

Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: 20 August 2026; 9:30am
Meeting Number: MIDAP/148
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/148 - 20 August 2026 - City of Stirling - Town of Bassendean](#)

PART A – INTRODUCTION

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

PART B – CITY OF STIRLING

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 6081 (Street Number 182) Scarborough Beach Road, Doubleview - Mixed Use Development – 10 Multiple Dwellings and Two Commercial Tenancies – DAP/26/03084
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – TOWN OF BASSENDEAN

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 75 (No.72) Walter Road East, Eden Hill - Lot 75 (No.72) Walter Road East, Eden Hill – DAP/26/03107
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



Dale Page
Presiding Member, Metro Inner DAP

DAP Members

Dale Page (Presiding Member)

Clayton Higham (Deputy Presiding Member)

Peter Lee

Cr Rob Paparde (Part B – City of Stirling)

Cr Suzanne Migdale (Part B – City of Stirling)

Cr Hayden Long (Part C – Town of Bassendean)

Cr Jennie Carter (Part C – Town of Bassendean)

DAP Secretariat

Kristen Gray

Tenielle Brownfield



Dale Page
Presiding Member, Metro Inner DAP

Part B – CITY OF STIRLING
Applicant
Petar Mrdja (Urbanista Town Planning) Andra Biondi (Urbanista Town Planning) John Silbert (John Silbert Architects)
Officers/Technical Advisors in Attendance
Sam Michie Shaun Wheatland

Part C – TOWN OF BASSENDEAN
Applicant
Daniella Mrdja (Urbanista Town Planning) Andra Biondi (Urbanista Town Planning) Waihin Tun (Transcore)
Officers/Technical Advisors in Attendance
Vikky Brown Alex Snadden

Members of the Public / Media

Nil.

Observers via livestream

There were 6 persons observing the meeting via the livestream.



Dale Page
Presiding Member, Metro Inner DAP

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:40am on 20 August 2026 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

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

1.1 Announcements by Presiding Member

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

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

2. Apologies

Nil.

3. Noting of Minutes

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



PART B – CITY OF STIRLING

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 Lot 6081 (Street Number 182) Scarborough Beach Road, Doubleview - Mixed Use Development – 10 Multiple Dwellings and Two Commercial Tenancies – DAP/26/03084

Deputations

Andra Biondi (Urbanista Town Planning) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Petar Mrdja (Urbanista Town Planning) responded to questions from the panel in relation to the application at Item 3.1.

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: Clayton Higham

Seconded by: Cr Rob Paparde

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/26/03084 for 10 Multiple Dwellings and Two Commercial Tenancies at Lot 6081 (No. 182) Scarborough Beach Road, Scarborough in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of Clause 10.2 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

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



Dale Page
Presiding Member, Metro Inner DAP

Plan/ Document Name	Reference	Date
Location Plan	A0:01	18 December 2025
Street Profile – Proposed Scarborough Beach Road	A0:02	18 December 2025
Survey Plan	A0:03	18 December 2025
Survey Plan with Ground Floor Plan Overlay	A0:04	18 December 2025
Car Turning	SK-1	24 June 2026
Ground Floor Plan & First Floor Plan	A1:01	18 December 2025
Second Floor, Third Floor & Fourth Floor – Roof Top Plan	A1:02	18 December 2025
Plot Ratio Plan	A1:03	18 December 2025
Floor Plan Communal / Private Open Space Plan	A1:04	18 December 2025
Elevation Plans	A1:05	18 December 2025
Section Plans	A1:06	18 December 2025
Shadow Plan – 21 June – 9am	A2:01	18 December 2025
Shadow Plan – 21 June – Noon	A2:02	18 December 2025
Shadow Plan – 21 June – 3pm	A2:03	18 December 2025
Solar Access Plan – 21 June – 9am	A2:04	18 December 2025
Solar Access Plan – 21 June – 3am	A2:05	18 December 2025
Breezeways Analysis – Northerly	A2:06	18 December 2025
Breezeways Analysis – Easterly	A2:07	18 December 2025
Breezeways Analysis – Southerly	A2:08	18 December 2025
Breezeways Analysis – Westerly	A2:09	18 December 2025
Landscape Plan	N/A	19 May 2025
Transport Impact Statement	N/A	September 2025
Sustainable Design Assessment Report	N/A	29 October 2025
Acoustic Report	N/A	27 February 2025
Waste Management Plan	N/A	18 June 2025

2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 20 August 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
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. The Ground Floor Plan and First Floor Plan (A1:01), Plot Ratio Plan (A1:03), Floor Plan Communal / Private Open Space (A1:04) and the Landscape Plan are to be amended to include the bin pad area adjoining Pingrup Lane and vehicle turning bay.



Dale Page
Presiding Member, Metro Inner DAP

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 occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the provided landscaping for the duration of the development, to the satisfaction of the City of Stirling.
8. 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

9. 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.
10. 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

11. All recommendations provided in the Acoustic Report prepared by E-LAB Consulting received 26 March 2026, are to be implemented, to the satisfaction of the City of Stirling.
12. Prior to the submission of the Building Permit application, the landowner is to provide written confirmation that all recommendations in the Acoustic Report have been incorporated into the building design, with the certified Building Permit application, to the satisfaction of the City of Stirling.
13. Prior to the commencement of use, the landowner shall provide consent to a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 being placed on the Certificate(s) of Title of Lot No.6081 (No 182) Scarborough Beach Road, Doubleview:

'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.'
14. 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

15. The minimum number and allocation of car parking and bicycle bays on-site is to be provided as follows:
 - a. 10 residential car parking bays;
 - b. 1 residential visitor car parking bays;
 - c. 1 commercial car parking bays;
 - d. 6 residential bicycle parking spaces.
16. 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.
17. 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.



