



Department of Biodiversity,  
Conservation and Attractions



SWAN CANNING  
RIVERPARK

*Swan and Canning Rivers Management Act 2006*

**PART 5**

**DETERMINATION OF DEVELOPMENT APPLICATION**

FILE NUMBER : 2021/0656  
APPLICANT : Thomas Oliver Mills, Riverslea Construction Services, on behalf of the Matilda Bay Restaurant  
LANDOWNER : Management order to the Conservation Commission of Western Australia  
LAND DESCRIPTION : Matilda Bay Restaurant – 3 Hackett Drive, Lot 8168 on Plan 171833, Lot 8167 on Plan 171833, Lot 1455 on Plan 32409 (Crown Reserve 17375), Crawley  
DEVELOPMENT : Renovations and additions including balcony and new toilets at first floor and a new disability access elevator  
VALID FORM 1 RECEIVED : 1 April 2021  
DETERMINATION : **APPROVAL WITH CONDITIONS**

The application to commence development in accordance with the information received on 1 April 2021 is APPROVED subject to the following conditions:

1. Approval to implement this decision is valid for two (2) years from the date of the approval. If substantial on-site works have not commenced within this period, a new approval will be required before commencing or completing the development.

**Prior to the commencement of works**

2. The applicant shall notify the Department of Biodiversity, Conservation and Attractions in writing not less than seven (7) days prior to the commencement of works (**Advice Note 1**).
3. Prior to the commencement of works, a Construction Environmental Management Plan shall be submitted to and approved by the Department of Biodiversity, Conservation and Attractions (**Advice Notes 2 and 3**).
4. The materials and finishes of the development are to complement the riverine environment and existing building, to the satisfaction of the Department of Biodiversity, Conservation and Attractions. Details of the materials and finishes are to be submitted for approval prior to the commencement of works (**Advice Note 3**).

**During works**

5. The approved Construction Environmental Management Plan shall be implemented.
6. The applicant shall ensure that no damage to the foreshore, riverbank, or waterway (including vegetation and infrastructure) occurs beyond the scope of the approved works. If any inadvertent damage occurs, the applicant is required to notify the Department of Biodiversity, Conservation and Attractions within 48 hours of the damage occurring and rectify the damage at its expense (**Advice Note 5**).

#### On completion of works

7. Upon completion of the works, all waste materials, equipment and machinery shall be removed, and the site cleaned up to the satisfaction of the Department of Biodiversity, Conservation and Attractions.

#### ADVICE TO APPLICANT

1. Notification of commencement of work and plans can be emailed to [rivers.planning@dbca.wa.gov.au](mailto:rivers.planning@dbca.wa.gov.au).
2. The Construction Environmental Management Plan required under **Condition 3** shall describe how the proposed works will be managed to minimise potential environmental impacts and shall address, but not be limited to:
  - a. scope of works, including demolition and construction methodology;
  - b. site access and management, including fencing requirements;
  - c. management of machinery and equipment, including a refuelling procedure and spill response;
  - d. on-site storage and bunding of materials (sediment control), equipment, chemicals and fuel (no storage of material on the grassed foreshore will be permitted);
  - e. protection of the river (and nearby stormwater drains) from inputs of debris, rubbish or other deleterious material;
  - f. waste and material disposal;
  - g. protection of vegetation;
  - h. traffic management, including parking arrangements for work contractors;
  - i. site security;
  - j. public access and safety;
  - k. hours of operation and schedule of works; and
  - l. complaints and incidents.

A site map showing the laydown area, vehicle entry/exit points and pedestrian management (e.g. road closures, alternative routes and public safety signage) shall be included. Emergency spill kits shall be onsite at all times and refuelling of land-based vehicles or machinery is to be undertaken outside the Swan Canning Development Control Area. In the case of pollution events, the Department of Biodiversity, Conservation and Attractions shall be contacted immediately on 9278 0981 (Riverpark Duty Officer) or 9480 9924 (Marine Pollution Response). Sand, soil, and any other finely grained material that is exposed or stockpiled on site shall be managed to prevent sediment mobilisation and discharge into the Swan River.

