



# Metro-Inner North Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Wednesday, 12 October 2022; 9:30am  
**Meeting Number:** MINJDAP/156  
**Meeting Venue:** Electronic Means

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

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## Attendance

### DAP Members

Ms Lee O'Donohue (A/Presiding Member)  
Ms Rachel Chapman (A/Deputy Presiding Member)  
Mr John Syme (Third Specialist Member)

#### *Item 8.1*

Cr Suzanne Migdale (Local Government Member, City of Stirling)  
Cr Felicity Farrelly (Local Government Member, City of Stirling)

#### *Item 8.2*

Cr Rick Powell (Local Government Member, City of Subiaco)  
Cr Garry Kosovich (Local Government Member, City of Subiaco)

### Officers in attendance

#### *Item 8.1*

Mr Michael Italiano (City of Stirling)  
Mr Dean Williams (City of Stirling)  
Ms Giovanna Lumbacca (City of Stirling)

#### *Item 8.2*

Mr Brendan Philipps (City of Subiaco)  
Mr Anthony Denholm (City of Subiaco)  
Mr Haydn Ruse (City of Subiaco)

### Minute Secretary

Mr Christopher Dodson (DAP Secretariat)

### Applicants and Submitters

#### *Item 8.1*

Mr Alan Stewart (Stewart Urban Planning)

#### *Item 8.2*

Mr Trevor Wong (Hames Sharley)  
Mr Alex Hewlett (GBW Property Pty Ltd)  
Mr Andrew Baranowski (Plan E)  
Ms Joanne Furguson (Encycle)  
Mr Ken Perry  
Mr Tom Hockley (Allerding and Associates)  
Mr Nader El Sayed (GBW Property Pty Ltd)  
Mr Tim Boekhoorn (Hames Sharley)  
Mr Naden Scarfone (Hames Sharley)

Ms Lee O'Donohue  
A/Presiding Member, Metro Inner-North JDAP



## Members of the Public / Media

There were 10 members of the public in attendance.

Ms Nadia Budihardjo from Business News and Victoria Rifici from PerthNow were in attendance.

### 1. Opening of Meeting, Welcome and Acknowledgement

The A/Presiding Member declared the meeting open at 9:31am on 12 October 2022 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

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

#### 1.1 Announcements by Presiding Member

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

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

### 2. Apologies

Ms Francesca Lefante (Presiding Member)

### 3. Members on Leave of Absence

Nil.

### 4. Noting of Minutes

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

### 5. Declaration of Due Consideration

The A/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 Item 8.1, received on 17 October 2022.

All members declared that they had duly considered the documents.

### 6. Disclosure of Interests

Nil.

Ms Lee O'Donohue  
A/Presiding Member, Metro Inner-North JDAP



## 7. Deputations and Presentations

- 7.1 Mr Alan Stewart (Lateral Planning) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.2 The City of Stirling addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

***The presentation at Item 7.1 – 7.2 were heard prior to the application at Item 8.1.***

- 7.3 Mr Ken Perry addressed the DAP in support of the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.4 Mr Tom Hockley (Allerding and Associates) addressed the DAP in support of the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.5 Mr Nader El Sayed (GBW Property Pty Ltd) addressed the DAP against the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.6 Mr Tim Boekhoorn (Hames Sharley (WA) Pty Ltd) addressed the DAP against the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.7 Mr Naden Scarfone (Hames Sharley (WA) Pty Ltd) addressed the DAP against the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.8 The City of Subiaco addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.

***The presentations at Items 7.3 - 7.8 were heard prior to the application at Item 8.2.***



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

### 8.1 House Number 373 (Lot 3) Wanneroo Road, Balcatta

Development Description: Child Care Premises  
Applicant: Stewart Urban Planning  
Owner: Skinner Property Holdings Pty Ltd  
Responsible Authority: City of Stirling  
DAP File No: DAP/21/02039

#### REPORT RECOMMENDATION

**Moved by:** Cr Suzanne Migdale

**Seconded by:** Cr Felicity Farrelly

*With the agreement of the mover and seconder the following amendments were made to the report recommendation;*

- (i) The following administrative change was made to renumber conditions from Condition No. 32 through to Condition No. 42, as there were doubled up conditions in the original RAR.

**REASON:** Administrative error.

- (ii) To delete Condition No.24 and renumber the remaining conditions accordingly.

