



## Metro Inner Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 13 June 2024; 9.30am  
**Meeting Number:** MIDAP/18  
**Meeting Venue:** 140 William Street, Perth  
**Public Observing:** Online

A recording of the meeting is available via the following link: [MIDAP/18 - 13 June 2024 - City of Canning](#)

### **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 CANNING**

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Lot 340 (71) Alexandra Place, Bentley - Proposed Residential Building (Community Housing) – DAP/24/02632
  - 3.2 Lot 414 (No. 13-15) Vinnicombe Drive, Canning Vale - Light Industry (Commercial Laundry) – DAP/24/02680
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

### **PART C – OTHER BUSINESS**

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

**Clayton Higham**  
Presiding Member, Metro Inner DAP



<b>Attendance</b>	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Clayton Higham (Presiding Member)	Tenielle Brownfield
Lindsay Baxter (Deputy Presiding Member)	Ashlee Kelly
Brian Curtis	
<i>Part B – City of Canning</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Mayor Patrick Hall	Callum Wilson
Cr Ben Kunze	William Thompson
	Austin Donaghey
	Shakeel Maqbool

**Clayton Higham**  
Presiding Member, Metro Inner DAP



<b>Applicant and Submitters</b>
<i>Part B – City of Canning</i>
Ingrid Van Dorssen (Uniting WA) Reegan Cake (Dynamic Planning) Clare McLean (Peter Webb & Associates) Aaron Grant (CBH)

**Members of the Public / Media**

Nil.

**Observers via livestream**

There was 1 person observing the meeting via the livestream.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



## **PART A – INTRODUCTION**

### **1. Opening of Meeting, Welcome and Acknowledgement**

The Presiding Member declared the meeting open at 9.35am on 13 June 2024 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

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](#).

**Clayton Higham**  
Presiding Member, Metro Inner DAP



## PART B – CITY OF CANNING

### 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 340 (71) Alexandra Place, Bentley - Proposed Residential Building (Community Housing) – DAP/24/02632

##### Deputations and Presentations

Reegan Cake (Dynamic Planning) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

Ingrid Van Dorssen (Uniting WA) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

Austin Donaghey and Callum Wilson (City of Canning) addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

## REPORT RECOMMENDATION

**Moved by:** Mayor Patrick Hall

**Seconded by:** Lindsay Baxter

With the agreement of the mover and seconder the following amendment was made to Condition 13:

*Prior to submission of an application for a Building Permit Application or any siteworks (whichever occurs first), a Construction Management Plan in accordance with the requirements of Australian Standard AS 1742.3 is to be submitted to the City for assessment and approval. Once approved, the Construction Management Plan is to be thereafter implemented and adhered to during the construction stage of the development.*

Clayton Higham  
Presiding Member, Metro Inner DAP



That the Metro-Inner Development Assessment Panel (DAP) resolves to:

**Approve** DAP Application reference DAP/24/02632 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 Canning Local Planning Scheme No. 42, subject to the following conditions:

### Conditions

1. Pursuant to clause 26 of the *Metropolitan Region Scheme*, this approval is deemed to be an approval under clause 24(1) of the *Metropolitan Region Scheme*.
2. The development is to comply in all respects with the stamped approved plans.
3. This decision constitutes planning approval only and is valid for a period of 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.

### Administrative and Legal

4. The use of the approved Residential Building must conform to the Residential Design Codes, Volume 1 definition which states:

*“Residential Building: A building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:*

- *Temporarily by two or more persons; or*
- *Permanently by seven or more persons, who do not comprise a single family,*

*but does not include a hospital or sanatorium, a prison, a hotel, a motel, or a residential school.”*

A change of use from that outlined above may require further development approval of the City.

5. Prior to the initial occupancy or use of the development, a notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the subject lot. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*“This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise. Transportation noise controls and Quiet House design strategies at potential cost to the owner may be required to achieve an acceptable level of noise reduction. Further information is available on request from the relevant local government offices.”*

Clayton Higham  
Presiding Member, Metro Inner DAP



### Drainage

6. Storm water from all roofed and paved areas must be collected and contained on-site via soakwells. Storm water must not affect or be allowed to flow onto or into any other property, including the adjoining Albany Highway and Leach Highway Road Reservations. Drainage systems must be in accordance with the Building Code of Australia.

