



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 30 May 2024; 9.30am
Meeting Number: MIDAP/14
Meeting Venue: 140 William Street, Perth
Public Observing: Online

A recording of the meeting is available via the following link: [MIDAP/14 - 30 May 2024 - City of Vincent - 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 – CITY OF VINCENT

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 No. 195 (Lot 616) Beaufort Street, Perth - Mixed Use Development – DAP/24/02633
4. Form 2 DAP Applications
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 Lot 79 (House Number 6-8) Osborne Place, Stirling - 22 Multiple Dwellings – DAP/23/02596
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

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 – City of Vincent</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Ashley Wallace	Karsen Reynolds
Cr Nicole Woolf	Scout Walsh
<i>Part C – City of Stirling</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Suzanne Migdale	Karina Bowater
Cr Michael Dudek	Cameron Howell
	Peter Prendergast
	Joseph Rowe-Martin

Applicant and Submitters
<i>Part B – City of Vincent</i>
Adrian Dhue (Lateral Planning)
Alan Stewart (Lateral Planning)
Leo Chong (Rechitects)
Travis Simmons (The Ellington Jazz Club)
<i>Part C – City of Stirling</i>
Reegan Cake (Dynamic Planning)
Stuart Sinclair (Locus Property)

Francesca Lefante
Presiding Member, Metro Inner DAP



Members of the Public / Media

Nil.

Observers via livestream

There were 9 persons observing the meeting via the livestream.

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

Francesca Lefante
Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.33am on 30 May 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 Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

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](#).

Francesca Lefante
Presiding Member, Metro Inner DAP



PART B – CITY OF VINCENT

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 Related Information.

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 No. 195 (Lot 616) Beaufort Street, Perth - Mixed Use Development – DAP/24/02633

Deputations and Presentations

Travis Simmons (The Ellington Jazz Club) addressed the DAP in support of the recommendation for the application at Item 3.1.

Adrian Dhue (Lateral Planning) addressed the DAP in support of the recommendation for the application at Item 3.1.

Karsen Reynolds (City of Vincent) addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Cr Nicole Woolf

Seconded by: Cr Ashley Wallace

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/24/02633 and accompanying plans included in **Attachment 2** in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City of Vincent Local Planning Scheme No. 2, subject to the following conditions:

Conditions

1. General

- 1.1. Pursuant to Clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.

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Presiding Member, Metro Inner DAP



- 1.2. 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.
- 1.3. This approval is for Mixed Use Development comprising of Eight Multiple Dwellings, one Fast Food Outlet and one Office as shown on the approved plans dated 5 January 2024 & 3 May 2024 and as defined in the City of Vincent Local Planning Scheme No. 2. No other development forms part of this approval.
- 1.4. Apartments 1 to 8, as shown on the approved plans shall be used as Dwellings, as defined in the Residential Design Codes and may not be used for any other use without the prior approval of the City.

2. Building Design

- 2.1. The surface finish of boundary walls facing the adjoining property shall be of a good and clean condition, **prior to the occupation or use of the development**, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City.
- 2.2. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive, to the satisfaction of the City.
- 2.3. Doors and windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with the street. Glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the tenancy. Internal security and privacy treatments shall be located and installed internally behind the glazing line, or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street, to the satisfaction of the City.
- 2.4. Meter boxes, fire boosters and other service utilities shall be located behind the street setback area, not be visible from the street and where integrated into the building, designed and located so as not to be visually obtrusive, to the satisfaction of the City.
- 2.5. **Prior to the issue of a building permit**, amended plans shall be submitted to and approved by the City which provide horizontal banding as indicatively shown on the development perspectives, or other design features as approved by the City to the south-west boundary wall of the proposed development, to the satisfaction of the City.

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3. Colours and Materials

Prior to the issue of a building permit, a schedule detailing the colour and texture of the building materials that is consistent with the approved plans and demonstrating that the proposed development complements the surrounding area, shall be submitted to and approved by the City, on the advice of the City's Design Review Panel.