**REASON:** The ACROD bay was already identified on plan as Car Bay No. 16. The condition is therefore superfluous.

- (iii) To amend Condition No. 37 to read as follows:

*All signage is to be in strict accordance with the ~~Unless otherwise approved, all signage is to be in strict accordance with the City of Stirling Local Planning Policy 6.1 – Advertising Signs, unless further approval is obtained, to the satisfaction of the City.~~*

**REASON:** Amended Condition No. 37 addresses the issue and requirements for signage.

- (iv) To delete Condition No. 38 and renumber the remaining conditions accordingly.

**REASON:** The amendment to Condition 37 means that this condition is now superfluous.

That the Metro Inner-North JDAP resolves to:

**Approve** DAP Application reference DAP/21/02039 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Stirling Local Planning Scheme No. 3, for the proposed Child Care Premises at Lot 3, House Number 373, Wanneroo Road, Balcatta, subject to the following conditions

Ms Lee O'Donohue  
A/Presiding Member, Metro Inner-North JDAP



## 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.
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. The plans approved as part of this application form part of the development approval issued and are listed below:

<b>DRAWING TITLE</b>	<b>Date</b>	<b>Sheet Number</b>	<b>Drawn By</b>
Cover Sheet	12/09/2022	PD01	Macri Builders
3D render	12/09/2022	PD02	Macri Builders
Site Plans	12/09/2022	PD03	Macri Builders
Context Plan	12/09/2022	PD04	Macri Builders
Ground Floor Plan	12/09/2022	PD05	Macri Builders
First Floor Plan	12/09/2022	PD06	Macri Builders
Ground Floor Site Overlay	12/09/2022	PD07	Macri Builders
First Floor Site Plan Overlay	12/09/2022	PD08	Macri Builders
Elevations	12/09/2022	PD09	Macri Builders
Elevations	12/09/2022	PD10	Macri Builders
Roof Plan	12/09/2022	PD11	Macri Builders
Existing Tiny Beez Centres	12/09/2022	PD12	Macri Builders
Existing Tiny Beez Centres	12/09/2022	PD13	Macri Builders
Cover Sheet	06/2022		PLAN \ E
Landscape Concept Plan	06/2022	C1.107	PLAN \ E
Ground Floor Concept	06/2022	C1.101	PLAN \ E
First Floor Concept	06/2022	C1.102	PLAN \ E
Imagery – Ground Floor	06/2022	C1.103	PLAN \ E
Imagery – First Floor	06/2022	C1.104	PLAN \ E
Planting Palette	06/2022	C1.105	PLAN \ E
Planting – Internal	06/2022	C1.106	PLAN \ E

Ms Lee O'Donohue  
A/Presiding Member, Metro Inner-North JDAP



### Landscaping

4. Prior to the submission of a Building Permit, an amended Landscaping Plan shall be submitted, and approved by the City of Stirling, including the following amendments:
  - a. Suitable landscaping to provide visual screening around the southern and western lot boundaries of the bin storage area.
  - b. The paving around the proposed Advanced tree along the south-eastern corner of the development is to be removed to allow for a 9m<sup>2</sup> deep soil area free of impervious surface.
  - c. All landscaped areas to be irrigated and a minimum of 75mm of mulch applied.
  - d. 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.
  - e. All Advanced trees are to be provided with 'strata cell', with amended landscaping plan submitted reflecting this requirement.
  - f. Landscaping of the ground floor external play area reflected to implement the vehicle safety barrier.
5. 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 in accordance with the City of Stirling's Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.
6. Prior to the occupation of the development, all planting beds proposed on structure are to be in a minimum of 1m depth and maintained, to the satisfaction of the City of Stirling.
7. Prior to the occupation of the development, three (3) Advanced trees must be planted on-site in the area indicated on the development plans and be maintained thereafter.

### Lighting

8. Prior to the submission of a Building Permit, a Lighting Plan shall be submitted to the City with the provision of lighting to all public spaces, awning areas, parking areas, service areas, footpaths, ground floor entry and exit points, to the satisfaction of the City.
9. External lighting shall be positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZ 4282-1997, to the satisfaction of the City of Stirling.

