



# Metro-Inner North Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 10 February 2022; 10.00am  
**Meeting Number:** MINJDAP/129  
**Meeting Venue:** Electronic Means

*This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person*

## 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.....	3
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	4
	8.1a No.388 (Lot 4) Scarborough Beach Road, Innaloo .....	4
	8.1b No.388 (Lot 4) Scarborough Beach Road, Innaloo .....	8
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval .....	9
	Nil.....	9
10.	State Administrative Tribunal Applications and Supreme Court Appeals .....	9
11.	General Business.....	10
12.	Meeting Closure .....	10



## **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**

Mr Van Phan (City of Stirling)  
Mr Cameron Howell (City of Stirling)  
Ms Amanda Sheers (City of Stirling)  
Ms Giovanna Lumbaca (City of Stirling)  
Ms Neesha Gomes (Western Australian Planning Commission)  
Ms Nina Lytton (Western Australian Planning Commission)

### **Minute Secretary**

Ms Ashlee Kelly (DAP Secretariat)

### **Applicants and Submitters**

Ms Rebecca Travaglione (Urbis)  
Mr James Dann (Scentre Group)  
Mr Ben Walters (Meyer Shircore)  
Mr Kris Stone (SLR Consulting)

### **Members of the Public / Media**

Ms Tyler Brown from PerthNow was in attendance.

## **1. Opening of Meeting, Welcome and Acknowledgement**

The Presiding Member declared the meeting open at 10.02am on 10 February 2022 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

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



## **1.1 Announcements by Presiding Member**

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

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

## **2. Apologies**

Nil

## **3. Members on Leave of Absence**

Nil

## **4. Noting of Minutes**

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

## **5. Declaration of Due Consideration**

All members declared that they had duly considered the documents.

## **6. Disclosure of Interests**

Nil

## **7. Deputations and Presentations**

**7.1** Ms Rebecca Travaglione (Urbis) addressed the DAP in support of the recommendation for the application at Item 8.1a&b and responded to questions from panel.

**7.2** The City of Stirling Officers addressed the DAP in relation to the application at Item 8.1a.



**8. Form 1 – Responsible Authority Reports – DAP Applications**

**8.1a No.388 (Lot 4) Scarborough Beach Road, Innaloo**

Development Description: Aldi Supermarket addition and associated works  
 Applicant: Urbis Pty Ltd  
 Owner: Scentre Management Limited and RE1 Limited  
 Responsible Authority: City of Stirling  
 DAP File No: DAP/21/02097

**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/21/02097 as detailed on the DAP Form 1 dated 2 September 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 Additions to a Shopping Centre at Lot 4, House Number 388, Scarborough Beach Road, Innaloo, subject to the following conditions:

**Conditions**

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

<b>Drawing Title</b>	<b>Date</b>	<b>Drawn By</b>
Location Plan – Proposed Aldi	2 September 2021	Meyer Shircore Architects
Feature Survey	15 April 2015	Whelans
Demolition Plan – Proposed Aldi	2 September 2021	Meyer Shircore Architects
Ground Floor/ Site Plan – Proposed Aldi	12 November 2021	Meyer Shircore Architects
Elevations – Proposed Aldi	29 October 2021	Meyer Shircore Architects



### Landscaping

3. Prior to the commencement of any works, details of protection measures during the construction phase are to be provided for the street trees located along the Oswald Street verge, in accordance with Australian Standards AS4970:2009, to the satisfaction of the City of Stirling.
4. Prior to the occupation of the development, one (1) Advanced Tree must be planted on-site in the area indicated on the development plans and be maintained thereafter, to the satisfaction of the City of Stirling.

### Lighting

5. Prior to the submission of a Building Permit, a lighting plan shall be submitted to the City with the provision of lighting to all public spaces, awning areas, parking areas, service areas, footpaths, ground floor entry and exit points, to the satisfaction of the City.
6. 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, to the satisfaction of the City of Stirling.

### Operation

7. The operational measures identified in the conclusion of the Acoustic Report received 14 September 2021, prepared by Stantec Australia Pty Ltd (Attachment 7), which forms part of this approval, shall be implemented for the life of the development, to the satisfaction of the City of Stirling.

### Parking and Access

8. Should the City of Stirling require the use of the Oswald Street road reserve area currently approved for the use of service vehicle access, alternative service vehicle access arrangements are to be provided on-site.
9. The crossover shall be designed and constructed in accordance with the City of Stirling's 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.
10. All parking bays, manoeuvring and circulation 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).
11. Prior to the occupation of the development, amended plans detailing the pedestrian route from the car parking area to the tenancy including but not limited to, line markings, signage and safety rails are to be provided to the satisfaction of the City.
12. 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).



13. Prior to the occupation of the development, the redundant crossovers shall be removed, and the kerbing and road reserve reinstated at the landowner's expense in accordance with the City's Local Planning Policy 6.7 – Parking and Access.
14. Prior to the occupation of the development, the proposed pedestrian ramp located to the south-east of Oswald Street is to be aligned with the existing pedestrian ramp located on the north-west of Oswald Street.
15. Prior to the occupation of the development, a new pedestrian path is to be constructed adjacent to Oswald Street at the landowner's expense and is to be brick paved, to the satisfaction of the City.
16. Prior to the occupation of the development, pedestrian priority signage is to be installed adjacent to the Exit Only crossover at the cost of the Landowner, to the satisfaction of the City.

