



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 14 September 2022; 10:30am
Meeting Number: MIJDAP/154
Meeting Venue: City of Stirling Council Chambers
25 Cedric Street, Stirling

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Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Mr Brian Curtis (A/Deputy Presiding Member)
Mr John Syme (Third Specialist Member)
Cr Suzanne Migdale (Local Government Member, City of Stirling)
Cr Elizabeth Re (Local Government Member, City of Stirling)

Officers in attendance

Item 8.1a

Ms Amanda Sheers (City of Stirling)
Ms Giovanna Lumbaca (City of Stirling)
Ms Karina Bowater (City of Stirling)

Item 8.1b

Mr Leigh Ashby (Western Australian Planning Commission)
Mr Ben Hesketh (Western Australian Planning Commission)

Minute Secretary

Ms Amorette Kerklaan (City of Stirling)
Mr Daniel Govus (City of Stirling)

Applicants and Submitters

Mr Paul Olney
Mr Simon Burnell (CLE Planning)
Ms Merri Chen (CLE Planning)
Mr Peter Blackall (Peet Ltd)
Mr Justin Mansillas (Peet Ltd)
Mr Michael McNamara (Peet Ltd)
Mr Mihael Busan (CCN)
Mr Paul Ghantous (Urbii)

Members of the Public / Media

There was 1 member of the public in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 10.36am on 14 September 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*.

Ms Francesca Lefante
Presiding Member, Metro Inner-North JDAP



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 Presiding Member advised that the meeting is being audio recorded 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Ms Lee O'Donohue (Deputy Presiding Member)
Cr Felicity Farrelly (Local Government Member, City of Stirling)

3. Members on Leave of Absence

DAP Member, Ms Lee O'Donohue has been granted leave of absence by the Director General for the period of 1 September 2022 to 28 September 2022 inclusive.

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 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 13 September 2022.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil.



7. Deputations and Presentations

- 7.1 Mr Paul Olney addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Simon Burnell (CLE Town Planning + Design), Mr Paul Ghantous (Urbii) Mr Mihael Busan (CCN) and Mr Peter Blackall (Peet) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 The City of Stirling addressed the DAP in relation to the application at Item 8.1a and responded to questions from the panel.

The presentations at Items 7.1 - 7.3 were heard prior to the application at Item 8.1a.

- 7.4 The Western Australian Planning Commission addressed the DAP in relation to the application at Item 8.1b.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1a Lot Numbers 163 And 155, House Numbers 315 And 319 Harborne Street, Glendalough

Development Description: 100 Grouped Dwellings
Applicant: CLE Town Planning & Design
Owner: Mr Joseph Tassone, Ms Nicola Tassone, and Mr Salvatore Tassone.
Responsible Authority: City of Stirling - DUAL
DAP File No: DAP/22/02206

RECOMMENDATION

Moved by: Cr Suzanne Migdale

Seconded by: Mr John Syme

With the approval of the mover and seconder the following amendments were made:

- (i) To delete Condition 6.

REASON: The condition is not required at a separate DAP application has been made and RAR provided on this matter.

- (ii) To amend Condition No. 8 (now Condition No. 7) to read as follows:

*All clothes drying areas, air-conditioning units, ducts and other services shall be located and positioned so as to be screened from ~~Herdsman Place~~ **Harborne Street** and the communal street.*

REASON: To reflect street frontage and road name



- (iii) To amend Condition No. 12 (now Condition No. 11) to read as follows:

Units Dwellings with adjoining double storey boundary walls must be built concurrently to satisfy the Design Principles of Clause 5.1.3 (Lot Boundary Setbacks) or finished appropriately in either a painted finish or similar, to the satisfaction of the City.

REASON: Minor changes to provide certainty regarding boundary wall exterior treatment and boundary construction.

- (iv) To delete Advice No. 8.

REASON: Advice notes is not required as modified Condition 12 (now condition 11) provides certainty on boundary wall exterior treatment and construction timeframes.

- (v) To amend Condition No. 14 (now Condition No. 13) to read as follows:

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), **staging plan**, 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.

REASON: Minor changes to provide certainty regarding boundary wall exterior treatment and boundary construction

- (vi) To amend Condition No. 17 (Now Condition No. 16) to read as follows:

*Prior to the ~~occupation~~ **completion** of the development, a minimum of 105 Advanced trees must be planted on the site in the area indicated on the approved plan and be thereafter maintained. The trees must be provided within a minimum nine (9) square meters of soil space and a minimum dimension of two (2) metres at ground level free of intrusions to the satisfaction of the City. **The planting of Advanced trees may be staged in accordance with a future staging plan to the satisfaction of the City.***

REASON: Minor changes to provide certainty regarding implementation of advanced tree relative to development staging.