### Landscaping

7. The street tree annotated on the approved plans is to be retained and protected. In the event the tree health is compromised by the proposed crossover and is required to be removed, the landowner is to compensate the City for the cost of the:
  - Removal of the street tree abutting the proposed crossover;
  - Amenity Value of the tree(s) in accordance with Clause 8. (3) of *Policy ET525 - Management of Trees in Streets, Thoroughfares and Public Open Space (May 2024)*; and
  - Provision and installation of a new replacement street tree in an alternative location on the verge abutting the subject property.
8. With exception to the street tree identified in Condition 7, all other street trees located in verge areas adjoining the subject lot/s are to be retained and protected. Prior to the commencement of any site works, fencing is to be installed to protect the street tree/s throughout the construction phase and until the initial occupation or use of the development, to the satisfaction of the City.
9. Prior to the initial occupancy or use of the development, landscaping is to be installed in accordance with the Landscape Plan hereby approved. Once implemented in full, the landscaping provided in the Landscaping Plan shall be maintained for the life of the development.
10. The tree(s) indicated on the approved Landscaping Plan for retention are to be retained as part of the development, in accordance with *Australian Standard AS 4970-2009 Protection of Trees on Development Sites* and *AS 4373-2007 Pruning of Amenity Trees*, or, as otherwise informed in the 'Stage 1: Preliminary Tree Survey Report' prepared by The Arbor Centre Consultancy, dated January 2024 (ref: Q007833), to the satisfaction of the City.

Prior to the commencement of any site works, fencing is to be installed to protect the trees identified for retention throughout the construction phase and until the initial occupation or use of the development, to the satisfaction of the City.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



### Noise

11. Prior to the issue of a Building Permit, a revised Acoustic Report prepared by an accredited acoustic consultant is to be submitted for the City for approval. The revised Acoustic Report must amend the existing report to address the following:
  - Noise modelling and treatment recommendations are to be amended for the correct road surface inputs (dense graded asphalt) for both Leach Highway and Albany Highway;
  - Table 4-1 is to be amended to refer to 2043 predicted noise levels in lieu of 2041 predicted noise levels; and
  - The “External Glazing” Section in Table 5-1 is to be amended to “External Glazing and Doors”.

Once approved, the revised Acoustic Report is to be implemented in full thereafter for the life of the development.
12. Prior to the initial occupancy or use of the development, certification from a suitably qualified acoustic consultant shall be submitted to the City of Canning, confirming that all recommendations made in the revised Acoustic Report approved under Condition 11 have been implemented in full.

### Operations and Waste

13. Prior to submission of an application for a Building Permit or any siteworks (whichever occurs first), a Construction Management Plan in accordance with the requirements of *Australian Standard AS 1742.3* is to be submitted to the City for assessment and approval. Once approved, the Construction Management Plan is to be thereafter implemented and adhered to during the construction stage of the development.
14. Prior to the initial occupancy or use of the development, a revised Operational Management Plan is to be submitted for the City for assessment and approval. Once approved, the Operational Management Plan is to be implemented thereafter for the life of the development and to the satisfaction of the City.
15. All provisions and recommendations identified in the Waste Management Plan prepared by Uniting WA and dated 29 April 2024, which include recycling measures and management of residential waste, are to be implemented for the duration of the development, to the satisfaction of the City.
16. The bin store shall be provided with a water supply; have impervious walls and floor, a floor graded to a floor waste gully connected to sewer, have a gate and be of sufficient size to accommodate the intended number of bins required for the residents on-site. Details of all screening devices, gates and fencing for the bin store shall be provided as part of the required Building Permit Application.

**Clayton Higham**  
Presiding Member, Metro Inner DAP





### Parking and Vehicle Access

17. Redundant vehicle crossover(s) are to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping, to the specifications of the City.
18. Prior to the initial occupancy or use of the development, all parking and manoeuvring areas, including vehicular crossovers and pedestrian pathways, shall be installed in accordance with the approved plans and AS2890.1, to the City's specifications. The parking bays, pedestrian pathways, and crossover, once constructed, must be maintained for the life of the development.
19. Unless otherwise approved, no walls, fences, letterboxes, or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
  - a) Walls, letterboxes, or fences adjoin vehicular access points to the site, or
  - b) A driveway meets a public or private street, or
  - c) Two different street fronts intersect, or
  - d) A driveway meets a right of way.

### Utilities, Facilities and External Fixtures

20. Prior to the issue of a Building Permit, detailed plans are to be provided to the City for assessment which demonstrates suitable lighting provided to communal outdoor areas for the safety and security of residents, to the satisfaction of the City.

The installation of outdoor lighting shall be in accordance with the requirements of *Australian Standard AS 4282 - 2019 - Control of the Obtrusive Effects of Outdoor Lighting*.

