



Metro Inner-North Joint Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 25 August 2022; 9.30am
Meeting Number: MINJDAP/150
Meeting Venue: City of Stirling
25 Cedric Street, Stirling

1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement.....	2
2.	Apologies.....	3
3.	Members on Leave of Absence.....	3
4.	Noting of Minutes.....	3
5.	Declaration of Due Consideration.....	3
6.	Disclosure of Interests.....	3
7.	Deputations and Presentations.....	4
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	5
8.1	House Numbers 190 (Lot 7) and 200 (Lot 12) Karrinyup Road, Karrinyup ...	5
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	36
	Nil.....	36
10.	State Administrative Tribunal Applications and Supreme Court Appeals ...	36
11.	General Business.....	37
12.	Meeting Closure	37



Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Ms Lee O'Donohue (Deputy Presiding Member)
Mr Jason Hick (A/Third Specialist Member)
Cr Suzanne Migdale (Local Government Member, City of Stirling)
Cr Felicity Farrelly (Local Government Member, City of Stirling)

Officers in attendance

Mr Steven Rodic (City of Stirling)
Ms Amanda Sheers (City of Stirling)
Mr Cameron Howell (City of Stirling)
Mr Russell Jackson (City of Stirling)
Mr Frank Strever (City of Stirling)

Minute Secretary

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

Applicants and Submitters

Mr Robert Walker (Planning Solutions)
Mr Ben Doyle (Planning Solutions)
Mr Brenton Loth (AMP Capital)
Mr Jimmy Thompson (MJA Studio)
Mr Wes Barrett (MJA Studio)
Mr Joel Barker (See Design Studio)
Mr Matthew Chau (Blackburne)
Mayor Mark Irwin (City of Stirling)
Ms Monika Jarret (KRRD)
Ms Lynne Noack (KRRD)
Mr Antony Jarret (KRRD)
Mr Simon Wheeler (KRRD)
Mr Sam Murphy
Mr Ken Perry

Members of the Public / Media

There were 31 members of the public in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.33am on 25 August 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 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

Mr John Syme (Third Specialist 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 Presiding Member notes an addendum to the agenda was published to include council resolution in relation to Item 8.1, received on 19 August 2022.

The Presiding Member notes an addendum to the agenda was published to include details of a DAP request for further information and responsible authority response in relation to Item 8.1, received on 23 August 2022.

The Presiding Member notes an addendum to the agenda was published to include details of a DAP request for an alternate recommendation and responsible authority response in relation to Item 8.1, received on 24 August 2022.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

DAP Member, Cr Felicity Farrelly, declared an Impartiality Interest in item 8.1. as the rezoning occurs in her Ward, and she knows some of the residents speaking today. She has not spoken to any residents regarding this JDAP.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in the discussion and voting on the item.



7. Deputations and Presentations

- 7.1 Mr Ken Perry addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.2 Ms Monica Jarret (KRRD) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.3 Ms Lynne Noack (KRRD) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.4 Mr Antony Jarret (KRRD) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.5 Mr Simon Wheeler (KRRD) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.6 Mayor Mark Irwin (City of Stirling) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.7 Mr Sam Murphy addressed the DAP against the recommendation for the application at Item 8.1.
- 7.8 Mr Brenton Loth (AMP Capital) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.9 Mr Jimmy Thompson and Mr Wes Barrett (MJA Studio) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.10 Mr Joel Barker (See Design Studio) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.11 Mr Ben Doyle (Planning Studios) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.12 Mr Matthew Chau and Mr Ben Pearse (Blackburne) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.13 The City of Stirling Officers addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

*Cr Suzanne Migdale left the panel at 10.52am
Cr Suzanne Migdale joined the panel at 10.57am.*



PROCEDURAL MOTION

Moved by: Ms Francesca Lefante

Seconded by: Ms Lee O'Donohue

That the meeting be adjourned for a period of 5 minutes.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

The meeting was adjourned at 12.41pm.

The meeting was reconvened at 12.57pm.

REASON: to allow members a comfort break

PROCEDURAL MOTION

Moved by: Cr Suzanne Migdale

Seconded by: Cr Felicity Farrelly

That the consideration of DAP Application DAP/22/02226 be deferred for 6 months, in accordance with section 5.10.1a of the DAP Standing Orders 2020, to allow the City of Stirling time to complete the visioning exercise for Karrinyup.

REASON: The City wants to ensure that the development is considered in the context of Council's most recent planning directions.

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

For: Cr Suzanne Migdale
Cr Felicity Farrelly

Against: Ms Francesca Lefante
Ms Lee O'Donohue
Mr Jason Hick

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 House Numbers 190 (Lot 7) and 200 (Lot 12) Karrinyup Road, Karrinyup

Development Description:	Mixed Use Development - 253 Multiple Dwellings and Two (2) Commercial Tenancies
Applicant:	Planning Solutions
Owner:	AMP Capital Funds Management Ltd
Responsible Authority:	City of Stirling
DAP File No:	DAP/22/02226

REPORT RECOMMENDATION

Moved by: Cr Suzanne Migdale

Seconded by: Cr Felicity Farrelly

This DAP application has been called in by Council. The Council resolution is scheduled after the RAR due date. The Officer Recommendation is as follows –



That the Metro Inner-North JDAP resolves to:

1. **Refuse** DAP Application reference DAP/22/0226 and accompanying plans (as listed in the table) 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 following reasons:

Reasons

- a. Pursuant to Schedule 2, Part 9, Clause 67 (2)(b) and (c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the height, bulk and scale of the proposed development is not consistent with orderly and proper planning as this is a significant development, in the absence of an adopted Activity Centre Plan, Precinct Structure Plan or Local Development Plan that would guide the vision for this Secondary Activity Centre.
- b. Pursuant to Schedule 2, Part 9, Clause 67 (2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development does not satisfy the following Design Elements of State Planning Policy 7.3, Volume 2:
 - i. Part 2 – Primary Controls: Elements 2.2 – Building Height, 2.3 – Street Setbacks, 2.5 – Plot Ratio and 2.6 – Building Depth;
 - ii. Part 3 – Siting the Development: Elements 3.1 – Site Analysis and Design Response, 3.2 – Orientation, 3.3 – Tree Canopy and Deep Soil Areas, 3.6 – Public Domain Interface and 3.9 – Car and Bicycle Parking; and
 - iii. Part 4 – Designing the Building: Elements 4.1 Solar and Daylight Access, 4.2 Natural Ventilation, 4.3 Size and Layout of Dwellings, 4.7 – Managing the Impact of Noise, 4.10 – Façade Design, 4.12 – Landscape Design and 4.14 – Mixed Use.
- c. Pursuant to Schedule 2, Part 9, Clause 67 (2)(g) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the height, bulk and scale of the proposed development does not satisfy the provisions and objectives of Local Planning Policy 5.7 – Karrinyup Regional Centre Guidelines.
- d. Pursuant to Schedule 2, Part 9, Clause 67 (2)(m) and (n) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the height, bulk and scale of the development is not compatible with its setting and will have a significant negative impact on the amenity of the locality. The scale of development is disproportionate to the existing character of the Activity Centre and surrounding suburban locality.
- e. Pursuant to Schedule 2, Part 9, Clause 67 (2)(x) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the topography and height, bulk and scale of the proposed development will have an adverse on the immediate and wider community.
- f. Pursuant to Schedule 2, Part 9, Clause 67 (2)(y) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, submissions received in relation to the proposed development raise valid concerns surrounding the lack of orderly and proper planning, specifically in relation to the height, bulk and scale of the proposed development which will have an adverse impact on the amenity of the surrounding properties and wider locality.



