



## Metro Inner Development Assessment Panel Minutes

**Meeting Date and Time:** Wednesday, 14 January 2026; 9:30am  
**Meeting Number:** MIDAP/112  
**Meeting Venue:** 140 William Street, Perth

*A recording of the meeting is available via the following link:*

[MIDAP/112 - 14 January 2026 - City of Stirling - City of South Perth](#)

### **PART A – INTRODUCTION**

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

### **PART B – CITY OF STIRLING**

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Lot 90 & 89 (House Numbers 38 & 59) Geneff Street and Hertha Road, Innaloo – 22 Multiple Dwellings – DAP/25/02946
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

### **PART C – CITY OF SOUTH PERTH**

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Lot No.6 (29) Baldwin Street, Como – Three grouped dwellings – DAP/25/02966
4. Form 2 DAP Applications
  - 4.1 Lot 4 (No. 3) Lyall Street and Lot 11 (No. 56) Melville Parade, South Perth – 27 – Storey Mixed Development – Amendment to development approval (extension of time) – DAP/16/00989
5. Section 31 SAT Reconsiderations

### **PART D – OTHER BUSINESS**

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

**Dale Page**  
Presiding Member, Metro Inner DAP



<b>DAP Members</b>
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Dale Page (Presiding Member)
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Francesca Lefante (Deputy Presiding Member)
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Tony Arias
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Cr Michael Dudek (Part B – City of Stirling)
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Cr Suzanne Migdale (Part B – City of Stirling)
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<b>DAP Secretariat</b>
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Kristen Gray
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Ashlee Kelly
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**Dale Page**  
Presiding Member, Metro Inner DAP



<b>Part B – City of Stirling</b>
<b>Applicant</b>
Andrew Baranowski (Plan E) Sean Van der Poel (RAD Architecture) Cici Tang (Plan E) Esther Su (RAD Architecture) Peter Mayall
<b>Officers/Technical Advisors in Attendance</b>
Shaun Wheatland James Fletcher Sophia Re Joseph Rowe-Martin

<b>Part C – City of South Perth</b>
<b>Applicant</b>
Item 3.1
Petar Mrdja (Urbanista)
Item 4.1
Dan Lees (Element Advisory)
<b>Officers/Technical Advisors in Attendance</b>
Courtney Wynn Fiona Mullen

**Members of the Public / Media**

Nil.

**Observers via livestream**

There were 4 persons observing the meeting via the livestream.

**Dale Page**  
Presiding Member, Metro Inner DAP



## PART A – INTRODUCTION

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

The Presiding Member declared the meeting open at 9:34am on 14 January 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 2025 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

Luigi D'Alessandro (Specialist Member)  
Cr Bronwyn Waugh (Local Government DAP Member, City of South Perth)

### 3. Noting of Minutes

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

Dale Page  
Presiding Member, Metro Inner DAP



## PART B – CITY OF STIRLING

### 1. Declaration of Due Consideration

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

### 2. Disclosure of Interests

Nil.

### 3. Form 1 DAP Applications

#### 3.1 Lot 90 & 89 (House Numbers 38 & 59) Geneff Street and Hertha Road, Innaloo – 22 Multiple Dwellings – DAP/25/02946

##### Deputations

Sean Van der Poel (RAD Architecture) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Andrew Baranowski (Plan E) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

The panel noted a written submission in support of the application at Item 3.1. was received from Peter Mayall.

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:** Cr Suzanne Migdale

**Seconded by:** Francesca Lefante

That the Metro Inner DAP resolves to:

**Approve** DAP Application reference DAP/25/02946 and accompanying plans as listed in Condition 2 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 Twenty-Two Multiple Dwellings on Lot 90 House Number 38 Geneff Street Innaloo and Lot 89 House Number 59 Hertha Road, Innaloo subject to the following conditions:

**Dale Page**  
Presiding Member, Metro Inner DAP



## Conditions

1. This decision constitutes planning approval only and is valid for a period of four 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 or modifications required as detailed thereon by the Metro Inner Development Assessment Panel. The plans approved as part of this application are listed below:

<b>DRAWING TITLE</b>	<b>Date</b>	<b>Drawing Number</b>	<b>Drawn By</b>
Survey Plan	10/11/2025	DA0-02	Rad Architecture
Demolition Plan	10/11/2025	DA0-03	Rad Architecture
Site Plan	10/11/2025	DA0-04	Rad Architecture
Floor Plan – Ground	10/11/2025	DA1-01	Rad Architecture
Floor Plan – Level 1	10/11/2025	DA1-02	Rad Architecture
Floor Plan – Level 2	10/11/2025	DA1-03	Rad Architecture
Floor Plan – Level 3	10/11/2025	DA1-04	Rad Architecture
Floor Plan – Roof	10/11/2025	DA1-05	Rad Architecture
Elevation – East and North	10/11/2025	DA2-01	Rad Architecture
Elevation – West and South	10/11/2025	DA2-02	Rad Architecture
Material Palette	10/11/2025	DA2-03	Rad Architecture
Schematic Sections	10/11/2025	DA3-01	Rad Architecture
Development Summary	10/11/2025	DA5-01	Rad Architecture
Landscape Concept Plan – Ground Floor	7/11/2025	C1.103	Landscape Architects
Landscape Concept Plan – Level 01	7/11/2025	C1.104	Landscape Architects