21. Prior to the initial occupancy or use of the development, the bicycle racks, clothes lines and solar panels as indicated on the stamped plans are to be installed for its intended use. Once installed, these fixtures are to be maintained for the life of the development, to the satisfaction of the City.
22. All services and service related hardware, including clothes drying areas, antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.

### **Advice Notes**

1. Where an approval has so lapsed, no development must be carried out without the further approval of the City of Canning having first being sought and obtained.
2. This approval does not authorise the demolition of the existing buildings on site. A Demolition Permit must be obtained from the City prior to the removal/demolition of the existing buildings including any septic waste disposal system(s).

**Clayton Higham**  
Presiding Member, Metro Inner DAP



3. This approval does not authorise the commencement of any building works. The applicant is advised that a building permit must be obtained prior to the commencement of any works. To obtain a building permit it will be necessary to submit documentation in compliance with the Building Regulations, including plans incorporating all conditions of this approval, specifications, and structural drawings.
4. This Development Application does not authorize any works within the road reserve. An application to construct a crossover and the concrete bin pad must be made to the City on the prescribed form, accompanied by a site plan clearly showing the design, dimensions and specifications of the proposed crossover and an application fee. Please go to the City's website for more information or contact the City's Development Engineer.
5. It is an offence under Part 4 of the City of Canning's *Local Government Property and Public Places Local Law 2021* to damage, prune or remove a street tree.

A Verge Permit must be applied for if materials are proposed to be stored on the verge. As part of the Verge Permit a protective fence must be installed around the street tree(s) with a minimum clearance of 2 metres from the trunk of the street tree(s) and is to be maintained for the duration of any works on the adjoining lot.

6. Please be advised that minor amendments to the approved Landscaping Plan and Waste Management Plan can be considered without a further amendment to the development application, in writing and to the discretion of the City of Canning.
7. With respect to Condition 13, the owner/developer is to include information such as:
  - a. the route that construction vehicles will take to and from the site;
  - b. the temporary realignment of pedestrian access ways (if applicable);
  - c. vehicular access to the site during construction;
  - d. the location of unloading and loading areas, including delivery and pick up/drop off times;
  - e. the location and method of waste disposal;
  - f. the location on site of building materials to be stored;
  - g. the provision of safety and security fencing, including the establishment of tree protection zones where applicable;
  - h. the location of sanitary facilities for workers; and
  - i. other details as required by the City and under *Australian Standard AS 1742.3* to minimise the temporary impact to the locality.
8. With respect to Condition 14, the owner/developer is to update the Operational Management Plan prior to the initial occupancy of the development to ensure contact information and intended management practices are up to date, if and when the development commences.

The Operational Management Plan is to be updated annually to ensure operations are consistent with the development approved.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



9. The applicant is advised that permission to develop on or near the lot boundary does not grant permission to use the adjoining property or to remove the dividing fence without neighbour's consent. Dividing fences are controlled through the *Dividing Fences Act 1961*. Accordingly, owners should liaise with the adjoining landowner if there is an intention to remove or replace any portion of fencing.
10. The development is to comply at all times with the *Environmental Protection (Noise) Regulations 1997*. In this regard, air conditioning systems, and other plant and equipment that may emit excessive noise are to be designed and located so that noise emissions, when received at neighbouring lots are compliant with the Regulations.

To ensure compliance the City of Canning recommends the applicant engage the services of an accredited acoustic consultant to provide further advice with regard to the final placement of all plant and equipment and compound construction.

11. The Water Corporation has provided the following advice:
  - a. The site is available to connect to reticulated water and sewerage. Please note the development must connect to these utilities,
  - b. Any works carried out in proximity to Water Corporation assets must receive prior approval by application for an Asset Protection Risk Assessment (APRA). To assess whether the proposed development will require an APRA, details of the Prescribed Proximities and relevant legislation are available in the Water Corporation Guidelines, and
  - c. The applicant is required to submit a Single Residential Application by using the Water Corporation Online Portal: BuilderNet. Attachments required for approval will include the final Construction Site & Architectural Floor Plans.
12. Please be advised that an existing Fire Hydrant is located where the proposed crossover is shown on the approved plans. The applicant is advised to make suitable arrangements with the Water Corporation to relocate the existing fire hydrant to accommodate the new crossover.
13. Main Roads WA have advised that: the applicant is required to submit an Application form to undertake works within the road reserve, prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.
14. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005 Part 14*. An application must be made within 28 days of the determination.
15. If the landowner wishes to amend or cancel the development application, they may lodge an application with the City of Canning, in accordance with clause 77 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



## AMENDING MOTION 1

**Moved by:** Brian Curtis

**Seconded by:** Mayor Patrick Hall

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

~~Unless otherwise approved, no walls, fences, letterboxes, or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:~~

