



# Metro Inner-South Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Tuesday, 22 March 2022; 9:30am  
**Meeting Number:** MISJDAP/92  
**Meeting Venue:** Electronic Means

*This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person*

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## Attendance

### DAP Members

Mr Clayton Higham (Presiding Member)  
Ms Rachel Chapman (Deputy Presiding Member)  
Mr Peter Lee (Third Specialist Member)  
Cr Nicholas Pazolli (Local Government Member, City of Melville)  
Cr Matthew Woodall (Local Government Member, City of Melville)

### Officers in attendance

Mr Michael Flanagan (City of Melville)  
Mr Peter Prendergast (City of Melville)  
Mr Mark Scarfone (City of Melville)

### Minute Secretary

Mr Christopher Dodson (DAP Secretariat)  
Ms Zoe Hendry (DAP Secretariat)

### Applicants and Submitters

Mr Matthew Pudovksis (Francis Burt Chamber)  
Mr Chris McMahon (Carrier and Postmus Architects)  
Mr Justin Carrier (Carrier and Postmus Architects)  
Mr Tom Hockley (Allerding and Associates)

### Members of the Public / Media

There were 8 members of the public in attendance.

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:31am on 22 March 2022 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

### 1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 which states '*A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.*', the meeting would not be recorded.

In response to the COVID-19 situation, this meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.



## 2. Apologies

Nil.

## 3. Members on Leave of Absence

Nil.

## 4. Noting of Minutes

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

## 5. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 8.1, received on 21 March 2022.

All members declared that they had duly considered the documents.

## 6. Disclosure of Interests

DAP Member, Ms Rachel Chapman, declared an Impartiality Interest in Item 8.1. Ms Chapman is a Director and Shareholder of Taylor Burrell Barnett (TBB). In February 2020, TBB were commissioned by The City of Melville to prepare a local planning policy relating to bonus building height in the Canning Bridge Activity Centre Plan area. The contract was completed in August 2020 with the preparation of a draft policy which was not adopted by the City. TBB has not been commissioned for any further work for the City of Melville in relation to this matter or any other matter.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in the discussion and voting on the item.

## 7. Deputations and Presentations

- 7.1 Mr Matthew Pudovksis (Francis Burt Chambers) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Chris McMahon & Mr Justin Carrier (Carrier and Postmus Architects) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Mr Tom Hockley (Allerding and Associates) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.



- 7.3 The City of Melville addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

### PROCEDURAL MOTION

**Moved by:** Cr Matthew Woodall

**Seconded by:** Cr Nicholas Pazolli

That the Metro Inner-South JDAP 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 5.10.2g of the DAP Standing Orders 2020.

*The meeting was adjourned at 10.42am.*

*The meeting was reconvened at 11:13am.*

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

**REASON:** For the DAP members to receive legal advice behind closed doors.

### 8. Form 1 – Responsible Authority Reports – DAP Applications

#### 8.1 No.65A (Lot 1) and No.65B (Lot 12) Canning Beach Road, Applecross

Development Description:	Proposed 7 Storey Mixed use Development
Applicant:	Allerding & Associates
Owner:	GPG No.6 Pty Ltd
Responsible Authority:	City of Melville
DAP File No:	DAP/21/02121

### REPORT RECOMMENDATION

**Moved by:** Ms Rachel Chapman

**Seconded by:** Mr Peter Lee

That the Metro Inner South JDAP resolves to:

1. **Approve** DAP Application reference DAP/21/02121 and accompanying plans (SK06 Site Plan with Survey, SK01 Basement Plan , SK01 Ground Floor Plan, SK01 First Floor Plan, SK01 Second Floor Plan, SK01 Third to Fifth Floor Plan, SK01 Sixth Floor Plan, SK01 Roof Plan, ground Floor – Wastes & Waters Plan) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the City of Melville Local Planning Scheme No. 6, subject to the following conditions:

#### Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.



2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development the subject of this approval must comply with the approved plans at all times unless otherwise approved in writing by the City of Melville or the Joint Development Assessment Panel.
4. Prior to the initial occupation of the development, all unused crossover(s) shall be removed and the kerbing and road verge reinstated at the owners cost to the satisfaction of the City.
5. Prior to commencement of construction a crossover application shall be submitted to and approved in writing by the City's Technical Services department. The crossover shall be designed to be;
  - a) a maximum width City's Crossover Guidelines, Standards and 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 infrastructure.

