



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Monday, 21 November 2022; 9:30am
Meeting Number: MINJDAP/163
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 Francesca Lefante (Presiding Member)
Ms Lee O'Donohue (Deputy Presiding Member)
Mr John Syme (Third Specialist Member)
Cr Suzanne Migdale (Local Government Member, City of Stirling)
Cr Felicity Farrelly (Local Government Member, City of Stirling)

Officers in attendance

Ms Karina Bowater (City of Stirling)
Mr Dean Williams (City of Stirling)
Mr James Fletcher (City of Stirling)

Minute Secretary

Mr Christopher Dodson (DAP Secretariat)
Ms Zoe Hendry (DAP Secretariat)

Applicants and Submitters

Mr Matthew Cain (Planning Solutions)
Mr Justin Carrier (Carrier and Postmus)
Mr Fred Chan (Carrier and Postmus)
Ms Sue Willner
Mr Joe Willner

Members of the Public / Media

Nil.



1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 21 November 2022 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

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

1.1 Announcements by Presiding Member

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

This meeting was convened via electronic means (Zoom). 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](#).

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil.



7. Deputations and Presentations

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

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 House Number 666 (Lot 504) Beaufort Street, Mount Lawley

Development Description: Mixed Use Development - Four (4) Multiple Dwellings and Two (2) Shop Tenancies
Applicant: Planning Solutions
Owner: Glanmire Pty Ltd
Responsible Authority: City of Stirling
DAP File No: DAP/22/02270

REPORT RECOMMENDATION

Moved by: Cr Suzanne Migdale

Seconded by: Cr Felicity Farrelly

That the Metro Inner-North JDAP resolves to:

Approve DAP Application reference DAP/22/02270 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, 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.
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 Metro Inner-North JDAP. The plans approved as part of this application form part of the development approval issued and are listed below:



Drawing Title	Date	Drawing Number	Drawn By
Site Plan	11 October 2022	2116	CAPA
Site Plan + Survey Overlay	11 October 2022	2116	CAPA
Ground Floor Plan	11 October 2022	2116	CAPA
First Floor Plan	11 October 2022	2116	CAPA
Second Floor Plan	11 October 2022	2116	CAPA
Roof Terrace Plan	11 October 2022	2116	CAPA
Elevations	11 October 2022	2116	CAPA
Elevations	11 October 2022	2116	CAPA
Elevations	11 October 2022	2116	CAPA
Section	11 October 2022	2116	CAPA
Streetscape Render – Beaufort Street Façade 1	11 October 2022	2116	CAPA
Streetscape Render – Beaufort Street Façade 2	11 October 2022	2116	CAPA
Streetscape Render – Beaufort to Walcott	11 October 2022	2116	CAPA
Streetscape Render – Shopfront 1	11 October 2022	2116	CAPA
Streetscape Render – Shopfront 2	11 October 2022	2116	CAPA
Streetscape Render – Shopfront 3	11 October 2022	2116	CAPA
(untitled)	11 October 2022	2116	CAPA
Exterior Render – Beaucott Lane	11 October 2022	2116	CAPA
(untitled)	11 October 2022	2116	CAPA
Interior Render – First Floor Bedroom	11 October 2022	2116	CAPA
Streetscape Render – Hallway Privacy Fence	11 October 2022	2116	CAPA
Exterior Render – Beaucott Lane	11 October 2022	2116	CAPA
Exterior Render – Beaucott Lane	11 October 2022	2116	CAPA

