



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 6 May 2026; 9:30am
Meeting Number: MIDAP/130
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/131 - 6 May 2026 - City of South Perth - City of Stirling](#)

PART A – INTRODUCTION

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

PART B – CITY OF SOUTH PERTH

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lots 37 & 36 (Nos. 29 & 31) Davilak Street, Como - Ten Grouped Dwellings – DAP/25/03029
4. Form 2 DAP Applications
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 101 (No.22) Muriel Avenue, Innaloo - Mixed Use Development - Two shops and six multiple dwellings – DAP/26/03046
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

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

Karen Hyde
Presiding Member, Metro Inner DAP



DAP Members

Karen Hyde (Presiding Member)

Clayton Higham (Deputy Presiding Member)

Luigi D'Alessandro

Cr Bronwyn Waugh (Part B – City of South Perth)

Cr Kathy Lees (Part B – City of South Perth)

Cr Suzanne Migdale (Part C – City of Stirling)

Cr Rob Paparde (Part C – City of Stirling)

DAP Secretariat

Kristen Gray

Tenielle Brownfield

Karen Hyde
Presiding Member, Metro Inner DAP



Part B – City of South Perth
Submitters
Colin Houghton
Applicant
Tom Hockley (Allerding and Assocaites) Malcolm Birch (Birchgroup) Justin Carrier (CAPA) Sarah Wong (CAPA)
Officers/Technical Advisors in Attendance
Steven DePiazza Fiona Mullen
Part C – City of Stirling
Applicant
Carlo Famiano (CF Town Planning and Development)
Officers/Technical Advisors in Attendance
James Fletcher Ryan Munyard Sam Jeleric

Members of the Public / Media

Nil.

Observers via livestream

There were 4 persons observing the meeting via the livestream.

Karen Hyde
Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:35am on 6 May 2026 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

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

1.1 Announcements by Presiding Member

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

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

2. Apologies

Nil.

3. Noting of Minutes

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

Karen Hyde
Presiding Member, Metro Inner DAP



PART B – CITY OF SOUTH PERTH

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

DAP Member, Cr Kathy Lees, declared an impartiality interest in item 3.1. Cr Lees is a co-founder of the South Perth Tree Canopy Advocates (SPTCA) and a co-founder and committee member of the WA Tree Canopy Advocates (WATCA).

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

3. Form 1 DAP Applications

3.1 Lots 37 & 36 (Nos. 29 & 31) Davilak Street, Como - Ten Grouped Dwellings – DAP/25/03029

Deputations

Colin Houghton addressed the DAP in support of the application at Item 3.1.

Tom Hockley (Allerding and Associates) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Malcolm Birch (Birchgroup) addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

Justin Carrier (CAPA) addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

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



SUBSTANTIVE MOTION

Moved by: Clayton Higham

Seconded by: Luigi D'Alessandro

The RAR Recommendation was moved and seconded inclusive of an Administrative correction to condition 13 e) to correct a typographical error.

That the Metro Inner DAP resolves to:

1. **Approve** DAP Application reference DAP/25/03029 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of South Perth Local Planning Scheme No. 7, subject to the following conditions:

Conditions

General Conditions

1. This decision constitutes development approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The development shall be in accordance with the approved plans save that, in the event of any inconsistency between the approved plans and any requirements of the conditions set out below, the requirements of the conditions shall prevail.
3. All works to be carried out under this development approval, including footings, are required to be contained within the boundaries of the subject lot.

Amalgamation

4. Prior to applying for a Building Permit application, arrangements being made to the satisfaction of the City of South Perth for the amalgamation of all lots subject to this application. The amalgamation must be completed prior to occupation of the development.

Building Design

5. Prior to or in conjunction with the submission of a Building Permit application, amended plan(s) addressing the following matters shall be submitted to, and approved to the satisfaction of the City of South Perth:
 - (a) Type E bedroom 3 achieving a minimum dimension of 2.9m and minimum area of 9.0m² excluding robes and built-in cabinetry.
 - (b) The design of the solid 1.8m high street wall in the north-east corner of the site shall be revised to address adverse visual impacts to the streetscape associated with blank walls and visually prominent location of utilities.

Karen Hyde
Presiding Member, Metro Inner DAP



- (c) The provision of a minimum of one bike bay per dwelling (in addition to the minimum recommended storage area under Table 4.6 of the Residential Design Codes Vol. 2), and one visitor bike bay located in a convenient and functional location.
 - (d) Inclusion of clear and legible signage directing residents and visitors to the location of the communal bin store and visitor bike bay, in a location visible from the main entry point of the development.
6. External fixtures, including but not limited to air-conditioning units, clothes drying facilities, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be integrated into the design of the building and shall be located so that they are not visible from the street, to the satisfaction of the City of South Perth.

Access and Parking

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

Materials and Finishes

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

Karen Hyde
Presiding Member, Metro Inner DAP



Public Art

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

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

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

Landscaping

13. Prior to or in conjunction with the submission of a Building Permit application, a revised landscape plan demonstrating the long-term viability of planting is to be submitted and approved in writing by the City of South Perth to address the following:
- (a) Hard and soft landscaping areas;
 - (b) The location and species of all trees and plants to be retained, transplanted, or removed;
 - (c) The quantity, pot size, mature height and diameter of all new species to be planted;
 - (d) The location of any lawn areas to be established;
 - (e) Reticulation details clearly demonstrating water sensitive design principles and automatic reticulation for all landscaped areas including on-structure planting;
 - (f) Design of on structure landscaping including the arbour / trellis and balcony planters including detail on soil depths and access for maintenance; and
 - (g) Details of any proposed verge treatments, landscaping, or planting of street trees.