**Dale Page**  
Presiding Member, Metro Inner DAP



### Landscaping

3. The street trees indicated on the approved plans for retention must be retained in accordance with the approved site plan prepared by Plan J RAD Architecture dated 7 November 2025. The tree must be protected during the demolition and construction phase of the development in accordance with the tree protection zone measures outlined in AS4970-2025. The street trees shall be thereafter maintained to the satisfaction of the City. Should the tree die or be removed, it shall be replaced by a Medium sized tree to the satisfaction of the City of Stirling
4. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved landscaping plan prepared by Landscape Architects dated 7 November 2025 and thereafter maintained to the satisfaction of the City of Stirling.
  - a. The proposed medium trees must be of a species that achieves a height at maturity of 8m to 12m.
  - b. The trees proposed along the southern lot boundary are to be shade-tolerant species and the landscape treatment is to demonstrate that they can be supported despite solar access being limited.

### Parking and Access

5. The verge parking bays are to be extended as per figure 2 in this report. The amendments marked in red are to be part of the submitted building permit plans.
6. Prior to the occupation of the development, all redundant crossovers shall be removed, and the kerbing and road reserve reinstated at the landowner's expense in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling.
7. The crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling. Crossovers are to be installed prior to occupation of the development.
8. All parking bays, manoeuvring and circulation areas are to comply with Australian Standards AS/NZS2890.1:2004 Amendment 1 and AS2890.1:2018, to the satisfaction of the City of Stirling.
9. Access for persons with disability is to be provided to and within the buildings in accordance with the National construction Code 2022, Building Codes of Australia.
10. Prior to the occupation of the development, the number and allocation of car parking bays provided on-site is to be as follows:
  - a. 33 Residential Bays: and
  - b. Two (2) Visitor Bays.



11. Prior to the occupation of the development, the car parking areas as shown on the approved plans shall be line-marked and made available for use. The car parking shall thereafter be retained and available for the life of the development, to the satisfaction of the City of Stirling.
12. Prior to the occupation of the development, a minimum of two visitor bicycle parking bays and 12 resident bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standards AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking, to the satisfaction of the City of Stirling.
13. Prior to the occupation of the development, all verge parking bays shall be signposted to restrict parking during waste collection times.

#### Acoustics

14. Acoustic measures shall be undertaken in accordance with the recommendations in the executive summary of Acoustic Report: Development Application prepared by Lloyd George Acoustic dated 15 May 2025, which forms part of this approval.
15. Prior to the lodgement of the Building Permit application, the landowner is to provide written confirmation that all recommendations in the Acoustic Report have been incorporated into the building design, with the certified building permit application, to the satisfaction of the City of Stirling.
16. Prior to occupation of the development, the landowner shall provide written confirmation to the City of Stirling that the requirements of the Acoustic Report have been incorporated into the completed development by the builder with the Form BA7 Completion Form.
17. Prior to occupation of the development, a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of the development site(s). Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:

*'This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.'*

#### General

18. 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.



19. All air-conditioning units, ducts and other services shall be screened from view and are to be located away from the primary street to the satisfaction of the City of Stirling.
20. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, to the satisfaction of the City of Stirling.
21. No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided to the satisfaction of the City.
22. External lighting shall be positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZS 4282:2023, to the satisfaction of the City of Stirling.
23. A Site Management Plan shall be submitted to and approved by the City of Stirling prior to the commencement of any works. The Site Management Plan shall include specific details on the management of aspects including, but is not limited to, dust, noise, vibration, waste management, storage of materials, traffic, parking, 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.
24. Prior to occupation of the development, all privacy screening shall be installed, to the satisfaction of the City of Stirling.

#### Colours and Materials

25. 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.

#### Waste Management and Services

26. The development is to comply with the Waste Management Plan prepared by Talis Consultants received 10 October 2025, unless otherwise approved by the City of Stirling.

#### Public Art

27. Prior to the occupation of the development, a public art proposal to the value of 1.0% of the construction value shall be submitted to and approved in writing by the City of Stirling.



28. Prior to the occupation of the development, the approved public art proposal shall be completed and installed by the developer and be maintained thereafter by the landowner for the life of the development, to the satisfaction of the City of Stirling.

### Advice Notes

#### General

1. If an applicant is aggrieved by this determination, there is a right of appeal under Part 14 of the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
2. This is a Development Approval under the City of Stirling Local Planning Scheme No.3 and related policies. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the Applicant to obtain any other necessary approvals, consents and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development of the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the Applicant to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Metro Inner DAP's attention.
4. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
5. The development is to be connected to the sewer.
6. The Residential Design Codes defines screening as permanently fixed external perforated panels or trellises composed of solid or obscured translucent panels.

#### Operation

7. 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.

#### Landscaping

8. In relation to the tree retention condition requirement, a medium tree is defined in the Residential Design Codes Volume 2 as: means a tree which is at least 8 metres in height at maturity and at least 2 years of age and required planting in a 36m<sup>2</sup> deep soil planting area with a minimum dimension of 3m. For further information please refer to the Residential Design Codes Volume 2 – Section 3.3 Trees and deep soil areas.



9. In relation to the street tree protection condition a verge permit may be required including the payment of a refundable bond prior to the commencement of works.

