

Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 5 August 2026; 9:30am
Meeting Number: MIDAP/145
Meeting Venue: 140 William Street, Perth

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

[**MIDAP/145 - 5 August 2026 - City of Stirling**](#)

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 Strata lots 1-8 and common property, house numbers 1-8/367 Scarborough beach road, Innaloo, Lots 1-5 and 1-3, house numbers 278-270 and 277-273 Ewen street, Innaloo / woodlands, Lot 66, house number 6 Bowra avenue (Lakides lane), Innaloo / woodlands, Public road (Ewen street) reserve pin1282926 / land id number 3159135, Innaloo / woodlands, Public road (Scarborough beach road) reserve pin11785750 / land id number 3815884, Innaloo, Public road (Ewen street) reserve pin11785751 / land id number 3815885, Innaloo / woodlands, Pedestrian access way lot 167 (Ewen street), Innaloo / woodlands, Lot 12, house number 365 Scarborough beach road, Innaloo / Woodlands - New Commercial Development and Alterations to Existing Service Station – DAP/25/02974

3.2 Lot 166 on Diagram 67516, Lot 66 on Plan 10178 and Lot 12 (No.200) Karrinyup Road, Karrinyup - Modifications to access arrangements and additional parking – DAP/24/02809

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

PART C – OTHER BUSINESS

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



Dale Page
Presiding Member, Metro Inner DAP

DAP Members

Dale Page (Presiding Member)

Francesca Lefante (Deputy Presiding Member)

Heidi Herget

Cr Suzanne Migdale (Part B – City of Stirling)

Cr Michael Dudek (Part B – City of Stirling)

DAP Secretariat

Kristen Gray

Deb Hankin

Ashlee Kelly



Dale Page
Presiding Member, Metro Inner DAP

Part B – City of Stirling
Submitters
<i>Item 3.1</i>
Alex Campbell
Applicant
<i>Item 3.1</i>
Josh Watson (Planning Solutions) Tarryn Stain (Windsor Knight) Paul Ghantous (Urbii) Graham Taylor (Place Fabric)
<i>Item 3.2</i>
Lena Jaetschmann (Rowe Group) David Maiorana (Rowe Group) David O'Brien (TRCB) Antony Johnstone (Aurecon)
Officers/Technical Advisors in Attendance
James Fletcher Shaun Wheatland Cameron Howell Russel Jackson

Members of the Public / Media

Nil.

Observers via livestream

There were 9 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 9:32am on 5 August 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 Rob Paparde (Local Government DAP Member, City of Stirling)

3. Noting of Minutes

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



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 Strata lots 1-8 and common property, house numbers 1-8/367 Scarborough beach road, Innaloo, Lots 1-5 and 1-3, house numbers 278-270 and 277-273 Ewen street, Innaloo / woodlands, Lot 66, house number 6 Bowra avenue (Lakides lane), Innaloo / woodlands, Public road (Ewen street) reserve pin1282926 / land id number 3159135, Innaloo / woodlands, Public road (Scarborough beach road) reserve pin11785750 / land id number 3815884, Innaloo, Public road (Ewen street) reserve pin11785751 / land id number 3815885, Innaloo / woodlands, Pedestrian access way lot 167 (Ewen street), Innaloo / woodlands, Lot 12, house number 365 Scarborough beach road, Innaloo / Woodlands - New Commercial Development and Alterations to Existing Service Station – DAP/25/02974

Deputations

Alex Campbell (Urbis) addressed the DAP against the application at Item 3.1 and responded to questions from the panel.

Josh Watson (Planning Solutions), Tarryn Stain (Windsor Knight), Paul Ghantous (Urbii) and Graham Taylor (Place Fabric) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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



SUBSTANTIVE MOTION

Moved by: Francesca Lefante

Seconded by: Cr Michael Dudek

An Administrative correction was made to Condition No.2 to reflect the correct date of approval.

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/25/02974 for the proposed “Woodlands North” commercial development (one Recreation - Private tenancy, two Restaurant tenancies and eight Shop tenancies) at Strata Lots 1-8 and common property, House Numbers 1-8/367 Scarborough Beach Road, Lots 1-5 and 1-3, House Numbers 278-270 and 277-273 Ewen Street, Lot 66, House Number 6 Bowra Avenue (Lakides Lane), Public Road (Ewen Street) Reserve PIN1282926 / Land ID Number 3159135, Public Road (Scarborough Beach Road) Reserve PIN11785750 / Land ID Number 3815884, Public Road (Ewen Street) Reserve PIN11785751 / Land ID Number 3815885 and Pedestrian Access Way Lot 167 (Ewen Street), Innaloo and Woodlands, and the proposed alterations to the existing Service Station at Lot 12, House Number 365 Scarborough Beach Road, Innaloo, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of 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
Feature and Contour Survey	RM Surveys WIND-EWEN-DW-001 Rev 1	9 July 2025
Boundary Information	Place Fabric page 4 Rev F	April 2026
Demolition Plan	Place Fabric page 5 Rev F	April 2026
Site Plan	Place Fabric page 6 Rev F	April 2026
Tenancies Site Plan	Place Fabric page 7 Rev F	April 2026
Level 1 Plan	Place Fabric page 8 Rev F	April 2026
Roof Plan	Place Fabric page 9 Rev F	April 2026
Materiality	Place Fabric page 12 Rev F	April 2026
Elevations	Place Fabric page 13 Rev F	April 2026
North Elevations	Place Fabric page 14 Rev F	April 2026
South Elevations	Place Fabric page 15 Rev F	April 2026
East Elevations	Place Fabric page 16 Rev F	April 2026
West Elevations	Place Fabric page 17 Rev F	April 2026
Laneway Elevations	Place Fabric page 18 Rev F	April 2026
Schedule Breakdown	Place Fabric page 19 Rev F	April 2026



Dale Page
Presiding Member, Metro Inner DAP

Page 6

2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 5 August 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Advertisements

3. All proposed signage authorised as part of this approval is to be contained within the signage zones, to the satisfaction of the City. These signs must:
 - a. not interfere with or imitate traffic control signals or signage;
 - b. not advertise services or products other than those available on the lot;
 - c. comply with the Australian Association of National Advertisers Code of Ethics in respect to content of the advertising sign;
 - d. not contain any discriminatory, offensive, obscene or vulgar material, including but not limited to adult-only related industries;
 - e. not be illuminated contrary to Australian Standard AS4282:2023;
 - f. not exceed a maximum luminance of 300 cd/m²;
 - g. not incorporate running, flashing or pulsating lights, or rapid changes to images on a screen;
 - h. digital format signage to contain only static words and objects and not include video or animation;

to the satisfaction of the City of Stirling.

Any other signage is to be in strict accordance with the City of Stirling Local Planning Policy 6.1 - Advertising Signs, unless further development approval is obtained.

Building Design

4. The colours, materials and finishes of the development shall be in accordance with the details and annotations as specified on the approved plans unless alternatives are otherwise accepted by the City of Stirling.
5. All awnings are to have a minimum clearance of 1.0 metre to all public road pavement edges and on-street parking bays.



Dale Page
Presiding Member, Metro Inner DAP

Construction Management

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

Landscaping

7. Prior to the commencement of works, a detailed Landscaping Plan is to be provided for the City of Stirling's approval, that is generally in accordance with the landscaping plans prepared by UDLA dated 4 September 2025, subject to:

- a. The removal of all trees and landscaped areas along the Scarborough Beach Road frontage that prevent a 2.5 metres wide public footpath being provided; and
- b. The removal of all trees along the Scarborough Beach Road and Odin Road / Ewen Street intersection frontage that interferes with existing signal infrastructure or is located within the vehicle sightline areas for the traffic lights;

and that demonstrates compliance with the approved development plans, all revised drawing conditions of this approval and City of Stirling Local Planning Policy 6.6 Trees and Landscaping – Non-Residential, to the satisfaction of the City of Stirling.