- ~~a) Walls, letterboxes, or fences adjoin vehicular access points to the site, or~~
- ~~b) A driveway meets a public or private street, or~~
- ~~c) Two different street fronts intersect, or~~
- ~~d) A driveway meets a right of way.~~

***Where a driveway and/or parking bay abuts a public street, associated walls, fences and / or adjacent landscaping areas shall be truncated within 1.5 metres thereof or limited in height to 0.75 metres.***

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

**REASON:** To clarify the area that the condition applies to.

### REPORT RECOMMENDATION (AS AMENDED)

That the Metro-Inner Development Assessment Panel (DAP) resolves to:

**Approve** DAP Application reference DAP/24/02632 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 Canning Local Planning Scheme No. 42, subject to the following conditions:

#### Conditions

1. Pursuant to clause 26 of the *Metropolitan Region Scheme*, this approval is deemed to be an approval under clause 24(1) of the *Metropolitan Region Scheme*.
2. The development is to comply in all respects with the stamped approved plans.
3. This decision constitutes planning approval only and is valid for a period of 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.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



### Administrative and Legal

4. The use of the approved Residential Building must conform to the Residential Design Codes, Volume 1 definition which states:

*“Residential Building: A building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:*

- *Temporarily by two or more persons; or*
- *Permanently by seven or more persons, who do not comprise a single family,*

*but does not include a hospital or sanatorium, a prison, a hotel, a motel, or a residential school.”*

A change of use from that outlined above may require further development approval of the City.

5. Prior to the initial occupancy or use of the development, a notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the subject lot. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*“This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise. Transportation noise controls and Quiet House design strategies at potential cost to the owner may be required to achieve an acceptable level of noise reduction. Further information is available on request from the relevant local government offices.”*

### Drainage

6. Storm water from all roofed and paved areas must be collected and contained on-site via soakwells. Storm water must not affect or be allowed to flow onto or into any other property, including the adjoining Albany Highway and Leach Highway Road Reservations. Drainage systems must be in accordance with the Building Code of Australia.

### Landscaping

7. The street tree annotated on the approved plans is to be retained and protected. In the event the tree health is compromised by the proposed crossover and is required to be removed, the landowner is to compensate the City for the cost of the:
- Removal of the street tree abutting the proposed crossover;
  - Amenity Value of the tree(s) in accordance with Clause 8. (3) of *Policy ET525 - Management of Trees in Streets, Thoroughfares and Public Open Space (May 2024)*; and
  - Provision and installation of a new replacement street tree in an alternative location on the verge abutting the subject property.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



8. With exception to the street tree identified in Condition 7, all other street trees located in verge areas adjoining the subject lot/s are to be retained and protected. Prior to the commencement of any site works, fencing is to be installed to protect the street tree/s throughout the construction phase and until the initial occupation or use of the development, to the satisfaction of the City.
9. Prior to the initial occupancy or use of the development, landscaping is to be installed in accordance with the Landscape Plan hereby approved. Once implemented in full, the landscaping provided in the Landscaping Plan shall be maintained for the life of the development.
10. The tree(s) indicated on the approved Landscaping Plan for retention are to be retained as part of the development, in accordance with *Australian Standard AS 4970-2009 Protection of Trees on Development Sites* and *AS 4373-2007 Pruning of Amenity Trees*, or, as otherwise informed in the 'Stage 1: Preliminary Tree Survey Report' prepared by The Arbor Centre Consultancy, dated January 2024 (ref: Q007833), to the satisfaction of the City.

Prior to the commencement of any site works, fencing is to be installed to protect the trees identified for retention throughout the construction phase and until the initial occupation or use of the development, to the satisfaction of the City.

#### Noise

11. Prior to the issue of a Building Permit, a revised Acoustic Report prepared by an accredited acoustic consultant is to be submitted for the City for approval. The revised Acoustic Report must amend the existing report to address the following:
    - Noise modelling and treatment recommendations are to be amended for the correct road surface inputs (dense graded asphalt) for both Leach Highway and Albany Highway;
    - Table 4-1 is to be amended to refer to 2043 predicted noise levels in lieu of 2041 predicted noise levels; and
    - The "External Glazing" Section in Table 5-1 is to be amended to "External Glazing and Doors".
- Once approved, the revised Acoustic Report is to be implemented in full thereafter for the life of the development.
12. Prior to the initial occupancy or use of the development, certification from a suitably qualified acoustic consultant shall be submitted to the City of Canning, confirming that all recommendations made in the revised Acoustic Report approved under Condition 11 have been implemented in full.

