



Metro Inner-North Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 31 August 2021; 9.00am
Meeting Number: MINJDAP/102
Meeting Venue: via electronic means

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Attendance

DAP Members

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

Officers in attendance

Ms Giovanna Lumbaca (City of Stirling)
Ms Amanda Sheers (City of Stirling)
Ms Cheyenne Ellis (City of Stirling)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr David Karotkin (Carabiner)
Mr Julian Croudace (propagule)

Members of the Public / Media

Ms Tyler Brown from Perth Now Stirling was in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.02am on 31 August 2021 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

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

1.1 Announcements by Presiding Member

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

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

2. Apologies

Nil



3. Members on Leave of Absence

Nil

4. Noting of Minutes

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

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

DAP Member, Cr Suzanne Migdale, declared an Impartiality Interest in item 8.1. The Applicant is known to Cr Suzanne Migdale, having grown up in the local area.

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 interest, was permitted to participate in the discussion and voting on the item.

7. Deputations and Presentations

- 7.1 The City of Stirling Officers responded to questions from the panel in relation to Item 8.1

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 61 (Lot 203) Woodrow Avenue, Yokine

Development Description:	Community Purposes and Child Care Premises
Applicant:	Carabiner
Owner:	Maccabi WA
Responsible Authority:	City of Stirling
DAP File No:	DAP/21/01986

REPORT RECOMMENDATION

Moved by: Cr Suzanne Migdale

Seconded by: Cr Felicity Farrelly

That the Metro Inner-North JDAP resolves to:

Approve DAP Application reference DAP/21/01986 as detailed on the DAP Form 1 dated 26 April 2021 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Stirling Local Planning Scheme No. 3 for the proposed Community Purposes (Community Centre) and Child Care Premises on Lot 203, House Number 61 Woodrow Avenue, Yokine, subject to the following conditions:



Conditions

General

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

Drawing Title	Date	Drawing Number	Revision	Drawn By
Existing Site Survey	29/09/20	20564-1F	1	Brown McAllister Surveyors
Site Plan – Existing - Demolition Plan	30/03/21	A.01		Carabiner
Site Plan	20/04/21	A.0102	A	Carabiner
Ground Floor Plan – Community Centre	30/03/21	A.03		Carabiner
First Floor Plan – Community Centre	30/03/21	A.04		Carabiner
Ground Floor Plan – Childcare Centre	30/03/21	A.05		Carabiner
Overshadowing Diagrams	30/03/21	A.12		Carabiner
Context Elevation Images	20/04/21	A.13		Carabiner
Elevation Sheet 1	20/04/21	A.20	A	Carabiner
Elevation Sheet 2	20/04/21	A.21	A	Carabiner
Elevation Sheet 3	20/04/21	A.22	A	Carabiner
Sections Sheet 1	30/03/21	A.30		Carabiner
Sections Sheet 2	30/03/21	A.31		Carabiner
Sections Sheet 3	30/03/21	A.32		Carabiner
Sections Sheet 4	20/04/21	A.33	A	Carabiner
Landscape Master Plan	10/06/21	P20-054	2	Propagule Consulting

4. 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.



5. A Site Management Plan is to be submitted and approved by the City of Stirling prior to the commencement of any site works. The Site Management Plan is to include details of measures to be implemented with respect to the control of dust, waste management, parking, storage of materials, traffic, on-site and street tree protection zones, noise and vibration from the subject site during the construction phase.
6. A maximum of 180 students shall be permitted to occupy the Lecture Theatre and the Education Centre at any given time.
7. Unless otherwise approved, the operational details outlined in the Carabiner Planning Report received 20 April 2021, which forms part of this approval, shall be implemented for the life of the Child Care Premises development, to the satisfaction of the City of Stirling, specifically:
 - a. The Child Care Premises shall be limited to a maximum number of 120 children and 19 staff.
 - b. The Child Care Premises shall not operate outside of the hours of 6:30am and 6.30pm Monday to Friday.
 - c. Staff shall not be permitted to occupy the Child Care Premises prior to 6:30am Monday to Friday.
 - d. The Child Care Premises shall not operate on Saturdays, Sundays or public holidays.
8. The acoustic treatments and control measures identified in the Acoustic Report dated 12 July 2021 by Hewshott Acoustics (reference 2052a/CC) shall be incorporated into the design, development and operation of the of the proposed development, to the satisfaction of the City of Stirling. The Acoustic Report shall be complied with for the duration of the development.
9. A further Acoustic Report, prepared by a suitably qualified Acoustic Engineer, shall be provided to the City prior to occupation of the development detailing acoustic monitoring of the development that demonstrates compliance with the Environmental Protection (Noise) Regulations 1997, to the satisfaction of the City of Stirling. Should the further Acoustic Report identify that additional acoustic treatments are required to achieve compliance with the Environmental Protection (Noise) Regulations 1997, the applicant/owner shall provide written confirmation that the additional acoustic treatments have been incorporated into the completed development by the builder with the Form BA7 Completion Form, to the satisfaction of the City of Stirling.
10. The development is to comply with the Waste Management Plan prepared by Talis (reference TW20144) received on 7 April 2021, unless otherwise approved by the City of Stirling.
11. The development is to comply with the Loading and Servicing Management Plan prepared by Move Consultants received on 23 June 2021, unless otherwise approved by the City of Stirling.
12. 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.