That the Metro Inner-North JDAP resolves to:

1. **Approve** DAP Application reference DAP/22/02206 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 100 Grouped Dwellings at Lots 163 and 155, House Number 315 and 319, Harborne Street, Glendalough subject to the following conditions:



Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. 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) and are listed below:

PLAN TITLE	DATE	DRAWN BY
A001 – Cover Sheet, Location Plan, Drawing List	20 June 2022	CCN
Feature Survey	8 July 2022	MNG
A102 Proposed Ground Floor Masterplan	30 June 2022	CCN
A103 Proposed Level 1 – Masterplan	30 June 2022	CCN
A104 Proposed Roof Masterplan and Overshadow Diagram	30 June 2022	CCN
A106 Ground Floor Plan Precinct 1 – Harborne	15 July 2022	CCN
A107 Ground Floor Plan Precinct 2 – Central	15 July 2022	CCN
A108 Ground Floor Plan Precinct 3 – Parkland	15 July 2022	CCN
A109 Level 1 Plan Precinct 1 – Harborne	13 July 2022	CCN
A110 Level 1 Plan Precinct 3 – Central	13 July 2022	CCN
A111 Level 1 Plan Precinct 3 – Parkland	13 July 2022	CCN
A115 Cones of Vision L1 Plan	30 June 2022	CCN
A200 Master Elevations	27 July 2022	CCN
A201 Elevations Precinct 1 – Harborne	27 July 2022	CCN
A202 Elevations Precinct 2 – Central	27 July 2022	CCN
A203 Elevations Precinct 3 – Parkland	27 July 2022	CCN
A210 Elevations 3D Type A, B, C Units	30 June 2022	CCN
A211 Elevations 3D Type B, D Units	30 June 2022	CCN
A212 Elevations 3D Type E, G Units	30 June 2022	CCN
A213 Elevations 3D Type F Units	30 June 2022	CCN
A401 Sections	30 June 2022	CCN
A501 Townhouse – Lot 1 – Type G	27 July 2022	CCN
A502 Townhouse – Lot 2 – Type G	27 July 2022	CCN
A503 Townhouse – Lot 3 – Type G	27 July 2022	CCN
A504 Townhouse – Lot 4 – Type G	27 July 2022	CCN
A505 Townhouse – Lot 5 – Type G	27 July 2022	CCN
A506 Townhouse – Lot 6 – Type G	27 July 2022	CCN
A507 Townhouse – Lot 7 – Type G	27 July 2022	CCN
A508 Townhouse – Lot 8 – Type G	27 July 2022	CCN
A509 Townhouse – Lot 9 – Type G (Mirrored)	27 July 2022	CCN
A510 Townhouse – Lot 10 – Type C (Mirrored)	27 July 2022	CCN
A511 Townhouse – Lot 11 – Type C	27 July 2022	CCN
A512 Townhouse – Lot 12 – Type C	27 July 2022	CCN
A513 Townhouse – Lot 13 – Type B	27 July 2022	CCN



A514 Townhouse – Lot 14 – Type B (Mirrored)	27 July 2022	CCN
A515 Townhouse – Lot 15 – Type B	27 July 2022	CCN
A516 Townhouse – Lot 16 – Type B (Mirrored)	27 July 2022	CCN
A517 Townhouse – Lot 17 – Type D (Mirrored)	27 July 2022	CCN
A518 Townhouse – Lot 18 – Type D (Mirrored)	27 July 2022	CCN
A519 Townhouse – Lot 19 – Type D	27 July 2022	CCN
A520 Townhouse – Lot 20 – Type D	27 July 2022	CCN
A521 Townhouse – Lot 21 – Type D	27 July 2022	CCN
A522 Townhouse – Lot 22 – Type D	27 July 2022	CCN
A523 Townhouse – Lot 23 – Type B (Mirrored)	27 July 2022	CCN
A524 Townhouse – Lot 24 – Type B (Mirrored)	27 July 2022	CCN
A525 Townhouse – Lot 25 – Type B (Mirrored)	27 July 2022	CCN
A526 Townhouse – Lot 26 – Type B (Mirrored)	27 July 2022	CCN
A527 Townhouse – Lot 27 – Type B (Mirrored)	27 July 2022	CCN
A528 Townhouse – Lot 28 – Type B	27 July 2022	CCN
A529 Townhouse – Lot 29 – Type B	27 July 2022	CCN
A530 Townhouse – Lot 30 – Type B	27 July 2022	CCN
A531 Townhouse – Lot 31 – Type B	27 July 2022	CCN
A532 Townhouse – Lot 32 – Type B	27 July 2022	CCN
A533 Townhouse – Lot 33 – Type A (Mirrored)	27 July 2022	CCN
A534 Townhouse – Lot 34 – Type C	27 July 2022	CCN
A535 Townhouse – Lot 35 – Type C (Mirrored)	27 July 2022	CCN
A536 Townhouse – Lot 36 – Type C (Mirrored)	27 July 2022	CCN
A537 Townhouse – Lot 37 – Type F	27 July 2022	CCN
A538 Townhouse – Lot 38 – Type F	27 July 2022	CCN
A539 Townhouse – Lot 39 – Type F	27 July 2022	CCN
A540 Townhouse – Lot 40 – Type F	27 July 2022	CCN
A541 Townhouse – Lot 41 – Type F	27 July 2022	CCN
A542 Townhouse – Lot 42 – Type F	27 July 2022	CCN
A543 Townhouse – Lot 43 – Type F (Mirrored)	27 July 2022	CCN
A544 Townhouse – Lot 44 – Type F (Mirrored)	27 July 2022	CCN
A545 Townhouse – Lot 45 – Type F (Mirrored)	27 July 2022	CCN
A546 Townhouse – Lot 46 – Type F (Mirrored)	27 July 2022	CCN
A547 Townhouse – Lot 47 – Type F (Mirrored)	27 July 2022	CCN
A548 Townhouse – Lot 48 – Type F (Mirrored)	27 July 2022	CCN
A549 Townhouse – Lot 49 – Type A	27 July 2022	CCN
A550 Townhouse – Lot 50 – Type A	27 July 2022	CCN
A551 Townhouse – Lot 51 – Type A	27 July 2022	CCN
A552 Townhouse – Lot 52 – Type A	27 July 2022	CCN
A553 Townhouse – Lot 53 – Type A	27 July 2022	CCN
A554 Townhouse – Lot 54 – Type E	27 July 2022	CCN
A555 Townhouse – Lot 55 – Type E	27 July 2022	CCN
A556 Townhouse – Lot 56 – Type E	27 July 2022	CCN
A557 Townhouse – Lot 57 – Type E	27 July 2022	CCN
A558 Townhouse – Lot 58 – Type C (Mirrored)	27 July 2022	CCN
A559 Townhouse – Lot 59 – Type C (Mirrored)	27 July 2022	CCN
A560 Townhouse – Lot 60 – Type C (Mirrored)	27 July 2022	CCN
A561 Townhouse – Lot 61 – Type C (Mirrored)	27 July 2022	CCN