**Clayton Higham**  
Presiding Member, Metro Inner DAP





### Operations and Waste

13. Prior to submission of an application for a Building Permit or any siteworks (whichever occurs first), a Construction Management Plan in accordance with the requirements of *Australian Standard AS 1742.3* is to be submitted to the City for assessment and approval. Once approved, the Construction Management Plan is to be thereafter implemented and adhered to during the construction stage of the development.
14. Prior to the initial occupancy or use of the development, a revised Operational Management Plan is to be submitted for the City for assessment and approval. Once approved, the Operational Management Plan is to be implemented thereafter for the life of the development and to the satisfaction of the City.
15. All provisions and recommendations identified in the Waste Management Plan prepared by Uniting WA and dated 29 April 2024, which include recycling measures and management of residential waste, are to be implemented for the duration of the development, to the satisfaction of the City.
16. The bin store shall be provided with a water supply; have impervious walls and floor, a floor graded to a floor waste gully connected to sewer, have a gate and be of sufficient size to accommodate the intended number of bins required for the residents on-site. Details of all screening devices, gates and fencing for the bin store shall be provided as part of the required Building Permit Application.

### Parking and Vehicle Access

17. Redundant vehicle crossover(s) are to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping, to the specifications of the City.
18. Prior to the initial occupancy or use of the development, all parking and manoeuvring areas, including vehicular crossovers and pedestrian pathways, shall be installed in accordance with the approved plans and AS2890.1, to the City's specifications. The parking bays, pedestrian pathways, and crossover, once constructed, must be maintained for the life of the development.
19. Where a driveway and/or parking bay abuts a public street, associated walls, fences and / or adjacent landscaping areas shall be truncated within 1.5 metres thereof or limited in height to 0.75 metres.

### Utilities, Facilities and External Fixtures

20. Prior to the issue of a Building Permit, detailed plans are to be provided to the City for assessment which demonstrates suitable lighting provided to communal outdoor areas for the safety and security of residents, to the satisfaction of the City.

The installation of outdoor lighting shall be in accordance with the requirements of *Australian Standard AS 4282 - 2019 - Control of the Obtrusive Effects of Outdoor Lighting*.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



21. Prior to the initial occupancy or use of the development, the bicycle racks, clothes lines and solar panels as indicated on the stamped plans are to be installed for its intended use. Once installed, these fixtures are to be maintained for the life of the development, to the satisfaction of the City.
22. All services and service related hardware, including clothes drying areas, antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.

### Advice Notes

1. Where an approval has so lapsed, no development must be carried out without the further approval of the City of Canning having first being sought and obtained.
2. This approval does not authorise the demolition of the existing buildings on site. A Demolition Permit must be obtained from the City prior to the removal/demolition of the existing buildings including any septic waste disposal system(s).
3. This approval does not authorise the commencement of any building works. The applicant is advised that a building permit must be obtained prior to the commencement of any works. To obtain a building permit it will be necessary to submit documentation in compliance with the Building Regulations, including plans incorporating all conditions of this approval, specifications, and structural drawings.
4. This Development Application does not authorize any works within the road reserve. An application to construct a crossover and the concrete bin pad must be made to the City on the prescribed form, accompanied by a site plan clearly showing the design, dimensions and specifications of the proposed crossover and an application fee. Please go to the City's website for more information or contact the City's Development Engineer.
5. It is an offence under Part 4 of the City of Canning's *Local Government Property and Public Places Local Law 2021* to damage, prune or remove a street tree.

A Verge Permit must be applied for if materials are proposed to be stored on the verge. As part of the Verge Permit a protective fence must be installed around the street tree(s) with a minimum clearance of 2 metres from the trunk of the street tree(s) and is to be maintained for the duration of any works on the adjoining lot.

6. Please be advised that minor amendments to the approved Landscaping Plan and Waste Management Plan can be considered without a further amendment to the development application, in writing and to the discretion of the City of Canning.

Clayton Higham  
Presiding Member, Metro Inner DAP





7. With respect to Condition 13, the owner/developer is to include information such as:
  - a. the route that construction vehicles will take to and from the site;
  - b. the temporary realignment of pedestrian access ways (if applicable);
  - c. vehicular access to the site during construction;
  - d. the location of unloading and loading areas, including delivery and pick up/drop off times;
  - e. the location and method of waste disposal;
  - f. the location on site of building materials to be stored;
  - g. the provision of safety and security fencing, including the establishment of tree protection zones where applicable;
  - h. the location of sanitary facilities for workers; and
  - i. other details as required by the City and under *Australian Standard AS 1742.3* to minimise the temporary impact to the locality.