The development must be finished, and thereafter maintained, in accordance with the schedule provided to and approved by the City, **prior to occupation or use of the development**.

4. Landscaping

4.1. A detailed landscape and reticulation plan for the development site, to the satisfaction of the City, shall be lodged with and approved by the City **prior to the issue of a building permit**.

The plan shall be drawn to a scale of 1:100, be generally in accordance with the landscaping plans dated 3 May 2024 prepared by Kelsie Davies Landscape Architecture, and shall show the following:

- The location and type of proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum of 20 percent on-structure planting areas; and
- The provision of a minimum of 9 small trees and 1 medium tree within the on-structure planting areas provided, with a minimum soil depth of 1 metre. The tree species are to be in accordance with the City's recommended tree species list;

4.2. All works shown in the approved landscaping plan shall be undertaken in accordance with the approved plans to the satisfaction of the City, **prior to the occupation or use of the development** and maintained thereafter to the satisfaction of the City, at the expense of the owners/occupiers.

5. Car Parking, Access and Bicycle Facilities

5.1. **Prior to the occupation or use of the development**, eight resident car parking bays, two dedicated residential visitor car parking bays and one commercial car parking bay, shall be provided on site and provided in accordance with Australian Standard AS2890.1, to the satisfaction of the City.

5.2. **Prior to the occupation or use of the development** all driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owner/occupiers, to the satisfaction of the City.

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- 5.3. **Prior to the occupation or use of the development**, the allocation of car parking bays shall be completed as follows, to the satisfaction of the City:
- The car parking bays provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development; and
 - Visitor parking bays shall be permanently marked, always maintained and legally accessible at all times for use exclusively by residential visitors to the property, be clearly visible and suitably sign posted from the street and communal accessways.
 - The car parking bays provided for the commercial component of the development shall be clearly marked for the exclusive use of the commercial component of the development.
- 5.4. **Prior to the occupation of the development**, a Parking Management Plan shall be submitted to and approved by the City. Vehicle access gates to the visitor parking bays are to always remain open unless otherwise approved through the Parking Management Plan. The Parking Management Plan is to include, but not limited to, the following:
- Detailed management measures for the operation of the vehicular entry gates, to ensure access is readily available for owners, visitors and tenants to the residential and non-residential units at all times;
 - The allocation of the car parking bays;
 - Matters listed in Clause 13 of the Perth Parking Management Policy 2014.

The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City in consultation with the Department of Transport, at the expense of the owners/occupiers.

- 5.5. Bicycle racks shall be designed and constructed in accordance with Australian Standards AS2890.3: 2015 Parking Facilities Part 3: Bicycle Parking, and shall be installed **prior to the occupation or use of the development** in the following locations, generally in accordance with approved plans, to the satisfaction of the City:
- 5.5.1. A minimum of eight bicycle parking bays provided on-site for the residential component. Where provided within the storerooms of the dwellings, the bicycle parking bays are to be provided as wall mounted bicycle racks; and
- 5.5.2. A minimum of two short-term bicycle parking bays provided within the Beaufort Street verge adjacent to the subject site, for residential visitors and the commercial tenancy. The short-term bicycle bays in the Beaufort Street verge shall be provided in accordance with a CBR5B bicycle rack specification from the City's supplier, unless otherwise approved by the City.

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6. Acoustic Report

- 6.1. **Prior to the issue of a building permit** the Acoustic Report (Acoustics Consultants Australia, January 2024) shall be revised then lodged with and approved by the City, in accordance and to demonstrate compliance with the City's Policy No. 7.5.21 – Sound Attenuation, State Planning Policy 5.4 – Road and Rail Noise, and the *Environmental Protection (Noise) Regulations 1997*. The revised acoustic report shall reflect the final detailed design, include details related to mechanical plant, equipment and other potential noise sources, and shall demonstrate that noise impacts from the commercial tenancies to the above apartments will be appropriately mitigated and managed.
- 6.2. All recommended measures included in the revised approved Acoustic Report shall be implemented **prior to the occupation or use of the development** and be maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers.

