



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 8 January 2025; 9:30am
Meeting Number: MIDAP/55
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/55 - 8 January 2025 - City of Melville - City of Vincent](#)

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 MELVILLE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lots 1 and 2 Wilcock Street, Lots 319 and 900 Canning Highway, Applecross - Proposed Childcare centre – DAP/24/02692
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF VINCENT

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Nos.103 (Lot 278) Alma Road & 367-376 (Lots 273-277) Fitzgerald Street, North Perth - Amendments to Approved Mixed Use Development – DAP/24/02538
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)	Laura Simmons
Clayton Higham (Deputy Presiding Member)	Ashlee Kelly
John Syme	
<i>Part B – City of Melville</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Matthew Woodall	Gavin Davey
Cr Daniel Lim	Tom Geddes
	Amelia Tuttleby
<i>Part C – City of Vincent</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Ashley Wallace	Karsen Reynolds
Cr Nicole Woolf	Scout Walsh

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Presiding Member, Metro Inner DAP



Applicant and Submitters
<i>Part B – City of Melville</i>
Dale Edgar Trent Durward (Method Planning) Heidi Herget (Move Consultants) Rebecca Ireland (Eco Acoustics)
<i>Part C – City of Vincent</i>
Emily Bird Matthew Evans (Celsius Developments) Nathan Maas (Planning Solutions) Ben Doyle (Planning Solutions)

Members of the Public / Media

There were 4 members of the public in attendance.

Observers via livestream

There were 15 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 9:34am on 8 January 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 MELVILLE

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, including additional information received on 8 January 2025 prior to the meeting commencement.

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 Lots 1 and 2 Wilcock Street, Lots 319 and 900 Canning Highway, Applecross - Proposed Childcare centre – DAP/24/02692

Deputations and Presentations

Dale Edgar addressed the DAP against the recommendation for the application at Item 3.1.

Trent Durward (Method Planning) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

Heidi Herget (Move Consultants) responded to questions from the panel

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

REPORT RECOMMENDATION

Moved by: Clayton Higham

Seconded by: Cr Daniel Lim

With the agreement of the mover and seconder, an administrative change was made to Condition No.14 to state personnel rather than person.

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/24/02692 is appropriate for consideration as a “Child Care Premises” land use and compatible with the objectives of the zoning table in accordance with Clause 17 of the City of Melville Local Planning Scheme No. 6.

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Presiding Member, Metro Inner DAP



2. **Approve** DAP Application reference DAP/24/02692 and accompanying plans (Attachment 1 'Development 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 Melville Local Planning Scheme No. 6, 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 the subject of this approval must comply with the approved plans at all times unless otherwise agreed to in writing by the City of Melville.
3. Prior to the commencement of development, a detailed stormwater management plan is to be submitted, and approved by the City. All stormwater generated on site is to be retained on site in accordance with a plan approved in writing by the City.
4. Prior to the commencement of the development, Lots No.319, No.900, No.1 & No.2 shall be amalgamated and new certificate/s of title obtained for the amalgamated lots.
5. Prior to the lodgement of a Building application or commencement of demolition (whichever is sooner), the applicant shall submit a Demolition and Construction Management Plan (CMP) to the City of Melville for approval. The CMP shall be prepared having regard to the provisions of *Local Planning Policy 1.22 Construction Management Plans*. Once approved in writing by the City, the demolition and construction is to be carried out in accordance with the CMP to the satisfaction of the City. Any modifications to the CMP are to be approved by the City in writing.
6. Prior to the commencement of development, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel in accordance with *Local Planning Policy LPP1.4 Provision of Art in Development Proposals*. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. In lieu of provision of art on site, a cash in lieu contribution may be made as per LPP 1.4.
7. Prior to commencement of development, a detailed landscaping and reticulation plan for the subject site and/or the road verge(s) adjacent to the site shall be submitted to and approved in writing by the City. The landscaping plan is to include proposed details of (but is not limited to):
 - (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
 - (b) Any lawns to be established;

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Presiding Member, Metro Inner DAP



- (c) Any existing vegetation and/or landscaped areas to be retained; and
- (d) Any verge treatments

The approved landscaping and reticulation plan shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter, to the satisfaction of the City.