All trees within the vicinity of the proposed works will need to be protected in accordance with *Australian Standard AS 4970-2009: Protection of trees on development sites*. Tree protection zones should be identified and fenced to restrict access and to avoid damage to the trees during works. Traffic management controls should be prepared by accredited personnel for various phases of the construction, including any proposed closures.

3. To allow sufficient time for the Department of Biodiversity, Conservation and Attractions to consider and approve the plans and details required under **Conditions 3 and 4**, the documents shall be submitted at least 42 days before the expected works commencement date.
4. The applicant is hereby notified that in addition to the Building Code of Australia (BCA) requirements for providing access for people with a disability, it is the responsibility of the applicant to ensure the development complies with the *Disability Discrimination Act 1992* and the Disability (Access to Premises - Buildings) Standards 2010.

Further information about universal access can be obtained from the following Advisory Board and the relevant Federal and State Government Department - City of Perth's Access and Inclusion Advisory Group (AIAG):  
<https://cityofperth.sharepoint.com/sites/CMS/SitePages/Access-and-Inclusion-Advisory-Group.aspx?web=1>

The Western Australian Department of Communities – Disability Services:  
[http://www.disability.wa.gov.au/understanding-disability1/understanding-disability/accessibility/built\\_environment/](http://www.disability.wa.gov.au/understanding-disability1/understanding-disability/accessibility/built_environment/)

5. The City of Perth has advised that a building permit is required to be submitted and approved by the City of Perth prior to undertaking building work.
6. The City of Perth has advised that the building, or any part thereof, shall not be occupied until an Occupancy Permit has been issued by the City of Perth.
7. The applicant is advised that it is an offence under the Swan and Canning Rivers Management Regulations 2007 to destroy, pull up, cut back or injure any tree, shrub or perennial plant that is on land within the Swan Canning Development Control Area, except with the approval of the Department of Biodiversity, Conservation and Attractions.



Hon Amber-Jade Sanderson MLA  
**MINISTER FOR ENVIRONMENT**

Date: 1/9/21

## DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS REPORT

PROPOSAL	: Renovations and additions including balcony and new toilets at first floor and a new disability access elevator.
LOCATION	: Matilda Bay Restaurant – 3 Hackett Drive, Lot 8168 on Plan 171833, Lot 8167 on Plan 171833, Lot 1455 on Plan 32409 (Crown Reserve 17375), Crawley
COST	: \$300,000
APPLICANT	: Thomas Oliver Mills, Riverslea Construction Services, on behalf of the Matilda Bay Restaurant
LANDOWNER	: Management order to the Conservation Commission of Western Australia
LOCAL GOVERNMENT	: City of Perth
MRS CLASSIFICATION	: Parks and Recreation
DECISION TYPE	: Part 5, <i>Swan and Canning Rivers Management Act 2006</i> , Ministerial Determination
ATTACHMENTS	: 1. Location map (1 pages) 2. City of Perth comments (3 pages) 3. Lease Area (1 page) 4. Proposed site plans (12 pages)
RECOMMENDATION	: <b>APPROVAL WITH CONDITIONS</b>

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## REPORT

### 1.0 INTRODUCTION

- 1.1 The Department of Biodiversity, Conservation and Attractions (DBCA) has received an application from Riverslea Construction Services, on behalf of the Matilda Bay Restaurant, proposing alterations and additions to the Matilda Bay Restaurant at Lot 8168 on Plan 171833, part of Lot 8167 on Plan 171833 and part of Lot 1455 on Plan 32409 (Crown Reserve 17375) (3) Hackett Drive, Crawley (**Attachment 1**). The alterations include a first-floor balcony and associated balustrade that will be constructed within the existing roof area; extension of the first floor to include new male, female and accessible toilets; a storeroom; and a platform lift to provide disability access to the first floor. The proposed alterations will be within the footprint of the existing building.
- 1.2 The subject land is reserved for Parks and Recreation under the Metropolitan Region Scheme.

