

Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 30 July 2026; 9:30am
Meeting Number: MIDAP/144
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MIDAP/144 - 30 July 2026 - City of Vincent - City of Melville](#)

PART A – INTRODUCTION

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

PART B – CITY OF VINCENT

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot No.88 (441) William Street, Perth - Proposed Mixed Use Development – DAP/26/03041
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF MELVILLE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lots 1 (No.5A & 5B) Macrae Road, Applecross - 21 Multiple Dwellings – DAP/26/03093
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

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



Clayton Higham
Presiding Member, Metro Inner DAP

DAP Members

Clayton Higham (Presiding Member)

Dale Page (Deputy Presiding Member)

Luigi D'Alessandro

Cr Nicole Woolf (Part B – City of Vincent)

Cr Suzanne Worner (Part B – City of Vincent)

Cr Nicole Robins (Part C – City of Melville)

Cr Scott Green (Part C – City of Melville)

DAP Secretariat

Kristen Gray

Ashlee Kelly



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Presiding Member, Metro Inner DAP

Part B – City of Vincent
Submitters
Alex McGlue (Lavan Legal) Robert Piper Ken Perry Dr Judith Pugh Rob van Dieren
Applicant
Felipe Soto (Space Collective Architects) Daniel Hollingworth (Lateral Planning)
Officers/Technical Advisors in Attendance
Haydn Ruse Aviva Micevski Jay Naidoo

Part C – City of Melville
Applicant
Tom Hockley (Allerding and Associates) Donald Veal (Donald Veal Consultants) Brett Garrett (Griffith Group) Anthony Rizzacasa (Griffith Group)
Officers/Technical Advisors in Attendance
Liam Johnson Kate Bainbridge Ashish Babu

Members of the Public / Media

There were 3 members of the public in attendance.

Observers via livestream

There were 11 persons observing the meeting via the livestream.



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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 30 July 2026 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

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

1.1 Announcements by Presiding Member

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

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

2. Apologies

Cr Glynis Barber (Local Government DAP Member, City of Melville)

3. Noting of Minutes

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

PROCEDURAL MOTION

Moved by: Clayton Higham

Seconded by: Dale Page

That the application at Part C Item 3.1 be heard prior to the application at Part B Item 3.1.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: To allow the less complex Form 1 application from the City of Melville to be heard before the Form 1 application from the City of Vincent, thereby facilitating the efficient and orderly conduct of the meeting.



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Cr Suzanne Worner and Cr Nicole Woolf (Local Government DAP Members, City of Vincent) joined the panel at 10:38am.

PART B – CITY OF VINCENT

1. Declaration of Due Consideration

The Presiding Member noted that late information, as per clause 3.6.13 of the DAP Standing Orders, was received on the 29 July 2026 and was circulated to the panel, local government and applicant. The Panel declared that they had duly considered the late information and therefore will be published on the DAP website in due course.

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.

PROCEDURAL MOTION

Moved by: Clayton Higham

Seconded by: Dale Page

That the Metro Inner DAP receive legal advice from representatives of the Department of Planning, Lands and Heritage and that such advice is received behind closed doors, in accordance with section 5.9.2f of the DAP Standing Orders.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: To allow the DAP to obtain legal advice relevant to the determination of the application.

*The meeting was closed to the public at 10:41am.
The meeting was reopened to the public at 10:57am.*

3. Form 1 DAP Applications

3.1 Lot No.88 (441) William Street, Perth - Proposed Mixed Use Development – DAP/26/03041

Deputations

Alex McGlue from Lavan Legal on behalf of Robert Piper addressed the DAP against the application at Item 3.1 and responded to questions from the panel.



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Ken Perry addressed the DAP against the application at Item 3.1.

Felipe Soto (Space Collective Architects) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Daniel Hollingworth (Lateral Planning) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

The panel noted written submissions against the application at Item 3.1 was received from Dr Judith Pugh and Rob van Dieren.

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

SUBSTANTIVE MOTION

Moved by: Clayton Higham

Seconded by: Dale Page

That the Metro Inner DAP resolves to:

1. **Approve** DAP Application reference DAP/26/03041 and accompanying plans contained 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, subject to the following conditions:

Conditions

1. General

- 1.1. This decision constitutes planning approval only and is valid for a period of four 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.
- 1.2. This approval is for a Mixed Use Development as shown on the approved plans;
 - Survey Plan – SD1-00;
 - Site Plan – SD1-02;
 - Ground Floor Plan – SD2-01 – Rev B
 - Level 1 Plan – SD2-02 – Rev B
 - Level 2 Plan – SD2-03 – Rev C
 - Level 3 Plan – SD2-04 – Rev B
 - Level 4 Plan – SD2-05 – Rev C



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- Level 5-7 Plan – Typical Floor – SD2-06 – Rev B
- Roof – SD2-07 – Rev B
- Elevations 1 – SD3-01 – Rev C
- Elevations 2 – SD3-02 – Rev C
- Elevations 3 – SD3-03 – Rev C
- Sections 1 – SD4-01 – Rev C
- Sections 2 – SD4-02 – Rev C

No other development forms part of this approval.

2. Land Use

This use of the tenancies shall be in accordance with the following land uses as defined within the City of Vincent's Local Planning Scheme No. 2 (LPS2) except where restricted below:

- Restaurant/Café;
- Shop;
- Office; and
- Multiple Dwellings.

The development being used for any other land use may require further development approval in accordance with LPS2.

3. Building Design

- 3.1. The surface finish of boundary walls facing the adjoining property shall be of a good and clean condition, **prior to the occupation or use of the development**, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City.
- 3.2. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive, to the satisfaction of the City.



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- 3.3. Doors and windows and adjacent ground floor areas fronting William Street and Brisbane Place shall maintain an active and interactive relationship with the street. Glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the commercial tenancy. Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street.
 - 3.4. Meter boxes, fire boosters and other service utilities shall be located behind the street setback area, not be visible from the street and where integrated into the building, designed and located so as not to be visually obtrusive, to the satisfaction of the City.
 - 3.5. The awning within the William Street road reservation attached to the façade of the building shall be designed to be removable, to the satisfaction of the City.
 - 3.6. All privacy screening shown on the plans is to be installed **prior to the occupation or use of the development** to a minimum height of 1.6 metres above the finished floor level and be 75% obscure, permanently fixed, made of durable material and restricts views into any adjoining property.
 - 3.7. Doorways of storerooms shall not open into the storeroom or the car park to maximise accessibility and internal storage space, to the satisfaction of the City.
4. Colours and Materials
- 4.1. **Prior to the lodgement of a building permit**, a schedule detailing the colour and texture of the building materials that is consistent with the approved plans and demonstrating that the proposed development complements the surrounding area, shall be submitted to and approved by the City.
 - 4.2. **Prior to occupation or use of the development**, the development must be finished, and thereafter maintained, in accordance with the schedule provided to and approved by the City, unless otherwise agreed by the City.



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5. Landscaping

- 5.1. A detailed landscape and reticulation plan for the development site, to the satisfaction of the City, shall be lodged with and approved by the City **prior to the lodgement of a building permit**.

The plan shall be drawn to a scale of 1:100, be generally in accordance with the landscaping plans dated 3 December 2025, 4 December 2025, 29 June 2026 and 30 June 2026 (prepared by KDLA) and shall detail the following:

- The location, pot sizes and type of proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum of 89.7 square metres of on-structure landscaping; and
- The provision of a minimum of nine small trees, as defined by the Residential Design Codes Volume 2, in locations and species generally consistent with the approved plans.

- 5.2. All works shown in the approved landscaping plan shall be undertaken in accordance with the approved plans to the satisfaction of the City, **prior to the occupation or use of the development** and maintained thereafter to the satisfaction of the City, at the expense of the owners/occupiers.

6. Car Parking, Access and Bicycle Facilities

- 6.1. **Prior to the occupation or use of the development**, nine resident car parking bays and 12 non-residential car parking bays, within the proposed car parking area shall be provided on site and provided generally in accordance with Australian Standard AS2890.1, to the satisfaction of the City.
- 6.2. **Prior to the occupation or use of the development**, all vehicle parking, manoeuvring and access areas shall be constructed, drained and line marked in accordance with the approved plans and are to comply with the requirements of Australian Standard 2890.1, to the satisfaction of the City (see Advice Notes).
- 6.3. **Prior to the occupation or use of the development**, car parking bays provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development, and the car parking bays provided for the commercial component of the development shall be clearly marked for the exclusive use of the commercial component of the development, unless otherwise required by the Parking Management Plan, to the satisfaction of the City.