8. With respect to Condition 14, the owner/developer is to update the Operational Management Plan prior to the initial occupancy of the development to ensure contact information and intended management practices are up to date, if and when the development commences.

The Operational Management Plan is to be updated annually to ensure operations are consistent with the development approved.

9. The applicant is advised that permission to develop on or near the lot boundary does not grant permission to use the adjoining property or to remove the dividing fence without neighbour's consent. Dividing fences are controlled through the *Dividing Fences Act 1961*. Accordingly, owners should liaise with the adjoining landowner if there is an intention to remove or replace any portion of fencing.
10. The development is to comply at all times with the *Environmental Protection (Noise) Regulations 1997*. In this regard, air conditioning systems, and other plant and equipment that may emit excessive noise are to be designed and located so that noise emissions, when received at neighbouring lots are compliant with the Regulations.

To ensure compliance the City of Canning recommends the applicant engage the services of an accredited acoustic consultant to provide further advice with regard to the final placement of all plant and equipment and compound construction.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



11. The Water Corporation has provided the following advice:
  - a. The site is available to connect to reticulated water and sewerage. Please note the development must connect to these utilities,
  - b. Any works carried out in proximity to Water Corporation assets must receive prior approval by application for an Asset Protection Risk Assessment (APRA). To assess whether the proposed development will require an APRA, details of the Prescribed Proximities and relevant legislation are available in the Water Corporation Guidelines, and
  - c. The applicant is required to submit a Single Residential Application by using the Water Corporation Online Portal: BuilderNet. Attachments required for approval will include the final Construction Site & Architectural Floor Plans.
12. Please be advised that an existing Fire Hydrant is located where the proposed crossover is shown on the approved plans. The applicant is advised to make suitable arrangements with the Water Corporation to relocate the existing fire hydrant to accommodate the new crossover.
13. Main Roads WA have advised that: the applicant is required to submit an Application form to undertake works within the road reserve, prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.
14. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005 Part 14*. An application must be made within 28 days of the determination.
15. If the landowner wishes to amend or cancel the development application, they may lodge an application with the City of Canning, in accordance with clause 77 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.**

**REASON:** The panel members were unanimous in their support for this community housing project noting how it not only satisfied the planning framework but is a use that is well designed and located. The panel was satisfied that the conditions around the management of the use would ensure that it would not present future amenity issues and should any issues arise sufficient controls would be in place to manage them.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



**3.2 Lot 414 (No. 13-15) Vinnicombe Drive, Canning Vale - Light Industry (Commercial Laundry) – DAP/24/02680**

**Deputations and Presentations**

Clare McLean (Peter Webb & Associates) and Aaron Grant (CBH) addressed the DAP in support of the recommendation for the application at Item 3.2 and responded to questions from the panel.

Austin Donaghey (City of Canning) addressed the DAP in relation to the application at Item 3.2 and responded to questions from the panel.

**REPORT RECOMMENDATION**

**Moved by:** Mayor Patrick Hall

**Seconded by:** Lindsay Baxter

That the Metro Inner DAP resolves to:

**Approve** DAP Application reference DAP/24/02680 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 4.17 of the City of Canning Local Planning Scheme No. 42, subject to the following conditions:

General

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of (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. The development is to comply in all respects with the stamped approved plans.

List of Development Plans

Page Title	Date - Drawing No.	Designer
Site Plan	27 May 2024 - SK1	Montague Grant Architects
Floor Plan	27 May 2024 – SK2	Montague Grant Architects
Elevations	22 February 2024 – SK3	Montague Grant Architects

**Clayton Higham**  
Presiding Member, Metro Inner DAP



### Parking and Access

4. Prior to occupation of the proposed development, the proposed car parking spaces together with their access aisles are to be constructed, line marked and thereafter maintained to the satisfaction of the City.
5. All service vehicles are required to enter the site via Vinnicombe Drive, utilise the dedicated turning area and exit the site in a forward direction onto Vinnicombe Drive. No service vehicles are permitted to access the site via Bannister Road.

### Utilities, Facilities and External Fixtures

6. Prior to occupation of the proposed development, bicycle parking bays are to be installed and thereafter maintained in accordance with Australian Standard AS2890.3 and Council specifications to the satisfaction of the City.
7. Prior to occupation of the proposed development, one (1) female and one (1) male shower (or one unisex shower) and a minimum of four (4) lockers shall be installed and thereafter maintained in accordance with the relevant Australian Standards and Council specifications to the satisfaction of the City.