The detailed landscape plan shall be reflective of the landscape concept prepared by CaPA dated 26 March 2026 and recommendations included in the Tree Survey Report prepared by Arborite dated 30 October 2025, updated as necessary to address requirements of development approval, to the satisfaction of the City of South Perth.



14. The plumeria (frangipani) tree shall be transplanted on site in the location of the medium tree indicated in the landscape concept prepared by CaPA dated 26 March 2026. Transplanting shall be undertaken in accordance with the procedure outlined in the Tree Survey Report prepared by Arborite dated 30 October 2025, to the satisfaction of the City of South Perth.
15. Prior to use or occupation of the development, landscaping areas shall be installed in accordance with the approved landscaping plan to the satisfaction of the City of South Perth. All landscaping areas shall be maintained for the lifetime of the development to the satisfaction of the City of South Perth.
16. All street trees in the verge adjacent to the lot will be required to be protected by a tree protection zone (TPZ) in accordance with Australian Standard 4970 during the works, to the satisfaction of the City of South Perth. Mulch is required to be provided around the base of each tree within the TPZ, and all trees must be watered regularly for the duration of the works, to the satisfaction of the City of South Perth.

Lighting

17. Prior to or in conjunction with the submission of a Building Permit application, an external lighting plan demonstrating compliance with Australian Standard 1158.3 and 4282 (as amended) must be submitted and approved in writing by the City of South Perth. The lighting is to be designed to provide a suitable level of light to communal areas and located to prevent any increase in light spill onto the adjoining properties.

Prior to occupation and use of the development, the lighting shall be installed in accordance with the approved plan and maintained thereafter to the satisfaction of the City of South Perth.

Liveable housing design

18. Prior to or in conjunction with the submission of a Building Permit application, the applicant shall supply certification from a Liveable Housing Australia assessor confirming that the detailed design of Type B and F dwellings are compliant with the 'Silver Level' (or higher) of the 'Liveable Housing Design Guidelines' produced by Liveable Housing Australia or as otherwise agreed, to the satisfaction of the City of South Perth.



Acoustic

19. Prior to or in conjunction with the submission of a Building Permit application, (relevant to the construction of the affected components of the building), an Acoustic Report, completed by a suitably qualified acoustic engineer, and demonstrating that potential noise from the proposed development will comply with the *Environmental Protection (Noise) Regulations 1997*, must be submitted to, and approved in writing by, the City of South Perth. The report shall address:
- (a) Noise impact prediction based on mechanical equipment selection / specification including but not limited to that from ventilation and exhaust systems.
 - (b) Mechanical plant/equipment/motors.
 - (c) Air conditioning.
 - (d) Mechanical gates/doors and intercoms alarms.

Noise control and noise management measures to address any impacts shall be included in the report. The approved acoustic report, including any specifications, requirements and recommendations cited in the report shall be implemented and maintained for the lifetime of the development to the satisfaction of the City of South Perth, including being incorporated into the building permit application documentation.

Sustainability

20. Prior to or in conjunction with the submission of a Building Permit application, the applicant is to submit a report demonstrating how the sustainability commitments indicated in the Report prepared by Emergen dated 11 November 2025 have been incorporated into the development, to the satisfaction of the City of South Perth.

All sustainability measures outlined in the Sustainable Design Assessment Report prepared by Emergen dated 11 November 2025 shall be implemented prior to use or occupation of the development, and maintained thereafter for the life of the development, to the satisfaction of the City of South Perth.

Stormwater management

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



Waste management

22. Prior to or in conjunction with the submission of a Building Permit application, an updated Waste Management Plan must be submitted and approved in writing by the City of South Perth to address the following:
- (a) Measures to be implemented for the purpose of minimizing the delivery of waste to landfill, including the onsite separation of materials for recycling;
 - (b) The location and design of all bin storage areas and bin collection areas, including capacity, ventilation, drainage, roof coverage and space for washing and disinfecting of bins.
 - (c) Updated waste generation rates and recalculation of the number, volume, type of bins, and type of waste to be placed in the bins. The number of bins presented for kerb collection at any one time shall be kept to a minimum.
 - (d) Management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas.
 - (e) Details of how the Waste Management Plan will continue to be applied in perpetuity across the life of the development.

The approved Waste Management Plan shall be implemented and adhered to all times, to the satisfaction of the City of South Perth.

Construction Management

23. Prior to or in conjunction with the submission of a Building Permit application, or Demolition Permit application, whichever is earlier, a Construction Management Plan (CMP) must be submitted to, and approved in writing by, the City of South Perth. The CMP must address the following issues, where applicable:
- (a) Public safety and amenity;
 - (b) Site plan and security;
 - (c) Contact details of essential site personnel, construction period and operating hours;
 - (d) management of deliveries and on-site storage of materials and equipment;
 - (e) Community information, consultation and complaints management plan;
 - (f) Noise and vibration management in accordance with the *Environmental Protection (Noise) Regulations 1997* and AS 2436 Guide to noise and vibration control on construction, demolition and maintenance sites;
 - (g) Air and dust management;
 - (h) Traffic, access and parking management;
 - (i) Waste management and materials re-use;
 - (j) Earthworks, excavation, land retention and associated matters;
 - (k) Stormwater and sediment control, including protection of stormwater drains;
 - (l) Street tree management and protection;
 - (m) Removal of onsite effluent disposal system and stormwater management system;
 - (n) Asbestos removal; and
 - (o) Monitoring and reporting requirements.




