



## Metro Inner Development Assessment Panel Minutes

**Meeting Date and Time:** Wednesday, 8 April 2026; 9:30am  
**Meeting Number:** MIDAP/128  
**Meeting Venue:** 140 William Street, Perth

*A recording of the meeting is available via the following link:*  
[MIDAP/128 - 8 April 2026 - City of Stirling - City of Perth](#)

### **PART A – INTRODUCTION**

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

### **PART B – CITY OF STIRLING**

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Lots 43 and 44 (Nos. 24 and 26) Brighton Road, Scarborough - Mixed Use Development – DAP/25/03005
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

### **PART C – CITY OF PERTH**

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Lot 774 (No.2) Wellington Street, East Perth - Proposed Adaptive reuse of existing State Heritage listed building and construction of two 26 storey towers comprising 1196 student accommodation beds and ground floor commercial tenancies – DAP/26/03038
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)

Dale Page (Deputy Presiding Member)

John Syme

Cr Suzanne Migdale (Part B – City of Stirling)

Cr Rob Papparde (Part B – City of Stirling)

Cr Raj Doshi (Part C – City of Perth)

Cr Chris Patton (Part C – City of Perth)

**DAP Secretariat**

Kristen Gray

Ashlee Kelly

**Karen Hyde**  
Presiding Member, Metro Inner DAP



<b>Part B – City of Stirling</b>
<b>Applicant</b>
Armando Rossi (QS Developments) Lawrence Davis (QS Developments) Alice Ardit (Scanlan Architects) Petar Mrdja (Urbanista) Andra Bioni (Urbanista)
<b>Officers/Technical Advisors in Attendance</b>
Sam Michie Shaun Wheatland James Fletcher

<b>Part C – City of Perth</b>
<b>Applicant</b>
Jimmy Thompson (MJA Studio) Chris Dwyer (MJA Studio) Deon White (Hatch) Rod Hamersley (ADC)
<b>Officers/Technical Advisors in Attendance</b>
Amie Groom Roberto Colalillo

**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 8 April 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 Liam Gobbert (Local Government DAP Member, City of Perth)

### 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 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 Lots 43 and 44 (Nos. 24 and 26) Brighton Road, Scarborough - Mixed Use Development – DAP/25/03005

##### Deputations

Alice Ardit (Scanlan Architects) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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

Armando Rossi (QS Developments) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Lawrence Davis (QS Developments) addressed the DAP in relation to 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.

*Cr Suzanne Migdale (Local Government Member, City of Stirling) left the panel at 10:05am.*

*Cr Suzanne Migdale (Local Government Member, City of Stirling) joined the panel at 10:08am.*

**Karen Hyde**  
Presiding Member, Metro Inner DAP



**SUBSTANTIVE MOTION**

**Moved by:** Cr Suzanne Migdale

**Seconded by:** Cr Rob Papparde

That the Metro Inner Development Assessment Panel resolves to:

**Approve** DAP Application reference DAP/25/03005 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 on Lot 43 and 44, House Number 24 and 26, Brighton Road, Scarborough subject to the following conditions:

**Conditions**

1. This decision constitutes planning 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 is to 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.	DRAWN BY
Site Survey	3/3/26	DA4	A1100	Scanlan Architects
Demolition Plan	3/3/26	DA4	A1103	Scanlan Architects
Site Plan	3/3/26	DA5	A1102	Scanlan Architects
Level B2	3/3/26	DA4	A2100	Scanlan Architects
Level B1	3/3/26	DA4	A2101	Scanlan Architects
Level Ground	18/3/26	DA6	A2102	Scanlan Architects
Level 1	3/3/26	DA4	A2103	Scanlan Architects
Level 2	3/3/26	DA4	A2104	Scanlan Architects
Level 3	3/3/26	DA5	A2105	Scanlan Architects
Level 4	3/3/26	DA4	A2106	Scanlan Architects
Level 5	3/3/26	DA4	A2107	Scanlan Architects

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Inner DAP



PLAN TITLE	DATE	REVISION	DRAWING No.	DRAWN BY
Level 6	3/3/26	DA4	A2108	Scanlan Architects
Level 7	3/3/26	DA4	A2109	Scanlan Architects
Level 8	3/3/26	DA4	A2110	Scanlan Architects
Elevation – North	3/3/26	DA4	A3100	Scanlan Architects
Elevation - South	3/3/26	DA4	A3101	Scanlan Architects
Elevation - East	3/3/26	DA4	A3102	Scanlan Architects
Elevation – West	3/3/26	DA4	A3103	Scanlan Architects
Section A	3/3/26	DA4	A4100	Scanlan Architects
Section A-A	3/3/26	SK01	A-A4100	Scanlan Architects
Section B	3/3/26	DA4	A4101	Scanlan Architects
Section C	3/3/26	DA4	A4102	Scanlan Architects
Section D	3/3/26	DA4	A4103	Scanlan Architects
Section E	3/3/26	DA4	A4104	Scanlan Architects
Section F	3/3/26	DA2	A4105	Scanlan Architects
Sections – Boundary Walls	3/3/26	DA4	A4107	Scanlan Architects
Sections – Balcony Privacy	3/3/26	DA1	A4109	Scanlan Architects
Sections – Loading Area	18/3/26	DA1	A4110	Scanlan Architects
Shadow Diagrams	3/3/26	DA3	A6801	Scanlan Architects
Cone of Vision Diagram	3/3/26	DA4	A6821	Scanlan Architects
Landscaping Plan	26/2/26	J	N/A	Plan E Landscape Architects
Waste Management Plan	26/8/25	A	N/A	LID Consulting

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Inner DAP



PLAN TITLE	DATE	REVISION	DRAWING No.	DRAWN BY
Sustainability Strategy	3/3/26	D	N/A	NDY Group
Noise Management Plan	3/3/26	A	N/A	Herring Storer Acoustics
Geotechnical Factual Report	1/6/21	A	N/A	Arup
Transport Impact Assessment	21/8/25	A	N/A	Shawmac
Environmental Wind Assessment	16/6/25	A	N/A	MEL Consultants

3. Notwithstanding the requirements of Condition 2, amended plans shall be provided as part of the Building Permit submission to the satisfaction of the City of Stirling addressing the following:
  - a. Type 4, Type 5 and Type 11 units on Level 2 are to be provided with 1.6m high privacy screening as measured from the finished floor level, for 2.5m of the northern elevations of each balcony, as shown on the approved plans. The privacy screening shall be maintained to the satisfaction of the City of Stirling for the duration of the development.
  - b. Signage that provides warning of low height clearance is to be provided at the entrance of the vehicle access point for the development, to the satisfaction of the City of Stirling.

#### Building Design

4. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling.
5. Prior to occupation of the development, the external finish of the boundary walls shall be to the same standard as the rest of the development, to the satisfaction of the City of Stirling.