#### Parking and Access

10. The proposed crossover configuration is subject to the approval of the City of Stirling Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.
11. Prior to any works commencing for the proposed on street parking, a detailed engineering construction plan prepared by a suitably qualified person at scale 1:100 must be submitted to the City's Senior Engineer, Development Services for written approval. The construction plan must show the following:
1. Feature survey must show:
    - Area of survey to include the (centre of road and minimum 10m extended beyond from each lot boundary of the development site.
    - Existing road, verge, features & boundary with levels to AHD.
    - Existing contours.
    - Existing drainage infrastructure.
    - Existing utility services (refer to dial before you dig).
    - Existing tree trunk diameter at breast height (DHB) and levels.
  2. Design must show:
    - Proposed pavement levels.
    - Proposed path levels
    - Proposed new drainage or modification if required.
    - Proposed service depth of cover (if new pavement is over existing services)
    - Proposed kerbs bin pick-up layout.
    - Proposed hard and soft landscaping details.
    - Proposed new tree locations.
    - Proposed dimensions and clearances,

#### Public Art

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

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$88,000.



Miscellaneous

13. The premises shall operate in compliance with the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997.
14. On advice from the Water Corporation, the applicant is required to submit a Multi Residential Application by using the online portal BuilderNet: login-buildernet.watercorporation.com.au.

**AMENDING MOTION 1**

**Moved by:** Francesca Lefante

**Seconded by:** Tony Arias

The following amendments were made en bloc:

- i) That Condition No. 4 be amended to read as follows:

*Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved landscaping plan prepared by Landscape Architects dated 7 November 2025, **unless otherwise approved** and thereafter maintained to the satisfaction of the City of Stirling.*

- a) *The proposed medium trees must be of a species that achieves a height at maturity of 8m to 12m.*
- b) *The trees proposed along the southern lot boundary are to be shade-tolerant species and the landscape treatment is to demonstrate that they can be supported despite solar access being limited.*

- ii) That Condition No. 5 be amended to read as follows:

*The verge parking bays are to be extended as per figure 2 in this report, **unless otherwise approved to the satisfaction to the City of Stirling**. The amendments marked in red are to be part of the submitted building permit plans.*

- iii) That Condition No. 14 (now Condition No. 13) be amended to read as follows:

*Acoustic measures shall be undertaken in accordance with the recommendations in the executive summary of Acoustic Report: Development Application prepared by Lloyd George Acoustic dated 15 May 2025, which forms part of this approval, **unless otherwise approved to the satisfaction of the City of Stirling**.*



**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The amended wording does not alter the intent of the condition, rather it provides an avenue for flexibility in considering variations by the City.

**AMENDING MOTION 2**

**Moved by:** Dale Page

**Seconded by:** Tony Arias

That Condition No. 9 be deleted and added as a new Advice Note and the remaining conditions be renumbered accordingly.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The requirement for appropriate disability access is covered by the National Construction Code under the Building Codes of Australia. Adherence to relevant requirements and standards is covered by separate legislation and is assessed at building permit stage. There is no need for inclusion of this requirement as a planning condition.

**AMENDING MOTION 3**

**Moved by:** Dale Page

**Seconded by:** Francesca Lefante

That Condition No. 21 (now Condition No. 20) be amended to read as follows:

*No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or ~~storage yards~~ **designated storage areas**, where provided to the satisfaction of the City.*

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** There are no storage yards, and the current wording is therefore confusing.

**SUBSTANTIVE MOTION (AS AMENDED)**

That the Metro Inner DAP resolves to:

**Approve** DAP Application reference DAP/25/02946 and accompanying plans as listed in Condition 2 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 Twenty-Two Multiple Dwellings on Lot 90 House Number 38 Geneff Street Innaloo and Lot 89 House Number 59 Hertha Road, Innaloo subject to the following conditions:

**Dale Page**  
Presiding Member, Metro Inner DAP



## Conditions

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2. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements or modifications required as detailed thereon by the Metro Inner Development Assessment Panel. The plans approved as part of this application are listed below:

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Site Plan	10/11/2025	DA0-04	Rad Architecture
Floor Plan – Ground	10/11/2025	DA1-01	Rad Architecture
Floor Plan – Level 1	10/11/2025	DA1-02	Rad Architecture
Floor Plan – Level 2	10/11/2025	DA1-03	Rad Architecture
Floor Plan – Level 3	10/11/2025	DA1-04	Rad Architecture
Floor Plan – Roof	10/11/2025	DA1-05	Rad Architecture
Elevation – East and North	10/11/2025	DA2-01	Rad Architecture
Elevation – West and South	10/11/2025	DA2-02	Rad Architecture
Material Palette	10/11/2025	DA2-03	Rad Architecture
Schematic Sections	10/11/2025	DA3-01	Rad Architecture
Development Summary	10/11/2025	DA5-01	Rad Architecture
Landscape Concept Plan – Ground Floor	7/11/2025	C1.103	Landscape Architects
Landscape Concept Plan – Level 01	7/11/2025	C1.104	Landscape Architects



### Landscaping

3. The street trees indicated on the approved plans for retention must be retained in accordance with the approved site plan prepared by Plan J RAD Architecture dated 7 November 2025. The tree must be protected during the demolition and construction phase of the development in accordance with the tree protection zone measures outlined in AS4970-2025. The street trees shall be thereafter maintained to the satisfaction of the City. Should the tree die or be removed, it shall be replaced by a Medium sized tree to the satisfaction of the City of Stirling
4. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved landscaping plan prepared by Landscape Architects dated 7 November 2025, unless otherwise approved and thereafter maintained to the satisfaction of the City of Stirling.
  - a. The proposed medium trees must be of a species that achieves a height at maturity of 8m to 12m.
  - b. The trees proposed along the southern lot boundary are to be shade-tolerant species and the landscape treatment is to demonstrate that they can be supported despite solar access being limited.