Karen Hyde
Presiding Member, Metro Inner DAP



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

Advice Notes

1. In the event of subdivision, the indicative lot boundaries shown on the approved plans will require modification to ensure that all vehicle manoeuvring is contained to the exclusive areas of the associated dwelling and common property. Vehicles may not encroach into the exclusive areas of other dwellings on site.
2. Australian Standard 4970 specifies the following measures are required to protect trees:
 - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
 - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
 - (c) All activities and works related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ unless prior approval is sought from the City of South Perth.
 - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
3. A bin store/enclosure shall be provided such that it is:
 - (a) Of sufficient size to contain all the required bins including adequate area around the bins to access and allow manoeuvring of the bins for collection;
 - (b) Provided with a mains water supply, with a sealed floor graded to a plumbed sewer drainage outlet/s to allow for the washing of all room surfaces and for the cleaning of bins as required;
 - (c) Designed with walls not less than 1.8m in height and access point with self-closing gate of not less than 1.0m in width;
 - (d) Access is to be provided to all bins (i.e. no stacking of rows of bins). Each bin must have a minimum 50mm spacing around all sides, including between walls, other bins and aisles;





- (e) A smooth and impervious floor of not less than 100 millimetres in thickness;
 - (f) Where located within a building, the bin storage area is ventilated in accordance with Australian Standard 1668.2: The Use of Ventilation and Air Conditioning in Buildings (as amended); and
 - (g) Must be undercover and be designed to not permit storm water to enter the sewer drainage outlet.
4. In respect to Condition 5(b), measures such as reducing the wall length, incorporating articulation / fine grain detail to the wall, and/or introduction of landscaping are recommended.

AMENDING MOTION 1

Moved by: Clayton Higham

Seconded by: Karen Hyde

That Condition No.10 be amended to read as follows:

*Prior to or in conjunction with the submission of a Building Permit application, final details of the proposed materials, colours and finishes of the proposed development are to be submitted to the satisfaction of the City of South Perth. The finishes shall closely align with the finishes indicated in the approved plans, **or as amended with approval**, and be implemented and maintained thereafter, to the satisfaction of the City of South Perth*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: It is often the case that minor details may change through the design and regulatory processes. The condition amendment is to allow for flexibility should details be changed, so that they can be approved by the city whilst still adhering to the intention of the condition.

AMENDING MOTION 2

Moved by: Karen Hyde

Seconded by: Clayton Higham

That Condition No.14 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The condition was redundant as the existing Frangipani tree was no longer being transplanted within the development site or adjoining verge but into the adjacent lot and a new tree species had been identified. The new tree and other amendments to the landscape plan can be covered by the condition relating to the submission of a revised landscape plan to be approved by the city.

Karen Hyde
Presiding Member, Metro Inner DAP



AMENDING MOTION 3

Moved by: Karen Hyde

Seconded by: Clayton Higham

That Condition No.5 (a) be deleted and the remaining sub points be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The condition was derived from the application of the multiple dwelling R code to a grouped dwelling development as per the requirements of the CBACP. However, on reflection the panel felt that the condition could not pragmatically be complied with or reasonably enforced for the life of the development and as the changes to room dimensions were of a minor nature that the condition had limited merit.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to:

1. **Approve** DAP Application reference DAP/25/03029 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of South Perth Local Planning Scheme No. 7, subject to the following conditions:

Conditions

General Conditions

1. This decision constitutes development approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The development shall be in accordance with the approved plans save that, in the event of any inconsistency between the approved plans and any requirements of the conditions set out below, the requirements of the conditions shall prevail.
3. All works to be carried out under this development approval, including footings, are required to be contained within the boundaries of the subject lot.

Amalgamation

4. Prior to applying for a Building Permit application, arrangements being made to the satisfaction of the City of South Perth for the amalgamation of all lots subject to this application. The amalgamation must be completed prior to occupation of the development.

Karen Hyde
Presiding Member, Metro Inner DAP



Building Design

5. Prior to or in conjunction with the submission of a Building Permit application, amended plan(s) addressing the following matters shall be submitted to, and approved to the satisfaction of the City of South Perth:
 - (a) The design of the solid 1.8m high street wall in the north-east corner of the site shall be revised to address adverse visual impacts to the streetscape associated with blank walls and visually prominent location of utilities.
 - (b) The provision of a minimum of one bike bay per dwelling (in addition to the minimum recommended storage area under Table 4.6 of the Residential Design Codes Vol. 2), and one visitor bike bay located in a convenient and functional location.
 - (c) Inclusion of clear and legible signage directing residents and visitors to the location of the communal bin store and visitor bike bay, in a location visible from the main entry point of the development.
6. External fixtures, including but not limited to air-conditioning units, clothes drying facilities, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be integrated into the design of the building and shall be located so that they are not visible from the street, to the satisfaction of the City of South Perth.