#### Construction Management

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

**Karen Hyde**  
Presiding Member, Metro Inner DAP



### Landscaping

7. Prior to the submission of a Building Permit application, an amended Landscaping Plan shall be submitted to and approved by the City of Stirling with the following modifications:
  - a. A specific species is to be identified on plans wherever a tree, plant or planting area is proposed to the satisfaction of the City of Stirling.
  - b. Details demonstrating the surface treatment within the deep soil areas of the small and medium trees, to the satisfaction of the City of Stirling.
8. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the amended landscaping plan to be approved and maintained thereafter for the duration of the development, to the satisfaction of the City of Stirling.
9. All street trees located on the verge shall be retained and protected in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the City of Stirling.

### Lighting and Security

10. Lighting being provided to all public spaces including under awnings, parking areas, service areas, footpaths and entry and exit points, to the satisfaction of the City of Stirling.
11. Any outside lighting to comply with Australian Standard AS 4282-2023 - Control of the Obtrusive Effects of Outdoor Lighting (as amended) for the control of obstructive effects of outdoor lighting and must not spill into any adjacent premises. Details of any outside lighting to be submitted at the Building Permit application stage demonstrating compliance with Australian Standard AS 4282-2023 (as amended).

### Noise

12. All recommendations provided in the Noise Management Plan prepared by Herring Storer Acoustics received 11 September 2025, are to be implemented, to the satisfaction of the City of Stirling.
13. Prior to the submission of the Building Permit application, the landowner is to provide written confirmation that all recommendations in the Noise Management Plan have been incorporated into the building design, with the certified Building Permit application, to the satisfaction of the City of Stirling.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



14. Prior to occupation of the development, a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of the apartment(s) on the subject lot(s) prior to operation of the development. This Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:

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

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

#### Parking and Vehicle Access

16. The minimum number and allocation of car parking, bicycle, scooter and motorcycle on-site is to be provided as follows:
- 105 residential car parking bays;
  - 10 residential visitor car parking bays; and
  - 5 commercial car parking bays.
  - 67 residential bicycle parking spaces;
  - 10 residential visitor bicycle parking spaces; and
  - 9 residential motorcycle / scooter parking spaces
17. All parking bays, manoeuvring and circulation areas are to comply with Australian Standards AS/NZS2890.1:2004 Amendment 1 and AS2890.2:2018. The number of ACROD car parking bays and their design and layout are to comply with Australian Standards AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities) and the Building Code of Australia (Volume 1 section D3.5), to the satisfaction of the City of Stirling.
18. Prior to the occupation of the development, all driveways, parking and manoeuvring areas shall be hard surface, drained and maintained to the satisfaction of the City of Stirling.
19. Visitor car, motorcycle, scooter and bicycle parking bays shall be permanently marked, signposted, maintained and accessible at all times for use exclusively by visitors to the property.
20. A minimum clearance height of 3.6m as measured from finished floor level to the underside of the ceiling is to be provided for the ground floor servicing bay. The servicing bay is to be free of services, utilities or any other structure which impedes on the required 3.6m height clearance, for the duration of the development to the satisfaction of the City of Stirling.

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Presiding Member, Metro Inner DAP



21. Prior to the occupation of the development, directional signage shall be provided at the entry to the site. The signage shall direct visitors to the visitor car parking, motorcycle, scooter and bicycle spaces. The signage shall thereafter be retained for the life of the development.
22. Prior to the occupation of the development, any redundant crossover shall be removed and the kerbing and road verge reinstated to the satisfaction of the City of Stirling.
23. The crossover shall be designed, constructed, and installed prior to occupation of the development to the satisfaction of the City of Stirling.
24. Prior to the occupation of the development, a minimum of 67 bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking to the satisfaction of the City of Stirling.
25. Where a storeroom is solely accessible through an adjacent car parking bay, the storeroom and the car parking bay are to be assigned to the same dwelling.

#### Development Contributions

26. Prior to the submission of a Building Permit application, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with Scarborough Development Policy 4 – Public Art must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Public Art Panel.
27. Prior to the submission of an Occupancy Permit application, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, in accordance Scarborough Development Policy 4 – Public Art, to the satisfaction of the City of Stirling.
28. Prior to the submission of an Occupancy Permit application, the landowner shall pay the City of Stirling a development contribution in accordance with the City's Local Planning Scheme No. 3 Schedule 11B Scarborough Development Contribution Plan, to the satisfaction of the City of Stirling.
29. Affordable Housing is to be provided in accordance with Development Policy 9 Affordable and Diverse Housing, details of which are to be provided prior to planning condition clearance (working drawings stage) to the satisfaction of the Authority in consultation with the Department of Communities.

#### Utilities, Facilities and External Fixtures

30. Prior to the occupation of the development, each Multiple Dwelling shall be provided with a mechanical dryer, where a concealed drying area is not provided exclusively for the dwelling.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



### Visual Privacy

31. Prior to occupation of the development, all privacy screening shall be visually impermeable and is to comply in all respects with the requirements of Residential Design Codes Volume 2 (Element 3.5 Visual Privacy), to the satisfaction of the City of Stirling.

### Waste Management

32. The development is to comply with the Waste Management Plan prepared by LID consultants received 11 September 2025 with the following modifications with the following modifications
  - a. The Waste Manage Plan is to be amended to reflect the revised 7 x 660L general waste bins and 6 x 660L recycling bins to be collected twice a week.
33. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve. There shall be no connection to the City's drainage infrastructure without the written consent of the City of Stirling.
34. Prior to the submission of a Building Permit application, a Stormwater Management Plan shall be submitted to and approved by the City of Stirling.

### General

35. The roof levels are not to be used for habitation or outdoor leisure uses or any other use that is not related to building services.
36. Pedestrian pathways providing wheelchair accessibility to all entries to buildings to public footpath and car parking areas are to comply with Australian Standards AS/NZS1428.3-2009 (Design for access and mobility – General requirements for access – New building work), to the satisfaction 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 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.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



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.
8. The applicant is advised that any future strata title or community title subdivision of the property must be consistent with this approval and the lot sizes demonstrated in the application.
9. Where, in the opinion of the City of Stirling, achieving compliance with the conditions of approval require significant modifications to the approved plans, a Form 2 application will be required for consideration in accordance with Clause 17 or 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
10. All construction works to comply with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
11. On advice from Main Roads WA, the upgrading/widening of West Coast Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



### Landscaping

12. The detailed Landscaping Plan is to include the retention of the existing street tree planted in the verge.
13. 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.
14. In relation to the amended Landscaping Plan to be provided, all species selected are to be in accordance with Water Corporation's Waterwise criteria for landscaping, and prioritise low water use, shade tolerance and natives.

### Lighting and Security

15. Any outside lighting should meet Australia Standards AS 4282-2019 for the control of obstructive effects of outdoor lighting and must not spill into any neighbouring residential premises. Prior to the issue of the Building Permit a report is to be prepared by a suitably qualified consultant and submitted to the City of Stirling. It should demonstrate that all lighting associated with the development shall comply with AS 4282-2019.

