



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 12 August 2025; 9:30am
Meeting Number: MIDAP/91
Meeting Venue: 140 William Street, Perth

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

[MIDAP/91 - 12 August 2025 - City of Bayswater - City of Fremantle](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF BAYSWATER

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lot 500, 43-53 Eighth Avenue, Maylands - Development of a mixed used apartment development - Increased building height, reduced number of dwellings, modified building footprint, setbacks and façade, and modified internal layout – DAP20/01892
5. Section 31 SAT Reconsiderations

PART C – CITY OF FREMANTLE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lot 8 (No.19) Essex Street, Fremantle - 3 Storey Tourist Development - Removal of 4th level and increase in number of beds – DAP/24/02724
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

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

Francesca Lefante
Presiding Member, Metro Inner DAP



ATTENDANCE	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Francesca Lefante (Presiding Member)	Kristen Parker
Karen Hyde (Deputy Presiding Member)	Tenielle Brownfield
Tony Arias	Ashlee Kelly
<i>Part B – City of Bayswater</i>	
<i>Local Government DAP Members</i>	<i>Officers/Technical Advisors in Attendance</i>
Mayor Filomena Piffaretti	Adrian Di Nella
Cr Josh Eveson	Nick Berton
	Michael Robson
<i>Part C – City of Fremantle</i>	
<i>Local Government DAP Members</i>	<i>Officers/Technical Advisors in Attendance</i>
Cr Andrew Sullivan	Jonathan Dornan
Cr Ingrid Van Dorssen	

Francesca Lefante
Presiding Member, Metro Inner DAP



Applicant and Submitters
<i>Part B – City of Bayswater</i>
Mitchell Cook (Klopper & Davis Architects) Emmerson Dodds (ADC Property)
<i>Part C – City of Fremantle</i>
Catriona Gregg Michael Stocco (Developed) Susanne Pini (Hames Sharley) Matthew Rawlinson (Belingbak) Tim Alpe (LyLo)

Members of the Public / Media

Nil.

Observers via livestream

There were 40 persons observing the meeting via the livestream.

Francesca Lefante
Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:32am on 12 August 2025 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 2024 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. Members on Leave of Absence

Nil.

4. Noting of Minutes

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

Francesca Lefante
Presiding Member, Metro Inner DAP



PART B – CITY OF BAYSWATER

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

Nil.

4. Form 2 DAP Applications

4.1 Lot 500, 43-53 Eighth Avenue, Maylands - Development of a mixed used apartment development - Increased building height, reduced number of dwellings, modified building footprint, setbacks and façade, and modified internal layout – DAP20/01892

Deputations

Mitch Cook (Klopper & Davis Architects) addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.

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

PRIMARY MOTION

Moved by: Karen Hyde

Seconded by: Tony Arias

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/20/01892 as detailed on the DAP Form 2 dated 28 February 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/20/01892 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Bayswater Town Planning Scheme No. 24, for the proposed amendments to the approved mixed use development at Lot 500, 43-53 Eighth Avenue, Maylands, subject to the following conditions:

Francesca Lefante
Presiding Member, Metro Inner DAP



Amended Conditions

Amended Condition 3 (DAP Form 1 approval 9 February 2021):

Prior to the occupation of a building permit, a car parking management plan shall be submitted to and approved by the City of Bayswater. The plan shall relate to the use of the ten surplus residential parking bays. The minimum car parking bay allocations shall be available at all times as follows:

- 48 residential car parking bays (1 per dwelling) and;
- 1 ACROD bay.

The plan may include shared, restricted or timed parking arrangements on site to allow these car parking bays on site to be for multiple uses, to be shared amongst the commercial tenancies, loading/unloading, residents, visitor parking and/or rideshare. The car parking management plan may be amended as necessary over the life of the development subject to the satisfaction of the City of Bayswater.

Amended Condition 16 (DAP Form 1 approval 9 February 2021):

Prior to the submission of a building permit application, details of privacy screening to units 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.09, 1.10, 2.01, 2.04, 2.05, 2.06, 2.07 and 2.08 which have major openings directly overlooking other major openings within the development are to be submitted and approved by the City of Bayswater and maintained thereafter to the satisfaction of the City of Bayswater.

Amended Condition 29 (DAP Form 1 approval 9 February 2021):

The approved amended waste management plan prepared by Talis dated 16 July 2025 shall be implemented in its entirety to the satisfaction of the City of Bayswater.

Amended Condition 4 (DAP Form 2 approval 28 April 2022):

Deleted.