8. Prior to the initial occupation of the development, all bicycle parking areas, car parking bays, manoeuvring areas, driveways and points of ingress and egress shall be provided in accordance with the approved plans to the satisfaction of the City and relevant Australian Standards. The bay shall thereafter be retained for the life of the development.
9. Prior to the initial occupation of the development, all unused crossover(s) shall be removed, and the kerbing and road verge reinstated at the owners cost to the satisfaction of the City.
10. Prior to occupation of this development, the subject site is to be serviced by a vehicle crossover.
11. Prior to the initial occupation of the development, bicycle parking facilities for two bicycles bays shall be provided in accordance with Australian Standard AS 2890.3, to the specification and satisfaction of the City. The facilities shall thereafter be retained for the life of the development.
12. The primary street fence and existing fencing shall be truncated or reduced to 0.75m in height within 1.5m of vehicle access points and street corners. Any fencing proposed above 0.75m in height within 1.5m of vehicle access points and street corners is required to be 80% visually permeable in order to provide adequate sight lines as required under clause 5 of Local Planning Policy *LPP3.1 Residential Development*, and thereafter maintained to the satisfaction of the City.
13. Prior to the initial occupation of the development, the boundary walls to be finished to either the same finish as the rest of the development walls or at a minimum, be finished to a clean face brick standard, to the satisfaction of the City.
14. Prior to the initial occupation of the development, the bin compound as shown on the approved plans is to be constructed and maintained in perpetuity to the satisfaction of the City. The bin compound is to be constructed to satisfy the following requirements:
 - (a) Provided with a tap and connected to an adequate supply of water. The tap is to be located in a position so that it will not be susceptible to being damaged by the bins being removed for collection.
 - (b) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness.
 - (c) Having walls not less than 1.8 metres in height and having an access point of not less than 1 metre in width for resident/tenants to access the area and fitted with a self-closing gate.

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Presiding Member, Metro Inner DAP



- (d) Access point for collection is to be of suitable size for the size of the bins used and the collection method proposed.
 - (e) Containing a smooth and impervious floor of not less than 75 millimetres in thickness; and provided with adequate and appropriate drainage to sewer. This pertains to commercial properties where approval is required from the Water Corporation for discharge of liquid waste.
 - (f) Where located within a building, the bin compound is to be ventilated in accordance with Australian Standard 1668.2: The Use of Ventilation and Air Conditioning in Buildings (as amended).
 - (g) Conveniently located for disposal of waste and recyclables by residents/tenants.
 - (h) Not readily accessible by the public.
15. The development is to be constructed and operated in accordance with the Waste Management Plan [dated 22 October 2024] and the City's Waste Management Guideline for New Developments, to the satisfaction of the City.
16. Prior to the initial occupation of the development, an updated Operational Management Plan is to be submitted to and approved by the City. This plan is required to include details on how the development will manage:
- a. Peak time traffic flow and use of drop off and pickup zones;
 - b. Staff parking management;
 - c. Pedestrian safety;
 - d. Preventing queueing of traffic and parking along Canning Highway;
 - e. Control and timing of deliveries and service vehicles; and
 - f. Limiting use of the outdoor play area prior to 7am.
- The Operational Management Plan is required to include personnel managing the above during pick up and drop off periods. The development shall operate in accordance with the approved Operational Management Plan for the lifetime of the development, to the satisfaction of the City.
17. Prior to occupation, the development is to implement the recommendations of the Environmental Noise Assessment report prepared by EcoAcoustics (reference 24011273-01a) dated 19 September 2024 with certification from a qualified acoustic consultant to this effect. The development is to thereafter comply with the report requirements at all times to the satisfaction of the City.
18. Within 12 months of occupation, evidence shall be provided from a suitably qualified consultant confirming that the Child Care Premises have been constructed in accordance with *Local Planning Policy 1.5 - Energy Efficiency in Building Design* (LPP1.5) to the satisfaction of the City.
19. The vehicle access gate shown on the approved plans, shall meet the requirements contained under clause 3 C4.1 of Local Planning Policy *LPP3.1 Residential Development* to the satisfaction of the City.