A562 Townhouse – Lot 62 – Type C (Mirrored)	27 July 2022	CCN
A563 Townhouse – Lot 63 – Type C (Mirrored)	27 July 2022	CCN
A564 Townhouse – Lot 64 – Type C (Mirrored)	27 July 2022	CCN
A565 Townhouse – Lot 65 – Type A (Mirrored)	27 July 2022	CCN
A566 Townhouse – Lot 66 – Type A (Mirrored)	27 July 2022	CCN
A567 Townhouse – Lot 67 – Type A (Mirrored)	27 July 2022	CCN
A568 Townhouse – Lot 68 – Type A (Mirrored)	27 July 2022	CCN
A569 Townhouse – Lot 69 – Type A	27 July 2022	CCN
A570 Townhouse – Lot 70 – Type A	27 July 2022	CCN
A571 Townhouse – Lot 71 – Type C	27 July 2022	CCN
A572 Townhouse – Lot 72 – Type C	27 July 2022	CCN
A573 Townhouse – Lot 73 – Type C	27 July 2022	CCN
A574 Townhouse – Lot 74 – Type C	27 July 2022	CCN
A575 Townhouse – Lot 75 – Type C	27 July 2022	CCN
A576 Townhouse – Lot 76 – Type E	27 July 2022	CCN
A577 Townhouse – Lot 77 – Type E	27 July 2022	CCN
A578 Townhouse – Lot 78 – Type E	27 July 2022	CCN
A579 Townhouse – Lot 79 – Type E	27 July 2022	CCN
A580 Townhouse – Lot 80 – Type I (Mirrored)	27 July 2022	CCN
A581 Townhouse – Lot 81 – Type I	27 July 2022	CCN
A582 Townhouse – Lot 82 – Type H	27 July 2022	CCN
A583 Townhouse – Lot 83 – Type H	27 July 2022	CCN
A584 Townhouse – Lot 84 – Type I	27 July 2022	CCN
A585 Townhouse – Lot 85 – Type I	27 July 2022	CCN
A586 Townhouse – Lot 86 – Type I	27 July 2022	CCN
A587 Townhouse – Lot 87 – Type I	27 July 2022	CCN
A588 Townhouse – Lot 88 – Type I (Mirrored)	27 July 2022	CCN
A589 Townhouse – Lot 89 – Type I	27 July 2022	CCN
A590 Townhouse – Lot 90 – Type H	27 July 2022	CCN
A591 Townhouse – Lot 91 – Type H	27 July 2022	CCN
A592 Townhouse – Lot 92 – Type I	27 July 2022	CCN
A593 Townhouse – Lot 93 – Type I	27 July 2022	CCN
A594 Townhouse – Lot 94 – Type I (Mirrored)	27 July 2022	CCN
A595 Townhouse – Lot 95 – Type I	27 July 2022	CCN
A596 Townhouse – Lot 96 – Type H	27 July 2022	CCN
A597 Townhouse – Lot 97 – Type H	27 July 2022	CCN
A598 Townhouse – Lot 98 – Type I	27 July 2022	CCN
A599 Townhouse – Lot 99 – Type H	27 July 2022	CCN
A600 Townhouse – Lot 100 – Type H	27 July 2022	CCN
A605 Substation	30 June 2022	CCN
A106 Retaining Layout Plan 21015-C8-DG-02-J	15 July 2022	Pritchard Francis
A107 Retaining Layout Plan 21015-C8-DG-02-J	15 July 2022	Pritchard Francis
A108 Retaining Layout Plan 21015-C8-DG-02-J	15 July 2022	Pritchard Francis
Amended Survey Strata Subdivision	8 June 2022	CLE



3. Prior to the submission of a Building Permit, revised development plans and additional information are to be provided to the satisfaction of the City demonstrating the following:
 - a) Revised finishes to the boundary walls of Unit 37 and 48 and the east facing elevation of the substation.
 - b) Unit 69, Bed 2 east facing major openings shall be modified to be minor openings.
 - c) Units 70-77 shall provide screening to the northern lot boundary to a height of at least 1.6m above the proposed finished floor level of the ground floor and outdoor living area to ensure compliance with Clause 5.4.1 of the R-Codes (Visual Privacy).

All revised plans are to be prepared and implemented thereafter to the satisfaction of the City.

4. Prior to the submission of a Building Permit, approval from the Department of Biodiversity, Conservation and Attractions of detailed drawings of the overland flow path structural erosion measures shall be provided to the City of Stirling to ensure that any stormwater runoff into the adjoining reserve is adequately controlled.
5. Prior to occupation of the development, Lot Number 163 on Deposited Plan 47215 and Lot Number 155 on Deposited Plan 47216 shall be amalgamated into a single lot on a Certificate of Title.