The approved crossover is to be constructed prior to the initial occupation of the development to the satisfaction of the City.

6. Any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding street(s) or other buildings to the satisfaction of the City.
7. Prior to the commencement of works, details of the exterior colours, materials and finishes are to be submitted and approved in writing, by the City. The development shall thereafter be constructed in accordance with those approved details.
8. Prior to commencement of development, a detailed landscaping and reticulation plan for the subject site and/or the road verge(s) adjacent to the site shall be submitted to and approved in writing by the City on the advice of the Department of Biodiversity, Conservation and Attractions. The landscaping plan is to include proposed details of (but is not limited to):
  - (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
  - (b) Any lawns to be established;
  - (c) Any existing vegetation and/or landscaped areas to be retained; and
  - (d) Any verge treatments

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



9. The development is to be constructed and operated in accordance with the Waste Management Plan dated March 2021 and Local Planning Policy *LPP1.3 Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments*, to the satisfaction of the City.
10. Prior to the initial occupation of the development, all vehicle and bicycle parking bays, manoeuvring areas and points of ingress and egress shall be provided in accordance with the approved plans and AS/NZS 2890.1:2004, to the satisfaction of the City and shall be retained for the life of the development.
11. Within 12 months of occupation evidence shall be provided from a suitably qualified consultant, confirming that the building has been constructed in accordance with the Sustainable Design Strategy prepared by CADDs Group.
12. Prior to the commencement of development and in accordance with Local Planning Policy *LPP1.4 Provision of Art in Development Proposals* and Element 17 of the Canning Bridge Activity Centre Plan, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. Alternatively, the public art contribution may be satisfied by a cash-in-lieu payment at the same rate, made prior to the commencement of works.
13. No less than 30 days prior to the commencement of development, a Construction Management Plan shall be submitted for the written approval of the City. The Construction Management Plan shall detail how the construction of the development will be managed, and shall include, but not be limited to, the following:
  - public safety and site security;
  - hours of operation;
  - noise and vibration controls;
  - air and dust management;
  - stormwater, groundwater and sediment control;
  - waste and material disposal;
  - Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
  - the parking arrangements for employees, contractors and sub-contractors;
  - on-site delivery times and access arrangements;
  - the storage of materials and equipment on site (no storage of materials on the verge will be permitted without an approval); and
  - any other matters likely to impact upon the surrounding properties or road reserve;
  - The provision of a 24-hour contact number for residents and also a log of complaints to be maintained by the developer for inspection by the City as requested.



Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City. The CMP will be considered by the City on advice from the Department of Biodiversity, Conservation and Attractions. Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City.

14. Lighting is to be provided to all car parking areas and the exterior entrances to all buildings in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting shall be provided such that the light source does not compromise safety and/or amenity.
15. Prior to the commencement of works, an Acoustic report shall be submitted to demonstrate that all mechanical services associated with the development are capable of complying with the 'Assigned Noise Levels' contained in the Environmental Protection (Noise) Regulations 1997 when the noise is received at any neighbouring residential premises to the satisfaction of the Manager Statutory Planning. Once approved, the development shall operate in accordance with the recommendations set out in the report to the satisfaction of the City.
16. At least thirty (30) days prior to the commencement of works, the applicant shall submit and have approved a Stormwater Management Plan setting how stormwater will be effectively managed during and post-construction to the satisfaction of the City on the advice of the Department of Biodiversity, Conservation and Attractions.
17. At least thirty (30) days prior to the commencement of works, the applicant shall prepare and have approved, a groundwater management plan showing how groundwater will be managed post-development to the satisfaction of the City of Melville on the advice of the Department of Biodiversity, Conservation and Attractions (Refer groundwater Advice Note). 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.
18. No dewatering tailwater is to be discharged directly or indirectly (e.g. via the stormwater system) into the river unless the tailwater meets water quality discharge criteria approved via a dewatering management plan endorsed by the City of Melville and the Department of Biodiversity, Conservation and Attractions. (Refer dewatering Advice Note).

### **Advice Notes**

1. The City is responsible for the allocation of street numbers in accordance with AS/NZS 4819:2011, Geographic Information – Rural and Urban Addressing. It is recommended that the Applicant contact the City prior to the completion of construction at which point the City will allocate new street addresses to the dwellings. The City will also notify Landgate, Australia Post, Alinta Gas, Western Power and the Water Corporation of the new address details.