- 1.3 The proposed development is to occur on land entirely within the Swan Canning Development Control Area and therefore requires an approval from the Minister for Environment in accordance with Part 5 of the *Swan and Canning Rivers Management Act 2006* (SCRM Act).
- 1.4 The Director General of DBCA has prepared this report in accordance with section 76 of the SCRM Act.

## 2.0 CONSULTATION

### City of Perth

- 2.1 The City of Perth (the City) advises that it supports the proposal, and has provided the following recommendations/advice:
  - The building owner/developer is required to comply with the *Disability Discrimination Act 1992* and the Disability (Access to Premises – Buildings) Standard 2010, to ensure universal access; and
  - A building permit is required to be submitted and approved prior to undertaking building work.
- 2.2 The City also provided the following comments in relation to bushfire risk:

*The Department of Biodiversity, Conservation and Attractions is advised that although a large area of the subject lot is deemed to be a bushfire prone area, the City has determined that a BAL assessment is not required. The proposed works are not occurring within land indicated as bushfire prone and it does not result in any intensification of the land use, an increase of residents or employees, involve the occupation of employees for a considerable amount of time, or result in an increase to the overall bushfire threat.*

- 2.3 The City's full comments are provided in **Attachment 2**.

## 3.0 PUBLIC CONSULTATION – SUBMISSIONS ON DRAFT REPORT

- 3.1 In accordance with the requirements of Part 5 of the SCRM Act, a copy of the draft report and proposed recommendation was provided to the applicant and the relevant stakeholder being the City. A copy was also published on the DBCA website for a period of two weeks between 8 July and 23 July 2021 with an invitation for public submissions.
- 3.2 No submissions were received.

## 4.0 RELEVANT POLICIES AND PLANS

- ◆ State Planning Policy 2.10 – *Swan-Canning River System* (SPP 2.10)
- ◆ Corporate Policy Statement No. 42 – *Planning for Land Use, Development and Permitting Affecting the Swan Canning Development Control Area* (Policy 42)
- ◆ Corporate Policy Statement No. 46 – *Planning for Commercial Operations in the Swan Canning Development Control Area* (Policy 46)
- ◆ Corporate Policy Statement No. 49 – *Planning for Stormwater Management Affecting the Swan Canning Development Control Area* (Policy 49)

## 5.0 ENVIRONMENTAL AND PLANNING CONSIDERATIONS

- ◆ Environmental protection
- ◆ Amenity
- ◆ Stormwater management
- ◆ Vegetation protection
- ◆ Car parking

## 6.0 BACKGROUND

- 6.1 Matilda Bay Restaurant is located within the Swan River foreshore at Matilda Bay Reserve, Crawley. The Matilda Bay Reserve is vested via a management order to the Conservation Commission of Western Australia (now Conservation and Parks Commission).
- 6.2 The Matilda Bay Restaurant was granted a deed of lease by the then Department of Conservation and Land Management (on behalf of then National Parks and Nature Conservation Authority) in 1994 for 21 years which was then extended in 2015 for a further 21 years. The deed of lease area includes Lot 8168 in its entirety and parts of Lot 8167 and Crown Reserve 17375 (**Attachment 3**).
- 6.3 The existing Matilda Bay Restaurant consists of an alfresco area, kitchen, formal dining areas, restrooms and offices on the ground floor and formal dining area, office, bar, and kitchen on the first floor.
- 6.4 In June 2020, following the recommendation of DBCA and the Swan River Trust, the Minister for Environment approved minor building alterations including a new vergola and paved alfresco, new guttering and the construction of raised planter boxes.
- 6.5 In December 2020, the restaurant amended its liquor licence from a restaurant licence to a tavern licence to cater for stand up functions in the approved alfresco area.
- 6.6 The current application proposes the following:
- a first-floor balcony at the front (northeastern) side of the building overlooking the river;
  - new toilet block and a storeroom on the first floor; and
  - a platform lift to provide access to the first floor (**Attachment 4**).
- 6.7 The proposed balcony will be a total of 58.5m<sup>2</sup> having dimensions of 19.5 metres in length with a depth of 3 metres. It will be constructed within the existing building footprint and the upper floor windows will be changed to bifold doors. The balcony will feature steel and glass balustrade and the roof of the ground floor dining area will be modified to accommodate the balcony.
- 6.8 The proposed toilet block will be 46.8m<sup>2</sup> and will include male, female and accessible toilets and a storeroom. It will be constructed over the existing ground floor within the existing roof space therefore will not increase the overall building footprint or impervious surfaces. The new construction will be steel frame with weatherboard cladding.

