

Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 22 September 2026; 9:30am
Meeting Number: MIDAP/154
Meeting Venue: 140 William Street, Perth

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

[MIDAP/154 - 22 September 2026 - City of Belmont - City of Stirling - City of Bayswater](#)

PART A – INTRODUCTION

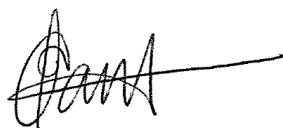
1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Noting of Minutes

PART B – CITY OF BELMONT

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lots 93, 94, 95 & 96 (411 - 417) Great Eastern Highway, Redcliffe - Proposed Alterations and additions to existing motor vehicle repair - Amendments to Motor Vehicle Repair – DAP/02949
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 1 (House Number 1-20/6) Anthony Way, Tuart Hill - Six (6) Multiple Dwellings – DAP/26/03074
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations



Francesca Lefante
Presiding Member, Metro Inner DAP

PART D – CITY OF BAYSWATER

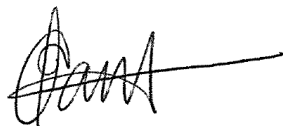
1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications

3.1 Lots 130 - 131 (No 321) Guildford Road, Bayswater - Proposed Service Station, car wash and drive thru coffee (fast food) – DAP/23/02575

4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART E – OTHER BUSINESS

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



Francesca Lefante
Presiding Member, Metro Inner DAP

DAP Members

Francesca Lefante (Presiding Member)

Karen Hyde (Deputy Presiding Member)

Andrew Howe

Cr Phil Marks (Part B – City of Belmont)

Mayor Robert Rossi (Part B – City of Belmont)

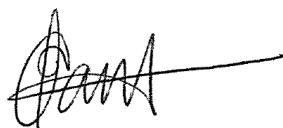
Cr Rob Paparde (Part C – City of Stirling)

Cr Calla Loiacono (Part D – City of Bayswater)

DAP Secretariat

Kristen Gray

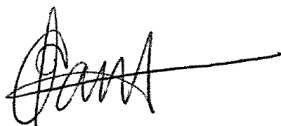
Ashlee Kelly



Francesca Lefante
Presiding Member, Metro Inner DAP

Part B – City of Belmont
Submitters
Aaron Lohman (Cornerstone Town Planning) Dr John Marriott
Applicant
Andra Biondi (Urbanista Town Planning) Petar Mrdja (Urbanista Town Planning) Isabella Mosole (Lavan Legal)
Officers/Technical Advisors in Attendance
Nick Reddy Alex Bott

Part C – City of Stirling
Applicant
Daniel Paton (Developed) Michael Stocco (Developed)
Officers/Technical Advisors in Attendance
Sophia Re Nick Bertone Shaun Wheatland



Francesca Lefante
Presiding Member, Metro Inner DAP

Part D – City of Bayswater

Submitters

Jay Hardison
Jessica Albrow
Ramin Danefaleh
Sandra Kift
Daniel West

Applicant

Nik Hidding (Hidding Urban Planning)
David Wilkins (I3 Consultants)
John Hurley (EAQ Consultants)
Martti Warpenius (Reverberate Consulting)

Officers/Technical Advisors in Attendance

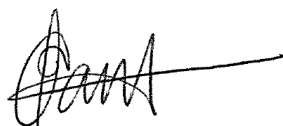
Adrian Di Nella
Emily Andrews
Jillian Bardos
Wei Fan

Members of the Public / Media

There was 1 member of the public in attendance.

Observers via livestream

There were 9 persons observing the meeting via the livestream.



Francesca Lefante
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 22 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.

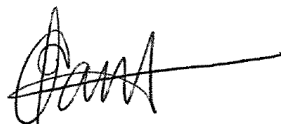
The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Cr Suzanne Migdale (Local Government DAP Member, City of Stirling)
Cr Michelle Sutherland (Local Government DAP Member, City of Bayswater)
Cr Steven Ostaszewskyj (Local Government DAP Member, City of Bayswater)
Cr Cale Black (Local Government DAP Member, City of Bayswater)

3. Noting of Minutes

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



Francesca Lefante
Presiding Member, Metro Inner DAP

PART B – CITY OF BELMONT

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

Nil

4. Form 2 DAP Applications

4.1 Lots 93, 94, 95 & 96 (411 - 417) Great Eastern Highway, Redcliffe - Proposed Alterations and additions to existing motor vehicle repair - Amendments to Motor Vehicle Repair – DAP/02949

4.1.1 Deputations

Aaron Lohman (Cornerstone Town Planning) addressed the DAP against the application at Item 4.1 and responded to questions from the panel.