8. Prior to occupation of the development, all trees provided in the approved detailed Landscaping Plan must be planted on site in the area indicated on the approved plan to the satisfaction of the City of Stirling and be thereafter maintained for the duration of the development. The trees must be provided with the approved deep soil area at ground level free of intrusions, to the satisfaction of the City of Stirling. The landscaping areas shall include:
 - a. A minimum mulch depth of 100mm within all deep soil areas; and
 - b. Installation of waterwise reticulation systems.
9. Prior to occupation of the development, all landscaped areas shall be planted, reticulated and mulched to a minimum depth of 100mm and maintained thereafter for the life of the development, to the satisfaction of the City of Stirling.



Legal

10. The land constituting the proposed commercial development shall be amalgamated in a manner consistent with draft Deposited Plan 64022 version 7 approved by the Western Australian Planning Commission on 3 October 2025, prior to practical completion of the development, to the satisfaction of the City of Stirling.
11. Prior to the occupation of any part of the development the subject of this application, the owners of the land, for that portion of the land designated as:
 - a. The deceleration lane (left turn pocket) to the Scarborough Beach Road crossover;
 - b. The new public footpaths, on the Scarborough Beach Road and Ewen Street frontages, where the existing public footpath on the verge has been displaced (by the proposed deceleration lane and associated crossover and the proposed on-street parking and loading bays), with a minimum unobstructed footpath width of 2.5 metres, except where adjacent to the on-street car parking bays and service vehicle bay on Ewen Street where the minimum width is 2.0 metres; and
 - c. Planning Control Area No. 166 Scarborough Beach Road - Hinderwell Street to Odin Road and King Edward Road to Main Street, as depicted in Western Australian Planning Commission Plan Number 1.7995; andsuch land to be ceded free of cost and vested in the Crown and without any payment of compensation by the Crown, to the satisfaction of the City of Stirling.
12. Prior to the occupation of any part of the development the subject of this application, the owner of the land constituting the proposed commercial development, shall grant an easement in gross pursuant to Sections 195 and 196 of the *Land Administration Act 1997* for the benefit of the City of Stirling and the public at large over that portion of the land designated for Public Parking bays, for the purposes of providing unrestricted public vehicular access, to the satisfaction of the City of Stirling.
13. Where the satisfaction of any condition requires the preparation of a legal agreement, these agreements are to be prepared by the City of Stirling's solicitors and, all costs incidental to the satisfaction of these conditions, including the City of Stirling's legal costs and registration fees and stamp duty (if any), must be paid by the landowner.

Lighting and Security

14. Lighting shall be provided to all public spaces including under awnings, parking areas, service areas, entry and exit points and thereafter maintained for the life of the development, to the satisfaction of the City of Stirling.



15. Details of any outside lighting shall be submitted at the Building Permit application stage demonstrating compliance with *Australian/New Zealand Standard 4282:2023 - Control of the obtrusive effects of outdoor lighting (AS/NZS 4282)*. External lighting shall thereafter be installed prior to occupation so as not to adversely affect the amenity of the locality in accordance with AS/NZS 4282.

Off-Site Engineering

16. Prior to the commencement of works, detailed civil engineering construction drawings of the works to Scarborough Beach Road and Ewen Street are to be submitted to the City of Stirling for written approval. These works include the deceleration lane, on-street parking bays, the modifications to the public footpaths, the modifications to the existing on-street parking bays, the modifications to the central median islands, and modifications to the roadway or verge relating to the vehicle access into and out the subject sites. The following modifications are required:
 - a. The number of on-street car bays on Ewen Street to be reduced from three to two car bays, with the removal of the proposed end car parking bay, as it obstructs the existing pedestrian ramp crossing, which is to be retained.
 - b. The inclusion of traffic management on Ewen Street to reduce vehicle speeds for vehicles entering and exiting the car park.

Prior to the commencement of the civil engineering works, the owner shall pay the City of Stirling a bond to be calculated by the City of Stirling based upon the approved civil engineering construction plans, which will be returned once all works within the road reserve have been completed in accordance with the approved civil engineering construction plans, to the satisfaction of the City of Stirling.

Prior to the occupation of the development, the approved civil engineering works for Scarborough Beach Road and Ewen Street shall be undertaken at the owner's cost, in accordance with the design approved by the City of Stirling.

17. Prior to occupation of the development, existing street lighting columns affected by the proposed car parking bays and footpath modifications works on Ewen Street, are to be relocated at the owner's expense to ensure that these do obstruct proposed footpaths and embayed parking bays to the specifications of Electricity Networks Corporation (Western Power) and to the satisfaction of the City of Stirling.
18. Prior to occupation of the development, street lighting along the development's Ewen Street frontage is to be upgraded to comply with Australian Standard AS 1158, demonstrating Category V lighting provisions, at the owner's expense, in compliance with recommendation of the "Shawmac" Road Safety Audit - Stage 2 – Preliminary Design Audit Reference: 260518-RSA-001 - item 2.1 Issue Date 25 May 2026, to the specifications of Electricity Networks Corporation (Western Power) and to the satisfaction of the City of Stirling.



19. Prior to occupation of the development, the owner shall pay the City of Stirling for the installation of the on-street parking signage required for the on-street car parking bays and service vehicle bay.
20. Prior to the occupation of the development, the City of Stirling is to be provided with "as constructed" copies in '.dwg' and '.pdf' format, of all road and drainage modification works.
21. Prior to the occupation of the development, a payment is to be made to the City of Stirling of an inspection fee equivalent to 3.0%, or 1.5% where a consulting engineer has been engaged to design and supervise the construction, of the cost of construction works within the road reserve.
22. Prior to the occupation of the development, a payment to the City of Stirling of a 12 months defects liability period retention bond of 5% is required for the construction of all roads, footpaths, landscaping and associated drainage works, as estimated by the City of Stirling.
23. No permanent structures such as retaining walls are permitted to be constructed within the retained road reserves and the widened road reserves, unless otherwise approved in writing by the City of Stirling.

Parking and Vehicle Access

24. The number and allocation of car, bicycle and motorcycle/scooter parking bays on-site shall be provided as follows:
 - a. 165 commercial car parking bays, with a:
 - i. Minimum 87 of the commercial bays to be Public Parking bays; and
 - ii. Minimum 60% of the Public Parking bays to be Short Stay Parking bays.
 - b. A minimum 21 bicycle spaces, with a:
 - i. Minimum 15 bicycle spaces to be accessible to employees; and
 - ii. Minimum six (6) bicycle spaces to be accessible to customers.
 - c. A minimum four (4) commercial motorcycle/scooter bays.

These parking bays and spaces shall be available during the operating hours of the development, to the satisfaction of the City.

25. Prior to occupation of the development all parking bays, manoeuvring and circulation areas shall be sealed/paved, drained and shall comply with *Australian/New Zealand Standard 2890.1-2004 - Off-street car parking*. The accessible parking bay indicated on the approved plans shall comply with *Australian Standard 2890.6:2022 - Off-street Parking for People with Disabilities*. The parking bays and manoeuvring areas shall be maintained for the life of the development, to the satisfaction of the City of Stirling.



