House Number 5, Brighton Road, Scarborough, shall be amalgamated into a single lot on a Certificate of Title, to the satisfaction of the City of Stirling.
7. A Site Management Plan shall be submitted for approval to the satisfaction of the City of Stirling prior to the submission of a Building Permit. The Site Management Plan shall include but not be limited to measures relating to vibration, dust, noise, waste management, street tree protection zones, construction parking, traffic, storage of materials and site safety and security. The Site Management Plan is to be complied with for the duration of the construction of the development.
8. All Energy Efficiency and Water Management and Conservation measures as identified by the Sustainable Design Assessment Report, as prepared by Full Circle Design, received 30 November 2023, are to be incorporated into the building design and implemented prior to the occupancy of the development, unless otherwise approved, to the satisfaction of the City of Stirling.

Development Contributions

9. Prior to the submission of a Building Permit application for the substantive works, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with Scarborough Development Policy 4 – Public Art must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Design Review Panel (refer to advice note)
10. Prior to occupation of the development, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, to the satisfaction of the City of Stirling.
11. Prior to the submission of an Occupancy Permit application, the landowner shall pay the City a development contribution in accordance with the City's Local Planning Scheme No. 3 Schedule 11B Scarborough Development Contribution Plan, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Parking and Access

12. The minimum number and allocation of car parking bays provided on-site is to be as follows:
 - a. 16 residential car parking bays; and
 - b. 5 residential visitor car parking bays.
13. All on-site visitor parking bays are to be available for any visitors to the complex tenants.
14. All on-site car parking bays are to be compliant with the Australian Standards Australian Standard / New Zealand Standard 2890.1, to the satisfaction of the City of Stirling.
15. Prior to occupation of the development, vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City of Stirling and the parking spaces being marked out and maintained in good repair.
16. Unless otherwise approved, no walls, fences, letterboxes or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
 - a. Walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. A driveway meets a public or private street, or
 - c. Two streets intersect, or
 - d. A driveway meets a right of way, orunless the further approval of the City of Stirling is obtained.
17. Prior to occupation, all visitor bays are to be permanently marked, drained and clearly sign posted to the satisfaction of the City.
18. All crossovers shall be designed and installed prior to occupation of the development, to the satisfaction of the City of Stirling.

Works in the Road Reserve

19. The verge soft landscaping and street furniture, as demonstrated on the approved plans, must be installed prior to occupancy of the development and maintained for the lifetime of the development, at the cost of the owner/s of the development, to the satisfaction of the City of Stirling.
20. In relation to the verge landscaping and street furniture, the works within the verge must maintain a minimum 2.5m width unobstructed footpath, including clearance when benches are occupied, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Waste Management

21. The development is to comply with the Waste Management Plan prepared by Talis received 1 September 2023, unless otherwise approved by the City of Stirling.
22. Prior to lodgement of a Building Permit, the landowner is to provide an Independent Road Safety Audit which audits the safety impacts of a waste vehicle stopping on the bend of the Brighton Road and The Esplanade intersection, to the satisfaction of the City of Stirling.

Noise

23. Prior to occupation of the development, a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of the apartment(s) on Level 04 and above (inclusive) on the subject lot(s) prior to operation of the development. Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:

'This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.'

24. Prior to the lodgement of a Building Permit, the applicant is to provide written confirmation that all recommendations in the Acoustic Report titled Environmental Acoustic Report - State Planning Policy 5.4 and Environmental Acoustic Report, as prepared by Gabriels Hearne Farrell received 30 November 2023 and 1 September 2023, have been incorporated into the building design.

Lighting

25. Architectural lighting of the building and lighting under all awnings, parking areas, service areas, footpaths and entry and exit points to be provided prior to occupation of the development.
26. Any outside lighting to comply with Australian Standards AS4282-2019 (as amended) for the control of obstructive effects of outdoor lighting and must not spill into any adjacent residential premises.

Landscaping

27. Prior to the occupation of the development, an amended Landscaping Plan is to be provided, generally in accordance with the landscaping plans prepared by Plan E received 30 November 2023, which provides the proposed species of all plants, to the satisfaction of the City of Stirling.
28. Prior to the occupation of the development, all on-site landscaped areas are to be planted, reticulated and mulched in accordance with the approved Landscaping Plan and maintained thereafter in perpetuity, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Sustainability

29. Prior to the lodgement of a Building Permit, the applicant is to provide written confirmation that all recommendations referred to in the Sustainable Design Assessment Report, as prepared by Full Circle Design Services, have been incorporated into the building design and that the development achieves a minimum of a Five Star Green Star or equivalent rating.