18. Visitor car and bicycle parking bays shall be permanently marked, signposted, maintained and accessible at all times for use exclusively by visitors to the property.
19. 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.
20. The crossover shall be designed, constructed, and installed prior to occupation of the development to the satisfaction of the City of Stirling.
21. Prior to the occupation of the development, 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.

Development Contributions

22. 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 Local Planning Policy 6.12 – Public Art on Private Land must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Public Art Panel.
23. Prior to the occupation of the development, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, in accordance with LPP6.12, to the satisfaction of the City of Stirling.

Utilities, Facilities and External Fixtures

24. 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

25. 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

26. The development is to comply with the Waste Management Plan prepared by Talis Consultants received 26 March 2026 with the following modifications with the following modifications:
 - a. The Waste Management Plan is to be amended to reflect the revised 6 x 240L general waste bins and 4 x 360L recycling bins to be collected once a week.
27. Prior to the occupation of the development the 2.1m wide setback area adjoining Pingrup Lane is to be converted into permeable hard stand for bin placement.
28. 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.
29. Prior to the submission of a Building Permit application, a Stormwater Management Plan shall be submitted to and approved by the City of Stirling.

Engineering

30. The landowner is required at their expense, to remove all structures and development located within the Other Regional Road reservation and Planning Control Area 166 at the time when the reserved land is required for the upgrading of Scarborough Beach Road.
31. Prior the occupation of the development, the speedhump adjoining Pingrup Lane is to be relocated approximately 4.5m eastward and clear of the drainage pit at the landowners expense to the satisfaction of the City.
32. Prior to the occupation of the development, the right of way Pingrup Lane along the north boundary of the subject land is to be widened by 0.49m by the landowner, and the required land ceded free of costs to the Crown, to the satisfaction of the City.
33. Prior to the occupation of works, the landowner is to submit construction drawings for the proposed road widening works for approval by the City.
34. Prior to the submission of a Building Permit application, a performance bond equivalent to the estimated cost of the road widening works as determined by the City is required to be deposited with the City.
35. Prior to the submission of a Building Permit application, amended plans accurately showing the existing kerb line, proposed kerb line, proposed and existing drainage capture pit and street light in their correct locations are to be provided to the City.



General

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.
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. 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.

Landscaping

12. 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

13. 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

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

Development Contributions

15. In relation to the Public Art condition, please refer to the City of Stirling Developer's Guide to Public Art and the City of Stirling Public Art Masterplan

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$80,000.



Waste Management

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

Road Widening

17. Planning Control Area 166 Scarborough Beach Road (from Hinderwell Street to Odin Road and from King Edward Road to Main Street) affects the subject site as shown on Western Australian Planning Commission (WAPC) plan number 1.3169/1. The declaration remains in effect for a period of five years from the date of publication of the notice in the Government Gazette, being 28 September 2021, or until revoked by the WAPC with approval by the Minister, whichever is the sooner. A person shall not commence and carry out development in a planning control area without the prior approval of the WAPC.

AMENDING MOTION 1

Moved by: Clayton Higham

Seconded by: Cr Suzanne Migdale

That Condition No. 7 be amended to read as follows:

*Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the provided ~~landscaping~~ **Landscape plan** for the duration of the development, to the satisfaction of the City of Stirling.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To improve the wording and clarify the required actions.

AMENDING MOTION 2

Moved by: Clayton Higham

Seconded by: Cr Suzanne Migdale

That Condition No. 33 be amended to read as follows:

*Prior to the ~~occupation~~ **commencement** of works, the landowner is to submit construction drawings for the proposed road widening works for approval by the City.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To correct the wording of the condition.



AMENDING MOTION 3

Moved by: Dale Page

Seconded by: Cr Suzanne Migdale

That Condition No. 9 be amended to read as follows:

Prior to occupation, 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.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The current condition does not specify the timeframe within which the action must occur.

AMENDING MOTION 4

Moved by: Dale Page

Seconded by: Cr Suzanne Migdale

The following amendments were made en bloc:

- i) That a new Condition No. 37 be added to read as follows:

Prior to the lodgement of a building permit application, the owner must pay to the City a development contribution towards the cost of providing lighting infrastructure in the right of way Pingrup Lane abutting the land in accordance with the City's Local Planning Scheme No. 3. The contribution must be made to the City at or before the time an application is made for a building permit or within 60 days from the commencement of the development, whichever occurs first.

- ii) That a new Advice Note No. 12 be added to read as follows and remaining Advice Notes renumbered accordingly:

A monetary contribution towards the ROW lighting infrastructure Pingrup Lane will need to be paid by the applicant/landowner in order to satisfy this condition of approval. The required contribution amount is currently estimated to be \$4,179.01. Please note this is only an estimate which is subject to change and the amount payable will need to be confirmed with the City prior to payment.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Page 19 of the RAR identifies the need for a development contribution and an associated condition; however, no such condition is included in the City's recommended conditions.



Dale Page
Presiding Member, Metro Inner DAP

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SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/26/03084 for 10 Multiple Dwellings and Two Commercial Tenancies at Lot 6081 (No. 182) Scarborough Beach Road, Scarborough in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of Clause 10.2 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

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

Plan/ Document Name	Reference	Date
Location Plan	A0:01	18 December 2025
Street Profile – Proposed Scarborough Beach Road	A0:02	18 December 2025
Survey Plan	A0:03	18 December 2025
Survey Plan with Ground Floor Plan Overlay	A0:04	18 December 2025
Car Turning	SK-1	24 June 2026
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Section Plans	A1:06	18 December 2025
Shadow Plan – 21 June – 9am	A2:01	18 December 2025
Shadow Plan – 21 June – Noon	A2:02	18 December 2025
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Solar Access Plan – 21 June – 9am	A2:04	18 December 2025
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Breezeways Analysis – Northerly	A2:06	18 December 2025
Breezeways Analysis – Easterly	A2:07	18 December 2025
Breezeways Analysis – Southerly	A2:08	18 December 2025
Breezeways Analysis – Westerly	A2:09	18 December 2025
Landscape Plan	N/A	19 May 2025
Transport Impact Statement	N/A	September 2025
Sustainable Design Assessment Report	N/A	29 October 2025
Acoustic Report	N/A	27 February 2025
Waste Management Plan	N/A	18 June 2025



2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 20 August 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
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. The Ground Floor Plan and First Floor Plan (A1:01), Plot Ratio Plan (A1:03), Floor Plan Communal / Private Open Space (A1:04) and the Landscape Plan are to be amended to include the bin pad area adjoining Pingrup Lane and vehicle turning bay.