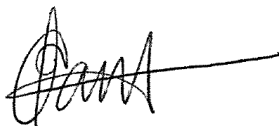
Dr John Marriott addressed the DAP against the application at Item 4.1.

Isabella Mosole (Lavan Legal) addressed the DAP in support of the application at Item 4.1.

Andra Biondi (Urbanista Town Planning) addressed the DAP in support the application at Item 4.1 and responded to questions from the panel.

Petar Mrdja (Urbanista Town Planning) addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.

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



Francesca Lefante
Presiding Member, Metro Inner DAP

SUBSTANTIVE MOTION

Moved by: Karen Hyde

Seconded by: Cr Phil Marks

That the Inner Metro DAP resolves to:

- A. **Accept** that the DAP Application reference DAP/25/02949 as detailed on the DAP Form 2 dated 26 July 2026 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and
- B. **Approve** to amend DAP Application reference DAP/25/02949 for amendments to the approved Motor Vehicle Repair use at Lots 93, 94, 95 and 96 (No. 411-417) Great Eastern Highway, Redcliffe, in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, by way of:

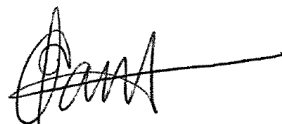
The following new conditions being added

28. No part of the development, other than approved landscaping, garrison fencing and car parking bays, is to be located within the land requirement for Great Eastern Highway as detailed on Main Roads' Land Protection Plan Dwg No.1.3838.
29. In the event that the land reserved for the future upgrading of Great Eastern Highway is required for roadworks, any development within that reserved land is to be removed or relocated, to the satisfaction of the City of Belmont, on the advice of Main Roads Western Australia.
30. Access to Great Eastern Highway shall be restricted to left-out movements only. All associated line marking, signage, and any other traffic control devices required to enforce this restriction shall be designed and installed to the satisfaction of the City of Belmont.
31. Stormwater discharge shall not exceed pre-development discharge to Great Eastern Highway Road Reserve.

The following conditions being amended

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
Survey	Sheet 1 of 9	7 April 2026
Overshadow Plans	Sheet 2 of 9	7 April 2026
Existing Site and Floor Plan	Sheet 3 of 9	5 October 2025
As Built Elevations	Sheet 4 of 9	5 October 2025



Francesca Lefante
Presiding Member, Metro Inner DAP

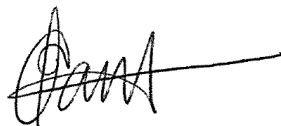
Demolition Plan	Sheet 5 of 9	7 April 2026
Site and Floor Plan	Sheet 6 of 9	7 April 2026
First Floor Plan	Sheet 7 of 9	7 April 2026
Elevation Plans	Sheet 8 of 9	7 April 2026
Fit Out Plan	Sheet 9 of 9	7 April 2026

16. Prior to occupation of the building, an easement is to be created in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of the Local Government and the public at large to be established over the land. The alignment of the easement in gross and corresponding vehicular circulation area shall be 6 metres wide and provide cross access from the proposed crossover connection to Central Avenue to the lot boundary between the subject site and 409 Great Eastern Highway, Redcliffe. Notice of this easement is to be placed on the certificate of title and included on the diagram or plan of survey (deposited plan).

New Advice Notes

- xii. The upgrading/widening of Great Eastern Highway is not in Main Roads' current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.
- xiii. Lots 93, 94, 95 and 96 are affected by a land requirement for Great Eastern Highway, as shown on Main Roads' Land Protection Plan Dwg No.1.3838. This land will be required for road purposes in the future.
- xiv. The intersection of Great Eastern Highway & Central Avenue may be restricted to left-in/left-out only in the future with a raised median on Great Eastern Highway.
- xv. The subject lots are included in the Vehicle Access Strategy (VAS) for Great Eastern Highway, which proposes reciprocal easements between lots abutting the highway to allow cross-access movements. The proposed left-out only access to Great Eastern Highway may be removed in the future to facilitate the ultimate road upgrade/widening.
- xvi. Prior to undertaking works within the Great Eastern Highway road reserve, a Working on Roads Permit must be obtained from Main Roads.
- xvii. The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website> Technical & Commercial> Working on Roads.