Bushfire

30. Prior to occupation of the development, a notification, pursuant to Section 70A of the Transfer of Land Act 1893 (as amended) is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan) prior to occupation of development. The notification is to state as follows:

"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is/may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land."

Prior to occupation of the development, a copy of the Certificate of Title with the section 70A notification registered against it, or Landgate lodgement receipt, is to be submitted to the City of Stirling.

31. Prior to submission of a Building Permit, a Bushfire Management Plan shall be produced, implemented and maintained in accordance with the approval details and any recommendations therein, to the satisfaction of the City of Stirling.

General

32. Prior to the occupation of the development, each multiple dwelling shall be provided with a mechanical dryer.
33. Stormwater from all roofed and paved areas is to be collected and contained on site. There shall be no connection to the City's drainage infrastructure without the written approval of the City of Stirling.
34. No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
35. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, to the satisfaction of the City of Stirling.
36. All air conditioning units, plant and roof equipment and other external fixtures are to be screened from view from the surrounding streets and adjoining properties, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



37. Prior to occupation of the development, all privacy screening shall be at least 75% obscure and a height of 1.6m from the finished floor level, to the satisfaction of the City of Stirling.
38. The boundary walls to the eastern and southern elevations of Level 01 are to be 1.6m in height from the finished floor levels, to the satisfaction of the City of Stirling.
39. The development is to be connected to the sewer.
40. The roof levels have been assessed as service areas only, and are not to be used for habitation or outdoor leisure uses or any other use that is not related to building services.

Advice Notes

General

1. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
2. Construction noise is to comply with the *Environmental Protection (Noise) Regulations*. Noisy Construction Work outside the period 7 am to 7 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued by the City of Stirling.
3. The proposed crossover configuration is subject to the approval of the City of Stirling's Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.

Works in the Road Reserve

4. All works within the road reserve requires a separate approval from the City of Stirling.
5. The City notes that the kerb alignment shown on the development plans is not entirely accurate. The proposed awning is to maintain a minimum 1m clearance to the road edge. Accurate plans are to be provided at Building Permit stage.
6. In relation to proposed verge works, the landowner is required to liaise with the City regarding materiality and proposed verge furniture. Complex pavement treatments within the verge will not be supported as these will require greater maintenance and replacement cost. Street furniture and verge surface treatments will also need to be installed to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Waste Management

7. Bulk bins are not permitted to be collected within the road reserve.

Landscaping

8. Prior to the planting of street trees, the landowner is to contact the City of Stirling to discuss positioning of the proposed street trees within the road reserve. The number of street trees planted within the road reserve will depend on the available space and the location of service alignments to be determined at completion of building. Following planting works, the landowner is to advise the City of Stirling so they can be added to the City of Stirling register of street trees.

Development Contributions

12. In relation to the development contribution in accordance with the City's Local Planning Scheme No. 3, Schedule 11B Scarborough Development Contribution Plan, this cost is estimated at being \$102,280.80.
13. In relation to the Public Art condition requirement, please refer to the [City of Stirling Developer's Guide to Public Art](#), the [City of Stirling Public Art Masterplan](#) and Scarborough Planning Policy 4 – Public Art.
14. Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$305,000.

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

REASON: The proposal is consistent with the planning framework, including the Scarborough Design and development provisions. The design of the building achieves a very high standard of exterior architecture, materials, and finishes, with the building, form, bulk and scale responds positively to the site context, location and configuration. Due consideration was given to discretion sought in the site context and precinct provisions, including the built form and scale of other development approved within the precinct. On balance the panel was satisfied that the proposed development met the requirements and objectives of the planning framework inclusive of condition modifications and the exercise of discretion for the building design, streetscape, and height is appropriate within the location context, having regard to the above, and the reasons as given in the RAR.

Francesca Lefante
Presiding Member, Metro Inner DAP



3.2a Lot 110 (No 19) Twyford Place, Innaloo - DAP/23/02581

Deputations and Presentations

Adrian Dhue and Daniel Hollingworth (Lateral Planning) addressed the DAP in support of the recommendation for the application at PART C - Item 3.2 and responded to questions from the panel.

Jeremy Thompson (WAPC) addressed the DAP for the application at PART C - Item 3.2.