6.9 The accessible lift will be 1.0m<sup>2</sup> and constructed with steel framing and glass. The lift will be accessed from the existing portico at ground and first floor. There will be some minor changes to the balustrading and access doors at first floor to comply with universal access. The lift is on the south western side of the building and will not be visible from the river.

6.10 All proposed works will be located within the deed of lease area.

## 7.0 DISCUSSION

### Environmental Protection

7.1 Policy 42 aims to ensure that land use and development on and adjacent to the river system maintains and enhances the quality and amenity of the river environment. The proposed development should be carefully undertaken to prevent detrimental impacts to the foreshore area.

7.2 The foreshore area surrounding Matilda Bay Restaurant is open parkland with many mature trees. The proposed works will not result in an increase of the building footprint and therefore no vegetation removal has been proposed.

7.3 There is a mature river red gum tree very close to the wall and roof line of the building on the north eastern river side. The tree will also be close to the proposed balcony. The applicant provided an assessment from a consulting arborist who concluded that the proposed balcony *will not impact the tree's structural integrity and/or its future health status which at the present time is good*. Some minor pruning may be required at time of construction.

7.4 There will be no earthworks associated with the proposal. It is recommended that a Construction Environmental Management Plan (CEMP) be required as a condition of approval and include details of vegetation protection including the river red gum, management of machinery and equipment (including refuelling), public access and safety, traffic management, hours of operation, noise and vibration control, construction methodology, storage of materials and equipment, spill response and waste management.

7.5 Matilda Bay Restaurant is currently connected to reticulated sewerage. The City will ensure the new toilet facilities are connected to sewerage infrastructure at the time of building consent.

### Amenity

7.6 Policy 42 states that the design, materials and colour scheme of developments adjacent to the river and foreshores should complement and protect the character and landscape setting of the river.

7.7 The design drawings provided with the application indicate that the proposed first floor addition for the toilets will be clad in compressed fibre cement (CFC) weatherboards. The balcony balustrade will be steel frame with glass infill to match existing glazing on the northern side of the building. The fascia between the proposed balcony and existing windows of the ground floor dining area will be clad in metal zinc product. No colour finish details of the weatherboard cladding or zinc fascia have been provided. It is anticipated that the finishes will match the façade of the building to the northern side being white with dark grey framing.

- 7.8 It can be ensured through a condition of approval that all details of the external colours and finishes are provided to DBCA before works commence in order to ensure that there is no adverse impact on the visual amenity of the area.

### **Parking**

- 7.9 The management of Matilda Bay Restaurant has confirmed that the proposed balcony addition does not increase the patronage of the current operation. The balcony will be used as an ancillary area for the existing first floor function space where patrons can have pre-dinner drinks taking advantage of views to the Swan River. Given that the capacity of the restaurant / function centre will not be increasing, there will be no additional parking demand.