26. The design and construction of the bicycle parking spaces shall be in accordance with *Australian Standard 2890.3-2015 – Bicycle Parking*.
27. No vehicles larger than a 12.5 metres rigid vehicle are permitted to use the Scarborough Beach Road loading dock crossover, unless otherwise approved by the City of Stirling.
28. Prior to occupation of the development, the proposed vehicle crossovers and left turn pocket deceleration lane shall be designed, constructed, and installed to the satisfaction of the City of Stirling.
29. Prior to occupation of the development, all driveways, parking and manoeuvring areas shall be sealed, drained and thereafter maintained to the satisfaction of the City of Stirling.
30. Prior to the occupation or use of the development, any redundant crossover(s) shall be removed and the kerbing and road verge reinstated at the owners cost in accordance with the City of Stirling's Local Planning Policy 6.7 - Parking and Access.
31. Unless otherwise approved, no walls, fences, letterboxes or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
 - a. Walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. A driveway meets a public or private street, or
 - c. Two street intersect,unless the further approval of the City of Stirling is obtained.

Public Art

32. Prior to occupation of the development, a public art proposal for the subject development to the value of 1% of the construction value up to \$50 million and 0.5% of the construction value greater than \$50 million shall be submitted to, and approved by, the City of Stirling. The approved public art proposal shall be completed and installed by the developer prior to occupation and thereafter maintained by the landowner for the life of the development, to the satisfaction of the City of Stirling.

Universal Design

33. Prior to occupation of the development, pedestrian pathways providing wheelchair accessibility from all entries to buildings to public footpath and car parking areas shall comply with *Australian Standard 1428.1:2021 - Design for access and mobility, Part 1: General requirements for access – New building work*, to the satisfaction of the City of Stirling.



Utilities, Facilities and External Fixtures

34. All external fixtures, building services, roof equipment (including air-conditioning) and utilities of the development are to be integrated into the building and/or screened for the life of the development, to the satisfaction of the City of Stirling.
35. Prior to the lodgement of a Building Permit application, the development's fire service needs to be designed to ensure that a Department of Fire and Emergency Services "Fire Appliance Hardstand" and associated line marking is not required to be installed within the road reserve abutting the development road frontages. The details, location and elevations of the fire booster are to be submitted for the approval of the City of Stirling. The Fire Service must ensure that the fire truck when stopped at the fire booster cabinet does not block traffic movements along the abutting road network.
36. A safety barrier, which may be provided as appropriately designed boundary fencing, is to be installed within the subject site adjacent to the excavated service area, to protect vehicles and pedestrians from falling into the service area, to be designed and installed to the satisfaction of the City of Stirling.

Waste Management

37. The development shall be consistent with the approved Waste Management Plan (WMP) prepared by Talis Consultants. The WMP shall be implemented and thereafter complied with by the landowner for the life of the development, to the satisfaction of the City of Stirling.

Water Management

38. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater shall not affect or be allowed to flow onto or into any other property or road reserve. There shall be no connection to the City's drainage infrastructure without the written consent of the City of Stirling.

Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the Development Assessment Panel or City of Stirling.
2. If an Applicant is aggrieved by this determination there is a right of appeal under Part 14 of the *Planning and Development Act 2005*. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.



3. This is a Development Approval issued under the City of Stirling Local Planning Scheme and related policies. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the Applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
4. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the Applicant and not the Development Assessment Panel or City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Development Assessment Panel or City of Stirling's attention.
5. The Applicant is responsible for ensuring all lot boundaries as shown on the approved plans are correct.
6. Development shall comply in all respects with the attached approved plans and any requisite amended plans required by a condition of this approval which have been stamped accordingly.
7. Where, in the opinion of the City of Stirling, achieving compliance with the conditions of approval requires significant modifications to the approved plans, a Form 2 application shall be required for consideration in accordance with *Clause 17 or 17A of the Planning and Development (Development Assessment Panels) Regulations 2011*.
8. The landowner is advised that any future strata title or community title subdivision of the property must be consistent with this approval and the lot sizes demonstrated in the application.

Advertisements

9. All signage is to be in accordance with the approved plans, unless exempt from development approval by being in strict accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 including City of Stirling Local Planning Policy 6.1 Advertising Signs, or further development approval has been obtained.



Dale Page
Presiding Member, Metro Inner DAP

Contaminated Sites

10. Due to the nature and extent of groundwater contamination beneath Lots 12 and 66, the abstraction of groundwater for any purpose is not recommended. Lots 12 and 66 are to be managed in accordance with the Ongoing Site Management Plan as detailed in the document Ongoing Site Management Plan at the Caltex Doubleview Service Station (55486), 365 Scarborough Beach Road, Doubleview, WA 6108 (AECOM, October 2017).

Food Premises

11. All food premises activities are to comply with the *Food Act 2008*, Australian New Zealand Food Standards Code and City of Stirling Food Business Guide Design Construction Operation.
12. A Food Business Notification form is to be submitted for the premise with supporting plans and specifications of the food handling facilities for approval at the Building Permit Application stage or prior to installation and operation.

Legal

13. The exact road widenings required along the Scarborough Beach Road and Ewen Street frontages will be determined as part of the City of Stirling's approval of the detailed design of the off-site engineering works.

Noise

14. The location, installation and operation of all fixed plant and equipment shall ensure that noise emissions will comply with the assigned levels of the *Environmental Protection (Noise) Regulations 1997*.
15. All construction works shall comply with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been approved in writing by the City of Stirling.

Off-Site Engineering

16. For all proposed works within the road reserve relating to the subject development, a separate written approval is required from the City of Stirling's Engineering Services Business Unit. Detailed civil engineering construction plans must be submitted by a suitably qualified person. Written approval must be obtained from the City of Stirling, prior to any work occurring within the road reserve.

The design of the works will be subject to the following requirements:



- a. The on-street car parking bays and service vehicle bay to be surfaced in red bitumen.
 - b. The submission of a parking signage plan in accordance with AS1742.11 for the parking signage for the on-street car parking bays and service vehicle bay, including the service vehicle bay being available for deliveries during normal business hours.
 - c. All footpaths along the development's frontage within the road reserve to provide a consistent brick paving type, pattern and colour, that defines and provides a contrast from the internal development's footpath areas.
 - d. The modifications to the central median islands on Ewen Street associated with the vehicle access to and from the car park must maintain vehicle access to the neighbouring properties on the opposite side of the street.
17. All drainage affected by the proposed road modification works within Scarborough Beach Road and Ewen Street are to be modified to the satisfaction of the City of Stirling.
18. Associated line marking and signage of the Scarborough Beach Road and Ewen Street road modification works is subject to Main Roads Western Australia approvals, and at the landowner's expense.

Parking and Vehicle Access

19. Public Parking is defined in the City of Stirling Local Planning Scheme No. 3 as: "means the parking of vehicles on land by members of the public at any time on any day whether or not payment of a fee is required."
20. Short Stay Public Parking is defined in the City of Stirling Local Planning Scheme No. 3 as: "means parking bays that are available to the public where at least 50% of vehicles stay less than 4 hours and at least 90% stay less than 6 hours."

Public Art

21. In relation to the Public Art condition, 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 on the estimated cost of development identified on the development application forms (\$70 million), the 1% up to \$50 million and 0.5% greater than \$50 million public art contribution will equate to \$600,000.

Waste Management

22. The bin enclosures shall comply with the requirements of the City of Stirling's *Waste Management Local Law 2010*.



AMENDING MOTION 1

Moved by: Heidi Herget

Seconded by: Francesca Lefante

That a new Condition No.32 be added to read as follows and remaining conditions be renumbered accordingly:

Prior to the occupation and/or commencement of the approved development, a Parking Management Plan shall be submitted to and approved by the City of Stirling. The Plan shall detail the allocation, signage and ongoing management of parking bays. The approved plan shall thereafter be implemented and maintained for the life of the development to the satisfaction of the City.