### Noise

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

### Development Contributions

17. 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 Development Policy 4 – Providing Public Art.

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$350,000.

18. In relation to the development contribution in accordance with the City's Local Planning Scheme No.3, Schedule 11B Scarborough Development Contribution Plan, this cost is estimated as being \$201,735.42.
19. With regard to the affordable housing Condition, the development shall provide a minimum 12% affordable housing in accordance with Development Policy 9 - Affordable Housing. Unless otherwise agreed the following shall be provided:
  - The affordable housing units are to be sold by the developer to the Department of Communities (or alternative housing provider approved by the Authority) at construction cost (based on the Authority's construction cost chart dated July 2016), at the time of practical completion of the development;

**Karen Hyde**  
Presiding Member, Metro Inner DAP



- A draft strata plan and management statement is to be prepared at the applicant's expense and provided at working drawings stage demonstrating how ongoing costs of the affordable housing units will be minimised including but not limited to:
  - o minimising unit entitlements; and
  - o restricted access to common amenity areas (with potential to opt in).

#### Waste Management

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

#### **AMENDING MOTION 1**

**Moved by:** Cr Suzanne Migdale

**Seconded by:** Cr Rob Papparde

That Condition No. 3(a) be deleted and the remaining conditions be renumbered accordingly.

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

**REASON:** Given the limited occurrence of any overlooking of adjacent land uses the panel were of the opinion that the screening proposed was not necessary. Furthermore, the screening may have impeded access to northern light and view corridors for the ultimate residents and therefore the amenity of future residents was a key consideration in the amendment.

#### **AMENDING MOTION 2**

**Moved by:** Cr Suzanne Migdale

**Seconded by:** John Syme

The following amendments were made en bloc:

- i) That Condition No. 29 be deleted and the remaining conditions be renumbered accordingly.
- ii) That Advice Note No. 17 be deleted and the remaining Advice Notes be renumbered accordingly.

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

**Karen Hyde**  
Presiding Member, Metro Inner DAP



**REASON:** There was clear nexus between the scale of the previously approved development and the need for the provision of affordable housing as per Development Policy 9. However, the current proposal has been scaled back to the extent there is questionable nexus between the need for affordable housing. The proposed single-bedroom units will provide some level of relative affordability. The policy for affordable and diverse housing was considered to be a due regard document which facilitated a level of discretion for decision makers. The panel noted the feasibility issues raised by the applicant but made the decision to delete the condition in the context of the planning framework and the merits of the proposal.

### AMENDING MOTION 3

**Moved by:** Dale Page

**Seconded by:** Karen Hyde

The following amendments were made en bloc:

- i) That Condition No. 14 be amended to read as follows:

~~Prior to occupation of the development~~ **commencement of use, the landowner shall provide consent to** a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of **Lot No.42 (No22) Brighton Road, Scarborough that states:** ~~the apartment(s) on the subject lot(s) prior to operation of the development. This Notification is to be included on the diagram or plan of survey (Deposited Plan). The Notification is to state as follows:~~

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

- ii) That a new Advice Note No.1 be added to read as follows and remaining Advice Notes be renumbered accordingly:

**Condition 14 is not imposing an obligation on the Local Government. If the Local Government chooses to lodge a Notification under Section 70A, the proponents' obligation is to give their consent to the Local Governments application and nothing more.**

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

**REASON:** The obligation to lodge a Section 70A Notice on the title under the Transfer of Lands Act 1893 rests with the local government and not the applicant. This can only be executed by the local government if the landowner has given consent for the notice to be lodged. Further, there is no obligation for the local government to lodge the notice even if the consent is given, however, should the local government proceed the associated costs rest with the local government.

Karen Hyde  
Presiding Member, Metro Inner DAP



#### AMENDING MOTION 4

**Moved by:** Dale Page

**Seconded by:** Cr Suzanne Migdale

The following amendments were made en bloc:

i) That Condition No. 19 be amended to read as follows:

*Visitor car, motorcycle, scooter and bicycle parking bays shall be permanently marked, signposted, maintained and accessible at all times for use exclusively by visitors to the property **to the satisfaction of the City of Stirling.***

ii) That Condition No. 21 be amended to read as follows:

*Prior to the occupation of the development, directional signage shall be provided at the entry to the site. The signage shall direct visitors to the visitor car parking, motorcycle, scooter and bicycle spaces. The signage shall thereafter be retained for the life of the development **to the satisfaction of the City of Stirling.***

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

**REASON:** This makes it clear that the City of Stirling will decide whether the requirements of the condition are being met or not. This removes any uncertainty or confusion during clearance of conditions and in the event any future compliance action may be required.

#### SUBSTANTIVE MOTION (AS AMENDED)

**Approve** DAP Application reference DAP/25/03005 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 on Lot 43 and 44, House Number 24 and 26, Brighton Road, Scarborough subject to the following conditions:

#### Conditions

1. This decision constitutes planning 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.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



2. The development is to 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.	DRAWN BY
Site Survey	3/3/26	DA4	A1100	Scanlan Architects
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Site Plan	3/3/26	DA5	A1102	Scanlan Architects
Level B2	3/3/26	DA4	A2100	Scanlan Architects
Level B1	3/3/26	DA4	A2101	Scanlan Architects
Level Ground	18/3/26	DA6	A2102	Scanlan Architects
Level 1	3/3/26	DA4	A2103	Scanlan Architects
Level 2	3/3/26	DA4	A2104	Scanlan Architects
Level 3	3/3/26	DA5	A2105	Scanlan Architects
Level 4	3/3/26	DA4	A2106	Scanlan Architects
Level 5	3/3/26	DA4	A2107	Scanlan Architects
Level 6	3/3/26	DA4	A2108	Scanlan Architects
Level 7	3/3/26	DA4	A2109	Scanlan Architects
Level 8	3/3/26	DA4	A2110	Scanlan Architects
Elevation – North	3/3/26	DA4	A3100	Scanlan Architects
Elevation - South	3/3/26	DA4	A3101	Scanlan Architects
Elevation - East	3/3/26	DA4	A3102	Scanlan Architects
Elevation – West	3/3/26	DA4	A3103	Scanlan Architects
Section A	3/3/26	DA4	A4100	Scanlan Architects
Section A-A	3/3/26	SK01	A-A4100	Scanlan Architects