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

For: Cr Suzanne Migdale
Cr Felicity Farrelly

Against: Ms Lee O'Donohue
Mr Jason Hick
Ms Francesca Lefante

ALTERNATE MOTION

Moved by: Ms Lee O'Donohue

Seconded by: Mr Jason Hick

That the Metro Inner-North JDAP resolves to:

Approve DAP Application reference DAP/22/02226 and accompanying plans (as listed in Condition 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Stirling Local Planning Scheme No. 3, for the Mixed Use Development – 253 Multiple Dwellings and Two (2) Commercial Tenancies, Lots 7 and 12, House Numbers, 190 and 200 Karrinyup Road, Karrinyup, subject to the following conditions:

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 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).

PLAN TITLE	DATE	REVISION	DRAWN BY
Karrinyup West - Development Application	-	P	MJA Studio
2105189 FS001 Sheet 1 of 2	21 December 2021	A	Land Surveys
2105189 FS001 Sheet 2 of 2	21 December 2021	A	Land Surveys
21007 DA1.00 Site Context Plan	13 April 2022	A	MJA Studio
21007 DA0.01 Demolition Plan	1 July 2022	P	MJA Studio
21007 DA1.01 Floor Plans Basement 03	1 July 2022	P	MJA Studio
21007 DA1.02 Floor Plans Basement 02	1 July 2022	P	MJA Studio

Ms Francesca Lefante 
Presiding Member, Metro Inner-North JDAP



21007 DA1.03 Floor Plans Basement 01	1 July 2022	P	MJA Studio
21007 DA1.04 Floor Plans Ground Floor	1 July 2022	P	MJA Studio
21007 DA1.05 Floor Plans Level 01	1 July 2022	P	MJA Studio
21007 DA1.06 Floor Plans Level 02	1 July 2022	P	MJA Studio
21007 DA1.07 Floor Plans Level 03 - Level 06	1 July 2022	P	MJA Studio
21007 DA1.08 Floor Plans Level 07 - Level 12	1 July 2022	P	MJA Studio
21007 DA1.09 Floor Plans Level 13 - Level 17	1 July 2022	P	MJA Studio
21007 DA1.10 Floor Plans Level 18 - Level 22	1 July 2022	P	MJA Studio
21007 DA2.01 E1: North Elevation	1 July 2022	F	MJA Studio
21007 DA2.02 E2: East Elevation	1 July 2022	F	MJA Studio
21007 DA2.03 E3: South Elevation	1 July 2022	F	MJA Studio
21007 DA2.04 E4: West Elevation	1 July 2022	F	MJA Studio
21007 DA2.05 E5: South Tower (North Elevation)	1 July 2022	F	MJA Studio
21007 DA2.06 E6: North Tower (South Elevation)	1 July 2022	F	MJA Studio
21007 DA2.07 E7: Burroughs Rd Facade Elevation	13 April 2022	D	MJA Studio
21007 DA2.08 E8: Karrinyup Rd Facade Elevation	13 April 2022	D	MJA Studio
21007 DA3.01 Section S1	1 July 2022	F	MJA Studio
21007 DA3.02 Section S2	1 July 2022	F	MJA Studio
21007 DA3.03 Section S3	1 July 2022	F	MJA Studio
21007 DA3.04 Section S4	1 July 2022	F	MJA Studio
Apartment Types Type A1	7 July 2022	K	MJA Studio
Apartment Types Type B1	7 July 2022	K	MJA Studio
Apartment Types Type 1C	7 July 2022	K	MJA Studio
Apartment Types Type 2A	7 July 2022	K	MJA Studio
Apartment Types Type 2B	7 July 2022	K	MJA Studio
Apartment Types Type 2C	7 July 2022	K	MJA Studio
Apartment Types Type 2D	7 July 2022	K	MJA Studio
Apartment Types Type 2E	7 July 2022	K	MJA Studio
Apartment Types Type 2F	7 July 2022	K	MJA Studio
Apartment Types Type 3A	7 July 2022	K	MJA Studio
Apartment Types Type 3B	7 July 2022	K	MJA Studio
Apartment Types Type 3C	7 July 2022	K	MJA Studio
Apartment Types Type 3D	7 July 2022	K	MJA Studio
Apartment Types Type 3E	7 July 2022	K	MJA Studio
Apartment Types Type 3F	7 July 2022	K	MJA Studio
Apartment Types Type 3G	7 July 2022	K	MJA Studio
Apartment Types Type 3H	7 July 2022	K	MJA Studio
Apartment Types Penthouse 1	7 July 2022	K	MJA Studio
Apartment Types Penthouse 2	7 July 2022	K	MJA Studio
Karrinyup West Residential Development Landscape Architecture Design Report (41 pages)	1 July 2022	E	See Design Studio



4. Prior to the commencement of development, revised plans shall be submitted to the City of Stirling incorporating the following revisions:
 - a. The allocation of car bays to be amended to provide a minimum of 70 bays for the Restaurant tenancies and for residential visitor parking, and a minimum of 170 car bays for shopping centre staff.

Amended plans addressing the above modifications are to be submitted to the satisfaction of the City of Stirling prior to the lodgement of a Building Permit application. The Building Permit application is to incorporate these modifications.

5. No part of the development, other than landscaping is to be located upon the land reserved as Primary Regional Road under the Metropolitan Region Scheme.

Advertisements

6. All signage is to be in strict accordance with the City of Stirling Local Planning Policy 6.1 - Advertising Signs, unless further development approval is obtained.

Building Design

7. Prior to the submission of a Building Permit application, final details of the proposed materials, colours and finishes of the proposed development to be submitted to and approved by the City of Stirling, on the advice of the City of Stirling Design Review Panel. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on those approved plans, to the satisfaction of the City of Stirling.
8. All blank expanses of ground floor external walls are to be treated with an anti-graffiti coating or an alternative material/finish, to reduce the likelihood of and improve ease of graffiti removal, to the satisfaction of the City of Stirling.

Bushfire Management

9. The Bushfire Management Plan, prepared by Bushfire Prone Planning dated 17 December 2021, including any subsequent amendments approved in writing by the City of Stirling, shall be implemented in perpetuity to the satisfaction of the City of Stirling.

Construction Management

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



Contaminated Sites

11. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out at Lot 7, House Number 190 Karrinyup Road, Karrinyup to determine if remediation is required.

If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works at Lot 7, House Number 190 Karrinyup Road, Karrinyup to the satisfaction of the City of Stirling on the of the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.

Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Water and Environmental Regulation contaminated sites guidelines, to the satisfaction of the City of Stirling on the advice of the Department of Water and Environmental Regulation.

Landscaping

12. Prior to the commencement of works, a detailed Landscaping Plan is to be provided for the City of Stirling's approval, on the advice of Main Roads Western Australia, where applicable, that is generally in accordance with the landscaping plans prepared by See Design Studio dated 1 July 2022 and that demonstrates compliance with the approved development plans, all revised drawing conditions of this approval and Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.
13. Prior to the submission of the Building Permit application, the applicant must submit a Landscape Plan to the satisfaction of the City of Stirling in consultation with Main Roads for any landscaping located within the Primary Regional Road Reservation. Sight lines must be maintained at all times to ensure driver and pedestrian safety. Permanent landscaping must be limited and maintained to a mature height of 1 metre. The landscaping plan must be implemented at all times.
14. All existing trees identified for retention shall be protected during construction works to the satisfaction of the City of Stirling and thereafter retained and maintained in perpetuity, unless otherwise approved in writing by the City of Stirling.
15. Prior to occupation of the development, all Advanced Trees required by the approved detailed Landscaping Plan must be planted on site in the area indicated on the approved plan and be thereafter maintained. The Advanced Trees must be provided with the approved deep soli area at ground level free of intrusions, to the satisfaction of the City of Stirling.
16. Planting of the new street trees at the landowner's cost will be scheduled to occur in the next available planting season after the completion of the development. The landowner shall pay the cost of planting of the new street trees identified in the approved detailed Landscaping Plan prior to commencement of development as determined by the City of Stirling in the City's Street and Reserve Trees Policy, unless the landowner's payment towards the planting and maintenance costs are approved in an alternative manner in writing by the City of Stirling.



