



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 18 January 2022; 9.00am
Meeting Number: MINJDAP/126
Meeting Venue: Electronic Means

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

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Attendance

DAP Members

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

Officers in attendance

Ms Giovanna Lumbaca (City of Stirling)
Mr Dean Williams (City of Stirling)
Ms Amanda Sheers (City of Stirling)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr Ben Doyle (Planning Solutions)
Mr Nathan Maas (Planning Solutions)
Mr Sharaan Muruvan (Hillam Architects)
Mr Grant Donald (TDL)
Mr Paul McQueen (Lavan)
Ms Alysha Cass (Willing Property)
Mr Tim Willing (Willing Property)

Members of the Public / Media

Ms Claire Tyrell from Business News was in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.01am on 18 January 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

Cr Felicity Farrelly (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](#).

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

7.1 Mr Paul McQueen (Lavan) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from panel.

7.2 Mr Ben Doyle (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 9.1 responded to questions from panel.

7.3 The City of Stirling Officers responded to questions from panel in relation to Item 9.1.

8. Form 1 – Responsible Authority Reports – DAP Applications

Nil



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

9.1 Lot 100 (7) Field Street, Mount Lawley

Development Description:	Modifications to 24 Multiple Dwellings and Six (6) Grouped Dwellings
Proposed Amendments:	Amendment to DA20/1841 – Modifications to 24 Multiple Dwellings and Six (6) Grouped Dwellings
Applicant:	Planning Solutions
Owner:	Field Street Development Pty Ltd
Responsible Authority:	City of Stirling
DAP File No:	DAP/20/01884

REPORT RECOMMENDATION

Moved by: Mr John Syme

Seconded by: Ms Lee O'Donohue

That the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/20/01884 as detailed on the DAP Form 2 dated 11 October 2021 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/20/01884 as detailed on the DAP Form 2 dated 11 October 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 City of Stirling Local Planning Scheme No.3 and the Metropolitan Region Scheme, for the Amendment to 24 Multiple Dwellings and Six (6) Grouped Dwellings at Lot 100, House Number 7, Field Street, Mount Lawley subject to:

Amended Conditions

12. The trees identified on-site for retention as per the submitted Arboricultural Impact Assessment prepared by ArborSafe Australia Pty Ltd dated 1 December 2021 shall be maintained on-site for the life of the development. Recommendations identified in the submitted Arboricultural Impact Assessment prepared by ArborSafe Australia Pty Ltd dated 1 December 2021 shall be implemented for the duration of the construction of the development, to the satisfaction of the City.
28. The right-of-way (Memorial Lane) along the south-west boundary of the subject site land is to be widened and constructed by 0.49m by the owner and the required land ceded free of costs to the Crown, prior to occupation of development or strata titling, whichever occurs first.
33. All landscaping is to be in accordance with the Landscaping Plan prepared by TDL received on 23 December 2021, to the satisfaction of the City.



New Conditions

41. Prior to the submission of a Building Permit, detailed elevation plans of the Fire Booster are to be submitted to the City's satisfaction showing the relocated Fire Booster, to be wholly within the lot boundaries, to be integrated into the development and restricted to a maximum height of 1.8m above natural ground level, unless otherwise approved by the City.
42. Detailed civil engineering drawings of the proposed works within the road reserve need to be submitted for review and written approval obtained from the City prior to the submission of a Building Permit.
43. An Excavation Permit must be obtained from the City with the associated bond payment and inspection fee paid prior to any works commencing within the road reserve.

Deleted Conditions

23. Prior to occupation of the development, a 2m x 2.5m truncation at the intersection of the driveway and Memorial Lane shall be provided, to the satisfaction of the City.

Amended Advice Notes

9. In relation to the condition for a performance bond, the current estimated cost of a performance bond for the required Memorial Lane widening works is \$13,956.00. Please note that this figure is subject to change and will need to be confirmed with the City prior to payment.

New Advice Notes

12. The Fire Appliance Layover Area must be designed to accommodate the hardstand requirements of the Department of Fire and Emergency Services without encroaching into the footpath and minimising the impact to the landscaping area of the verge and existing tree.

Deleted Advice Notes

7. In reference to the condition relating for a monetary contribution towards the construction of the abutting Memorial Lane will, this contribution will need to be paid by the landowner in order to satisfy this condition of approval. The required contribution amount is currently estimated to be \$17,000 including GST. Please note this is only an estimate which is subject to change and the amount payable will need to be confirmed with the City prior to payment.

All other conditions and requirements detailed on the previous approval dated 11 February 2021, shall remain unless altered by this application.

Where an approval has so lapsed, no development shall be carried out without further approval first being sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under Regulation 17(1)(a) of the *Planning and Development (Development Assessment Panel) Regulations 2011*.



PROCEDURAL MOTION 1

Moved by: Ms Francesca Lefante

Seconded by: Cr Suzanne Migdale

That the Standing Orders be suspended in accordance with section 5.10.2h of the DAP Standing Orders 2020.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: to allow members to speak more than once on the same item.

PROCEDURAL MOTION 2

Moved by: Ms Francesca Lefante

Seconded by: Cr Elizabeth Re

That the Standing Orders be reinstated in accordance with section 5.10.2h of the DAP Standing Orders 2020.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: to reapply the standing orders

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposed modifications are considered minor and are appropriate in the context of the original approved plans. The project is consistent with the design principle of the R-Codes as they apply to the Form 2 proposal. The additional and modified conditions are supported as they relate directly to the Form 2 minor modifications to the proposed building internal changes and communal open space. The JDAP supported the development changes consistent with the recommendation and reasons outlined in the RAR.

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



Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01655 DR178/2021	City of Nedlands	Lot 684 (135) Broadway, Nedlands	Mixed Use Development (26 Serviced Apartments and Café)	30/08/2021
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 Appeals –

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
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 9.43am.