### **Stormwater Management**

- 7.10 Policy 49 generally requires stormwater runoff from constructed impervious surfaces generated by minor rainfall events (i.e. first 15mm) to be managed on site, or if the local government consents, connected to the local drainage system.
- 7.11 Whilst no details regarding stormwater management for the proposed building works have been provided, the applicant has advised that stormwater is currently managed via a soak well located underneath the alfresco area. The applicant has further advised that the soak well will remain underneath the alfresco area.
- 7.12 As the building alterations/additions will not result in an increase of impervious surfaces, the volume of stormwater to be managed is not anticipated to increase.

### **Public Access and Safety**

- 7.13 SPP 2.10 states that public access to the river and foreshore should be maintained while protecting the river. It is important that development near the river does not impede or restrict public access.
- 7.14 Whilst there are no paths in close enough proximity to the works to be impacted, the foreshore area that abuts the waters of the Swan River is regularly used by the public. To ensure works do not adversely impact public access and safety along the foreshore, it is recommended these issues be addressed as part of the conditioned CEMP.

## **8.0 SWAN RIVER TRUST**

- 8.1 In accordance with section 75(3A) of the SCR Act, the Swan River Trust considered DBCA's draft report at its meeting of 22 June 2021 and resolved to advise the Director General of DBCA that it recommends the application be approved subject to the conditions outlined in DBCA's draft report.

## **9.0 CONCLUSION**

- 9.1 Policy 46 states that commercial facilities should be planned, designed, constructed and managed to enhance the community's use and enjoyment of the Swan Canning river system.
- 9.2 The current proposal seeks to renovate the existing Matilda Bay Restaurant and make use of the location and outlook to the Swan River. It is anticipated that the



proposal will not have any adverse impact on the foreshore area. The proposal is therefore considered acceptable.

- 9.3 For these reasons, the proposal is recommended for approval, subject to conditions and advice.

## 10.0 RECOMMENDATION – APPROVAL WITH CONDITIONS

That the Director General of DBCA advises the Minister for Environment that Matilda Bay Restaurant's proposal to construct a balcony and new toilets on the first floor and a new elevator at Matilda Bay Reserve, within Lot 8168 on Plan 171833, Lot 8167 on Plan 171833, Lot 1455 on Plan 32409 (Crown Reserve 17375), 3 Hackett Drive, Crawley, as described in the application received on 1 April 2021, be approved, subject to the following conditions:

1. Approval to implement this decision is valid for two (2) years from the date of the approval. If substantial on-site works have not commenced within this period, a new approval will be required before commencing or completing the development.

### Prior to the commencement of works

2. The applicant shall notify the Department of Biodiversity, Conservation and Attractions in writing not less than seven (7) days prior to the commencement of works (**Advice Note 1**).
3. Prior to the commencement of works, a Construction Environmental Management Plan shall be submitted to and approved by the Department of Biodiversity, Conservation and Attractions (**Advice Notes 2 and 3**).
4. The materials and finishes of the development are to complement the riverine environment and existing building, to the satisfaction of the Department of Biodiversity, Conservation and Attractions. Details of the materials and finishes are to be submitted for approval prior to the commencement of works (**Advice Note 3**).

### During works

5. The approved Construction Environmental Management Plan shall be implemented.
6. The applicant shall ensure that no damage to the foreshore, riverbank, or waterway (including vegetation and infrastructure) occurs beyond the scope of the approved works. If any inadvertent damage occurs, the applicant is required to notify the Department of Biodiversity, Conservation and Attractions within 48 hours of the damage occurring and rectify the damage at its expense (**Advice Note 7**).

### On completion of works

7. Upon completion of the works, all waste materials, equipment and machinery shall be removed, and the site cleaned up to the satisfaction of the Department of Biodiversity, Conservation and Attractions.

## ADVICE TO APPLICANT

1. Notification of commencement of work and plans can be emailed to [rivers.planning@dbca.wa.gov.au](mailto:rivers.planning@dbca.wa.gov.au).