Building Design

6. 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.
7. All clothes drying areas, air-conditioning units, ducts and other services shall be located and positioned so as to be screened from Harborne Street and the communal street.
8. Prior to the occupation of the development, the development shall incorporate all aspects of the schedule of materials, finishes and colours to the satisfaction of the City.
9. The infill panels forming part of the front fencing shall be visually permeable as defined by the Residential Design Codes to the satisfaction of the City.
10. 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, orunless further approval of Council is obtained.



11. Dwellings with adjoining double storey boundary walls must be built concurrently to satisfy the Design Principles of Clause 5.1.3 (Lot Boundary Setbacks) or finished appropriately in either a painted finish or similar, to the satisfaction of the City.
12. Prior to occupation of the development, all privacy screening shall be visually impermeable and is to satisfy all deemed to comply provisions of State Planning Policy 7.3 Residential Design Codes Volume 1 Clause 5.4.1 - Visual Privacy and shall be maintained in perpetuity for the duration of the development to the satisfaction of the City.

Construction Management

13. 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), staging plan, 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.

Landscaping

14. All landscaped areas are to be planted, reticulated and mulched in accordance with the approved Landscape Plan, prepared by Emerge associates, dated June 2022 prior to occupation of the development and maintained in accordance with the City's Local Planning Policy 6.6 - Landscaping.
15. Prior to the submission of a Building Permit, the applicant is to submit a Tree Protection Plan to the satisfaction of the City of Stirling demonstrating how the existing Significant tree will be retained and protected during construction. The Tree Protection Plan shall be in accordance with Australian Standard AS4970-2009 'Protection of Trees on Development Sites'. Measures identified in the Tree Protection Plan shall be implemented for the duration of the construction of the development, to the satisfaction of the City.
16. Prior to completion of the development, a minimum of 105 Advanced trees must be planted on site in the area indicated on the approved plan and be thereafter maintained. The trees must be provided with a minimum nine (9) square metres of soil space and a minimum dimension of two (2) metres at ground level free of intrusions to the satisfaction of the City. The planting of Advanced trees may be staged in accordance with a future staging plan to the satisfaction of the City.

Lighting

17. Adequate lighting is to be provided to communal pathways and parking areas to the satisfaction of the City of Stirling.
18. Any outside lighting to comply with Australian Standard AS4282-1997 - Control of the Obtrusive Effects of Outdoor Lighting for the control of obstructive effects of outdoor lighting and must not spill into any adjacent premises.



Parking and Vehicle Access

19. 25 visitor parking bays shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, and be suitably sign posted unless otherwise approved by the City.
20. All driveways, parking and manoeuvring areas shall be constructed of brick paving, drained and maintained in accordance with the City's Local Planning Policy 6.7 - Parking and Access prior to the occupation of the development. Alternative finishes such as concrete or bitumen are acceptable if it has a decorative finish to the satisfaction of the City.
21. Crossover/s shall be designed and constructed in accordance with the City's Local Planning Policy 6.7 - Parking and Access. Crossovers are to be installed prior to occupancy or use of the development.
22. Prior to the occupation or use of the development, any redundant crossovers shall be removed and the kerbing and road verge reinstated at the owners cost in accordance with the City's Local Planning Policy 6.7 - Parking and Access.

Waste Management

23. The approved Waste Management Plan prepared by Urbii (dated June 2022) is to be complied with for the duration of the occupation of the development.

Water Management

24. Stormwater from all roofed and paved areas shall be collected and contained on site unless otherwise detailed in accordance with the Environmental Review and Stormwater Management Strategy, prepared by Emerge Associates (Dated June 2022). Stormwater must not affect or be allowed to flow onto or into any other property or road reserve unless further approval is granted from the relevant authority.

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.
2. 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.
3. 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.



4. 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.
5. 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
6. The Applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
8. Acid sulfate soils (ASS) risk mapping indicates that the site is located within an area identified as representing a moderate to low risk of ASS occurring within 3 metres of the natural soil surface. Please refer to Department of Water and Environmental Regulation's (DWER) acid sulfate soil guidelines for information to assist with the management of ground and/or groundwater disturbing works:

<https://www.der.wa.gov.au/your-environment/acid-sulfate-soils/69-acidsulfatesoils-guidelines>

A handwritten signature in black ink, appearing to be 'Francesca Lefante', with a long horizontal line extending to the right.



9. The Department of Water and Environmental Regulation have provided the following advice:

The site is located within the Perth Groundwater Area, proclaimed under the Rights in Water and Irrigation Act 1914, where a licence may be required for dewatering. A licence is not required for dewatering purposes if:

1. The development is within the water table (non-artesian) aquifer; and Swan Avon Region.
2. Water is taken from the well solely for the purpose of removing underground water to facilitate construction or other activity (that is, dewatering); and
3. the water is taken at a pump rate not exceeding 10 litres per second over period of less than 30 consecutive days; and
4. the volume of water taken over the period does not exceed 25 000 kilolitres.

The issue of a licence is not guaranteed but if issued will contain a number of conditions including the quantity of water that can be pumped each year. The proponent is encouraged to contact the Department's Swan Avon Region office on 6250 8000 or licence.enquiry@dwer.wa.gov.au to discuss water management options.