All other conditions and requirements detailed on the previous approval dated 19 February 2026 shall remain unless altered by this application.



Francesca Lefante
Presiding Member, Metro Inner DAP

The Substantive Motion was put and CARRIED UNANIMOUSLY.

REASON: The panel considered the submissions and was satisfied that the proposal, including the additional parcel of land, satisfied the requirements of regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011* as a Form 2 application. In reaching this conclusion, the panel noted that the works and built form primarily comprise hardstand and parking and do not significantly alter the bulk of the development. The approved Motor Vehicle Repair land use remains unchanged, and no increase to the approved gross floor area is proposed. Accordingly, the DAP had jurisdiction to consider the application as a Form 2 application and determine it on its merits.

The City and Main Roads Western Australia support the revised access arrangements. The revised development layout is improved and more efficient, providing additional parking and manoeuvring space. Importantly, the previous approval required the informal crossover to Central Avenue to be removed. That condition remains in place to ensure that traffic associated with the development is not directed to or from the residential section of Central Avenue. This will reduce the impacts of commercial and light-industrial traffic currently experienced by the adjoining residential properties.

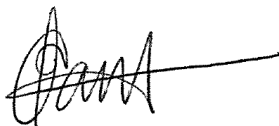
The applicable planning framework remains the same as when the original application was approved. The draft Improvement Scheme is not sufficiently advanced to form a significant element of the assessment. Although the existing and proposed use may be an 'X' use under the future Improvement Scheme, it is an 'A' use under the City's current Local Planning Scheme. The current Local Planning Scheme was therefore the principal planning instrument under which the panel determined the application.

The panel understood that the adjoining landowner may not have been aware of the original application. However, the panel was satisfied that the original application had been appropriately advertised in accordance with the requirements of the planning framework. No additional issues had arisen beyond those considered as part of the original application and addressed by the original conditions.

5. Section 31 SAT Reconsiderations

Nil

Cr Phil Marks and Mayor Robert Rossi (Local Government DAP Members, City of Belmont) left the panel at 10:17am.



Francesca Lefante
Presiding Member, Metro Inner DAP

PART C – CITY OF STIRLING

Cr Rob Paparde (Local Government DAP Member, City of Stirling) joined the panel at 10:28am.

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 1 (House Number 1-20/6) Anthony Way, Tuart Hill - Six (6) Multiple Dwellings – DAP/26/03074

Deputations

Michael Stocco (Developed) 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

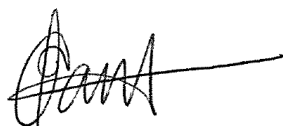
Moved by: Karen Hyde

Seconded by: Cr Rob Paparde

The RAR recommendation was moved and seconded inclusive of a correction to Condition 3, to show the date of approval being 22 September 2026.

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/26/03074 for six Multiple Dwellings at Lot 1, House Number 6 Anthony Way, Tuart Hill 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, 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:



Francesca Lefante
Presiding Member, Metro Inner DAP

Plan/ Document Name	Reference	Date
Strata Plan	88847	22 Jul 2026
Site Survey (Demolition)	SK00	21 Oct 2025
Site Plan	SK01	29 May 2026
Ground Floor Plan	SK02	29 May 2026
Roof Plan	SK03	1 May 2026
Floor Plan Type A	SK04	27 Oct 2025
Floor Plan Type A1	SK05	27 Oct 2025
Villa 1-3 Elevations	SK06	11 Feb 2026
Villa 4-6 Elevations	SK07	11 Feb 2026
Carport Elevations	SK08	29 May 2026
Bin Room Elevations	SK09	1 May 2026
Landscape Concept Plan	0634 Rev C	29 May 2026
Landscape Concept Images	0634 Rev B	29 May 2026

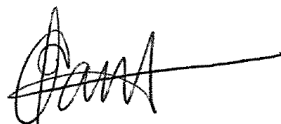
2. Notwithstanding the requirements of Condition 1, amended plans shall be provided as part of the Building Permit submission to the satisfaction of the City of Stirling addressing the following:
 - a. An amended landscaping plan (0634 Rev C) shall be provided that is consistent with the site plan (SK01 and SK02), specifically the relocation of the bin storage area, to the satisfaction of the City.
3. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 22 September 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Landscaping

4. All street trees located on the verge shall be retained and protected during construction in accordance with Australian Standard 4970:2025 - Protection of Trees on Development Sites, to the satisfaction of the City of Stirling.
5. The trees indicated on the approved plans for retention must be retained on site and protected during the demolition and construction phase and thereafter maintained in accordance with the recommendations of the 'Arborite Tree Management Solutions Preliminary Impact Assessment dated 13 October 2025, which forms part of this approval, to the satisfaction of the City.