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Inner DAP



PLAN TITLE	DATE	REVISION	DRAWING No.	DRAWN BY
Section B	3/3/26	DA4	A4101	Scanlan Architects
Section C	3/3/26	DA4	A4102	Scanlan Architects
Section D	3/3/26	DA4	A4103	Scanlan Architects
Section E	3/3/26	DA4	A4104	Scanlan Architects
Section F	3/3/26	DA2	A4105	Scanlan Architects
Sections – Boundary Walls	3/3/26	DA4	A4107	Scanlan Architects
Sections – Balcony Privacy	3/3/26	DA1	A4109	Scanlan Architects
Sections – Loading Area	18/3/26	DA1	A4110	Scanlan Architects
Shadow Diagrams	3/3/26	DA3	A6801	Scanlan Architects
Cone of Vision Diagram	3/3/26	DA4	A6821	Scanlan Architects
Landscaping Plan	26/2/26	J	N/A	Plan E Landscape Architects
Waste Management Plan	26/8/25	A	N/A	LID Consulting
Sustainability Strategy	3/3/26	D	N/A	NDY Group
Noise Management Plan	3/3/26	A	N/A	Herring Storer Acoustics
Geotechnical Factual Report	1/6/21	A	N/A	Arup
Transport Impact Assessment	21/8/25	A	N/A	Shawmac
Environmental Wind Assessment	16/6/25	A	N/A	MEL Consultants

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Presiding Member, Metro Inner DAP



3. Notwithstanding the requirements of Condition 2, amended plans shall be provided as part of the Building Permit submission to the satisfaction of the City of Stirling addressing the following:
  - a. Signage that provides warning of low height clearance is to be provided at the entrance of the vehicle access point for the development, to the satisfaction of the City of Stirling.

#### Building Design

4. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling.
5. Prior to occupation of the development, the external finish of the boundary walls shall be to the same standard as the rest of the development, to the satisfaction of the City of Stirling.

#### Construction Management

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

#### Landscaping

7. Prior to the submission of a Building Permit application, an amended Landscaping Plan shall be submitted to and approved by the City of Stirling with the following modifications:
  - a. A specific species is to be identified on plans wherever a tree, plant or planting area is proposed to the satisfaction of the City of Stirling.
  - b. Details demonstrating the surface treatment within the deep soil areas of the small and medium trees, to the satisfaction of the City of Stirling.
8. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the amended landscaping plan to be approved and maintained thereafter for the duration of the development, to the satisfaction of the City of Stirling.
9. All street trees located on the verge shall be retained and protected in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the City of Stirling.

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### Lighting and Security

10. Lighting being provided to all public spaces including under awnings, parking areas, service areas, footpaths and entry and exit points, to the satisfaction of the City of Stirling.
11. Any outside lighting to comply with Australian Standard AS 4282-2023 - Control of the Obtrusive Effects of Outdoor Lighting (as amended) for the control of obstructive effects of outdoor lighting and must not spill into any adjacent premises. Details of any outside lighting to be submitted at the Building Permit application stage demonstrating compliance with Australian Standard AS 4282-2023 (as amended).

### Noise

12. All recommendations provided in the Noise Management Plan prepared by Herring Storer Acoustics received 11 September 2025, are to be implemented, to the satisfaction of the City of Stirling.
13. Prior to the submission of the Building Permit application, the landowner is to provide written confirmation that all recommendations in the Noise Management Plan have been incorporated into the building design, with the certified Building Permit application, to the satisfaction of the City of Stirling.
14. Prior to commencement of use, the landowner shall provide consent to a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 is to be placed on the Certificate(s) of Title of Lot No.42 (No22) Brighton Road, Scarborough that states:  
  
*'This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.'*
15. Within three (3) months of the commencement of the development, a Noise Report prepared by an accredited noise consultant shall be submitted to and approved in writing by the City of Stirling. The noise report confirming noise from the development complies with the *Environmental Protection (Noise) Regulations 1997*, to the satisfaction of the City of Stirling.

### Parking and Vehicle Access

16. The minimum number and allocation of car parking, bicycle, scooter and motorcycle on-site is to be provided as follows:
  - a. 105 residential car parking bays;
  - b. 10 residential visitor car parking bays; and
  - c. 5 commercial car parking bays.
  - d. 67 residential bicycle parking spaces;
  - e. 10 residential visitor bicycle parking spaces; and
  - f. 9 residential motorcycle / scooter parking spaces

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17. All parking bays, manoeuvring and circulation areas are to comply with Australian Standards AS/NZS2890.1:2004 Amendment 1 and AS2890.2:2018. The number of ACROD car parking bays and their design and layout are to comply with Australian Standards AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities) and the Building Code of Australia (Volume 1 section D3.5), to the satisfaction of the City of Stirling.
18. Prior to the occupation of the development, all driveways, parking and manoeuvring areas shall be hard surface, drained and maintained to the satisfaction of the City of Stirling.
19. Visitor car, motorcycle, scooter and bicycle parking bays shall be permanently marked, signposted, maintained and accessible at all times for use exclusively by visitors to the property to the satisfaction of the City of Stirling.
20. A minimum clearance height of 3.6m as measured from finished floor level to the underside of the ceiling is to be provided for the ground floor servicing bay. The servicing bay is to be free of services, utilities or any other structure which impedes on the required 3.6m height clearance, for the duration of the development to the satisfaction of the City of Stirling.
21. Prior to the occupation of the development, directional signage shall be provided at the entry to the site. The signage shall direct visitors to the visitor car parking, motorcycle, scooter and bicycle spaces. The signage shall thereafter be retained for the life of the development to the satisfaction of the City of Stirling.
22. Prior to the occupation of the development, any redundant crossover shall be removed and the kerbing and road verge reinstated to the satisfaction of the City of Stirling.
23. The crossover shall be designed, constructed, and installed prior to occupation of the development to the satisfaction of the City of Stirling.
24. Prior to the occupation of the development, a minimum of 67 bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking to the satisfaction of the City of Stirling.
25. Where a storeroom is solely accessible through an adjacent car parking bay, the storeroom and the car parking bay are to be assigned to the same dwelling.

#### Development Contributions

26. Prior to the submission of a Building Permit application, a public art proposal for the subject development to the value of 1.0% of the construction value in accordance with Scarborough Development Policy 4 – Public Art must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Public Art Panel.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



27. Prior to the submission of an Occupancy Permit application, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, in accordance Scarborough Development Policy 4 – Public Art, to the satisfaction of the City of Stirling.
28. Prior to the submission of an Occupancy Permit application, the landowner shall pay the City of Stirling a development contribution in accordance with the City's Local Planning Scheme No. 3 Schedule 11B Scarborough Development Contribution Plan, to the satisfaction of the City of Stirling.

#### Utilities, Facilities and External Fixtures

29. Prior to the occupation of the development, each Multiple Dwelling shall be provided with a mechanical dryer, where a concealed drying area is not provided exclusively for the dwelling.

#### Visual Privacy

30. Prior to occupation of the development, all privacy screening shall be visually impermeable and is to comply in all respects with the requirements of Residential Design Codes Volume 2 (Element 3.5 Visual Privacy), to the satisfaction of the City of Stirling.

