



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 28 August 2024; 9:30am
Meeting Number: MIDAP/30
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/30 - 28 August 2024 - City of Stirling](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF STIRLING

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 56 (House Number93) Odin Road, Innaloo - Proposed twelve (12) multiple dwellings – DAP/24/02667
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. General Business
3. Meeting Closure

Francesca Lefante
Presiding Member, Metro Inner DAP



Attendance	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Francesca Lefante (Presiding Member)	Kristen Parker
Ian Birch (Deputy Presiding Member)	Ashlee Kelly
Peter Lee	
<i>Part B – City of Stirling</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Teresa Olow	Dean Williams
Cr Rob Parpade	Shaun Wheatland
	James Fletcher

Francesca Lefante
Presiding Member, Metro Inner DAP



Applicant and Submitters
<i>Part B – City of Stirling</i>
Aron Dobrowolski
Peter Simpson (PTS Town Planning)
Carlo Famiano (CF Town Planning & Development)

Members of the Public / Media

There was 1 member of the public in attendance.

Observers via livestream

There were 4 persons observing the meeting via the livestream.

Francesca Lefante
Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:35am on 28 August 2024 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Cr Suzanne Migdale (Local Government Member, City of Stirling)
Cr Michael Dudek (Local Government Member, City of Stirling)

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

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

Francesca Lefante
Presiding Member, Metro Inner DAP



PART B – CITY OF STIRLING

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

3.1 Lot 56 (House Number 93) Odin Road, Innaloo - Proposed twelve (12) multiple dwellings – DAP/24/02667

Deputations and Presentations

Aron Dobrowolski addressed the DAP against the recommendation for the application.

Peter Simpson (PTS Town Planning) addressed the DAP against the recommendation for the application at Item 3.1.

Carlo Famiano (CF Town Planning & Developments) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

The City of Stirling addressed the DAP and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Peter Lee

Seconded by: Francesca Lefante

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/24/02667 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 proposed 12 Multiple Dwellings at Lot 56, House Number 93 Odin Road, Innaloo, subject to the following conditions:

Francesca Lefante
Presiding Member, Metro Inner DAP



Conditions

1. Pursuant to Clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under Clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon. The plans approved as part of this application form part of the development approval issued are listed below unless otherwise approved:

DRAWING TITLE	Date	Drawn By
Site Survey	13/08/2024	Germano Designs
Site Plan	13/08/2024	Germano Designs
Landscaping Plan	13/08/2024	Germano Designs
Ground Floor Plan	13/08/2024	Germano Designs
First Floor Plan	13/08/2024	Germano Designs
Second Floor Plan	13/08/2024	Germano Designs
Third Floor Plan	13/08/2024	Germano Designs
External Elevations 01	13/08/2024	Germano Designs
External Elevations 02	13/08/2024	Germano Designs
External Elevations 03	13/08/2024	Germano Designs
External Elevations 04	13/08/2024	Germano Designs
Contextual Plan	13/08/2024	Germano Designs
Section Details	13/08/2024	Germano Designs
Breeze Path Plan	13/08/2024	Germano Designs
Neighbours Streetscape	13/08/2024	Germano Designs
Solar Diagram	13/08/2024	Germano Designs
Solar Diagram	13/08/2024	Germano Designs

Landscaping

4. Prior to occupation of the development, a minimum of nine Medium Trees must be planted on-site and maintained thereafter, to the satisfaction of the City of Stirling. All Medium Trees are to be centrally located within the deep soil area free, of buildings, impervious surfaces and other fixed structure, and be open to the air.

Francesca Lefante
Presiding Member, Metro Inner DAP



5. Prior to occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved landscaping plan prepared by Germano Design received on 19 July 2024 and thereafter maintained to the satisfaction of the City of Stirling.
6. All existing street trees located on the verge shall be retained and protected in accordance with Australian Standards AS4970:2009, to the satisfaction of the City of Stirling.