Should a tree die or be removed, it shall be replaced within the next planting season with a tree of a similar species and minimum container size, to the satisfaction of the City.

6. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved amended landscaping plan thereafter maintained to the satisfaction of the City of Stirling.



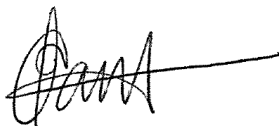
Francesca Lefante
Presiding Member, Metro Inner DAP

Parking and Access

7. 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.
8. All new crossovers 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.
9. 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.
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. 26 Residential Bays: and
 - b. Seven 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 six visitor 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.

Utilities, Facilities and External Fixtures

13. 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.
14. 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.
15. 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.



Francesca Lefante
Presiding Member, Metro Inner DAP

General

16. Prior to the submission of the building permit, a noise assessment prepared by a qualified acoustic consultant shall be submitted and approved by the City of Stirling, and shall include:

- a) Management measures to mitigate noise impacts from the car park on proposed dwellings 1-3, to the satisfaction of the City.

The recommendations of the approved noise assessment shall be incorporated into the development prior to occupation, to the satisfaction of the City.

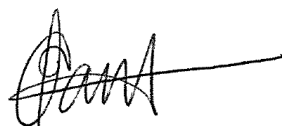
17. Prior to the occupation of the development, each proposed Multiple Dwelling shall be provided with a mechanical dryer, where a concealed drying area is not provided exclusively for the dwelling.
18. External lighting shall be positioned so as not to adversely affect the amenity of the locality in accordance with Australian Standard AS/NZS 4282:2023, to the satisfaction of the City of Stirling.
19. A Construction Management Plan shall be submitted to and approved by the City of Stirling prior to the commencement of any works. The Construction 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 Construction Management Plan is to be complied with for the duration of the construction of the development, to the satisfaction of the City of Stirling.

Colours and Materials

20. 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

21. The development is to comply with the Waste Management Plan prepared by Developed received 22 May 2026, to the satisfaction of the City of Stirling.
22. Prior to the occupation of the development, a refuse storage enclosure shall be being provided, of an adequate size to contain all bins used by the premises and be constructed with four walls, a graded and sealed floor.



Francesca Lefante
Presiding Member, Metro Inner DAP

Advice Notes

General

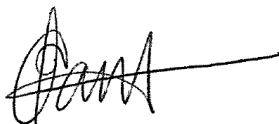
1. If an applicant is aggrieved by this determination, there is a right of appeal under Part 14 of the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
2. This is a Development Approval under the City of Stirling Local 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.

Operation

6. Noisy Construction Work outside the period 7.00am to 7.00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City of Stirling.

Landscaping

7. In relation to the condition for Tree Protection Zones, any damage to trees within the road reserve directly related to the development will require remediation, to the satisfaction to the City of Stirling.
8. In relation to the condition requiring amended plans, the revised landscaping plan would need to show the amended position of the bin store, and the location of the bike racks.
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.



Francesca Lefante
Presiding Member, Metro Inner DAP

10. In relation to the condition requiring tree retention, the applicants Tree Management Solutions Preliminary Impact Assessment dated 13 October 2025 identifies that root mapping will be required for each of the retained trees prior to undertaking any necessary clearance pruning to minimise mechanical damage.

Parking and Access

11. 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.
12. 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 with the edition of the National Construction Code Applicable at the date of the building permit application.

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: Karen Hyde

Seconded by: Cr Rob Paparde

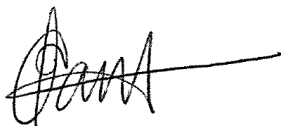
That Condition No.2 be amended to read as follows:

*Notwithstanding the requirements of Condition 1, amended plans shall be provided **prior to lodgement** ~~as part of the~~ a Building Permit submission to the satisfaction of the City of Stirling addressing the following:*

- a. *An amended landscaping plan (0634 Rev C) shall be provided that is consistent with the site plan (SK01 and SK02), specifically the relocation of the bin storage area, to the satisfaction of the City.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The amendment creates a valid condition that facilitates the submission of documentation at an appropriate stage of the planning process, rather than requiring the documentation to be submitted as part of a subsequent Building Permit approval process.