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 occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the provided landscape plan for the duration of the development, to the satisfaction of the City of Stirling.
8. 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

9. Prior to occupation, 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.
10. 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

11. All recommendations provided in the Acoustic Report prepared by E-LAB Consulting received 26 March 2026, are to be implemented, to the satisfaction of the City of Stirling.
12. Prior to the submission of the Building Permit application, the landowner is to provide written confirmation that all recommendations in the Acoustic Report have been incorporated into the building design, with the certified Building Permit application, to the satisfaction of the City of Stirling.
13. Prior to the commencement of use, the landowner shall provide consent to a Notification, pursuant to Section 70A of the Transfer of Lands Act 1893 being placed on the Certificate(s) of Title of Lot No.6081 (No 182) Scarborough Beach Road, Doubleview:

'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.'

14. 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.



Dale Page
Presiding Member, Metro Inner DAP

Parking and Vehicle Access

15. The minimum number and allocation of car parking and bicycle bays on-site is to be provided as follows:
 - a. 10 residential car parking bays;
 - b. 1 residential visitor car parking bays;
 - c. 1 commercial car parking bays;
 - d. 6 residential bicycle parking spaces.
16. 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.
17. 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.
18. Visitor car and bicycle parking bays shall be permanently marked, signposted, maintained and accessible at all times for use exclusively by visitors to the property.
19. 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.
20. The crossover shall be designed, constructed, and installed prior to occupation of the development to the satisfaction of the City of Stirling.
21. Prior to the occupation of the development, 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.

Development Contributions

22. 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 Local Planning Policy 6.12 – Public Art on Private Land must be submitted to, and approved by, the City of Stirling, on advice from the City of Stirling Public Art Panel.
23. Prior to the occupation of the development, the approved public art proposal shall be completed and installed by the developer and maintained thereafter by the owners of the development, in accordance with LPP6.12, to the satisfaction of the City of Stirling.



Utilities, Facilities and External Fixtures

24. 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

25. 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

26. The development is to comply with the Waste Management Plan prepared by Talis Consultants received 26 March 2026 with the following modifications with the following modifications:
- a. The Waste Management Plan is to be amended to reflect the revised 6 x 240L general waste bins and 4 x 360L recycling bins to be collected once a week.
27. Prior to the occupation of the development the 2.1m wide setback area adjoining Pingrup Lane is to be converted into permeable hard stand for bin placement.
28. 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.
29. Prior to the submission of a Building Permit application, a Stormwater Management Plan shall be submitted to and approved by the City of Stirling.

Engineering

30. The landowner is required at their expense, to remove all structures and development located within the Other Regional Road reservation and Planning Control Area 166 at the time when the reserved land is required for the upgrading of Scarborough Beach Road.
31. Prior the occupation of the development, the speedhump adjoining Pingrup Lane is to be relocated approximately 4.5m eastward and clear of the drainage pit at the landowners expense to the satisfaction of the City.



32. Prior to the occupation of the development, the right of way Pingrup Lane along the north boundary of the subject land is to be widened by 0.49m by the landowner, and the required land ceded free of costs to the Crown, to the satisfaction of the City.
33. Prior to the commencement of works, the landowner is to submit construction drawings for the proposed road widening works for approval by the City.
34. Prior to the submission of a Building Permit application, a performance bond equivalent to the estimated cost of the road widening works as determined by the City is required to be deposited with the City.
35. Prior to the submission of a Building Permit application, amended plans accurately showing the existing kerb line, proposed kerb line, proposed and existing drainage capture pit and street light in their correct locations are to be provided to the City.

General

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.
37. Prior to the lodgement of a building permit application, the owner must pay to the City a development contribution towards the cost of providing lighting infrastructure in the right of way Pingrup Lane abutting the land in accordance with the City's Local Planning Scheme No. 3. The contribution must be made to the City at or before the time an application is made for a building permit or within 60 days from the commencement of the development, whichever occurs first.

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.



Dale Page
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. 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.



Dale Page
Presiding Member, Metro Inner DAP

12. A monetary contribution towards the ROW lighting infrastructure Pingrup Lane will need to be paid by the applicant/landowner in order to satisfy this condition of approval. The required contribution amount is currently estimated to be \$4,179.01. Please note this is only an estimate which is subject to change and the amount payable will need to be confirmed with the City prior to payment.

Landscaping

13. 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

14. 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

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

Development Contributions

16. In relation to the Public Art condition, please refer to the City of Stirling Developer's Guide to Public Art and the City of Stirling Public Art Masterplan

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$80,000.

Waste Management

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



Road Widening

18. Planning Control Area 166 Scarborough Beach Road (from Hinderwell Street to Odin Road and from King Edward Road to Main Street) affects the subject site as shown on Western Australian Planning Commission (WAPC) plan number 1.3169/1. The declaration remains in effect for a period of five years from the date of publication of the notice in the Government Gazette, being 28 September 2021, or until revoked by the WAPC with approval by the Minister, whichever is the sooner. A person shall not commence and carry out development in a planning control area without the prior approval of the WAPC.