Parking and Access

7. Prior to the occupation of the development, all redundant crossovers shall be removed, and the kerbing and road reserve reinstated at the landowner's expense in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling.
8. Prior to the occupation of the development, the crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling. Crossovers are to be installed prior to occupation of the development.
9. Prior to the occupation of the development, pedestrian pathways providing wheelchair accessibility to all entries to buildings to public footpath and car parking areas are to comply with Australian Standards AS/NZS1428.1-2009 (Design for access and mobility – General requirements for access – New building work), to the satisfaction of the City of Stirling.
10. The visitor 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, to the satisfaction of the City.
11. Prior to lodgement of the Building Permit, details of the intended operation of the vehicle gate and visitor intercom system shall be submitted to the City of Stirling.
12. Prior to the occupation of the development, the number and allocation of car parking bays provided on-site is to be as follows:
 - a. 11 Residential Bays;
 - b. One turning Bay; and
 - c. One Visitor Bay.
13. Prior to the occupation of the development, a minimum of seven bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standards AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



14. Prior to occupation of the development, all signage and markings for visitor car parking bays and bicycle parking bays shall be installed on site and visible from the street, to the satisfaction of the City of Stirling.
15. Prior to occupation of the development, a verge treatment application is required to be submitted and approved by the City of Stirling as annotated on the approved plans.
16. Prior to the occupation of the development, the proposed car parking bay provided within the verge is to be constructed in accordance with the approved verge treatment application to the satisfaction of the City of Stirling and is to be maintained by the landowners for the life of the development.

General

17. A Site Management Plan shall be submitted to and approved by the City of Stirling prior to the commencement of any works. The Site Management Plan shall include specific details on the management of aspects including, but is not limited to, dust, noise, vibration, waste management, storage of materials, traffic, parking and street tree protection areas and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development, to the satisfaction of the City of Stirling.
18. The development is to comply with the Waste Management Plan prepared by CF Town Planning & Development received 19 July 2024, unless otherwise approved by the City of Stirling.
19. 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.
20. All air-conditioning units, ducts and other services shall be screened from view and are to be located away from the primary street to the satisfaction of the City of Stirling.
21. 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.
22. 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.
23. External lighting shall be positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZS 4282:2019, to the satisfaction of the City of Stirling.

Francesca Lefante
Presiding Member, Metro Inner DAP



24. The development is to be connected to the sewer.
25. All multiple dwellings shall be provided with a mechanical dryer prior to the occupation of the development.
26. Prior to the occupation of the development, an Acoustic Assessment Report detailing mechanical plant and equipment is required to demonstrate compliance

Colours and Materials

27. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling.

Development Contributions

28. Prior to occupation of the development, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with City of Stirling Local Planning Policy 6.12 - Public Art on Private Land must be submitted to, and approved by, the City of Stirling.
29. Prior to occupation of the development, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, in accordance with City of Stirling Local Planning Policy 6.12 - Public Art on Private Land, to the satisfaction of the City of Stirling.

Advice Notes

1. If an Applicant is aggrieved by this determination, there is a right of appeal under Part 14 of the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
2. This is a Development Approval under the City of Stirling Local Planning Scheme No.3 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 licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development of 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 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 decision makers attention.
4. The Applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.

Francesca Lefante
Presiding Member, Metro Inner DAP



5. Noisy Construction Work outside the period 7.00am to 7.00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City of Stirling.
6. In reference to Medium Trees, a Medium Tree is defined in Stirling City Centre Innaloo Precinct Detailed Area Plan as: a tree which requires planting in at least a 45-litre container or greater size.
7. The proposed crossover configuration is subject to the approval of the City's Verge Control Business Team. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.
8. Any outside lighting should meet Australia Standards AS 4282-2019 for the control of obstructive effects of outdoor lighting and must not spill into any neighbouring residential premises. Prior to the issue of the Building Permit a report is to be prepared by a suitably qualified consultant and submitted to the City of Stirling. It should demonstrate that all lighting associated with the development shall comply with AS 4282-2019.
9. All noise generated by plant and equipment including air conditioners shall comply with the Environmental (Noise) Regulations 1997.
10. In relation to the Public Art condition requirement, please refer to the City of Stirling Developer's Guide to Public Art, the City of Stirling Public Art Masterplan and City of Stirling Local Planning Policy 6.12 - Public Art on Private Land.

