

Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 1 September 2026; 9:30am
Meeting Number: MIDAP/150
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/150 - 1 September 2026 - City of Fremantle - City of Stirling](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Noting of Minutes

PART B – CITY OF FREMANTLE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lot 116 (No.47) Pakenham Street, Fremantle - Mixed Use Development - Amendment to elements of built form and condition approval – DAP/25/02841
5. Section 31 SAT Reconsiderations

PART C – CITY OF STIRLING

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 9 (Street Number 14) and Lot 10 (Street Number 16) Morris Place, Innaloo - Medical Centre – DAP/26/03114
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – CITY OF SUBIACO

3. Form 1 DAP Applications
 - 3.1a Lot 26. (No. 315) Hay Street, Subiaco - Change of Use from a Restaurant to a Bulky Goods Showroom and Two Offices with Additions and Alterations – DAP/26/03079



Clayton Higham
Presiding Member, Metro Inner DAP

3.1b Lot 26. (No. 315) Hay Street, Subiaco - Change of Use from a Restaurant to a Bulky Goods Showroom and Two Offices with Additions and Alterations – DAP/26/03079

PART E – OTHER BUSINESS

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



Clayton Higham
Presiding Member, Metro Inner DAP

DAP Members

Clayton Higham (Presiding Member)

Francesca Lefante (Deputy Presiding Member)

Tony Arias

Cr Andrew Sullivan (Part B – City of Fremantle)

Cr Ingrid Van Dorssen (Part B – City of Fremantle)

Cr Suzanne Migdale (Part C – City of Stirling)

Cr Rob Paparde (Part C – City of Stirling)

DAP Secretariat

Kristen Gray

Ashlee Kelly



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Presiding Member, Metro Inner DAP

Part B – City of Fremantle

Submitters

Piers Brooke Williams
Kate Pearson
Ken Perry
Stacey Towne
Pamela Cattalini

Applicant

Joshua Carmody (Planning Solutions)
Felipe Soto (Space Collective)

Officers/Technical Advisors in Attendance

Justin Lawrence

Part C – City of Stirling

Applicant

Trent Will (TBB Planning)
Melanie Cox (TBB Planning)
Kellie George (TBB Planning)
Patrick Hubble (Hubble Design)
Sophie McDonough (Hubble Design)

Officers/Technical Advisors in Attendance

Sam Michie
Nicholas Bertone

Members of the Public / Media

Nil

Observers via livestream

There were 9 persons observing the meeting via the livestream.



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Presiding Member, Metro Inner DAP

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 1 September 2026 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

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

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

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

Nil

3. Noting of Minutes

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



Clayton Higham
Presiding Member, Metro Inner DAP

PART B – CITY OF FREMANTLE

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

In accordance with section 2.4.5 of the DAP Code of Conduct 2025, DAP Member, Cr Andrew Sullivan and Cr Ingrid Van Dorssen, declared that they had participated in a prior Council briefing in relation to the application at item 4.1. However, under section 2.1.2 of the DAP Code of Conduct 2025, Cr Sullivan and Cr Van Dorssen acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 3.3 of the DAP Code of Conduct 2025, the Presiding Member determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in the discussion and voting on the item.

3. Form 1 DAP Applications

Nil

4. Form 2 DAP Applications

4.1 Lot 116 (No.47) Pakenham Street, Fremantle - Mixed Use Development - Amendment to elements of built form and condition approval – DAP/25/02841

Deputations

Kate Pearson addressed the DAP against the application at Item 4.1.

Ken Perry addressed the DAP against the application at Item 4.1.

Piers Brooke Williams addressed the DAP against the application at Item 4.1.

Joshua Carmody (Planning Solutions) addressed the DAP in support of the application at Item 4.1 and responded to questions from the panel.

Felipe Soto (Space Collective) addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.



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The panel noted written submissions against the application at Item 4.1 were received from Stacey Towne and Pamela Cattalini.

The City of Fremantle addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.