Access and Parking

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

Materials and Finishes

10. Prior to or in conjunction with the submission of a Building Permit application, final details of the proposed materials, colours and finishes of the proposed development are to be submitted to the satisfaction of the City of South Perth. The finishes shall closely align with the finishes indicated in the approved plans, or as amended with approval, and be implemented and maintained thereafter, to the satisfaction of the City of South Perth.



11. Prior to occupation or use of the development, the boundary walls shall be constructed and finished in a clean material to the same standard as the rest of the development, to the satisfaction of the City of South Perth.

Public Art

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

If public art is being provided on site, the applicant must seek approval in writing from the City of South Perth for the public art concept, including the artist proposed to undertake the works to the satisfaction of the City of South Perth. The approved public art concept shall be implemented prior to occupation of the development and maintained in compliance with the conditions of approval for the public art proposal to the satisfaction of the City of South Perth.

Landscaping

13. Prior to or in conjunction with the submission of a Building Permit application, a revised landscape plan demonstrating the long-term viability of planting is to be submitted and approved in writing by the City of South Perth to address the following:
 - (a) Hard and soft landscaping areas;
 - (b) The location and species of all trees and plants to be retained, transplanted, or removed;
 - (c) The quantity, pot size, mature height and diameter of all new species to be planted;
 - (d) The location of any lawn areas to be established;
 - (e) Reticulation details clearly demonstrating water sensitive design principles and automatic reticulation for all landscaped areas including on-structure planting;
 - (f) Design of on structure landscaping including the arbour / trellis and balcony planters including detail on soil depths and access for maintenance; and
 - (g) Details of any proposed verge treatments, landscaping, or planting of street trees.

The detailed landscape plan shall be reflective of the landscape concept prepared by CaPA dated 26 March 2026 and recommendations included in the Tree Survey Report prepared by Arborite dated 30 October 2025, updated as necessary to address requirements of development approval, to the satisfaction of the City of South Perth.



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

Lighting

16. Prior to or in conjunction with the submission of a Building Permit application, an external lighting plan demonstrating compliance with Australian Standard 1158.3 and 4282 (as amended) must be submitted and approved in writing by the City of South Perth. The lighting is to be designed to provide a suitable level of light to communal areas and located to prevent any increase in light spill onto the adjoining properties.

Prior to occupation and use of the development, the lighting shall be installed in accordance with the approved plan and maintained thereafter to the satisfaction of the City of South Perth.

Liveable housing design

17. Prior to or in conjunction with the submission of a Building Permit application, the applicant shall supply certification from a Liveable Housing Australia assessor confirming that the detailed design of Type B and F dwellings are compliant with the 'Silver Level' (or higher) of the 'Liveable Housing Design Guidelines' produced by Liveable Housing Australia or as otherwise agreed, to the satisfaction of the City of South Perth.

Acoustic

18. Prior to or in conjunction with the submission of a Building Permit application, (relevant to the construction of the affected components of the building), an Acoustic Report, completed by a suitably qualified acoustic engineer, and demonstrating that potential noise from the proposed development will comply with the *Environmental Protection (Noise) Regulations 1997*, must be submitted to, and approved in writing by, the City of South Perth. The report shall address:
 - (a) Noise impact prediction based on mechanical equipment selection / specification including but not limited to that from ventilation and exhaust systems.
 - (b) Mechanical plant/equipment/motors.
 - (c) Air conditioning.
 - (d) Mechanical gates/doors and intercoms alarms.





Noise control and noise management measures to address any impacts shall be included in the report. The approved acoustic report, including any specifications, requirements and recommendations cited in the report shall be implemented and maintained for the lifetime of the development to the satisfaction of the City of South Perth, including being incorporated into the building permit application documentation.

Sustainability

19. Prior to or in conjunction with the submission of a Building Permit application, the applicant is to submit a report demonstrating how the sustainability commitments indicated in the Report prepared by Emergen dated 11 November 2025 have been incorporated into the development, to the satisfaction of the City of South Perth.

All sustainability measures outlined in the Sustainable Design Assessment Report prepared by Emergen dated 11 November 2025 shall be implemented prior to use or occupation of the development, and maintained thereafter for the life of the development, to the satisfaction of the City of South Perth.

Stormwater management

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

Waste management

21. Prior to or in conjunction with the submission of a Building Permit application, an updated Waste Management Plan must be submitted and approved in writing by the City of South Perth to address the following:
- (a) Measures to be implemented for the purpose of minimizing the delivery of waste to landfill, including the onsite separation of materials for recycling;
 - (b) The location and design of all bin storage areas and bin collection areas, including capacity, ventilation, drainage, roof coverage and space for washing and disinfecting of bins.
 - (c) Updated waste generation rates and recalculation of the number, volume, type of bins, and type of waste to be placed in the bins. The number of bins presented for kerb collection at any one time shall be kept to a minimum.
 - (d) Management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas.
 - (e) Details of how the Waste Management Plan will continue to be applied in perpetuity across the life of the development.

The approved Waste Management Plan shall be implemented and adhered to all times, to the satisfaction of the City of South Perth.