### Stormwater Management

8. Prior to the submission of an application for a building permit, a certified stormwater management plan is to be submitted to the satisfaction of the City. The approved stormwater management system is to be implemented and thereafter maintained to the satisfaction of the City.

### Landscaping

9. Prior to the submission of an application for Building Permit, a landscaping plan is to be submitted and approved by the City in accordance with the City of Canning Local Planning Policy LP.09 - Tree Retention Planting - Development. The applicant/landowner shall:
  - a. Prior to occupation or use of the development, install all landscaping in accordance with the approved landscape plan approved; and
  - b. Maintain landscaping thereafter in accordance with the approved plan to the satisfaction of the City.

### **Advice Notes**

1. This approval does not authorise the commencement of any building works. The applicant is advised that a building permit must be obtained prior to the commencement of any works. To obtain a building permit it will be necessary to submit documentation in compliance with the Building Regulations, including plans incorporating all conditions of this approval, specifications and structural drawings.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



2. A new occupancy permit will be required to recognise the permanent change that will be made to the classification of the building. Section 41 of the Building Act 2011 requires the owner or occupier to ensure that the new occupancy permit is in effect prior to the new use being adopted.
3. The proponent is to submit a set of the approved plans to the Fire and Emergency Services Authority of Western Australia (FESA) for assessment. For further information in this regard contact FESA on 9336 9300.
4. With respect to Condition (4), construction of the car parking bays requires paving, sealing, marking and draining to the satisfaction of the City.
5. With respect to Condition (8), the applicant is to undertake consultation with Water Corporation to identify the suitability of selected tree species proposed to be located within the existing Water Corporation easement.
6. Prior to any construction works occurring on the site, the developer is required to contract Jandakot Airport. This is to ensure that no airspace intrusions occur during the construction process and that the design taken into account the legislative lighting requirements that existing in the vicinity of aerodromes.
7. The applicant is advised that a separate development approval may be required for any signage on site, subject to assessment against the City's Local Planning Policy 07 – Advertising Signs.
8. If the development that is the subject of this approval is not substantially commenced within a period of 4 years, the approval will lapse and be of no further effect.
9. Where an approval has so lapsed, no development must be carried out without the further approval of the Local Government having first being sought and obtained
10. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005. An application must be made within 28 days of the determination.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



## AMENDING MOTION 1

**Moved by:** Lindsay Baxter

**Seconded by:** Mayor Patrick Hall

The following amendments were made en bloc:

- (i) That Condition No. 9 be amended to read as follows:

*Prior to the submission of an application for a Building Permit, a landscaping plan is to be submitted and approved by the City in accordance with the City of Canning Local Planning Policy LP.09 - Tree Retention Planting - Development. The applicant/landowner shall:*

- a. ~~Prior to occupation or use of the development, install all landscaping in accordance with the approved landscape plan approved; and~~*  
*b. ~~Maintain landscaping thereafter in accordance with the approved plan to the satisfaction of the City.~~*

- (ii) That a new Condition no. 10 be added to read as follows:

***The applicant/landowner shall prior to occupation or use of the development, install all landscaping in accordance with the approved landscape plan approved and maintain landscaping thereafter in accordance with the approved plan to the satisfaction of the City.***

- (iii) That Advice Note No. 6 be amended to read as follows:

*Prior to any construction works occurring on the site, the developer is required to ~~contract~~ contact Jandakot Airport. This is to ensure that no airspace intrusions occur during the construction process and that the design taken into account the legislative lighting requirements that existing in the vicinity of aerodromes.*

- (iv) That Advice Note No. 7 be amended to read as follows:

*The applicant is advised that a separate development approval may be required for any signage on site, subject to assessment against the City's Local Planning Policy 07 – Advertising Signs.*

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

**REASON:** The amendments provide greater clarification of the condition and advice notes.

Clayton Higham  
Presiding Member, Metro Inner DAP





## REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner DAP resolves to:

**Approve** DAP Application reference DAP/24/02680 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 4.17 of the City of Canning Local Planning Scheme No. 42, subject to the following conditions:

### General

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of (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. The development is to comply in all respects with the stamped approved plans.

### List of Development Plans

Page Title	Date - Drawing No.	Designer
Site Plan	27 May 2024 - SK1	Montague Grant Architects
Floor Plan	27 May 2024 – SK2	Montague Grant Architects
Elevations	22 February 2024 – SK3	Montague Grant Architects

### Parking and Access

4. Prior to occupation of the proposed development, the proposed car parking spaces together with their access aisles are to be constructed, line marked and thereafter maintained to the satisfaction of the City.
5. All service vehicles are required to enter the site via Vinnicombe Drive, utilise the dedicated turning area and exit the site in a forward direction onto Vinnicombe Drive. No service vehicles are permitted to access the site via Bannister Road.