The City of Stirling addressed the DAP in relation to the application at PART C - Item 3.2 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Cr Suzanne Migdale

Seconded by: Cr Michael Dudek

That the Metro-Inner DAP resolves to:

Approve DAP Application reference DAP/23/02581 and accompanying plans as listed in Condition 3 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 Stirling Local Planning Scheme No. 3, for the proposed 18 Multiple Dwellings at Lot 110, House Number 19 Twyford Place, Innaloo, subject to the following conditions:

Conditions

1. The development shall comply with all details and amendments to the approved plans as follows;
 - a. The bin storage area is to be adequately roofed and enclosed.

Amended plans that address the above modifications are to be submitted to the satisfaction of the City of Stirling as part of the building permit submission.
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. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements or changes as required, outlined within Condition 1a, and annotations detailed thereon by the Metro Inner DAP. The plans approved as part of this application form part of the development approval issued and are listed below:

Francesca Lefante
Presiding Member, Metro Inner DAP



DRAWING TITLE	Date	Drawn By
A2	05/01/2024	Michael Dryka Architects
A3	05/01/2024	Michael Dryka Architects
A4	05/01/2024	Michael Dryka Architects
A5	05/01/2024	Michael Dryka Architects
A6	05/01/2024	Michael Dryka Architects
A7	05/01/2024	Michael Dryka Architects
A8	05/01/2024	Michael Dryka Architects
A9	05/01/2024	Michael Dryka Architects
A10	05/01/2024	Michael Dryka Architects
A12	05/01/2024	Michael Dryka Architects
A13	05/01/2024	Michael Dryka Architects
A14	05/01/2024	Michael Dryka Architects
A15	05/01/2024	Michael Dryka Architects
LANDSCAPE PLAN	05/01/2024	In Situ
PLANTING PLAN	11/01/2024	In Situ
DRAINAGE DIAGRAM	11/01/2024	In Situ
DSA DIAGRAM	11/01/2024	In Situ

Landscaping

4. Prior to occupation of the development, a minimum of two (2) Advanced Trees must be planted on-site and maintained thereafter, to the satisfaction of the City of Stirling. All Advanced Trees are to be centrally located within the deep soil area free, of buildings, impervious surfaces and other fixed structure, and be open to the air.
5. Prior to occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved landscaping plan prepared by In Situ dated 11 January 2024 and thereafter maintained to the satisfaction of the City of Stirling.
6. Planting of one (1) new street tree at the land owner's expense will be scheduled to occur in the next available planting season after the completion of the development. The owner shall pay the cost of planting of the new street tree prior to commencement of development as determined by the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



7. All existing street trees located on the verge shall be retained and protected in accordance with Australian Standards AS4970:2009, to the satisfaction of the City.

Parking and Access

8. Prior to the occupation of the development, all redundant crossovers shall be removed, and the kerbing and road reserve reinstated at the landowner's expense in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling.
9. The crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling. Crossovers are to be installed prior to occupation of the development.
10. All parking bays, manoeuvring and circulation areas are to comply with Australian Standards AS/NZS2890.1:2004 Amendment 1 and AS2890.2:2018. The number of ACROD car parking bays and their design and layout are to comply with Australian Standards AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities) and the Building Code of Australia (Volume 1 section D3.5) to the satisfaction of the City of Stirling.
11. Pedestrian pathways providing wheelchair accessibility to all entries to buildings to public footpath and car parking areas are to comply with Australian Standards AS/NZS1428.3-2009 (Design for access and mobility – General requirements for access – New building work), to the satisfaction of the City of Stirling.
12. Prior to the occupation of the development, the number and allocation of car parking bays provided on-site is to be as follows:
 - a. 17 Residential Bays: and
 - b. Two (2) Visitor Bays.
13. Prior to the occupation of the development, a minimum of 11 bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standards AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking, to the satisfaction of the City of Stirling.
14. Prior to occupation or use of the development, all signage and markings for visitor car and bicycle parking bays shall be installed on site, to the satisfaction of the City of Stirling.
15. Prior to the occupation of the development, existing parking restriction signage for on-street parking on Twyford Place is to be relocated by the City of Stirling at the landowner's expense.