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$35,000.

AMENDING MOTION 1

Moved by: Ian Birch

Seconded by: Teresa Olow

That a new Condition No. 30 be added to read as follows:

The side and rear balcony and communal area balustrade to be solid (non visually permeable).

The Amending Motion was put and CARRIED UNANIMOUSLY

REASON: To minimise angled direct view to adjoining properties.

Francesca Lefante
Presiding Member, Metro Inner DAP



REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner DAP resolves to:

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Parking and Access

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11. Prior to lodgement of the Building Permit, details of the intended operation of the vehicle gate and visitor intercom system shall be submitted to the City of Stirling.

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Presiding Member, Metro Inner DAP



12. Prior to the occupation of the development, the number and allocation of car parking bays provided on-site is to be as follows:
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13. Prior to the occupation of the development, a minimum of seven bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standards AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking, to the satisfaction of the City of Stirling.
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16. Prior to the occupation of the development, the proposed car parking bay provided within the verge is to be constructed in accordance with the approved verge treatment application to the satisfaction of the City of Stirling and is to be maintained by the landowners for the life of the development.

General

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23. External lighting shall be positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZS 4282:2019, to the satisfaction of the City of Stirling.
24. The development is to be connected to the sewer.
25. All multiple dwellings shall be provided with a mechanical dryer prior to the occupation of the development.
26. Prior to the occupation of the development, an Acoustic Assessment Report detailing mechanical plant and equipment is required to demonstrate compliance with the prescribed noise levels, to the satisfaction of the City of Stirling.

Colours and Materials

27. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling.

Development Contributions

28. Prior to occupation of the development, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with City of Stirling Local Planning Policy 6.12 - Public Art on Private Land must be submitted to, and approved by, the City of Stirling.
29. Prior to occupation of the development, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, in accordance with City of Stirling Local Planning Policy 6.12 - Public Art on Private Land, to the satisfaction of the City of Stirling.
30. The side and rear balcony and communal area balustrade to be solid (not visually permeable).

Francesca Lefante
Presiding Member, Metro Inner DAP



Advice Notes

1. If an Applicant is aggrieved by this determination, there is a right of appeal under Part 14 of the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
2. This is a Development Approval under the City of Stirling Local Planning Scheme No.3 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 licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
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4. The Applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
5. Noisy Construction Work outside the period 7.00am to 7.00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City of Stirling.
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9. All noise generated by plant and equipment including air conditioners shall comply with the Environmental (Noise) Regulations 1997.

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Presiding Member, Metro Inner DAP



10. In relation to the Public Art condition requirement, please refer to the City of Stirling Developer's Guide to Public Art, the City of Stirling Public Art Masterplan and City of Stirling Local Planning Policy 6.12 - Public Art on Private Land.

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$35,000

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

REASON: The proposed development is consistent with the planning framework, scheme and Innaloo precinct plan. The land use is permitted and capable of approval. Due regard was given to submissions received and members were satisfied the scale and form is well-articulated and designed in the context and location of the site. The inclusion of a condition for solid non visually permeable balcony material minimises sight lines. The parking arrangements including visitor bay on the verge are consistent with existing road layout within impacting road function as set out in the RAR. On balance the proposal, was supported including discretion for minor height variations based on the design, site location, and planning framework.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Francesca Lefante
Presiding Member, Metro Inner DAP



PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02317 DR81/2023	City of Vincent	41-43 and 45 Angove Street, North Perth	Proposed Service Station	31/05/2023
DAP/23/02480 DR184/2023	City of Vincent	Lot 3 (37-43) Stuart Street, Perth	Proposed Unlisted Use (Community Purpose) & Alterations & Additions	12/12/2023
DAP/22/02259 DR166/2023	City of Subiaco	No. 424-428 (Lot 2) & No. 440 (Lots 4, 5 & 6) Hay Street, Subiaco	Demolition Of Existing Commercial Buildings and Construction Of Single And Two Storey Commercial Building	11/01/2024

2. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.

3. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:49am.

Francesca Lefante
Presiding Member, Metro Inner DAP