Written certification from an acoustic consultant shall be provided to the City demonstrating that the recommended measures have been undertaken to the City's satisfaction, **prior to the occupation or use of the development**.

- 6.3. A Notification under Section 70A of the *Transfer of Land Act 1893* must be registered over the certificate of title to the land the subject of the proposed development. The notification shall notify owners and prospective purchasers of the property as follows:

"The lot is situated in the vicinity of transport corridors and is in close proximity to commercial and non-residential activities. The use or enjoyment of the property may be currently affected, or may in future be affected, by increased noise levels resulting from live and/or amplified music, traffic, car parking, and other impacts associated with nearby transport corridors, and commercial and non-residential activities."

This notification shall be lodged and registered **prior to the occupation or use of the development**.

7. Construction Management

- 7.1. **Prior to the issue of a building permit**, a Construction Management Plan is to be prepared and submitted to the City for approval that details how the construction of the development will be staged and managed to minimise the impact on the surrounding area (including demolition and/or forward works). The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction operating hours;
- Noise control and vibration management;

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- A dilapidation report of No. 193 Beaufort Street;
- Air, sand and dust management;
- Stormwater and sediment control;
- Waste management;
- Traffic and access management including materials delivery;
- Parking arrangements for contractors and subcontractors;
- Consultation plan with nearby properties; and

7.2. The approved Construction Management Plan shall be complied with for the duration of the construction of the development.

8. Stormwater

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.

9. Signage

All signage is to be in strict accordance with the City's Local Planning Policy: Signs and Advertising, unless further development approval is obtained.

10. Sight Lines and Truncations

Walls, fences and other structures are to be truncated or reduced to no higher than 0.75 metres within 1.5 metres of where vehicle access points and where two streets meet, with the exception of:

- Fencing or screening panels to the residential car park that provides a minimum of 50 percent unobstructed view;
- The two posts at the corner of Little Parry Street and Beaufort Street;
- Fencing or screening panels within 1 metre of where the vehicle access points meet Elovalis Lane that provides a minimum of 50 percent unobstructed view;

to the satisfaction of the City.

11. Public Art

11.1. In accordance with the Development Policy 4 – Providing Public Art the application is required to make a public art contribution of \$24,000 being one percent of the \$2.4 million cost of development.

11.2. The owner(s), or the applicant on behalf of the owner(s), shall, **prior to the issue of a building permit** for the development, obtain approval for the Public Art Project and associated Artist in accordance with the City of Vincent Local Planning Policy: Percent for Art; and

11.3. **Prior to the occupation or use of the development**, install the approved public art project, and thereafter maintain the artwork;

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12. Clothes Drying Facilities

Prior to the occupation or use of the development, each multiple dwelling shall be provided with a clothes drying facility screened from the public realm in accordance with the Residential Design Codes Volume 2, to the satisfaction of the City.

13. Environmentally Sustainable Design

13.1. **Prior to the issue of a building permit**, the Target Setting Report (Emergen, March 2024) shall be revised then lodged with and approved by the City, in accordance and to demonstrate compliance with the Residential Design Codes Volume 2, to the satisfaction of the City.

13.2. All recommended measures included in the revised approved Target Setting Report shall be implemented **prior to the occupation or use of the development** and be maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers.

14. Waste Management

14.1. **Prior to the issue of a building permit**, the Waste Management Plan (SML Group & Associates, April 2024) shall be revised to address the following:

Prior to the operation of the approved development, a Waste Management Plan must be submitted to and approved by the City. The Waste Management Plan shall address the following, to the satisfaction of the City:

- Screening of the commercial and residential bin store areas from Eovalis Lane and Little Parry Street;
- Details of the provision of a private collection service for the commercial component of the development and waste/refuse stream of the residential component of the development;
- The number, volume and type of bins, and the type of waste to be placed in the bins in accordance with the City's Waste Guidelines for New Developments;
- Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas;
- Provision of water and waste connections to the bin stores to facilitate cleaning; and
- Details of the collection of bins from Eovalis Lane including vehicle movements and servicing times.