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6.4. **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, but not limited to, addressing the following:

- Allocation of nine residential car parking bays and 12 non-residential car parking bays;
- Details of signage and line marking to identify the use of bays and direct vehicle manoeuvring within the car parking areas;
- Measures to ensure prospective residents are advised of the limited availability of on-site car parking and ineligibility for parking permits;
- Detailed management measures for the operation of the vehicular entry gate/s and car lift, to ensure access is readily available for the residential and non-residential units at all times;
- Line marking and signage to ensure safe and efficient use of the car parking area; and
- Line marking of visual truncations at the entry to guide exiting vehicles to use the centre of the driveway.

The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved Parking Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers.

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 the occupation or use of the development** in the following locations, generally in accordance with approved plans, to the satisfaction of the City:

- A minimum of 20 bicycle parking bays provided on-site, generally in accordance with the locations shown on the approved plans.

7. Acoustic & Noise Management

7.1. **Prior to the lodgement of a building permit** the Acoustic Report dated 28 April 2026 (prepared by E-LAB Consulting) shall be revised then submitted to and approved by the City, in accordance and to demonstrate compliance with the City's Policy No. 7.5.21 – Sound Attenuation. The revised acoustic report shall reflect the final detailed design of the commercial tenancies, and include details related to any mechanical plant or exhaust equipment, noise from vehicles using the car parking areas and other potential noise sources.



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- 7.2. All recommended measures included in the revised approved Acoustic Report shall be implemented **prior to the occupation or use of the development** and be maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers.

8. Construction Management

- 8.1. **Prior to the commencement of works**, a Construction Management Plan shall be submitted to, and approved by, the City. Once approved, the Plan shall be implemented in full and complied with at all times for the duration of construction of the development, to the satisfaction of the City. The Plan is to address, but not limited to, the following:

- i. public communication and complaint handling procedures;
- ii. temporary fencing, hoarding, gantries and signage;
- iii. construction methods;
- iv. protection of trees and public realm infrastructure;
- v. site access and egress;
- vi. construction traffic management;
- vii. deliveries and storage of construction materials and machinery;
- viii. pedestrian and cyclist management and any footpath obstructions;
- ix. parking arrangements for staff and contractors;
- x. hours of construction;
- xi. management of noise, lighting, vibration, dust and erosion;
- xii. construction waste management, recycling, and removal; and
- xiii. management of any site dewatering or stormwater discharge.

- 8.2. The approved Construction Management Plan shall be complied with for the duration of the construction of the development, to the satisfaction of the City.

7. Stormwater

Stormwater from all roofed, paved and awning areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve, unless otherwise approved by the City.

8. Signage

All signage is to be in strict accordance with the City's Local Planning Policy: Signs and Advertising, unless further development approval is obtained.



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9. Public Art

- 9.1. In accordance with the City of Vincent Percent for Art Policy a public art contribution of \$100,000 is required, being one percent of the \$10 million cost of development.

To comply with the Policy, the owner(s) or applicant, on behalf of the owner(s) shall submit a statutory declaration **prior to the lodgement of a building permit** stipulating the choice of:

Option 1: Owner/Applicant chooses to co-ordinate the Public Art project themselves or by engaging an art consultant

OR

Option 2: Owner/Applicant chooses to pay cash-in-lieu. Owner/Applicants who choose Option 2 will receive a 15 percent discount on the Percent for Art contribution.

- 9.2. The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Percent for Public Art Policy in conjunction with the above chosen option:

Option 1: **Prior to the lodgement of a building permit** for the development, obtain approval for the Public Art Project and associated Artist; and

Prior to the occupation or use of the development, install the approved public art project, and thereafter maintain the art work;

OR

Option 2: **Prior to the occupation or use of the development** pay the above cash-in-lieu contribution amount.

10. Clothes Drying Facilities

Prior to the occupation or use of the development, each multiple dwelling shall be provided with a clothes-drying facility screened from the public realm in accordance with the Residential Design Codes Volume 2, to the satisfaction of the City.

11. Waste Management

Prior to occupation or use of the development, an updated Waste Management Plan must be submitted to and approved by the City. The updated Waste Management Plan must be generally consistent with the Waste Management Plan prepared by Talis dated 5 December 2025 and must confirm:



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- final residential and commercial waste generation rates;
- bin numbers, sizes and storage arrangements;
- bin transfer arrangements between the bin store and collection point;
- collection location and timing;
- responsibility for presenting and returning bins;
- measures to avoid obstruction of Brisbane Place, footpaths, parking bays and vehicle access; and
- any required parking restriction, traffic management or operational arrangements to support waste collection.

The approved Waste Management Plan must be implemented and complied with for the life of the development, to the satisfaction of the City.

12. Environmentally Sustainable Design

Prior to the occupation or use of the development, the applicant shall demonstrate that at least one significant energy efficiency initiative has been implemented within the development that exceeds minimum practice, to the satisfaction of the City.

13. Community Benefit

13.1. Prior to lodgement of a building permit, a detailed Community Benefit Plan must be submitted to and approved by the City.

The Community Benefit Plan must be generally consistent with the Community Benefit Concept / Landscape Concept Plan prepared by KDLA dated 24 April 2026 and must include:

- the final extent and location of all proposed works within the William Street road reserve;
- detailed civil and engineering drawings;
- details of any excavation, kerb realignment, drainage realignment, paving, decking, seating, bicycle parking, planter boxes, landscaping and associated works;
- arborist advice prepared by a suitably qualified arborist addressing retention, protection and long-term health of the existing street tree;
- specifications for all assets proposed to be installed;
- confirmation of ownership, asset handover and maintenance responsibilities;
- staging and timing for delivery of the works;
- maintenance measures for landscaping and other assets; and
- any other information reasonably required by the City to confirm the detailed design, delivery and maintenance of the community benefit works.



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The approved community benefit works must be completed prior to occupation or use of the development, unless otherwise approved by the City.

13.2. The owner from time to time of 441 William Street must maintain those aspects of the approved Community Benefit Plan that are specified in the approved plan as being the owner's maintenance responsibility.

13.3. **Prior to occupation or use of the development**, the owner must make arrangements satisfactory to the City to secure the ongoing maintenance of those aspects of the Community Benefit. Those arrangements may include a legal agreement.

13.4. If the land is strata titled, the arrangements required by Condition 13.3 must ensure that the ongoing maintenance obligation is undertaken by the strata company and secured through appropriate strata documentation and/or a planning (scheme by-laws) condition, to the satisfaction of the City.

Advice Notes

1. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
2. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to the commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
3. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and reserve levels to the satisfaction of the City.
4. All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
5. With reference to boundary walls, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.



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6. With reference to the Construction Management Plan, the owner/applicant may be required to obtain a Work Zone Permit from the City in order to satisfy this Condition due to the location of the site with access constraints. The requirement for, and cost of any such permit shall be determined by the City following the lodgement of a Building Permit.
7. Any external artificial lighting installations, including in carparks and common areas, is to comply with Australian Standard AS 4282-1997 'Control of the obtrusive effects of outdoor lighting' and must not be permitted to shine or reflect into other properties, creating a nuisance.
8. The approved landscaping plan is required to be maintained once implemented and maintenance requirements should be outlined in the strata management plan to ensure landscaping areas within strata properties are suitably maintained. Modifications to the approved landscaping that has been installed on-site at the time of occupancy will require subsequent approval of the City. The City encourages landscaping methods and species selection which do not rely on reticulation.
9. The applicant and landowner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the multiple dwellings in accordance with the City's Parking Permits Policy. This information should be provided to all prospective purchasers, and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.
10. The applicant is advised that any future strata title of the property must be consistent with this approval and the lot sizes demonstrated in the application.
11. In relation to Condition 6.2, the construction of parking, manoeuvring and access areas shall be paved with either asphalt, concrete, bricking paving or other hard surface, as approved by the City.
12. Food business/es are proposed on the ground floor tenancies, and the mechanical ventilation plans or type of businesses is not yet known. The City recommends that control of cooking odours/smoke are managed on a worst case scenario, by ensuring that vertically discharging mechanical ventilation systems are built in to the building. Mechanical ventilation systems are required to comply with AS1668.2 - The use of ventilation and air conditioning in buildings (Part 2: Mechanical ventilation in buildings) in order to prevent odours/smoke causing a nuisance to the residential apartments above.



