



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 3 September 2025; 2:00pm
Meeting Number: MIDAP/95
Meeting Venue: 140 William Street, Perth

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

[MIDAP/95 - 3 September 2025 - City of Subiaco](#)

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 SUBIACO

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 25 (Lot 43) Rowland Street, Subiaco - Seven Storey mixed-use development (18 serviced apartments and one ground floor commercial tenant (shop)) – DAP/25/02924
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

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

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ATTENDANCE	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Clayton Higham (Presiding Member)	Kristen Parker
Francesca Lefante (Deputy Presiding Member)	Ashlee Kelly
John Syme	
<i>Part B – City of Subiaco</i>	
<i>Local Government DAP Members</i>	<i>Officers/Technical Advisors in Attendance</i>
Cr Russell Jones	Brendan Philipps
Cr Penny O'Connor	Anthony Denholm
	Nathan Carbone
	Simon Venturi

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Applicant and Submitters
<i>Part B – City of Subiaco</i>
Janine Marsh (Doepel Marsh Architects) Camden McFarlane (Doepel Marsh Architects) Kim Doepel (Doepel Marsh Architects) Julie Wyatt Shelly Terril Hayley Kershaw Ken Perry

Members of the Public / Media

Nil.

Observers via livestream

There were 5 persons observing the meeting via the livestream.

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PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 2:00pm on 3 September 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](#).

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PART B – CITY OF SUBIACO

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 25 (Lot 43) Rowland Street, Subiaco - Seven Storey mixed-use development (18 serviced apartments and one ground floor commercial tenant (shop)) – DAP/25/02924

Deputations

Ken Perry addressed the DAP in support of the application at Item 3.1.

Janine Marsh (Doepel Marsh Architects) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Camden McFarlane (Doepel Marsh Architects) addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

Kim Doepel (Doepel Marsh Architects) addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

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

PRIMARY MOTION

Moved by: Cr Penny O'Connor

Seconded by: Cr Russell Jones

It is recommended that the Metro Inner Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/25/02924 is appropriate for consideration as “Serviced Apartments” and “Shop” land uses and compatible with the objectives of the zoning table in accordance with Clause 16 of the City of Subiaco Local Planning Scheme No. 5.

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2. **Approve** DAP Application reference DAP/25/02924 and accompanying plans (**Attachment 1**) 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 Subiaco Local Planning Scheme No. 5, subject to the following conditions:

Conditions

General

1. The development is to be carried out in accordance with the plans, drawings and documentation dated received 17 August 2025 (**Attachment 1**) included with the application for development approval.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for at least 1 in 100 stormwater event. No stormwater will be permitted to enter the City of Subiaco's stormwater drainage system unless otherwise approved.
4. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street and or secondary street or otherwise located to not be visually obtrusive to the satisfaction of the City of Subiaco.
5. Prior to the issue of a building permit (but not including a building permit for forward works only), the applicant shall submit a schedule of materials, colours, finishes and textures for the development to the satisfaction of the City of Subiaco. The schedule may be subject to review and comment by the City's Design Review Panel.
6. Prior to issue of a building permit (but not including a building permit for forward works only), an outdoor lighting plan must be submitted to and approved by the City of Subiaco. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties in accordance with *Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting*. Prior to occupation of the development, the endorsed lighting plan shall be implemented and maintained thereafter, to the satisfaction of the City of Subiaco.
7. Prior to occupation of the development, each Serviced Apartment shall be provided with a mechanical clothes dryer or alternatively shall have an adequate area provided for drying clothes, to the satisfaction of the City of Subiaco.

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8. Prior to occupation of the development, brickwork and finishes on or adjacent to boundaries, including exposed parapet walls, are to be finished externally to the same standard as the rest of the development in either:

- Face brick;
- Painted render;
- Painted brickwork; or
- Other clean material,

And are to be thereafter maintained to the satisfaction of the City of Subiaco.

9. Prior to issue of a building permit (but not including a building permit for forward works only), the applicant is to submit and have approved by the City of Subiaco, a comprehensive signage strategy for the site which shall include signage locations, characteristics, dimensions and clearances to pedestrian and vehicle spaces below, to the satisfaction of the City of Subiaco.
10. Prior to the issue of a building permit (but not including a building permit for forward works only), the applicant shall submit amended plans detailing that the glazing to the ground floor commercial tenancy contains transparent glass or a similar treatment to minimum of 75% of the surface area of the windows in order to maintain a connection to the streetscape, to the satisfaction of the City of Subiaco

Land Use

11. Prior to occupation of the development, the Management Plan dated 13 August 2025 (Ref. Cloud B&B) relating to the Serviced Apartments land use shall be implemented and adhered to thereafter, to the satisfaction of the City of Subiaco.
12. The Serviced Apartments hereby approved are limited to temporary accommodation of no greater than 3 consecutive months, to the satisfaction of the City of Subiaco.