New Conditions

1. Written certification demonstrating that the external surface of the roof is a cool roof with a maximum solar absorbance rating of 0.45 in accordance with the City's Sustainability in Design Policy is to be submitted to, and to the satisfaction of the City of Bayswater prior to the lodgement of a building permit application.

Amended Advice Notes

Amended Advice Note 1 (DAP Form 2 approval 28 April 2022):

Deleted.

Francesca Lefante
Presiding Member, Metro Inner DAP



New Advice Notes

1. The documentation phase of the building design should be used to recover the architectural design integrity of the tower element of the building through careful refinement of glazing proportions, articulation strategies, material junctions, and colour selection. These measures will be essential to ensuring the building delivers a strong and enduring architectural presence within the town centre.

All other conditions and requirements detailed on the previous approvals dated 9 February 2021, 28 April 2022 and 19 December 2024 shall remain unless altered by this application.

The Primary Motion was put and CARRIED UNANIMOUSLY.

REASON: Panel Members were of the opinion the modifications do not change the substantive development and are consistent with consideration under DAP Regulation 17. The modifications align with the strategic intent for high quality mix use development supporting economic and community benefit to the area. The design changes achieved DRP support and protect the heritage significant elements. Members supported the exercise of discretion on minor building height and balcony dimensions, and were satisfied the design changes addressed site conditions, retained appropriate accommodation mix, enhanced street and laneway activation, contributing significantly to the character within this established town centre. The panel unanimously supported the proposal.

5. Section 31 SAT Reconsiderations

Nil.

Mayor Filomena Piffaretti and Cr Josh Eveson (Local Government DAP Members, City of Bayswater) left the panel at 9:47am.

Francesca Lefante
Presiding Member, Metro Inner DAP



PART C – CITY OF FREMANTLE

Cr Andrew Sullivan and Cr Ingrid Van Dorssen (Local Government DAP Members, City of Fremantle) joined the panel at 9:49am.

1. Declaration of Due Consideration

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

2. Disclosure of Interests

DAP Members, Cr Andrew Sullivan and Cr Ingrid Van Dorssen, declared an impartiality interest in item 4.1. Both councillors participated in a briefing from City officers in relation to the application.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the DAP Executive Director and Presiding Member determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in the discussion and voting on the item.

3. Form 1 DAP Applications

Nil.

4. Form 2 DAP Applications

4.1 Lot 8 (No.19) Essex Street, Fremantle - 3 Storey Tourist Development - Removal of 4th level and increase in number of beds – DAP/24/02724

Deputations

Catriona Gregg addressed the DAP against the application at Item 4.1.

Michael Stocco and Daniel Paton (Developed) addressed the DAP in support of the application at Item 4.1 and responded to questions from the panel.

Susanne Pini (Hames Sharley) addressed the DAP in support of the application at Item 4.1 and responded to questions from the panel.

Matthew Rawlinson (Belingbak) addressed the DAP and responded to questions from the panel.

Tim Alpe (LyLo) addressed the DAP and responded to questions from the panel.

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

Francesca Lefante
Presiding Member, Metro Inner DAP



PRIMARY MOTION

Moved by: Karen Hyde

Seconded by: Tony Arias

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/24/02724 as detailed on the DAP Form 2 dated 14 May 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/24/02724 and accompanying plans (DA100 Rev. A, DA101 Rev. A, DA102 Rev. A, DA103 Rev. A, DA104 Rev. A, DA105 Rev. A, DA106 Rev. A, DA107 Rev. A, DA200 Rev. A, DA201 Rev. A, DA202 Rev. A, DA203 Rev. A, DA400 Rev. A, DA401 Rev. A, DA500 Rev. A, DA501 Rev. A, DA600 Rev. A, DA700 Rev. A), dated 14 May 2025 (City of Fremantle received date), 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 Fremantle Local Planning Scheme No. 4, subject to the following conditions:

Amended Conditions

12. Prior to lodgement of a Building Permit application for the development hereby approved, details of how the recommendations contained in the Acoustic Report (Ref: 33221-2-24296), prepared by Herring Storer Acoustics dated 28 May 2025, are to be implemented are to be submitted to the satisfaction of the City of Fremantle.
13. Prior to lodgement of a Building Permit application for the development hereby approved, a detailed drawing showing how the windows located on the east, south and west elevation of the three storey addition, are to be screened to address overlooking to the adjoining residential properties. Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle.
17. The waste management plan, prepared by Talis Consultants, dated 9 May 2025 (WMP24011) must be implemented at all times to the satisfaction of the City of Fremantle.

All other conditions and requirements detailed on the previous approval dated 3 December 2024 shall remain unless altered by this application.