2. This development constitutes a “Food Business” as per Section 107 of the *Food Act 2008* and therefore is to comply with the provisions of the *Food Regulations 2009* and the Food Safety Standards. For further information please contact the City’s Health Services.
3. Prior to the commencement of the Food Business an *Application to Register/Notification of a Food Business* is to be submitted with plans and specifications of the “Food Business” including details of all fixtures, fittings, appliances and finishes must be submitted to the City of Melville Health Section for approval. The provisions contained in Australian Standard 4674 - Design, Construction and Fitout of Food Premises may be used to determine whether the construction complies with the requirements of Standard 3.2.3 of the Food Safety Standards – “Food Premises and Equipment”.
4. The applicant shall take appropriate measures to ensure that no woody debris, construction material, sediment, or rubbish enters the Parks and Recreation reserve, stormwater system, or river as a result of the works.
5. With regard to the dewatering condition, the applicant is advised that the dewatering management plan is to be endorsed by the Local Government and shall be prepared in accordance with Department of Biodiversity, Conservation and Attractions Policy 50 - Planning for dewatering in the Swan Canning Development Control Area, and include:
  - a. The location, extent and quality of groundwater at the site;
  - b. Proposed treatment and disposal methods of the tailwater discharge;
  - c. Dewatering commencement date, duration, frequency, flow rates and volumes; and
  - d. Details of the proposed engineering construction methods which will be used to reduce the volumes of dewatering tailwater, and reduce the groundwater drawdown impact zone radius.
6. With regard to the stormwater and groundwater management plan conditions, the following requirements from the City of Melville and the DBCA shall be taken into account:
  - a. Prior to the lodgement of a building permit, a detailed stormwater design shall be undertaken by an accredited and registered Civil Engineer in accordance with the design criteria in below and submitted to the City for formal review and approval;
  - b. All stormwater generated on site is to be retained on site in accordance with a plan approved in writing by the City. 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) for the approval of the City.





- c. The applicant is advised the stormwater management system shall be designed to prevent mobilisation of sediment, nutrients and contaminants from the site to the river. Stormwater from the proposed development should be managed in accordance with Department of Biodiversity, Conservation and Attractions Policy 49 - Planning for storm water management affecting the Swan Canning Development Control Area, the Department of Water and Environmental Regulation's Storm water Management Manual for Western Australia and Decision Process for Storm water Management in WA, and water sensitive urban design principles.
- d. The applicant is advised that the Department of Biodiversity, Conservation and Attractions is unlikely to support the connection of subsoil drains, if required, to the local stormwater system and the river without treatment onsite prior to discharge.
- e. The applicant is advised to consider the incorporation of deep soil zones within the site to locate mature vegetation and assist with stormwater management as referred to in the Western Australian Planning Commission's draft Apartment Design Guidelines.

### **AMENDING MOTION 1**

**Moved by:** Cr Nicholas Pazolli

**Seconded by:** Cr Matthew Woodall

That Condition No.13 have a new bullet point added to read as follows:

- ***The Construction Management Plan be made publicly available.***

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

**REASON:** In recent JDAP RAR recommendations officers have included the in the CMP condition that the CMP be made publicly available and the Melville Council is in the process of considering a draft Local Planning Policy on Construction Management Plans which will require that CMP documents are publicly available on request.

### **AMENDING MOTION 2**

**Moved by:** Mr Clayton Higham

**Seconded by:** Ms Rachel Chapman

That Condition No.5 a) be amended to read as follows:

*Prior to commencement of construction a crossover application shall be submitted to and approved in writing by the City's Technical Services department. The crossover shall be designed to be;*

- a) ***a maximum width of 3.5m in accordance with the City's Crossover Guidelines, Standards and Specifications;***

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

**REASON:** The amendment provides a specific dimension which ensures greater certainty in the requirements of the condition.



## REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner South JDAP resolves to:

1. **Approve** DAP Application reference DAP/21/02121 and accompanying plans (SK06 Site Plan with Survey, SK01 Basement Plan , SK01 Ground Floor Plan, SK01 First Floor Plan, SK01 Second Floor Plan, SK01 Third to Fifth Floor Plan, SK01 Sixth Floor Plan, SK01 Roof Plan, ground Floor – Wastes & Waters Plan) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the City of Melville Local Planning Scheme No. 6, subject to the following conditions:

### Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
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5. Prior to commencement of construction a crossover application shall be submitted to and approved in writing by the City's Technical Services department. The crossover shall be designed to be;
  - a) a maximum width of 3.5m in accordance with the City's Crossover Guidelines, Standards and 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 infrastructure.