Landscaping

13. Prior to occupation of the development, landscaping shall be completed in accordance with the landscaping plan prepared by Plan E (ref. 2501501 – 25 Rowland Street) or any approved modifications thereto to the satisfaction of the City of Subiaco. All landscaped areas are to be maintained on an ongoing basis for the life of the development on the site to the satisfaction of the City of Subiaco.
14. Prior to commencement of physical works, a Tree Preservation Zone (TPZ) is to be established and maintained around each existing street tree during the construction of the development.

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15. Prior to the issue of a building permit (but not including a building permit for forward works only), the applicant is to demonstrate incorporation of water efficient irrigation systems or water harvesting re-use technologies within the development, to the satisfaction of the City of Subiaco.

Public art

16. Prior to issue of a building permit (but not including a building permit for forward works only), the applicant/owner shall either:
 - a) Obtain approval from the City of Subiaco for an artist to provide public art on the development site in accordance with an approved Public Art Plan, to a minimum value of 1% (\$65,000 exclusive GST) of the construction cost. Prior to occupation, the endorsed public art or works shall be implemented and maintained thereafter to the satisfaction of the City of Subiaco; or
 - b) Enter into a legal agreement with the City of Subiaco for a cash-in-lieu payment of 1% (\$65,000 exclusive GST) of the construction cost for the purpose of public art works. The agreement is to be prepared by the City's solicitors at the expense of the owner and executed by all parties prior to occupation.

Sustainability

17. Prior to the issue of a building permit (but not including a building permit for forward works only), the applicant shall submit a statement of compliance prepared by a Green Star Accredited Professional confirming that the development can achieve the targeted informal (equivalency) 4 star Green Star Buildings rating performance, to the satisfaction of the City of Subiaco. The Statement of Compliance must include a formal peer review by an independent Green Star Accredited Professional.
18. Prior to occupation of the development, the applicant shall submit to the City of Subiaco a Statement of Compliance completed by an independent peer reviewer confirming that the project has delivered upon the sustainability initiatives claimed to contribute to the sustainability performance target for the project. Any outstanding initiatives or deliverables are to be clearly outlined with confirmation of when works will be completed, to the satisfaction of the City of Subiaco.
19. Within 12 months of practical completion of the development, all outstanding sustainability initiatives and deliverables must be completed. The applicant is to submit to the City of Subiaco documentation confirming as such, to the satisfaction of the City of Subiaco.

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20. Prior to the issue of a building permit (but not including a building permit for forward works only), the acoustic report prepared by Herring Storer Acoustics dated 20 May 2025 (Ref. 34627-1-25186) shall be finalised and submitted to the City of Subiaco for endorsement. Prior to occupation of the development, the recommendations of the acoustic report shall be implemented into the building and maintained thereafter, to the satisfaction of the City of Subiaco.

Demolition and Construction

21. Prior to the issue of a building permit, a Construction Management Plan shall be prepared to the City of Subiaco's satisfaction. This plan is to address:
- a. construction noise;
 - b. hours of construction;
 - c. dust;
 - d. vibration;
 - e. waste;
 - f. sand;
 - g. temporary fencing;
 - h. scaffolding;
 - i. hoarding;
 - j. gantries;
 - k. site access and egress;
 - l. site deliveries;
 - m. traffic management;
 - n. parking management;
 - o. management of loading and unloading of vehicles;
 - p. heavy vehicle access;
 - q. protection of verge trees; and
 - r. any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process to the satisfaction of the City of Subiaco.