- An amended Site Plan including modifications to the landscaping and fence location is to be submitted prior to the submission of a Building Permit, to the satisfaction to the City of Stirling. (Refer to the relevant Advice Note).
- An amended Landscaping Plan which addresses the landscaping and fence location is to be submitted prior to the submission of a Building Permit, to the satisfaction to the City of Stirling. (Refer to the relevant Advice Note).
- 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. Prior to occupation of the development, the Right of Way (Beaucott Lane) along the southeast boundary of the subject land to be widened by 0.97m and the required land ceded free of cost to the Crown.
8. Prior to occupation of the development, all privacy screening shall be visually impermeable, to the satisfaction of the City of Stirling.
9. The Applicant is advised that the site is affected by the Western Australian Planning Commission (WAPC) Land Requirement Plan number 1.3561/1. Should the State seek to acquire the land for road widening, it will be at the landowner's cost to remove the subject section of the development within the road reservation and to make good the development.
10. Prior to the submission of a Building Permit application (relevant to the construction of the Multiple Dwellings), certification completed by a Liveable Housing Australia assessor confirming that the detailed design of the 'Silver Level' dwellings are compliant with the 'Silver Level' of the 'Liveable Housing Design Guidelines' produced by Liveable Housing Australia, must be submitted to, and approved in writing by, the City of Stirling. Prior to the submission of an Occupancy Permit application, all required design features shall be installed and operational.
11. All Energy Efficiency measures as identified by the Planning Report received on 13 July 2022 as prepared by Planning Solutions are to be incorporated into the building design and implemented prior to the occupancy of the development, to the satisfaction of the City of Stirling.
12. The development is to achieve all Water Management and Conservation measures as identified by the Planning Report received on 13 July 2022 as prepared by Planning Solutions, to the satisfaction of the City of Stirling.
13. The development is to be connected to the sewer.
14. The volume of any stormwater permitted by the City of Stirling to be disposed using the existing connections into the City of Stirling's drainage system, shall not exceed the pre-development volume. Excess 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, to the satisfaction of the City of Stirling.



On-site Engineering

15. The number and allocation of car parking bays is to be provided on-site as follows:
 - a. Four (4) residential car parking bays; and
 - b. Two (2) non-residential car parking bays.
16. All on-site car parking bays are to be compliant with the Australian Standards Australian Standard / New Zealand Standard 2890.1 and Australian Standard / New Zealand Standard 2890.6, to the satisfaction of the City of Stirling.
17. Unless otherwise approved, no further walls, letterboxes or fences above 0.75 metres in height to be constructed within the 1.5 metres of where;
 - a. walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. a driveway meets a public street, or
 - c. two streets intersect, or
 - d. driveway meets a right of way.
18. Prior to occupation, vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City of Stirling and the parking spaces being marked out and maintained in good repair.
19. All crossovers shall be designed and installed prior to occupation of the development, to the satisfaction of the City of Stirling.
20. Prior to the occupation of the development, the redundant crossovers shall be removed and the kerbing and road reserve reinstated at the owners cost, to the satisfaction of the City of Stirling.
21. The relative level (RL) of the accessible bay and adjacent shared space provided in the at-grade car parking area is to be at a maximum grade of 3%.

Environmental Health

22. All noise attenuation measures identified by the Architectural Acoustic Report prepared by Gabriels Hearne Farrel dated 11 April 2022 (Attachment 6d), including the practical mitigations required to meet the noise criteria of State Planning Policy 5.4 – Road and Rail Noise are to be incorporated into the building design and implemented prior to the occupation of the development.
23. Prior to the occupation of the development, a notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on Certificates of Title 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:

“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.”
24. Unless otherwise agreed, all deliveries to the site and waste collections from the site are to take place between the hours of 7am to 7pm Monday to Saturday and 9am to 7pm Sundays and Public Holidays, to the satisfaction of the City of Stirling.



25. Architectural lighting of the building and lighting under all awnings, parking areas, service areas, footpaths and entry and exit points to be provided prior to occupation of the development.
26. Any outside lighting to comply with Australian Standards AS4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any adjacent residential premises.
27. An amended Waste Management Plan is to be submitted prior to occupation of the development, to the satisfaction of the City of Stirling. The amended Waste Management Plan is to be complied with for the life of the development unless otherwise amended and approved by the City of Stirling.