The Amending Motion was put and CARRIED (4/1).

For: Heidi Herget
Francesca Lefante
Dale Page
Cr Michael Dudek

Against: Cr Suzanne Migdale

REASON: A Parking Management Plan will ensure the appropriate balance of Public Parking and Short Stay Parking bays and assist with wayfinding and parking technology.

AMENDING MOTION 2

Moved by: Dale Page

Seconded by: Francesca Lefante

The following amendments were made en bloc:

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

Prior to the commencement of works, detailed civil engineering construction drawings of the works to Scarborough Beach Road and Ewen Street are to be submitted to the City of Stirling for written approval. These works include the deceleration lane, on-street parking bays, the modifications to the public footpaths, the modifications to the existing on-street parking bays, the modifications to the central median islands, and modifications to the roadway or verge relating to the vehicle access into and out the subject sites. The following modifications are required:

- a. The number of on-street car bays on Ewen Street to be reduced from three to two car bays, with the removal of the proposed end car parking bay, as it obstructs the existing pedestrian ramp crossing, which is to be retained.



Dale Page
Presiding Member, Metro Inner DAP

Page 17

- b. The inclusion of traffic management on Ewen Street to reduce vehicle speeds for vehicles entering and exiting the car park.

~~Prior to the commencement of the civil engineering works, the owner shall pay the City of Stirling a bond to be calculated by the City of Stirling based upon the approved civil engineering construction plans, which will be returned once all works within the road reserve have been completed in accordance with the approved civil engineering construction plans, to the satisfaction of the City of Stirling.~~

Prior to the occupation of the development, the approved civil engineering works for Scarborough Beach Road and Ewen Street shall be undertaken at the owner's cost, in accordance with the design approved by the City of Stirling.

- ii) That a new Advice Note No.19 be added to read as follows and remaining Advice notes be renumbered accordingly:

Prior to the commencement of the civil engineering works, the owner shall pay the City of Stirling a bond to be calculated by the City of Stirling based upon the approved civil engineering construction plans, which will be returned once all works within the road reserve have been completed in accordance with the approved civil engineering construction plans, to the satisfaction of the City of Stirling.

The Amending Motion was put and CARRIED (3/2).

For: Dale Page
Francesca Lefante
Heidi Herget

Against: Cr Suzanne Migdale
Cr Michael Dudek

REASON: Payment of a works bond is not a planning matter and has no planning basis. It is a separate local government requirement, which is better suited as an Advice Note

AMENDING MOTION 3

Moved by: Dale Page

Seconded by: Francesca Lefante

That Condition Nos 20 and 21 be removed and added as new Advice Note Nos 20 and 21, with all remaining conditions and Advice notes renumbered accordingly.

The Amending Motion was put and CARRIED (3/2).



Dale Page
Presiding Member, Metro Inner DAP

For: Dale Page
Francesca Lefante
Heidi Herget

Against: Cr Suzanne Migdale
Cr Michael Dudek

REASON: These are technical matters that the City should deal with outside the planning process. They have no planning basis and are better suited as Advice Notes.

AMENDING MOTION 4

Moved by: Dale Page

Seconded by: Heidi Herget

That Condition No.36 be amended to read as follows:

Prior to occupation or use of the development a safety barrier, which may be provided as appropriately designed boundary fencing, is to be installed within the subject site adjacent to the excavated service area, to protect vehicles and pedestrians from falling into the service area, to be designed and installed to the satisfaction of the City of Stirling.

The Amending Motion was put and CARRIED (4/1).

For: Dale Page
Francesca Lefante
Heidi Herget
Cr Michael Dudek

Against: Cr Suzanne Migdale

REASON: The current wording of the condition does not include a timeline for completion of the action.

AMENDING MOTION 5

Moved by: Dale Page

Seconded by: Francesca Lefante

That a new Condition No.38 be added to read as follows:

Prior to occupation or use of the development, certification by a suitably qualified acoustic expert is to be provided, to the satisfaction of the City, that the noise from all mechanical services and equipment, complies with the prescribed standards detailed in the Environmental Protection (Noise) Regulations 1997.

The Amending Motion was put and CARRIED UNANIMOUSLY (4/1).



Dale Page
Presiding Member, Metro Inner DAP

For: Dale Page
Francesca Lefante
Heidi Herget
Cr Michael Dudek

Against: Cr Suzanne Migdale

REASON: Whilst the general operations of the development are expected to meet the assigned levels in the Noise Regulations, details of the mechanical equipment to be installed are not currently available and will be addressed through the detailed design stage. Once the mechanical equipment has been included in the design and installed on site, the City will require confirmation that noise from the mechanical services and equipment does not exceed the assigned levels of the Regulations.

AMENDING MOTION 6

Moved by: Dale Page

Seconded by: Heidi Herget

That a new Condition No.31 be added to read as follows and remaining conditions be renumbered accordingly:

Prior to the occupation and/or commencement of the approved development, a Service Loading and Delivery Management Plan shall be submitted to and approved by the City of Stirling. The approved plan shall thereafter be implemented and maintained for the life of the development to the satisfaction of the City.

The Plan shall address, but not be limited to, the following:

- a. Identification of all servicing, loading, unloading and delivery activities associated with the development.***
- b. Details of the expected frequency, timing and duration of service and delivery vehicle movements.***
- c. Identification of the types and sizes of vehicles anticipated to access the site, including rigid trucks, articulated vehicles, waste collection vehicles and courier vehicles.***

The Amending Motion was put and CARRIED (4/1).

For: Dale Page
Francesca Lefante
Heidi Herget
Cr Michael Dudek

Against: Cr Suzanne Migdale



Dale Page
Presiding Member, Metro Inner DAP

Page 20

REASON: A Service Loading and Delivery Management Plan will ensure servicing and delivery activities associated with the development are appropriately managed to minimise impacts on site operations, public parking areas and the surrounding road network.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/25/02974 for the proposed "Woodlands North" commercial development (one Recreation - Private tenancy, two Restaurant tenancies and eight Shop tenancies) at Strata Lots 1-8 and common property, House Numbers 1-8/367 Scarborough Beach Road, Lots 1-5 and 1-3, House Numbers 278-270 and 277-273 Ewen Street, Lot 66, House Number 6 Bowra Avenue (Lakides Lane), Public Road (Ewen Street) Reserve PIN1282926 / Land ID Number 3159135, Public Road (Scarborough Beach Road) Reserve PIN11785750 / Land ID Number 3815884, Public Road (Ewen Street) Reserve PIN11785751 / Land ID Number 3815885 and Pedestrian Access Way Lot 167 (Ewen Street), Innaloo and Woodlands, and the proposed alterations to the existing Service Station at Lot 12, House Number 365 Scarborough Beach Road, Innaloo, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of 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
Feature and Contour Survey	RM Surveys WIND-EWEN-DW-001 Rev 1	9 July 2025
Boundary Information	Place Fabric page 4 Rev F	April 2026
Demolition Plan	Place Fabric page 5 Rev F	April 2026
Site Plan	Place Fabric page 6 Rev F	April 2026
Tenancies Site Plan	Place Fabric page 7 Rev F	April 2026
Level 1 Plan	Place Fabric page 8 Rev F	April 2026
Roof Plan	Place Fabric page 9 Rev F	April 2026
Materiality	Place Fabric page 12 Rev F	April 2026
Elevations	Place Fabric page 13 Rev F	April 2026
North Elevations	Place Fabric page 14 Rev F	April 2026
South Elevations	Place Fabric page 15 Rev F	April 2026
East Elevations	Place Fabric page 16 Rev F	April 2026
West Elevations	Place Fabric page 17 Rev F	April 2026
Laneway Elevations	Place Fabric page 18 Rev F	April 2026
Schedule Breakdown	Place Fabric page 19 Rev F	April 2026



Dale Page
Presiding Member, Metro Inner DAP

2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 5 August 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Advertisements

3. All proposed signage authorised as part of this approval is to be contained within the signage zones, to the satisfaction of the City. These signs must:
 - a. not interfere with or imitate traffic control signals or signage;
 - b. not advertise services or products other than those available on the lot;
 - c. comply with the Australian Association of National Advertisers Code of Ethics in respect to content of the advertising sign;
 - d. not contain any discriminatory, offensive, obscene or vulgar material, including but not limited to adult-only related industries;
 - e. not be illuminated contrary to Australian Standard AS4282:2023;
 - f. not exceed a maximum luminance of 300 cd/m²;
 - g. not incorporate running, flashing or pulsating lights, or rapid changes to images on a screen;
 - h. digital format signage to contain only static words and objects and not include video or animation;

to the satisfaction of the City of Stirling.