Francesca Lefante
Presiding Member, Metro Inner DAP



Main Roads WA Conditions

20. Prior to the initial occupation of the development, the land required for the widening of Canning Highway (Planning Control Area No.153) is to be set aside as a separate lot for acquisition pending future road widening requirements.
21. No part of the development, other than approved temporary landscaping is to be located within the land requirement for Canning Highway (Planning Control Area No.153).
22. Prior to the initial occupation of the development, a notification under section 70A of the *Transfer of Land Act 1893* must be registered over the Certificate of Title of the subject lot to notify owners and prospective purchasers of the land the existence of a hazard or other factor. The notification is to be prepared and executed at the applicant's cost and is to state as follows:

"The lot is situated in the vicinity of a transport corridor and is currently affected or may in the future be affected by transport noise."
23. Prior to the occupation of the development, a vehicle safety barrier must be installed within the site at the applicant's cost, to protect the external play area adjacent to Canning Highway.
24. Prior to the occupation of the development, an anti-graffiti coating is to be applied to the wall adjoining the Canning Highway Road reserve to Main Roads requirements.
25. Stormwater shall not be discharged into the Canning Highway Road Reserve or the future widened road reservation.

Advice Notes

1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The City is responsible for the allocation of street numbers in accordance with AS/NZS 4819:2011 Geographic Information – Rural and Urban Addressing. The applicant/owner is encouraged to liaise with the City for the provision of appropriate street numbers prior to the completion of works.
3. In relation to the Construction Management Plan (CMP), the CMP will require approval by the City prior to the issue of the associated Building Permit or Demolition Permit and therefore it is recommended that the CMP is lodged a minimum of 30 days prior to lodgement of the permits to avoid delays in the issue of the permits.

Francesca Lefante
Presiding Member, Metro Inner DAP



4. Construction is not permitted to obstruct traffic without prior written consent from the City's Technical Services department. Should the construction require a lane or road closure, a Traffic Management Plan is required to be approved by the City prior to any such works.
5. Prior to commencement of construction, a crossover application is to be submitted to and approved in writing by the City's Technical Services department. The crossover is to be designed to be;
 - a maximum width in accordance with the City's crossover specifications;
 - located a minimum of 2m away from the outside of the trunk of any street tree; and
 - a minimum of 1m from any existing street infrastructure.
6. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, sales, administration and construction activities are permitted to be installed within the property boundaries of the subject site for the duration of the construction period. These structures are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the City and are to be removed prior to initial occupation of the development.
7. Access of service vehicles to the property including deliveries and the operation of forklifts should not occur before 7:00am or after 7:00pm Monday to Saturday and before 9 :00am or after 7:00pm on Sundays and Public Holidays.

Main Roads Advice Notes

8. The upgrading/widening of Canning Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.
9. No works are permitted within the Canning Highway Road Reservation unless Main Roads has issued a Working on Roads Permit.
10. 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.
11. The applicant is advised that Main Roads specifications for the anti-graffiti coating can be found at on the Main Roads website > Technical & Commercial > Specifications > 900 Series - Miscellaneous > Specification 908.

Francesca Lefante
Presiding Member, Metro Inner DAP



AMENDING MOTION 1

Moved by: Cr Matthew Woodall

Seconded by: Cr Daniel Lim

That a new Condition No. 26 be added to read as follows:

The centre shall only operate between the hours of 7:00am - 6:30pm Monday to Friday, with occupation or use of outdoor play areas not to commence until after 7.00am on weekdays, to the satisfaction of the city.

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

For: Cr Matthew Woodall
Cr Daniel Lim

Against: Francesca Lefante
Clayton Higham
John Syme

PROCEDURAL MOTION 1

Moved by: Francesca Lefante

Seconded by: Clayton Higham

That the Standing Orders be suspended in accordance with section 5.10.2h of the DAP Standing Orders 2024.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: To allow members to speak more than once on the same item.

PROCEDURAL MOTION 2

Moved by: Francesca Lefante

Seconded by: Clayton Higham

That the Standing Orders be reinstated.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: to reinstate Standing Orders.

*The Standing Orders were suspended at 10:03am.
The Standing Orders were reinstated at 10:06am.*

Francesca Lefante
Presiding Member, Metro Inner DAP



AMENDING MOTION 2

Moved by: Cr Matthew Woodall

Seconded by: Cr Daniel Lim

That a new Condition No. 26 be added to read as follows:

The centre shall only operate between the hours of 6:30am - 6:00pm Monday to Friday, with occupation or use of outdoor play areas not to commence until after 7.00am on weekdays, to the satisfaction of the city.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To provide certainty around the hours of operation and the use of outdoor play areas.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner DAP resolves to:

1. **Accept** that the DAP Application reference DAP/24/02692 is appropriate for consideration as a “Child Care Premises” land use and compatible with the objectives of the zoning table in accordance with Clause 17 of the City of Melville Local Planning Scheme No. 6.
2. **Approve** DAP Application reference DAP/24/02692 and accompanying plans (Attachment 1 ‘Development 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 Melville Local Planning Scheme No. 6, 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 the subject of this approval must comply with the approved plans at all times unless otherwise agreed to in writing by the City of Melville.
3. Prior to the commencement of development, a detailed stormwater management plan is to be submitted, and approved by the City. All stormwater generated on site is to be retained on site in accordance with a plan approved in writing by the City.
4. Prior to the commencement of the development, Lots No.319, No.900, No.1 & No.2 shall be amalgamated and new certificate/s of title obtained for the amalgamated lots.

Francesca Lefante
Presiding Member, Metro Inner DAP



5. Prior to the lodgement of a Building application or commencement of demolition (whichever is sooner), the applicant shall submit a Demolition and Construction Management Plan (CMP) to the City of Melville for approval. The CMP shall be prepared having regard to the provisions of *Local Planning Policy 1.22 Construction Management Plans*. Once approved in writing by the City, the demolition and construction is to be carried out in accordance with the CMP to the satisfaction of the City. Any modifications to the CMP are to be approved by the City in writing.
6. Prior to the commencement of development, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel in accordance with Local Planning Policy *LPP1.4 Provision of Art in Development Proposals*. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. In lieu of provision of art on site, a cash in lieu contribution may be made as per LPP 1.4.
7. Prior to commencement of development, a detailed landscaping and reticulation plan for the subject site and/or the road verge(s) adjacent to the site shall be submitted to and approved in writing by the City. The landscaping plan is to include proposed details of (but is not limited to):
 - (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
 - (b) Any lawns to be established;
 - (c) Any existing vegetation and/or landscaped areas to be retained; and
 - (d) Any verge treatments

The approved landscaping and reticulation plan shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter, to the satisfaction of the City.
8. Prior to the initial occupation of the development, all bicycle parking areas, car parking bays, manoeuvring areas, driveways and points of ingress and egress shall be provided in accordance with the approved plans to the satisfaction of the City and relevant Australian Standards. The bay shall thereafter be retained for the life of the development.
9. Prior to the initial occupation of the development, all unused crossover(s) shall be removed, and the kerbing and road verge reinstated at the owners cost to the satisfaction of the City.
10. Prior to occupation of this development, the subject site is to be serviced by a vehicle crossover.
11. Prior to the initial occupation of the development, bicycle parking facilities for two bicycles bays shall be provided in accordance with Australian Standard AS 2890.3, to the specification and satisfaction of the City. The facilities shall thereafter be retained for the life of the development.

Francesca Lefante
Presiding Member, Metro Inner DAP



12. The primary street fence and existing fencing shall be truncated or reduced to 0.75m in height within 1.5m of vehicle access points and street corners. Any fencing proposed above 0.75m in height within 1.5m of vehicle access points and street corners is required to be 80% visually permeable in order to provide adequate sight lines as required under clause 5 of Local Planning Policy *LPP3.1 Residential Development*, and thereafter maintained to the satisfaction of the City.
13. Prior to the initial occupation of the development, the boundary walls to be finished to either the same finish as the rest of the development walls or at a minimum, be finished to a clean face brick standard, to the satisfaction of the City.
14. Prior to the initial occupation of the development, the bin compound as shown on the approved plans is to be constructed and maintained in perpetuity to the satisfaction of the City. The bin compound is to be constructed to satisfy the following requirements:
 - (a) Provided with a tap and connected to an adequate supply of water. The tap is to be located in a position so that it will not be susceptible to being damaged by the bins being removed for collection.
 - (b) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness.
 - (c) Having walls not less than 1.8 metres in height and having an access point of not less than 1 metre in width for resident/tenants to access the area and fitted with a self-closing gate.
 - (d) Access point for collection is to be of suitable size for the size of the bins used and the collection method proposed.
 - (e) Containing a smooth and impervious floor of not less than 75 millimetres in thickness; and provided with adequate and appropriate drainage to sewer. This pertains to commercial properties where approval is required from the Water Corporation for discharge of liquid waste.
 - (f) Where located within a building, the bin compound is to be ventilated in accordance with Australian Standard 1668.2: The Use of Ventilation and Air Conditioning in Buildings (as amended).
 - (g) Conveniently located for disposal of waste and recyclables by residents/tenants.
 - (h) Not readily accessible by the public.
15. The development is to be constructed and operated in accordance with the Waste Management Plan [dated 22 October 2024] and the City's Waste Management Guideline for New Developments, to the satisfaction of the City.
16. Prior to the initial occupation of the development, an updated Operational Management Plan is to be submitted to and approved by the City. This plan is required to include details on how the development will manage:
 - a. Peak time traffic flow and use of drop off and pickup zones;
 - b. Staff parking management;
 - c. Pedestrian safety;