Francesca Lefante
Presiding Member, Metro Inner DAP

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/26/03074 for six Multiple Dwellings at Lot 1, House Number 6 Anthony Way, Tuart Hill 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, subject to the following conditions:

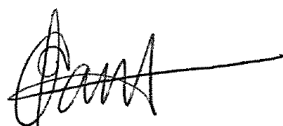
1. The development is to be undertaken in accordance with the approved plans and documents attached to this approval, as listed below, except where amended by subsequent conditions:

Plan/ Document Name	Reference	Date
Strata Plan	88847	22 Jul 2026
Site Survey (Demolition)	SK00	21 Oct 2025
Site Plan	SK01	29 May 2026
Ground Floor Plan	SK02	29 May 2026
Roof Plan	SK03	1 May 2026
Floor Plan Type A	SK04	27 Oct 2025
Floor Plan Type A1	SK05	27 Oct 2025
Villa 1-3 Elevations	SK06	11 Feb 2026
Villa 4-6 Elevations	SK07	11 Feb 2026
Carport Elevations	SK08	29 May 2026
Bin Room Elevations	SK09	1 May 2026
Landscape Concept Plan	0634 Rev C	29 May 2026
Landscape Concept Images	0634 Rev B	29 May 2026

2. Notwithstanding the requirements of Condition 1, amended plans shall be provided prior to lodgement of a Building Permit submission to the satisfaction of the City of Stirling addressing the following:
 - a. An amended landscaping plan (0634 Rev C) shall be provided that is consistent with the site plan (SK01 and SK02), specifically the relocation of the bin storage area, to the satisfaction of the City.
3. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 22 September 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Landscaping

4. All street trees located on the verge shall be retained and protected during construction in accordance with Australian Standard 4970:2025 - Protection of Trees on Development Sites, to the satisfaction of the City of Stirling.



Francesca Lefante
Presiding Member, Metro Inner DAP

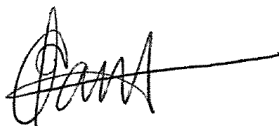
5. The trees indicated on the approved plans for retention must be retained on site and protected during the demolition and construction phase and thereafter maintained in accordance with the recommendations of the 'Arborite Tree Management Solutions Preliminary Impact Assessment dated 13 October 2025, which forms part of this approval, to the satisfaction of the City.

Should a tree die or be removed, it shall be replaced within the next planting season with a tree of a similar species and minimum container size, to the satisfaction of the City.

6. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved amended landscaping plan thereafter maintained to the satisfaction of the City of Stirling.

Parking and Access

7. 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.
8. All new crossovers 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.
9. 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.
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. 26 Residential Bays: and
 - b. Seven 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 six visitor 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.



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Utilities, Facilities and External Fixtures

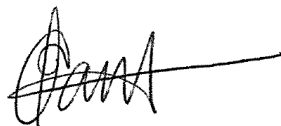
13. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.
14. All air-conditioning units, ducts and other services shall be screened from view and are to be located away from the primary street to the satisfaction of the City of Stirling.
15. 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.

General

16. Prior to the submission of the building permit, a noise assessment prepared by a qualified acoustic consultant shall be submitted and approved by the City of Stirling, and shall include:
 - a) Management measures to mitigate noise impacts from the car park on proposed dwellings 1-3, to the satisfaction of the City.

The recommendations of the approved noise assessment shall be incorporated into the development prior to occupation, to the satisfaction of the City.

17. Prior to the occupation of the development, each proposed Multiple Dwelling shall be provided with a mechanical dryer, where a concealed drying area is not provided exclusively for the dwelling.
18. 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.
19. A Construction Management Plan shall be submitted to and approved by the City of Stirling prior to the commencement of any works. The Construction 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 Construction Management Plan is to be complied with for the duration of the construction of the development, to the satisfaction of the City of Stirling.



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Colours and Materials

20. 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.