17. 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 in accordance with the City of Stirling's Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.

Land Use

18. The approved land use of the “Commercial” tenancies is Restaurant. The “Communal Golf Simulator” and “Communal Co-Work / Business Lounge” spaces are approved as communal residential amenity spaces for the use of residents and their guests of the development.
19. The total public floorspace of the commercial tenancies shall not exceed 420 square metres. The total alfresco dining area shall not exceed 310 square metres.

Legal

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

“The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise. The lots are subject to commercial noise associated with a tavern including music and people talking in an alfresco dining area.”

“The land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is/may be subject to a Bushfire Attack Level (BAL) report. Additional planning and building requirements may apply to development on this land”.

21. Prior to the occupation of any part of the development the subject of this application, the owner of Lots 7 and 12, House Numbers, 190 and 200 Karrinyup Road, Karrinyup, shall grant an easement in gross pursuant to Sections 195 and 196 of the *Land Administration Act 1997* for the benefit of the City of Stirling and the public at large over that portion of the land designated for vehicular and pedestrian traffic along the main street, the pedestrian public access way and the pocket park for the purposes of providing unrestricted public pedestrian and vehicular access, to the satisfaction of the City of Stirling.
22. Lots 7 and 12 shall be amalgamated into a single lot on a Certificate of Title. Amalgamation must occur prior to practical completion of the development, to the satisfaction of the City of Stirling. The development may be subdivided from the rest of the amalgamated lot afterwards.
23. Prior to the occupation of the development, a legal right of access to the car park containing the “AMP Staff Bays” is to be provided, including vehicle and pedestrian access to the car park, for the benefit of the property containing the Karrinyup Shopping Centre, for the purpose of staff parking for the shopping centre. All legal documentation required for the legal right of access to be executed must be submitted to, and approved in writing by, the City of Stirling. The approved legal right of access must in implemented in perpetuity.



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

Lighting and Security

25. Adequate lighting being provided to all public spaces including under awnings, parking areas, service areas, footpaths and entry and exit points, to the satisfaction of the City of Stirling.
26. Any outside lighting to comply with Australian Standard AS 4282-1997 - 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.

Details of any outside lighting to be submitted at the Building Permit application stage demonstrating compliance with Australian Standard AS 4282-1997.

Noise

27. Prior to the submission of a Building Permit application, a revised Acoustic Report shall be submitted to the City of Stirling for review and approval, on the advice of Main Roads Western Australia, where applicable. The revised Acoustic Report shall detail specific control measures relating to noise modelling and impact of the development including but not limited to:
- Noise from the Restaurant tenancies, music, patrons in open areas and kitchen exhaust.
 - Vibration and noise emissions from all on-site mechanical services, including air-conditioning systems.
 - Vibration and noise emissions from the pool pump and piping.
 - Vibration and noise emissions from the dropping of weights in the fitness centre.
 - Car park mechanical ventilation and other noise.
 - Communal open space abutting habitable rooms of dwellings.
 - Compliance with the noise requirements of State Planning Policy 5.4 Road and Rail Noise.

Upon completion, the landowner is to provide written confirmation that all recommendations in the Acoustic Report/s have been incorporated into the building design, with the certified building permit application. The recommendations and control measures identified in the revised Acoustic Report/s shall be incorporated into the design, development and operation of the proposed development, to the satisfaction of the City of Stirling.

The landowner shall provide written confirmation to the City of Stirling that the requirements of the Acoustic Report referred in the Acoustic Report have been incorporated into the completed development by the builder with the Form BA7 Completion Form, prior to occupation of the development. The recommendations of the revised Acoustic Report/s shall be complied with for the duration of the development.



28. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the approved acoustic report have been implemented. This is to be provided to the satisfaction of the City of Stirling.
29. Prior to occupation of the relevant stage of the development, a Certification Acoustic Report is to be submitted to the City of Stirling for review and approval demonstrating compliance with the applicable standards for environmental noise (*Environmental Protection (Noise) Regulations 1997*). Any identified elements of non-compliance shall be rectified prior to the occupation of the relevant stage of the development.
30. The landowner is to submit information detailing the actual noise emissions from the relevant stages of development once in operation. This information is to be provided to the City of Stirling within a two (2) month period from the commencement of operation. Should noise emissions exceeds assigned levels then further noise reduction measures are to be installed and implemented.
31. Unless otherwise included as part of the Waste Management Plan and associated Acoustic Reports, delivery and service vehicles are not permitted to enter the site outside the hours 7.00am to 7.00pm Monday to Saturday and 9.00am to 5.00pm Sundays and public holidays.

Off-Site Engineering

32. Prior to the commencement of works, detailed civil engineering construction drawings of Burroughs Road are to be submitted to the City of Stirling for written approval. These works are to include pedestrian refuge island for crossing Burroughs Road in line with the pedestrian public access way staircase and connections to the existing footpath network on the north western side of Burroughs Road. Prior to the occupation of the development, the works for Burroughs Road shall be undertaken at the owner's cost, in accordance with the design approved by the City of Stirling.
33. Prior to the occupation of the development, an underground electricity distribution system that can supply electricity to properties on both sides of the street, shall be provided to Burroughs Road for the entirety of the frontage of the development to Burroughs Road, including the decommissioning and removal of all existing aboveground electricity infrastructure and the provision of new connections to the underground electricity distribution system for affected properties on the north western side of Burroughs Road, to the specifications of Electricity Networks Corporation (Western Power) and to the satisfaction of the City of Stirling.
34. Prior to the occupation of the development, the City of Stirling is to be provided with "as constructed" copies in '.dwg' and '.pdf' format, of all road and drainage modification works.
35. Prior to the occupation of the development, a payment is to be made to the City of Stirling of an inspection fee equivalent to 1.5% of the tendered cost of construction works within the road reserve.



36. Prior to the occupation of the development, a payment to the City of Stirling of a 12 months defects liability period retention bond of 5% is required for the construction of all roads, footpaths, landscaping and associated drainage works, as estimated by the City of Stirling.

Parking and Vehicle Access

37. Prior to the submission of a Building Permit application, a Parking Management Plan shall be submitted to and approved by the City of Stirling. The Parking Management Plan must address, but is not limited to, details of how the security gates and intercom systems are to be operated. The approved Parking Management Plan is to be implemented in perpetuity, to the satisfaction of the City of Stirling.
38. Prior to the submission of a Building Permit application, certification confirming that the layout and dimensions of all driveways and parking areas is in accordance with Australian/New Zealand Standard AS/NZS2890.1:2004 - Parking Facilities Part 1: Off-Street Car Parking, AS 2890.2:2018 Parking Facilities Part 2: Off-Street Commercial Vehicle Facilities and AS/NZS2890.6.-2009: Parking Facilities Part 6: Off-Street Parking for People with Disabilities, must be submitted to, and approved in writing by, the City of Stirling. Prior to the occupation of the development, certification confirming the constructed design and markings of all parking areas are compliant with Australian Standards AS2890.1, AS2890.2 and AS2890.6 and the approved plans, must be submitted to, and approved in writing by, the City of Stirling.
39. Prior to the occupation of the development, all driveways, parking and manoeuvring areas shall be hard surface, drained and maintained in accordance with the City of Stirling's Local Planning Policy 6.7 - Parking and Access, to the satisfaction of the City of Stirling.
40. Visitor car and bicycle parking bays shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City of Stirling.
41. Prior to the occupation of the development, directional signage shall be located at the entry to the site directing visitors to the visitor car parking bays and bicycle spaces. The signage is to be implemented in perpetuity.
42. Prior to occupancy or use of the development all off street parking to be available onsite during business hours for all customers and staff, to the satisfaction of the City of Stirling.
43. The crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 - Parking and Access. The crossover is to be installed prior to occupation of the development.