The approved crossover is to be constructed prior to the initial occupation of the development to the satisfaction of the City.

6. Any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding street(s) or other buildings to the satisfaction of the City.
7. Prior to the commencement of works, details of the exterior colours, materials and finishes are to be submitted and approved in writing, by the City. The development shall thereafter be constructed in accordance with those approved details.



8. Prior to commencement of development, a detailed landscaping and reticulation plan for the subject site and/or the road verge(s) adjacent to the site shall be submitted to and approved in writing by the City on the advice of the Department of Biodiversity, Conservation and Attractions. The landscaping plan is to include proposed details of (but is not limited to):
- (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
  - (b) Any lawns to be established;
  - (c) Any existing vegetation and/or landscaped areas to be retained; and
  - (d) Any verge treatments

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

9. The development is to be constructed and operated in accordance with the Waste Management Plan dated March 2021 and Local Planning Policy *LPP1.3 Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments*, to the satisfaction of the City.
10. Prior to the initial occupation of the development, all vehicle and bicycle parking bays, manoeuvring areas and points of ingress and egress shall be provided in accordance with the approved plans and AS/NZS 2890.1:2004, to the satisfaction of the City and shall be retained for the life of the development.
11. Within 12 months of occupation evidence shall be provided from a suitably qualified consultant, confirming that the building has been constructed in accordance with the Sustainable Design Strategy prepared by CADDs Group.
12. Prior to the commencement of development and in accordance with Local Planning Policy *LPP1.4 Provision of Art in Development Proposals* and Element 17 of the Canning Bridge Activity Centre Plan, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. Alternatively, the public art contribution may be satisfied by a cash-in-lieu payment at the same rate, made prior to the commencement of works.



13. No less than 30 days prior to the commencement of development, a Construction Management Plan shall be submitted for the written approval of the City. The Construction Management Plan shall detail how the construction of the development will be managed, and shall include, but not be limited to, the following:
- public safety and site security;
  - hours of operation;
  - noise and vibration controls;
  - air and dust management;
  - stormwater, groundwater and sediment control;
  - waste and material disposal;
  - Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
  - the parking arrangements for employees, contractors and sub-contractors;
  - on-site delivery times and access arrangements;
  - the storage of materials and equipment on site (no storage of materials on the verge will be permitted without an approval); and
  - any other matters likely to impact upon the surrounding properties or road reserve;
  - The provision of a 24-hour contact number for residents and also a log of complaints to be maintained by the developer for inspection by the City as requested.
  - The Construction Management Plan be made publicly available.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City. The CMP will be considered by the City on advice from the Department of Biodiversity, Conservation and Attractions. Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City.

14. Lighting is to be provided to all car parking areas and the exterior entrances to all buildings in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting shall be provided such that the light source does not compromise safety and/or amenity.
15. Prior to the commencement of works, an Acoustic report shall be submitted to demonstrate that all mechanical services associated with the development are capable of complying with the 'Assigned Noise Levels' contained in the Environmental Protection (Noise) Regulations 1997 when the noise is received at any neighbouring residential premises to the satisfaction of the Manager Statutory Planning. Once approved, the development shall operate in accordance with the recommendations set out in the report to the satisfaction of the City.
16. At least thirty (30) days prior to the commencement of works, the applicant shall submit and have approved a Stormwater Management Plan setting how stormwater will be effectively managed during and post-construction to the satisfaction of the City on the advice of the Department of Biodiversity, Conservation and Attractions.



17. At least thirty (30) days prior to the commencement of works, the applicant shall prepare and have approved, a groundwater management plan showing how groundwater will be managed post-development to the satisfaction of the City of Melville on the advice of the Department of Biodiversity, Conservation and Attractions (Refer groundwater Advice Note). 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.
18. No dewatering tailwater is to be discharged directly or indirectly (e.g. via the stormwater system) into the river unless the tailwater meets water quality discharge criteria approved via a dewatering management plan endorsed by the City of Melville and the Department of Biodiversity, Conservation and Attractions. (Refer dewatering Advice Note).