### Parking and Access

5. The verge parking bays are to be extended as per figure 2 in this report, unless otherwise approved to the satisfaction to the City of Stirling. The amendments marked in red are to be part of the submitted building permit plans.
6. Prior to the occupation of the development, all redundant crossovers shall be removed, and the kerbing and road reserve reinstated at the landowner's expense in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling.
7. The crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 – Parking and Access, to the satisfaction of the City of Stirling. Crossovers are to be installed prior to occupation of the development.
8. All parking bays, manoeuvring and circulation areas are to comply with Australian Standards AS/NZS2890.1:2004 Amendment 1 and AS2890.1:2018, to the satisfaction of the City of Stirling.
9. Prior to the occupation of the development, the number and allocation of car parking bays provided on-site is to be as follows:
  - a. 33 Residential Bays: and
  - b. Two (2) Visitor Bays.



10. Prior to the occupation of the development, the car parking areas as shown on the approved plans shall be line-marked and made available for use. The car parking shall thereafter be retained and available for the life of the development, to the satisfaction of the City of Stirling.
11. Prior to the occupation of the development, a minimum of two visitor bicycle parking bays and 12 resident bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standards AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking, to the satisfaction of the City of Stirling.
12. Prior to the occupation of the development, all verge parking bays shall be signposted to restrict parking during waste collection times.

#### Acoustics

13. Acoustic measures shall be undertaken in accordance with the recommendations in the executive summary of Acoustic Report: Development Application prepared by Lloyd George Acoustic dated 15 May 2025, which forms part of this approval, unless otherwise approved to the satisfaction of the City of Stirling.
14. Prior to the lodgement of the Building Permit application, the landowner is to provide written confirmation that all recommendations in the Acoustic Report have been incorporated into the building design, with the certified building permit application, to the satisfaction of the City of Stirling.
15. Prior to occupation of the development, the landowner shall provide written confirmation to the City of Stirling that the requirements of the Acoustic Report have been incorporated into the completed development by the builder with the Form BA7 Completion Form.
16. Prior to occupation of the development, a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of the development site(s). Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:

*'This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.'*

#### General

17. 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.
18. All air-conditioning units, ducts and other services shall be screened from view and are to be located away from the primary street to the satisfaction of the City of Stirling.



19. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, to the satisfaction of the City of Stirling.
20. No goods or materials are to be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or designated storage areas, where provided to the satisfaction of the City.
21. External lighting shall be positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZS 4282:2023, to the satisfaction of the City of Stirling.
22. A Site Management Plan shall be submitted to and approved by the City of Stirling prior to the commencement of any works. The Site Management Plan shall include specific details on the management of aspects including, but is not limited to, dust, noise, vibration, waste management, storage of materials, traffic, parking, 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.
23. Prior to occupation of the development, all privacy screening shall be installed, to the satisfaction of the City of Stirling.

#### Colours and Materials

24. 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.

#### Waste Management and Services

25. The development is to comply with the Waste Management Plan prepared by Talis Consultants received 10 October 2025, unless otherwise approved by the City of Stirling.

#### Public Art

26. Prior to the occupation of the development, a public art proposal to the value of 1.0% of the construction value shall be submitted to and approved in writing by the City of Stirling.
27. Prior to the occupation of the development, the approved public art proposal shall be completed and installed by the developer and be maintained thereafter by the landowner for the life of the development, to the satisfaction of the City of Stirling.

**Dale Page**  
Presiding Member, Metro Inner DAP



## Advice Notes

### General

1. If an applicant is aggrieved by this determination, there is a right of appeal under Part 14 of the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
2. This is a Development Approval under the City of Stirling Local Planning Scheme No.3 and related policies. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the Applicant to obtain any other necessary approvals, consents and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development of the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the Applicant to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Metro Inner DAP's attention.
4. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
5. The development is to be connected to the sewer.
6. The Residential Design Codes defines screening as permanently fixed external perforated panels or trellises composed of solid or obscured translucent panels.

### Operation

7. 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.

### Landscaping

8. In relation to the tree retention condition requirement, a medium tree is defined in the Residential Design Codes Volume 2 as: means a tree which is at least 8 metres in height at maturity and at least 2 years of age and required planting in a 36m<sup>2</sup> deep soil planting area with a minimum dimension of 3m. For further information please refer to the Residential Design Codes Volume 2 – Section 3.3 Trees and deep soil areas.
9. In relation to the street tree protection condition a verge permit may be required including the payment of a refundable bond prior to the commencement of works.