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13. The food business proprietor/s are to submit a Food Business Notification/Registration application form to register the new food premises under the Food Act 2008. For further information and to download a form please visit: <https://www.vincent.wa.gov.au/develop-build/health/food-businesses.aspx>.

The application must be assessed by Health Services and approved prior to opening. For any queries please contact Health Services on 9273 6000 or email mail@vincent.wa.gov.au

14. Where any community/public spaces fall under the definition of a public building (as defined by section 173 of the *Health (Miscellaneous Provisions) Act 1911*), then the property occupier must apply for a Public Building Certificate of Approval for each space, which will specify the maximum safe capacity. Please note that planning approval capacity may also restrict numbers. For more information and to download the application forms please visit: <https://www.vincent.wa.gov.au/develop-build/health/public-buildings.aspx>
15. Where public building approval is required, Forms 1, 2 & 5 are required to be submitted to Health Services for assessment and approval prior to use. For any queries please contact Health Services on 9273 6000 or email mail@vincent.wa.gov.au.
16. The applicant is advised that the community benefit works are proposed within the William Street road reserve. This development approval does not authorise works within the road reserve. Separate approvals, permits, licences, engineering approval, asset approval and/or legal arrangements are to be obtained before any works commence in the road reserve. The applicant is responsible for obtaining all required approvals and entering into any required arrangements with the City or other relevant authority.

AMENDING MOTION 1

Moved by: Cr Suzanne Worner

Seconded by: Cr Nicole Woolf

That a new dot point be added to Condition No. 13.1 be amended to read as follows:

Consideration of additional benefits such as lighting and EV charging and further greeneries and landscaping of the street.

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

For: Cr Suzanne Worner
Cr Nicole Woolf

Against: Dale Page
Clayton Higham
Luigi D'Alessandro



Clayton Higham
Presiding Member, Metro Inner DAP

AMENDING MOTION 1

Moved by: Cr Suzanne Worner

Seconded by: Cr Nicole Woolf

That a new dot point be added to Condition No. 13.1 be amended to read as follows:

Consideration of additional benefits such as lighting and EV charging.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The amendment provides further guidance and clarity on the detailed development of the community benefit space.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to:

1. **Approve** DAP Application reference DAP/26/03041 and accompanying plans contained 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, subject to the following conditions:

Conditions

1. General

- 1.1. This decision constitutes planning approval only and is valid for a period of four 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.
- 1.2. This approval is for a Mixed Use Development as shown on the approved plans;
 - Survey Plan – SD1-00;
 - Site Plan – SD1-02;
 - Ground Floor Plan – SD2-01 – Rev B
 - Level 1 Plan – SD2-02 – Rev B
 - Level 2 Plan – SD2-03 – Rev C
 - Level 3 Plan – SD2-04 – Rev B
 - Level 4 Plan – SD2-05 – Rev C
 - Level 5-7 Plan – Typical Floor – SD2-06 – Rev B
 - Roof – SD2-07 – Rev B
 - Elevations 1 – SD3-01 – Rev C
 - Elevations 2 – SD3-02 – Rev C



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- Elevations 3 – SD3-03 – Rev C
- Sections 1 – SD4-01 – Rev C
- Sections 2 – SD4-02 – Rev C

No other development forms part of this approval.

2. Land Use

This use of the tenancies shall be in accordance with the following land uses as defined within the City of Vincent's Local Planning Scheme No. 2 (LPS2) except where restricted below:

- Restaurant/Café;
- Shop;
- Office; and
- Multiple Dwellings.

The development being used for any other land use may require further development approval in accordance with LPS2.

3. Building Design

- 3.1. The surface finish of boundary walls facing the adjoining property shall be of a good and clean condition, **prior to the occupation or use of the development**, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City.
- 3.2. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive, to the satisfaction of the City.
- 3.3. Doors and windows and adjacent ground floor areas fronting William Street and Brisbane Place shall maintain an active and interactive relationship with the street. Glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the commercial tenancy. Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street.



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- 3.4. Meter boxes, fire boosters and other service utilities shall be located behind the street setback area, not be visible from the street and where integrated into the building, designed and located so as not to be visually obtrusive, to the satisfaction of the City.
- 3.5. The awning within the William Street road reservation attached to the façade of the building shall be designed to be removable, to the satisfaction of the City.
- 3.6. All privacy screening shown on the plans is to be installed **prior to the occupation or use of the development** to a minimum height of 1.6 metres above the finished floor level and be 75% obscure, permanently fixed, made of durable material and restricts views into any adjoining property.
- 3.7. Doorways of storerooms shall not open into the storeroom or the car park to maximise accessibility and internal storage space, to the satisfaction of the City.
4. Colours and Materials
 - 4.1. **Prior to the lodgement of a building permit**, a schedule detailing the colour and texture of the building materials that is consistent with the approved plans and demonstrating that the proposed development complements the surrounding area, shall be submitted to and approved by the City.
 - 4.2. **Prior to occupation or use of the development**, the development must be finished, and thereafter maintained, in accordance with the schedule provided to and approved by the City, unless otherwise agreed by the City.
5. Landscaping
 - 5.1. A detailed landscape and reticulation plan for the development site, to the satisfaction of the City, shall be lodged with and approved by the City **prior to the lodgement of a building permit**.

The plan shall be drawn to a scale of 1:100, be generally in accordance with the landscaping plans dated 3 December 2025, 4 December 2025, 29 June 2026 and 30 June 2026 (prepared by KDLA) and shall detail the following:

- The location, pot sizes and type of proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum of 89.7 square metres of on-structure landscaping; and
- The provision of a minimum of nine small trees, as defined by the Residential Design Codes Volume 2, in locations and species generally consistent with the approved plans.



Clayton Higham
Presiding Member, Metro Inner DAP

- 5.2. All works shown in the approved landscaping plan shall be undertaken in accordance with the approved plans to the satisfaction of the City, **prior to the occupation or use of the development** and maintained thereafter to the satisfaction of the City, at the expense of the owners/occupiers.

6. Car Parking, Access and Bicycle Facilities

- 6.1. **Prior to the occupation or use of the development**, nine resident car parking bays and 12 non-residential car parking bays, within the proposed car parking area shall be provided on site and provided generally in accordance with Australian Standard AS2890.1, to the satisfaction of the City.
- 6.2. **Prior to the occupation or use of the development**, all vehicle parking, manoeuvring and access areas shall be constructed, drained and line marked in accordance with the approved plans and are to comply with the requirements of Australian Standard 2890.1, to the satisfaction of the City (see Advice Notes).
- 6.3. **Prior to the occupation or use of the development**, car parking bays provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development, and the car parking bays provided for the commercial component of the development shall be clearly marked for the exclusive use of the commercial component of the development, unless otherwise required by the Parking Management Plan, to the satisfaction of the City.
- 6.4. **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, but not limited to, addressing the following:
- Allocation of nine residential car parking bays and 12 non-residential car parking bays;
 - Details of signage and line marking to identify the use of bays and direct vehicle manoeuvring within the car parking areas;
 - Measures to ensure prospective residents are advised of the limited availability of on-site car parking and ineligibility for parking permits;
 - Detailed management measures for the operation of the vehicular entry gate/s and car lift, to ensure access is readily available for the residential and non-residential units at all times;
 - Line marking and signage to ensure safe and efficient use of the car parking area; and
 - Line marking of visual truncations at the entry to guide exiting vehicles to use the centre of the driveway.

The approved Parking Management Plan shall be implemented, and the development shall be carried out in accordance with the approved Parking



Clayton Higham
Presiding Member, Metro Inner DAP

Management Plan and approved plans, to the satisfaction of the City at the expense of the owners/occupiers.

- 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 the occupation or use of the development** in the following locations, generally in accordance with approved plans, to the satisfaction of the City:

- A minimum of 20 bicycle parking bays provided on-site, generally in accordance with the locations shown on the approved plans.

7. Acoustic & Noise Management

- 7.1. **Prior to the lodgement of a building permit** the Acoustic Report dated 28 April 2026 (prepared by E-LAB Consulting) shall be revised then submitted to and approved by the City, in accordance and to demonstrate compliance with the City's Policy No. 7.5.21 – Sound Attenuation. The revised acoustic report shall reflect the final detailed design of the commercial tenancies, and include details related to any mechanical plant or exhaust equipment, noise from vehicles using the car parking areas and other potential noise sources.

- 7.2. All recommended measures included in the revised approved Acoustic Report shall be implemented **prior to the occupation or use of the development** and be maintained thereafter, to the satisfaction of the City, at the expense of the owners/occupiers.