**Ms Lee O'Donohue**  
A/Presiding Member, Metro Inner-North JDAP



## Operation

10. The operational details outlined in the Environmental Acoustic Assessment received 6 July 2022 (Attachments 5d), Operation Management Plan received July 6 2022 (Attachment 5g) and in the Planning Report received 6 July 2022 (Attachment 5a) which forms part of this approval, shall be implemented for the life of the development, to the satisfaction of the City of Stirling, specifically:
  - a. The Child Care Premises shall be limited to a maximum number of 67 children and 12 staff on-site at any one time.
  - b. The Child Care Premises shall not operate outside of the hours of 6:30am and 7:00pm, Monday to Friday.
  - c. The Child Care Premises shall not operate on Saturdays, Sundays or public holidays.
  - d. The external play areas shall not be made available for use prior to 7:00am and after 6:30pm during operation of the Child Care Premises.
11. The operational measures identified in the recommendations of the Environmental Acoustic Assessment received 6 July 2022 (Attachment 5d), which forms part of this approval, shall be implemented for the life of the development, to the satisfaction of the City of Stirling.
12. All construction recommendations provided in the Environmental Acoustic Assessment received 6 July 2022 (Attachments 5d), are to be implemented.
13. The Applicant is to provide written confirmation that all recommendations in the Environmental Acoustic Assessment received 6 July 2022 (Attachments 5d), have been incorporated into the building design at time of lodgement of the Building Permit application.
14. Prior to occupation of the development, the landowner shall provide written confirmation to the City of Stirling that the requirements of the Environmental Acoustic Assessment received 6 July 2022 (Attachments 5d), have been incorporated into the completed development.
15. Prior to the occupation of the development, certification from a qualified acoustic consultant is to be submitted confirming all recommendations in the Environmental Acoustic Assessment received 6 July 2022 (Attachments 5d) have been achieved.
16. The development is to implement the Environmental Acoustic recommendations prepared by ND Engineering, Revision 1, received 6 July 2022 with the following amendment:
  - a. Section HO.2 b. needs to be corrected to be consistent with Section 1.1 b. which shows that the LAeq(day) used for the childcare centre assessment is calculated for 6am-7pm.

**Ms Lee O'Donohue**  
A/Presiding Member, Metro Inner-North JDAP





17. 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) 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.'*

#### Parking and Access

18. The crossover shall be designed and constructed in accordance with the City of Stirling's 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.
19. All parking bays, manoeuvring and circulation areas are to comply with Australian Standards AS/NZS2890.1 and AS2890.2. 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).
20. Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas, to comply with Australian Standards AS/NZS1428.1-2009 (Design for access and mobility – General requirements for access – New building work).
21. Prior to the occupation of the development, the redundant crossovers shall be removed and the kerbing and road reserve reinstated at the landowner's expense in accordance with the City's Local Planning Policy 6.7 – Parking and Access.
22. Prior to the occupation of the development, a minimum of two (2) 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.
23. All vehicle access to the site must be left-in and left-out access only, with signage erected onsite to reflect these requirements prior to occupation of the development, to the satisfaction of the City.
24. Prior to the occupation of the development, the turning bay shall be permanently marked, drained and clearly sign posted, to the satisfaction of the City.
25. Prior to occupation of the development, parking bays annotated 1-7 are to be in accordance with Australian Standards AS2890.1 section 2.3.5.2, specifically the kerb is to be no more than 150mm high.
26. Prior to occupation of the development, the truncation required for the road widening of Wanneroo Road as shown on the attached marked up plan is to be transferred as free of cost to Main Roads Western Australia (Attachment 7).



27. Prior to occupation of the building, a vehicle safety barrier must be installed at the landowner's cost, to protect the external play area adjacent to Wanneroo Road.

General

28. A Site Management Plan shall be submitted to the City of Stirling and approved prior to commencement of works. The Site Management Plan shall include specific details on the management of aspects such as, 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.
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
30. Air-conditioning units, ducts and other services shall be screened from view and are to be located away from the streets, to the satisfaction of the City of Stirling.
31. No walls, letterboxes, fences or other structures above 0.75 metres in height to be constructed within 1.5 metres of where:
- a. vehicular access points adjoin the site, or
  - b. driveway meets a public street, or
  - c. two streets intersect, or
  - d. driveway meets a right of way, or unless further approval from the City of Stirling is obtained.
32. The development is to comply with the Waste Management Plan prepared by Lateral Planning dated 30 June 2022 (Attachment 5f), unless otherwise approved by the City of Stirling.
33. No waste collection is permitted from Wanneroo Road or the wider road reservation.
34. Stormwater from all roofed and paved areas shall be collected and contained onsite. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.
35. Stormwater discharge (if any) shall not exceed pre-development discharge to the Wanneroo Road Reserve or the widened road reservation.
36. The development is required to be connected to sewer.
37. Unless otherwise approved, all signage is to be in strict accordance with the City of Stirling Local Planning Policy 6.1 – Advertising Signs, to the satisfaction of the City.
38. The open-style front fencing shall be visually permeable as defined in State Planning Policy 7.3 – Residential Design Codes Volume 1, to the satisfaction of the City of Stirling.