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Presiding Member, Metro Inner DAP



- 14.2. All recommended measures included in the revised approved Waste Management Plan shall be implemented **prior to the occupation or use of the development** and the development shall operate in accordance with this plan at all times, to the satisfaction of the City and at the expense of the owners/occupiers, and unless otherwise approved by the City.

Advice Notes

1. This is a development approval only and is issued under the City of Vincent's Local Planning Scheme No. 2 only. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with any other laws.
2. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005, Part 14. An application must be made within 28 days of the determination.
3. All new crossovers to lots are subject to a separate application to be approved by the City. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications, which specify that the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths.
4. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
5. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to the commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
6. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and reserve levels to the satisfaction of the City.
7. All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.

Francesca Lefante
Presiding Member, Metro Inner DAP



8. With reference to boundary walls, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
9. With reference to the Construction Management Plan, the owner/applicant may be required to obtain a Work Zone Permit from the City in order to satisfy this Condition due to the location of the site with access constraints. The requirement for, and cost of any such permit shall be determined by the City following the lodgement of a Building Permit.
10. The applicant is advised of existing signage and City infrastructure adjacent to the subject site may require relocation to facilitate the proposed development. The applicant/owner is advised to liaise with the City's Technical Services team in regards to the potential relocation of this infrastructure.
11. Any external artificial lighting installations, including in carparks and common areas, is to comply with Australian Standard AS 4282-1997 'Control of the obtrusive effects of outdoor lighting' and must not be permitted to shine or reflect into other properties, creating a nuisance.
12. The approved landscaping plan is required to be maintained once implemented and maintenance requirements should be outlined in the strata management plan to ensure landscaping areas within strata properties are suitably maintained. Modifications to the approved landscaping that has been installed on-site at the time of occupancy will require subsequent approval of the City. The City encourages landscaping methods and species selection which do not rely on reticulation.
13. The applicant and landowner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the multiple dwellings in accordance with the City's Parking Permits Policy. This information should be provided to all prospective purchasers, and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.
14. The applicant is advised that any future strata title of the property must be consistent with this approval and the lot sizes demonstrated in the application.
15. The applicant is advised of the following by the City's Health Services:
 - a. Food businesses are proposed on the ground floor tenancies, and the mechanical ventilation plans or type of businesses is not yet known. The City recommends that control of cooking odours/smoke are managed on a worst case scenario, by ensuring that vertically discharging mechanical ventilation systems are built in to the building. Mechanical ventilation systems are required to comply with AS1668.2 - *The use of ventilation and air conditioning in buildings (Part 2: Mechanical ventilation in buildings)* in order to prevent odours/smoke causing a nuisance to the residential apartments above.

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- b. The food business proprietor/s are to submit a Food Business Notification/Registration application form to register the new food premises under the Food Act 2008. The application must be assessed by Health Services and approved prior to opening. For any queries please contact Health Services.

16. Land Uses

The City of Vincent Local Planning Scheme No. 2 defines Fast Food Outlet and Office land uses as follows:

- Fast Food Outlet: *means premises, including premises with a facility for drive through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –*
 - (a) *without further preparation; and*
 - (b) *primarily off the premises.*
- Office: *premises used for administration, clerical, technical, professional or similar business activities.*

The Residential Design Codes define a Dwelling as follows: *a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.*

17. The applicant/owner is advised that a sewer runs along the northwestern lot boundary. Approvals are required for working in proximity to Water Corporation assets. The Applicant is advised to liaise with the Water Corporation about any construction requirements.
18. The applicant/owner is advised that the subject site is located within the Perth Parking Management Area. Commercial car parking bays within the Perth Parking Management Area are required to obtain a licence from the Department of Transport. For more information on car bay licensing liaise with the Department of Transport.
19. An application and approval under the City of Vincent Vibrant Public Spaces Policy is required to be submitted and obtained prior to the installation of the bicycle parking facility within the Beaufort Street road reserve.
20. At its meeting on 15 November 2022, Council resolved to commence implementation of the provisions of Development Control Policy 2.3 – Public Open Space in Residential Areas for applications received on or after 1 July 2023, which would apply for this development. The provision of public open space or a cash-in-lieu contribution will be recommended by the City as a condition for any future subdivision, survey strata subdivision or built strata subdivision.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