Any other signage is to be in strict accordance with the City of Stirling Local Planning Policy 6.1 - Advertising Signs, unless further development approval is obtained.

Building Design

4. The colours, materials and finishes of the development shall be in accordance with the details and annotations as specified on the approved plans unless alternatives are otherwise accepted by the City of Stirling.
5. All awnings are to have a minimum clearance of 1.0 metre to all public road pavement edges and on-street parking bays.



Dale Page
Presiding Member, Metro Inner DAP

Construction Management

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

Landscaping

7. Prior to the commencement of works, a detailed Landscaping Plan is to be provided for the City of Stirling's approval, that is generally in accordance with the landscaping plans prepared by UDLA dated 4 September 2025, subject to:

- a. The removal of all trees and landscaped areas along the Scarborough Beach Road frontage that prevent a 2.5 metres wide public footpath being provided; and
- b. The removal of all trees along the Scarborough Beach Road and Odin Road / Ewen Street intersection frontage that interferes with existing signal infrastructure or is located within the vehicle sightline areas for the traffic lights;

and that demonstrates compliance with the approved development plans, all revised drawing conditions of this approval and City of Stirling Local Planning Policy 6.6 Trees and Landscaping – Non-Residential, to the satisfaction of the City of Stirling.

8. Prior to occupation of the development, all trees provided in the approved detailed Landscaping Plan must be planted on site in the area indicated on the approved plan to the satisfaction of the City of Stirling and be thereafter maintained for the duration of the development. The trees must be provided with the approved deep soil area at ground level free of intrusions, to the satisfaction of the City of Stirling. The landscaping areas shall include:
 - a. A minimum mulch depth of 100mm within all deep soil areas; and
 - b. Installation of waterwise reticulation systems.
9. Prior to occupation of the development, all landscaped areas shall be planted, reticulated and mulched to a minimum depth of 100mm and maintained thereafter for the life of the development, to the satisfaction of the City of Stirling.



Legal

10. The land constituting the proposed commercial development shall be amalgamated in a manner consistent with draft Deposited Plan 64022 version 7 approved by the Western Australian Planning Commission on 3 October 2025, prior to practical completion of the development, to the satisfaction of the City of Stirling.
11. Prior to the occupation of any part of the development the subject of this application, the owners of the land, for that portion of the land designated as:
 - a. The deceleration lane (left turn pocket) to the Scarborough Beach Road crossover;
 - b. The new public footpaths, on the Scarborough Beach Road and Ewen Street frontages, where the existing public footpath on the verge has been displaced (by the proposed deceleration lane and associated crossover and the proposed on-street parking and loading bays), with a minimum unobstructed footpath width of 2.5 metres, except where adjacent to the on-street car parking bays and service vehicle bay on Ewen Street where the minimum width is 2.0 metres; and
 - c. Planning Control Area No. 166 Scarborough Beach Road - Hinderwell Street to Odin Road and King Edward Road to Main Street, as depicted in Western Australian Planning Commission Plan Number 1.7995; andsuch land to be ceded free of cost and vested in the Crown and without any payment of compensation by the Crown, to the satisfaction of the City of Stirling.
12. Prior to the occupation of any part of the development the subject of this application, the owner of the land constituting the proposed commercial development, shall grant an easement in gross pursuant to Sections 195 and 196 of the *Land Administration Act 1997* for the benefit of the City of Stirling and the public at large over that portion of the land designated for Public Parking bays, for the purposes of providing unrestricted public vehicular access, to the satisfaction of the City of Stirling.
13. Where the satisfaction of any condition requires the preparation of a legal agreement, these agreements are to be prepared by the City of Stirling's solicitors and, all costs incidental to the satisfaction of these conditions, including the City of Stirling's legal costs and registration fees and stamp duty (if any), must be paid by the landowner.

Lighting and Security

14. Lighting shall be provided to all public spaces including under awnings, parking areas, service areas, entry and exit points and thereafter maintained for the life of the development, to the satisfaction of the City of Stirling.



15. Details of any outside lighting shall be submitted at the Building Permit application stage demonstrating compliance with *Australian/New Zealand Standard 4282:2023 - Control of the obtrusive effects of outdoor lighting (AS/NZS 4282)*. External lighting shall thereafter be installed prior to occupation so as not to adversely affect the amenity of the locality in accordance with AS/NZS 4282.

Off-Site Engineering

16. Prior to the commencement of works, detailed civil engineering construction drawings of the works to Scarborough Beach Road and Ewen Street are to be submitted to the City of Stirling for written approval. These works include the deceleration lane, on-street parking bays, the modifications to the public footpaths, the modifications to the existing on-street parking bays, the modifications to the central median islands, and modifications to the roadway or verge relating to the vehicle access into and out the subject sites. The following modifications are required:
- a. The number of on-street car bays on Ewen Street to be reduced from three to two car bays, with the removal of the proposed end car parking bay, as it obstructs the existing pedestrian ramp crossing, which is to be retained.
 - b. The inclusion of traffic management on Ewen Street to reduce vehicle speeds for vehicles entering and exiting the car park.

Prior to the occupation of the development, the approved civil engineering works for Scarborough Beach Road and Ewen Street shall be undertaken at the owner's cost, in accordance with the design approved by the City of Stirling.

17. Prior to occupation of the development, existing street lighting columns affected by the proposed car parking bays and footpath modifications works on Ewen Street, are to be relocated at the owner's expense to ensure that these do obstruct proposed footpaths and embayed parking bays to the specifications of Electricity Networks Corporation (Western Power) and to the satisfaction of the City of Stirling.
18. Prior to occupation of the development, street lighting along the development's Ewen Street frontage is to be upgraded to comply with Australian Standard AS 1158, demonstrating Category V lighting provisions, at the owner's expense, in compliance with recommendation of the "Shawmac" Road Safety Audit - Stage 2 – Preliminary Design Audit Reference: 260518-RSA-001 - item 2.1 Issue Date 25 May 2026, to the specifications of Electricity Networks Corporation (Western Power) and to the satisfaction of the City of Stirling.
19. Prior to occupation of the development, the owner shall pay the City of Stirling for the installation of the on-street parking signage required for the on-street car parking bays and service vehicle bay.



20. Prior to the occupation of the development, a payment to the City of Stirling of a 12 months defects liability period retention bond of 5% is required for the construction of all roads, footpaths, landscaping and associated drainage works, as estimated by the City of Stirling.
21. No permanent structures such as retaining walls are permitted to be constructed within the retained road reserves and the widened road reserves, unless otherwise approved in writing by the City of Stirling.