Francesca Lefante
Presiding Member, Metro Inner DAP



AMENDING MOTION 1

Moved by: Karen Hyde

Seconded by: Cr Andrew Sullivan

That Condition No.17 be amended to read as follows:

~~*The waste management plan, prepared by Talis Consultants, dated 9 May 2025 (WMP24011) must be implemented at all times to the satisfaction of the City of Fremantle.*~~

Prior to lodgement of a Building Permit application for the development hereby approved, the owner is to submit an amended waste management plan for approval by the City of Fremantle, detailing at a minimum the following:

- ***Estimated waste generation***
- ***Proposed storage of receptacles***
- ***Collection methodology for waste***
- ***Restriction of disposal times for waste into storage receptacles (note: waste is not to be disposed into storage receptable before 7am or after 9pm).***
- ***Operation of the automatic door to the bin storage area (note: the door to the bin storage area is to remain closed when waste is not being disposed).***
- ***Additional management requirements to be implemented and maintained for the life of the development.***

The amended Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To include protocols within the waste management plan to address impulsive noise impacts of waste management activities associated with the bin enclosure on the adjoining residential properties.

AMENDING MOTION 2

Moved by: Cr Andrew Sullivan

Seconded by: Cr Ingrid Van Dorssen

That a new Condition No.22 be added to read as follows:

The operating hours of the bar for general public access, and all usage of the outdoor dining area, is to be restricted to between the following hours to the satisfaction of the City of Fremantle:

- a. ***6am and 12 midnight Monday to Sunday***
- b. ***12 noon and 10pm Christmas Day and Good Friday (ancillary to a meal only).***
- c. ***12 noon to 12 midnight ANZAC Day; and***
- d. ***12 midnight to 2am New Years Day additional extended trading hours***

Francesca Lefante
Presiding Member, Metro Inner DAP



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

For: Cr Andrew Sullivan
Cr Ingrid Van Dorssen

Against: Karen Hyde
Francesca Lefante
Tony Arias

PRIMARY MOTION (AS AMENDED)

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/24/02724 as detailed on the DAP Form 2 dated 14 May 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/24/02724 and accompanying plans (DA100 Rev. A, DA101 Rev. A, DA102 Rev. A, DA103 Rev. A, DA104 Rev. A, DA105 Rev. A, DA106 Rev. A, DA107 Rev. A, DA200 Rev. A, DA201 Rev. A, DA202 Rev. A, DA203 Rev. A, DA400 Rev. A, DA401 Rev. A, DA500 Rev. A, DA501 Rev. A, DA600 Rev. A, DA700 Rev. A), dated 14 May 2025 (City of Fremantle received date), 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 Fremantle Local Planning Scheme No. 4, subject to the following conditions:

Amended Conditions

12. Prior to lodgement of a Building Permit application for the development hereby approved, details of how the recommendations contained in the Acoustic Report (Ref: 33221-2-24296), prepared by Herring Storer Acoustics dated 28 May 2025, are to be implemented are to be submitted to the satisfaction of the City of Fremantle.
13. Prior to lodgement of a Building Permit application for the development hereby approved, a detailed drawing showing how the windows located on the east, south and west elevation of the three storey addition, are to be screened to address overlooking to the adjoining residential properties. Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle.

Francesca Lefante
Presiding Member, Metro Inner DAP



17. Prior to lodgement of a Building Permit application for the development hereby approved, the owner is to submit an amended waste management plan for approval by the City of Fremantle, detailing at a minimum the following:

- Estimated waste generation
- Proposed storage of receptacles
- Collection methodology for waste
- Restriction of disposal times for waste into storage receptacles (note: waste is not to be disposed into storage receptable before 7am or after 9pm).
- Operation of the automatic door to the bin storage area (note: the door to the bin storage area is to remain closed when waste is not being disposed).
- Additional management requirements to be implemented and maintained for the life of the development.

The amended Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.

All other conditions and requirements detailed on the previous approval dated 3 December 2024 shall remain unless altered by this application

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

REASON: The Panel were satisfied that the development changes are minor and consistent with consideration under DAP Regulation 17. Members agreed with the officer's assessment that the development intensification by way of additional beds is consistent with the framework and appropriate within the City Centre context. Members gave due consideration of the concerns expressed in the submissions and presentations, and supported additional provisions associated with waste management operations to mitigate noise impacts on the adjoining properties. On balance the proposed modifications, inclusive of a new condition were supported.

5. Section 31 SAT Reconsiderations

Nil.

Francesca Lefante
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/24/02820 DR69/2025	City of Nedlands	Lot 381 (No.6) Alexander Road, Dalkeith	5 Multiple Dwellings	03/06/2025
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

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:27am.

Francesca Lefante
Presiding Member, Metro Inner DAP