13. Prior to the occupation of the development, all lighting installed within the development shall be high efficiency lighting, to the satisfaction of the City of Stirling.
14. Air-conditioning units, ducts and other services shall be screened from view and are to be located away from the streets.
15. 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.
16. External lighting shall be positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZ 4282-1997.
17. Unless otherwise agreed or further approval is obtained, the incidental land use shall be incidental to the predominant Community Purposes use, shall not be sub-let and the internal land use configuration is not to be altered, as listed below:

Tenancy	Predominant Land Use	Incidental Land Use/s
Community Centre	Community Purposes	Restaurant
Community Centre	Community Purposes	Office

Engineering

18. Vehicular parking manoeuvring and circulation areas indicated on the approved plan being sealed and drained, all parking spaces being marked out and maintained in good repair to the satisfaction of the City of Stirling.
19. All parking bays and areas are to comply with Australian Standards AS/NZS2890.1 and AS2890.2 The number of ACROD car parking bays and their design and layout are to comply with Australian Standards AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities) and the Building Code of Australia (Volume 1 section D3.5).
20. Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas, to comply with Australian Standards AS/NZS1428.1-2009 (Design for access and mobility – General requirements for access – New building work).
21. A minimum of 10 bicycle parking bays shall be provided on-site in the location on the approved plan prior to the occupation of the development. The design and construction of the bicycle parking bays shall be in accordance with Australian Standards AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking.
22. No goods or materials being stored, either temporarily or permanently, in the parking or landscaping areas or within access driveways.



Landscaping

23. Prior to the submission of a Building Permit an amended Landscaping Plan shall be submitted and approved by the City, indicating further detail of proposed vegetation including plant sizes, plant species, number of plants and notation of existing vegetation proposed to be retained, in accordance with Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.
24. All landscaped areas are to be planted, reticulated and mulched in accordance with landscaping plans prepared by Propagule dated April 2021 prior to occupation of the development. Landscape areas are to be maintained in accordance with Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.
25. The reticulation for the development shall be low flow triple dripper or coarse sprays and timer connection, to the satisfaction of the City of Stirling.
26. Prior to the occupation of the development, the 30 Advanced Trees indicated on the approved plans for retention must be retained on-site with a minimum nine (9) square metres of soil space at ground level free of intrusions, a minimum dimension of 2 metres around the tree. The trees must be protected during the demolition and construction phase of the development and thereafter maintained.
27. All recommendations of the Arborist Report prepared by Arbor Logic dated December 2020 shall be implemented during the construction of the development and in perpetuity of the development.

Advice Notes

1. Where an approval has 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. All street trees adjoining the subject land as shown on the submitted plans are to be retained and protected unless otherwise approved by the City. It is the responsibility of the applicant to ensure that the site survey plan is correct as any inaccuracy of the plans will not be considered justification for the removal of trees in the event that their positions are incorrectly shown. The removal of street trees without the written approval of the City is an offence.
8. All construction works are to comply with the requirements of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997.
9. 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.
10. The land or a portion of the land subject of this approval has been identified as potentially being in an area affected by acid sulphate soils and, as such, it is your responsibility to ensure that all building works comply with WAPC Bulletin 64. For more information contact the Department of Water and Environmental Regulation on (08) 6364 7000.
11. The City of Stirling's Environmental Health Business Unit provides the following advice:
 - Plans are to be submitted to Environmental Health Services for assessment of the food premises fit out. The following details will be required to support the application:
 - Two copies of scale floor plans showing the position of all fixtures and equipment (scale 1:50); and
 - Two copies of scaled sectional elevation plans showing the position of all fixtures and equipment; and
 - Finishes of every wall, floor and ceiling; and
 - Indication of hot and cold water supply and waste water services; and
 - Location of all sinks including hand washbasin; and
 - Provide details of any ventilation and exhaust system servicing the premises.
 - Compliance in all respects with the Food Act 2008 and Food Standards Codes. Completion and submission of the City's Food Premises Notification Form prior to commencement. Environmental Health are to be contacted for a final inspection.
 - Compliance with Standard 3.3.1 – Food Safety Programs for Food Service to Vulnerable Persons. A food safety plan for the Child Care Premises must be submitted to the City for assessment and approval prior to the operation of the business.
 - The premises must comply with the Health (Public Buildings) Regulations 1992. An application for a certificate of approval shall be made in writing in the form of Form 1 & 2 in Schedule 2.



- The level of noise emanating from all fixed plant and equipment installed at the premises not to exceed that prescribed in the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The JDAP were of the opinion that the design is of high quality and the retention and replacement of trees enhances the site amenity. The JDAP supported the proposal, consistent with the planning framework, for the reasons contained within the RAR.

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

Nil

10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications –

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01651 DR160/2020	City of Nedlands	Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands	Shopping Centre	21/07/2020
DAP/19/01722 DR155/2020	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	4 Storey Mixed Use Development	16/07/2020

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 9.10am.