44. Unless otherwise approved, no walls, fences, letterboxes or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
 - a. Walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. A driveway meets a public or private street, or
 - c. Two street intersect,unless the further approval of the City of Stirling is obtained.
45. Prior to the occupation of the development, the bicycle parking bays and end-of-journey facilities shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking.
46. Where a storeroom is solely accessible through an adjacent car parking bay, the storeroom and the car parking bay are to be assigned to the same dwelling.
47. Where two car parking bays are provided in a tandem arrangement, both car bays are to be assigned to the same dwelling.
48. The overall Karrinyup Shopping Centre site (including this part) is subject to a maximum 4,880 public car parking bays. The staff car parking bays are included within this maximum.

Sustainability

49. Prior to the submission of a Building Permit application, a revised Energy Efficiency Statement is to be submitted to the City of Stirling confirming all dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars and the development incorporates sustainable initiatives as per the submitted Sustainable Design Strategy prepared by Emergen dated 21 December 2021.

Universal Design

50. Prior to the submission of a Building Permit application (relevant to the construction of the Multiple Dwellings), certification completed by a Livable Housing Australia assessor confirming that the detailed design of the 'Silver Level' dwellings are compliant with the 'Silver Level' of the 'Livable Housing Design Guidelines' produced by Livable Housing Australia, must be submitted to, and approved in writing by, the City of Stirling. A minimum of 20% of dwellings are to be designed to achieve a 'Silver Level' rating. Prior to the submission of the occupation of the development, all required design features shall be installed and operational.
51. The ongoing maintenance of the platform lift is to be funded in perpetuity by the landowner.

Utilities, Facilities and External Fixtures

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



54. 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, in accordance with State Planning Policy 7.3 Residential Design Codes Volume 2 (Element 4.18 Utilities), to the satisfaction of the City of Stirling.
55. The residential storerooms are to be allocated to the dwellings in a manner consistent with State Planning Policy 7.3 Residential Design Codes Volume 2 (Element 4.6 Storerooms), to the satisfaction of the City of Stirling.

Waste Management

56. Prior to the commencement of development, a detailed Waste Management Plan is to be provided for the City of Stirling's approval, that is generally in accordance with the Waste Management Plan prepared by Encycle dated 21 December 2021 and that demonstrates compliance with the approved development plans, Local Planning Policy 6.3 – Bin Storage Areas and the *City of Stirling Waste Management Local Law 2010*, to the satisfaction of the City of Stirling. No waste collection is permitted from the Karrinyup Road or widened road reservation.

Water Management

57. The development is to be connected to the sewer.
58. 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. Stormwater must not be discharged to the Karrinyup Road reservation.

Wind Management

59. Prior to the submission of a Building Permit Application, a revised Wind Impact Assessment shall be submitted to the City of Stirling for its review and approval. The revised Wind Impact Assessment shall include a qualitative comparison to existing conditions around the proposed development and relevant and applicable validation demonstrating the accuracy of the comfort and safety predictions, or a wind tunnel test. Where relevant, any measures identified should be reflected in the development plans submitted for the Building Permit. Any recommended measures are to be implemented prior to occupation of the development.

Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the Development Assessment Panel or City of Stirling having first been sought and obtained.
2. If an applicant 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 Development Assessment Panel or City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Development Assessment Panel or City of Stirling's attention.
5. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
6. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
7. Where, in the opinion of the City of Stirling, achieving compliance with the conditions of approval require significant modifications to the approved plans, a Form 2 application will be required for consideration in accordance with Clause 17 or 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
8. In regard to the approved land uses, any proposal to change the land use may require further approval in accordance with the City of Stirling Local Planning Scheme No. 3 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Aquatic Facilities

9. Works to construct, alter or extend an aquatic facility must not be commenced by any person until the intended works have been approved by the Chief Health Officer (CHO), pursuant to Regulation 7 of the Health (Aquatic Facilities) Regulations 2007 (the Regulations). This requires the occupier of the land or premise for the aquatic facility to make a written application to the CHO using the construction, alteration, or extension of an aquatic facility application form.

An aquatic facility can only be operated if the CHO has issued a certificate of compliance that covers the facility's construction works. When construction work is completed, the occupier or owner's agent is required to contact the Water Unit on 9222 2000 to organise an inspection. Officers from the Department of Health or occasionally local government (as requested by the Department) will undertake a final inspection to confirm construction compliance.

10. Aquatic facilities must meet the requirements of the *Health (Aquatic Facilities) Regulations 2007* and the *Code of Practice for the design, construction, operation, management and maintenance of aquatic facilities*.



Construction Management

11. All construction works to comply with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
12. No works are permitted within the Karrinyup Road reservation unless Main Roads has issued a Working on Roads permit.

The applicant is required to submit an Application form to undertake works within the Karrinyup Road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.”

Contaminated Sites

13. In relation to the Contaminated Sites Condition and in accordance with regulation 31(1)(c) of the *Contaminated Sites Regulations 2006*, a mandatory auditor’s report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with that Condition. A current list of accredited auditors is available from www.dwer.wa.gov.au.

Food Businesses

14. All food premises activities are to comply with the *Food Act 2008*, Australian New Zealand Food Standards Code and City of Stirling Food Business Guide Design Construction Operation.

A Food Business Notification form is to be submitted for each premises with supporting plans and specifications of the food handling facilities for approval of the City of Stirling prior to internal fit out installation and operation. The plans will need to be prepared to an acceptable standard indicating the position and type of all proposed fittings and fixtures and details of floor, wall and ceiling finishes and floor drainage.

The general considerations include, but are not limited to, the following:

- a. The provision of food premises exhaust air discharge outlets above roof height of buildings and any surrounding residential uses, to prevent nuisances and to comply with AS1668.2 provisions.
- b. Grease traps are to be provided where required by the Water Corporation of WA.

Landscaping

15. An Advanced Tree is defined in Local Planning Scheme No. 3 and Local Planning Policy 6.11 as “a tree which requires planting in at least a 90 litre contained or greater size and which is at least two (2) metres in height and at least two (2) years of age”.



16. The associated contribution cost for the planting of new street trees is as follows:
- a. Cost of new tree (per tree): \$670.00 (current cost excluding GST).
- Tree species will be chosen by the City to reflect the surrounding streetscape. Costs include 2 years of watering and the provision that the City will replace the tree should it be damaged or die during that period. Unless otherwise approved in the detailed Landscaping Plan, the City will invoice the cost of the tree/s upon lodgement of a building permit.
17. In reference to the Landscaping Plan Condition for the Primary Regional Roads Reservation, the Landscape Architecture Design Report (Rev C dated 13 April 2022) prepared by See Design Studio may require modification to achieve compliance.
18. The Detailed Landscaping Plans required by the Landscaping Conditions will need to demonstrate how it coordinates with the approved Landscaping Plans for the Major Expansion of Karrinyup Shopping Centre. The Detailed Landscaping Plans will need to include the following information:
- a. Site boundaries;
 - b. Location of buildings, car parks, retaining walls, fencing and paving;
 - c. Sufficient construction details to clearly define the method of construction and materials use;
 - d. Species key showing species and number or symbol showing the location of species;
 - e. Planting bed clearly identified and species noted;
 - f. Identification of hard landscape materials (e.g. specify if paving is to be brick or concrete slabs etc.);
 - g. Existing vegetation (species and location) including those proposed to be removed;
 - h. Street frontages and road names;
 - i. Depth and extent of mulching to be used; and
 - j. Model number and manufacturers details for all landscape furniture.