Francesca Lefante
Presiding Member, Metro Inner DAP



- d. Preventing queueing of traffic and parking along Canning Highway;
- e. Control and timing of deliveries and service vehicles; and
- f. Limiting use of the outdoor play area prior to 7am.

The Operational Management Plan is required to include personnel managing the above during pick up and drop off periods. The development shall operate in accordance with the approved Operational Management Plan for the lifetime of the development, to the satisfaction of the City.

- 17. Prior to occupation, the development is to implement the recommendations of the Environmental Noise Assessment report prepared by EcoAcoustics (reference 24011273-01a) dated 19 September 2024 with certification from a qualified acoustic consultant to this effect. The development is to thereafter comply with the report requirements at all times to the satisfaction of the City.
- 18. Within 12 months of occupation, evidence shall be provided from a suitably qualified consultant confirming that the Child Care Premises have been constructed in accordance with *Local Planning Policy 1.5 - Energy Efficiency in Building Design* (LPP1.5) to the satisfaction of the City.
- 19. The vehicle access gate shown on the approved plans, shall meet the requirements contained under clause 3 C4.1 of Local Planning Policy *LPP3.1 Residential Development* to the satisfaction of the City.

Main Roads WA Conditions

- 20. Prior to the initial occupation of the development, the land required for the widening of Canning Highway (Planning Control Area No.153) is to be set aside as a separate lot for acquisition pending future road widening requirements.
- 21. No part of the development, other than approved temporary landscaping is to be located within the land requirement for Canning Highway (Planning Control Area No.153).
- 22. Prior to the initial occupation of the development, a notification under section 70A of the *Transfer of Land Act 1893* must be registered over the Certificate of Title of the subject lot to notify owners and prospective purchasers of the land the existence of a hazard or other factor. The notification is to be prepared and executed at the applicant's cost and is to state as follows:

"The lot is situated in the vicinity of a transport corridor and is currently affected or may in the future be affected by transport noise."
- 23. Prior to the occupation of the development, a vehicle safety barrier must be installed within the site at the applicant's cost, to protect the external play area adjacent to Canning Highway.

Francesca Lefante
Presiding Member, Metro Inner DAP



24. Prior to the occupation of the development, an anti-graffiti coating is to be applied to the wall adjoining the Canning Highway Road reserve to Main Roads requirements.
25. Stormwater shall not be discharged into the Canning Highway Road Reserve or the future widened road reservation.
26. The centre shall only operate between the hours of 6:30am - 6:00pm Monday to Friday, with occupation or use of outdoor play areas not to commence until after 7.00am on weekdays, to the satisfaction of the city.

Advice Notes

1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The City is responsible for the allocation of street numbers in accordance with AS/NZS 4819:2011 Geographic Information – Rural and Urban Addressing. The applicant/owner is encouraged to liaise with the City for the provision of appropriate street numbers prior to the completion of works.
3. In relation to the Construction Management Plan (CMP), the CMP will require approval by the City prior to the issue of the associated Building Permit or Demolition Permit and therefore it is recommended that the CMP is lodged a minimum of 30 days prior to lodgement of the permits to avoid delays in the issue of the permits.
4. Construction is not permitted to obstruct traffic without prior written consent from the City's Technical Services department. Should the construction require a lane or road closure, a Traffic Management Plan is required to be approved by the City prior to any such works.
5. Prior to commencement of construction, a crossover application is to be submitted to and approved in writing by the City's Technical Services department. The crossover is to be designed to be;
 - a maximum width in accordance with the City's crossover specifications;
 - located a minimum of 2m away from the outside of the trunk of any street tree; and
 - a minimum of 1m from any existing street infrastructure.