10. 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.
11. All street trees adjoining the subject land as shown on the submitted plans are to be retained and protected. It is the responsibility of the applicant to ensure that the site survey plan is correct as any inaccuracy of the plans will not be considered justification for removal of the trees in the event that their positions are incorrectly shown. The removal of street trees without the written approval of the City is an offence.
12. An Advanced tree is defined in the City's Local Planning Policy 6.11 - Trees and Development as: *means a tree which requires planting in at least a 90 litre container or greater size and which is at least 2 metres in height and at least 2 years of age.*
13. With regard to the front fencing, visually permeable is defined as "*in reference to a wall, gate, door or fence that the vertical surface has continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area; continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or a surface offering equal or lesser obstruction to view; as viewed directly from the street*".
14. Connection to Deep Sewer in the locality.
15. 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.



16. 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.
17. The applicant is advised that 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.
18. The City advises that a Public Open Space contribution will be requested through the subdivision application.

AMENDING MOTION 1

Moved by: Cr Suzanne Migdale

Seconded by: Mr John Syme

That Condition No. 3 be amended to read as follows:

Prior to the submission of a Building Permit, revised development plans and additional information are to be provided to the satisfaction of the City demonstrating the following:

- a. *Revised finishes to the boundary walls of Unit 37 and 48 and the east facing elevation of the substation.*
- b. *Unit 69, Bed 2 east facing major openings shall be modified to be minor openings.*
- c. *Units 70-77 shall provide screening to the northern lot boundary to a height of at least 1.6m above the proposed finished floor level of the ground floor and outdoor living area to ensure compliance with Clause 5.4.1 of the R-Codes (Visual Privacy).*
- d. ***Details of wayfinding entry signage to be provided.***

All revised plans are to be prepared and implemented thereafter to the satisfaction of the City.

REASON: To ensure signage and other treatments make it easy for non-residents to navigate throughout the complex and identify relevant dwellings.



AMENDING MOTION 2

Moved by: Ms Francesca Lefante

Seconded by: Cr Suzanne Migdale

The following amendments were made en bloc:

- (i) That Condition No. 7 (now Condition No. 6) be amended to read as follows:

Unless otherwise agreed, all clothes drying areas, air-conditioning units, ducts and other services shall be located and positioned so as to be screened from Harborne Street and the communal street.

- (ii) That Condition No. 9 (now Condition No. 8) be amended to read as follows:

Unless otherwise agreed, prior to the occupation of the development, the development shall incorporate all aspects of the schedule of materials, finishes and colours to the satisfaction of the City.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To increase opportunities for changes to exterior design, materials and colours in increase diversification, building clusters and wayfinding in the complex.

RECOMMENDATION (AS AMENDED)

That the Metro Inner-North JDAP resolves to:

1. **Approve** DAP Application reference DAP/22/02206 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 100 Grouped Dwellings at Lots 163 and 155, House Number 315 and 319, Harborne Street, Glendalough subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. 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) and are listed below:

Ms Francesca Lefante
Presiding Member, Metro Inner-North JDAP



PLAN TITLE	DATE	DRAWN BY
A001 – Cover Sheet, Location Plan, Drawing List	20 June 2022	CCN
Feature Survey	8 July 2022	MNG
A102 Proposed Ground Floor Masterplan	30 June 2022	CCN
A103 Proposed Level 1 – Masterplan	30 June 2022	CCN
A104 Proposed Roof Masterplan and Overshadow Diagram	30 June 2022	CCN
A106 Ground Floor Plan Precinct 1 – Harborne	15 July 2022	CCN
A107 Ground Floor Plan Precinct 2 – Central	15 July 2022	CCN
A108 Ground Floor Plan Precinct 3 – Parkland	15 July 2022	CCN
A109 Level 1 Plan Precinct 1 – Harborne	13 July 2022	CCN
A110 Level 1 Plan Precinct 3 – Central	13 July 2022	CCN
A111 Level 1 Plan Precinct 3 – Parkland	13 July 2022	CCN
A115 Cones of Vision L1 Plan	30 June 2022	CCN
A200 Master Elevations	27 July 2022	CCN
A201 Elevations Precinct 1 – Harborne	27 July 2022	CCN
A202 Elevations Precinct 2 – Central	27 July 2022	CCN
A203 Elevations Precinct 3 – Parkland	27 July 2022	CCN
A210 Elevations 3D Type A, B, C Units	30 June 2022	CCN
A211 Elevations 3D Type B, D Units	30 June 2022	CCN
A212 Elevations 3D Type E, G Units	30 June 2022	CCN
A213 Elevations 3D Type F Units	30 June 2022	CCN
A401 Sections	30 June 2022	CCN
A501 Townhouse – Lot 1 – Type G	27 July 2022	CCN
A502 Townhouse – Lot 2 – Type G	27 July 2022	CCN
A503 Townhouse – Lot 3 – Type G	27 July 2022	CCN
A504 Townhouse – Lot 4 – Type G	27 July 2022	CCN
A505 Townhouse – Lot 5 – Type G	27 July 2022	CCN
A506 Townhouse – Lot 6 – Type G	27 July 2022	CCN
A507 Townhouse – Lot 7 – Type G	27 July 2022	CCN
A508 Townhouse – Lot 8 – Type G	27 July 2022	CCN
A509 Townhouse – Lot 9 – Type G (Mirrored)	27 July 2022	CCN
A510 Townhouse – Lot 10 – Type C (Mirrored)	27 July 2022	CCN
A511 Townhouse – Lot 11 – Type C	27 July 2022	CCN
A512 Townhouse – Lot 12 – Type C	27 July 2022	CCN
A513 Townhouse – Lot 13 – Type B	27 July 2022	CCN
A514 Townhouse – Lot 14 – Type B (Mirrored)	27 July 2022	CCN
A515 Townhouse – Lot 15 – Type B	27 July 2022	CCN
A516 Townhouse – Lot 16 – Type B (Mirrored)	27 July 2022	CCN
A517 Townhouse – Lot 17 – Type D (Mirrored)	27 July 2022	CCN
A518 Townhouse – Lot 18 – Type D (Mirrored)	27 July 2022	CCN
A519 Townhouse – Lot 19 – Type D	27 July 2022	CCN
A520 Townhouse – Lot 20 – Type D	27 July 2022	CCN
A521 Townhouse – Lot 21 – Type D	27 July 2022	CCN
A522 Townhouse – Lot 22 – Type D	27 July 2022	CCN
A523 Townhouse – Lot 23 – Type B (Mirrored)	27 July 2022	CCN
A524 Townhouse – Lot 24 – Type B (Mirrored)	27 July 2022	CCN
A525 Townhouse – Lot 25 – Type B (Mirrored)	27 July 2022	CCN