SUBSTANTIVE MOTION

Moved by: Cr Ingrid Van Dorssen

Seconded by: Francesca Lefante

That the Metro Inner DAP resolves to:

- A. **Accept** that the DAP Application reference DAP/25/02841 as detailed on the DAP Form 2 dated 3 June 2026 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
- B. **Approve** DAP Application reference DAP/25/02841 and accompanying plans (Plan No. SD1-01 Rev. B, SD1-02 Rev. B, SD2-01 Rev. B, SD2-02 Rev. B, SD2-03 Rev. B, SD2-04 Rev. B, SD2-05 Rev. B, SD2-06 Rev. B, SD2-07 Rev. C, SD2-08 Rev. B, SD3-01 Rev. C, SD3-02 Rev. C, SD3-03 Rev. C, SD4-01 Rev. C) dated 30 July 2026 (City of Fremantle received date) 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 Fremantle Local Planning Scheme No. 4, for the proposed minor amendment to the approved Mixed Use Development at Lot 46 (No. 47) Pakenham Street, Fremantle, subject to the following amended conditions:

The following conditions being amended

- 20. Prior to the occupation of the development hereby approved, the owner shall:
 - a) Contribute a monetary amount equal in value to one percent of the estimated development cost or otherwise approved by the City in accordance with the policy, as indicated on the Form of Application for Planning Approval, to the City of Fremantle for development of public art works and/or heritage works to enhance the public realm in accordance with LPP 2.19: *Contributions for Public Art and/or Heritage Works* and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$7 million dollars the contribution to be made is \$70,000;



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Presiding Member, Metro Inner DAP

- b) Alternatively, the Council may waive the requirement for the public art/heritage work(s) monetary contribution in cases where the approved development incorporates public art work(s) to the same value specified above and the public art work(s) is located in a position clearly visible to the general public, either on the site of the development or within a crown reserve adjoining or near to the development site. Any such public artwork proposal is to be developed in accordance with the City's Public Art Policy and the City's Percent for Art Guidelines, and approved by the City of Fremantle.

Prior to occupation of the development, the public art proposal shall be implemented, and thereafter maintained for the life of the development, to the satisfaction of the City of Fremantle.

27. Prior to lodgement of a Building Permit application for the development hereby approved, a detailed drawing showing how the bedrooms for apartments, 201, 202, 203 and 204, the outdoor terrace and bedrooms for apartment 301 and 401 and the balconies for apartments 203, 204, 302, 303 and 402 is to be screened in accordance with Clause 5.4.1/6.4.1 of the Residential Design Codes by either:
- a) fixed obscured or fixed translucent glass to a minimum height of 1.60 metres above internal floor level, or
 - b) fixed screening, with openings not wider than 5cm and with a maximum of 25% perforated surface area, to a minimum height of 1.60 metres above the internal floor level, or
 - c) a minimum sill height of 1.60 metres above the internal floor level

Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle

New Advice Notes

13. The applicant is advised that where contamination is detected, the site is required to be reported to the Department of Water and Environmental Regulation and remediated in accordance with the requirements of that Department. For further information, please see the Department fact sheet on Identifying and Reporting Contaminated sites available online at <https://www.wa.gov.au/government/publications/identifying-and-reporting-contaminated-sites>



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AMENDING MOTION 1

Moved by: Cr Ingrid Van Dorssen

Seconded by: Cr Andrew Sullivan

The following amendments were made en bloc:

- i) That Condition No. 23 be amended to read as follows:

*Prior to commencement of works, a program of monitoring any structural movement and potential vibration impacts **on all adjoining properties, including the following sites:***

- (P0892) Warehouse at 52 Henry Street
- **54 Henry Street**
- **45 Pakenham Street**
- **49 Pakenham Street**

shall be approved and implemented to the satisfaction of the City of Fremantle, on advice from Heritage Council of Western Australia. The Heritage Council is to be notified immediately if any impact occurs and advised on a recommended course of action by a suitably qualified structural engineer

- ii) That Condition No. 2n) be amended to read as follows:

Dilapidation reports of all buildings on adjoining property of the development site.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure that obligations associated with construction impacts apply to all adjoining properties, and that additional controls are in place to protect structures on adjoining sites, given the additional excavation required to accommodate the modified basement parking arrangements.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to:

- A. **Accept** that the DAP Application reference DAP/25/02841 as detailed on the DAP Form 2 dated 3 June 2026 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;



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- B. **Approve** DAP Application reference DAP/25/02841 and accompanying plans (Plan No. SD1-01 Rev. B, SD1-02 Rev. B, SD2-01 Rev. B, SD2-02 Rev. B, SD2-03 Rev. B, SD2-04 Rev. B, SD2-05 Rev. B, SD2-06 Rev. B, SD2-07 Rev. C, SD2-08 Rev. B, SD3-01 Rev. C, SD3-02 Rev. C, SD3-03 Rev. C, SD4-01 Rev. C) dated 30 July 2026 (City of Fremantle received date) 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 Fremantle Local Planning Scheme No. 4, for the proposed minor amendment to the approved Mixed Use Development at Lot 46 (No. 47) Pakenham Street, Fremantle, subject to the following amended conditions:

The following conditions being amended

2. Prior to lodgement of a Building Permit and/or Demolition Permit application for the development hereby approved, a Construction/Demolition Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
- a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise - Construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management;
 - m) Works affecting pedestrian areas; and
 - n) Dilapidation reports of all buildings on adjoining property of the development site
20. Prior to the occupation of the development hereby approved, the owner shall:
- a) Contribute a monetary amount equal in value to one percent of the estimated development cost or otherwise approved by the City in accordance with the policy, as indicated on the Form of Application for Planning Approval, to the City of Fremantle for development of public art works and/or heritage works to enhance the public realm in accordance with LPP 2.19: *Contributions for Public Art and/or Heritage Works* and to the satisfaction of the City of Fremantle. Based on the estimated cost of the development being \$7 million dollars the contribution to be made is \$70,000;



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Presiding Member, Metro Inner DAP

- b) Alternatively, the Council may waive the requirement for the public art/heritage work(s) monetary contribution in cases where the approved development incorporates public art work(s) to the same value specified above and the public art work(s) is located in a position clearly visible to the general public, either on the site of the development or within a crown reserve adjoining or near to the development site. Any such public artwork proposal is to be developed in accordance with the City's Public Art Policy and the City's Percent for Art Guidelines, and approved by the City of Fremantle.

Prior to occupation of the development, the public art proposal shall be implemented, and thereafter maintained for the life of the development, to the satisfaction of the City of Fremantle.

23. Prior to commencement of works, a program of monitoring any structural movement and potential vibration impacts on all adjoining properties, including the following sites:

- (P0892) Warehouse at 52 Henry Street
- 54 Henry Street
- 45 Pakenham Street
- 49 Pakenham Street

shall be approved and implemented to the satisfaction of the City of Fremantle, on advice from Heritage Council of Western Australia. The Heritage Council is to be notified immediately if any impact occurs and advised on a recommended course of action by a suitably qualified structural engineer

27. Prior to lodgement of a Building Permit application for the development hereby approved, a detailed drawing showing how the bedrooms for apartments, 201, 202, 203 and 204, the outdoor terrace and bedrooms for apartment 301 and 401 and the balconies for apartments 203, 204, 302, 303 and 402 is to be screened in accordance with Clause 5.4.1/6.4.1 of the Residential Design Codes by either:
- a) fixed obscured or fixed translucent glass to a minimum height of 1.60 metres above internal floor level, or
 - b) fixed screening, with openings not wider than 5cm and with a maximum of 25% perforated surface area, to a minimum height of 1.60 metres above the internal floor level, or
 - c) a minimum sill height of 1.60 metres above the internal floor level

Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle



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New Advice Notes

13. The applicant is advised that where contamination is detected, the site is required to be reported to the Department of Water and Environmental Regulation and remediated in accordance with the requirements of that Department. For further information, please see the Department fact sheet on Identifying and Reporting Contaminated sites available online at <https://www.wa.gov.au/government/publications/identifying-and-reporting-contaminated-sites>

The Substantive Motion (as amended) was put and CARRIED (4/1).

For: Cr Ingrid Van Dorssen
Francesca Lefante
Clayton Higham
Tony Arias

Against: Cr Andrew Sullivan

REASON: The Panel considered the LPS4 Schedule 7 height provisions, the existing approval and the site context. The RAR analysis supports the variation, noting that development heights in the West End vary relative to the Scheme provisions and that the upper floor would not be visible from the opposite side of Pakenham Street. The Panel also noted that the proposal would have no discernible impacts on the built form, continuous urban wall, amenity, views or streetscape.

The Heritage Council did not raise any issues with the proposal or its impact on the cultural heritage values of the West End. The majority of Panel members supported the exercise of discretion in relation to the minor modifications to the building height, unit configuration and balcony details. They were satisfied that the streetscape interface responds appropriately to the site and its context, and that the proposal contributes to community amenity and the public realm, including through public art.

Members gave due regard to the submissions received, particularly the concerns regarding excavation and construction works and the potential impact of vibration on the structural integrity of adjoining buildings. The Panel supported modifications to the existing conditions to clarify the requirements for dilapidation reports for adjoining properties. On balance, the proposal was supported, subject to the amended conditions.