8. Construction Management

- 8.1. **Prior to the commencement of works**, a Construction Management Plan shall be submitted to, and approved by, the City. Once approved, the Plan shall be implemented in full and complied with at all times for the duration of construction of the development, to the satisfaction of the City. The Plan is to address, but not limited to, the following:

- public communication and complaint handling procedures;
- temporary fencing, hoarding, gantries and signage;
- construction methods;
- protection of trees and public realm infrastructure;
- site access and egress;
- construction traffic management;
- deliveries and storage of construction materials and machinery;
- pedestrian and cyclist management and any footpath obstructions;
- parking arrangements for staff and contractors;
- hours of construction;
- management of noise, lighting, vibration, dust and erosion;
- construction waste management, recycling, and removal; and
- management of any site dewatering or stormwater discharge.



Clayton Higham
Presiding Member, Metro Inner DAP

8.2. The approved Construction Management Plan shall be complied with for the duration of the construction of the development, to the satisfaction of the City.

9. Stormwater

Stormwater from all roofed, paved and awning areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve, unless otherwise approved by the City.

10. Signage

All signage is to be in strict accordance with the City's Local Planning Policy: Signs and Advertising, unless further development approval is obtained.

11. Public Art

11.1. In accordance with the City of Vincent Percent for Art Policy a public art contribution of \$100,000 is required, being one percent of the \$10 million cost of development.

To comply with the Policy, the owner(s) or applicant, on behalf of the owner(s) shall submit a statutory declaration **prior to the lodgement of a building permit** stipulating the choice of:

Option 1: Owner/Applicant chooses to co-ordinate the Public Art project themselves or by engaging an art consultant

OR

Option 2: Owner/Applicant chooses to pay cash-in-lieu. Owner/Applicants who choose Option 2 will receive a 15 percent discount on the Percent for Art contribution.

11.2. The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Percent for Public Art Policy in conjunction with the above chosen option:

Option 1: **Prior to the lodgement of a building permit** for the development, obtain approval for the Public Art Project and associated Artist; and

Prior to the occupation or use of the development, install the approved public art project, and thereafter maintain the art work;

OR



Clayton Higham
Presiding Member, Metro Inner DAP

Option 2: **Prior to the occupation or use of the development** pay the above cash-in-lieu contribution amount.

12. Clothes Drying Facilities

Prior to the occupation or use of the development, each multiple dwelling shall be provided with a clothes-drying facility screened from the public realm in accordance with the Residential Design Codes Volume 2, to the satisfaction of the City.

13. Waste Management

Prior to occupation or use of the development, an updated Waste Management Plan must be submitted to and approved by the City. The updated Waste Management Plan must be generally consistent with the Waste Management Plan prepared by Talis dated 5 December 2025 and must confirm:

- final residential and commercial waste generation rates;
- bin numbers, sizes and storage arrangements;
- bin transfer arrangements between the bin store and collection point;
- collection location and timing;
- responsibility for presenting and returning bins;
- measures to avoid obstruction of Brisbane Place, footpaths, parking bays and vehicle access; and
- any required parking restriction, traffic management or operational arrangements to support waste collection.
- Consideration of additional benefits such as lighting and EV charging.

The approved Waste Management Plan must be implemented and complied with for the life of the development, to the satisfaction of the City.

14. Environmentally Sustainable Design

Prior to the occupation or use of the development, the applicant shall demonstrate that at least one significant energy efficiency initiative has been implemented within the development that exceeds minimum practice, to the satisfaction of the City.

15. Community Benefit

15.1. Prior to lodgement of a building permit, a detailed Community Benefit Plan must be submitted to and approved by the City.

The Community Benefit Plan must be generally consistent with the Community Benefit Concept / Landscape Concept Plan prepared by KDLA dated 24 April 2026 and must include:



Clayton Higham
Presiding Member, Metro Inner DAP

- the final extent and location of all proposed works within the William Street road reserve;
- detailed civil and engineering drawings;
- details of any excavation, kerb realignment, drainage realignment, paving, decking, seating, bicycle parking, planter boxes, landscaping and associated works;
- arborist advice prepared by a suitably qualified arborist addressing retention, protection and long-term health of the existing street tree;
- specifications for all assets proposed to be installed;
- confirmation of ownership, asset handover and maintenance responsibilities;
- staging and timing for delivery of the works;
- maintenance measures for landscaping and other assets; and
- any other information reasonably required by the City to confirm the detailed design, delivery and maintenance of the community benefit works.

The approved community benefit works must be completed prior to occupation or use of the development, unless otherwise approved by the City.

15.2. The owner from time to time of 441 William Street must maintain those aspects of the approved Community Benefit Plan that are specified in the approved plan as being the owner's maintenance responsibility.

15.3. **Prior to occupation or use of the development**, the owner must make arrangements satisfactory to the City to secure the ongoing maintenance of those aspects of the Community Benefit. Those arrangements may include a legal agreement.

15.4. If the land is strata titled, the arrangements required by Condition 13.3 must ensure that the ongoing maintenance obligation is undertaken by the strata company and secured through appropriate strata documentation and/or a planning (scheme by-laws) condition, to the satisfaction of the City.

Advice Notes

1. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.



Clayton Higham
Presiding Member, Metro Inner DAP

2. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to the commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
3. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and reserve levels to the satisfaction of the City.
4. All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
5. With reference to boundary walls, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
6. With reference to the Construction Management Plan, the owner/applicant may be required to obtain a Work Zone Permit from the City in order to satisfy this Condition due to the location of the site with access constraints. The requirement for, and cost of any such permit shall be determined by the City following the lodgement of a Building Permit.
7. Any external artificial lighting installations, including in carparks and common areas, is to comply with Australian Standard AS 4282-1997 'Control of the obtrusive effects of outdoor lighting' and must not be permitted to shine or reflect into other properties, creating a nuisance.
8. The approved landscaping plan is required to be maintained once implemented and maintenance requirements should be outlined in the strata management plan to ensure landscaping areas within strata properties are suitably maintained. Modifications to the approved landscaping that has been installed on-site at the time of occupancy will require subsequent approval of the City. The City encourages landscaping methods and species selection which do not rely on reticulation.
9. The applicant and landowner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the multiple dwellings in accordance with the City's Parking Permits Policy. This information should be provided to all prospective purchasers, and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.



Clayton Higham
Presiding Member, Metro Inner DAP

10. The applicant is advised that any future strata title of the property must be consistent with this approval and the lot sizes demonstrated in the application.
11. In relation to Condition 6.2, the construction of parking, manoeuvring and access areas shall be paved with either asphalt, concrete, bricking paving or other hard surface, as approved by the City.
12. Food business/es are proposed on the ground floor tenancies, and the mechanical ventilation plans or type of businesses is not yet known. The City recommends that control of cooking odours/smoke are managed on a worst case scenario, by ensuring that vertically discharging mechanical ventilation systems are built in to the building. Mechanical ventilation systems are required to comply with AS1668.2 - The use of ventilation and air conditioning in buildings (Part 2: Mechanical ventilation in buildings) in order to prevent odours/smoke causing a nuisance to the residential apartments above.
13. The food business proprietor/s are to submit a Food Business Notification/Registration application form to register the new food premises under the Food Act 2008. For further information and to download a form please visit: <https://www.vincent.wa.gov.au/develop-build/health/food-businesses.aspx>.

The application must be assessed by Health Services and approved prior to opening. For any queries please contact Health Services on 9273 6000 or email mail@vincent.wa.gov.au
14. Where any community/public spaces fall under the definition of a public building (as defined by section 173 of the *Health (Miscellaneous Provisions) Act 1911*), then the property occupier must apply for a Public Building Certificate of Approval for each space, which will specify the maximum safe capacity. Please note that planning approval capacity may also restrict numbers. For more information and to download the application forms please visit: <https://www.vincent.wa.gov.au/develop-build/health/public-buildings.aspx>
15. Where public building approval is required, Forms 1, 2 & 5 are required to be submitted to Health Services for assessment and approval prior to use. For any queries please contact Health Services on 9273 6000 or email mail@vincent.wa.gov.au.
16. The applicant is advised that the community benefit works are proposed within the William Street road reserve. This development approval does not authorise works within the road reserve. Separate approvals, permits, licences, engineering approval, asset approval and/or legal arrangements are to be obtained before any works commence in the road reserve. The applicant is responsible for obtaining all required approvals and entering into any required arrangements with the City or other relevant authority.