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

REASON: Although the proposed built form appears somewhat incongruous with the existing streetscape immediately adjoining and surrounding the site, the Panel supported the proposal because it is consistent with the future vision for the area, as reflected in the objectives of the Mixed-Use zone under LPS 3 and the objectives of the Local Development Plan (LDP) applicable to the site.

The planning assessment provided by the City in Attachment 6 demonstrates that the proposal also generally complies with the detailed development provisions of the LDP, the applicable provisions of clause 67 of the Regulations, and the Local Planning Policies applicable to the development, including the design guidelines for Mixed-Use areas.

Although discretion is sought for a four-storey height along Pingrup Lane, the Panel was satisfied that the additional height would not result in any significant amenity impacts on the right of way or adjoining neighbours, given the substantial setback of the fourth storey from the laneway and the visual relief provided by the proposed soft landscaping.

The Panel was also satisfied that the proposed setback variations are minor and will have a negligible impact on the streetscape or adjoining neighbours. The remainder of the building is set back further than required, which softens the impact of its bulk. In addition, overshadowing and overlooking will either have no undue impact on neighbouring properties or be appropriately addressed through conditions of approval.

The Panel supported the exercise of discretion regarding the shortfall of two residential visitor bays and six non-residential bays. This was based on the justification provided in the applicant's Transport Impact Statement and the City's RAR, which indicated that the proposed parking provision is acceptable and workable, given the site's accessibility to public transport and the availability of nearby on-street and off-street parking bays during peak demand periods for the commercial tenancies.

Pedestrian safety was raised as a concern during public consultation. However, the Panel was satisfied that safety would be enhanced by removing the existing crossover on Scarborough Beach Road and providing a single access point from Pingrup Lane. The proposed development was reviewed by the City's Design Review Panel on three occasions, and the Panel was satisfied that the final amended plans address the relevant matters raised through that process.



4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Cr Suzanne Migdale and Cr Rob Paparde (Local Government DAP Members, City of Stirling) joined the panel at 10:49am.



Dale Page
Presiding Member, Metro Inner DAP

PART C – TOWN OF BASSENDEAN

Cr Hayden Long and Cr Jennie Carter (Local Government DAP Members, Town of Bassendean) joined the panel at 10:53am.

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 3.1 Lot 75 (No.72) Walter Road East, Eden Hill - Lot 75 (No.72) Walter Road East, Eden Hill – DAP/26/03107

Deputations

Andra Biondi (Urbanista Town Planning) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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

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

SUBSTANTIVE MOTION

Moved by: Cr Jennie Carter

Seconded by: Cr Hayden Long

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

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/26/03107 for a Child Care Premises at Lot 75 (72) Walter Road East, Eden Hill in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the Town of Bassendean Local Planning Scheme No. 11, subject to the following conditions:



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

Plan/ Document Name	Reference	Date
Development Plans - Cover Page - 3D perspectives - Existing Site Survey - Site Plan - Ground Floor - First Floor - Roof Plan - Elevations (11 of 13) - Elevations (12 of 13) - Solar Study	25071 Revision 10.00	31.7.2026
Amended Operational Management Plan		28.07.2026
Landscape and Outdoor Play Area Plans - Shade Plan - Planting Plan	L-03 Revision 0 L-02 Revision 0	26.03.2026 26.03.2026
Transport Impact Statement Supplementary Letter	Revision r01b t26.053.wt.l01	06.07.2026 03.08.2026

2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 20 August 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. This approval is for a 'Child Care Premises' as defined under the Town of Bassendean Local Planning Scheme No. 11.

Operational

4. This Child Care Premises shall operate in accordance with the Operational Management Plan, prepared by Nourished Early Learning (28 July 2026), at all times, except where otherwise modified or required by a condition of this approval, to the satisfaction of the Town of Bassendean.
5. The 'Child Care Premises' shall accommodate a maximum of 55 children at any one time.
6. No more than 12 staff are permitted to be present on site at any one time.
7. The Child Care Premises is permitted to operate between 7:00am and 6:00pm, Monday to Friday only.



Dale Page
Presiding Member, Metro Inner DAP

Built form

8. All works, including earthworks and footings, are to be contained within the boundaries of the subject lot, with the exception of the proposed awning which extends over the Walter Road East 'Other Regional Road' reserve.

Stormwater

9. Stormwater must be contained and disposed of onsite. If ground conditions are deemed unsuitable for onsite disposal via infiltration (as verified by a geotechnical investigation), a combination of utilising the Town's stormwater drainage system and containment onsite will be permitted at the landowner/developers cost. Prior to the submission of an application for a building permit, a stormwater management plan providing details and calculations must be submitted for approval by the Town of Bassendean.

Parking & Vehicle Access

10. Prior to the submission of an application for a Building Permit, an updated Operational Management Plan must be submitted to and approved by the Town of Bassendean. The updated Operational Management Plan must include a Parking Management Plan that establishes the allocation of bays onsite and the following parking hierarchy for staff:
 - a. staff are to utilise available on-site parking bays in the first instance;
 - b. where all on-site parking bays are occupied, staff are to utilise available on-street parking bays along Cumberland Way; and
 - c. only where the above parking options are unavailable, staff may utilise available on-street parking bays along Marion Street.
11. Prior to the submission of an application for a building permit, engineering drawings must be submitted to, and approved by the Town of Bassendean depicting the relocation, upgrade and/or modification to landscaping, services, footpath, signage and other infrastructure within the verge, to the satisfaction of the Town of Bassendean.
12. Prior to the initial occupation or use, 8 car parking bays must be provided onsite in accordance with the approved plans. Car parking bays and manoeuvring spaces must comply with the Australian Standard AS/NZ 2890.1:2004 – Parking Facilities – Off-Street Car Parking. Accessible parking bay/s must comply with AS/NZ 2890.6:2009 – Parking Facilities – Off-street parking for people with disabilities and be maintained onsite for the life of the development.