Land Use

19. Public Floorspace is calculated in Local Planning Policy 6.7 as:
- a) *Measurements shall be taken within the finished surfaces of the internal walls of the building; and*
 - b) *Areas occupied by lifts, lift-wells, stairways, ramps, escalators, passages, corridors, lobby entries, kitchens, stages, sanitary areas, and staff areas, including staff areas behind counters, fixtures and similar areas shall not be included."*

Noise

20. In reference to the Acoustic Report Condition, the Acoustic Report (28803-3-19333-02 – Rev 2 dated December 2021) prepared by Herring Storer Acoustics should be modified to align with the requirements of State Planning Policy 5.4 – Road and Rail Noise and include the following:
- Referencing of noise model/s and all model inputs, including current and future traffic volumes, heavy vehicle percentages, road surfaces and vehicle speeds;
 - 20-year future traffic projections and associated noise forecasts;



- Main Roads Traffic Modelling Branch should be contacted to obtain the most up-to-date modelled traffic projections. Contact name, reference number and date should be detailed; and
- Noise modelling for all sensitive locations in the proposed development should be presented, in conjunction with associated noise mitigation recommendations to meet SPP 5.4 noise targets.

Off-Site Engineering

21. For any proposed works within the road reserve, detailed engineering construction plans are to be submitted and approved by the City of Stirling prior to works commencing on site. All relevant fees and bonds are to be paid by the owner, prior to the commencement of construction, to the satisfaction of the City of Stirling.
22. In relation to the bond for works within the road reserve, the 12 months defects liability period will commence from the date of practical completion, and the bond will be returned upon successful completion of any defects that may have arisen during that period. The bond is calculated based on the works within the road reserve.

Parking and Vehicle Access

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

Public Buildings

24. All premises where public building uses occur are to comply with the *Health (Public Building) Regulations 1992* and related standards.

Strata Title

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

Waste Management

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



AMENDING MOTION 1

Moved by: Ms Francesca Lefante

Seconded by: Ms Lee O'Donohue

That Condition No. 4 be deleted, and the remaining conditions be renumbered accordingly.

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

REASON: Parking provisions to reflect the plans submitted.

For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr Jason Hick

Against: Cr Suzanne Migdale
Cr Felicity Farrelly

AMENDING MOTION 2

Moved by: Ms Francesca Lefante

Seconded by: Ms Lee O'Donohue

That Condition No. 28 (Now Condition 27) and Condition No. 30 (Now Condition 29) be deleted, and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY

REASON: The conditions are redundant as they are duplicate of conditions regarding noise management and reporting.

AMENDING MOTION 3

Moved by: Ms Francesca Lefante

Seconded by: Ms Lee O'Donohue

That Condition No. 32 (Now Condition 29) be amended to read as follows:

Prior to the commencement of works, detailed civil engineering construction drawings of Burroughs Road are to be submitted to the City of Stirling for written approval. These works are to include pedestrian refuge island for crossing Burroughs Road in line with the pedestrian public access way staircase ~~and connections to the existing footpath network on the north western side of Burroughs Road~~. Prior to the occupation of the development, the works for Burroughs Road shall be undertaken at the owner's cost, in accordance with the design approved by the City of Stirling.

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

REASON: To provide clarity that the works comprise pedestrian refuge island.



For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr Jason Hick

Against: Cr Suzanne Migdale
Cr Felicity Farrelly

ALTERNATE MOTION (AS AMENDED)

Moved by: Ms Lee O'Donohue

Seconded by: Mr Jason Hick

That the Metro Inner-North JDAP resolves to:

Approve DAP Application reference DAP/22/02226 and accompanying plans (as listed in Condition 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Stirling Local Planning Scheme No. 3, for the Mixed Use Development – 253 Multiple Dwellings and Two (2) Commercial Tenancies, Lots 7 and 12, House Numbers, 190 and 200 Karrinyup Road, Karrinyup, subject to the following conditions:

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 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).

PLAN TITLE	DATE	REVISION	DRAWN BY
Karrinyup West - Development Application	-	P	MJA Studio
2105189 FS001 Sheet 1 of 2	21 December 2021	A	Land Surveys
2105189 FS001 Sheet 2 of 2	21 December 2021	A	Land Surveys
21007 DA1.00 Site Context Plan	13 April 2022	A	MJA Studio
21007 DA0.01 Demolition Plan	1 July 2022	P	MJA Studio
21007 DA1.01 Floor Plans Basement 03	1 July 2022	P	MJA Studio
21007 DA1.02 Floor Plans Basement 02	1 July 2022	P	MJA Studio
21007 DA1.03 Floor Plans Basement 01	1 July 2022	P	MJA Studio

Ms Francesca Lefante 
Presiding Member, Metro Inner-North JDAP



21007 DA1.04 Floor Plans Ground Floor	1 July 2022	P	MJA Studio
21007 DA1.05 Floor Plans Level 01	1 July 2022	P	MJA Studio
21007 DA1.06 Floor Plans Level 02	1 July 2022	P	MJA Studio
21007 DA1.07 Floor Plans Level 03 - Level 06	1 July 2022	P	MJA Studio
21007 DA1.08 Floor Plans Level 07 - Level 12	1 July 2022	P	MJA Studio
21007 DA1.09 Floor Plans Level 13 - Level 17	1 July 2022	P	MJA Studio
21007 DA1.10 Floor Plans Level 18 - Level 22	1 July 2022	P	MJA Studio
21007 DA2.01 E1: North Elevation	1 July 2022	F	MJA Studio
21007 DA2.02 E2: East Elevation	1 July 2022	F	MJA Studio
21007 DA2.03 E3: South Elevation	1 July 2022	F	MJA Studio
21007 DA2.04 E4: West Elevation	1 July 2022	F	MJA Studio
21007 DA2.05 E5: South Tower (North Elevation)	1 July 2022	F	MJA Studio
21007 DA2.06 E6: North Tower (South Elevation)	1 July 2022	F	MJA Studio
21007 DA2.07 E7: Burroughs Rd Facade Elevation	13 April 2022	D	MJA Studio
21007 DA2.08 E8: Karrinyup Rd Facade Elevation	13 April 2022	D	MJA Studio
21007 DA3.01 Section S1	1 July 2022	F	MJA Studio
21007 DA3.02 Section S2	1 July 2022	F	MJA Studio
21007 DA3.03 Section S3	1 July 2022	F	MJA Studio
21007 DA3.04 Section S4	1 July 2022	F	MJA Studio
Apartment Types Type A1	7 July 2022	K	MJA Studio
Apartment Types Type B1	7 July 2022	K	MJA Studio
Apartment Types Type 1C	7 July 2022	K	MJA Studio
Apartment Types Type 2A	7 July 2022	K	MJA Studio
Apartment Types Type 2B	7 July 2022	K	MJA Studio
Apartment Types Type 2C	7 July 2022	K	MJA Studio
Apartment Types Type 2D	7 July 2022	K	MJA Studio
Apartment Types Type 2E	7 July 2022	K	MJA Studio
Apartment Types Type 2F	7 July 2022	K	MJA Studio
Apartment Types Type 3A	7 July 2022	K	MJA Studio
Apartment Types Type 3B	7 July 2022	K	MJA Studio
Apartment Types Type 3C	7 July 2022	K	MJA Studio
Apartment Types Type 3D	7 July 2022	K	MJA Studio
Apartment Types Type 3E	7 July 2022	K	MJA Studio
Apartment Types Type 3F	7 July 2022	K	MJA Studio
Apartment Types Type 3G	7 July 2022	K	MJA Studio
Apartment Types Type 3H	7 July 2022	K	MJA Studio
Apartment Types Penthouse 1	7 July 2022	K	MJA Studio
Apartment Types Penthouse 2	7 July 2022	K	MJA Studio
Karrinyup West Residential Development Landscape Architecture Design Report (41 pages)	1 July 2022	E	See Design Studio



4. No part of the development, other than landscaping is to be located upon the land reserved as Primary Regional Road under the Metropolitan Region Scheme.