Clayton Higham
Presiding Member, Metro Inner DAP

The Substantive Motion (as amended) was put and CARRIED (4/1).

For: Dale Page
Clayton Higham
Luigi D'Alessandro
Cr Suzanne Worner

Against: Cr Nicole Woolf

REASON: The panel did not support the submission that the District Centre zone is an error. It acknowledged that the zoning resulted from substantial consultation, the preparation and endorsement of a local planning strategy, and approval by the Minister. The panel agreed it must consider the zoning as it currently applies, rather than how others consider it should apply.

The panel did not debate whether the District Centre zone is an activity centre for the purposes of SPP 4.2, or whether the William Street Precinct Framework operates as a local planning policy, or whether a formally endorsed precinct structure plan was required before the application could be approved. The panel concluded that the application could still be approved under clause 27(2) of the Deemed Provisions because the development does not conflict with the principles of orderly and proper planning and would not prejudice the overall development potential of the area. After careful consideration of the clause 27(2) criteria and the RAR, the panel accepted that the proposal aligns with the future vision for the area as expressed in the current and draft Local Planning Strategies and the City's Built Form Policy.

The proposal also aligns with the William Street Precinct Framework. While the panel agreed that the Framework does not operate as a precinct structure plan and does not carry the same status, it accepted that the Framework is a valid local planning policy that underwent public consultation and may appropriately inform the exercise of planning discretion regarding land use and built form outcomes.

The panel was satisfied that the proposed multiple dwellings and offices, as discretionary uses, are appropriate for the site. The proposal aligns with the intent of the site under both the current and draft Local Planning Strategies, the objectives of the District Centre zone and the relevant matters under clause 67 of the planning regulations.

The panel noted that 30 submissions were received during public consultation and was satisfied that the key concerns raised in the objections were given due consideration and thoroughly addressed in the RAR.

Most panel members were satisfied that the proposed community benefit appropriately offsets the additional height sought. The proposed upgrades and amenity improvements within the William Street road reserve align with the Community Needs Analysis in the Precinct Framework and the William Street Place Plan and will benefit residents and users of the development, as well as the broader community.



Clayton Higham
Presiding Member, Metro Inner DAP

The majority of the panel was satisfied with the City's assessment of the built form objectives and agreed that the proposed bulk and scale are appropriate in both the current and intended future context. The setback and positioning of the height and massing towards William Street provide an appropriate transition to residential properties to the west, while the proposed materials and articulation help reduce perceptions of building bulk.

Although there will be some additional overshadowing of the mosque site to the south, the panel was satisfied that the extent of overshadowing is comparable to that of a six-storey building and that much of the shadow would fall on areas already overshadowed or on driveway and parking areas. In relation to visual privacy, the panel noted that overlooking to the north would be limited to the roof of the adjoining dwelling and overlooking to the south would be directed towards Brisbane Place and the driveway and street setback area of the neighbouring property. The panel also noted that windows and balconies on the western elevation are set well back from dwellings across Brisbane Place and would not overlook sensitive areas.

While no deep soil landscaping is proposed, the panel noted that the development can be supported where sufficient on-structure landscaping is provided. The panel accepted the City's advice that the landscaping will be of a high quality and will include several trees capable of achieving canopy cover equivalent to 17 per cent of the site, which it considered a significant achievement given the site's configuration and context.

The panel accepted the conclusions of the Traffic Impact Study and the advice of the City's technical experts that the development would not result in unacceptable traffic or road safety impacts. While acknowledging concerns regarding the shortfall of two visitor parking bays, the panel considered that the proposal satisfies the R-Codes Element Objectives for visitor parking, having regard to the site's location within a District Centre, proximity to the Perth CBD and access to public and active transport options.

The panel noted that the proposal was considered by the City's Design Review Panel on three occasions and that the Panel was generally supportive of the development. Matters requiring further attention were addressed through amended plans, officer assessment and recommended conditions. The panel was therefore satisfied that the proposal meets the design principles of SPP 7.0.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Nicole Woolf and Cr Suzanne Worner (Local Government DAP Members, City of Vincent) left the panel at 12:07pm.



Clayton Higham
Presiding Member, Metro Inner DAP

PART C – CITY OF MELVILLE

Cr Nicole Robins and Cr Scott Green (Local Government DAP Members, City of Melville) joined the panel at 9:38am.

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 Lots 1 (No.5A & 5B) Macrae Road, Applecross - 21 Multiple Dwellings – DAP/26/03093

Deputations

Tom Hockley (Allerding and Associates) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Donald Veal (Donald Veal Consultants) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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

SUBSTANTIVE MOTION

Moved by: Dale Page

Seconded by: Luigi D'Alessandro

An administrative correction was made to reflect the correct order of Condition and Advice Note numbers.

That the Metro Inner DAP resolves to **APPROVE** DAP/26/03093 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions

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



Clayton Higham
Presiding Member, Metro Inner DAP

Document Name	Reference	Date
Development & Landscaping Plan	PL00 – PL24	June, 2026
	L-01 – L-06	June, 2026
Planning Report	GRF MAC GE / 260629	June, 2026
Acoustic Report	675.073582.00001	January, 2026
Sustainable Design Report	JN 132809	June, 2026
Waste Management Plan	GRF MAC GE / WMP Report	March, 2026
Traffic Impact Assessment	GRF MAC DA / Transport Impact Statement/Movement Summary	June, 2026

2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 30th June, 2026. If the subject development is not substantially commenced within the specified period, the approval will lapse and be of no further effect.
3. Prior to commencement of the development, the applicant is to submit revised plans, truncating the north-east corner of the front fencing demonstrating all sightlines abutting the neighbour's property's access/egress point to ensure compliance with the City's Local Planning Policy 1.6 and of AS2890.1:2004 (or as amended) to the satisfaction of the City.
4. Prior to commencement of the development, the applicant is to submit revised plans, demonstrating the primary street fence within the street setback having solid portion no greater than 1.2m in height, and any portion of the fence exceeding this to be visually permeable to the satisfaction of the City.
5. Prior to demolition or construction commencing, a Demolition and Construction Management Plan (CMP) is to be submitted to and approved by the City. Once approved in writing by the City, the development 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 stormwater design plan is to be submitted (an ARI of 1 in 100-year for a 24-hour storm duration is recommended) and approved by the City. The plan is to outline how all stormwater generated on site is to be retained on site. Prior to initial occupation of the development a Certificate of Compliance certifying that the development has been constructed in accordance with the approved plan is to be submitted to the City.



Clayton Higham
Presiding Member, Metro Inner DAP

7. Prior to the commencement of development, details of the exterior colours, materials and finishes are to be submitted to and approved in writing by the City. The development is to be constructed in accordance with those approved details.
8. Prior to the commencement of development, a detailed landscaping and reticulation plan for the subject site and road verges adjacent to the site is to be submitted to and approved in writing by the City. The landscaping plan is to include details of (but 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 is to be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter for the life of the development, to the satisfaction of the City. Any species which fail to establish within the first two planting seasons following implementation are to be replaced in accordance with the City's requirements.

9. Prior to the occupation of the development, a detailed acoustic assessment prepared by a suitably qualified acoustic consultant is to be submitted to the satisfaction of the City. The assessment is to demonstrate that noise emissions from all selected mechanical plant and equipment, and the rooftop terrace (including patron activities, televisions and any amplified sound), comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
10. Prior to the commencement of development a public art plan is to be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art is to be installed prior to occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. Alternatively, a cash-in-lieu contribution made prior to the commencement of development may satisfy the required public art contribution.
11. Prior to commencement of development, a Parking Management Plan is to be prepared in accordance with Local Planning Policy 1.6 Car Parking and Access and submitted in writing for the approval of the City. The Parking Management Plan is required to include the following details:
 - a. Details on how the car-stacker bays are to be utilised, operated and maintained; and
 - b. Details on how access and egress arrangement will be managed for the development, particularly regarding the crossover which is reduced in width.



Clayton Higham
Presiding Member, Metro Inner DAP

Once approved, the management of the on-site car parking is to be undertaken in accordance with the approved Parking Management Plan, to the satisfaction of the City.