Parking and Vehicle Access

22. The number and allocation of car, bicycle and motorcycle/scooter parking bays on-site shall be provided as follows:
 - a. 165 commercial car parking bays, with a:
 - i. Minimum 87 of the commercial bays to be Public Parking bays; and
 - ii. Minimum 60% of the Public Parking bays to be Short Stay Parking bays.
 - b. A minimum 21 bicycle spaces, with a:
 - i. Minimum 15 bicycle spaces to be accessible to employees; and
 - ii. Minimum six (6) bicycle spaces to be accessible to customers.
 - c. A minimum four (4) commercial motorcycle/scooter bays.

These parking bays and spaces shall be available during the operating hours of the development, to the satisfaction of the City.

23. Prior to occupation of the development all parking bays, manoeuvring and circulation areas shall be sealed/paved, drained and shall comply with *Australian/New Zealand Standard 2890.1-2004 - Off-street car parking*. The accessible parking bay indicated on the approved plans shall comply with *Australian Standard 2890.6:2022 - Off-street Parking for People with Disabilities*. The parking bays and manoeuvring areas shall be maintained for the life of the development, to the satisfaction of the City of Stirling.
24. The design and construction of the bicycle parking spaces shall be in accordance with *Australian Standard 2890.3-2015 – Bicycle Parking*.
25. No vehicles larger than a 12.5 metres rigid vehicle are permitted to use the Scarborough Beach Road loading dock crossover, unless otherwise approved by the City of Stirling.
26. Prior to occupation of the development, the proposed vehicle crossovers and left turn pocket deceleration lane shall be designed, constructed, and installed to the satisfaction of the City of Stirling.
27. Prior to occupation of the development, all driveways, parking and manoeuvring areas shall be sealed, drained and thereafter maintained to the satisfaction of the City of Stirling.



28. Prior to the occupation or use of the development, any redundant crossover(s) shall be removed and the kerbing and road verge reinstated at the owners cost in accordance with the City of Stirling's Local Planning Policy 6.7 - Parking and Access.
29. Unless otherwise approved, no walls, fences, letterboxes or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
 - a. Walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. A driveway meets a public or private street, or
 - c. Two street intersect,unless the further approval of the City of Stirling is obtained.
30. Prior to the occupation and/or commencement of the approved development, a Parking Management Plan shall be submitted to and approved by the City of Stirling. The Plan shall detail the allocation, signage and ongoing management of parking bays. The approved plan shall thereafter be implemented and maintained for the life of the development to the satisfaction of the City.
31. Prior to the occupation and/or commencement of the approved development, a Service Loading and Delivery Management Plan shall be submitted to and approved by the City of Stirling. The approved plan shall thereafter be implemented and maintained for the life of the development to the satisfaction of the City.

The Plan shall address, but not be limited to, the following:

- a. Identification of all servicing, loading, unloading and delivery activities associated with the development.
- b. Details of the expected frequency, timing and duration of service and delivery vehicle movements.
- c. Identification of the types and sizes of vehicles anticipated to access the site, including rigid trucks, articulated vehicles, waste collection vehicles and courier vehicles.

Public Art

32. Prior to occupation of the development, a public art proposal for the subject development to the value of 1% of the construction value up to \$50 million and 0.5% of the construction value greater than \$50 million shall be submitted to, and approved by, the City of Stirling. The approved public art proposal shall be completed and installed by the developer prior to occupation and thereafter maintained by the landowner for the life of the development, to the satisfaction of the City of Stirling.



Dale Page
Presiding Member, Metro Inner DAP

Universal Design

33. Prior to occupation of the development, pedestrian pathways providing wheelchair accessibility from all entries to buildings to public footpath and car parking areas shall comply with *Australian Standard 1428.1:2021 - Design for access and mobility, Part 1: General requirements for access – New building work*, to the satisfaction of the City of Stirling.

Utilities, Facilities and External Fixtures

34. All external fixtures, building services, roof equipment (including air-conditioning) and utilities of the development are to be integrated into the building and/or screened for the life of the development, to the satisfaction of the City of Stirling.
35. Prior to the lodgement of a Building Permit application, the development's fire service needs to be designed to ensure that a Department of Fire and Emergency Services "Fire Appliance Hardstand" and associated line marking is not required to be installed within the road reserve abutting the development road frontages. The details, location and elevations of the fire booster are to be submitted for the approval of the City of Stirling. The Fire Service must ensure that the fire truck when stopped at the fire booster cabinet does not block traffic movements along the abutting road network.
36. Prior to occupation or use of development a safety barrier, which may be provided as appropriately designed boundary fencing, is to be installed within the subject site adjacent to the excavated service area, to protect vehicles and pedestrians from falling into the service area, to be designed and installed to the satisfaction of the City of Stirling.

Waste Management

37. The development shall be consistent with the approved Waste Management Plan (WMP) prepared by Talis Consultants. The WMP shall be implemented and thereafter complied with by the landowner for the life of the development, to the satisfaction of the City of Stirling.

Water Management

38. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater shall not affect or be allowed to flow onto or into any other property or road reserve. There shall be no connection to the City's drainage infrastructure without the written consent of the City of Stirling.
39. Prior to occupation or use of the development, certification by a suitably qualified acoustic expert is to be provided, to the satisfaction of the City, that the noise from all mechanical services and equipment, complies with the prescribed standards detailed in the Environmental Protection (Noise) Regulations 1997.



Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the Development Assessment Panel or City of Stirling.
2. If an Applicant is aggrieved by this determination there is a right of appeal under Part 14 of the *Planning and Development Act 2005*. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
3. This is a Development Approval issued under the City of Stirling Local Planning Scheme and related policies. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the Applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
4. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the Applicant and not the Development Assessment Panel or City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Development Assessment Panel or City of Stirling's attention.
5. The Applicant is responsible for ensuring all lot boundaries as shown on the approved plans are correct.
6. Development shall comply in all respects with the attached approved plans and any requisite amended plans required by a condition of this approval which have been stamped accordingly.
7. Where, in the opinion of the City of Stirling, achieving compliance with the conditions of approval requires significant modifications to the approved plans, a Form 2 application shall be required for consideration in accordance with *Clause 17 or 17A of the Planning and Development (Development Assessment Panels) Regulations 2011*.
8. The landowner is advised that any future strata title or community title subdivision of the property must be consistent with this approval and the lot sizes demonstrated in the application.



Dale Page
Presiding Member, Metro Inner DAP

Advertisements

9. All signage is to be in accordance with the approved plans, unless exempt from development approval by being in strict accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 including City of Stirling Local Planning Policy 6.1 Advertising Signs, or further development approval has been obtained.

Contaminated Sites

10. Due to the nature and extent of groundwater contamination beneath Lots 12 and 66, the abstraction of groundwater for any purpose is not recommended. Lots 12 and 66 are to be managed in accordance with the Ongoing Site Management Plan as detailed in the document Ongoing Site Management Plan at the Caltex Doubleview Service Station (55486), 365 Scarborough Beach Road, Doubleview, WA 6108 (AECOM, October 2017).

Food Premises

11. All food premises activities are to comply with the *Food Act 2008*, Australian New Zealand Food Standards Code and City of Stirling Food Business Guide Design Construction Operation.
12. A Food Business Notification form is to be submitted for the premise with supporting plans and specifications of the food handling facilities for approval at the Building Permit Application stage or prior to installation and operation.

Legal

13. The exact road widenings required along the Scarborough Beach Road and Ewen Street frontages will be determined as part of the City of Stirling's approval of the detailed design of the off-site engineering works.