22. Prior to the issue of a building permit, a dilapidation report prepared by a suitably qualified professional shall be submitted to the City of Subiaco for approval, and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas and rights of ways), including ancillary structures located on these properties:
- 513 Hay Street, Subiaco,
 - 20 Denis Street, Subiaco,
 - 26 Denis Street, Subiaco,
 - 14-16 Forrest Street, Subiaco,
 - 87-89 Rokeby Road, Subiaco,
 - 97 Rokeby Road, Subiaco, and

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- 103 Rokeby Road, Subiaco.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Subiaco, that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Dilapidation reports shall be prepared to the satisfaction of the City of Subiaco

Infrastructure and Traffic

23. Prior to occupation of the development, all existing redundant crossovers are to be removed and the verge reinstated to the satisfaction of the City of Subiaco. The material finishes of the footpath and crossover shall be approved by the City of Subiaco.
24. Prior to the occupation of the development, vehicle crossovers shall be constructed in either paving block, concrete, or bitumen and thereafter maintained, to the satisfaction of the City of Subiaco.
25. All car parking dimensions, manoeuvring areas, crossovers and driveways shall accord with the *Australian Standard AS2890.1* (as amended).
26. Prior to occupation of the development, the applicant shall submit certification from an appropriately qualified consultant to verify that all vehicle parking bays have capacity to be converted to electric vehicle charging bays in the future, to the satisfaction of the City of Subiaco.
27. All infrastructure in the road reserve adjacent to the development site shall be protected from damage for the duration of the construction of the development and reinstated to the condition that existed prior to the commencement of the development, to the satisfaction of the City of Subiaco.
28. Prior to the occupation of the development, a final Waste Management plan shall be submitted to the City of Subiaco for approval. The plan shall be implemented and adhered to throughout the life of the development to the satisfaction of the City of Subiaco.
29. Prior to occupation of the development, all bicycle parking spaces are to be provided in accordance with *Australian Standard AS2890.3*, to the satisfaction of the City of Subiaco.
30. Prior to occupation, a minimum of one (1) shower and one (1) locker facility is to be provided within the Shop land use in accordance with *Local Planning Policy 5.2 – Bicycle Parking Facilities*, to the satisfaction of the City of Subiaco.

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31. Prior to occupation of the development, the car parking, and vehicle access and circulation areas shown on the approved plans, including the provision of disabled car parking, shall be constructed, drained, line marked and provided, to the satisfaction of the City of Subiaco.
32. Prior to issue of a building permit (but not including a building permit for forward works only), the car stacking equipment depicted on the plans hereby approved shall be designed, installed and thereafter maintained so that all vehicle bays approved within the car stacking equipment can be independently accessed at all times.
33. The awning encroachment into the road reserves of Rowland Street and Forrest Street shall achieve a minimum 0.6 metre setback from the kerb, to the satisfaction of the City of Subiaco.
34. Prior to occupation of the development, the applicant shall prepare and have approved by the City of Subiaco, a Travel Plan. The Travel Plan shall specify initiatives and incentives to encourage the guests and staff of the development of the availability of alternative modes of travel other than the private car, to the satisfaction of the City of Subiaco.

Advice Notes

- i. This is a development approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or the requirements of any other external agency.
- ii. In relation to external fixtures, the exterior fixture associated with any air-conditioning unit or hot water system is considered an appropriate location where it is positioned:
 - outside of balcony/verandah areas (if applicable); and
 - below the height of a standard dividing fence within a side or rear setback area; or
 - within a screened rooftop plant area or nook.
- iii. In relation to the dilapidation report(s), these should address the following matters to satisfy the City of Subiaco:
 - a. Dilapidation reports are to clearly identify the name of the organisation and person(s) undertaking the inspection and shall include their relevant qualifications;
 - b. Dilapidation reports are to be prepared in accordance with relevant legislation and standards, including Australian Standard AS4349.1 (or equivalent);
 - c. A calibration gauge should be used for measurement, in combination with high resolution photos for accurate record keeping;