#### Waste Management

31. The development is to comply with the Waste Management Plan prepared by LID consultants received 11 September 2025 with the following modifications with the following modifications
  - a. The Waste Manage Plan is to be amended to reflect the revised 7 x 660L general waste bins and 6 x 660L recycling bins to be collected twice a week.
32. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve. There shall be no connection to the City's drainage infrastructure without the written consent of the City of Stirling.
33. Prior to the submission of a Building Permit application, a Stormwater Management Plan shall be submitted to and approved by the City of Stirling.

#### General

34. The roof levels are not to be used for habitation or outdoor leisure uses or any other use that is not related to building services.
35. Pedestrian pathways providing wheelchair accessibility to all entries to buildings to public footpath and car parking areas are to comply with Australian Standards AS/NZS1428.3-2009 (Design for access and mobility – General requirements for access – New building work), to the satisfaction of the City of Stirling.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



## Advice Notes

### General

1. Condition 14 is not imposing an obligation on the Local Government. If the Local Government chooses to lodge a Notification under Section 70A, the proponents' obligation is to give their consent to the Local Governments application and nothing more.
2. 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.
3. 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.
4. 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.
5. 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.
6. Noisy Construction Work outside the period 7.00am to 7.00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City of Stirling.
7. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
8. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
9. The applicant is advised that any future strata title or community title subdivision of the property must be consistent with this approval and the lot sizes demonstrated in the application.

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Presiding Member, Metro Inner DAP



10. Where, in the opinion of the City of Stirling, achieving compliance with the conditions of approval require significant modifications to the approved plans, a Form 2 application will be required for consideration in accordance with Clause 17 or 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
11. 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.
12. On advice from Main Roads WA, the upgrading/widening of West Coast Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.

#### Landscaping

13. The detailed Landscaping Plan is to include the retention of the existing street tree planted in the verge.
14. 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.
15. In relation to the amended Landscaping Plan to be provided, all species selected are to be in accordance with Water Corporation's Waterwise criteria for landscaping, and prioritise low water use, shade tolerance and natives.

#### Lighting and Security

16. Any outside lighting should meet Australia Standards AS 4282-2019 for the control of obstructive effects of outdoor lighting and must not spill into any neighbouring residential premises. Prior to the issue of the Building Permit a report is to be prepared by a suitably qualified consultant and submitted to the City of Stirling. It should demonstrate that all lighting associated with the development shall comply with AS 4282-2019.

#### Noise

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

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### Development Contributions

18. 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 Development Policy 4 – Providing Public Art.

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$350,000.

19. In relation to the development contribution in accordance with the City's Local Planning Scheme No.3, Schedule 11B Scarborough Development Contribution Plan, this cost is estimated as being \$201,735.42.

### Waste Management

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

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

**REASON:** The proposal provides much needed and appropriately diverse residential accommodation in a desirable location, and which is well serviced by public transport and other services and amenity that will make this a well sought after residential address. The proposal has undergone rigorous assessment by City officers and design review by an independent panel of design experts and meaningful changes have been made in response to issues raised, as outlined in the RAR. The proposal aligns well with the built form provisions of the Scarborough Design Guidelines and relevant local planning policies.

Areas of discretion sought relate to height and upper-level setbacks. These areas of discretion are minor with the height exceeding the base height by only just over 2 metres. This variation meets the criteria set out in the design guidelines for building height discretion and there is no reason not to approve the proposal based on the height proposed. Figure 3 on page 23 of the RAR clearly shows how well the buildings will fit into the current context and there will be no additional adverse impact on the neighbours or surrounding area than there would be if the height of the proposal aligned fully with the base height set out in the design guidelines. The panel noted that some concerns were raised during the public consultation process, though it appears the number of submissions received that raised objection to the development were well balanced by submissions of support for the development.

The greatest concern raised, in terms of the number of submissions that raised it, was an increase in traffic congestion in the area. There were also concerns raised about pedestrian and cyclist safety and the amount of parking to be provided on site. However, the Traffic Impact Statement provided with the application concludes that traffic associated with the development can be accommodated within the existing road network without any adverse road safety impacts.

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The City's traffic engineers have reviewed this TIS and generally support it, subject to the imposition of related conditions of approval. There is nothing in the RAR or the technical attachments that suggest this panel should not support the proposal based on traffic related matters.

The City has also provided sound justification for supporting the number of parking bays to be provided. There are significantly more bays provided for residents than the minimum number required, and these will more than compensate for the slightly reduced number of visitor bays proposed, especially given the site's location right next to a bus stop and the number of bays and facilities provided to support other modes of transport. Other issues raised relating to noise impacts, visual privacy, dwelling mix and wind tunnelling have either been addressed through design modifications or through recommended conditions of approval. Finally, issues raised about height and loss of views, landscaping, the character of the area, anti-social behaviour, and impact on property values have been appropriately addressed by the City in their RAR. This is a well-designed development that is respectful to its context and will add vibrancy to this part of Scarborough.

#### **4. Form 2 DAP Applications**

Nil.

#### **5. Section 31 SAT Reconsiderations**

Nil.

*Cr Suzanne Migdale and Cr Rob Papparde (Local Government DAP Members, City of Stirling) left the panel at 10:35am.*

**Karen Hyde**  
Presiding Member, Metro Inner DAP



## PART C – CITY OF PERTH

*Cr Raj Doshi and Cr Chris Patton (Local Government DAP Members, City of Perth joined the panel at 10:40am.*

### 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 774 (No.2) Wellington Street, East Perth - Proposed Adaptive reuse of existing State Heritage listed building and construction of two 26 storey towers comprising 1196 student accommodation beds and ground floor commercial tenancies – DAP/26/03038

#### Deputations

Jimmy Thompson (MJA Studio), Chris Dwyer (MJA Studio), Deon White (Hatch) and Rod Hamersley (ADC) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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

## SUBSTANTIVE MOTION

**Moved by:** Dale Page

**Seconded by:** Cr Chris Patton

That the Metro Inner DAP resolves to:

**Approve** DAP Application reference DAP/26/03038 and accompanying plans (Attachment 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 Perth City Planning Scheme No. 2, subject to the following conditions:

1. The development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 25 March 2026, with final details of the design including a sample board of the proposed materials, colours and finishes being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.

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2. The approved boundary walls and footings being constructed wholly within the subject lot, with the external surface of the walls being finished to complement the approved development. Final details to be submitted for approval by the City prior to applying for the relevant building permit.
3. A detailed archival record being prepared in consultation with the Department of Planning, Lands and Heritage and in accordance with the Department of Planning, Lands and Heritage's Guide to Preparing an Archival Record and being submitted for approval by the City prior to any demolition works being undertaken.
4. An interpretation plan being prepared and submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
5. A schedule of details regarding the removal of significant heritage fabric, including the methodology to protect the adjoining heritage fabric and the details of the structural support, and material and finishes that will be introduced, being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
6. A dilapidation survey of Perth Girls' School (fmr) prepared by a suitably qualified professional, being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
7. A schedule of conservation works including annotated drawings and methodology, materials and finish, being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
8. Final details of any proposed fixings to significant fabric and services being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
9. An archaeological watching brief prepared by a suitably qualified archaeologist being implemented at the commencement of any ground disturbance work to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage.
10. A signage and lighting strategy that provides a consistent approach throughout the site, being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for a building permit.
11. Any damage to significant fabric being made good, in profile and materials, to match the original/existing to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage.