Noise

14. The location, installation and operation of all fixed plant and equipment shall ensure that noise emissions will comply with the assigned levels of the *Environmental Protection (Noise) Regulations 1997*.
15. All construction works shall comply with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been approved in writing by the City of Stirling.



Off-Site Engineering

16. For all proposed works within the road reserve relating to the subject development, a separate written approval is required from the City of Stirling's Engineering Services Business Unit. Detailed civil engineering construction plans must be submitted by a suitably qualified person. Written approval must be obtained from the City of Stirling, prior to any work occurring within the road reserve.

The design of the works will be subject to the following requirements:

- a. The on-street car parking bays and service vehicle bay to be surfaced in red bitumen.
 - b. The submission of a parking signage plan in accordance with AS1742.11 for the parking signage for the on-street car parking bays and service vehicle bay, including the service vehicle bay being available for deliveries during normal business hours.
 - c. All footpaths along the development's frontage within the road reserve to provide a consistent brick paving type, pattern and colour, that defines and provides a contrast from the internal development's footpath areas.
 - d. The modifications to the central median islands on Ewen Street associated with the vehicle access to and from the car park must maintain vehicle access to the neighbouring properties on the opposite side of the street.
17. All drainage affected by the proposed road modification works within Scarborough Beach Road and Ewen Street are to be modified to the satisfaction of the City of Stirling.
18. Associated line marking and signage of the Scarborough Beach Road and Ewen Street road modification works is subject to Main Roads Western Australia approvals, and at the landowner's expense.
19. Prior to the commencement of the civil engineering works, the owner shall pay the City of Stirling a bond to be calculated by the City of Stirling based upon the approved civil engineering construction plans, which will be returned once all works within the road reserve have been completed in accordance with the approved civil engineering construction plans, to the satisfaction of the City of Stirling.
20. Prior to the occupation of the development, the City of Stirling is to be provided with "as constructed" copies in '.dwg' and '.pdf' format, of all road and drainage modification works.
21. Prior to the occupation of the development, a payment is to be made to the City of Stirling of an inspection fee equivalent to 3.0%, or 1.5% where a consulting engineer has been engaged to design and supervise the construction, of the cost of construction works within the road reserve.



Parking and Vehicle Access

22. Public Parking is defined in the City of Stirling Local Planning Scheme No. 3 as: "means the parking of vehicles on land by members of the public at any time on any day whether or not payment of a fee is required."
23. Short Stay Public Parking is defined in the City of Stirling Local Planning Scheme No. 3 as: "means parking bays that are available to the public where at least 50% of vehicles stay less than 4 hours and at least 90% stay less than 6 hours."

Public Art

24. In relation to the Public Art condition, 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 on the estimated cost of development identified on the development application forms (\$70 million), the 1% up to \$50 million and 0.5% greater than \$50 million public art contribution will equate to \$600,000.

Waste Management

25. The bin enclosures shall comply with the requirements of the City of Stirling's *Waste Management Local Law 2010*.

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

For: Dale Page
Heidi Herget
Francesca Lefante
Cr Michael Dudek

Against: Cr Suzanne Migdale

REASON: Most panel members considered the proposed development to be well-designed, with high-quality finishes and landscaping that will transform a large, underutilised parcel of land in a designated activity centre, enhancing the service offer and amenity of the surrounding area.

Given the wording of clause 6.11.9(a) of the City's planning scheme, most panel members were satisfied that all uses are Permitted uses under the Special Control Area that applies to the site. They were also satisfied that the large-format tenancy is appropriate in this specific location and aligns with the objectives of the Special Control Area. In relation to the requirement for residential uses to be included on the site, most panel members agreed that the application could be approved without a residential use because there is no approved Activity Centre Plan over the site, and the Local Development Plan that specifies a minimum number of dwellings is a due regard document only.



Dale Page
Presiding Member, Metro Inner DAP

In giving due regard to that document, the vision for the site under draft Local Planning Scheme No. 4, which does not require the inclusion of residential uses, and the existing site context, most panel members were satisfied there is planning merit in not requiring residential uses at this stage.

The panel noted that the City has undertaken a thorough assessment of the proposal against the relevant matters in clause 67 of the Deemed Provisions and was satisfied that the proposal meets all relevant requirements. Most panel members also agreed with the City's detailed assessment against the primary controls of the underlying planning framework, included as an attachment to the RAR, and were satisfied that the variations to the Local Development Plan provisions, which defer to provisions of a range of local planning policies, are appropriate and have planning merit. Most panel members were of the view that, despite the discretion sought against various provisions, the development aligns with and achieves the objectives of the Local Development Plan.

The panel noted that the proposal was reviewed by the City's Design Review Panel on two occasions before the application was submitted, and that amended plans were received to address most of the suggestions made by the Design Review Panel. The panel also noted that the City has undertaken its own detailed assessment against the design principles of SPP 7.0 and was satisfied that the proposal achieves all ten principles.

The panel acknowledged that concerns have been raised about traffic and parking by some members of the community. However, it noted that the number of parking bays proposed complies with scheme requirements, and that a condition is recommended to ensure an appropriate balance of Public Parking and Short Stay Parking bays. The panel also noted that the City's technical experts are satisfied that the road network can accommodate the additional traffic generated by the proposal, and that amendments were made to the proposal to address some safety concerns identified with the original design.

The panel acknowledged the 39 submissions received during the public consultation process and noted that there was a similar number of people supporting the development as opposing it. The panel also noted that some objections to the development were also raised as reasons to support it. Most panel members were satisfied that all matters raised as concerns about the proposal have been appropriately addressed in the City's RAR and through conditions of approval.

3.2 Lot 166 on Diagram 67516, Lot 66 on Plan 10178 and Lot 12 (No.200) Karrinyup Road, Karrinyup - Modifications to access arrangements and additional parking – DAP/24/02809

Deputations

Lena Jaetschmann and David Maiorana (Rowe Group) addressed the DAP in support of the application at Item 3.2 and responded to questions from the panel.



David O'Brien (TRCB) addressed the DAP in relation to the application at Item 3.2 and responded to questions from the panel.

Antony Johnstone (Aurecon) addressed the DAP in relation to the application at Item 3.2 and responded to questions from the panel.

The City of Stirling addressed the DAP in relation to the application at Item 3.2 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/24/02809 for Modifications to Access Arrangements and Additional Parking at Lot 66 on Diagram 67516, Lot 66 on Plan 10178 and Lot 12 (No.200) Karrinyup Road, Karrinyup 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
Level B01 Plan Karrinyup Shopping Centre	DA5	10.09.2024
Level 02 Plan Karrinyup Shopping Centre	DA6	10.09.2024
Level 03 Plan Karrinyup Shopping Centre	DA7	10.09.2024
Level 04 Plan Karrinyup Shopping Centre	DA8	10.09.2024
Elevations Karrinyup Shopping Centre	DA9	10.09.2024
Elevations Karrinyup Shopping Centre	DA10	10.09.2024
Sections Karrinyup Shopping Centre	DA11	10.09.2024
Illustrative View SE Karrinyup Shopping Centre	DA13	10.09.2024
Illustrative View SE Karrinyup Shopping Centre	DA14	10.09.2024

2. 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.
3. A maximum of 4,950 car parking bays shall be provided and reserved as public parking bays, to the satisfaction of the City of Stirling



Dale Page
Presiding Member, Metro Inner DAP

4. Prior to the commencement of development, a Construction Management Plan to be submitted to the City of Stirling for its approval. The Site Management Plan shall address dust, noise, waste management, parking, storage of materials, traffic, site safety/security, staging of the development and any other relevant matters to the satisfaction of the City. The Site Management Plan as approved by the City shall be complied with for the duration of the construction of the development.
5. No goods or materials being 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.
6. Vehicular parking manoeuvring and circulation areas (including all internal roads and driveways) indicated on the approved plan shall be sealed and drained, the parking spaces marked out and maintained in good repair.
7. 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.
8. All stormwater discharge 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.

Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the Development Assessment Panel or City of Stirling having first been sought and obtained.
2. If an applicant is aggrieved by this determination there is a right of appeal under Part 14 of the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
3. This is a Development Approval under the City of Stirling Local Planning Scheme and related policies. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.



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Presiding Member, Metro Inner DAP

4. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Development Assessment Panel or City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Development Assessment Panel or City of Stirling's attention.
5. Noisy Construction Work outside the period 7.00am to 7.00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City of Stirling.
6. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
8. All construction works to comply with the requirements of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued
9. Compliance of all mechanical services to the Australian Standard AS1668.2 including a certificate of compliance for all installations. This is also to include the undercroft carpark ventilation.

AMENDING MOTION 1

Moved by: Francesca Lefante

Seconded by: Heidi Herget

The following amendments were made en bloc:

- i) That the Preamble be amended to read as follows:

That the Metro Inner DAP resolves to APPROVE DAP Application reference DAP/24/02809 for ~~Modifications to Access Arrangements and Additional Parking at Lot 66 on Diagram 67516, Lot 66 on Plan 10178 and Lot 12 (No.200) Karrinyup Road, Karrinyup 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~~



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- ii) That a new Condition No.2 be added to read as follows and the remaining conditions renumbered accordingly:

This approval does not include any modifications to Access Ramp 14.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: This makes it clear that the changes proposed to Access Ramp 14 when the application was first submitted were deleted from the application and do not form part of this approval.

AMENDING MOTION 2

Moved by: Heidi Herget

Seconded by: Cr Suzanne Migdale

That a new Condition No.10 be added to read as follows:

Prior to the occupation and/or commencement of the approved development, a details Car Parking Management, Wayfinding, Signage and Parking Technology Plan shall be submitted to and approved by the City of Stirling. The approved plan shall thereafter be implemented and maintained for the life of the development to the satisfaction of the City.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: A Car Parking Management, Wayfinding, Signage and Parking Technology Plan will assist with wayfinding, parking technology and the efficient management of parking facilities, ensuring the orderly operation of the centre's parking areas.

AMENDING MOTION 3

Moved by: Dale Page

Seconded by: Cr Suzanne Migdale

That Condition No. 4 (now Condition No.5) be amended to read as follows:

Prior to the commencement of development, a Construction Management Plan to be submitted to the City of Stirling for its approval. The Site Management Plan shall address dust, noise, waste management, parking, storage of materials, traffic, site safety/security, staging of the development and any other relevant matters to the satisfaction of the City. The Site Construction Management Plan as approved by the City shall be complied with for the duration of the construction of the development.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The current wording refers to both a Construction Management Plan and a Site Management Plan. The changes in terminology will ensure consistency and avoid any confusion



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AMENDING MOTION 4

Moved by: Dale Page

Seconded by: Cr Suzanne Migdale

That a new Condition No.11 be added to read as follows:

Prior to lodgement of the Building Permit application, the applicant shall provide the City details of the proposed materials and colours to be used for the new roof structure over the existing car bays on Level 2 of the northern car park, and confirmation that the amenity of residents of the adjoining apartment development will not be unduly impacted by glare from this roof or associated infrastructure like solar panels, to the satisfaction of the City.

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

REASON: There is limited information in the RAR about the proposed material to be used for the new roof structure over the existing car bays on Level 2 of the northern car park. It is therefore uncertain whether there could be any impact on adjoining residents in terms of glare from the roof of the structure. Addition of this condition will ensure this has been properly considered prior to installation of the roof.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/24/02809 for Additional Parking at Lot 66 on Diagram 67516, Lot 66 on Plan 10178 and Lot 12 (No.200) Karrinyup Road, Karrinyup 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
Level B01 Plan Karrinyup Shopping Centre	DA5	10.09.2024
Level 02 Plan Karrinyup Shopping Centre	DA6	10.09.2024
Level 03 Plan Karrinyup Shopping Centre	DA7	10.09.2024
Level 04 Plan Karrinyup Shopping Centre	DA8	10.09.2024
Elevations Karrinyup Shopping Centre	DA9	10.09.2024
Elevations Karrinyup Shopping Centre	DA10	10.09.2024
Sections Karrinyup Shopping Centre	DA11	10.09.2024
Illustrative View SE Karrinyup Shopping Centre	DA13	10.09.2024
Illustrative View SE Karrinyup Shopping Centre	DA14	10.09.2024

2. This approval does not include any modifications to Access Ramp 14.



Dale Page
Presiding Member, Metro Inner DAP

Page 38

3. 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.
4. A maximum of 4,950 car parking bays shall be provided and reserved as public parking bays, to the satisfaction of the City of Stirling
5. Prior to the commencement of development, a Construction Management Plan to be submitted to the City of Stirling for its approval. The Site Management Plan shall address dust, noise, waste management, parking, storage of materials, traffic, site safety/security, staging of the development and any other relevant matters to the satisfaction of the City. The Construction Management Plan as approved by the City shall be complied with for the duration of the construction of the development.
6. No goods or materials being 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.
7. Vehicular parking manoeuvring and circulation areas (including all internal roads and driveways) indicated on the approved plan shall be sealed and drained, the parking spaces marked out and maintained in good repair.
8. 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.
9. All stormwater discharge 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.
10. Prior to the occupation and/or commencement of the approved development, a details Car Parking Management, Wayfinding, Signage and Parking Technology Plan shall be submitted to and approved by the City of Stirling. The approved plan shall thereafter be implemented and maintained for the life of the development to the satisfaction of the City.
11. Prior to lodgement of the Building Permit application, the applicant shall provide the City details of the proposed materials and colours to be used for the new roof structure over the existing car bays on Level 2 of the northern car park, and confirmation that the amenity of residents of the adjoining apartment development will not be unduly impacted by glare from this roof or associated infrastructure like solar panels, to the satisfaction of the City.



Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the Development Assessment Panel or City of Stirling having first been sought and obtained.
2. If an applicant is aggrieved by this determination there is a right of appeal under Part 14 of the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
3. This is a Development Approval under the City of Stirling Local Planning Scheme and related policies. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
4. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Development Assessment Panel or City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Development Assessment Panel or City of Stirling's attention.
5. Noisy Construction Work outside the period 7.00am to 7.00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City of Stirling.
6. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
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9. Compliance of all mechanical services to the Australian Standard AS1668.2 including a certificate of compliance for all installations. This is also to include the undercroft carpark ventilation.



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

REASON: The panel was satisfied that the proposal aligns with the objectives of the Special Control Area that applies to the site and will have no negative impact on the surrounding area. The additional parking will be on the same footprint as the existing parking structure, will sit below the highest point of the overall shopping centre, and overshadowing from the additions to the parking structure will not impact adjoining development but will fall primarily within the subject site and on Karrinyup Road. Although the number of bays exceeds the maximum parking rate outlined in the WA Planning Manual, which is a guidance document only, the panel was satisfied with the information and explanation provided by the applicant about parking challenges during peak trading periods and agreed that the additional parking is required to accommodate existing demand.

Given there will be no corresponding increase in net lettable area, and having regard to the findings of the Traffic Impact Assessment provided by the applicant and supported by the City's technical experts, the panel was satisfied that the additional parking bays will not materially increase patronage to the centre or create additional impact on the surrounding road network.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.



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PART C – 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	18/06/02026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:46am.