Landscaping

28. Prior to occupation of the development, a minimum of one (1) Advanced Tree must be planted on site in the rear landscaping area facing Beaucott Lane and be thereafter maintained. The Advanced Tree must be provided with a portion of uncovered deep soil area around the trunk at ground level which is free of intrusions, to the satisfaction of the City of Stirling.
29. 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 in perpetuity, to the satisfaction of the City of Stirling.

General

30. Each multiple dwelling shall be provided with a mechanical dryer prior to the occupation of the development.
31. A minimum of four (4) bicycle parking bays shall be provided on site prior to the occupation of the development. The design and construction of the bicycle bays shall be in accordance with Australian Standards AS2890.3:2015.
32. A Site Management Plan shall be submitted for approval to the satisfaction of the City of Stirling prior to the submission of a Building Permit. The Site Management Plan shall address dust, noise, waste management, construction parking, traffic, storage of materials and site safety / security. The Site Management Plan is to be complied with for the duration of the construction of the development.
33. Stormwater from all roofed and paved areas is to be collected and contained on site. There shall be no connection to the City's drainage infrastructure without the written approval of the City of Stirling.
34. No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.



35. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, to the satisfaction of the City of Stirling.
36. All air conditioning units, plant and roof equipment and other external fixtures are to be screened from view from the surrounding streets and adjoining properties, to the satisfaction of the City of Stirling.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
2. In regards to the approved land uses, any proposal to change the land use may require further approval in accordance with the City of Stirling's Local Planning Scheme No.3 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. In relation to the Condition requiring an amended Site Plan, this is able to be satisfied through the relocation of the north-eastern fence to provide an increased setback and uncovered deep soil area to the two (2) retained trees on the north-eastern lot boundary, to the satisfaction of the City of Stirling.

Landscaping

4. In reference to the Condition regarding Advanced Trees, an Advanced Tree is defined in Local Planning Policy 6.11 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.'*
5. In relation to the Condition requiring an amended Landscaping Plan, this is able to be satisfied through the removal of portions of permeable pavers surrounding the two (2) retained trees and one (1) new Advanced Tree, to provide uncovered deep soil area to these trees, to the satisfaction of the City of Stirling.



Environmental Health

6. The following advice is provided from the City of Stirling's Environmental Health Services Business Unit:
 - a. The demolition is to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
 - b. A Dust Management Plan is required for demolition.
 - c. The demolition is to comply with the *Health (Asbestos) Regulations 1992*.
 - d. The building is to comply with the provisions of the *Sewerage (Lighting, Ventilation & Construction) Regulations 1971*.
 - e. Mechanical services are to comply with Australian Standards AS1668.2 Provide compliance certification of installation of all mechanical services.
 - f. If a water based air conditioning system is selected, the air conditioning system to comply with the provisions of the Health (Air-Handling & Water Systems) Regulations 1994.
 - g. Plumbing is to comply with the Plumbing Code of Australia. Compliance certification of installation of all hydraulic services is to be provided.
 - h. Site noise emissions are to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
 - i. The car parking area is to comply with the provisions of the *Health Act (Carbon Monoxide) Regulations 1975*.
 - j. All areas within the development that are classed as a public building are to comply with the *Health (Public Buildings) Regulations 1992*.
 - k. Development to comply in all respects with the *Health (Public Building) Regulations 1992*.
 - l. Delivery vehicles must comply with the *Environmental Protection (Noise) Regulations*.

General

7. Construction noise is to comply with the *Environmental Protection (Noise) Regulations*. Noisy Construction Work outside the period 7 am to 7 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued by the City of Stirling.
8. The proposed crossover configuration is subject to the approval of the City of Stirling's Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.
9. The development is to be connected to the reticulated sewerage network.



AMENDING MOTION 1

Moved by: Cr Suzanne Migdale

Seconded by: Mr John Syme

To delete Condition No. 9, remaining conditions be renumbered accordingly and insert it as Advice Note No. 10 (now No.9).