Acoustics

16. All recommendations provided in the Transportation Noise Assessment Report prepared by Lloyd George Acoustic dated 23 August 2023, are to be implemented, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



17. Prior to the lodgement of the Building Permit application, the landowner is to provide written confirmation that all recommendations in the Transportation Noise Assessment Report have been incorporated into the building design, with the certified building permit application, to the satisfaction of the City of Stirling.
18. Prior to occupation of the development, the land owner shall provide written confirmation to the City of Stirling that the requirements of the Transportation Noise Assessment Report have been incorporated into the completed development by the builder with the Form BA7 Completion Form.
19. Prior to occupation of the development, a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of the subject lot(s). Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:

'This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.'
20. Prior to the lodgement of Building Permit, an Environmental Acoustic Assessment report shall be submitted to the City, by a suitably qualified professional certifying that the proposal incorporates sufficient sound attenuation measures to limit noise impact on adjoining properties to within the requirements within the Environmental Protection (Noise) Regulations 1997 (as amended). The measures identified in the report shall be implemented and thereafter maintained to the satisfaction of the City of Stirling.

General

21. A Site Management Plan shall be submitted to and approved by the City of Stirling prior to the commencement of any works. The Site Management Plan shall include specific details on the management of aspects including, but is not limited to, dust, noise, vibration, waste management, storage of materials, traffic, parking, on-site and street tree protection areas and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development, to the satisfaction of the City of Stirling.
22. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.
23. Prior to occupation of the development, all privacy screening shall be visual impermeable, to the satisfaction of the City of Stirling.
24. All air-conditioning units, ducts and other services shall be screened from view and are to be located away from the primary street to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



25. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, to the satisfaction of the City of Stirling.
26. No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
27. External lighting shall be positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZS 4282:2019, to the satisfaction of the City of Stirling.
28. The development is to be connected to the sewer.

Colours and Materials

29. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling.

Waste Management and Services

30. The development is to comply with the Waste Management Plan prepared by Instant Waste Management received 8 February 2024, unless otherwise approved by the City of Stirling.

Development Contributions

31. Prior to occupation of the development, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with City of Stirling Local Planning Policy 6.12 - Public Art on Private Land must be submitted to, and approved by, the City of Stirling.
32. Prior to occupation of the development, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, in accordance with City of Stirling Local Planning Policy 6.12 - Public Art on Private Land, to the satisfaction of the City of Stirling.
33. The owner must pay to the City a deferred precinct cost contribution in accordance with the City's Local Planning Scheme No. 3. The contribution must be made to the City at or before the time an application is made for a building permit or within 60 days from the commencement of the development, whichever occurs first.

Advice Notes

1. If an applicant is aggrieved by this determination, there is a right of appeal under Part 14 of the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.

Francesca Lefante
Presiding Member, Metro Inner DAP



2. This is a Development Approval under the City of Stirling Local Planning Scheme No.3 and related policies. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the Applicant to obtain any other necessary approvals, consents and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The subject site is located in a Metropolitan Region Scheme Clause 32 area. Separate approval by the Western Australian Planning Commission is also required to be obtained under the Metropolitan Region Scheme prior to commencement of development.
4. This approval is not an authority to ignore any constraint to development of the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the Applicant to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Metro Inner DAP's attention.
5. The applicant is advised that the City will liaise with Main Roads WA in reference to the conditions relating to the Transportation Noise Assessment Report and Acoustic Assessment Report.
6. The Applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.

Operation

7. Noisy Construction Work outside the period 7.00am to 7.00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City of Stirling.

Landscaping

8. In reference to the Advanced Trees, an Advanced Tree is defined in Local Planning Policy 6.11 - Trees and Development as: a tree which requires planting in at least a 100 litre container or greater size and which is at least two (2) metres in height and at least two (2) years of age.
9. In reference to the street tree, the associated contribution costs for the planting of one (1) new street tree is as follows:
 - i) Cost of new tree: \$670.00 (current cost excluding GST)
 - ii) Number of new trees required: one (1)
 - iii) Total for the associated works: \$1,854.00

Francesca Lefante
Presiding Member, Metro Inner DAP



Tree species will be chosen by the City to reflect the surrounding streetscape. Costs include two (2) years of watering and the provision that the City will replace the tree should it be damaged or die during that period. The City will invoice the cost of the tree/s upon lodgement of a building permit. Please note the above costs are in line with the current City's adopted Fees and Charges. These are subject to change and the associated costs at time of payment will reflect the adopted Fees and Charges at that time.