Construction Management

22. Prior to or in conjunction with the submission of a Building Permit application, or Demolition Permit application, whichever is earlier, a Construction Management Plan (CMP) must be submitted to, and approved in writing by, the City of South Perth. The CMP must address the following issues, where applicable:
- (a) Public safety and amenity;
 - (b) Site plan and security;
 - (c) Contact details of essential site personnel, construction period and operating hours;
 - (d) management of deliveries and on-site storage of materials and equipment;
 - (e) Community information, consultation and complaints management plan;
 - (f) Noise and vibration management in accordance with the *Environmental Protection (Noise) Regulations 1997* and AS 2436 Guide to noise and vibration control on construction, demolition and maintenance sites;
 - (g) Air and dust management;
 - (h) Traffic, access and parking management;
 - (i) Waste management and materials re-use;
 - (j) Earthworks, excavation, land retention and associated matters;
 - (k) Stormwater and sediment control, including protection of stormwater drains;
 - (l) Street tree management and protection;
 - (m) Removal of onsite effluent disposal system and stormwater management system;
 - (n) Asbestos removal; and
 - (o) Monitoring and reporting requirements.

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

Advice Notes

1. In the event of subdivision, the indicative lot boundaries shown on the approved plans will require modification to ensure that all vehicle manoeuvring is contained to the exclusive areas of the associated dwelling and common property. Vehicles may not encroach into the exclusive areas of other dwellings on site.
2. Australian Standard 4970 specifies the following measures are required to protect trees:
 - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
 - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.



Karen Hyde
Presiding Member, Metro Inner DAP

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- (c) All activities and works related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ unless prior approval is sought from the City of South Perth.
 - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
3. A bin store/enclosure shall be provided such that it is:
- (a) Of sufficient size to contain all the required bins including adequate area around the bins to access and allow manoeuvring of the bins for collection;
 - (b) Provided with a mains water supply, with a sealed floor graded to a plumbed sewer drainage outlet/s to allow for the washing of all room surfaces and for the cleaning of bins as required;
 - (c) Designed with walls not less than 1.8m in height and access point with self-closing gate of not less than 1.0m in width;
 - (d) Access is to be provided to all bins (i.e. no stacking of rows of bins). Each bin must have a minimum 50mm spacing around all sides, including between walls, other bins and aisles;
 - (e) A smooth and impervious floor of not less than 100 millimetres in thickness;
 - (f) Where located within a building, the bin storage area is ventilated in accordance with Australian Standard 1668.2: The Use of Ventilation and Air Conditioning in Buildings (as amended); and
 - (g) Must be undercover and be designed to not permit storm water to enter the sewer drainage outlet.
4. In respect to Condition 5(b), measures such as reducing the wall length, incorporating articulation / fine grain detail to the wall, and/or introduction of landscaping are recommended.

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

For: Karen Hyde
Clayton Higham
Luigi D'Alessandro
Cr Bronwyn Waugh

Against: Cr Kathy Lees

Karen Hyde
Presiding Member, Metro Inner DAP



REASON: The panel noted the location of the development within the Canning Bridge ACP Davilak precinct and that grouped dwellings are a preferred land use. The CBACP allows for a 4 storey development in this transitional location whereas the proposal was for only two storeys. The land use and mix of typologies including 2 and 3 bedroom town houses was generally acceptable and provided diversity within the housing stock. In terms of design the panel noted the DRP Chair support subject to window in Type E bed 3, which had been addressed in revised plans.

Discretion was sought on a number of R Code elements, including setbacks to the front side and rear of the townhouses. On balance the majority of the panel were satisfied that as the proposal was two storeys, of a similar nature to other development footprints in the street scape and was generally acceptable under the performance criteria and objectives of the R Codes (noting the apartment criteria was applied in the assessment as per the requirement of CBACP) that discretion could be applied and that the development was an acceptable built form. In the context of the R Codes the development imposes limited visual privacy issues to the internal arrangement and none to adjoining neighbours. Some overshadowing to the neighbours east facing solar on a single storey roof was inevitable at certain times of the day but some northern sun will be possible.

The panel was satisfied that the jacaranda on site to be removed was of poor health and sufficient endeavours had been made to provide new trees of varying sizes on site and in the verge to provide shade and amenity for future residents and the wider community. Overall, the majority of the panel were of the opinion that the development could be supported as it was of a quality and typology suitable for location and provides diversity of housing product and a level of affordability.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Bronwyn Waugh and Cr Kathy Lees (Local Government DAP Members, City of South Perth) left the panel at 11:04am.

Karen Hyde
Presiding Member, Metro Inner DAP



PART C – CITY OF STIRLING

Cr Suzanne Migdale and Cr Rob Papparde (Local Government DAP Members, City of Stirling) joined the panel at 11:07am.

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 101 (No.22) Muriel Avenue, Innaloo - Mixed Use Development - Two shops and six multiple dwellings – DAP/26/03046

Deputations

Carlo Famiano (CF Town Planning and Development) 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: Cr Suzanne Migdale

Seconded by: Cr Rob Papparde

That the Metro Inner DAP resolves to:

1. **Approve** DAP Application reference DAP/26/03046 and accompanying plans as listed in Condition 2 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Stirling Local Planning Scheme No. 3, for the proposed Mixed Use Development – Two Shops and Six Multiple Dwellings at Lot 101, House Number 22, Muriel Avenue, Innaloo subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of four (4) 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.