### Utilities, Facilities and External Fixtures

6. Prior to occupation of the proposed development, bicycle parking bays are to be installed and thereafter maintained in accordance with Australian Standard AS2890.3 and Council specifications to the satisfaction of the City.
7. Prior to occupation of the proposed development, one (1) female and one (1) male shower (or one unisex shower) and a minimum of four (4) lockers shall be installed and thereafter maintained in accordance with the relevant Australian Standards and Council specifications to the satisfaction of the City.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



### Stormwater Management

8. Prior to the submission of an application for a building permit, a certified stormwater management plan is to be submitted to the satisfaction of the City. The approved stormwater management system is to be implemented and thereafter maintained to the satisfaction of the City.

### Landscaping

9. Prior to the submission of an application for a Building Permit, a landscaping plan is to be submitted and approved by the City in accordance with the City of Canning Local Planning Policy LP.09 - Tree Retention Planting - Development.
10. The applicant/landowner shall prior to occupation or use of the development, install all landscaping in accordance with the approved landscape plan and maintain landscaping thereafter in accordance with the approved plan to the satisfaction of the City.

### **Advice Notes**

1. This approval does not authorise the commencement of any building works. The applicant is advised that a building permit must be obtained prior to the commencement of any works. To obtain a building permit it will be necessary to submit documentation in compliance with the Building Regulations, including plans incorporating all conditions of this approval, specifications and structural drawings.
2. A new occupancy permit will be required to recognise the permanent change that will be made to the classification of the building. Section 41 of the Building Act 2011 requires the owner or occupier to ensure that the new occupancy permit is in effect prior to the new use being adopted.
3. The proponent is to submit a set of the approved plans to the Fire and Emergency Services Authority of Western Australia (FESA) for assessment. For further information in this regard contact FESA on 9336 9300.
4. With respect to Condition (4), construction of the car parking bays requires paving, sealing, marking and draining to the satisfaction of the City.
5. With respect to Condition (8), the applicant is to undertake consultation with Water Corporation to identify the suitability of selected tree species proposed to be located within the existing Water Corporation easement.
6. Prior to any construction works occurring on the site, the developer is required to contact Jandakot Airport. This is to ensure that no airspace intrusions occur during the construction process and that the design taken into account the legislative lighting requirements that exist in the vicinity of aerodromes.
7. The applicant is advised that a separate development approval may be required for any signage on site, subject to assessment against the City's Local Planning Policy 07 – Advertising Signs.

**Clayton Higham**  
Presiding Member, Metro Inner DAP





8. If the development that is the subject of this approval is not substantially commenced within a period of 4 years, the approval will lapse and be of no further effect.
9. Where an approval has so lapsed, no development must be carried out without the further approval of the Local Government having first being sought and obtained
10. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005. An application must be made within 28 days of the determination.

**The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.**

**REASON:** The proposed development is considered to fit well within the planning framework and provides a use which is appropriate and suited to its location.

**4. Form 2 DAP Applications**

Nil.

**5. Section 31 SAT Reconsiderations**

Nil.

A handwritten signature in black ink, appearing to read 'Clayton Higham'.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



## 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/22/02364 DR75/2023	City of Bayswater	504A & 504-508 (Lot 30,4) Guildford Road, Bayswater	Proposed service station, fast food outlet and showroom development	23/05/2023
DAP/22/02317 DR81/2023	City of Vincent	41-43 and 45 Angove Street, North Perth	Proposed Service Station	31/05/2023
DAP/23/02480 DR184/2023	City of Vincent	Lot 3 (37-43) Stuart Street, Perth	Proposed Unlisted Use (Community Purpose) & Alterations & Additions	
DAP/22/02259 DR166/2023	City of South Perth	Lots 253 & 50 (4-8) Charles Street, South Perth	Mixed use development	03/11/2023
DAP/23/02550 DR196/2023	City of Belmont	Lots 2, 606, 608 and 609 (No. 97-107) Great Eastern Hwy and Lots 302, 304, 305 (No.2) Acton Ave, Rivervale	Warehouse (Self Storage Facility)	21/12/2023

\* Matters finalised during the last meeting cycle.

**Clayton Higham**  
Presiding Member, Metro Inner DAP



## **2. General Business**

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.

## **3. Meeting Closure**

There being no further business, the Presiding Member declared the meeting closed at 10.18am.

A handwritten signature in cursive script, appearing to read 'Clayton Higham'.

**Clayton Higham**  
Presiding Member, Metro Inner DAP