Francesca Lefante
Presiding Member, Metro Inner DAP



REASON: The development is consistent with the planning framework. The variations to height and setbacks are appropriate in the locational context and mixed-use zone. The façade design, articulation, details, and materiality enhance the streetscape and heritage buildings. The acoustic noise mitigation measures incorporated into the proposal respond to the local context, adjoining live music venue and road network. The proposal is well-designed development which is consistent with the strategic and statutory planning framework and is supported inclusive of conditions to manage noise associated with the site location.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Ashley Wallace and Cr Nicole Woolf (Local Government DAP Member, City of Vincent) left the panel at 9.51am.

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

Francesca Lefante
Presiding Member, Metro Inner DAP



PART C – CITY OF STIRLING

Cr Suzanne Migdale and Michael Dudek (Local Government DAP Member, City of Stirling) joined the panel at 9.54am.

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 Lot 79 (House Number 6-8) Osborne Place, Stirling - 22 Multiple Dwellings – DAP/23/02596

Deputations and Presentations

Reegan Cake (Dynamic Planning) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

Cameron Howell and Karina Bowater (City of Stirling) addressed the DAP in relation to the application at Item 3.1 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/23/02596 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 22 Multiple Dwellings at Lot 79, House Number 6-8, Osborne Place, Stirling, subject to the following conditions:

1. Pursuant to Clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under Clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 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.

Francesca Lefante
Presiding Member, Metro Inner DAP



3. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the Development Assessment Panel. The plans approved as part of this application form part of the planning approval issued (including any modifications required by conditions of approval).

List of Development Plans

PLAN TITLE	DATE & REVISION	DRAWN BY
105861 DE 001 Detail Survey	23 October 2023 Revision A	McMullen Nolan Group
95465 DOC 012 Feature Survey - General Legend	30 October 2020 Revision H	McMullen Nolan Group
Master Plan GF	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Plan UF	9 May 2024 DA Drawings V4	Jamie Daniels Design
Site Plan	9 May 2024 DA Drawings V4	Jamie Daniels Design
Site Plan - Verge	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Elevations • C1 Primary Street Elevation • C8 Primary Street Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Elevations • West Elevation Overall (Units 1-10)	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Elevations • C2 West Street Elevation (Units 1-6) • C2 West Street Elevation (Units 6-10)	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Elevations • C3 South Street Elevation • C5 Rear 'Type C' Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Elevations • C4 East Street Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Elevations • Communal Drive Overall (Units 1-10) • Communal Drive Overall (Units 11-16)	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Elevations • C6 Communal Drive Overall (Units 10-6) • C6 Communal Drive Overall (Units 5-1)	9 May 2024 DA Drawings V4	Jamie Daniels Design
Master Elevations • C7 Communal Drive Elevation (Units 16-15)	9 May 2024 DA Drawings V4	Jamie Daniels Design

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Presiding Member, Metro Inner DAP



PLAN TITLE	DATE & REVISION	DRAWN BY
• C7 Communal Drive Elevation (Units 14-11)		
Type A OLA • Outdoor Living Area	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 2 - Type 'A' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 2 - Type 'A' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 4 & 6 - Type 'A' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 4 & 6 - Type 'A' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 8 - Type 'A' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 8 - Type 'A' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 9 - Type 'A' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 9 - Type 'A' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 10 - Type 'A' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 10 - Type 'A' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 13 & 15 - Type 'A' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 13 & 15 - Type 'A' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 14 - Type 'A' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 14 - Type 'A' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 16 - Type 'A' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 16 - Type 'A' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 1 - Type 'B' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 1 - Type 'B' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 3, 5 & 7 - Type 'B' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 3, 5 & 7 - Type 'B' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design