**Dale Page**  
Presiding Member, Metro Inner DAP



### Parking and Access

10. The proposed crossover configuration is subject to the approval of the City of Stirling Verge Control Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.
11. Prior to any works commencing for the proposed on street parking, a detailed engineering construction plan prepared by a suitably qualified person at scale 1:100 must be submitted to the City's Senior Engineer, Development Services for written approval. The construction plan must show the following:
  1. Feature survey must show:
    - Area of survey to include the (centre of road and minimum 10m extended beyond from each lot boundary of the development site.
    - Existing road, verge, features & boundary with levels to AHD.
    - Existing contours.
    - Existing drainage infrastructure.
    - Existing utility services (refer to dial before you dig).
    - Existing tree trunk diameter at breast height (DHB) and levels.
  2. Design must show:
    - Proposed pavement levels.
    - Proposed path levels
    - Proposed new drainage or modification if required.
    - Proposed service depth of cover (if new pavement is over existing services)
    - Proposed kerbs bin pick-up layout.
    - Proposed hard and soft landscaping details.
    - Proposed new tree locations.
    - Proposed dimensions and clearances,

### Public Art

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

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$88,000.

### Miscellaneous

13. The premises shall operate in compliance with the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997.



14. On advice from the Water Corporation, the applicant is required to submit a Multi Residential Application by using the online portal BuilderNet: login-buildernet.watercorporation.com.au.
15. Access for persons with disability is to be provided to and within the buildings in accordance with the National construction Code 2022, Building Codes of Australia.

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

For: Dale Page  
Francesca Lefante  
Tony Arias  
Cr Suzanne Migdale

Against: Cr Michael Dudek

**REASON:** The panel was happy to support this application for much-needed high quality residential accommodation, in a suitable location, close to a train station and a strategic activity centre. The panel noted the objections received during public consultation on the application and the issues raised therein but were of the view these have been responded to appropriately in the City's RAR.

Notwithstanding that the LDP for the site has expired, and Volume 2 of the R-Codes therefore technically do not apply to the development, the proposal has been assessed against these documents and complies with the objectives and relevant provisions of both. The proposal has also been assessed against LPS3 as well as draft LPS4 which has weight given it has progressed quite far through the development and approvals process and sets a clear vision and agreed vision for the area.

The proposed built form is appropriate for the site given the vision for the area is for medium to high rise development. At only three and four storeys, the proposal fits comfortably within the controls usually aligned with R60 and R80 residential density coding. Overlooking of adjoining properties has been minimised through careful design - including building setbacks, screening devices and recessing of viewing positions to limit overlooking into sensitive areas of adjoining properties.

There is no amenity impact in terms of overshadowing, and the proposal will enhance landscaping on the site and not diminish it in any way. The increased traffic movements resulting from the development will have negligible impact on the surround road network, and there is no safety issue associated with access and egress. There is a parking surplus proposed so there should be no concerns about parking provision.

The panel also noted the City's assessment of the proposal against the ten design principles of SPP7.0 and that the applicant made meaningful changes in response to feedback received from the City's DRP.

**Dale Page**  
Presiding Member, Metro Inner DAP



**4. Form 2 DAP Applications**

Nil.

**5. Section 31 SAT Reconsiderations**

Nil.

*Cr Michael Dudek and Cr Suzanne Migdale (Local Government DAP Members, City of Stirling) joined the panel at 10:36am.*

A handwritten signature in black ink, appearing to read 'Dale Page'.

**Dale Page**  
Presiding Member, Metro Inner DAP



## PART C – CITY OF SOUTH PERTH

### 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 No.6 (29) Baldwin Street, Como – Three grouped dwellings – DAP/25/02966

##### Deputations

Petar Mrdja (Urbanista) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

The City of South Perth 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:** Tony Arias

That the Metro Inner DAP resolves to:

**Approve** DAP Application reference DAP/25/02966 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 South Perth Local Planning Scheme No. 7, subject to the following conditions:

#### Conditions

##### General Conditions

1. This decision constitutes development approval only and is valid for a period of four 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 shall be in accordance with the approved plans save that, in the event of any inconsistency between the approved plans and any requirements of the conditions set out below, the requirements of the conditions shall prevail.

**Dale Page**  
Presiding Member, Metro Inner DAP

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3. All works to be carried out under this development approval, including footings, are required to be contained within the boundaries of the subject lot.

#### Building Design

4. Prior to or in conjunction with the submission of a Building Permit application, amended plan(s) addressing the following matters shall be submitted to, and approved to the satisfaction of the City of South Perth:
  - (i) The bin storage area of unit 1 shall be screened from view of the street.
  - (ii) The vehicle crossing to the site shall be aligned perpendicular to Baldwin Street for its entire length and provided with a minimum clearance of 0.5m from any existing street pole.
  - (iii) Shading device(s) shall be provided to reduce heat gain and glare to the unit 3 courtyard, with particular consideration given to reducing the impact of midday and afternoon direct sunlight during the summer period.
  - (iv) Details of the visual privacy screening (including sections if necessary) demonstrating how the devices meet the Residential Design Codes requirements for visual privacy screening.
  - (v) The bin storage area for unit 3 being designed to incorporate passive ventilation.
5. External fixtures, including but not limited to air-conditioning units, clothes drying facilities, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be integrated into the design of the building and shall be located so that they are not visible from the street, to the satisfaction of the City of South Perth.

#### Access and Parking

6. Prior to the submission of a Building Permit application, the applicant must be in receipt of an approved 'Crossings Application' that confirms the design is to the satisfaction of the City of South Perth.
7. Prior to occupation or use of the development, any redundant crossovers shall be removed and the verge and kerbing reinstated at the expense of the applicant, to the satisfaction of the City of South Perth.
8. Prior to occupation or use of the development, all vehicle crossings shall be upgraded, designed, and constructed to the satisfaction of the City of South Perth.