12. Prior to commencement of the development, updated plans and supporting documentation is to be submitted to and approved in writing by the City to demonstrate all of the measures identified in the Sustainable Design Report have been incorporated design. Prior to occupation, evidence is to be provided from a suitably qualified consultant, confirming that the development has been constructed in accordance with the approved plans.
13. Prior to the occupation of the development, all vehicle parking bays, bicycle parking facilities, manoeuvring areas, line markings, vehicle access sightlines, directional arrows, grades of the access ramp and point of ingress and egress is to be provided in accordance with AS 2890.3 and AS/NZS 2890.1:2004, to the satisfaction of the City. All car parking and vehicle access and circulation areas are to be maintained and available for car parking / loading and vehicle access and circulation on an ongoing basis.
14. Prior to occupation of the development, the landowner is to provide consent to a Notification, pursuant to Section 70A of the Transfer of Land Act 1893, being placed on the certificate of title of the 5A & 5B Macrae Road stating:

"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."

Notice of the notification is to be included on the diagram or plan of survey (deposited plan).
15. Prior to the occupation of the development, the subject site is to be served by an approved vehicle crossover constructed to the City's specifications and satisfaction.
16. Prior to the occupation of the development, the following balconies are to be provided with screening measures to restrict overlooking, to the satisfaction of the City;
 - a. Western orientation of the balcony of the first-floor SW dwelling
 - b. Eastern orientation of the balcony of the first-floor SE dwelling
 - c. Western orientation of the balcony of the second-floor SW dwelling
 - d. Eastern orientation of the balcony of the second-floor SE dwelling

The screening measures must thereafter be maintained in perpetuity to the ongoing satisfaction of the City.



Clayton Higham
Presiding Member, Metro Inner DAP

17. Prior to the occupation of the development, the boundary walls are to be finished to either the same finish as the rest of the dwelling walls or at a minimum, be finished to a clean face brick standard, to the satisfaction of the City.
18. Prior to the occupation of the development, each storeroom is to be fitted with a wall mounted bicycle rack.
19. Prior to the occupation of the development, the bin compound(s) as shown on the approved plans is to be constructed and maintained in perpetuity to the satisfaction of the City. The bin compound(s) are 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 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. 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; and
 - e. Not readily accessible by the public.
20. Prior to the occupation of the development, a concrete bin pad is to be constructed within the road reserve in an approved location, to the satisfaction of the City.
21. The development is required to operate in accordance with the Acoustic Report prepared by SLR Consulting, dated 9th January, 2026 to the satisfaction of the City.
22. Within 12 months of occupation, evidence is to be provided from a suitably qualified consultant, confirming that the building has been constructed in accordance with the Environmentally Sustainable Design Report [prepared by Emergen – dated 5 March 2026].
23. The development is to be constructed and operated in accordance with the Waste Management Plan [prepared by Allerding and Associates – dated June 2026] and the City's Waste Management Guideline for New Developments, to the satisfaction of the City.
24. Lighting is to be provided to all car parking areas in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting is to be hooded and orientated to minimise light spill onto adjoining properties or into apartments.



Clayton Higham
Presiding Member, Metro Inner DAP

25. 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(s) 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.
26. Any roof mounted or freestanding plant or equipment is to be located and/or screened so as not to be visible from the surrounding street(s) prior to the initial occupation of the development to the satisfaction of the City.
27. The street walls and fencing marked in red on the approved plans are required to comply with the definition of 'Visually Permeable' found in Residential Design Codes Volume 2, to the satisfaction of the City.
28. The development is to be constructed and operated in accordance with the recommendations and mitigation measures set out in the submitted Traffic Report [prepared by Allering and Associates— dated June 2026] to the satisfaction of the City.
29. Each car stacker is to have both bays allocated for use by a single apartment, to the satisfaction of the City.
30. 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(s) 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.

Advice Notes

- i. Conditions of development approval which state 'prior to demolition / construction commencing' should be cleared by the City prior to the lodgement of a demolition/building permit. Lodgement of information with a building permit to clear the condition/s will not be accepted and may result in your building permit being refused or delayed. Additionally, conditions which state 'prior to occupation' need to be cleared prior to occupancy permit or strata subdivision clearance lodged to avoid non-compliance with this development approval. It is recommended that requests for clearances are lodged a minimum of 30 days prior to the lodgement of a demolition, building or occupancy permit to avoid delays. Please see the City's website for more information <https://www.melvillecity.com.au/planning-and-building/for-developers-and-builders/construction-management-plans>



Clayton Higham
Presiding Member, Metro Inner DAP

- ii. In relation to the colours and materials selected for the development, it is encouraged that the ground floor level of the building/s and/or fencing/street walls is/are to be treated with a non-sacrificial anti-graffiti agent to enable the easy removal of any graffiti.
- iii. In relation to the stormwater plan condition please refer to the City of Melville drainage information and guidance, located here
<https://www.melvillecity.com.au/planning-and-building/building-or-renovating/building-or-renovating-a-house>
- iv. In relation to CMP condition, the CMP is required to be prepared having regard to the provisions of Local Planning Policy 1.22 Construction Management Plans and it is recommended to be submitted at least 30 days prior to the lodgement of a Building or Demolition Permit to avoid delays in the processing of the Permit/s. As the Construction Management practices may impact construction methodology, staging and other matters related to demolition, the permit will not be issued until such time as the CMP is approved by the City.
- v. Construction is not permitted to obstruct traffic without prior written consent from the City. 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.
- vi. Noisy works such as waste collection, landscape and car park maintenance is only to occur between 7:00 am and 7:00 pm Monday to Saturday (excluding public holidays) and 9:00 am and 7:00 pm on Sundays and public holidays.

Noisy works may be conducted outside the hours of 7am to 7pm, Monday to Saturday, with a separate application which includes an out-of-hours noise management plan addressing particular criteria has been submitted to, and approved by the City.
- vii. In relation to the vehicle sightline condition;
 - a. Please note that Figure 3.3 of AS2890.1:2004 for the relevant sightline requirement which should be taken from the property boundary as per LPP 1.6 rather than the footpath location; and
 - b. Minor amendments from detailed design required to comply with AS2890.1:2004 (as amended) may not require an amendment development application.
- viii. In relation to the crossover condition, prior to commencement of construction of a crossover, an application is to be submitted to and approved in writing by the City. The crossover is to be designed to be:
 - a. A maximum width in accordance with City of Melville crossover specifications;



Clayton Higham
Presiding Member, Metro Inner DAP

- b. Located a minimum of 2m away from the outside of the trunk of any street tree; and
- c. a minimum of 1m from any existing street/verge infrastructure.

If the proposed crossover is within 1m of the existing side entry pit situated in the Macrae Rd road reserve, the SEP will either need to be relocated or modified to a gully grate to accommodate a vehicle crossover in this location. Detailed drawings will need to be submitted to the City with a Crossover Application to the satisfaction of the City and undertaken prior to the construction of the crossover. All costs relating to these works will be borne by the developer.

The crossover is to be constructed prior to the initial occupation of the development in accordance with the City's specifications, to the satisfaction of the City.

- ix. There is a telecommunications pit that will be approximately 0.3m from the edge of the crossover. Pits of this type are generally quite deep and not trafficable. Applicant would need to contact the owner of this infrastructure and obtain approval to construct a crossover this close to the pit. Written approval from the infrastructure owner will need to be provided with the crossover application.
- x. Unless otherwise approved in writing by the City, all trees located on the verge adjacent to the land on which the development is to take place are to be protected throughout the duration of the demolition and construction processes of the development via the installation of a Tree Protection Zone (TPZ). Each TPZ is to be installed prior to demolition of the site or commencement of development (whichever occurs first), in accordance with AS 4970.
- xi. In relation to the provision of public art, the required public art contribution is based on the final Construction Cost as defined within Local Planning Policy 1.4 – Provision of Art in Development Proposals. It is noted based on an estimated cost of construction of \$16.27 million that a Minimum 1% contribution either provided as public art on the development site or paid into the public art fund to be expended within proximity of the development site. For any public art provided on site, this is required to be provided in accordance with an approved public art plan which is prepared in accordance with Local Planning Policy 1.4 – Provision of Art in Development Proposal
- xii. In relation to the Section 70A notification is not imposing an obligation on the City. The proponent's obligation is to give their consent to the City's application of the notification. All fees associated with the City lodging the notification is to be borne by the proponent.
- xiii. In regard to the screening condition, the City encourages directional or louvered screening to allow for light and ventilation for balconies. Screening should also explore a design which obscures any clothes drying areas on balconies from view.