5. Section 31 SAT Reconsiderations

Nil

Cr Andrew Sullivan and Cr Ingrid Van Dorssen (Local Government DAP Members, City of Fremantle) left the panel at 10:47am.



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PART C – CITY OF STIRLING

Cr Suzanne Migdale and Cr Rob Paparde (Local Government DAP Members, City of Stirling) joined the panel at 10:54am.

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

3.1 Lot 9 (Street Number 14) and Lot 10 (Street Number 16) Morris Place, Innaloo - Medical Centre – DAP/26/03114

Deputations

Trent Will (TBB Planning) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

The City of Stirling addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

SUBSTANTIVE MOTION

Moved by: Francesca Lefante

Seconded by: Cr Suzanne Migdale

The RAR recommendation was moved and seconded, inclusive of an administrative correction to ensure the Advice Note numbers were in sequential order

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/26/03114 for a Medical Centre at Lot 9 (No.14) and Lot 10 (No.16) Morris Place, Innaloo in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of Clause 10.2 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

1. The development is to be undertaken in accordance with the approved plans and documents attached to this approval, as listed below, except where amended by subsequent conditions:



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Presiding Member, Metro Inner DAP

Plan/ Document Name	Reference	Date
Location Plan	A0:03	24 July 2026
Contour and Feature Plan	MOR 001	24 July 2026
Site Plan	A0:04	24 July 2026
Ground Floor	A1-01	24 July 2026
First Floor	A1-02	24 July 2026
Second Floor	A1:03	24 July 2026
Third Floor	A1:04	24 July 2026
Roof Plan	A1:05	24 July 2026
Elevations	A2-01	24 July 2026
Elevations	A2-02	24 July 2026
Sections	A3-01	24 July 2026
Applicant's Development Application Report	N/A	15 April 2026
Applicant's Responses to DRP	N/A	15 April 2026
Sustainability Strategy	N/A	15 April 2026
Transport Impact Statement	Rev C	15 April 2026
Waste Management Plan	Rev B	15 April 2026

2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being **1 September 2026**. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. Notwithstanding the requirements of Condition 1, amended plans shall be provided as part of the Building Permit submission to the satisfaction of the City of Stirling addressing the following:
 - a. The Location Plan (A3:03), Site Plan (A0:04), and Ground Floor plan (A1-01) are to be amended to remove the landscaped area within Blackgum Lane to the east of the subject site.

Building Design

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. Prior to occupation of the development, the external finish of the boundary walls shall be to the same standard as the rest of the development, to the satisfaction of the City of Stirling.



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Construction Management

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

Landscaping

7. All street trees located on the verge shall be retained and protected in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the City of Stirling.
8. The proposed plantings on the fourth storey balcony are to be maintained in accordance with Local Planning Policy 6.6 – Trees and Landscaping – Non-Residential to the satisfaction of the City for the duration of the development.

Lighting and Security

9. Lighting is to be 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.

Noise

10. Within three (3) months of the commencement of the development, a Noise Report prepared by an accredited noise consultant shall be submitted to and approved in writing by the City of Stirling. The noise report confirming noise from the development complies with the *Environmental Protection (Noise) Regulations 1997*, to the satisfaction of the City of Stirling.

Development Contributions

11. Prior to the submission of a Building Permit application, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with Local Planning Policy 6.12 – Public Art on Private Land must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Public Art Panel.
12. Prior to the 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 LPP6.12, to the satisfaction of the City of Stirling.



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13. Prior to the submission of a Building Permit application, the owner must pay to the City a development contribution towards the cost of providing lighting infrastructure in the right of way Blackgum Lane abutting the land in accordance with the City's Local Planning Scheme No. 3. The contribution must be made to the City at or before the time an application is made for a building permit or within 60 days from the commencement of the development, whichever occurs first.

Waste Management

14. The development is to comply with the Waste Management Plan prepared by WSP received 15 April 2026 for the duration of the development, to the satisfaction of the City.
15. 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. There shall be no connection to the City's drainage infrastructure without the written consent of the City of Stirling.

Engineering

16. Prior to the submission of a Building Permit application, a 2m x 2m sight line truncation to be provided at the intersection of Blackgum Lane in the north-eastern corner of the building. The truncation is to be provided to a minimum height of 2.7m and be ceded to the Crown free of costs to the satisfaction of the City.

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.



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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. 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. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
8. 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.
9. 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*.
10. 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.