2. The Construction Environmental Management Plan required under **Condition 3** shall describe how the proposed works will be managed to minimise potential environmental impacts and shall address, but not be limited to:
- a. scope of works, including demolition and construction methodology;
  - b. site access and management, including fencing requirements;
  - c. management of machinery and equipment, including a refuelling procedure and spill response;
  - d. on-site storage and bunding of materials (sediment control), equipment, chemicals and fuel (no storage of material on the grassed foreshore will be permitted);
  - e. protection of the river (and nearby stormwater drains) from inputs of debris, rubbish or other deleterious material;
  - f. waste and material disposal;
  - g. protection of vegetation;
  - h. traffic management, including parking arrangements for work contractors;
  - i. site security;
  - j. public access and safety;
  - k. hours of operation and schedule of works; and
  - l. complaints and incidents.

A site map showing the laydown area, vehicle entry/exit points and pedestrian management (e.g. road closures, alternative routes and public safety signage) shall be included. Emergency spill kits shall be onsite at all times and refuelling of land-based vehicles or machinery is to be undertaken outside the Swan Canning Development Control Area. In the case of pollution events, the Department of Biodiversity, Conservation and Attractions shall be contacted immediately on 9278 0981 (Riverpark Duty Officer) or 9480 9924 (Marine Pollution Response). Sand, soil, and any other finely grained material that is exposed or stockpiled on site shall be managed to prevent sediment mobilisation and discharge into the Swan River.

All trees within the vicinity of the proposed works will need to be protected in accordance with *Australian Standard AS 4970-2009: Protection of trees on development sites*. Tree protection zones should be identified and fenced to restrict access and to avoid damage to the trees during works. Traffic management controls should be prepared by accredited personnel for various phases of the construction, including any proposed closures.

3. To allow sufficient time for the Department of Biodiversity, Conservation and Attractions to consider and approve the plans and details required under **Conditions 3** and **4**, the documents shall be submitted at least 42 days before the expected works commencement date.
4. The applicant is hereby notified that in addition to the Building Code of Australia (BCA) requirements for providing access for people with a disability, it is the responsibility of the applicant to ensure the development complies with the *Disability Discrimination Act 1992* and the Disability (Access to Premises - Buildings) Standards 2010.

Further information about universal access can be obtained from the following Advisory Board and the relevant Federal and State Government Department - City of Perth's Access and Inclusion Advisory Group (AIAG):  
<https://cityofperth.sharepoint.com/sites/CMS/SitePages/Access-and-Inclusion-Advisory-Group.aspx?web=1>

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5. The City of Perth has advised that a building permit is required to be submitted and approved by the City of Perth prior to undertaking building work.
6. The City of Perth has advised that the building, or any part thereof, shall not be occupied until an Occupancy Permit has been issued by the City of Perth.
7. The applicant is advised that it is an offence under the Swan and Canning Rivers Management Regulations 2007 to destroy, pull up, cut back or injure any tree, shrub or perennial plant that is on land within the Swan Canning Development Control Area, except with the approval of the Department of Biodiversity, Conservation and Attractions.

**FINAL REPORT ENDORSED**

Signed: *Mark Webb* Date: 24/8/21

Mark Webb  
Director General

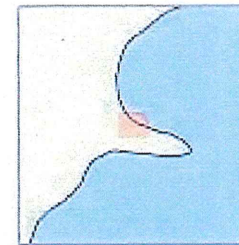
ATTACHMENT A1



Location Map

Legend

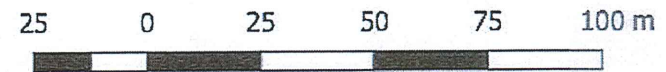
- Development Corridor



Produced by MI,  
Department of Biodiversity,  
Conservation and Attractions



Department of Biodiversity,  
Conservation and Attractions





City of Perth

Mr Glen McLeod-Thorpe  
Manager Statutory Assessments  
Department of Biodiversity, Conservation and Attractions  
Locked Bag 104  
BENTLEY DELIVERY CENTRE WA 6983