**Dale Page**  
Presiding Member, Metro Inner DAP



### Materials and Finishes

9. Prior to or in conjunction with the submission of a Building Permit application, final details of the proposed materials, colours and finishes of the proposed development are to be submitted to the satisfaction of the City of South Perth. The finishes shall closely align with the finishes indicated in the approved plans, and be implemented and maintained thereafter, to the satisfaction of the City of South Perth.
10. Prior to occupation or use of the development, the boundary walls shall be constructed and finished in a clean material to the same standard as the rest of the development, to the satisfaction of the City of South Perth.

### Public Art

11. Prior to or in conjunction with the submission of a Building Permit application, the applicant/owner is to comply with the City of South Perth Local Planning Policy 6.3 - Public Art through the contribution of a sum of 1% of the estimated cost of the development towards public art, being either:
  - (i) Payment to the City of South Perth the value of 1.0% of the construction value (with the contribution capped at \$500,000); or
  - (ii) The provision of public art on site to the minimum value of 1.0% of the construction value to the satisfaction of the City of South Perth.

If public art is being provided on site, the applicant must seek approval in writing from the City of South Perth for the public art concept, including the artist proposed to undertake the works to the satisfaction of the City of South Perth.

The approved public art concept shall be implemented prior to occupation of the development and maintained in compliance with the conditions of approval for the public art proposal to the satisfaction of the City of South Perth.

### Landscaping

12. Prior to or in conjunction with the submission of a Building Permit application, a detailed landscape plan demonstrating the long-term viability of planting is to be submitted and approved in writing by the City of South Perth to address the following:
  - a. Hard and soft landscaping areas;
  - b. The location and species of all trees and plants to be retained or removed;
  - c. The quantity, pot size, mature height and diameter of all new species to be planted;
  - d. The location of any lawn areas to be established;
  - e. Reticulation details;
  - f. Design of the pond/wetland and any associated bridges or other features;



- g. Design of on structure planters including soil depths and access for maintenance; and
- h. Details of any proposed verge treatments, landscaping, or planting of street trees.

The detailed landscape plan shall be reflective of the landscape concept prepared by Propagule dated 28 October 2025, updated as necessary to address requirements of development approval.

- 13. Prior to use or occupation of the development, landscaping areas shall be installed in accordance with the approved landscaping plan to the satisfaction of the City of South Perth. All landscaping areas shall be maintained for the lifetime of the development to the satisfaction of the City of South Perth.
- 14. All street trees in the verge adjacent to the lot will be required to be protected by a tree protection zone (TPZ) in accordance with Australian Standard 4970 during the works, to the satisfaction of the City of South Perth. Mulch is required to be provided around the base of each tree within the TPZ and all trees must be watered regularly for the duration of the works, to the satisfaction of the City of South Perth.

#### Sustainability

- 15. All sustainability measures outlined in the sustainability commitments document prepared by Urbanista Town Planning shall be demonstrated in the Building Permit documentation, implemented prior to use or occupation of the development, and maintained thereafter for the life of the development, to the satisfaction of the City of South Perth.
- 16. Prior to or in conjunction with the submission of a Building Permit application, the applicant is to submit a report demonstrating how the sustainability commitments have been incorporated into the working drawings, to the satisfaction of the City of South Perth.

#### Stormwater management

- 17. Prior to or in conjunction with the submission of a Building Permit application, the applicant must be in receipt of an approved 'Stormwater Drainage Application' that confirms the design is to the satisfaction of the City of South Perth. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of South Perth.

#### Construction Management

- 18. Prior to or in conjunction with the submission of a Building Permit application, or Demolition Permit application, whichever is earlier, a Construction Management Plan (CMP) must be submitted to, and approved in writing by, the City of South Perth. The CMP must address the following issues, where applicable:



- a. Public safety and amenity;
- b. Site plan and security;
- c. Contact details of essential site personnel, construction period and operating hours;
- d. Community information, consultation and complaints management plan;
- e. Noise, vibration, air and dust management;
- f. Traffic, access and parking management;
- g. Waste management and materials re-use;
- h. Earthworks, excavation, land retention/piling methods and associated matters;
- i. Stormwater and sediment control;
- j. Soil excavation method;
- k. Groundwater management and dewatering management;
- l. Street tree management and protection;
- m. Removal of onsite effluent disposal system and stormwater management system;
- n. Asbestos removal; and
- o. Monitoring and reporting requirements.

Where management of a particular issue is required to be addressed through a separate specialised management plan, the CMP is to reference the specialised management plan. The CMP must be implemented and adhered to all times, to the satisfaction of the City of South Perth.

#### Advice Notes

1. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administration Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
2. This is a notice of determination on application for development approval issued in accordance with the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015*, the City of South Perth Local Planning Scheme No. 7, and related policies. It is not a Building Permit or an approval to carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The applicant/owner is advised that the City of South Perth will be recommending that the Western Australian Planning Commission impose a condition requiring a contribution to public open space at the time of subdivision (including built-strata).
4. Any reinstatement of verge landscaping or paving due to future underground service work will be at the owner's expense. Prior to commencing any verge works, contact the Before you Dig service to identify underground services.