Francesca Lefante
Presiding Member, Metro Inner DAP



6. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, sales, administration and construction activities are permitted to be installed within the property boundaries of the subject site for the duration of the construction period. These structures are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the City and are to be removed prior to initial occupation of the development.
7. Access of service vehicles to the property including deliveries and the operation of forklifts should not occur before 7:00am or after 7:00pm Monday to Saturday and before 9 :00am or after 7:00pm on Sundays and Public Holidays.

Main Roads Advice Notes

8. The upgrading/widening of Canning Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.
9. No works are permitted within the Canning Highway Road Reservation unless Main Roads has issued a Working on Roads Permit.
10. 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.
11. The applicant is advised that Main Roads specifications for the anti-graffiti coating can be found at on the Main Roads website > Technical & Commercial > Specifications > 900 Series - Miscellaneous > Specification 908.

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

REASON: Members were satisfied that the proposal is consistent with the planning framework. The land use is appropriate in the centre zone. The proposal design, scale and form respond to the site context. Traffic movements, site servicing and parking configuration are considered suitable for the development scale, noting that this element requires a management plan to support the site operation and prevent queuing on Canning Highway. The inclusion of an additional condition was supported to reflect the operating timeframes and outdoor play space usage and amenity impacts. On balance the proposal was approved generally consistent with the RAR comments.

Francesca Lefante
Presiding Member, Metro Inner DAP



4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Matthew Woodall and Cr Daniel Lim (Local Government DAP Members, City of Melville) left the panel at 10:13am.

A handwritten signature in black ink, appearing to read 'Francesca Lefante'.

Francesca Lefante
Presiding Member, Metro Inner DAP



PART C – CITY OF VINCENT

Cr Ashley Wallace and Cr Nicole Woolf (Local Government DAP Members, City of Vincent) joined the panel at 10:14am.

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

Nil.

4. Form 2 DAP Applications

4.1 Nos.103 (Lot 278) Alma Road & 367-376 (Lots 273-277) Fitzgerald Street, North Perth - Amendments to Approved Mixed Use Development – DAP/24/02538

Deputations and Presentations

Emily Bird addressed the DAP against the recommendation for the application at Item 4.1 and responded to questions from the panel.

Matthew Evans (Celsius Developments) addressed the DAP in support of the recommendation for the application at Item 4.1 and responded to questions from the panel.

Nathan Maas (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 4.1 and responded to questions from the panel.

The City of Vincent 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



REPORT RECOMMENDATION

Moved by: Cr Nicole Woolf

Seconded by: Cr Ashley Wallace

That the Metro Inner Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/23/02538 as detailed on the DAP Form 2 dated 24 September 2024 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/23/02538 and accompanying plans included in Attachment 2 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Vincent Local Planning Scheme No. 2, for the proposed amendment to the approved Mixed Use Development at Nos: 103 Alma Road & 367-376 Fitzgerald Street, North Perth, subject to the following conditions:

Amended Conditions

The following conditions imposed as part of the original approval issued by the Metro Inner Joint Development Assessment Panel dated 30 November 2023 (DAP/23/02538) are amended as follows:

1. Condition 1.3 is amended to read as follows:
 - 1.3 This approval is for a mixed-use development comprising 108 multiple dwellings and non-residential tenancies as shown on the approved plans dated 17 September 2024, 20 November 2024 and 6 December 2024.
2. Condition 2.2 is amended to read as follows:
 - 2.2 A maximum of 109 patrons are permitted across the Restaurant/Café tenancies at any one time.
3. Condition 3.4 is added as follows:
 - 3.4 **Prior to the occupation or use of the development**, air conditioning units shall be located and screened in accordance with specifications identified on the approved plans, to the satisfaction of the City.
4. Condition 5.1 is amended to read as follows:
 - 5.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City **prior to issuing of a Building Permit**. The plan shall be drawn to a scale of 1:100 and show the following:
 - Areas to be irrigated or reticulated;