Dear Mr McLeod-Thorpe

**4 AUSTRALIA II DRIVE, CRAWLEY - MINOR ADDITIONS TO 'MATILDA BAY RESTAURANT' (FIRST FLOOR BALCONY, LIFT INSTALLATION AND TOILET FACILITIES TO FIRST FLOOR)**

Thank you for your letter dated 24 May 2021 referring an application for minor additions to 'Matilda Bay Restaurant' (first floor balcony, lift installation and toilet facilities to first floor) at the subject site to the City for comment.

It is advised that the City supports this modified proposal subject to the following:-

**Advice Note:**

- A) The Department of Biodiversity, Conservation and Attractions is advised that although a large area of the subject lot is deemed to be a bushfire prone area, the City has determined that a BAL assessment is not required. The proposed works are not occurring within land indicated as bushfire prone and it does not result in any intensification of the land use, an increase of residents or employees, involve the occupation of employees for a considerable amount of time, or result in an increase to the overall bushfire threat.*

The applicant should also be advised that no building works should proceed prior to the City issuing a building permit. The City requires any building permit application to be accompanied by written confirmation that the conditions of planning approval and the building permit plans have been cleared to the DBCA's satisfaction and including written clearances from the Office of Heritage (where applicable).

**Enquiries to:**

Ben Sharman  
Development Approvals Unit  
Our Ref: DA-2021/5119.

27 St Georges Terrace, Perth WA 6000  
T (08) 9461 3333 E [info.city@cityofperth.wa.gov.au](mailto:info.city@cityofperth.wa.gov.au)  
ABN 83 780 118 628

Preliminary building advice is also enclosed for the applicant's information and compliance.

Ben Sharman of the City's Development Approvals Unit is available on (08) 9461 3184 to assist you with any further queries you may have relating to this matter.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Gericke", with a large, stylized flourish underneath.

**DEWALD GERICKE**  
**ACTING ALLIANCE MANAGER DEVELOPMENT APPROVALS**

**1 June 2021**

## PRELIMINARY ADVICE

DA-2021/5119

4 Australia II Drive, CRAWLEY WA 6009

### BUILDING ADVICE

#### 1 Disability Discrimination Act

The building owner/developer is hereby notified that in addition to the Building Code of Australia (BCA) requirements for providing access for people with a disability, it is the responsibility of the building owner/developer to ensure the development complies with the Disability Discrimination Act 1992 and the Disability (Access to Premises - Buildings) Standards 2010.

Further information about universal access can be obtained from the following Advisory Board and the relevant Federal and State Government Department -