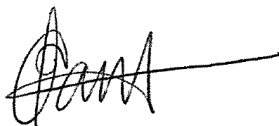
Waste Management and Services

21. The development is to comply with the Waste Management Plan prepared by Developed received 22 May 2026, to the satisfaction of the City of Stirling.
22. Prior to the occupation of the development, a refuse storage enclosure shall be being provided, of an adequate size to contain all bins used by the premises and be constructed with four walls, a graded and sealed floor.

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.



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Operation

6. Noisy Construction Work outside the period 7.00am to 7.00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City of Stirling.

Landscaping

7. In relation to the condition for Tree Protection Zones, any damage to trees within the road reserve directly related to the development will require remediation, to the satisfaction to the City of Stirling.
8. In relation to the condition requiring amended plans, the revised landscaping plan would need to show the amended position of the bin store, and the location of the bike racks.
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.
10. In relation to the condition requiring tree retention, the applicants Tree Management Solutions Preliminary Impact Assessment dated 13 October 2025 identifies that root mapping will be required for each of the retained trees prior to undertaking any necessary clearance pruning to minimise mechanical damage.

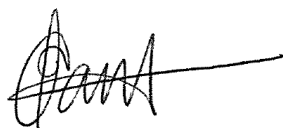
Parking and Access

11. 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.
12. 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 with the edition of the National Construction Code Applicable at the date of the building permit application.

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.

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



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REASON: The panel acknowledged that the proposal comprises single-storey villas in a side-by-side configuration. The panel was also satisfied that, because the development is located on a parent lot containing multiple dwellings, it could be classified as a Multiple Dwelling development and assessed accordingly.

The panel gave due regard to the pending scheme, which is before the Minister but is not imminent or certain. The panel considered that the proposed land use and development typology are consistent with the City's current planning framework.

The design and built form complement the existing form of development on the site, increase the housing supply in the area and provide greater housing choice through dwelling diversity. Panel members supported the exercise of discretion in relation to various elements, including reduced street and boundary setbacks and lot size. The panel was satisfied that the proposal had been designed to mitigate amenity impacts on adjoining properties and existing dwellings and to facilitate the protection and retention of existing mature trees.

Noise and light-spill impacts from the car park are mitigated through sill heights, blank walls and acoustic measures. The development also provides sufficient parking and high-quality landscaping, including the retention of existing trees. Accordingly, the panel supported the proposal, subject to the imposed conditions.

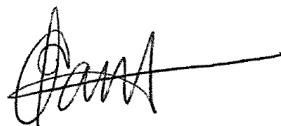
4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Cr Rob Paparde (Local Government DAP Members, City of Stirling) left the panel at 10:45am.



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PART D – CITY OF BAYSWATER

Cr Calla Loiacono (Local Government DAP Member, City of Bayswater) joined the panel at 10:55am.

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

DAP Member, Cr Cale Black, declared an impartiality interest in item 3.1. Cr Black provided a deputation against the development at the MIDAP meeting held on 2 October 2025, this deputation was made as a private citizen and prior to becoming an elected DAP Member for the City of Bayswater.

In accordance with section 3.3 of the DAP Code of Conduct 2025, the DAP Executive Director determined that the member listed above, who had disclosed an impartiality interest, was not permitted to participate in the discussion and voting on the item/s.

3. Form 1 DAP Applications

3.1 Lots 130 - 131 (No 321) Guildford Road, Bayswater - Proposed Service Station, car wash and drive thru coffee (fast food) – DAP/23/02575

Deputations

Jay Hardison addressed the DAP against the application at Item 3.1.

Jessica Albrow addressed the DAP against the application at Item 3.1.

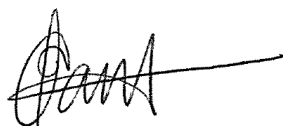
Ramin Danesfaleh addressed the DAP against the application at Item 3.1.

Sandra Kift addressed the DAP against the application at Item 3.1.

Daniel West addressed the DAP against the application at Item 3.1.

Nik Hidding (Hidding Urban Planning) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

David Wilkins (I3 Consultants) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.