Parking and Access

10. The proposed crossover configuration is subject to the approval of the City's Verge Control Business Team. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.

Development Contributions

11. In relation to the Public Art condition requirement, please refer to the City of Stirling Developer's Guide to Public Art, the City of Stirling Public Art Masterplan and City of Stirling Local Planning Policy 6.12 - Public Art on Private Land.

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$45,000.00.

12. In relation to the deferred precinct cost contribution, a deferred precinct cost contribution is to be paid by the applicant/landowner in order to satisfy this condition of approval. The required contribution amount is currently estimated to be \$12,000.00. Please note this is only an estimate which is subject to change and the amount payable will need to be confirmed with the City prior to payment.

AMENDING MOTION 1

Moved by: Francesca Lefante

Seconded by: Cr Suzanne Migdale

That a new Condition No. 13 be added to read as follows and remaining Conditions be renumbered:

A notification to be registered on title advising the owner of the specific unit that there is no on-site dedicated car parking bay allocation to the unit for its occupants.

The Amending Motion was put and CARRIED (3/2).

For: Francesca Lefante
Lee O'Donohue
Cr Suzanne Migdale

Against: John Syme
Cr Michael Dudek

Francesca Lefante
Presiding Member, Metro Inner DAP



REASON: To provide clarity of the lack of dedicated on-site for the one unit in perpetuity, noting the planning approval runs with the land, and not the strata provisions or ownership.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro-Inner DAP resolves to:

Approve DAP Application reference DAP/23/02581 and accompanying plans as listed in Condition 3 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 Stirling Local Planning Scheme No. 3, for the proposed 18 Multiple Dwellings at Lot 110, House Number 19 Twyford Place, Innaloo, subject to the following conditions:

Conditions

1. The development shall comply with all details and amendments to the approved plans as follows;
 - a. The bin storage area is to be adequately roofed and enclosed.

Amended plans that address the above modifications are to be submitted to the satisfaction of the City of Stirling as part of the building permit submission.

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. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements or changes as required, outlined within Condition 1a, and annotations detailed thereon by the Metro Inner DAP. The plans approved as part of this application form part of the development approval issued and are listed below:

Francesca Lefante
Presiding Member, Metro Inner DAP



DRAWING TITLE	Date	Drawn By
A2	05/01/2024	Michael Dryka Architects
A3	05/01/2024	Michael Dryka Architects
A4	05/01/2024	Michael Dryka Architects
A5	05/01/2024	Michael Dryka Architects
A6	05/01/2024	Michael Dryka Architects
A7	05/01/2024	Michael Dryka Architects
A8	05/01/2024	Michael Dryka Architects
A9	05/01/2024	Michael Dryka Architects
A10	05/01/2024	Michael Dryka Architects
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A15	05/01/2024	Michael Dryka Architects
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PLANTING PLAN	11/01/2024	In Situ
DRAINAGE DIAGRAM	11/01/2024	In Situ
DSA DIAGRAM	11/01/2024	In Situ

Landscaping

4. Prior to occupation of the development, a minimum of two (2) Advanced Trees must be planted on-site and maintained thereafter, to the satisfaction of the City of Stirling. All Advanced Trees are to be centrally located within the deep soil area free, of buildings, impervious surfaces and other fixed structure, and be open to the air.
5. Prior to occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved landscaping plan prepared by In Situ dated 11 January 2024 and thereafter maintained to the satisfaction of the City of Stirling.
6. Planting of one (1) new street tree at the land owner's expense will be scheduled to occur in the next available planting season after the completion of the development. The owner shall pay the cost of planting of the new street tree prior to commencement of development as determined by the City of Stirling.
7. All existing street trees located on the verge shall be retained and protected in accordance with Australian Standards AS4970:2009, to the satisfaction of the City.

Parking and Access

8. Prior to the occupation of the development, all redundant crossovers shall be removed, and the kerbing and road reserve reinstated at the landowner's expense in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