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

For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr John Syme
Cr Suzanne Migdale

Against: Cr Felicity Farrell

REASON: The nature of the details are advisory and accordingly will now appear as an Advice Note.



AMENDING MOTION 2

Moved by: Cr Suzanne Migdale

Seconded by: Cr Felicity Farrelly

That Advice Note No. 9 be deleted, and the remaining advice notes be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Not required as the information is contained in Condition 13.

AMENDING MOTION 3

Moved by: Cr Suzanne Migdale

Seconded by: Ms Lee O'Donohue

That Condition No. 27 be deleted, and the remaining conditions be renumbered accordingly.

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

For: Ms Lee O'Donohue
Cr Suzanne Migdale

Against: Ms Francesca Lefante
Mr John Syme
Cr Felicity Farrell

AMENDING MOTION 4

Moved by: Cr Suzanne Migdale

Seconded by: Nil.

That Condition No. 20 (Now Condition No. 19) be amended to read as follows:

Prior to the occupation of the development, the redundant crossovers shall be removed and the kerbing and road reserve reinstated ~~at the owners cost,~~ to the satisfaction of the City of Stirling.

The Amending Motion lapsed for want of a seconder.



AMENDING MOTION 5

Moved by: Cr Felicity Farrell

Seconded by: Ms Lee ODonohue

That Condition No. 7 be amended to read as follows:

*Prior to occupation of the development, the Right of Way (Beaucott Lane) along the southeast boundary of the subject land to be widened by ~~0.97m~~ **0.50m** and the required land ceded free of cost to the Crown.*

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

For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr John Syme
Cr Felicity Farrell

Against: Cr Suzanne Migdale

REASON: To reflect the extent of lane widening required which is associated with the development.



REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner-North JDAP resolves to:

Approve DAP Application reference DAP/22/02270 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, 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.
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 Metro Inner-North JDAP. The plans approved as part of this application form part of the development approval issued and are listed below:

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(untitled)	11 October 2022	2116	CAPA
Exterior Render – Beaucott Lane	11 October 2022	2116	CAPA



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Interior Render – First Floor Bedroom	11 October 2022	2116	CAPA
Streetscape Render – Hallway Privacy Fence	11 October 2022	2116	CAPA
Exterior Render – Beaucott Lane	11 October 2022	2116	CAPA
Exterior Render – Beaucott Lane	11 October 2022	2116	CAPA

4. An amended Site Plan including modifications to the landscaping and fence location is to be submitted prior to the submission of a Building Permit, to the satisfaction to the City of Stirling. (Refer to the relevant Advice Note).
5. An amended Landscaping Plan which addresses the landscaping and fence location is to be submitted prior to the submission of a Building Permit, to the satisfaction to the City of Stirling. (Refer to the relevant Advice Note).
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. Prior to occupation of the development, the Right of Way (Beaucott Lane) along the southeast boundary of the subject land to be widened by 0.50m and the required land ceded free of cost to the Crown.
8. Prior to occupation of the development, all privacy screening shall be visually impermeable, to the satisfaction of the City of Stirling.
9. Prior to the submission of a Building Permit application (relevant to the construction of the Multiple Dwellings), certification completed by a Liveable Housing Australia assessor confirming that the detailed design of the 'Silver Level' dwellings are compliant with the 'Silver Level' of the 'Liveable Housing Design Guidelines' produced by Liveable Housing Australia, must be submitted to, and approved in writing by, the City of Stirling. Prior to the submission of an Occupancy Permit application, all required design features shall be installed and operational.
10. All Energy Efficiency measures as identified by the Planning Report received on 13 July 2022 as prepared by Planning Solutions are to be incorporated into the building design and implemented prior to the occupancy of the development, to the satisfaction of the City of Stirling.
11. The development is to achieve all Water Management and Conservation measures as identified by the Planning Report received on 13 July 2022 as prepared by Planning Solutions, to the satisfaction of the City of Stirling.
12. The development is to be connected to the sewer.