Francesca Lefante
Presiding Member, Metro Inner DAP



- The provision of a minimum of 121.5 square metres of deep soil area on the site as defined by the Residential Design Codes Volume 2 – Apartments, consistent with the locations shown on the approved development plans dated 17 September 2024, 20 November 2024 and 6 December 2024;
- The provision of a minimum of 195.8 square metres of planting within the adjoining right of way, consistent with the locations shown on the approved development plans dated 17 September 2024, 20 November 2024 and 6 December 2024;
- The provision of a minimum of 997 square metres of on-structure planting, consistent with the locations shown on the approved development plans dated 17 September 2024, 20 November 2024 and 6 December 2024;
- The provision of small, medium and large trees generally in accordance with the species, location and sizes specified in the landscaping plans dated 11 October 2023, with the exception of the western section of the right of way;
- Updated tree species are to be provided and approved by the City for the western portion of the right of way which are evergreen and non-invasive. These trees shall be planted within the western portion of the right of way in accordance with the size and location specified in the landscaping plans dated 11 October 2023;
- The retention of all existing verge trees adjacent to the development, except for the western-most existing verge tree to Alma Road; and
- The provision of verge planting and five new trees within the Fitzgerald Street, four new trees within the verge of Alma Road and two new trees within the verge of Raglan Road adjoining the development site. The tree species shall be approved by the City.

5. Condition 6.1, 6.5 and 6.6 are amended to read as follows:

6.1 **Prior to occupation or use of the development**, a minimum of:

- 103 resident car parking bays;
- 15 resident visitor car parking bays;
- 45 parking bays on the ground floor that are publicly accessible; and
- 8 additional non-residential car parking bays for use by staff, tenants and/or customers

shall be provided on site and are to be permanently marked for the exclusive use of the mixed-use development car parking in accordance with Australian Standard AS2890.1.

6.5 Bicycle racks shall be designed and constructed in accordance with Australian Standards AS2890.3: 2015 Parking Facilities Part 3: Bicycle Parking, and shall be installed **prior to occupation or use of the development** in the following locations, to the satisfaction of the City:

- A minimum of 54 resident and 22 non-residential long-term bicycle spaces provided within the development site; and

Francesca Lefante
Presiding Member, Metro Inner DAP



- A minimum of 62 visitor and short-term bicycle spaces provided on the verge areas generally in locations shown on the approved plans.

6.6 **Prior to the occupation or use of the development**, a Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan is to include details addressing the following, but not limited to:

- Detailed management measures for the operation of the vehicular entry gate/s, to ensure access is readily available for owners/visitors/tenants to the residential and non-residential uses at all times;
- The installation of signage along the frontage of the building if required to identify the location of, and access to the on-site car parking area;
- The allocation of the car parking bays to ensure that there is a minimum of 103 resident, 15 residential visitor and 53 non-residential car parking bays provided on site. The non-residential car parking bays should allocate a minimum of 45 ground floor car parking bays that are publicly accessible for use by the ground floor commercial tenancies, during their operating hours; and a minimum of 8 car parking bays for use by the Office tenancies on the second floor that are permitted to be secured behind a gate. Where provided tandem parking bays are to be allocated to the same units or commercial tenancies.

6. Condition 10 is amended to read as follows:

10. Stormwater from all roofed and paved areas, with the exception of ground floor awnings, shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve, to the satisfaction of the City.

All other conditions and requirements detailed on the previous approval dated 30 November 2023 shall remain unless altered by this application.

The Report Recommendation was put and CARRIED (4/1).

For: Francesca Lefante
Clayton Higham
John Syme
Cr Ashley Wallace

Against: Cr Nicole Woolf

Francesca Lefante
Presiding Member, Metro Inner DAP



REASON: The majority of Panel Members were satisfied that the proposal could be considered under the DAP Regulation 17. Due regard was given to the RAR comments, submissions and presentations. Members were satisfied that building height, balconies, cabana and tenancies changes were acceptable and do not result in additional amenity impacts on the surrounding residents. The development retains an articulated façade and strong design elements and materials, enhancing the streetscape as reflected in the proposal achieving compliance on all design aspects. The changes are a considered minor in the context of the development. Accordingly, the exercise of discretion is justified and the proposal supported.

5. Section 31 SAT Reconsiderations

A handwritten signature in black ink, appearing to read 'FL', with a long horizontal stroke extending to the right.

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/22/02372 DR44/2024	City of Perth	Lot 20 (No.141) Wellington Street, East Perth	Proposed Convenient Store	28/03/2024
DAP/24/02688 DR 191/2024	City of South Perth	No 44 (Lot 15) Park Street, Como	Proposed Childcare Premises	16/12/2024
DAP/20/01911 DR/192/2024	Town of Cambridge	Lot 800 (29-33) Northwood Street, West Leederville	Three storey care premises and associated office	16/12/2024

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:51am.

Francesca Lefante
Presiding Member, Metro Inner DAP