13. Prior to the initial occupation or use, 2 bicycle parking bays must be provided onsite in accordance with the approved plans. Bicycle parking facilities shall comply with AS/NZ 2890.3:2015 – Parking Facilities Part 3 – Bicycle Parking and be maintained onsite for the life of the development.
14. Prior to the initial occupation or use, vehicle parking, access and circulation areas onsite must be sealed, kerbed, drained and line marked in accordance with approved plans to the satisfaction of the Town of Bassendean.
15. The proposed crossover shall be constructed in accordance with the Town of Bassendean's crossover specifications. Separate approval is to be obtained from the Town of Bassendean's Asset Services for the proposed crossover, and the crossover being constructed in accordance with that approval.

Waste

16. Prior to applying for a Building Permit, an updated Waste Management Plan which is consistent with the approved plans, is to be submitted, approved and thereafter implemented to the satisfaction of the Town of Bassendean.
17. Waste storage areas shall be maintained in a clean and tidy condition at all times.

Trees and Landscaping

18. Prior to applying for a Building Permit, a detailed Landscaping Plan, consistent with the approved development plans, is to be submitted, approved and thereafter implemented to the satisfaction of the Town of Bassendean. An acceptable landscaping plan must:
 - a. Include all aspects of landscaping and outdoor space;
 - b. Identify the individual, existing regulated trees to be retained as part of the development;
 - c. Detail the location and type of proposed trees, shrubs, ground cover and lawn areas to be planted;
 - d. Detail landscaping of the verge areas adjacent to the development site; and
 - e. Detail the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months.
19. Prior to the commencement of any site works, a Tree Protection Plan is to be submitted and approved by the Town of Bassendean which identifies trees both within the subject site, and on adjoining sites which will be affected by works associated with the proposed development. The approved Tree Protection Plan must thereafter be implemented for the duration of the works, to the satisfaction of the Town of Bassendean.



20. Prior to the commencement of any site works, tree protection measures shall be installed and maintained for the duration of the works in accordance with AS 4970–2009 Protection of Trees on Development Sites. The protection measures shall:
- Establish Tree Protection Zones (TPZs) around all trees nominated for retention on the approved plans;
 - Include protective fencing located at the extent of the TPZ, unless otherwise approved by the local government;
 - Prevent the storage of materials, parking of vehicles, placement of site facilities, excavation, filling, trenching, soil compaction or any other activity likely to damage the retained trees within the TPZ;
 - Be maintained in good condition for the duration of construction works.

Any pruning or root disturbance associated with the development shall be undertaken in accordance with AS 4970–2009 and carried out by a suitably qualified arborist.

Sustainability

21. Prior to the submission of an application for a Building Permit, an Environmentally Sustainable Design (ESD) Report shall be prepared by a suitably qualified person and submitted to, and approved by, the Town of Bassendean. The report shall identify the sustainability measures incorporated into the development, including (where relevant) energy efficiency, water efficiency, building materials, waste management, urban greening, climate resilience and indoor environmental quality, and demonstrate how the development meets the Town's sustainability objectives. The approved ESD Report shall form part of the development approval, and the development shall be constructed and operated in accordance with the approved report to the satisfaction of the Town of Bassendean.

Noise

22. The development shall be carried out and operated in accordance with the recommendations and requirements of the acoustic report prepared by SLR Consulting Australia Pty Ltd dated 27 March 2026.

Construction

23. In conjunction with an application for a Building Permit, a Construction Management Plan (CMP) must be submitted to and approved by the Town of Bassendean, and thereafter implemented to the satisfaction of the Town. The CMP must detail the management practices to be implemented during construction, including, but not limited to, noise, dust, odour, waste management, construction-related parking, and the movement and management of delivery vehicles.



24. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out to determine if remediation is required. If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to the issuance of a Building Permit to the satisfaction of the Town of Bassendean on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.

Public Art

25. Prior to applying for a Building Permit, the owner is to comply with the Town of Bassendean Local Planning Policy No. 15 - Percent for Art Policy through the contribution of a sum of 1% of the estimated cost of the development towards public art, being either:
- a. Payment to the Town of Bassendean the sum of 1% cash-in-lieu amount. This must be paid to the Town prior to the date specified in an invoice issued by the Town of Bassendean, or prior to applying for a building permit for the development the subject of the approval, whichever occurs first, or
 - b. The provision of public art on site to a minimum value of the 1\$ contribution amount. Please note in providing the public art;
 - i. The owner(s) or applicant on behalf of the owner(s) must seek approval from the Town for a specified Public Art work including the artist proposed to undertake the work to the satisfaction of the Town of Bassendean.
 - ii. No part of the development may be occupied or used unless the Public Art has been installed in accordance with the approval granted by the Town of Bassendean; and
 - iii. The Public Art approved must be maintained in compliance with the conditions of approval for the public art proposal to the satisfaction of the Town of Bassendean.

Signage

26. Any signage installed onsite being flush mounted, or painted onto the building and/or fence, to the satisfaction of the Town of Bassendean.
27. Signage shall be located wholly within the boundaries of the subject property.
28. The applicant must hold and maintain a current Public Liability Insurance Policy with indemnity of not less than \$20,000,000. Upon request, a Certificate of Currency must be provided to the Town of Bassendean prior to the commencement of any construction activities.