13. The volume of any stormwater permitted by the City of Stirling to be disposed using the existing connections into the City of Stirling's drainage system, shall not exceed the pre-development volume. Excess 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, to the satisfaction of the City of Stirling.

On-site Engineering

14. The number and allocation of car parking bays is to be provided on-site as follows:
 - a. Four (4) residential car parking bays; and
 - b. Two (2) non-residential car parking bays.
15. All on-site car parking bays are to be compliant with the Australian Standards Australian Standard / New Zealand Standard 2890.1 and Australian Standard / New Zealand Standard 2890.6, to the satisfaction of the City of Stirling.
16. Unless otherwise approved, no further walls, letterboxes or fences above 0.75 metres in height to be constructed within the 1.5 metres of where;
 - a. walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. a driveway meets a public street, or
 - c. two streets intersect, or
 - d. driveway meets a right of way.
17. Prior to occupation, vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City of Stirling and the parking spaces being marked out and maintained in good repair.
18. All crossovers shall be designed and installed prior to occupation of the development, to the satisfaction of the City of Stirling.
19. Prior to the occupation of the development, the redundant crossovers shall be removed and the kerbing and road reserve reinstated at the owners cost, to the satisfaction of the City of Stirling.
20. The relative level (RL) of the accessible bay and adjacent shared space provided in the at-grade car parking area is to be at a maximum grade of 3%.



Environmental Health

21. All noise attenuation measures identified by the Architectural Acoustic Report prepared by Gabriels Hearne Farrel dated 11 April 2022 (Attachment 6d), including the practical mitigations required to meet the noise criteria of State Planning Policy 5.4 – Road and Rail Noise are to be incorporated into the building design and implemented prior to the occupation of the development.
22. Prior to the occupation of the development, a notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on Certificates of Title 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:

“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.”
23. Unless otherwise agreed, all deliveries to the site and waste collections from the site are to take place between the hours of 7am to 7pm Monday to Saturday and 9am to 7pm Sundays and Public Holidays, to the satisfaction of the City of Stirling.
24. Architectural lighting of the building and lighting under all awnings, parking areas, service areas, footpaths and entry and exit points to be provided prior to occupation of the development.
25. Any outside lighting to comply with Australian Standards AS4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any adjacent residential premises.
26. An amended Waste Management Plan is to be submitted prior to occupation of the development, to the satisfaction of the City of Stirling. The amended Waste Management Plan is to be complied with for the life of the development unless otherwise amended and approved by the City of Stirling.

Landscaping

27. Prior to occupation of the development, a minimum of one (1) Advanced Tree must be planted on site in the rear landscaping area facing Beaucott Lane and be thereafter maintained. The Advanced Tree must be provided with a portion of uncovered deep soil area around the trunk at ground level which is free of intrusions, to the satisfaction of the City of Stirling.
28. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved plans and maintained thereafter in perpetuity, to the satisfaction of the City of Stirling.



General

29. Each multiple dwelling shall be provided with a mechanical dryer prior to the occupation of the development.
30. A minimum of four (4) bicycle parking bays shall be provided on site prior to the occupation of the development. The design and construction of the bicycle bays shall be in accordance with Australian Standards AS2890.3:2015.
31. A Site Management Plan shall be submitted for approval to the satisfaction of the City of Stirling prior to the submission of a Building Permit. The Site Management Plan shall address dust, noise, waste management, construction parking, traffic, storage of materials and site safety / security. The Site Management Plan is to be complied with for the duration of the construction of the development.
32. Stormwater from all roofed and paved areas is to be collected and contained on site. There shall be no connection to the City's drainage infrastructure without the written approval of the City of Stirling.
33. No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
34. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, to the satisfaction of the City of Stirling.
35. All air conditioning units, plant and roof equipment and other external fixtures are to be screened from view from the surrounding streets and adjoining properties, to the satisfaction of the City of Stirling.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
2. In regards to the approved land uses, any proposal to change the land use may require further approval in accordance with the City of Stirling's Local Planning Scheme No.3 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. In relation to the Condition requiring an amended Site Plan, this is able to be satisfied through the relocation of the north-eastern fence to provide an increased setback and uncovered deep soil area to the two (2) retained trees on the north-eastern lot boundary, to the satisfaction of the City of Stirling.