A526 Townhouse – Lot 26 – Type B (Mirrored)	27 July 2022	CCN
A527 Townhouse – Lot 27 – Type B (Mirrored)	27 July 2022	CCN
A528 Townhouse – Lot 28 – Type B	27 July 2022	CCN
A529 Townhouse – Lot 29 – Type B	27 July 2022	CCN
A530 Townhouse – Lot 30 – Type B	27 July 2022	CCN
A531 Townhouse – Lot 31 – Type B	27 July 2022	CCN
A532 Townhouse – Lot 32 – Type B	27 July 2022	CCN
A533 Townhouse – Lot 33 – Type A (Mirrored)	27 July 2022	CCN
A534 Townhouse – Lot 34 – Type C	27 July 2022	CCN
A535 Townhouse – Lot 35 – Type C (Mirrored)	27 July 2022	CCN
A536 Townhouse – Lot 36 – Type C (Mirrored)	27 July 2022	CCN
A537 Townhouse – Lot 37 – Type F	27 July 2022	CCN
A538 Townhouse – Lot 38 – Type F	27 July 2022	CCN
A539 Townhouse – Lot 39 – Type F	27 July 2022	CCN
A540 Townhouse – Lot 40 – Type F	27 July 2022	CCN
A541 Townhouse – Lot 41 – Type F	27 July 2022	CCN
A542 Townhouse – Lot 42 – Type F	27 July 2022	CCN
A543 Townhouse – Lot 43 – Type F (Mirrored)	27 July 2022	CCN
A544 Townhouse – Lot 44 – Type F (Mirrored)	27 July 2022	CCN
A545 Townhouse – Lot 45 – Type F (Mirrored)	27 July 2022	CCN
A546 Townhouse – Lot 46 – Type F (Mirrored)	27 July 2022	CCN
A547 Townhouse – Lot 47 – Type F (Mirrored)	27 July 2022	CCN
A548 Townhouse – Lot 48 – Type F (Mirrored)	27 July 2022	CCN
A549 Townhouse – Lot 49 – Type A	27 July 2022	CCN
A550 Townhouse – Lot 50 – Type A	27 July 2022	CCN
A551 Townhouse – Lot 51 – Type A	27 July 2022	CCN
A552 Townhouse – Lot 52 – Type A	27 July 2022	CCN
A553 Townhouse – Lot 53 – Type A	27 July 2022	CCN
A554 Townhouse – Lot 54 – Type E	27 July 2022	CCN
A555 Townhouse – Lot 55 – Type E	27 July 2022	CCN
A556 Townhouse – Lot 56 – Type E	27 July 2022	CCN
A557 Townhouse – Lot 57 – Type E	27 July 2022	CCN
A558 Townhouse – Lot 58 – Type C (Mirrored)	27 July 2022	CCN
A559 Townhouse – Lot 59 – Type C (Mirrored)	27 July 2022	CCN
A560 Townhouse – Lot 60 – Type C (Mirrored)	27 July 2022	CCN
A561 Townhouse – Lot 61 – Type C (Mirrored)	27 July 2022	CCN
A562 Townhouse – Lot 62 – Type C (Mirrored)	27 July 2022	CCN
A563 Townhouse – Lot 63 – Type C (Mirrored)	27 July 2022	CCN
A564 Townhouse – Lot 64 – Type C (Mirrored)	27 July 2022	CCN
A565 Townhouse – Lot 65 – Type A (Mirrored)	27 July 2022	CCN
A566 Townhouse – Lot 66 – Type A (Mirrored)	27 July 2022	CCN
A567 Townhouse – Lot 67 – Type A (Mirrored)	27 July 2022	CCN
A568 Townhouse – Lot 68 – Type A (Mirrored)	27 July 2022	CCN
A569 Townhouse – Lot 69 – Type A	27 July 2022	CCN
A570 Townhouse – Lot 70 – Type A	27 July 2022	CCN
A571 Townhouse – Lot 71 – Type C	27 July 2022	CCN
A572 Townhouse – Lot 72 – Type C	27 July 2022	CCN
A573 Townhouse – Lot 73 – Type C	27 July 2022	CCN