Lighting and Security

11. 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.



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Noise

12. All noise generated by plant and equipment including air conditioners shall comply with the *Environmental (Noise) Regulations 1997*.

Development Contributions

13. In relation to the Public Art condition, please refer to the City of Stirling Developer's Guide to Public Art and the City of Stirling Public Art Masterplan

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$51,300.

14. A monetary contribution towards the ROW lighting infrastructure Pingrup Lane will need to be paid by the applicant/landowner in order to satisfy this condition of approval. The required contribution amount is currently estimated to be \$4,179.01. 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.

Waste Management

15. 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: Francesca Lefante

Seconded by: Cr Suzanne Migdale

The following amendments were made en bloc:

- i) That Condition No. 16 be amended to read as follows:

~~Prior to the submission of a Building Permit application, a 2m x 2m sight line truncation to be provided at the intersection of Blackgum Lane in the north-eastern corner of the building. The truncation is to be provided to a minimum height of 2.7m and be ceded to the Crown free of costs to the satisfaction of the City.~~

Prior to the occupation of the development, the applicant shall lodge an easement in accordance with Sections 195 and 196 of the Land Administration Act 1997 to be placed on the Certificate of Title, and notice of the easement is to be included on the applicable Deposited Plan. The easement is to apply to the 2m x 2m truncation area at the ground floor up to a height of 2.7m on the north-eastern corner of the lot and is to permit access rights in to the benefit of the City of Stirling and public at large.



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- ii) That a new Condition No.1 7 be added to read as follows:

The applicant/ owner is to ensure the 2m x 2m truncation area remains sealed and trafficable to the satisfaction of the City for the duration of the development.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure that the truncation area remains functional and accessible for the duration of the development, and to clarify the timeframe for satisfying the requirements.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/26/03114 for a Medical Centre at Lot 9 (No.14) and Lot 10 (No.16) Morris Place, Innaloo in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of Clause 10.2 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

1. The development is to be undertaken in accordance with the approved plans and documents attached to this approval, as listed below, except where amended by subsequent conditions:

Plan/ Document Name	Reference	Date
Location Plan	A0:03	24 July 2026
Contour and Feature Plan	MOR 001	24 July 2026
Site Plan	A0:04	24 July 2026
Ground Floor	A1-01	24 July 2026
First Floor	A1-02	24 July 2026
Second Floor	A1:03	24 July 2026
Third Floor	A1:04	24 July 2026
Roof Plan	A1:05	24 July 2026
Elevations	A2-01	24 July 2026
Elevations	A2-02	24 July 2026
Sections	A3-01	24 July 2026
Applicant's Development Application Report	N/A	15 April 2026
Applicant's Responses to DRP	N/A	15 April 2026
Sustainability Strategy	N/A	15 April 2026
Transport Impact Statement	Rev C	15 April 2026
Waste Management Plan	Rev B	15 April 2026



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2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being **1 September 2026**. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. Notwithstanding the requirements of Condition 1, amended plans shall be provided as part of the Building Permit submission to the satisfaction of the City of Stirling addressing the following:
 - a. The Location Plan (A3:03), Site Plan (A0:04), and Ground Floor plan (A1-01) are to be amended to remove the landscaped area within Blackgum Lane to the east of the subject site.

Building Design

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. Prior to occupation of the development, the external finish of the boundary walls shall be to the same standard as the rest of the development, to the satisfaction of the City of Stirling.

Construction Management

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

Landscaping

7. All street trees located on the verge shall be retained and protected in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the City of Stirling.
8. The proposed plantings on the fourth storey balcony are to be maintained in accordance with Local Planning Policy 6.6 – Trees and Landscaping – Non-Residential to the satisfaction of the City for the duration of the development.



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Lighting and Security

9. Lighting is to be 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.

Noise

10. Within three (3) months of the commencement of the development, a Noise Report prepared by an accredited noise consultant shall be submitted to and approved in writing by the City of Stirling. The noise report confirming noise from the development complies with the *Environmental Protection (Noise) Regulations 1997*, to the satisfaction of the City of Stirling.

Development Contributions

11. Prior to the submission of a Building Permit application, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with Local Planning Policy 6.12 – Public Art on Private Land must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Public Art Panel.
12. Prior to the 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 LPP6.12, to the satisfaction of the City of Stirling.
13. Prior to the submission of a Building Permit application, the owner must pay to the City a development contribution towards the cost of providing lighting infrastructure in the right of way Blackgum Lane abutting the land in accordance with the City's Local Planning Scheme No. 3. The contribution must be made to the City at or before the time an application is made for a building permit or within 60 days from the commencement of the development, whichever occurs first.