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- d. Landowners of properties requiring dilapidation reports are to be afforded the opportunity by the applicant to identify any existing areas of concern that can be visually identified and recorded in any dilapidation report;
 - e. The applicant, in consultation with the owner of the property requiring the dilapidation report, is to ensure that every reasonable effort is made to ensure that they can obtain safe and reasonable access to any and all areas of a property requiring dilapidation reports;
 - f. Landowners of properties requiring dilapidation reports are to be provided the same copy and version of the dilapidation report as any submitted to the City of Subiaco as part of any request to clear conditions of development approval as required; and
 - g. For the City to be fully satisfied, consideration will be given to written feedback from landowners up to seven days after receipt of the dilapidation report.
 - h. In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Subiaco, that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Dilapidation reports shall be prepared to the satisfaction of the City of Subiaco.
- iv. In relation to Parks matters:
- a. The City's street tree policy, protocols and Australian Standard relating to the protection of trees adjacent to development site (AS 4970–2009) to be adhered to at all times.
 - b. Tree Preservation Zone (TPZ) Protective fencing shall be formed around each tree prior to works commencing and shall be retained for the entirety of the project. To minimize the risk of tree damage/death a minimum construction clearance of two (2) meters is required from the outer part of the trunk base of the existing street tree. Where required protection may be to the drip line of the tree canopy whichever is greater.
 - c. No tree removal, branches or tree roots from the City's trees are to be cut without the authorisation of the City's arborist. Branches or roots approved for cutting are to be cut in accordance with the appropriate arboricultural standards by City staff.
 - d. The developer/contractor and property owner shall protect the City's street trees from any damage that may be caused by the scope of works.
- v. In relation to Environmental Health matters:
- a. The applicant is to ensure noise emissions from the site comply with the Environmental Protection (Noise) Regulations 1997 (as amended).
 - b. All mechanical service system including air conditioners etc to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels.
 - c. The applicant is to ensure the car park design and construction complies with the Health Act Carbon Monoxide Regulations 1975 (as amended).
 - d. The residential component of this development is to be adequately sound insulated prior to the first occupation of the development.

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- e. If commercial tenancies are to be a food business, they will be required to be registered under the Food Act 2008. Please contact the City's Health Services team to discuss.
- vi. In relation to Building Services matters:
- a. A building permit is required to be obtained from the City prior to commencement of any work in relation to this Planning Approval.
 - b. Form BA20 - 'Notice and Request for consent to work affecting other land' to be submitted with Building Permit Application. Consent is required from properties located at:
 - 26 Denis Street, Subiaco
 - 513 Hay Street, Subiaco
- vii. In regard to sustainability matters:
- a. An independent Green Star Accredited Professional means a third-party consultant that is otherwise not part of the project team (or an associated subsidiary of an engaged entity) and is engaged to verify that the claimed sustainability initiatives and associated deliverables have been completed. They must be suitably qualified, namely a practicing Green Star Accredited Professional. The City of Subiaco encourages early engagement with the peer reviewer to ensure the proposed approach is appropriate for the project, to the satisfaction of the peer reviewer. Any alternative methodologies or initiatives (i.e. based on project scale or complexity) is to be agreed with the peer reviewer and the City of Subiaco.
 - b. The applicant is advised that the Green Star Certification or Equivalency pathway should address the following considerations and deliverables:
 - Green Star Energy Modelling
 - Upfront carbon emissions calculations
 - LCA Modelling
 - Heat Resilience calculations
 - Climate change risk assessment and adaptation report
 - Ventilation rates schedule confirming percentage improvement in outside air
 - Provide Zero Carbon Action Plan where Minimum Expectation standard is claimed
 - Prior to Occupancy Stage:
 - Energy supply contract for 100% renewable power for base building for minimum 5 years

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- Commissioning reporting including air tightness and acoustic testing (where relevant) results demonstrating compliance with target.
- Suitable evidence for all other Green Star credits claimed should be agreed upon with the independent peer reviewer.

Note, all testing and validation must be in accordance with Green Star methodologies.

The Primary Motion was put and CARRIED UNANIMOUSLY.

REASON: Panel Members were satisfied the proposed development is consistent with the planning framework including Subiaco LPS5, Activity Centre Plan and site zoning. The serviced apartments and shop land use is appropriate in this location and considered to activate the area. The proposal responds well to its narrow site with a high-quality building facade and form, that is reflected in the proposal achieving DRP support on all 10 design elements. The seven-storey height incorporates upper-level podium apartments consistent with the strategic future planned character of the area. Members commended the site landscaping which is considered to improve the building from the public realm. Due consideration was given to the submissions, with the proposal considered to be compliant with the scheme objectives and provisions. Panel members supported the exercise of discretion on variations to height, plot ratio, setbacks, noting the design is sensitive to its interface with adjoining residential property through the provision of screening, notwithstanding it's not required. On-site parking bays is appropriate in this central location, opposite a public car park with excellent alternate transport options and facilities in close proximity of the site. The proposal was supported consistent with the RAR and associated conditions.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

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PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

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

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02317 DR81/2023	City of Vincent	41-43 and 45 Angove Street, North Perth	Proposed Service Station	31/05/2023
DAP/20/01911 DR192/2024	Town of Cambridge	Lot 800 (29-33) Northwood Street, West Leederville	Three storey care premises and associated office	16/12/2024
DAP/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 2:33pm.

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