Advice Notes

- i. Whilst awning structures are placed over public land, the maintenance and upkeep of the awning remains the responsibility of the landowner. All structures must be properly maintained and the landowner is required to ensure the awning is subject to regular assessment and maintenance. It is essential that an appropriate insurance policy is in place addressing potential liabilities that may arise in relation to the awning. Evidence that a current policy is in place should be provided to the Town. It may be of benefit to ask your insurer to list the Town as an interested party. In doing so, the Town is automatically kept informed that the policy remains current.
- ii. The approved development constitutes a 'food business' pursuant to the Food Act 2008 and is required to comply with the Food Act 2008, Food Regulations 2009 and the Australia New Zealand Food Standards Code.
- iii. Separate approval from the Town's Health Services is required prior to occupation and operation of the food business.
- iv. All plant, equipment and mechanical services shall be located, designed and operated to ensure compliance with the Environmental Protection (Noise) Regulations 1997.
- v. Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines. (Department of Water and Environmental Regulation)
- vi. All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011.
- vii. In accordance with regulation 31(1)(c) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with Condition 24. A current list of accredited auditors is available from www.dwer.wa.gov.au.
- viii. In accordance with Town of Bassendean Local Planning Policy No.13 - Tree Retention and Provision, the definition of a regulated tree is:

A living tree that:

- a) *Is over 8m in height; and/or*
- b) *has an average canopy diameter of at least 6m; and/or*
- c) *has a trunk circumference of at least 1.5m, measured 1.4m above the ground; and*
- d) *is of a species that is not included on State or local area weed registers.*



AMENDING MOTION 1

Moved by: Clayton Higham

Seconded by: Cr Hayden Long

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

*staff are to utilise available on-site **staff** parking bays in the first instance;*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To improve the clarity of the condition and avoid ambiguity regarding the allocation of on-site parking bays for staff.

AMENDING MOTION 2

Moved by: Dale Page

Seconded by: Clayton Higham

That Condition No.15 be deleted and added as a new Advice Note No. ix and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The requirement is addressed through a separate process and is therefore better suited to an Advice Note.

AMENDING MOTION 3

Moved by: Dale Page

Seconded by: Clayton Higham

That Condition No.18 (now No.17) be amended to read as follows:

*Prior to applying for a Building Permit, a detailed Landscaping Plan, consistent with the approved development plans, is to be submitted **and** approved ~~and thereafter implemented to the satisfaction of~~ **by** the Town of Bassendean. **The approved Landscaping Plan shall be implemented prior to occupation, to the satisfaction of the Town of Bassendean.** ~~An acceptable landscaping plan must:~~ **The balance of detail can follow:***

- a. Include all aspects of landscaping and outdoor space;*
- b. Identify the individual, existing regulated trees to be retained as part of the development;*
- c. Detail the location and type of proposed trees, shrubs, ground cover and lawn areas to be planted;*
- d. Detail landscaping of the verge areas adjacent to the development site; and*
- e. Detail the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months.*



Dale Page
Presiding Member, Metro Inner DAP

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The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The current condition requires implementation of the Landscaping Plan but does not specify when implementation must occur.

AMENDING MOTION 4

Moved by: Dale Page

Seconded by: Cr Jennie Carter

That Condition No. 25 a. (now 24 a.) be amended to read as follows:

~~Prior to applying for a Building Permit, the owner is to comply with the Town of Bassendean Local Planning Policy No. 15 - Percent for Art Policy through the contribution of a sum of 1% of the estimated cost of the development towards public art, being either:~~

- a. *Payment to the Town of Bassendean the sum of 1% cash-in-lieu amount. This must be paid to the Town prior to the date specified in an invoice issued by the Town of Bassendean, ~~or prior to applying for a building permit for the development the subject of the approval,~~ **or prior to occupation** whichever occurs first, or*
- b. *The provision of public art on site to a minimum value of the ~~4\$~~ **1%** contribution amount. Please note in providing the public art;*
 - i. *The owner(s) or applicant on behalf of the owner(s) must seek approval from the Town for a specified Public Art work including the artist proposed to undertake the work to the satisfaction of the Town of Bassendean.*
 - ii. *No part of the development may be occupied or used unless the Public Art has been installed in accordance with the approval granted by the Town of Bassendean; and*
 - iii. *The Public Art approved must be maintained in compliance with the conditions of approval for the public art proposal to the satisfaction of the Town of Bassendean.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: It is more reasonable to require payment of the cash-in-lieu contribution for public art prior to occupation, rather than prior to the issue of a building permit, because applying for and obtaining a building permit does not guarantee that the development will proceed.



AMENDING MOTION 5

Moved by: Dale Page

Seconded by: Clayton Higham

That Condition No. 28 (now No.27) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: A requirement to hold public liability insurance is not a valid planning condition. Although the requirement relates to the proposed awning within the road reserve, it is more appropriately included as an Advice Note, which has already been provided.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to **APPROVE** DAP Application reference DAP/26/03107 for a Child Care Premises at Lot 75 (72) Walter Road East, Eden Hill in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the Town of Bassendean Local Planning Scheme No. 11, subject to the following conditions:

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

Plan/ Document Name	Reference	Date
Development Plans - Cover Page - 3D perspectives - Existing Site Survey - Site Plan - Ground Floor - First Floor - Roof Plan - Elevations (11 of 13) - Elevations (12 of 13) - Solar Study	25071 Revision 10.00	31.7.2026
Amended Operational Management Plan		28.07.2026
Landscape and Outdoor Play Area Plans - Shade Plan - Planting Plan	L-03 Revision 0 L-02 Revision 0	26.03.2026 26.03.2026
Transport Impact Statement	Revision r01b	06.07.2026
Supplementary Letter	t26.053.wt.l01	03.08.2026



Dale Page
Presiding Member, Metro Inner DAP

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2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 20 August 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. This approval is for a 'Child Care Premises' as defined under the Town of Bassendean Local Planning Scheme No. 11.