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John Hurley (EAQ Consultants) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Martti Warpenius (Reverberate Consulting) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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

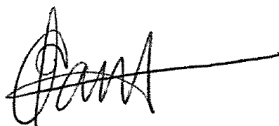
SUBSTANTIVE MOTION

Moved by: Cr Calla Loiacono

Seconded by: Karen Hyde

That the Metro Inner DAP resolves to **REFUSE** DAP Application reference DAP/23/02575 for a proposed Service Station, Car Wash and Drive Thru Coffee (Fast Food) at Lot 130 and 131 (No. 321) Guildford Road, Bayswater, 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 Bayswater Town Planning Scheme No. 24, for the following reasons:

1. Pursuant to Clauses 67(2)(q) and (t) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal fails to demonstrate safe and efficient vehicle access and egress, as the proposed operation of the service station relies on fuel tanker deliveries, recommended by Main Roads Western Australia occurring between 9:00PM and 5:00AM, however the proposal has not adequately demonstrated that these heavy vehicle movements can be undertaken safely and efficiently within the site and surrounding road network, or without adverse impacts on nearby sensitive land uses from vehicle operations. The reliance on overnight fuel deliveries represents a fundamental operational deficiency of the proposal and demonstrates that key servicing requirements cannot be satisfactorily accommodated.
2. Pursuant to Clauses 67(2) (r) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal has not demonstrated that public health risks arising from a 24-hour service station facility immediately abutting residential properties can be acceptably mitigated.
3. Pursuant to Clauses 67(2) (n) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development results in unacceptable environmental impacts of the development associated with noise and vapor emissions.



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4. Pursuant to Clauses 67(2) (m), (n) and (y) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal does not provide an adequate transition or buffering to the sensitive residential interface. The cumulative intensification of the site accommodating the service station, drive-thru fast food and car wash, with proposed 24-hour operations, results in unacceptable amenity impacts to adjoining residential properties.
5. Pursuant to Clauses 67(2) (za) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, due regard has been given to objections raising material planning issues consistent with the City's assessment, including concerns relating to amenity, health risk and design.

AMENDING MOTION 1

Moved by: Karen Hyde

Seconded by: Cr Calla Loiacono

That Reason No.3 be amended to read as follows:

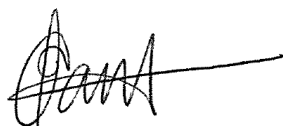
Pursuant to Clauses 67(2) (n) of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed development results in unacceptable environmental impacts of the development associated with noise ~~and vapour~~ emissions.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Vapour emissions are satisfactorily addressed in Reason 2 and do not need to be duplicated in Reason 3. The remaining wording in Reason 3 relates clearly to noise emissions.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to **REFUSE** DAP Application reference DAP/23/02575 for a proposed Service Station, Car Wash and Drive Thru Coffee (Fast Food) at Lot 130 and 131 (No. 321) Guildford Road, Bayswater, 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 Bayswater Town Planning Scheme No. 24, for the following reasons:

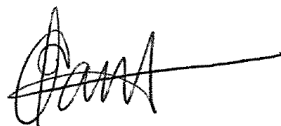


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1. Pursuant to Clauses 67(2)(q) and (t) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal fails to demonstrate safe and efficient vehicle access and egress, as the proposed operation of the service station relies on fuel tanker deliveries, recommended by Main Roads Western Australia occurring between 9:00PM and 5:00AM, however the proposal has not adequately demonstrated that these heavy vehicle movements can be undertaken safely and efficiently within the site and surrounding road network, or without adverse impacts on nearby sensitive land uses from vehicle operations. The reliance on overnight fuel deliveries represents a fundamental operational deficiency of the proposal and demonstrates that key servicing requirements cannot be satisfactorily accommodated.
2. Pursuant to Clauses 67(2) (r) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal has not demonstrated that public health risks arising from a 24-hour service station facility immediately abutting residential properties can be acceptably mitigated.
3. Pursuant to Clauses 67(2) (n) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed development results in unacceptable environmental impacts of the development associated with noise emissions.
4. Pursuant to Clauses 67(2) (m), (n) and (y) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal does not provide an adequate transition or buffering to the sensitive residential interface. The cumulative intensification of the site accommodating the service station, drive-thru fast food and car wash, with proposed 24-hour operations, results in unacceptable amenity impacts to adjoining residential properties.
5. Pursuant to Clauses 67(2) (za) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, due regard has been given to objections raising material planning issues consistent with the City's assessment, including concerns relating to amenity, health risk and design.