Advertisements

5. All signage is to be in strict accordance with the City of Stirling Local Planning Policy 6.1 - Advertising Signs, unless further development approval is obtained.

Building Design

6. Prior to the submission of a Building Permit application, final details of the proposed materials, colours and finishes of the proposed development to be submitted to and approved by the City of Stirling, on the advice of the City of Stirling Design Review Panel. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on those approved plans, to the satisfaction of the City of Stirling.
7. All blank expanses of ground floor external walls are to be treated with an anti-graffiti coating or an alternative material/finish, to reduce the likelihood of and improve ease of graffiti removal, to the satisfaction of the City of Stirling.

Bushfire Management

8. The Bushfire Management Plan, prepared by Bushfire Prone Planning dated 17 December 2021, including any subsequent amendments approved in writing by the City of Stirling, shall be implemented in perpetuity to the satisfaction of the City of Stirling.

Construction Management

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

Contaminated Sites

10. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out at Lot 7, House Number 190 Karrynup Road, Karrynup to determine if remediation is required.

If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works at Lot 7, House Number 190 Karrynup Road, Karrynup to the satisfaction of the City of Stirling on the of the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.



Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Water and Environmental Regulation contaminated sites guidelines, to the satisfaction of the City of Stirling on the advice of the Department of Water and Environmental Regulation.

Landscaping

11. Prior to the commencement of works, a detailed Landscaping Plan is to be provided for the City of Stirling's approval, on the advice of Main Roads Western Australia, where applicable, that is generally in accordance with the landscaping plans prepared by See Design Studio dated 1 July 2022 and that demonstrates compliance with the approved development plans, all revised drawing conditions of this approval and Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.
12. Prior to the submission of the Building Permit application, the applicant must submit a Landscape Plan to the satisfaction of the City of Stirling in consultation with Main Roads for any landscaping located within the Primary Regional Road Reservation. Sight lines must be maintained at all times to ensure driver and pedestrian safety. Permanent landscaping must be limited and maintained to a mature height of 1 metre. The landscaping plan must be implemented at all times.
13. All existing trees identified for retention shall be protected during construction works to the satisfaction of the City of Stirling and thereafter retained and maintained in perpetuity, unless otherwise approved in writing by the City of Stirling.
14. Prior to occupation of the development, all Advanced Trees required by the approved detailed Landscaping Plan must be planted on site in the area indicated on the approved plan and be thereafter maintained. The Advanced Trees must be provided with the approved deep soli area at ground level free of intrusions, to the satisfaction of the City of Stirling.
15. Planting of the new street trees at the landowner's cost will be scheduled to occur in the next available planting season after the completion of the development. The landowner shall pay the cost of planting of the new street trees identified in the approved detailed Landscaping Plan prior to commencement of development as determined by the City of Stirling in the City's Street and Reserve Trees Policy, unless the landowner's payment towards the planting and maintenance costs are approved in an alternative manner in writing by the City of Stirling.
16. 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 in accordance with the City of Stirling's Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.

Land Use

17. The approved land use of the "Commercial" tenancies is Restaurant. The "Communal Golf Simulator" and "Communal Co-Work / Business Lounge" spaces are approved as communal residential amenity spaces for the use of residents and their guests of the development.



18. The total public floorspace of the commercial tenancies shall not exceed 420 square metres. The total alfresco dining area shall not exceed 310 square metres.

Legal

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

“The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise. The lots are subject to commercial noise associated with a tavern including music and people talking in an alfresco dining area.”

“The land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is/may be subject to a Bushfire Attack Level (BAL) report. Additional planning and building requirements may apply to development on this land”.

20. Prior to the occupation of any part of the development the subject of this application, the owner of Lots 7 and 12, House Numbers, 190 and 200 Karrinyup Road, Karrinyup, shall grant an easement in gross pursuant to Sections 195 and 196 of the *Land Administration Act 1997* for the benefit of the City of Stirling and the public at large over that portion of the land designated for vehicular and pedestrian traffic along the main street, the pedestrian public access way and the pocket park for the purposes of providing unrestricted public pedestrian and vehicular access, to the satisfaction of the City of Stirling.
21. Lots 7 and 12 shall be amalgamated into a single lot on a Certificate of Title. Amalgamation must occur prior to practical completion of the development, to the satisfaction of the City of Stirling. The development may be subdivided from the rest of the amalgamated lot afterwards.
22. Prior to the occupation of the development, a legal right of access to the car park containing the “AMP Staff Bays” is to be provided, including vehicle and pedestrian access to the car park, for the benefit of the property containing the Karrinyup Shopping Centre, for the purpose of staff parking for the shopping centre. All legal documentation required for the legal right of access to be executed must be submitted to, and approved in writing by, the City of Stirling. The approved legal right of access must be implemented in perpetuity.
23. Where the satisfaction of any condition requires the preparation of a legal agreement, these agreements are to be prepared by the City of Stirling’s solicitors and, all costs incidental to the satisfaction of these conditions, including the City of Stirling’s legal costs and registration fees and stamp duty (if any), must be paid by the landowner.

Lighting and Security

24. Adequate lighting being provided to all public spaces including under awnings, parking areas, service areas, footpaths and entry and exit points, to the satisfaction of the City of Stirling.



25. Any outside lighting to comply with Australian Standard AS 4282-1997 - 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.

Details of any outside lighting to be submitted at the Building Permit application stage demonstrating compliance with Australian Standard AS 4282-1997.

Noise

26. Prior to the submission of a Building Permit application, a revised Acoustic Report shall be submitted to the City of Stirling for review and approval, on the advice of Main Roads Western Australia, where applicable. The revised Acoustic Report shall detail specific control measures relating to noise modelling and impact of the development including but not limited to:
- Noise from the Restaurant tenancies, music, patrons in open areas and kitchen exhaust.
 - Vibration and noise emissions from all on-site mechanical services, including air-conditioning systems.
 - Vibration and noise emissions from the pool pump and piping.
 - Vibration and noise emissions from the dropping of weights in the fitness centre.
 - Car park mechanical ventilation and other noise.
 - Communal open space abutting habitable rooms of dwellings.
 - Compliance with the noise requirements of State Planning Policy 5.4 Road and Rail Noise.

Upon completion, the landowner is to provide written confirmation that all recommendations in the Acoustic Report/s have been incorporated into the building design, with the certified building permit application. The recommendations and control measures identified in the revised Acoustic Report/s shall be incorporated into the design, development and operation of the proposed development, to the satisfaction of the City of Stirling.

The landowner shall provide written confirmation to the City of Stirling that the requirements of the Acoustic Report referred in the Acoustic Report have been incorporated into the completed development by the builder with the Form BA7 Completion Form, prior to occupation of the development. The recommendations of the revised Acoustic Report/s shall be complied with for the duration of the development.