### General

17. A Site Management Plan shall be submitted to the City of Stirling and approved prior to commencement of works. The Site Management Plan shall include, but not limited to, dust, noise, vibration, waste management, storage of materials, traffic, parking, on-site and street tree protection areas and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development, to the satisfaction of the City of Stirling.
18. 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.
19. Air-conditioning units, ducts and other services shall be screened from view and are to be located away from the streets, to the satisfaction of the City of Stirling.
20. Boundary walls shall not exceed the height shown on the approved plans. Prior to occupation, the external finish of the boundary walls shall be finished externally to the same standard as the rest of the development, to the satisfaction of the City of Stirling.
21. No walls, letterboxes, fences or other structures above 0.75 metres in height to be constructed within 1.5 metres of where:
  - a. vehicular access points adjoin the site, or
  - b. driveway meets a public street, or
  - c. two streets intersect, or
  - d. driveway meets a right of way, orunless further approval from the City of Stirling is obtained.
22. The development is to comply with the Waste Management Plan received 8 December 2021 prepared by MAZE Architects, unless otherwise approved by the City of Stirling.
23. 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.



24. The development is required to be connected to sewer.

### Advice Notes

1. If the development the subject of this approval is not substantially commenced within a period of four years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
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 City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention
5. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
6. 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.
7. With respect to the Advanced Trees, an Advanced Tree is defined in Local Planning Policy 6.11 Trees and Development as: *a tree which requires planting in at least a 100 litre container or greater size and which is at least 2 metres in height and at least 2 years of age.*
8. The proposed crossover configuration is subject to the approval of the City's Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.
9. Collection and disposal of waste shall be managed in accordance with the City of Stirling Waste Management Local Law 2010, to the satisfaction of the City of Stirling.
10. Acid sulfate soils risk mapping indicates that the site is located within an area identified as representing a risk of ASS occurring within 3 metres of the natural soil surface. Please refer to Department of Water and Environmental Regulation's acid sulfate soil guidelines for information to assist with the management of ground and/or groundwater disturbing works. <https://www.der.wa.gov.au/your-environment/acid-sulfate-soils/69-acidsulfatesoils-guidelines>.



11. The City of Stirling's Environmental Health Business Unit provides the following advice:
- a. The Food Tenancy is to comply with the requirements of the *Food Act 2008*. A food premises notification form is required to be completed and submitted to the City.
  - b. Compliance with Standard 3.3.1 – Food Safety Programs for Food Service to Vulnerable Persons is required. A food safety plan must be submitted to the City for assessment and approval prior to operation.
  - c. A City of Stirling Environmental Health Officer is to be contacted to arrange a final inspection prior to the commencement of trade.
  - d. Full plans and specifications, including detailed kitchen fit out plans to be submitted to City's Environmental Health Business Unit for assessment. The following details will be required to support the application:
    - i. Two copies of scale floor plans showing the position of all fixtures and equipment (scale 1:50);
    - ii. Two copies of scaled sectional elevation plans showing the position of all fixtures and equipment;
    - iii. Finishes of every wall, floor and ceiling;
    - iv. Indication of hot and cold water supply and wastewater services;
    - v. Location of all sinks including hand washbasin; and
    - vi. Provide details of ventilation and exhaust system servicing the premises.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** The JDAP considered the proposal is consistent with the planning framework, and is an appropriate development of an underused portion of the site. The additional retail offering is considered a benefit to the community. JDAP noted the inclusion of a condition regarding on-site servicing and site reconfiguration should closure of a portion of the road reserve occur. The JDAP supported the proposal consistent with the recommendation and reasons outlined in the RAR.

**8.1b No.388 (Lot 4) Scarborough Beach Road, Innaloo**

Development Description: Aldi Supermarket addition and associated works  
Applicant: Urbis Pty Ltd  
Owner: Scentre Management Limited and RE1 Limited  
Responsible Authority: City of Stirling  
DAP File No: DAP/21/02097

**REPORT RECOMMENDATION**

**Moved by:** Cr Suzanne Migdale

**Seconded by:** Cr Felicity Farrelly

That the Metro Inner-North JDAP resolves to:

1. **Approve** DAP Application reference DAP/21/02097 and accompanying plans (numbered SDC-01, SDC-02, SDC-03, SDC-04) date-stamped 27 January 2022 by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission, in accordance with Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:





## Conditions

1. The proposed development is to comply in all respects with the submitted plans date-stamped 27 January 2022 by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission (attached).
2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, which is inclusive of the automatic two year extension of time provided for under the *COVID-19 Response and Economic Recovery Omnibus Act 2020*. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

## Advice Notes

1. The Department of Transport advises that the landowner/applicant should review the shopping centre Parking Management Plan and the travel plan and make necessary adjustment to take the parking reduction into consideration.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** The JDAP considered the proposal is consistent with the planning framework and development in the area. The JDAP supported the proposal consistent with the recommendation and reasons outlined in the RAR.

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

Nil

## 10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01651 DR160/2020	City of Nedlands	Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands	Shopping Centre	21/07/2020
DAP/19/01655 DR178/2021	City of Nedlands	Lot 684 (135) Broadway, Nedlands	Mixed Use Development (26 Serviced Apartments and Café)	30/08/2021



<b>Current SAT Applications</b>				
<b>File No. &amp; SAT DR No.</b>	<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>	<b>Date Lodged</b>
DAP/21/02050 DR21/1245	City of Stirling	Lot 3 (No.27) Pimlott Street & Lot 4 (No.1) Greenacre Street, Dianella	Child Care Premises	21/12/2021

The Presiding Member noted the following Supreme Court Appeal –

<b>Current Supreme Court Appeals</b>				
<b>File No.</b>	<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>	<b>Date Lodged</b>
DAP/20/01884 CIV 1791 of 2021	City of Stirling	Lot 100 Field Street, Mount Lawley	24 multiple dwellings and six (6) grouped dwellings	11 February 2021
DAP/19/01722 CIV 2311 of 2021	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	Mixed Use Development – Six (6) Multiple Dwellings and One (1) Commercial Tenancy	3 December 2021

## 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 10.16am.