Karen Hyde
Presiding Member, Metro Inner DAP



- The development shall comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the Development Assessment Panel. The plans approved as part of this application form part of the planning approval issued (including any modifications required by conditions of approval).

PLAN TITLE	DATE	REVISION	DRAWING No.
Model View – Front	Stamped 30 March 2026	N/A	N/A
Existing Site Survey	30/03/2026	8.00	02 of 13
Site Plan	30/03/2026	8.00	03 of 13
Context Plan	30/03/2026	8.00	04 of 13
Ground Floor Plan	30/03/2026	8.00	05 of 13
First Floor Plan	30/03/2026	8.00	06 of 13
Second Floor Plan	30/03/2026	8.00	07 of 13
Roof Plan	30/03/2026	8.00	08 of 13
Elevations	30/03/2026	8.00	09 of 13
Elevations	30/03/2026	8.00	10 of 13
First Floor Solar Study	30/03/2026	8.00	11 of 13
Second Floor Solar Study	30/03/2026	8.00	12 of 13
Section	30/03/2026	8.00	13 of 13

Building Design

- 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.
- Prior to occupation of the development, the external finish of the boundary walls shall be finished to the same standard as the rest of the development, provided any requisite access is granted by abutting landowners, to the satisfaction of the City of Stirling.
- Prior to occupation of the development, the awning on the Muriel Avenue frontage shall have a minimum headroom clearance of 3.5m, to the satisfaction of the City of Stirling.

Construction Management

- 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 (including for the existing street trees located within Muriel Avenue immediately abutting the subject site), 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.

Karen Hyde

Karen Hyde
Presiding Member, Metro Inner DAP



Landscaping

7. Prior to occupation of the development, a further amended Landscaping Plan shall be submitted to, and approved by, the City of Stirling with the following modification:
 - a. The species *Camelia sasanqua* shall be replaced with a 'shade-tolerate' tree species for the two small trees.
8. 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.

Lighting and Security

9. 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.
10. 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.

Noise

11. Prior to the submission of the Building Permit application, an amended Acoustic Report shall be submitted to, and approved by, the City of Stirling with the following modifications:
 - a. Measures to address noise from the rooftop mounted air-conditioning system, considering its location and design; and
 - b. Measures to consider noise emissions from the commercial tenancies.

All recommendations provided in the amended Acoustic Report shall be implemented for the life of the development.

12. Prior to submission of the Building Permit application, the landowner shall provide written confirmation that all recommendations of the Acoustic Report prepared by Herring Storer Acoustics (dated 18 December 2025, Rev. 2) have been incorporated into the working drawings of the certified Building Permit application, to the satisfaction of the City of Stirling.




Parking and Vehicle Access

13. The number and allocation of car, bicycle parking bays on-site shall be provided as follows:
 - a. Nine residential car parking bays;
 - b. Two residential visitor car parking bays;
 - c. Three residential bicycle parking spaces;
 - d. One residential visitor bicycle parking space;
 - e. One accessible car parking bay; and
 - f. Five commercial car parking bays.
14. 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.
15. Prior to occupation of the development, visitor car parking bays shall be line marked, maintained and be permanently accessible for the exclusive use of visitors to the property. The design and construction of the bicycle parking spaces shall be in accordance with *Australian Standard 2890.3-2015 – Bicycle Parking*.
16. Prior to occupation of the development, signage shall be erected to advise that the two visitor parking bays located abutting the Right-of-Way (Azurite Lane) are for residential visitors only. The signage shall thereafter be maintained for the life of the development, to the satisfaction of the City of Stirling.
17. All signage is to be in strict accordance with the City's *Local Planning Policy 6.1 – Advertising Signs*, unless further development approval is obtained.
18. Prior to occupation of the development, the redundant Right-of-Way vehicle crossover shall be removed and kerbing, verge, and footpath (where relevant) reinstated with landscaping, to the satisfaction of the City of Stirling.
19. Prior to occupation of the development, the proposed vehicle crossover shall be designed, constructed, and installed to the satisfaction of the City of Stirling.

Development Contributions and Right of Way Ceding

20. Prior to occupation of the development, a public art proposal for the subject development to the value of 1% of the construction value 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.



Karen Hyde
Presiding Member, Metro Inner DAP



21. Prior to occupation of development, the Right-of-Way (Azurite Lane) along the eastern boundary of the subject land to be widened by 0.49m and the required land ceded free of costs to the Crown,
22. The landowner shall pay to the City a development contribution towards the cost of providing lighting infrastructure within the Right-of-Way (Azurite Lane) abutting the land in accordance with the City's Local Planning Scheme. The contribution shall be paid to the City prior to the building permit application or within 60 days from the commencement of the development, whichever occurs first unless otherwise agreed in writing by the City.

Universal Design

23. 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

24. Where a concealed drying area is not provided for the exclusive use of each dwelling, a mechanical dryer shall be installed in the relevant dwelling prior to occupation of the development, to the satisfaction of the City of Stirling. The mechanical dryer shall be maintained for the life of the development.
25. 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.
26. Each storeroom shall be appropriately numbered on its access door to identify its dedicated use to the corresponding dwelling.

Waste Management and Stormwater

27. The development shall be consistent with the approved Waste Management Plan (WMP) prepared by CF Town Planning & Development (dated 27 March 2026). 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.
28. 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

General

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.
9. The proposed crossover configuration is subject to the approval of the City of Stirling's Verge Control and Swimming Pool Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.