Landscaping

4. In reference to the Condition regarding Advanced Trees, an Advanced Tree is defined in Local Planning Policy 6.11 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.'*
5. In relation to the Condition requiring an amended Landscaping Plan, this is able to be satisfied through the removal of portions of permeable pavers surrounding the two (2) retained trees and one (1) new Advanced Tree, to provide uncovered deep soil area to these trees, to the satisfaction of the City of Stirling.

Environmental Health

6. The following advice is provided from the City of Stirling's Environmental Health Services Business Unit:
 - a. The demolition is to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
 - b. A Dust Management Plan is required for demolition.
 - c. The demolition is to comply with the *Health (Asbestos) Regulations 1992*.
 - d. The building is to comply with the provisions of the *Sewerage (Lighting, Ventilation & Construction) Regulations 1971*.
 - e. Mechanical services are to comply with Australian Standards AS1668.2 Provide compliance certification of installation of all mechanical services.
 - f. If a water based air conditioning system is selected, the air conditioning system to comply with the provisions of the Health (Air-Handling & Water Systems) Regulations 1994.
 - g. Plumbing is to comply with the Plumbing Code of Australia. Compliance certification of installation of all hydraulic services is to be provided.
 - h. Site noise emissions are to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
 - i. The car parking area is to comply with the provisions of the *Health Act (Carbon Monoxide) Regulations 1975*.
 - j. All areas within the development that are classed as a public building are to comply with the *Health (Public Buildings) Regulations 1992*.
 - k. Development to comply in all respects with the *Health (Public Building) Regulations 1992*.
 - l. Delivery vehicles must comply with the *Environmental Protection (Noise) Regulations*.

General

7. Construction noise is to comply with the *Environmental Protection (Noise) Regulations*. Noisy Construction Work outside the period 7 am to 7 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued by the City of Stirling.



8. The proposed crossover configuration is subject to the approval of the City of Stirling's Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.
9. The Applicant is advised that the site is affected by the Western Australian Planning Commission (WAPC) Land Requirement Plan number 1.3561/1. Should the State seek to acquire the land for road widening, it will be at the landowner's cost to remove the subject section of the development within the road reservation and to make good the development.

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

REASON: The proposed development is consistent with the planning framework and is an appropriate design in the context of the site within the Mount Lawley townsite. The design, scale and height in the context of the historic built form character of the area. The ground floor inclusion of two tenancies is consistent with street activation objectives of the townsite. The inclusion of the residential activities enhances the mix of uses and vibrancy of the townsite and Beaufort Street. Members commenting that the exterior architecture and materials are compatible with the heritage, streetscape & character of the area.

The inclusion of Beaucott Lane widening of 0.50m was considered sufficient to provided traffic movement of the lane, site servicing and access to on-site parking. Overall, the site location is considered appropriate for the mixed-use design with ground level which supports and enhances vibrant townsite. The proposal was supported having regard to the above and the reasons as given 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/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
DAP/22/02229 DR172/2022	Town of Cambridge	413 (Lot 11) Vincent Street West, Leederville	Two-Storey Childcare Centre	04/10/2022
DAP/22/02191 DR192/2022	City of Vincent	No. 391 (Lot: 20) Lord Street, Mount Lawley	Proposed Mixed Use Development	31/10/2022
DAP/22/02276 DR194/2022	Town of Cottesloe	19 Napoleon Street (Lot 20) Cottesloe (Also Known As 19 & 21 Napoleon Street)	Four-Storey Office Building With Rooftop Terrace, And Change Of Use Of Existing Ground Floor Buildings To 'Restaurant And Small Bar)	04/11/2022



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 11:23am.

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