A574 Townhouse – Lot 74 – Type C	27 July 2022	CCN
A575 Townhouse – Lot 75 – Type C	27 July 2022	CCN
A576 Townhouse – Lot 76 – Type E	27 July 2022	CCN
A577 Townhouse – Lot 77 – Type E	27 July 2022	CCN
A578 Townhouse – Lot 78 – Type E	27 July 2022	CCN
A579 Townhouse – Lot 79 – Type E	27 July 2022	CCN
A580 Townhouse – Lot 80 – Type I (Mirrored)	27 July 2022	CCN
A581 Townhouse – Lot 81 – Type I	27 July 2022	CCN
A582 Townhouse – Lot 82 – Type H	27 July 2022	CCN
A583 Townhouse – Lot 83 – Type H	27 July 2022	CCN
A584 Townhouse – Lot 84 – Type I	27 July 2022	CCN
A585 Townhouse – Lot 85 – Type I	27 July 2022	CCN
A586 Townhouse – Lot 86 – Type I	27 July 2022	CCN
A587 Townhouse – Lot 87 – Type I	27 July 2022	CCN
A588 Townhouse – Lot 88 – Type I (Mirrored)	27 July 2022	CCN
A589 Townhouse – Lot 89 – Type I	27 July 2022	CCN
A590 Townhouse – Lot 90 – Type H	27 July 2022	CCN
A591 Townhouse – Lot 91 – Type H	27 July 2022	CCN
A592 Townhouse – Lot 92 – Type I	27 July 2022	CCN
A593 Townhouse – Lot 93 – Type I	27 July 2022	CCN
A594 Townhouse – Lot 94 – Type I (Mirrored)	27 July 2022	CCN
A595 Townhouse – Lot 95 – Type I	27 July 2022	CCN
A596 Townhouse – Lot 96 – Type H	27 July 2022	CCN
A597 Townhouse – Lot 97 – Type H	27 July 2022	CCN
A598 Townhouse – Lot 98 – Type I	27 July 2022	CCN
A599 Townhouse – Lot 99 – Type H	27 July 2022	CCN
A600 Townhouse – Lot 100 – Type H	27 July 2022	CCN
A605 Substation	30 June 2022	CCN
A106 Retaining Layout Plan 21015-C8-DG-02-J	15 July 2022	Pritchard Francis
A107 Retaining Layout Plan 21015-C8-DG-02-J	15 July 2022	Pritchard Francis
A108 Retaining Layout Plan 21015-C8-DG-02-J	15 July 2022	Pritchard Francis
Amended Survey Strata Subdivision	8 June 2022	CLE



3. Prior to the submission of a Building Permit, revised development plans and additional information are to be provided to the satisfaction of the City demonstrating the following:
 - a. Revised finishes to the boundary walls of Unit 37 and 48 and the east facing elevation of the substation.
 - b. Unit 69, Bed 2 east facing major openings shall be modified to be minor openings.
 - c. Units 70-77 shall provide screening to the northern lot boundary to a height of at least 1.6m above the proposed finished floor level of the ground floor and outdoor living area to ensure compliance with Clause 5.4.1 of the R-Codes (Visual Privacy).
 - d. Details of wayfinding entry signage to be provided.All revised plans are to be prepared and implemented thereafter to the satisfaction of the City.
4. Prior to the submission of a Building Permit, approval from the Department of Biodiversity, Conservation and Attractions of detailed drawings of the overland flow path structural erosion measures shall be provided to the City of Stirling to ensure that any stormwater runoff into the adjoining reserve is adequately controlled.
5. Prior to occupation of the development, Lot Number 163 on Deposited Plan 47215 and Lot Number 155 on Deposited Plan 47216 shall be amalgamated into a single lot on a Certificate of Title.

Building Design

6. Unless otherwise agreed, 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.
7. All clothes drying areas, air-conditioning units, ducts and other services shall be located and positioned so as to be screened from Harborne Street and the communal street.
8. Unless otherwise agreed, prior to the occupation of the development, the development shall incorporate all aspects of the schedule of materials, finishes and colours to the satisfaction of the City.
9. The infill panels forming part of the front fencing shall be visually permeable as defined by the Residential Design Codes to the satisfaction of the City.



10. 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, orunless further approval of Council is obtained.
11. Dwellings with adjoining double storey boundary walls must be built concurrently to satisfy the Design Principles of Clause 5.1.3 (Lot Boundary Setbacks) or finished appropriately in either a painted finish or similar, to the satisfaction of the City.
12. Prior to occupation of the development, all privacy screening shall be visually impermeable and is to satisfy all deemed to comply provisions of State Planning Policy 7.3 Residential Design Codes Volume 1 Clause 5.4.1 - Visual Privacy and shall be maintained in perpetuity for the duration of the development to the satisfaction of the City.

Construction Management

13. 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), staging plan, 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.

Landscaping

14. All landscaped areas are to be planted, reticulated and mulched in accordance with the approved Landscape Plan, prepared by Emerge associates, dated June 2022 prior to occupation of the development and maintained in accordance with the City's Local Planning Policy 6.6 - Landscaping.
15. Prior to the submission of a Building Permit, the applicant is to submit a Tree Protection Plan to the satisfaction of the City of Stirling demonstrating how the existing Significant tree will be retained and protected during construction. The Tree Protection Plan shall be in accordance with Australian Standard AS4970-2009 'Protection of Trees on Development Sites'. Measures identified in the Tree Protection Plan shall be implemented for the duration of the construction of the development, to the satisfaction of the City.
16. Prior to completion of the development, a minimum of 105 Advanced trees must be planted on site in the area indicated on the approved plan and be thereafter maintained. The trees must be provided with a minimum nine (9) square metres of soil space and a minimum dimension of two (2) metres at ground level free of intrusions to the satisfaction of the City. The planting of Advanced trees may be staged in accordance with a future staging plan to the satisfaction of the City.