Operational

4. This Child Care Premises shall operate in accordance with the Operational Management Plan, prepared by Nourished Early Learning (28 July 2026), at all times, except where otherwise modified or required by a condition of this approval, to the satisfaction of the Town of Bassendean.
5. The 'Child Care Premises' shall accommodate a maximum of 55 children at any one time.
6. No more than 12 staff are permitted to be present on site at any one time.
7. The Child Care Premises is permitted to operate between 7:00am and 6:00pm, Monday to Friday only.

Built form

8. All works, including earthworks and footings, are to be contained within the boundaries of the subject lot, with the exception of the proposed awning which extends over the Walter Road East 'Other Regional Road' reserve.

Stormwater

9. Stormwater must be contained and disposed of onsite. If ground conditions are deemed unsuitable for onsite disposal via infiltration (as verified by a geotechnical investigation), a combination of utilising the Town's stormwater drainage system and containment onsite will be permitted at the landowner/developers cost. Prior to the submission of an application for a building permit, a stormwater management plan providing details and calculations must be submitted for approval by the Town of Bassendean.

Parking & Vehicle Access

10. Prior to the submission of an application for a Building Permit, an updated Operational Management Plan must be submitted to and approved by the Town of Bassendean. The updated Operational Management Plan must include a Parking Management Plan that establishes the allocation of bays onsite and the following parking hierarchy for staff:



- a. staff are to utilise available on-site staff parking bays in the first instance;
 - b. where all on-site parking bays are occupied, staff are to utilise available on-street parking bays along Cumberland Way; and
 - c. only where the above parking options are unavailable, staff may utilise available on-street parking bays along Marion Street.
11. Prior to the submission of an application for a building permit, engineering drawings must be submitted to, and approved by the Town of Bassendean depicting the relocation, upgrade and/or modification to landscaping, services, footpath, signage and other infrastructure within the verge, to the satisfaction of the Town of Bassendean.
 12. Prior to the initial occupation or use, 8 car parking bays must be provided onsite in accordance with the approved plans. Car parking bays and manoeuvring spaces must comply with the Australian Standard AS/NZ 2890.1:2004 – Parking Facilities – Off-Street Car Parking. Accessible parking bay/s must comply with AS/NZ 2890.6:2009 – Parking Facilities – Off-street parking for people with disabilities and be maintained onsite for the life of the development.
 13. Prior to the initial occupation or use, 2 bicycle parking bays must be provided onsite in accordance with the approved plans. Bicycle parking facilities shall comply with AS/NZ 2890.3:2015 – Parking Facilities Part 3 – Bicycle Parking and be maintained onsite for the life of the development.
 14. Prior to the initial occupation or use, vehicle parking, access and circulation areas onsite must be sealed, kerbed, drained and line marked in accordance with approved plans to the satisfaction of the Town of Bassendean.

Waste

15. Prior to applying for a Building Permit, an updated Waste Management Plan which is consistent with the approved plans, is to be submitted, approved and thereafter implemented to the satisfaction of the Town of Bassendean.
16. Waste storage areas shall be maintained in a clean and tidy condition at all times.

Trees and Landscaping

17. Prior to applying for a Building Permit, a detailed Landscaping Plan, consistent with the approved development plans, is to be submitted and approved by the Town of Bassendean. The approved Landscaping Plan shall be implemented prior to occupation, to the satisfaction of the Town of Bassendean. The balance of detail can follow:
 - a. Include all aspects of landscaping and outdoor space;
 - b. Identify the individual, existing regulated trees to be retained as part of the development;



- c. Detail the location and type of proposed trees, shrubs, ground cover and lawn areas to be planted;
 - d. Detail landscaping of the verge areas adjacent to the development site; and
 - e. Detail the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months.
18. Prior to the commencement of any site works, a Tree Protection Plan is to be submitted and approved by the Town of Bassendean which identifies trees both within the subject site, and on adjoining sites which will be affected by works associated with the proposed development. The approved Tree Protection Plan must thereafter be implemented for the duration of the works, to the satisfaction of the Town of Bassendean.
19. Prior to the commencement of any site works, tree protection measures shall be installed and maintained for the duration of the works in accordance with AS 4970–2009 Protection of Trees on Development Sites. The protection measures shall:
- a. Establish Tree Protection Zones (TPZs) around all trees nominated for retention on the approved plans;
 - b. Include protective fencing located at the extent of the TPZ, unless otherwise approved by the local government;
 - c. Prevent the storage of materials, parking of vehicles, placement of site facilities, excavation, filling, trenching, soil compaction or any other activity likely to damage the retained trees within the TPZ;
 - d. Be maintained in good condition for the duration of construction works.

Any pruning or root disturbance associated with the development shall be undertaken in accordance with AS 4970–2009 and carried out by a suitably qualified arborist.

Sustainability

20. Prior to the submission of an application for a Building Permit, an Environmentally Sustainable Design (ESD) Report shall be prepared by a suitably qualified person and submitted to, and approved by, the Town of Bassendean. The report shall identify the sustainability measures incorporated into the development, including (where relevant) energy efficiency, water efficiency, building materials, waste management, urban greening, climate resilience and indoor environmental quality, and demonstrate how the development meets the Town's sustainability objectives. The approved ESD Report shall form part of the development approval, and the development shall be constructed and operated in accordance with the approved report to the satisfaction of the Town of Bassendean.

Noise

21. The development shall be carried out and operated in accordance with the recommendations and requirements of the acoustic report prepared by SLR Consulting Australia Pty Ltd dated 27 March 2026.



Construction

22. In conjunction with an application for a Building Permit, a Construction Management Plan (CMP) must be submitted to and approved by the Town of Bassendean, and thereafter implemented to the satisfaction of the Town. The CMP must detail the management practices to be implemented during construction, including, but not limited to, noise, dust, odour, waste management, construction-related parking, and the movement and management of delivery vehicles.
23. Prior to commencement of development works, investigation for soil and groundwater contamination is to be carried out to determine if remediation is required. If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to the issuance of a Building Permit to the satisfaction of the Town of Bassendean on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.