**Dale Page**  
Presiding Member, Metro Inner DAP



5. The applicant/owner is responsible for all costs associated with relocation of any verge infrastructure to accommodate vehicle access to the site, or any damage caused to verge infrastructure during demolition or construction.
6. Australian Standard 4970 specifies the following measures are required to protect trees:
  - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
  - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
  - (c) All activities and works related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ unless prior approval is sought from the City of South Perth.
  - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.

#### **AMENDING MOTION 1**

**Moved by:** Francesca Lefante

**Seconded by:** Tony Arias

That Condition No. 11 be deleted and the remaining conditions be renumbered accordingly.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The location of this site on the edge of the precinct boundary, and the high quality residential, the design and configuration reflect existing low residential form and scale on the sites opposite which are zoned R20 residential, and consideration of the interface with site opposite is relevant planning consideration. In this instance given, its not just scale, its also location and surrounding location context and zoning. Understand the city's position for the sake of consistency, however the deletion of a public art is not considered to impact achieving public realm activation.

**Dale Page**  
Presiding Member, Metro Inner DAP



## SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to:

**Approve** DAP Application reference DAP/25/02966 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 South Perth Local Planning Scheme No. 7, subject to the following conditions:

### Conditions

#### General Conditions

1. This decision constitutes development approval only and is valid for a period of four 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 shall be in accordance with the approved plans save that, in the event of any inconsistency between the approved plans and any requirements of the conditions set out below, the requirements of the conditions shall prevail.
3. All works to be carried out under this development approval, including footings, are required to be contained within the boundaries of the subject lot.

#### Building Design

4. Prior to or in conjunction with the submission of a Building Permit application, amended plan(s) addressing the following matters shall be submitted to, and approved to the satisfaction of the City of South Perth:
  - (i) The bin storage area of unit 1 shall be screened from view of the street.
  - (ii) The vehicle crossing to the site shall be aligned perpendicular to Baldwin Street for its entire length and provided with a minimum clearance of 0.5m from any existing street pole.
  - (iii) Shading device(s) shall be provided to reduce heat gain and glare to the unit 3 courtyard, with particular consideration given to reducing the impact of midday and afternoon direct sunlight during the summer period.
  - (iv) Details of the visual privacy screening (including sections if necessary) demonstrating how the devices meet the Residential Design Codes requirements for visual privacy screening.
  - (v) The bin storage area for unit 3 being designed to incorporate passive ventilation.

**Dale Page**  
Presiding Member, Metro Inner DAP



5. External fixtures, including but not limited to air-conditioning units, clothes drying facilities, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be integrated into the design of the building and shall be located so that they are not visible from the street, to the satisfaction of the City of South Perth.

#### Access and Parking

6. Prior to the submission of a Building Permit application, the applicant must be in receipt of an approved 'Crossings Application' that confirms the design is to the satisfaction of the City of South Perth.
7. Prior to occupation or use of the development, any redundant crossovers shall be removed and the verge and kerbing reinstated at the expense of the applicant, to the satisfaction of the City of South Perth.
8. Prior to occupation or use of the development, all vehicle crossings shall be upgraded, designed, and constructed to the satisfaction of the City of South Perth.

#### Materials and Finishes

9. Prior to or in conjunction with the submission of a Building Permit application, final details of the proposed materials, colours and finishes of the proposed development are to be submitted to the satisfaction of the City of South Perth. The finishes shall closely align with the finishes indicated in the approved plans, and be implemented and maintained thereafter, to the satisfaction of the City of South Perth.
10. Prior to occupation or use of the development, the boundary walls shall be constructed and finished in a clean material to the same standard as the rest of the development, to the satisfaction of the City of South Perth.

#### Landscaping

11. Prior to or in conjunction with the submission of a Building Permit application, a detailed landscape plan demonstrating the long-term viability of planting is to be submitted and approved in writing by the City of South Perth to address the following:
  - a. Hard and soft landscaping areas;
  - b. The location and species of all trees and plants to be retained or removed;
  - c. The quantity, pot size, mature height and diameter of all new species to be planted;
  - d. The location of any lawn areas to be established;
  - e. Reticulation details;



- f. Design of the pond/wetland and any associated bridges or other features;
- g. Design of on structure planters including soil depths and access for maintenance; and
- h. Details of any proposed verge treatments, landscaping, or planting of street trees.

The detailed landscape plan shall be reflective of the landscape concept prepared by Propagule dated 28 October 2025, updated as necessary to address requirements of development approval.

- 12. Prior to use or occupation of the development, landscaping areas shall be installed in accordance with the approved landscaping plan to the satisfaction of the City of South Perth. All landscaping areas shall be maintained for the lifetime of the development to the satisfaction of the City of South Perth.
- 13. All street trees in the verge adjacent to the lot will be required to be protected by a tree protection zone (TPZ) in accordance with Australian Standard 4970 during the works, to the satisfaction of the City of South Perth. Mulch is required to be provided around the base of each tree within the TPZ and all trees must be watered regularly for the duration of the works, to the satisfaction of the City of South Perth.

#### Sustainability

- 14. All sustainability measures outlined in the sustainability commitments document prepared by Urbanista Town Planning shall be demonstrated in the Building Permit documentation, implemented prior to use or occupation of the development, and maintained thereafter for the life of the development, to the satisfaction of the City of South Perth.
- 15. Prior to or in conjunction with the submission of a Building Permit application, the applicant is to submit a report demonstrating how the sustainability commitments have been incorporated into the working drawings, to the satisfaction of the City of South Perth.