Karen Hyde
Presiding Member, Metro Inner DAP



Construction Management

10. In relation to the Construction Management Plan, the City advises that during construction adequate tree protection zones shall be established for the existing mature street trees. Any damage to the road reserve and existing mature street trees will require remediation, to the satisfaction to the City of Stirling.

Noise

11. 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*.
12. 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.

Development Contributions and Right of Way Ceding

13. In relation to the Public Art condition, please refer to the *City of Stirling Developer's Guide to Public Art, Public Art Masterplan and City of Stirling Local Planning Policy 6.12 - Public Art on Private Land*. Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution equates to \$35,000.
14. In relation to the Right-of-Way monetary contribution condition, the required contribution amount is currently estimated to be \$4,510.42 (being 19.19m x \$235.04 per linear metre). Please note this estimate is subject to change and the amount payable will need to be confirmed with the City prior to payment.

Waste Management and Stormwater

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

Utilities, Facilities and External Fixtures

16. Any fire boosters, meter boxes or other utilities required to service the development site shall not be attached to neighbouring property walls.



AMENDING MOTION 1

Moved by: Karen Hyde

Seconded by: Cr Suzanne Migdale

The following amendments were made en bloc:

- i) That Condition No.12 be deleted and the remaining conditions be renumbered accordingly.
- ii) That Condition No.11 be amended to read as follows:

Prior to the submission of the Building Permit application, an amended Acoustic Report shall be submitted to, and approved by, the City of Stirling with the following modifications:

- a. *Measures to address noise from the rooftop mounted air-conditioning system, considering its location and design; and*
- b. *Measures to consider noise emissions from the commercial tenancies.*
- c. **The landowner shall provide written confirmation that all recommendations of the Acoustic Report prepared by Herring Storer Acoustics (as amended) have been incorporated into the working drawings of the certified Building Permit application, to the satisfaction of the City of Stirling.**

All recommendations provided in the amended Acoustic Report shall be implemented for the life of the development.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The existing conditions 11 and 12 required additional clarity to ensure the correct steps and order of process were clearly explained within the condition. The panel supported this amendment as provided by the city officers.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to:

1. **Approve** DAP Application reference DAP/26/03046 and accompanying plans as listed in Condition 2 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Stirling Local Planning Scheme No. 3, for the proposed Mixed Use Development – Two Shops and Six Multiple Dwellings at Lot 101, House Number 22, Muriel Avenue, Innaloo subject to the following conditions:

Karen Hyde
Presiding Member, Metro Inner DAP



Conditions

1. This decision constitutes planning approval only and is valid for a period of four (4) from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The development shall comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the Development Assessment Panel. The plans approved as part of this application form part of the planning approval issued (including any modifications required by conditions of approval).

PLAN TITLE	DATE	REVISION	DRAWING No.
Model View – Front	Stamped 30 March 2026	N/A	N/A
Existing Site Survey	30/03/2026	8.00	02 of 13
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Context Plan	30/03/2026	8.00	04 of 13
Ground Floor Plan	30/03/2026	8.00	05 of 13
First Floor Plan	30/03/2026	8.00	06 of 13
Second Floor Plan	30/03/2026	8.00	07 of 13
Roof Plan	30/03/2026	8.00	08 of 13
Elevations	30/03/2026	8.00	09 of 13
Elevations	30/03/2026	8.00	10 of 13
First Floor Solar Study	30/03/2026	8.00	11 of 13
Second Floor Solar Study	30/03/2026	8.00	12 of 13
Section	30/03/2026	8.00	13 of 13

Building Design

3. 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.
4. Prior to occupation of the development, the external finish of the boundary walls shall be finished to the same standard as the rest of the development, provided any requisite access is granted by abutting landowners, to the satisfaction of the City of Stirling.
5. Prior to occupation of the development, the awning on the Muriel Avenue frontage shall have a minimum headroom clearance of 3.5m, to the satisfaction of the City of Stirling.

Karen Hyde

Karen Hyde
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 (including for the existing street trees located within Muriel Avenue immediately abutting the subject site), 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 occupation of the development, a further amended Landscaping Plan shall be submitted to, and approved by, the City of Stirling with the following modification:
 - a. The species *Camelia sasanqua* shall be replaced with a 'shade-tolerate' tree species for the two small trees.
8. 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.

Lighting and Security

9. 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.
10. 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.

Noise

11. Prior to the submission of the Building Permit application, an amended Acoustic Report shall be submitted to, and approved by, the City of Stirling with the following modifications:
 - a. Measures to address noise from the rooftop mounted air-conditioning system, considering its location and design; and
 - b. Measures to consider noise emissions from the commercial tenancies.





- c. The landowner shall provide written confirmation that all recommendations of the Acoustic Report prepared by Herring Storer Acoustics (as amended) have been incorporated into the working drawings of the certified Building Permit application, to the satisfaction of the City of Stirling.

All recommendations provided in the amended Acoustic Report shall be implemented for the life of the development.