27. Prior to occupation of the relevant stage of the development, a Certification Acoustic Report is to be submitted to the City of Stirling for review and approval demonstrating compliance with the applicable standards for environmental noise (*Environmental Protection (Noise) Regulations 1997*). Any identified elements of non-compliance shall be rectified prior to the occupation of the relevant stage of the development.
28. Unless otherwise included as part of the Waste Management Plan and associated Acoustic Reports, delivery and service vehicles are not permitted to enter the site outside the hours 7.00am to 7.00pm Monday to Saturday and 9.00am to 5.00pm Sundays and public holidays.



Off-Site Engineering

29. Prior to the commencement of works, detailed civil engineering construction drawings of Burroughs Road are to be submitted to the City of Stirling for written approval. These works are to include pedestrian refuge island for crossing Burroughs Road in line with the pedestrian public access way staircase. Prior to the occupation of the development, the works for Burroughs Road shall be undertaken at the owner's cost, in accordance with the design approved by the City of Stirling.
30. Prior to the occupation of the development, an underground electricity distribution system that can supply electricity to properties on both sides of the street, shall be provided to Burroughs Road for the entirety of the frontage of the development to Burroughs Road, including the decommissioning and removal of all existing aboveground electricity infrastructure and the provision of new connections to the underground electricity distribution system for affected properties on the north western side of Burroughs Road, to the specifications of Electricity Networks Corporation (Western Power) and to the satisfaction of the City of Stirling.
31. Prior to the occupation of the development, the City of Stirling is to be provided with "as constructed" copies in '.dwg' and '.pdf' format, of all road and drainage modification works.
32. Prior to the occupation of the development, a payment is to be made to the City of Stirling of an inspection fee equivalent to 1.5% of the tendered cost of construction works within the road reserve.
33. Prior to the occupation of the development, a payment to the City of Stirling of a 12 months defects liability period retention bond of 5% is required for the construction of all roads, footpaths, landscaping and associated drainage works, as estimated by the City of Stirling.

Parking and Vehicle Access

34. Prior to the submission of a Building Permit application, a Parking Management Plan shall be submitted to and approved by the City of Stirling. The Parking Management Plan must address, but is not limited to, details of how the security gates and intercom systems are to be operated. The approved Parking Management Plan is to be implemented in perpetuity, to the satisfaction of the City of Stirling.
35. Prior to the submission of a Building Permit application, certification confirming that the layout and dimensions of all driveways and parking areas is in accordance with Australian/New Zealand Standard AS/NZS2890.1:2004 - Parking Facilities Part 1: Off-Street Car Parking, AS 2890.2:2018 Parking Facilities Part 2: Off-Street Commercial Vehicle Facilities and AS/NZS2890.6.-2009: Parking Facilities Part 6: Off-Street Parking for People with Disabilities, must be submitted to, and approved in writing by, the City of Stirling. Prior to the occupation of the development, certification confirming the constructed design and markings of all parking areas are compliant with Australian Standards AS2890.1, AS2890.2 and AS2890.6 and the approved plans, must be submitted to, and approved in writing by, the City of Stirling.



36. Prior to the occupation of the development, all driveways, parking and manoeuvring areas shall be hard surface, drained and maintained in accordance with the City of Stirling's Local Planning Policy 6.7 - Parking and Access, to the satisfaction of the City of Stirling.
37. Visitor car and bicycle parking bays shall be permanently marked, maintained and legally accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City of Stirling.
38. Prior to the occupation of the development, directional signage shall be located at the entry to the site directing visitors to the visitor car parking bays and bicycle spaces. The signage is to be implemented in perpetuity.
39. Prior to occupancy or use of the development all off street parking to be available onsite during business hours for all customers and staff, to the satisfaction of the City of Stirling.
40. The crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 - Parking and Access. The crossover is to be installed prior to occupation of the development.
41. Unless otherwise approved, no walls, fences, letterboxes or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
 - d. Walls, letterboxes or fences adjoin vehicular access points to the site, or
 - e. A driveway meets a public or private street, or
 - f. Two street intersect,unless the further approval of the City of Stirling is obtained.
42. Prior to the occupation of the development, the bicycle parking bays and end-of-journey facilities shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking.
43. Where a storeroom is solely accessible through an adjacent car parking bay, the storeroom and the car parking bay are to be assigned to the same dwelling.
44. Where two car parking bays are provided in a tandem arrangement, both car bays are to be assigned to the same dwelling.
45. The overall Karrinyup Shopping Centre site (including this part) is subject to a maximum 4,880 public car parking bays. The staff car parking bays are included within this maximum.

Sustainability

46. Prior to the submission of a Building Permit application, a revised Energy Efficiency Statement is to be submitted to the City of Stirling confirming all dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars and the development incorporates sustainable initiatives as per the submitted Sustainable Design Strategy prepared by Emergen dated 21 December 2021.



Universal Design

47. Prior to the submission of a Building Permit application (relevant to the construction of the Multiple Dwellings), certification completed by a Livable Housing Australia assessor confirming that the detailed design of the 'Silver Level' dwellings are compliant with the 'Silver Level' of the 'Livable Housing Design Guidelines' produced by Livable Housing Australia, must be submitted to, and approved in writing by, the City of Stirling. A minimum of 20% of dwellings are to be designed to achieve a 'Silver Level' rating. Prior to the submission of the occupation of the development, all required design features shall be installed and operational.
48. The ongoing maintenance of the platform lift is to be funded in perpetuity by the landowner.

Utilities, Facilities and External Fixtures

49. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street, neighbouring properties or a public place.
50. Prior to the occupation of the development, each multiple dwelling shall be provided with a mechanical dryer, where a concealed drying area is not provided exclusively for the dwelling.
51. 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, in accordance with State Planning Policy 7.3 Residential Design Codes Volume 2 (Element 4.18 Utilities), to the satisfaction of the City of Stirling.
52. The residential storerooms are to be allocated to the dwellings in a manner consistent with State Planning Policy 7.3 Residential Design Codes Volume 2 (Element 4.6 Storerooms), to the satisfaction of the City of Stirling.

Waste Management

53. Prior to the commencement of development, a detailed Waste Management Plan is to be provided for the City of Stirling's approval, that is generally in accordance with the Waste Management Plan prepared by Encycle dated 21 December 2021 and that demonstrates compliance with the approved development plans, Local Planning Policy 6.3 – Bin Storage Areas and the *City of Stirling Waste Management Local Law 2010*, to the satisfaction of the City of Stirling. No waste collection is permitted from the Karrynup Road or widened road reservation.

Water Management

54. The development is to be connected to the sewer.
55. 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. Stormwater must not be discharged to the Karrynup Road reservation.



Wind Management

56. Prior to the submission of a Building Permit Application, a revised Wind Impact Assessment shall be submitted to the City of Stirling for its review and approval. The revised Wind Impact Assessment shall include a qualitative comparison to existing conditions around the proposed development and relevant and applicable validation demonstrating the accuracy of the comfort and safety predictions, or a wind tunnel test. Where relevant, any measures identified should be reflected in the development plans submitted for the Building Permit. Any recommended measures are to be implemented prior to occupation of the development.

Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the Development Assessment Panel or City of Stirling having first been sought and obtained.
2. If an applicant 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 Development Assessment Panel or City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Development Assessment Panel or City of Stirling's attention.
5. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
6. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
7. Where, in the opinion of the City of Stirling, achieving compliance with the conditions of approval require significant modifications to the approved plans, a Form 2 application will be required for consideration in accordance with Clause 17 or 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
8. In regard to the approved land uses, any proposal to change the land use may require further approval in accordance with the City of Stirling Local Planning Scheme No. 3 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.



Aquatic Facilities

9. Works to construct, alter or extend an aquatic facility must not be commenced by any person until the intended works have been approved by the Chief Health Officer (CHO), pursuant to Regulation 7 of the Health (Aquatic Facilities) Regulations 2007 (the Regulations). This requires the occupier of the land or premise for the aquatic facility to make a written application to the CHO using the construction, alteration, or extension of an aquatic facility application form.