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12. Original brick and terrazzo drinking trough, original joinery and original joinery elements (including the student lockers and built in cupboards) are to be retained to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for a building permit. Demolition or removal of these elements should not occur without prior written approval from the City, in consultation with the Department of Planning, Lands and Heritage.
13. A final Environmentally Sustainable Design Strategy, demonstrating that the proposal has been designed to achieve a minimum 5 Star Green Star rating in accordance with Development Policy 1 – Green Building, is to be provided at working drawings stage to the satisfaction of the City.
14. Certification being provided by a qualified sustainability consultant confirming that the development has achieved the minimum 5 Star Green Star ‘as built’ rating, being submitted to the City prior to the occupation of the development.
15. A final landscaping and reticulation plan, being submitted for approval by the City prior to applying for the relevant building permit. The approved landscaping is to be installed prior to occupation of the relevant development and thereafter maintained to a high standard to the City’s satisfaction.
16. A final Acoustic Report and Noise Impact and Management Report that meets the City’s Noise Impact and Management Report Guidance Note and addresses the recommendations outlined in the preliminary Acoustic Report prepared by Marshall Day Acoustics dated 12 December 2025 (ref: 001 20251070), being submitted for approval by the City, prior to applying for the relevant building permit, with final construction plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations and can achieve compliance with the relevant noise legislation to the satisfaction of the City.
17. A final Wind Impact Statement, including wind tunnel model measurements, being undertaken to quantify and compare the wind conditions against acceptable pedestrian wind comfort criteria and, if necessary, including mitigation strategies to achieve compliance with the criteria, with details being submitted by the applicant for approval by the City prior to applying for the relevant building permit, with any significant design changes resulting from the amended wind impact analysis being the subject of a separate application for approval.
18. A final Waste Management Plan, identifying permanent storage and wash down facilities for bins for both recyclables and general waste and including a waste disposal/collection strategy demonstrating how these facilities will be serviced by the City, being submitted for approval by the City prior to applying for a building permit.
19. A Student Accommodation Management Plan addressing the operation and management of the student accommodation, including but not being limited to the following:
  - a. company name and relevant experience of proprietor/operator;
  - b. security arrangements for the residents and their guests;

**Karen Hyde**  
Presiding Member, Metro Inner DAP



- c. management of the communal facilities and spaces;
- d. cleaning and laundry facility services/arrangements;
- e. control of noise and other disturbances;
- f. a complaints management service; and
- g. management arrangements for the accommodation of non-students, only during standard student holiday periods.

being submitted for approval by the City prior to the occupation of the development with the management plan being implemented by the proprietor/operator on an ongoing basis to the satisfaction of the City.

- 20. All car parking bays, loading bays, vehicle entrances, aisle widths and circulation areas complying with the Australian Standard AS2890.1, with a certificate of compliance by an architect or engineer being submitted for approval by the City prior to applying for the relevant building permit.
- 21. A detailed Service and Delivery Access Plan, outlining the management and arrangements for on-site deliveries and servicing of the buildings, being submitted for approval by the City prior to the occupation of the development with the plan being implemented by the proprietor/operator thereafter to the satisfaction of the City.
- 22. All redundant crossovers being removed and the verge and footpaths being reinstated in accordance with the City's specifications and to the City's satisfaction and at the expense of the developer/landowner. All new proposed crossovers being located and constructed to the City's specification and satisfaction prior to occupation of the development, with any additional works (with the exception of awnings) external to the property boundaries of the site not being approved as part of this development and being subject to a separate application(s) for approval.
- 23. Public art being provided in accordance with the City's Design Guidelines Section 1.3 – Development Policies (*Planning Policies and Design Guidelines for Normalised Redevelopment Areas*), with final details of the public art being provided and installed prior to the occupation of the development, to the satisfaction of the City.
- 24. On-site stormwater disposal/management being to the City's specifications with details being submitted for approval by the City prior to applying for the relevant building permit.
- 25. Any proposed building plant and services including air-conditioning condensers, lift overruns, piping, ducting, water tanks, transformers, fire boosters and fire control rooms being located or screened so that they cannot be viewed from any location external to the building (including from above) and to minimise any visual and noise impact. This includes any such plant or services located within the vehicle entrance of the development, with details of the location and screening of such plant and services being submitted for approval by the City prior to applying for the relevant building permit.

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Presiding Member, Metro Inner DAP



26. Any signage for the development being integrated into the design of the building in accordance with the City's Signs Policy 4.6 and subject to a separate application for approval where required.
27. The existing street trees located in the road verge on Wellington Street and Bronte Streets being retained and protected from damage throughout any demolition and/or construction works with tree protection zones being established and maintained during the demolition and/or construction periods in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the City, with the owner/applicant being liable for any damage or removal of the trees.
28. A 7.28 metre wide portion of the frontage of 2 (Lot 774) Wellington Street, including an associated 6 metre by 6 metre truncation area, required for road widening purposes, being ceded to the City free of cost in accordance with the City's New Street Alignments Local Law 2005, prior to occupation of the development.
29. Demolition and construction management plans prepared in accordance with the City's pro-forma and requirements being submitted for approval by the City, prior to applying for the relevant demolition permit and/or a building permit.

#### Advice Notes

1. This decision constitutes planning 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 final plans and details submitted to the City to satisfy the conditions of this approval will be verified by the City Architect and Alliance Manager Development Approvals. Any substantive changes to the approved plans will need to be made via a Form 2 process.
3. The applicant is advised that any non-residential/tenant car parking bays provided as part of the development will need to be licensed by the Department of Transport in accordance with the requirements of the Perth Parking Management Act. Development approval facilitating the construction and use of bays under relevant planning legislation should not be construed as implied approval from the Department of Transport for the future licensing and use of any car parking bays.
4. The Water Corporation advises that the proposal will require approval by the Building Services section prior to commencement of works and infrastructure contributions and/or fees may be required to be paid prior to approval being issued.
5. With regards to the archaeological watching brief, the Director Historic Heritage Conservation shall be notified immediately if archaeological material or features are encountered and advised on a recommended course of action by the archaeologist.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



6. With regards to the Construction Management Plan, the following matters are to be addressed:
  - a. Appropriate protective methods for the significant structures and fabric of Perth Girls' School (fmr).
  - b. A requirement for alarmed monitoring of deformation, tilt, vibrations and existing cracks. The Director Historic Heritage Conservation is to be notified promptly of any detrimental impacts to the heritage fabric, and the recommended course of action, by a suitably qualified structural engineer.
  