Francesca Lefante
Presiding Member, Metro Inner DAP



PLAN TITLE	DATE & REVISION	DRAWN BY
Unit 17 - Type 'C*' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 17 - Type 'C*' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 18 - Type 'C' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 18 - Type 'C' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 19 & 21 - Type 'C' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 19 & 21 - Type 'C' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 20 - Type 'C' Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 20 - Type 'C' First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 22 - Type 'C' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 22 - Type 'C' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 11 - Type 'D' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 11 - Type 'D' • First Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 12 - Type 'D' • Ground Floor	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit 11 - Type 'D' • First Floor [Unit 12]	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'A' • Front Elevation • Rear Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'A' • Unit 10 - Side Elevation • Unit 16 - Side Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'B' • Front Elevation • Rear Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'B' • Unit 1 - Side Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'C' • Front Elevation • Rear Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'C' • Unit 22 - Side Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'D' • Front Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design

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PLAN TITLE	DATE & REVISION	DRAWN BY
• Rear Elevation		
Unit Type 'D' • Unit 11 - Side Elevation	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'A' ○ Kitchen, Laundry and Powder Room layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'A' ○ Bathroom and Ensuite layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit (2, 5, 9, 10, 13 & 15) Type 'A' ○ Ensuite layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'B' ○ Bathroom, Kitchen and Laundry layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'B' ○ Ensuite and Powder Room layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'C' ○ Kitchen, Laundry and Powder Room layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'C' ○ Bathroom and Ensuite layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'C*' Unit 17 ○ Bathroom, Kitchen and Laundry layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'D' ○ Kitchen and Laundry layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
Unit Type 'D' ○ Bathroom, Ensuite and Powder Room layout plans	9 May 2024 DA Drawings V4	Jamie Daniels Design
0346 101 Landscape Concept Plan	15 February 2024 Revision I	Kelsie Davies Landscape Architecture
0346 102 Landscape DSA and Tree Requirements	15 February 2024 Revision B	Kelsie Davies Landscape Architecture

Building Design

- 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.

Francesca Lefante
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Construction Management

5. Prior to the submission of a Building Permit application, a Site Management Plan shall be submitted to the City of Stirling for approval. The Site Management Plan shall include specific details on the management of aspects including but not limited to, dust, noise, vibration, waste management, contractor parking, traffic, on-site and street tree protection zones, storage of materials, site safety / security and any other relevant matters to the satisfaction of the City of Stirling. The Site Management Plan is to be complied with for the duration of the construction of the development.

Landscaping

6. Prior to the submission of a Building Permit application, a detailed Landscaping Plan is to be provided for the City of Stirling's approval that is generally in accordance with the landscaping plans prepared by Kelsie Davies Landscape Architecture dated 15 February 2024 and that demonstrates compliance with the approved development plans, all conditions of this approval and Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.
7. Planting of the new street trees at the landowner's cost with planting by the City of Stirling to be scheduled to occur in the next available planting season after the completion of the development. The landowner shall pay the cost of planting of nine new street trees prior to commencement of development as determined by the City of Stirling in the City's Street and Reserve Trees Policy, unless the landowner's payment towards the planting and maintenance costs are approved in an alternative manner in writing by the City of Stirling.
8. All street trees located on the verge shall be retained and protected in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the City of Stirling.
9. Prior to occupation of the development, all Advanced Trees required by the approved detailed Landscaping Plan must be planted on site in the area indicated on the approved plan and be thereafter maintained for the duration of the development. The Advanced Trees must be provided with the approved deep soil area at ground level free of intrusions, to the satisfaction of the City of Stirling.
10. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved plans and maintained thereafter for the duration of the development in accordance with the City of Stirling's Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.