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

REASON: The panel recognised that the subject site is currently zoned 'Service Station' under Town Planning Scheme No. 24. The zoning permits a Service Station and Car Wash as 'P' uses, while a Convenience Store and Fast Food Outlet are discretionary 'D' uses. Although these uses are contemplated by the current planning scheme and could be developed on the site, the panel considered whether the works associated with the proposed uses and the proposed 24-hour operation were acceptable in the form presented in the application plans and technical documentation.



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The panel found that the proposal represents an intensification of activity on the site. The introduction of a 24-hour convenience store and fast-food drive-through outlet, together with the proposed site layout and continuous vehicle movements, would change the function and impact of the site. The proposal does not provide an adequate transition between the proposed land uses and the adjoining residential neighbourhood.

Despite the various deferrals previously granted for the application, the panel remained concerned about conflicting information and inconsistent interpretations provided by the operator and applicant, the City, the Department of Health and Main Roads Western Australia regarding the impacts of operations, deliveries and servicing.

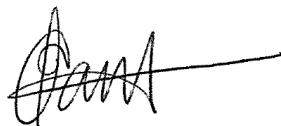
The panel considered the Responsible Authority Report's advice that several requests for information remained outstanding when the report was received. Additional information submitted shortly before the meeting raised further questions about the form and function of the development. This included a proposed change from 24-hour operation to daytime operation, which required further detailed assessment, referral and consultation.

The panel was not satisfied that reduced operating hours would adequately mitigate the impacts or address traffic-safety concerns. The panel considered that Main Roads Western Australia's non-objection was conditional on the proposed servicing arrangements and other operational conditions. Main Roads Western Australia had not agreed to or reviewed daytime fuel and service deliveries. The panel also recognised the potential impacts on residents arising from the night-time delivery and servicing schedule recommended by Main Roads Western Australia, which was not supported by the City.

Due regard was given to the submissions received, including the 168 objections to the proposal, the issues raised, the site context and the details of the proposal. The panel particularly considered matters relating to the works associated with the service station and car wash, as well as matters requiring the exercise of discretion for the drive-through fast-food outlet.

The panel was concerned about the interface between the development and adjoining residences, including the effectiveness and impacts of the proposed three-metre and four-metre walls adjacent to residential properties. The panel acknowledged that the three-metre wall is generally located toward the rear of a property, near trees and a carport, and that the four-metre section adjoins a fence, driveway, carport and garden. However, the plant and refuse facilities, together with the noise-generating car wash and vacuum area proposed to operate 24 hours a day, are located on the boundary adjoining residential development.

The proposed measures for mitigating impacts on sensitive receptors focused on daytime activity rather than night-time activity. In addition, new information presented after completion of the Responsible Authority Report had not been formally assessed.



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In relation to the service station and the associated health and vapour-emission issues, additional information requested by the City and the Department of Health was prepared after completion of the Responsible Authority Report and was submitted too late to be fully assessed. The panel nevertheless confirmed its understanding that the application of a 200-metre buffer is generic and that, for developments of this type, a site-specific study and risk assessment are generally required. The buffer may potentially be reduced following consultation with the responsible authorities.

The panel had regard to the progress of the City's draft planning scheme. However, as the draft scheme was neither imminent nor certain and had not been advertised, the panel could not give significant weight to its objectives for the Local Centre. The panel therefore based its determination on the current planning framework.

Although the proposal includes Service Station and Car Wash uses that are classified as 'P' uses, the associated works create amenity impacts that were not satisfactorily addressed in the technical reporting accompanying the Responsible Authority Report or had not formed part of the completed assessment. The proposed mitigation measures therefore remained uncertain and unresolved. Classification as a 'P' use does not result in automatic approval, and the application had not adequately demonstrated compatibility with the adjoining land uses and road network.

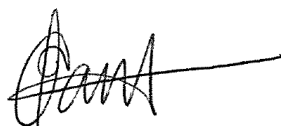
Given that the Responsible Authority Report did not resolve the outstanding issues, the conflict between the City and Main Roads Western Australia regarding servicing and delivery times, and the absence of an assessment of the suitability of the applicant's latest information, the panel was unable to support approval or a further deferral. The panel therefore supported the City's recommendation to refuse the application.

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil



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PART E – OTHER BUSINESS

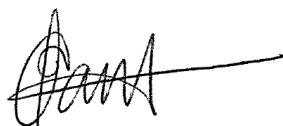
1. State Administrative Tribunal Applications and Supreme Court Appeals

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 12:56am.



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