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Presiding Member, Metro Inner DAP

AMENDING MOTION 1

Moved by: Dale Page

Seconded by: Cr Nicole Robins

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

*Prior to the commencement of development, details of the exterior colours, materials and finishes are to be submitted to and approved in writing by the City. The development is to be constructed in accordance with those approved details. **No changes to the approved materials, finishes and colours shall be made unless otherwise approved by the City.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The additional wording ensures that any future changes to the approved materials, finishes and colours, including those required for maintenance or upgrades, may be considered by the City without necessarily requiring a further development approval.

AMENDING MOTION 2

Moved by: Dale Page

Seconded by: Luigi D'Alessandro

That Condition No.30 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Condition 30 duplicates Condition 24 and is therefore unnecessary.

AMENDING MOTION 3

Moved by: Dale Page

Seconded by: Luigi D'Alessandro

That Advice Note No.12 be amended to read as follows:

In relation to the Section 70A notification is not imposing an obligation on the City. The proponent's obligation is to give their consent to the City's application of the notification. ~~All fees associated with the City lodging the notification is to be borne by the proponent.~~

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Although this is only an advice note, the sentence proposed to be deleted is inconsistent with the position adopted by the DAP regarding Section 70A notifications.



Clayton Higham
Presiding Member, Metro Inner DAP

AMENDING MOTION 4

Moved by: Cr Nicole Robins

Seconded by: Cr Scott Green

That Advice Note No.10 be deleted and added a new condition No. 31 (now Condition No.30) and the remaining advice notes be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The panel agreed that transferring the advice note to the status of a condition gave it greater weight.

AMENDING MOTION 5

Moved by: Clayton Higham

Seconded by: NIL

That Condition No.3 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and LAPSED for want of a SECONDER.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Inner DAP resolves to **APPROVE** DAP/26/03093 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions

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

Document Name	Reference	Date
Development & Landscaping Plan	PL00 – PL24	June, 2026
	L-01 – L-06	June, 2026
Planning Report	GRF MAC GE / 260629	June, 2026
Acoustic Report	675.073582.00001	January, 2026
Sustainable Design Report	JN 132809	June, 2026
Waste Management Plan	GRF MAC GE / WMP Report	March, 2026
Traffic Impact Assessment	GRF MAC DA / Transport Impact Statement/Movement Summary	June, 2026



Clayton Higham
Presiding Member, Metro Inner DAP

2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 30th June, 2026. If the subject development is not substantially commenced within the specified period, the approval will lapse and be of no further effect.
3. Prior to commencement of the development, the applicant is to submit revised plans, truncating the north-east corner of the front fencing demonstrating all sightlines abutting the neighbour's property's access/egress point to ensure compliance with the City's Local Planning Policy 1.6 and of AS2890.1:2004 (or as amended) to the satisfaction of the City.
4. Prior to commencement of the development, the applicant is to submit revised plans, demonstrating the primary street fence within the street setback having solid portion no greater than 1.2m in height, and any portion of the fence exceeding this to be visually permeable to the satisfaction of the City.
5. Prior to demolition or construction commencing, a Demolition and Construction Management Plan (CMP) is to be submitted to and approved by the City. Once approved in writing by the City, the development 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 stormwater design plan is to be submitted (an ARI of 1 in 100-year for a 24-hour storm duration is recommended) and approved by the City. The plan is to outline how all stormwater generated on site is to be retained on site. Prior to initial occupation of the development a Certificate of Compliance certifying that the development has been constructed in accordance with the approved plan is to be submitted to the City.
7. Prior to the commencement of development, details of the exterior colours, materials and finishes are to be submitted to and approved in writing by the City. The development is to be constructed in accordance with those approved details. No changes to the approved materials, finishes and colours shall be made unless otherwise approved by the City.
8. Prior to the commencement of development, a detailed landscaping and reticulation plan for the subject site and road verges adjacent to the site is to be submitted to and approved in writing by the City. The landscaping plan is to include details of (but 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.



Clayton Higham
Presiding Member, Metro Inner DAP

The approved landscaping and reticulation plan is to be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter for the life of the development, to the satisfaction of the City. Any species which fail to establish within the first two planting seasons following implementation are to be replaced in accordance with the City's requirements.

9. Prior to the occupation of the development, a detailed acoustic assessment prepared by a suitably qualified acoustic consultant is to be submitted to the satisfaction of the City. The assessment is to demonstrate that noise emissions from all selected mechanical plant and equipment, and the rooftop terrace (including patron activities, televisions and any amplified sound), comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
10. Prior to the commencement of development a public art plan is to be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art is to be installed prior to occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. Alternatively, a cash-in-lieu contribution made prior to the commencement of development may satisfy the required public art contribution.
11. Prior to commencement of development, a Parking Management Plan is to be prepared in accordance with Local Planning Policy 1.6 Car Parking and Access and submitted in writing for the approval of the City. The Parking Management Plan is required to include the following details:
 - a. Details on how the car-stacker bays are to be utilised, operated and maintained; and
 - b. Details on how access and egress arrangement will be managed for the development, particularly regarding the crossover which is reduced in width.

Once approved, the management of the on-site car parking is to be undertaken in accordance with the approved Parking Management Plan, to the satisfaction of the City.

12. Prior to commencement of the development, updated plans and supporting documentation is to be submitted to and approved in writing by the City to demonstrate all of the measures identified in the Sustainable Design Report have been incorporated design. Prior to occupation, evidence is to be provided from a suitably qualified consultant, confirming that the development has been constructed in accordance with the approved plans.



Clayton Higham
Presiding Member, Metro Inner DAP

13. Prior to the occupation of the development, all vehicle parking bays, bicycle parking facilities, manoeuvring areas, line markings, vehicle access sightlines, directional arrows, grades of the access ramp and point of ingress and egress is to be provided in accordance with AS 2890.3 and AS/NZS 2890.1:2004, to the satisfaction of the City. All car parking and vehicle access and circulation areas are to be maintained and available for car parking / loading and vehicle access and circulation on an ongoing basis.

14. Prior to occupation of the development, the landowner is to provide consent to a Notification, pursuant to Section 70A of the Transfer of Land Act 1893, being placed on the certificate of title of the 5A & 5B Macrae Road stating:

"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."

Notice of the notification is to be included on the diagram or plan of survey (deposited plan).

15. Prior to the occupation of the development, the subject site is to be served by an approved vehicle crossover constructed to the City's specifications and satisfaction.
16. Prior to the occupation of the development, the following balconies are to be provided with screening measures to restrict overlooking, to the satisfaction of the City;
- a. Western orientation of the balcony of the first-floor SW dwelling
 - b. Eastern orientation of the balcony of the first-floor SE dwelling
 - c. Western orientation of the balcony of the second-floor SW dwelling
 - d. Eastern orientation of the balcony of the second-floor SE dwelling

The screening measures must thereafter be maintained in perpetuity to the ongoing satisfaction of the City.

17. Prior to the occupation of the development, the boundary walls are to be finished to either the same finish as the rest of the dwelling walls or at a minimum, be finished to a clean face brick standard, to the satisfaction of the City.
18. Prior to the occupation of the development, each storeroom is to be fitted with a wall mounted bicycle rack.
19. Prior to the occupation of the development, the bin compound(s) as shown on the approved plans is to be constructed and maintained in perpetuity to the satisfaction of the City. The bin compound(s) are to be constructed to satisfy the following requirements:



Clayton Higham
Presiding Member, Metro Inner DAP

- a. Provided with a tap and connected to an adequate supply of water. The tap is to be 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. 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; and
 - e. Not readily accessible by the public.
20. Prior to the occupation of the development, a concrete bin pad is to be constructed within the road reserve in an approved location, to the satisfaction of the City.
 21. The development is required to operate in accordance with the Acoustic Report prepared by SLR Consulting, dated 9th January, 2026 to the satisfaction of the City.
 22. Within 12 months of occupation, evidence is to be provided from a suitably qualified consultant, confirming that the building has been constructed in accordance with the Environmentally Sustainable Design Report [prepared by Emergen – dated 5 March 2026].
 23. The development is to be constructed and operated in accordance with the Waste Management Plan [prepared by Allerding and Associates – dated June 2026] and the City's Waste Management Guideline for New Developments, to the satisfaction of the City.
 24. Lighting is to be provided to all car parking areas in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting is to be hooded and orientated to minimise light spill onto adjoining properties or into apartments.
 25. 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(s) 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.
 26. Any roof mounted or freestanding plant or equipment is to be located and/or screened so as not to be visible from the surrounding street(s) prior to the initial occupation of the development to the satisfaction of the City.