Francesca Lefante
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Legal

11. Prior to occupation of the development, notifications, pursuant to Section 70A of the *Transfer of Land Act 1893* are to be placed on Certificates of Title of the development. Notice of these notifications are to be included on the diagram or plan of survey (deposited plan). The notifications are to state:

“The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.”

12. Where the satisfaction of any condition requires the preparation of a legal agreement, these agreements are to be prepared by the City of Stirling’s solicitors and, all costs incidental to the satisfaction of these conditions, including the City of Stirling’s legal costs and registration fees and stamp duty (if any), must be paid by the landowner.

Lighting and Security

13. Adequate lighting being provided to all public spaces including under awnings, parking areas, service areas, footpaths and entry and exit points, to the satisfaction of the City of Stirling.
14. Any outside lighting to comply with Australian Standard AS 4282-2019 - Control of the Obtrusive Effects of Outdoor Lighting (as amended) for the control of obstructive effects of outdoor lighting and must not spill into any adjacent premises. Details of any outside lighting to be submitted at the Building Permit application stage demonstrating compliance with Australian Standard AS 4282-2019 (as amended).

Noise

15. Prior to the submission of a Building Permit application, a revised Acoustic Report shall be submitted to the City of Stirling for review and approval. The revised Acoustic Report shall detail specific control measures relating to noise modelling and impact of the development including but not limited to:
 - a. Vibration and noise emissions from all on-site mechanical services, including air-conditioning systems.
 - b. Compliance with the noise requirements of State Planning Policy 5.4 Road and Rail Noise.

The recommendations and control measures identified in the revised Acoustic Report/s shall be incorporated into the design, development and operation of the proposed development, to the satisfaction of the City of Stirling. The recommendations of the revised Acoustic Report shall be complied with for the duration of the development, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



16. Prior to the submission of an Occupancy Permit application, the landowner is to provide written confirmation that all recommendations in the Acoustic Report/s have been incorporated into the building design, to the satisfaction of the City of Stirling.

Parking and Vehicle Access

17. The minimum number and allocation of car parking on-site is to be provided as follows:
 - a. One residential car parking bay per dwelling; and
 - b. Two residential visitor car parking bays.
18. Prior to the occupation of the development, a marked visitor parking bay shall be constructed on the verge as a 'Verge Treatment', to the satisfaction of the City of Stirling.
19. All on-site car parking bays are to be compliant with the Australian/New Zealand Standard AS/NZS2890.1:2004 - Parking Facilities Part 1: Off-Street Car Parking, to the satisfaction of the City.
20. Prior to the occupation of the development, all driveways, parking and manoeuvring areas shall be hard surface, drained and maintained in accordance with the City of Stirling Local Planning Policy 6.7 - Parking and Access, to the satisfaction of the City of Stirling.
21. Visitor car parking bays shall be permanently marked, maintained and accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway, unless otherwise approved by the City of Stirling.
22. The crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 - Parking and Access. The crossover is to be installed prior to occupation of the development.
23. Prior to the occupation of the development, any redundant crossover shall be removed and the kerbing and road verge reinstated at the owners cost in accordance with the City of Stirling Local Planning Policy 6.7 - Parking and Access.
24. 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.

Francesca Lefante
Presiding Member, Metro Inner DAP



25. Prior to the occupation of the development, the landowner shall pay the cost of installing 'No Parking' signage on the verge by the City of Stirling, for the purpose of preventing on-street car parking in front of the designated bin collection area on the verge on bin collection day, to the satisfaction of the City of Stirling, unless the landowner's payment towards the installation costs are approved in an alternative manner in writing by the City of Stirling.
26. Prior to the occupation of the development, the 12 bicycle parking hooks shall be provided on-site, to the satisfaction of the City of Stirling.
27. Where a storeroom is solely accessible through an adjacent car parking bay, the storeroom and the car parking bay are to be assigned to the same dwelling.

Public Art

28. Prior to the submission of an Occupancy Permit application:
 - a. 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.
 - b. The approved public art proposal shall be completed and installed by the developer and maintained for the duration of the development 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.