7. All conservation works, as set out in the Heritage Agreement, are to be completed in accordance with the Agreement timeframes, or as otherwise agreed with the Heritage Council, via the execution of a variation prior to the issue of the occupancy permits for the new proposed residential towers.

### **AMENDING MOTION 1**

**Moved by:** Dale Page

**Seconded by:** John Syme

That Condition No.11 be amended to read as follows:

*Any damage to significant fabric **during construction** being made good, in profile and materials, to match the original/existing to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage.*

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

**REASON:** It is not clear whether the current wording refers to damage that has already occurred and/or damage that could occur during construction.

**Karen Hyde**  
Presiding Member, Metro Inner DAP



## AMENDING MOTION 2

Moved by: Dale Page

Seconded by: Karen Hyde

That Condition No.19 be amended to read as follows:

*A Student Accommodation Management Plan addressing the operation and management of the student accommodation, including but not being limited to the following:*

- a. company name ~~and relevant experience of proprietor/operator;~~*
- b. security arrangements for the residents and their guests;*
- c. management of the communal facilities and spaces; d. cleaning and laundry facility services/arrangements;*
- e. control of noise and other disturbances;*
- f. a complaints management service; and*
- g. management arrangements for the accommodation of non-students, only during standard student holiday periods.*

*being submitted for approval by the City prior to the occupation of the development with the management plan being implemented by the proprietor/operator on an ongoing basis to the satisfaction of the City.*

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

**REASON:** This may well be provided by the applicant but there is no planning basis or need for the City to compel inclusion of this information in the plan.

## AMENDING MOTION 3

Moved by: Dale Page

Seconded by: John Syme

That Condition No.28 be amended to read as follows:

***Prior to occupation, the applicant shall enter into a legal agreement with the City of Perth to cede potential road widening on Wellington Street, free of cost, when and if the City has commitment to public works requiring the land. A 7.28 metre wide portion of the frontage of 2 (Lot 774) Wellington Street, including an associated 6 metre by 6 metre truncation area, required for road widening purposes, ~~being ceded to the City free of cost in accordance with the City's New Street Alignments Local Law 2005. prior to occupation of the development.~~***

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

**REASON:** The effect of the City's local law is to provide new building lines in various streets within the City of Perth to facilitate the development of various streets into high quality pedestrian and vehicular thoroughfares. There is no development proposed within the area to be set aside for road widening and any future proposal to develop within this area would require a development application. The amended wording suggested by the applicant will still achieve the intent of the City's local law.

Karen Hyde  
Presiding Member, Metro Inner DAP



#### AMENDING MOTION 4

**Moved by:** Dale Page

**Seconded by:** Karen Hyde

That Advice Note No.2 be amended to read as follows:

*The final plans and details submitted to the City to satisfy the conditions of this approval will be verified by the City Architect and Alliance Manager Development Approvals. Any substantive changes to the approved plans will need to be made via a **new development application or via a Form 2 process, depending on the scope and extent of the changes.***

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

**REASON:** Possible changes could be so significant as to warrant a new development application.

#### SUBSTANTIVE MOTION (AS AMENDED)

**Approve** DAP Application reference DAP/26/03038 and accompanying plans (Attachment 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 Perth City Planning Scheme No. 2, subject to the following conditions:

1. The development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 25 March 2026, with final details of the design including a sample board of the proposed materials, colours and finishes being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
2. The approved boundary walls and footings being constructed wholly within the subject lot, with the external surface of the walls being finished to complement the approved development. Final details to be submitted for approval by the City prior to applying for the relevant building permit.
3. A detailed archival record being prepared in consultation with the Department of Planning, Lands and Heritage and in accordance with the Department of Planning, Lands and Heritage's Guide to Preparing an Archival Record and being submitted for approval by the City prior to any demolition works being undertaken.
4. An interpretation plan being prepared and submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.

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5. A schedule of details regarding the removal of significant heritage fabric, including the methodology to protect the adjoining heritage fabric and the details of the structural support, and material and finishes that will be introduced, being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
6. A dilapidation survey of Perth Girls' School (fmr) prepared by a suitably qualified professional, being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
7. A schedule of conservation works including annotated drawings and methodology, materials and finish, being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
8. Final details of any proposed fixings to significant fabric and services being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for the relevant building permit.
9. An archaeological watching brief prepared by a suitably qualified archaeologist being implemented at the commencement of any ground disturbance work to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage.
10. A signage and lighting strategy that provides a consistent approach throughout the site, being submitted for approval by the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for a building permit.
11. Any damage to significant fabric during construction being made good, in profile and materials, to match the original/existing to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage.
12. Original brick and terrazzo drinking trough, original joinery and original joinery elements (including the student lockers and built in cupboards) are to be retained to the satisfaction of the City, in consultation with the Department of Planning, Lands and Heritage, prior to applying for a building permit. Demolition or removal of these elements should not occur without prior written approval from the City, in consultation with the Department of Planning, Lands and Heritage.
13. A final Environmentally Sustainable Design Strategy, demonstrating that the proposal has been designed to achieve a minimum 5 Star Green Star rating in accordance with Development Policy 1 – Green Building, is to be provided at working drawings stage to the satisfaction of the City.
14. Certification being provided by a qualified sustainability consultant confirming that the development has achieved the minimum 5 Star Green Star 'as built' rating, being submitted to the City prior to the occupation of the development.

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15. A final landscaping and reticulation plan, being submitted for approval by the City prior to applying for the relevant building permit. The approved landscaping is to be installed prior to occupation of the relevant development and thereafter maintained to a high standard to the City's satisfaction.
16. A final Acoustic Report and Noise Impact and Management Report that meets the City's Noise Impact and Management Report Guidance Note and addresses the recommendations outlined in the preliminary Acoustic Report prepared by Marshall Day Acoustics dated 12 December 2025 (ref: 001 20251070), being submitted for approval by the City, prior to applying for the relevant building permit, with final construction plans being certified by a qualified acoustic consultant confirming the development incorporates the recommendations and can achieve compliance with the relevant noise legislation to the satisfaction of the City.
17. A final Wind Impact Statement, including wind tunnel model measurements, being undertaken to quantify and compare the wind conditions against acceptable pedestrian wind comfort criteria and, if necessary, including mitigation strategies to achieve compliance with the criteria, with details being submitted by the applicant for approval by the City prior to applying for the relevant building permit, with any significant design changes resulting from the amended wind impact analysis being the subject of a separate application for approval.
18. A final Waste Management Plan, identifying permanent storage and wash down facilities for bins for both recyclables and general waste and including a waste disposal/collection strategy demonstrating how these facilities will be serviced by the City, being submitted for approval by the City prior to applying for a building permit.
19. A Student Accommodation Management Plan addressing the operation and management of the student accommodation, including but not being limited to the following:
  - a. company name;
  - b. security arrangements for the residents and their guests;
  - c. management of the communal facilities and spaces;
  - d. cleaning and laundry facility services/arrangements;
  - e. control of noise and other disturbances;
  - f. a complaints management service; and
  - g. management arrangements for the accommodation of non-students, only during standard student holiday periods.being submitted for approval by the City prior to the occupation of the development with the management plan being implemented by the proprietor/operator on an ongoing basis to the satisfaction of the City.
20. All car parking bays, loading bays, vehicle entrances, aisle widths and circulation areas complying with the Australian Standard AS2890.1, with a certificate of compliance by an architect or engineer being submitted for approval by the City prior to applying for the relevant building permit.