#### Stormwater management

- 16. Prior to or in conjunction with the submission of a Building Permit application, the applicant must be in receipt of an approved 'Stormwater Drainage Application' that confirms the design is to the satisfaction of the City of South Perth. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of South Perth.



### Construction Management

17. Prior to or in conjunction with the submission of a Building Permit application, or Demolition Permit application, whichever is earlier, a Construction Management Plan (CMP) must be submitted to, and approved in writing by, the City of South Perth. The CMP must address the following issues, where applicable:
- a. Public safety and amenity;
  - b. Site plan and security;
  - c. Contact details of essential site personnel, construction period and operating hours;
  - d. Community information, consultation and complaints management plan;
  - e. Noise, vibration, air and dust management;
  - f. Traffic, access and parking management;
  - g. Waste management and materials re-use;
  - h. Earthworks, excavation, land retention/piling methods and associated matters;
  - i. Stormwater and sediment control;
  - j. Soil excavation method;
  - k. Groundwater management and dewatering management;
  - l. Street tree management and protection;
  - m. Removal of onsite effluent disposal system and stormwater management system;
  - n. Asbestos removal; and
  - o. Monitoring and reporting requirements.

Where management of a particular issue is required to be addressed through a separate specialised management plan, the CMP is to reference the specialised management plan. The CMP must be implemented and adhered to all times, to the satisfaction of the City of South Perth.

### **Advice Notes**

1. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administration Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
2. This is a notice of determination on application for development approval issued in accordance with the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015*, the City of South Perth Local Planning Scheme No. 7, and related policies. It is not a Building Permit or an approval to carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.



3. The applicant/owner is advised that the City of South Perth will be recommending that the Western Australian Planning Commission impose a condition requiring a contribution to public open space at the time of subdivision (including built-strata).
4. Any reinstatement of verge landscaping or paving due to future underground service work will be at the owner's expense. Prior to commencing any verge works, contact the Before you Dig service to identify underground services.
5. The applicant/owner is responsible for all costs associated with relocation of any verge infrastructure to accommodate vehicle access to the site, or any damage caused to verge infrastructure during demolition or construction.
6. Australian Standard 4970 specifies the following measures are required to protect trees:
  - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
  - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
  - (c) All activities and works related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ unless prior approval is sought from the City of South Perth.
  - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.

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

**REASON:** The panel was happy to support this application for high quality residential accommodation, noting that grouped dwellings are a preferred use for the site and that the proposal fits so comfortably within the parameters set by the Canning Bridge Activity Centre and act as a good transition between the higher density of the activity centre and the adjoining Residential R20 zone. The panel noted that the plans were amended to respond to feedback from the City's DRP and that the panel chair has concluded that the proposal meets the design principles of SPP7.0. The proposal has also been assessed against Volume 2 of the R Codes as per the requirement of the activity centre plan. Where discretion has been sought against requirements of the activity centre plan and the R-Codes, the City has done a thorough job of justifying the merits of exercising discretion against these design elements in the RAR and the panel agreed with their assessment.

**Dale Page**  
Presiding Member, Metro Inner DAP



#### 4. Form 2 DAP Applications

##### 4.1 Lot 4 (No. 3) Lyall Street and Lot 11 (No. 56) Melville Parade, South Perth – 27 – Storey Mixed Development – Amendment to development approval (extension of time) – DAP/16/00989

#### Deputations

Dan Lees (Element Advisory) addressed the DAP in support of the application at Item 4.1 and responded to questions from the panel.

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

#### SUBSTANTIVE MOTION

**Moved by:** Francesca Lefante

**Seconded by:** Tony Arias

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/16/00989 as detailed on the DAP Form 2 dated 23 October 2025 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/16/00989 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 South Perth Local Planning Scheme No. 7, for the proposed minor amendment to the approved 27-storey Mixed Development at Lot 4, No. 3 Lyall Street and Lot 11, No. 56 Melville Parade, South Perth, subject to the following amended condition:

#### Amended Condition

1. If the development the subject of this approval is not substantially commenced within a period of five years after the date of determination, the approval will lapse and be of no further effect. Where an approval has so lapsed no development must be carried out without the further approval of the local government having first been sought and obtained.

#### Advice Notes

1. The current date for substantial commencement of this development is 20 February 2027, being five years from the initial approval, with an additional two years granted through the April 2020 clause 78H notice of exemption.

All other conditions and requirements detailed on the previous approval dated 20 February 2020 (as amended) shall remain unless altered by this application.

**Dale Page**  
Presiding Member, Metro Inner DAP



**The Substantive Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The panel was happy to support this request to extend the validity period of the approval by a year. The City has appropriately assessed the merits of extending the timeframe against the considerations and decisions previously made by the SAT on such matters and the panel was satisfied that the proposal aligns with these considerations.

**5. Section 31 SAT Reconsiderations**

Nil.

A handwritten signature in black ink, appearing to read 'Dale Page'.

**Dale Page**  
Presiding Member, Metro Inner DAP



## PART D – 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/24/02820 DR69/2025	City of Nedlands	Lot 381 (No.6) Alexander Road, Dalkeith	5 Multiple Dwellings	03/06/2025
DAP/25/02866 DR 105/2025	City of South Perth	Lot 46 (No.142) Coode Street, South Perth	proposed three-storey medical centre (dental practice)	15/07/2025

### 2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:09am.