39. The development is to comply with the recommendations outlined in the Sustainable Design Assessment Report prepared by Glen Underwood (CADDs) June 2022 (Attachment 6f), to the satisfaction of the City of Stirling.
40. Prior to occupation of the development, photovoltaic cells are to be installed, to the satisfaction of the City.

#### Advice Notes

1. If the development the subject of this approval is not substantially commenced within a period of four years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
2. 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.
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 City 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.
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.
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.
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 2 metres in height and at least 2 years of age.
9. The proposed crossover configuration is subject to the approval of the City's Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.

**Ms Lee O'Donohue**  
A/Presiding Member, Metro Inner-North JDAP



10. Collection and disposal of waste shall be managed in accordance with the City of Stirling Waste Management Local Law 2010, to the satisfaction of the City of Stirling.
11. Waste collections should be restricted to between 7.00am and 7.00pm Monday to Saturday or 9.00am and 7.00pm on Sundays and Public Holidays.
12. General waste control and the bin enclosure is to comply with the requirements of the City's *Waste Management Local Law 2010*, and be sufficient to dispose of/store the waste produced by the business (may be referred to City's waste Services).
13. General compliance with Standard 3.3.1 – Food Safety Programs for Food Service to Vulnerable Persons will be applicable. A food safety plan must be submitted to the City and have 'Verification' approval prior to starting food service.
14. The Applicant must submit a Food Premises Notification-Registration form.
15. The Applicant is to contact the City's Environmental Health Services to arrange a final inspection, prior to commencement of commercial food operations.
16. No works are permitted within the Wanneroo Road reservation unless Main Roads Western Australia has issued a working on Roads Permit.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** The panel considered that the proposed child care centre is an appropriate use for the site which is located on the fringe of a residential area. The site is also well located on a major transit route, being Wanneroo Road, and close to the Northlands Shopping Centre. The height, bulk and scale of the building is compatible to surrounding residential development whilst the provision of extensive landscaping will assist in softening the built form. Issues relating to access and egress to the site have been addressed well and solar access to the property to the south will be limited to driveway areas.

Cr Suzanne Migdale and Cr Felicity Farrelly (Local Government Member, City of City of Stirling) *left the panel at 9:59am*

Cr Rick Powell and Cr Garry Kosovich (Local Government Member, City of Subiaco) *joined the panel at 10:00am.*



## 8.2 No. 414 (Lot 27) Rokeby Road, Subiaco

Development Description: Demolition Of Existing Building And Construction Of A Six Storey Mixed Use Development (Ten Multiple Dwellings And Three Office Tenancies)  
Applicant: Hames Sharley  
Owner: GBW Property Pty Ltd  
Responsible Authority: City of Subiaco  
DAP File No: DAP/22/02218

### REPORT RECOMMENDATION

**Moved by:** Cr Rick Powell

**Seconded by:** Cr Garry Kosovich

It is recommended that the Metro Inner North Joint Development Assessment Panel resolves to:

1. **Refuse** DAP Application reference 22/02218 dated received 21 April 2022 and accompanying plans dated 31 August 2022 (**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 the City of Subiaco Local Planning Scheme No. 5, for the following reasons:

### Reasons

1. The proposed development does not satisfy the provisions of Local Planning Scheme No. 5 in so far as:
  - a. The proposal is inconsistent with the following aims of the Scheme:
    - i. The scale of the development is considered to compromise the visual and social amenity of the City, and result in undue adverse impact on the amenity of adjoining properties, and does not meet Clauses 9 (f) (iv) and (vi) of the Scheme; and
    - ii. The proposal is considered to compromise the existing character of the City and does not meet Clause 9 (g) (iii) of the Scheme.
  - b. The proposal is inconsistent with the following objectives of the Mixed Use Zone:
    - i. The office land use proposed on the ground floor does not provide an active land use and would result in limited street engagement, and does not meet objective (a);
    - ii. The development is considered to result in an unsatisfactory landscaping outcome in relation to not significantly improving tree canopy cover, and does not meet objective (h);
  - c. The proposal is inconsistent with clause 34(5) – Variations to Site and Development Requirements owing to: Approval of the development and specifically the building height and plot ratio proposed would not be appropriate having regard to the matters to be considered in clause 67 of the Deemed Provisions in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
    - ii. The variations being sought would have a significant adverse impact on the inhabitants of the locality and the likely future development of the locality.