Utilities, Facilities and External Fixtures

29. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street, neighbouring properties or a public place.
30. Prior to the occupation of the development, each multiple dwelling shall be provided with a mechanical dryer, where a concealed drying area is not provided exclusively for the dwelling.
31. 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.
32. 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.

Visual Privacy

33. Prior to occupation of the development, all privacy screening shall be visually impermeable, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Waste Management

34. The development is to comply with the Waste Management Plan prepared by Dynamic Planning and Developments dated 15 March 2024, unless otherwise approved by the City of Stirling.

Water Management

35. The development is to be connected to the sewer.
36. 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. There shall be no connection to the City's drainage infrastructure without the written consent of the City of Stirling.

Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the Development Assessment Panel or City of Stirling having first been sought and obtained.
2. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application for review must be made within 28 days of the determination.
3. This is a Development Approval under the City of Stirling Local Planning Scheme 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 licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
4. 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 Development Assessment Panel or 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 Development Assessment Panel or City of Stirling's attention.
5. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
6. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.

Francesca Lefante
Presiding Member, Metro Inner DAP



7. Where, in the opinion of the City of Stirling, achieving compliance with the conditions of approval require significant modifications to the approved plans, a Form 2 application will be required for consideration in accordance with Clause 17 or 17A of the Planning and Development (Development Assessment Panels) Regulations 2011.

Construction Management

8. All construction works to comply with the requirements of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997. 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 an approved Noise Management Plan for the construction site has been issued.

Landscaping

9. The detailed Landscaping Plan is to include the retention of the existing street trees planted in the verge.
10. An Advanced Tree is defined in Local Planning Scheme No. 3 and Local Planning Policy 6.11 as “a tree which requires planting in at least a 90 litre contained or greater size and which is at least two (2) metres in height and at least two (2) years of age”.
11. The associated contribution costs for the planting of nine new street trees are as follows:
 - a. Cost of new tree: \$680.00 (current cost excluding GST)
 - b. Number of new trees required: Nine
 - c. Total for the associated works: \$6,120.00 (current cost excluding GST)

Tree species will be chosen by the City to reflect the surrounding streetscape. Costs include 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 trees 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.

Land Use

12. The approved land use of the development is Multiple Dwelling. To ensure conformity with the approved land use and the land use permissibility of Tables 6.11.9 and 6.11.10(a) of Local Planning Scheme No. 3, this requires all dwellings to have part of their plot ratio area either vertically above or below any part of the plot ratio area of another dwelling.

Francesca Lefante
Presiding Member, Metro Inner DAP



Parking and Vehicle Access

13. The proposed crossover configuration and car parking bay on the verge is subject to the approval of the City of Stirling's Verge Control and Swimming Pool Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation. A "Verge Treatment Application" is required to be submitted and approved prior to the commencement of the car parking bay installation.
14. The 'No Parking' restriction on Osborne Place will apply each Tuesday between 6.00am and 3.00pm.

Public Art

15. In relation to the Public Art condition, 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.
16. Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to a value of \$52,000.

Strata Title

17. The applicant is advised that any future strata title or community title subdivision of the property must be consistent with this approval and the lot sizes demonstrated in the application.
18. The applicant/owner is reminded of their obligation under the Strata Titles Act which may require consent from the adjoining strata owners and/or strata company before commencing any works on site.

Waste Management

19. The bin enclosure is required to comply with the requirements of the City of Stirling's Waste Management Local Law 2010.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposal is well-designed and consistent with the strategic and statutory planning framework. The development form, design and scale are appropriate and enhance the housing mix of the site's locational context. The design incorporates noise mitigation measures as set out in the acoustic report to respond to the adjoining and surrounding freeway, road & rail network. The proposal design and housing diversity is consistent with the planning framework, locational context, existing and future built form, and accordingly is supported.

Francesca Lefante
Presiding Member, Metro Inner DAP



4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

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

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/22/02364 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
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

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 10.13am.

Francesca Lefante
Presiding Member, Metro Inner DAP