An aquatic facility can only be operated if the CHO has issued a certificate of compliance that covers the facility's construction works. When construction work is completed, the occupier or owner's agent is required to contact the Water Unit on 9222 2000 to organise an inspection. Officers from the Department of Health or occasionally local government (as requested by the Department) will undertake a final inspection to confirm construction compliance.

10. Aquatic facilities must meet the requirements of the *Health (Aquatic Facilities) Regulations 2007* and the *Code of Practice for the design, construction, operation, management and maintenance of aquatic facilities*.

Construction Management

11. All construction works to comply with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
12. No works are permitted within the Karrinyup Road reservation unless Main Roads has issued a Working on Roads permit.

The applicant is required to submit an Application form to undertake works within the Karrinyup Road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads."

Contaminated Sites

13. In relation to the Contaminated Sites Condition and in accordance with regulation 31(1)(c) of the *Contaminated Sites Regulations 2006*, a mandatory auditor's report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with that Condition. A current list of accredited auditors is available from www.dwer.wa.gov.au.

Food Businesses

14. All food premises activities are to comply with the *Food Act 2008*, Australian New Zealand Food Standards Code and City of Stirling Food Business Guide Design Construction Operation.



A Food Business Notification form is to be submitted for each premises with supporting plans and specifications of the food handling facilities for approval of the City of Stirling prior to internal fit out installation and operation. The plans will need to be prepared to an acceptable standard indicating the position and type of all proposed fittings and fixtures and details of floor, wall and ceiling finishes and floor drainage.

The general considerations include, but are not limited to, the following:

- a. The provision of food premises exhaust air discharge outlets above roof height of buildings and any surrounding residential uses, to prevent nuisances and to comply with AS1668.2 provisions.
- b. Grease traps are to be provided where required by the Water Corporation of WA.

Landscaping

15. An Advanced Tree is defined in Local Planning Scheme No. 3 and Local Planning Policy 6.11 as *"a tree which requires planting in at least a 90 litre contained or greater size and which is at least two (2) metres in height and at least two (2) years of age"*.

16. The associated contribution cost for the planting of new street trees is as follows:

- a. Cost of new tree (per tree): \$670.00 (current cost excluding GST).

Tree species will be chosen by the City to reflect the surrounding streetscape. Costs include 2 years of watering and the provision that the City will replace the tree should it be damaged or die during that period. Unless otherwise approved in the detailed Landscaping Plan, the City will invoice the cost of the tree/s upon lodgement of a building permit.

17. In reference to the Landscaping Plan Condition for the Primary Regional Roads Reservation, the Landscape Architecture Design Report (Rev C dated 13 April 2022) prepared by See Design Studio may require modification to achieve compliance.

18. The Detailed Landscaping Plans required by the Landscaping Conditions will need to demonstrate how it coordinates with the approved Landscaping Plans for the Major Expansion of Karrinyup Shopping Centre. The Detailed Landscaping Plans will need to include the following information:

- a. Site boundaries;
- b. Location of buildings, car parks, retaining walls, fencing and paving;
- c. Sufficient construction details to clearly define the method of construction and materials use;
- d. Species key showing species and number or symbol showing the location of species;
- e. Planting bed clearly identified and species noted;
- f. Identification of hard landscape materials (e.g. specify if paving is to be brick or concrete slabs etc.);
- g. Existing vegetation (species and location) including those proposed to be removed;
- h. Street frontages and road names;
- i. Depth and extent of mulching to be used; and
- j. Model number and manufacturers details for all landscape furniture.



Land Use

19. Public Floorspace is calculated in Local Planning Policy 6.7 as:
- “a) Measurements shall be taken within the finished surfaces of the internal walls of the building; and*
 - b) Areas occupied by lifts, lift-wells, stairways, ramps, escalators, passages, corridors, lobby entries, kitchens, stages, sanitary areas, and staff areas, including staff areas behind counters, fixtures and similar areas shall not be included.”*

Noise

20. In reference to the Acoustic Report Condition, the Acoustic Report (28803-3-19333-02 – Rev 2 dated December 2021) prepared by Herring Storer Acoustics should be modified to align with the requirements of State Planning Policy 5.4 – Road and Rail Noise and include the following:
- Referencing of noise model/s and all model inputs, including current and future traffic volumes, heavy vehicle percentages, road surfaces and vehicle speeds;
 - 20-year future traffic projections and associated noise forecasts;
 - Main Roads Traffic Modelling Branch should be contacted to obtain the most up-to-date modelled traffic projections. Contact name, reference number and date should be detailed; and
 - Noise modelling for all sensitive locations in the proposed development should be presented, in conjunction with associated noise mitigation recommendations to meet SPP 5.4 noise targets.

Off-Site Engineering

21. For any proposed works within the road reserve, detailed engineering construction plans are to be submitted and approved by the City of Stirling prior to works commencing on site. All relevant fees and bonds are to be paid by the owner, prior to the commencement of construction, to the satisfaction of the City of Stirling.
22. In relation to the bond for works within the road reserve, the 12 months defects liability period will commence from the date of practical completion, and the bond will be returned upon successful completion of any defects that may have arisen during that period. The bond is calculated based on the works within the road reserve.

Parking and Vehicle Access

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

Public Buildings

24. All premises where public building uses occur are to comply with the *Health (Public Building) Regulations 1992* and related standards.



Strata Title

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

Waste Management

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

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

For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr Jason Hicks

Against: Cr Suzanne Migdale
Cr Felicity Farrelly

REASON: Due consideration of the proposal was undertaken against the planning framework, including SPP4.2 & 7.2, Scheme provisions, policies, and submissions. Extensive discussions occurred regarding the height, bulk and scale, plot ratio, traffic and parking.

The majority of members formed the opinion that the proposal is well designed, and the form, scale and setbacks of the development are appropriate within the planning framework, given the strategic location of the Karrinyup Activity Centre and its unique position within the locality. Streetscape design interface was considered in the context and character of the locality and the different streetscape responses to the towers.

Tower One proposes a tiered landscaped response to its location at the intersection Karrinyup Road and Burroughs Street with public open space setback of 15 metres whilst Tower Two provides appropriate building design elements which allow for a careful and considered separation of private dwellings from public areas along Burroughs Road. achieved through the provision of significant landscaping within the setback areas. The wide landscaped pedestrian access way from Burroughs Road provides a desirable visual and physical link to the building entry, public open space and commercial tenancies.

The height of the proposed development was supported having regard to the provisions of SPP 4.2, building form, configuration of the towers, massing, scale and site development history. These elements respond appropriately to the context of the site, including Karrinyup Road, current and future residents.



The Panel discussed at length traffic impacts, surrounding road network, current road environment, traffic generation for the proposal, movement, peak periods, and parking demands. Consideration was given the RAR and MRWA comments. The majority of members were satisfied that the traffic generated by the proposal is acceptable within the existing road network.

The landscaping approach to the proposal, including the retention of a number of existing trees on the Burroughs Street boundary was considered to enhance the site from an internal perspective as well as from the adjoining road network

In reaching a determination JDAP considered the planning merits of the proposal against the planning framework and the locational context of the site. On balance the proposal was supported with conditions.

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



Finalised SAT Applications*				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/20/01923 DR89/2022	City of Subiaco	Lot 11 (No.379), Lot 81 (375), Lot 82 (377) Railway Road, Lot 80 (101), Lot 84 (No.97), Lot 85 (No.99), Evans Street, Shenton Park	5 storey mixed use development & demolition of existing building on Lot 82	30 May 2022

* Matters finalised during the last meeting cycle.

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 2.28pm.