Lighting

17. Adequate lighting is to be provided to communal pathways and parking areas to the satisfaction of the City of Stirling.
18. Any outside lighting to comply with Australian Standard AS4282-1997 - Control of the Obtrusive Effects of Outdoor Lighting for the control of obstructive effects of outdoor lighting and must not spill into any adjacent premises.

Parking and Vehicle Access

19. 25 visitor parking bays shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, and be suitably sign posted unless otherwise approved by the City.
20. All driveways, parking and manoeuvring areas shall be constructed of brick paving, drained and maintained in accordance with the City's Local Planning Policy 6.7 - Parking and Access prior to the occupation of the development. Alternative finishes such as concrete or bitumen are acceptable if it has a decorative finish to the satisfaction of the City.
21. Crossover/s shall be designed and constructed in accordance with the City's Local Planning Policy 6.7 - Parking and Access. Crossovers are to be installed prior to occupancy or use of the development.
22. Prior to the occupation or use of the development, any redundant crossovers shall be removed and the kerbing and road verge reinstated at the owners cost in accordance with the City's Local Planning Policy 6.7 - Parking and Access.

Waste Management

23. The approved Waste Management Plan prepared by Urbii (dated June 2022) is to be complied with for the duration of the occupation of the development.

Water Management

24. Stormwater from all roofed and paved areas shall be collected and contained on site unless otherwise detailed in accordance with the Environmental Review and Stormwater Management Strategy, prepared by Emerge Associates (Dated June 2022). Stormwater must not affect or be allowed to flow onto or into any other property or road reserve unless further approval is granted from the relevant authority.

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.
2. 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.



3. 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.
4. 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.
5. 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.
6. The Applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
8. Acid sulfate soils (ASS) risk mapping indicates that the site is located within an area identified as representing a moderate to low risk of ASS occurring within 3 metres of the natural soil surface. Please refer to Department of Water and Environmental Regulation's (DWER) acid sulfate soil guidelines for information to assist with the management of ground and/or groundwater disturbing works:

<https://www.der.wa.gov.au/your-environment/acid-sulfate-soils/69-acidsulfatesoils-guidelines>
9. The Department of Water and Environmental Regulation have provided the following advice:

The site is located within the Perth Groundwater Area, proclaimed under the Rights in Water and Irrigation Act 1914, where a licence may be required for dewatering. A licence is not required for dewatering purposes if:
 1. The development is within the water table (non-artesian) aquifer; and Swan Avon Region.
 2. Water is taken from the well solely for the purpose of removing underground water to facilitate construction or other activity (that is, dewatering); and
 3. the water is taken at a pump rate not exceeding 10 litres per second over period of less than 30 consecutive days; and
 4. the volume of water taken over the period does not exceed 25 000 kilolitres.



The issue of a licence is not guaranteed but if issued will contain a number of conditions including the quantity of water that can be pumped each year. The proponent is encouraged to contact the Department's Swan Avon Region office on 6250 8000 or licence.enquiry@dwer.wa.gov.au to discuss water management options.

10. 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.
11. All street trees adjoining the subject land as shown on the submitted plans are to be retained and protected. It is the responsibility of the applicant to ensure that the site survey plan is correct as any inaccuracy of the plans will not be considered justification for removal of the trees in the event that their positions are incorrectly shown. The removal of street trees without the written approval of the City is an offence.
12. An Advanced tree is defined in the City's Local Planning Policy 6.11 - Trees and Development as: *means a tree which requires planting in at least a 90 litre container or greater size and which is at least 2 metres in height and at least 2 years of age.*
13. With regard to the front fencing, visually permeable is defined as "*in reference to a wall, gate, door or fence that the vertical surface has continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area; continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or a surface offering equal or lesser obstruction to view; as viewed directly from the street*".
14. Connection to Deep Sewer in the locality.
15. 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.
16. 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.
17. The applicant is advised that 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.
18. The City advises that a Public Open Space contribution will be requested through the subdivision application.



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

REASON: The development grouped dwelling, townhouse scale form is consistent with the planning framework, and provided suitable housing mix and choice within the location. The single vehicles access solution reflects the road network and traffic movements. The members noted the DRP design comment, but were of the opinion that greater façade design, materials and colours were appropriate on the site to create diversity in the complex and supported minor condition change to accommodate opportunities for design.

Minor modification of conditions was supported to clarify aspects of the development. On balance the proposal was supported include of minor condition changes having regard to the above and the reasons as given in the RAR.

8.1b Lot Numbers 163 And 155, House Numbers 315 And 319 Harborne Street, Glendalough

Development Description:	100 Grouped Dwellings
Applicant:	CLE Town Planning & Design
Owner:	Mr Joseph Tassone, Ms Nicola Tassone, and Mr Salvatore Tassone.
Responsible Authority:	WAPC - DUAL
DAP File No:	DAP/22/02206

REPORT RECOMMENDATION

Moved by: Mr John Syme

Seconded by: Cr Suzanne Migdale

That the Metro Inner-North Joint Development Assessment Panel resolves to **approve** DAP Application reference DAP/22/02206 and accompanying plans date stamped 28 July 2022, in accordance with clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

Conditions

1. 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.

Advice Notes

1. The landowner/applicant is advised that a public open space contribution may be required at the subdivision stage of the development, consistent with the *Planning and Development Act 2005* and *Development Control Policy 2.3 – Public Open Space in Residential Areas*.



The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The JDAP supported the proposal consistent with the recommendation and reasons outlined in the RAR.

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

Nil.

10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

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

11. General Business

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

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 1.04pm.