Parking and Vehicle Access

12. The number and allocation of car, bicycle parking bays on-site shall be provided as follows:
 - a. Nine residential car parking bays;
 - b. Two residential visitor car parking bays;
 - c. Three residential bicycle parking spaces;
 - d. One residential visitor bicycle parking space;
 - e. One accessible car parking bay; and
 - f. Five commercial car parking bays.
13. 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.
14. Prior to occupation of the development, visitor car parking bays shall be line marked, maintained and be permanently accessible for the exclusive use of visitors to the property. The design and construction of the bicycle parking spaces shall be in accordance with *Australian Standard 2890.3-2015 – Bicycle Parking*.
15. Prior to occupation of the development, signage shall be erected to advise that the two visitor parking bays located abutting the Right-of-Way (Azurite Lane) are for residential visitors only. The signage shall thereafter be maintained for the life of the development, to the satisfaction of the City of Stirling.
16. All signage is to be in strict accordance with the City's *Local Planning Policy 6.1 – Advertising Signs*, unless further development approval is obtained.
17. Prior to occupation of the development, the redundant Right-of-Way vehicle crossover shall be removed and kerbing, verge, and footpath (where relevant) reinstated with landscaping, to the satisfaction of the City of Stirling.
18. Prior to occupation of the development, the proposed vehicle crossover shall be designed, constructed, and installed to the satisfaction of the City of Stirling.





Development Contributions and Right of Way Ceding

19. Prior to occupation of the development, a public art proposal for the subject development to the value of 1% of the construction value 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.
20. Prior to occupation of development, the Right-of-Way (Azurite Lane) along the eastern boundary of the subject land to be widened by 0.49m and the required land ceded free of costs to the Crown,
21. The landowner shall pay to the City a development contribution towards the cost of providing lighting infrastructure within the Right-of-Way (Azurite Lane) abutting the land in accordance with the City's Local Planning Scheme. The contribution shall be paid to the City prior to the building permit application or within 60 days from the commencement of the development, whichever occurs first unless otherwise agreed in writing by the City.

Universal Design

22. 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

23. Where a concealed drying area is not provided for the exclusive use of each dwelling, a mechanical dryer shall be installed in the relevant dwelling prior to occupation of the development, to the satisfaction of the City of Stirling. The mechanical dryer shall be maintained for the life of the development.
24. 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.
25. Each storeroom shall be appropriately numbered on its access door to identify its dedicated use to the corresponding dwelling.

Waste Management and Stormwater

26. The development shall be consistent with the approved Waste Management Plan (WMP) prepared by CF Town Planning & Development (dated 27 March 2026). 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.





27. 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

General

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.

Karen Hyde
Presiding Member, Metro Inner DAP



9. The proposed crossover configuration is subject to the approval of the City of Stirling's Verge Control and Swimming Pool Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.

Construction Management

10. In relation to the Construction Management Plan, the City advises that during construction adequate tree protection zones shall be established for the existing mature street trees. Any damage to the road reserve and existing mature street trees will require remediation, to the satisfaction to the City of Stirling.

Noise

11. 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*.
12. 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.

Development Contributions and Right of Way Ceding

13. In relation to the Public Art condition, please refer to the *City of Stirling Developer's Guide to Public Art, Public Art Masterplan and City of Stirling Local Planning Policy 6.12 - Public Art on Private Land*. Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution equates to \$35,000.
14. In relation to the Right-of-Way monetary contribution condition, the required contribution amount is currently estimated to be \$4,510.42 (being 19.19m x \$235.04 per linear metre). Please note this estimate is subject to change and the amount payable will need to be confirmed with the City prior to payment.

Waste Management and Stormwater

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

Utilities, Facilities and External Fixtures

16. Any fire boosters, meter boxes or other utilities required to service the development site shall not be attached to neighbouring property walls.

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

Karen Hyde
Presiding Member, Metro Inner DAP



REASON: The panel were unanimous in support of the 3 storey mixed use development inclusive of 2 shops and 6 x 3 bed multiple dwellings at the Nuriel Street local centre. The panel noted the land uses were contemplated in the Scheme and precinct planning. The proposal had received DRP support and the panel concurred that the development was well designed for the context.

There were few areas of discretion required but given the mature surrounding vegetation and established open space the panel supported waiving the need for communal open space. Similarly, given the Development WA supporting the upgrade and widening of the Right of Way which resulted in minor uplift of the plot ratio, the panel were comfortable with the plot ratio calculation and felt it had limited impact on the neighbourhood. Overall, the proposal for a mixed use 3 storey development provides an essential mix in terms of housing stock whilst supporting ongoing commercial uses for the neighbourhood which in the context of increasing density these small centres are vital for social and economic amenity.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Karen Hyde
Presiding Member, Metro Inner DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02317 DR81/2023	City of Vincent	41-43 and 45 Angove Street, North Perth	Proposed Service Station	31/05/2023
DAP/20/01911 DR192/2024	Town of Cambridge	Lot 800 (29-33) Northwood Street, West Leederville	Three storey care premises and associated office	16/12/2024
DAP/25/02866 DR 105/2025	City of South Perth	Lot 46 (No.142) Coode Street, South Perth	proposed three-storey medical centre (dental practice)	15/07/2025
DAP/25/02994 DR41/2026	City of Fremantle	Lot 21 (242) Marine Terrace, South Fremantle	5 (5) Storey Multiple Dwelling	24/03/2026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:35am.

Karen Hyde
Presiding Member, Metro Inner DAP