### **Advice Notes**

1. The City is responsible for the allocation of street numbers in accordance with AS/NZS 4819:2011, Geographic Information – Rural and Urban Addressing. It is recommended that the Applicant contact the City prior to the completion of construction at which point the City will allocate new street addresses to the dwellings. The City will also notify Landgate, Australia Post, Alinta Gas, Western Power and the Water Corporation of the new address details.
2. This development constitutes a “Food Business” as per Section 107 of the *Food Act 2008* and therefore is to comply with the provisions of the *Food Regulations 2009* and the Food Safety Standards. For further information please contact the City’s Health Services.
3. Prior to the commencement of the Food Business an *Application to Register/Notification of a Food Business* is to be submitted with plans and specifications of the “Food Business” including details of all fixtures, fittings, appliances and finishes must be submitted to the City of Melville Health Section for approval. The provisions contained in Australian Standard 4674 - Design, Construction and Fitout of Food Premises may be used to determine whether the construction complies with the requirements of Standard 3.2.3 of the Food Safety Standards – “Food Premises and Equipment”.
4. The applicant shall take appropriate measures to ensure that no woody debris, construction material, sediment, or rubbish enters the Parks and Recreation reserve, stormwater system, or river as a result of the works.



5. With regard to the dewatering condition, the applicant is advised that the dewatering management plan is to be endorsed by the Local Government and shall be prepared in accordance with Department of Biodiversity, Conservation and Attractions Policy 50 - Planning for dewatering in the Swan Canning Development Control Area, and include:
  - a. The location, extent and quality of groundwater at the site;
  - b. Proposed treatment and disposal methods of the tailwater discharge;
  - c. Dewatering commencement date, duration, frequency, flow rates and volumes; and
  - d. Details of the proposed engineering construction methods which will be used to reduce the volumes of dewatering tailwater, and reduce the groundwater drawdown impact zone radius.
  
6. With regard to the stormwater and groundwater management plan conditions, the following requirements from the City of Melville and the DBCA shall be taken into account:
  - a. Prior to the lodgement of a building permit, a detailed stormwater design shall be undertaken by an accredited and registered Civil Engineer in accordance with the design criteria in below and submitted to the City for formal review and approval;
  - b. All stormwater generated on site is to be retained on site in accordance with a plan approved in writing by the City. 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) for the approval of the City.
  - c. The applicant is advised the stormwater management system shall be designed to prevent mobilisation of sediment, nutrients and contaminants from the site to the river. Stormwater from the proposed development should be managed in accordance with Department of Biodiversity, Conservation and Attractions Policy 49 - Planning for storm water management affecting the Swan Canning Development Control Area, the Department of Water and Environmental Regulation's Storm water Management Manual for Western Australia and Decision Process for Storm water Management in WA, and water sensitive urban design principles.
  - d. The applicant is advised that the Department of Biodiversity, Conservation and Attractions is unlikely to support the connection of subsoil drains, if required, to the local stormwater system and the river without treatment onsite prior to discharge.
  - e. The applicant is advised to consider the incorporation of deep soil zones within the site to locate mature vegetation and assist with stormwater management as referred to in the Western Australian Planning Commission's draft Apartment Design Guidelines.



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

For: Mr Clayton Higham  
Ms Rachel Chapman  
Mr Peter Lee  
Cr Matthew Woodall

Against: Cr Nicholas Pazolli

**REASON:** The majority of the panel were of the opinion that the proposed development was a very good design response to the site and its location in the context of it being a small, irregular site on the river gateway to the precinct. Due regard was given to the requirements, desired outcomes and objectives of the Canning Bridge Activity Centre Plan when assessing the development, particularly the height of the building, side and rear setbacks and car parking provision, noting variations to the stated requirements were proposed, arising in the need for a performance assessment. In this regard, what was effectively an additional storey, an additional 2 car parking bays and reduced side setbacks to accommodate building articulation when comparing it to the stated requirements, was considered by the majority of the panel to not have a detrimental impact on the adjoining residents as it relates to privacy, overlooking and overshadowing and was determined to be entirely consistent with the desired outcomes of ,and vision for, the CBACP.

**9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval**

Nil.

**10. State Administrative Tribunal Applications and Supreme Court Appeals**

The Presiding Member noted the following SAT Applications –

File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/21/01936 DR 168/2021	Town of Victoria Park	No. 176 (Lot 40) Burswood Road, Burswood	Proposed Office Tower	09/08/2021

**11. General Business**

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

**12. Meeting Closure**

There being no further business, the Presiding Member declared the meeting closed at 11:30am.