Waste Management

14. The development is to comply with the Waste Management Plan prepared by WSP received 15 April 2026 for the duration of the development, to the satisfaction of the City.
15. 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. There shall be no connection to the City's drainage infrastructure without the written consent of the City of Stirling.



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Engineering

16. Prior to the occupation of the development, the applicant shall lodge an easement in accordance with Sections 195 and 196 of the *Land Administration Act 1997* to be placed on the Certificate of Title, and notice of the easement is to be included on the applicable Deposited Plan. The easement is to apply to the 2m x 2m truncation area at the ground floor up to a height of 2.7m on the north-eastern corner of the lot and is to permit access rights in to the benefit of the City of Stirling and public at large.
17. The applicant/ owner is to ensure the 2m x 2m truncation area remains sealed and trafficable to the satisfaction of the City for the duration 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. 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. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.



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7. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
8. 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.
9. 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*.
10. 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.

Lighting and Security

11. 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.

Noise

12. All noise generated by plant and equipment including air conditioners shall comply with the *Environmental (Noise) Regulations 1997*.

Development Contributions

13. In relation to the Public Art condition, please refer to the City of Stirling Developer's Guide to Public Art and the City of Stirling Public Art Masterplan

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$51,300.

14. A monetary contribution towards the ROW lighting infrastructure Pingrup Lane will need to be paid by the applicant/landowner in order to satisfy this condition of approval. The required contribution amount is currently estimated to be \$4,179.01. 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.



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Waste Management

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

The Substantive Motion (as amended) was put and CARRIED UNANIMOUSLY.

REASON: Panel members were satisfied that the proposal is consistent with the City of Stirling Local Planning Scheme No. 3, the Local Centre zoning provisions and the relevant planning policies. They also accepted that the proposed land uses are permitted within the Centre Zone and supported the exercise of discretion for the proposed five-storey built form.

The proposal was considered by the DRP, and the design was modified in response to its feedback, particularly in relation to the street interface and ground-floor details. The built-form details create a strong street interface through ground-floor glazing and awnings, which provide weather protection for pedestrians and clearly define the central entry. The façade materials and finishes respond to the local centre context and incorporate public art, enhancing the building's interface with the public domain. The building height, upper-floor setbacks and design minimise impacts on the street.

The Morris Place Neighbourhood Centre has a unique shared public parking arrangement that supports the centre, and additional parking is proposed within the adjoining laneways. Due regard was given to the submissions received. Members were satisfied, having regard to the findings of the TIS and the City's review, that the parking arrangements are sufficient to accommodate the proposal's intensity and scale, and that the parking shortfall would not result in undue adverse impacts.

The central shared parking within the local centre supports a diversity of businesses with differing peak demand periods. In this instance, the exercise of discretion in relation to the parking provisions is warranted. On balance, the Panel supported the proposal, including the exercise of discretion, having regard to the land use and location context and subject to the minor condition changes.

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil



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PART D – CITY OF SUBIACO

The Presiding Member notes that the following application was postponed from the meeting on the 1 September 2026, as submitters were not notified by the City of Subiaco in accordance with Regulation 39 (1A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. The application will be heard at the MIDAP/152 on 9 September 2026.

3. Form 1 DAP Applications

- 3.1a Lot 26. (No. 315) Hay Street, Subiaco - Change of Use from a Restaurant to a Bulky Goods Showroom and Two Offices with Additions and Alterations – DAP/26/03079
- 3.1b Lot 26. (No. 315) Hay Street, Subiaco - Change of Use from a Restaurant to a Bulky Goods Showroom and Two Offices with Additions and Alterations – DAP/26/03079



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PART E – 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/20/01911 DR192/2024	Town of Cambridge	Lot 800 (29-33) Northwood Street, West Leederville	Three storey care premises and associated office	16/12/2024
DAP/25/02994 DR41/2026	City of Fremantle	Lot 21 (242) Marine Terrace, South Fremantle	5 (5) Storey Multiple Dwelling	24/03/2026
DAP/25/03019 DR/91/2026	Town of Cambridge	Lot 101 (No.95-99) Cambridge Street and Lot 4, (No. 17) Kerr Street, West Leederville	Additions and Alterations to Existing Tavern	18/06/2026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:29am.



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