Ms Lee O'Donohue  
A/Presiding Member, Metro Inner-North JDAP



2. Having regard to *State Planning Policy 7.0 Design of the Built Environment*, the form and scale of the proposed development does not adequately satisfy the following design principles:
  - a. Principle 2 *Landscape quality*, as the proposed landscaping and allocated space for planting is not considered to support the long term improvement in tree canopy cover on site; and
  - b. Principle 3 *Built Form and Scale*, as the height and massing of the proposal is not considered to adequately respond to the desired built form of the site as identified in the Rokeby Road South Local Development Plan.
  
3. Having regard to *State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments*, the form and scale of the proposed development is inappropriate to the context and local character, and does not adequately satisfy all Element Objectives of the following Elements:
  - a. Element 2.2 Building Height;
  - b. Element 2.4 Side and Rear Setback;
  - c. Element 2.5 Plot Ratio;
  - d. Element 2.8 Community Benefits;
  - e. Element 3.3 Deep soil area and canopy cover; and
  - f. Element 4.14 Mixed Use
  
4. Having regard to the *Planning and Development (Local Planning Schemes) Regulations 2015* the proposed development does not satisfy the following matters for consideration:
  - a. Clause 67(a) – The proposal is inconsistent with the development provisions of Local Planning Scheme No. 5;
  - b. Clause 67(b) – The proposal is not considered to be consistent with orderly and proper planning;
  - c. Clause 67(c) – The proposal does not adequately satisfy a number of design principles of *State Planning Policy 7.0 Design of the Built Environment*, and element objectives of *State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments*;
  - d. Clause 67(h) – The proposal does not respond to the objectives of the Rokeby Road South Local Development Plan particularly in relation to envisioned built form for defined activity nodes;
  - e. Clause 67(n) – The proposal will have an undue adverse effect on the amenity of the locality, particularly with regard to the existing and future character as envisaged by the objectives and the development standards of the Rokeby Road South Local Development Plan;
  - f. Clause 67(x) – The local planning framework was subject to extensive community consultation. Should a development be approved which undermines the expectations of the community, it may have greater impact on the community as a whole, notwithstanding on particular individuals; and
  - g. Clause 67(zc) – The proposal has not been determined to be of such a high quality as to justify the discretions sought, as determined by the City’s Design Review Panel.

Ms Lee O'Donohue  
A/Presiding Member, Metro Inner-North JDAP



## PROCEDURAL MOTION

**Moved by:** Mr John Syme

**Seconded by:** Ms Rachel Chapman

That the consideration of DAP Application DAP/22/02218 be deferred for up to 120 days, in accordance with section 5.10.1a of the DAP Standing Orders 2020, for the following reasons:

- Investigation of the impact of the proposal building on the telecommunications towers located on the adjoining building at No. 220 Nicholson Road
- Further consideration of the height of the proposal building with regard to the Rokeby Road South Local Development Plan, particularly having regard to the vision for the area and desired future scale and character of the street and locality;
- Further consideration and resolution of the proposed Waste Management Plan; and
- Consideration of the subject land being a prominent site.
- To give opportunity for further assessment of updated plans by the City of Subiaco Design Review Panel.

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

For: Ms Lee O'Donohue  
Mr John Syme  
Ms Rachel Chapman

Against: Cr Rick Powell  
Cr Garry Kosovich

**REASON:** The majority of the panel supported deferral of the application so that the applicant could further consider issues and concerns including the impact of the building on neighbouring telecommunication towers, the height of the building in the context of the existing planning framework, the suitability of the proposed Waste Management Plan and the status of the subject lot as a prominent site within the locality.

Ms Lee O'Donohue  
A/Presiding Member, Metro Inner-North JDAP



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

Nil.

**10. State Administrative Tribunal Applications and Supreme Court Appeals**

The A/Presiding Member noted the following SAT Applications –

<b>Current SAT Applications</b>				
<b>File No. &amp; SAT DR No.</b>	<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>	<b>Date Lodged</b>
DAP/19/01651 DR160/2020	City of Nedlands	Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands	Shopping Centre	21/07/2020
DAP/21/02136 DR60/2022	City of Nedlands	No. 43 Esplanade, Nedlands	Proposed Mixed Use Development - One consulting room and three multiple dwellings	01/04/2022
DAP/18/01491 DR61/2022	City of Vincent	No. 636-640 Newcastle Street, Leederville	Mixed Use Development comprising of 32 Multiple Dwellings, 10 Offices, One Restaurant/Café and One Shop	04/04/2022
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





## **11. General Business**

The A/Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

## **12. Meeting Closure**

There being no further business, the Presiding Member declared the meeting closed at 12:18pm.

A handwritten signature in blue ink that reads "Lee O'Donohue".

**Ms Lee O'Donohue**  
A/Presiding Member, Metro Inner-North JDAP