Clayton Higham
Presiding Member, Metro Inner DAP

27. The street walls and fencing marked in red on the approved plans are required to comply with the definition of 'Visually Permeable' found in Residential Design Codes Volume 2, to the satisfaction of the City.
28. The development is to be constructed and operated in accordance with the recommendations and mitigation measures set out in the submitted Traffic Report [prepared by Allering and Associates— dated June 2026] to the satisfaction of the City.
29. Each car stacker is to have both bays allocated for use by a single apartment, to the satisfaction of the City.
30. Unless otherwise approved in writing by the City, all trees located on the verge adjacent to the land on which the development is to take place are to be protected throughout the duration of the demolition and construction processes of the development via the installation of a Tree Protection Zone (TPZ). Each TPZ is to be installed prior to demolition of the site or commencement of development (whichever occurs first), in accordance with AS 4970.

Advice Notes

- i. Conditions of development approval which state 'prior to demolition / construction commencing' should be cleared by the City prior to the lodgement of a demolition/building permit. Lodgement of information with a building permit to clear the condition/s will not be accepted and may result in your building permit being refused or delayed. Additionally, conditions which state 'prior to occupation' need to be cleared prior to occupancy permit or strata subdivision clearance lodged to avoid non-compliance with this development approval. It is recommended that requests for clearances are lodged a minimum of 30 days prior to the lodgement of a demolition, building or occupancy permit to avoid delays. Please see the City's website for more information <https://www.melvillecity.com.au/planning-and-building/for-developers-and-builders/construction-management-plans>
- ii. In relation to the colours and materials selected for the development, it is encouraged that the ground floor level of the building/s and/or fencing/street walls is/are to be treated with a non-sacrificial anti-graffiti agent to enable the easy removal of any graffiti.
- iii. In relation to the stormwater plan condition please refer to the City of Melville drainage information and guidance, located here <https://www.melvillecity.com.au/planning-and-building/building-or-renovating/building-or-renovating-a-house>



Clayton Higham
Presiding Member, Metro Inner DAP

- iv. In relation to CMP condition, the CMP is required to be prepared having regard to the provisions of Local Planning Policy 1.22 Construction Management Plans and it is recommended to be submitted at least 30 days prior to the lodgement of a Building or Demolition Permit to avoid delays in the processing of the Permit/s. As the Construction Management practices may impact construction methodology, staging and other matters related to demolition, the permit will not be issued until such time as the CMP is approved by the City.
- v. Construction is not permitted to obstruct traffic without prior written consent from the City. 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.
- vi. Noisy works such as waste collection, landscape and car park maintenance is only to occur between 7:00 am and 7:00 pm Monday to Saturday (excluding public holidays) and 9:00 am and 7:00 pm on Sundays and public holidays.

Noisy works may be conducted outside the hours of 7am to 7pm, Monday to Saturday, with a separate application which includes an out-of-hours noise management plan addressing particular criteria has been submitted to, and approved by the City.

- vii. In relation to the vehicle sightline condition;
 - a. Please note that Figure 3.3 of AS2890.1:2004 for the relevant sightline requirement which should be taken from the property boundary as per LPP 1.6 rather than the footpath location; and
 - b. Minor amendments from detailed design required to comply with AS2890.1:2004 (as amended) may not require an amendment development application.
- viii. In relation to the crossover condition, prior to commencement of construction of a crossover, an application is to be submitted to and approved in writing by the City. The crossover is to be designed to be:
 - a. A maximum width in accordance with City of Melville crossover specifications;
 - b. Located a minimum of 2m away from the outside of the trunk of any street tree; and
 - c. a minimum of 1m from any existing street/verge infrastructure.

If the proposed crossover is within 1m of the existing side entry pit situated in the Macrae Rd road reserve, the SEP will either need to be relocated or modified to a gully grate to accommodate a vehicle crossover in this location. Detailed drawings will need to be submitted to the City with a Crossover Application to the satisfaction of the City and undertaken prior to the construction of the crossover. All costs relating to these works will be borne by the developer.



Clayton Higham
Presiding Member, Metro Inner DAP

The crossover is to be constructed prior to the initial occupation of the development in accordance with the City's specifications, to the satisfaction of the City.

- ix. There is a telecommunications pit that will be approximately 0.3m from the edge of the crossover. Pits of this type are generally quite deep and not trafficable. Applicant would need to contact the owner of this infrastructure and obtain approval to construct a crossover this close to the pit. Written approval from the infrastructure owner will need to be provided with the crossover application.
- x. In relation to the provision of public art, the required public art contribution is based on the final Construction Cost as defined within Local Planning Policy 1.4 – Provision of Art in Development Proposals. It is noted based on an estimated cost of construction of \$16.27 million that a Minimum 1% contribution either provided as public art on the development site or paid into the public art fund to be expended within proximity of the development site. For any public art provided on site, this is required to be provided in accordance with an approved public art plan which is prepared in accordance with Local Planning Policy 1.4 – Provision of Art in Development Proposal
- xi. In relation to the Section 70A notification is not imposing an obligation on the City. The proponent's obligation is to give their consent to the City's application of the notification.
- xii. In regard to the screening condition, the City encourages directional or louvered screening to allow for light and ventilation for balconies. Screening should also explore a design which obscures any clothes drying areas on balconies from view.

The Substantive Motion (as amended) was put and CARRIED (3/2).

For: Dale Page
Clayton Higham
Luigi D'Alessandro

Against: Cr Nicole Robins
Cr Scott Green

REASON: The proposed land use is a Preferred Use within this precinct and aligns with the Desired Outcomes of both the current and draft Canning Bridge Activity Centre Plan. Most panel members supported the pragmatic approach adopted by the City, which gave due regard to the draft plan without requiring significant design changes, having regard to the status of the document and the timing of the application.

Most panel members agreed that, where discretion is sought from the Acceptable Outcomes of the activity centre plans, the extent of that discretion is minor. They accepted the City's assessment and reporting, which demonstrated that the relevant Element Objectives continue to be satisfied.



Clayton Higham
Presiding Member, Metro Inner DAP

The panel noted that the proposal exceeds the applicable height standard for smaller lots and that part of the height is located within five metres of the primary street. However, most panel members considered the variation of 0.2 metres to be minor when viewed in the context of the overall scale of the development, the potential for an eight-storey building on a slightly larger site, and the absence of any adverse impact on the streetscape or adjoining properties. While on-site waste collection is generally preferred for developments of this nature, the panel acknowledged the site constraints and vehicle manoeuvring requirements and accepted the proposed waste collection methodology. The panel also noted that this outcome would be reinforced through the approval of a Waste Management Plan and provision of an appropriate bin pad within the verge.

The panel noted that the current activity centre plan does not include provisions relating to visual privacy, whereas the draft plan defers to the R-Codes. Although the draft plan currently has due regard status only, the panel supported the City's position to impose conditions that protect the visual privacy of neighbouring properties to the east and west.

The panel also noted that no visitor parking bays are proposed in place of the two bays otherwise required. However, it accepted the City's conclusion that this is appropriate given the site's proximity to high-frequency public transport and the provision of surplus resident parking and bicycle parking.

The panel noted that 43 objections were received during public consultation and that all submissions raised concerns about the advertised land use of unhosted short-term rental accommodation. The panel also noted that other issues were raised however these were addressed in the RAR or would be through the conditions imposed. As the application was subsequently amended to multiple dwellings, the panel agreed that the proposal must be assessed on that basis.

The panel further noted that the proposal was reviewed twice by the City's Design Review Group and accepted the City's conclusion that the group's recommendations had been incorporated into the design and supporting technical reports. Most panel members were therefore satisfied that the proposal satisfies the design principles of SPP 7.0.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Nicole Robins and Cr Scott Green (Local Government DAP Members, City of Melville) joined the panel at 10:33am.



Clayton Higham
Presiding Member, Metro Inner DAP

PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

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

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02317 DR81/2023	City of Vincent	41-43 and 45 Angove Street, North Perth	Proposed Service Station	31/05/2023
DAP/20/01911 DR192/2024	Town of Cambridge	Lot 800 (29-33) Northwood Street, West Leederville	Three storey care premises and associated office	16/12/2024
DAP/25/02994 DR41/2026	City of Fremantle	Lot 21 (242) Marine Terrace, South Fremantle	5 (5) Storey Multiple Dwelling	24/03/2026
DAP/25/03019 DR/91/2026	Town of Cambridge	Lot 101 (No.95-99) Cambridge Street and Lot 4, (No. 17) Kerr Street, West Leederville	Additions and Alterations to Existing Tavern	18/06/02026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 12:07pm.



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