Public Art

24. The owner is to comply with the Town of Bassendean Local Planning Policy No. 15 - Percent for Art Policy through the contribution of a sum of 1% of the estimated cost of the development towards public art, being either:
 - a. Payment to the Town of Bassendean the sum of 1% cash-in-lieu amount. This must be paid to the Town prior to the date specified in an invoice issued by the Town of Bassendean or prior to occupation whichever occurs first, or
 - b. The provision of public art on site to a minimum value of the 1% contribution amount. Please note in providing the public art;
 - i. The owner(s) or applicant on behalf of the owner(s) must seek approval from the Town for a specified Public Art work including the artist proposed to undertake the work to the satisfaction of the Town of Bassendean.
 - ii. No part of the development may be occupied or used unless the Public Art has been installed in accordance with the approval granted by the Town of Bassendean; and
 - iii. The Public Art approved must be maintained in compliance with the conditions of approval for the public art proposal to the satisfaction of the Town of Bassendean.

Signage

25. Any signage installed onsite being flush mounted, or painted onto the building and/or fence, to the satisfaction of the Town of Bassendean.
26. Signage shall be located wholly within the boundaries of the subject property.



Advice Notes

- i. Whilst awning structures are placed over public land, the maintenance and upkeep of the awning remains the responsibility of the landowner. All structures must be properly maintained and the landowner is required to ensure the awning is subject to regular assessment and maintenance. It is essential that an appropriate insurance policy is in place addressing potential liabilities that may arise in relation to the awning. Evidence that a current policy is in place should be provided to the Town. It may be of benefit to ask your insurer to list the Town as an interested party. In doing so, the Town is automatically kept informed that the policy remains current.
- ii. The approved development constitutes a 'food business' pursuant to the Food Act 2008 and is required to comply with the Food Act 2008, Food Regulations 2009 and the Australia New Zealand Food Standards Code.
- iii. Separate approval from the Town's Health Services is required prior to occupation and operation of the food business.
- iv. All plant, equipment and mechanical services shall be located, designed and operated to ensure compliance with the Environmental Protection (Noise) Regulations 1997.
- v. Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines. (Department of Water and Environmental Regulation)
- vi. All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011.
- vii. In accordance with regulation 31(1)(c) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with Condition 24. A current list of accredited auditors is available from www.dwer.wa.gov.au.
- viii. In accordance with Town of Bassendean Local Planning Policy No.13 - Tree Retention and Provision, the definition of a regulated tree is:

A living tree that:

- a) *Is over 8m in height; and/or*
- b) *has an average canopy diameter of at least 6m; and/or*
- c) *has a trunk circumference of at least 1.5m, measured 1.4m above the ground; and*
- d) *is of a species that is not included on State or local area weed registers.*



- ix. The proposed crossover shall be constructed in accordance with the Town of Bassendean's crossover specifications. Separate approval is to be obtained from the Town of Bassendean's Asset Services for the proposed crossover, and the crossover being constructed in accordance with that approval.

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

REASON: The site is well located for a Child Care Premises, as it is within a Local Centre and adjacent to a primary school. The proposal meets the objectives of the Local Centre zone by providing a facility that will serve the local community and is compatible with the surrounding area in terms of use, scale and character. The design also reflects heritage elements and materials found in nearby houses and shopfronts.

The development meets the built-form requirements of the Town's Commercial and Mixed-Use policy and was largely supported by the Town's Design Review Panel. The applicant amended the proposal in response to issues raised through the design review process.

In relation to parking, the proposal has a shortfall of 10 bays against the requirements of the Town's parking policy if the proposed verge bays are excluded. However, it aligns with the minimum car-parking rates suggested by the WA Planning Manual. The analysis of likely parking demand in the applicant's Transport Impact Statement supports the proposed shortfall, having regard to the number of children and staff, the availability of on-street parking bays during school off-peak periods, and access to public transport routes and intermodal connections. The Town's technical officers supported the findings and recommendations of the Transport Impact Statement. The Panel was therefore satisfied that the proposed parking provision would meet the needs of the child care premises.

The Panel noted some support for thinning the trees at the rear of the site, but also noted uncertainty about whether those trees are located within the site. Following questions to the Town's officers, the Panel was satisfied that the requirement for a detailed Landscaping Plan would address this issue appropriately.

The Panel also noted that noise likely to emanate from the centre is predicted to comply with the assigned levels under the Noise Regulations and would not have an undue impact on nearby sensitive receivers.

Finally, the Panel noted that only one submission was received during public consultation and that the submission supported the proposal. Such support is uncommon for applications for Child Care Premises and reflects the site-responsive design and suitable location proposed for the Child Care Premises.



Dale Page
Presiding Member, Metro Inner DAP

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil



Dale Page
Presiding Member, Metro Inner DAP

PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

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

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02317 DR81/2023	City of Vincent	41-43 and 45 Angove Street, North Perth	Proposed Service Station	31/05/2023
DAP/20/01911 DR192/2024	Town of Cambridge	Lot 800 (29-33) Northwood Street, West Leederville	Three storey care premises and associated office	16/12/2024
DAP/25/02994 DR41/2026	City of Fremantle	Lot 21 (242) Marine Terrace, South Fremantle	5 (5) Storey Multiple Dwelling	24/03/2026
DAP/25/03019 DR/91/2026	Town of Cambridge	Lot 101 (No.95-99) Cambridge Street and Lot 4, (No. 17) Kerr Street, West Leederville	Additions and Alterations to Existing Tavern	18/06/2026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:25am.