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21. A detailed Service and Delivery Access Plan, outlining the management and arrangements for on-site deliveries and servicing of the buildings, being submitted for approval by the City prior to the occupation of the development with the plan being implemented by the proprietor/operator thereafter to the satisfaction of the City.
22. All redundant crossovers being removed and the verge and footpaths being reinstated in accordance with the City's specifications and to the City's satisfaction and at the expense of the developer/landowner. All new proposed crossovers being located and constructed to the City's specification and satisfaction prior to occupation of the development, with any additional works (with the exception of awnings) external to the property boundaries of the site not being approved as part of this development and being subject to a separate application(s) for approval.
23. Public art being provided in accordance with the City's Design Guidelines Section 1.3 – Development Policies (*Planning Policies and Design Guidelines for Normalised Redevelopment Areas*), with final details of the public art being provided and installed prior to the occupation of the development, to the satisfaction of the City.
24. On-site stormwater disposal/management being to the City's specifications with details being submitted for approval by the City prior to applying for the relevant building permit.
25. Any proposed building plant and services including air-conditioning condensers, lift overruns, piping, ducting, water tanks, transformers, fire boosters and fire control rooms being located or screened so that they cannot be viewed from any location external to the building (including from above) and to minimise any visual and noise impact. This includes any such plant or services located within the vehicle entrance of the development, with details of the location and screening of such plant and services being submitted for approval by the City prior to applying for the relevant building permit.
26. Any signage for the development being integrated into the design of the building in accordance with the City's Signs Policy 4.6 and subject to a separate application for approval where required.
27. The existing street trees located in the road verge on Wellington Street and Bronte Streets being retained and protected from damage throughout any demolition and/or construction works with tree protection zones being established and maintained during the demolition and/or construction periods in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the City, with the owner/applicant being liable for any damage or removal of the trees.

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28. Prior to occupation, the applicant shall enter into a legal agreement with the City of Perth to cede potential road widening on Wellington Street, free of cost, when and if the City has commitment to public works requiring the land. A 7.28 metre wide portion of the frontage of 2 (Lot 774) Wellington Street, including an associated 6 metre by 6 metre truncation area, required for road widening purposes in accordance with the City's New Street Alignments Local Law 2005.
29. Demolition and construction management plans prepared in accordance with the City's pro-forma and requirements being submitted for approval by the City, prior to applying for the relevant demolition permit and/or a building permit.

### Advice Notes

1. This decision constitutes planning 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 final plans and details submitted to the City to satisfy the conditions of this approval will be verified by the City Architect and Alliance Manager Development Approvals. Any substantive changes to the approved plans will need to be made via a new development application or via a Form 2 process, depending on the scope and extent of the changes.
3. The applicant is advised that any non-residential/tenant car parking bays provided as part of the development will need to be licensed by the Department of Transport in accordance with the requirements of the Perth Parking Management Act. Development approval facilitating the construction and use of bays under relevant planning legislation should not be construed as implied approval from the Department of Transport for the future licensing and use of any car parking bays.
4. The Water Corporation advises that the proposal will require approval by the Building Services section prior to commencement of works and infrastructure contributions and/or fees may be required to be paid prior to approval being issued.
5. With regards to the archaeological watching brief, the Director Historic Heritage Conservation shall be notified immediately if archaeological material or features are encountered and advised on a recommended course of action by the archaeologist.
6. With regards to the Construction Management Plan, the following matters are to be addressed:
  - a. Appropriate protective methods for the significant structures and fabric of Perth Girls' School (fmr).
  - b. A requirement for alarmed monitoring of deformation, tilt, vibrations and existing cracks. The Director Historic Heritage Conservation is to be notified promptly of any detrimental impacts to the heritage fabric, and the recommended course of action, by a suitably qualified structural engineer.

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7. All conservation works, as set out in the Heritage Agreement, are to be completed in accordance with the Agreement timeframes, or as otherwise agreed with the Heritage Council, via the execution of a variation prior to the issue of the occupancy permits for the new proposed residential towers.

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

**REASON:** This end of the city will benefit greatly from this development – both economically and from a place activation perspective. The panel noted that the inclusion of educational related use in the form of student accommodation maintains strong connection with the past use of the precinct as a place of education and was pleased to see retention of the creative industries components and the amenities that will benefit not only the residents on site but also those who live and work in the surrounding area. It was noted that three objections were received during consultation on the proposal and that the concerns focussed mainly on the height of the towers, the adequacy of carparking, noise and smell and the need for certain uses given the prevalence of other such uses in the area.

The issues of noise and smell are appropriately dealt with via separate legislation and recommended conditions of approval and whether there is a need or not for certain uses is not a consideration this panel could reasonably take into consideration in deciding on this proposal. The proposal is compliant in relation to parking provision. Unlike other local government areas, this area of the city is subject to the provisions of the Perth Parking Policy and consequent upper limits on parking provision. In relation to height, there is a minor variation sought to the height provisions of the design guidelines that apply to the site and the panel noted that while there is an extra storey proposed, the overall height is consistent with the height previously approved for this site.

The additional height will have no negative on the heritage value of the place and nor will it unduly impact neighbours or the streetscape. Instead, it aligns well with the intended form and scale for this precinct under the existing design guidelines as well as the intended vision for this precinct as set out in the City's Local Planning Strategy and draft Local Planning Scheme No.3.

The only other variations sought to the provisions of the design guidelines are a minor side setback variation for a transformer and even more minor variation to the eastern tower heritage setback and tower floor plate size. This is an unusually compliant proposal, particularly given the scale and complexity of this development, so the designers need to be recognised accordingly. The proposal has been subject to extensive design review and is generally supported by the City's Design Review Panel. Amendments were made to the design to respond to most key suggestions made by the panel.

Where changes were not made in response to feedback, this was appropriately justified by the applicant and the City's officers. This is a well-considered design that works with and responds well to the original heritage fabric and value of the place and is going to be transformational for this end of the city.

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**4. Form 2 DAP Applications**

Nil.

**5. Section 31 SAT Reconsiderations**

Nil.

A handwritten signature in black ink that reads "Karen Hyde".

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## 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

Finalised SAT Applications*				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Finalised
DAP/24/02820 DR69/2025	City of Nedlands	Lot 381 (No.6) Alexander Road, Dalkeith	5 Multiple Dwellings	03/06/2025

\* Matters finalised during the last meeting cycle.

### 2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:42am.

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