9. The crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling. Crossovers are to be installed prior to occupation of the development.
10. All parking bays, manoeuvring and circulation areas are to comply with Australian Standards AS/NZS2890.1:2004 Amendment 1 and AS2890.2:2018. The number of ACROD car parking bays and their design and layout are to comply with Australian Standards AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities) and the Building Code of Australia (Volume 1 section D3.5) to the satisfaction of the City of Stirling.
11. Pedestrian pathways providing wheelchair accessibility to all entries to buildings to public footpath and car parking areas are to comply with Australian Standards AS/NZS1428.3-2009 (Design for access and mobility – General requirements for access – New building work), to the satisfaction of the City of Stirling.
12. Prior to the occupation of the development, the number and allocation of car parking bays provided on-site is to be as follows:
 - a. 17 Residential Bays: and
 - b. Two (2) Visitor Bays.
13. A notification to be registered on title advising the owner of the specific unit that there is no on-site dedicated car parking bay allocation to the unit for its occupants.
14. Prior to the occupation of the development, a minimum of 11 bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standards AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking, to the satisfaction of the City of Stirling.
15. Prior to occupation or use of the development, all signage and markings for visitor car and bicycle parking bays shall be installed on site, to the satisfaction of the City of Stirling.
16. Prior to the occupation of the development, existing parking restriction signage for on-street parking on Twyford Place is to be relocated by the City of Stirling at the landowner's expense.

Acoustics

17. All recommendations provided in the Transportation Noise Assessment Report prepared by Lloyd George Acoustic dated 23 August 2023, are to be implemented, to the satisfaction of the City of Stirling.
18. Prior to the lodgement of the Building Permit application, the landowner is to provide written confirmation that all recommendations in the Transportation Noise Assessment Report have been incorporated into the building design, with the certified building permit application, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



19. Prior to occupation of the development, the landowner shall provide written confirmation to the City of Stirling that the requirements of the Transportation Noise Assessment Report have been incorporated into the completed development by the builder with the Form BA7 Completion Form

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

REASON: The meets the planning framework. Considered a catalyst to the development - positive, Design is appropriate. Close proximity to public transport.

3.2b Lot 110 (No 19) Twyford Place, Innaloo - DAP/23/02581

REPORT RECOMMENDATION

Moved by: Lee O'Donohue

Seconded by: Cr Suzanne Migdale

That the Metro Inner Development Assessment Panel resolves to **approve** DAP Application reference DAP/23/02581 and accompanying plans date stamped 23 February 2024 by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission, in accordance with Clause 30(1) of the Metropolitan Region, subject to the following conditions:

Conditions

1. The proposed development is to comply in all respects with the submitted plans date-stamped 23 February 2024 by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission (attached).
2. 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.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposal is consistent with the planning framework and provisions of MRS, accordingly, the development was approved.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Francesca Lefante
Presiding Member, Metro Inner DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02219 DR154/2022	City of Bayswater	589-591 (Lot 160-161) Morley Drive, Morley	Proposed Childcare Centre	14/09/2022
DAP/22/02229 DR172/2022	Town of Cambridge	413 (Lot 11) Vincent Street West, West Leederville	Two-Storey Childcare Centre	04/10/2022
DAP/22/02366 DR74/2023	City of Stirling	House Numbers 432, 438 And 440 (Lots 23, 15 And 351) Scarborough Beach Road and House Number 57 (Lot 31) Howe Street, Osborne Park	Additions - Motor Vehicle, Boat or Caravan Sales and Motor Vehicle Repair to existing Automotive Sales	22/05/2023
DAP/22/02364 DR75/2023	City of Bayswater	504A & 504-508 (Lot 30,4) Guildford Road, Bayswater	Proposed service station, fast food outlet and showroom development	23/05/2023
DAP/22/02317 DR81/2023	City of Vincent	41-43 and 45 Angove Street, North Perth	Proposed Service Station	31/05/2023
DAP/23/02480 DR184/2023	City of Vincent	Lot 3 (37-43) Stuart Street, Perth	Proposed Unlisted Use (Community Purpose) & Alterations & Additions	
DAP/22/02259 DR166/2023	City of South Perth	Lots 253 & 50 (4-8) Charles Street, South Perth	Mixed use development	03/11/2023

Francesca Lefante
Presiding Member, Metro Inner DAP



Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
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

Finalised 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/22/02248 DR76/2023	City of Vincent	No. 129 (Lot: 62; D/P: 956) Loftus Street, Leederville	Proposed Child Care Premises	24/05/2023
DAP/20/01770 DR140/2022	City of Nedlands	97 (Lots 1-4) and 105 (Lot 500) Stirling Highway, Nedlands	Mixed use development comprising of basement car parking, restaurants, offices, motor vehicle sales and multiple dwellings.	23/08/2022

2. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.

3. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11.37am.

Francesca Lefante
Presiding Member, Metro Inner DAP