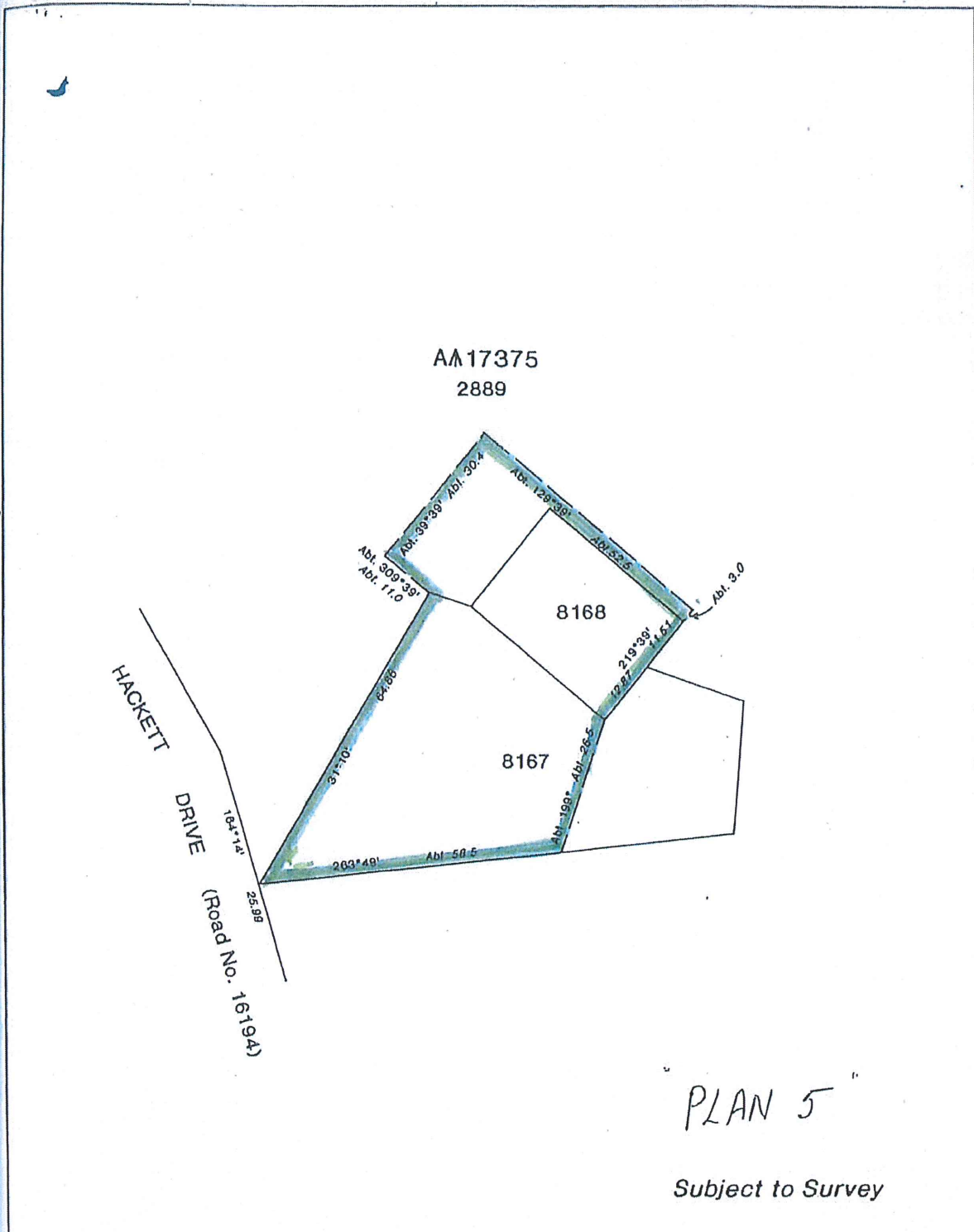
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<https://cityofperth.sharepoint.com/sites/CMS/SitePages/Access-and-Inclusion-Advisory-Group.aspx?web=1>


The Western Australia Department of Communities - Disability Services:  
[http://www.disability.wa.gov.au/understanding-disability1/understanding-disability/accessibility/built\\_environment/](http://www.disability.wa.gov.au/understanding-disability1/understanding-disability/accessibility/built_environment/)

#### 2 Building permit required

A building permit is required to be submitted and approved prior to undertaking building work.

City of Perth



<b>MATILDA BAY RESTAURANT LEASE</b>					
LESSEE	CANDRIN PTY. LTD.				
LAND DISTRICT	SWAN	DRAWN	AC 14.5.93	1:1000	Conservation and Land Management Department - Western Australia
C.A.L.M. DISTRICT	PERTH	CHECKED	G.L.H. 14.5.93	<b>AREA</b>	
PLAN	PERTH (2) BG34/11.21	FILE REF.	025229	Abt. 3570m <sup>2</sup>	



ATTACHMENT A4

MATILDA BAY RESTAURANT

DESIGN DEVELOPMENT

MATILDA BAY RESTAURANT

07.08.19

/ Design  
Theory





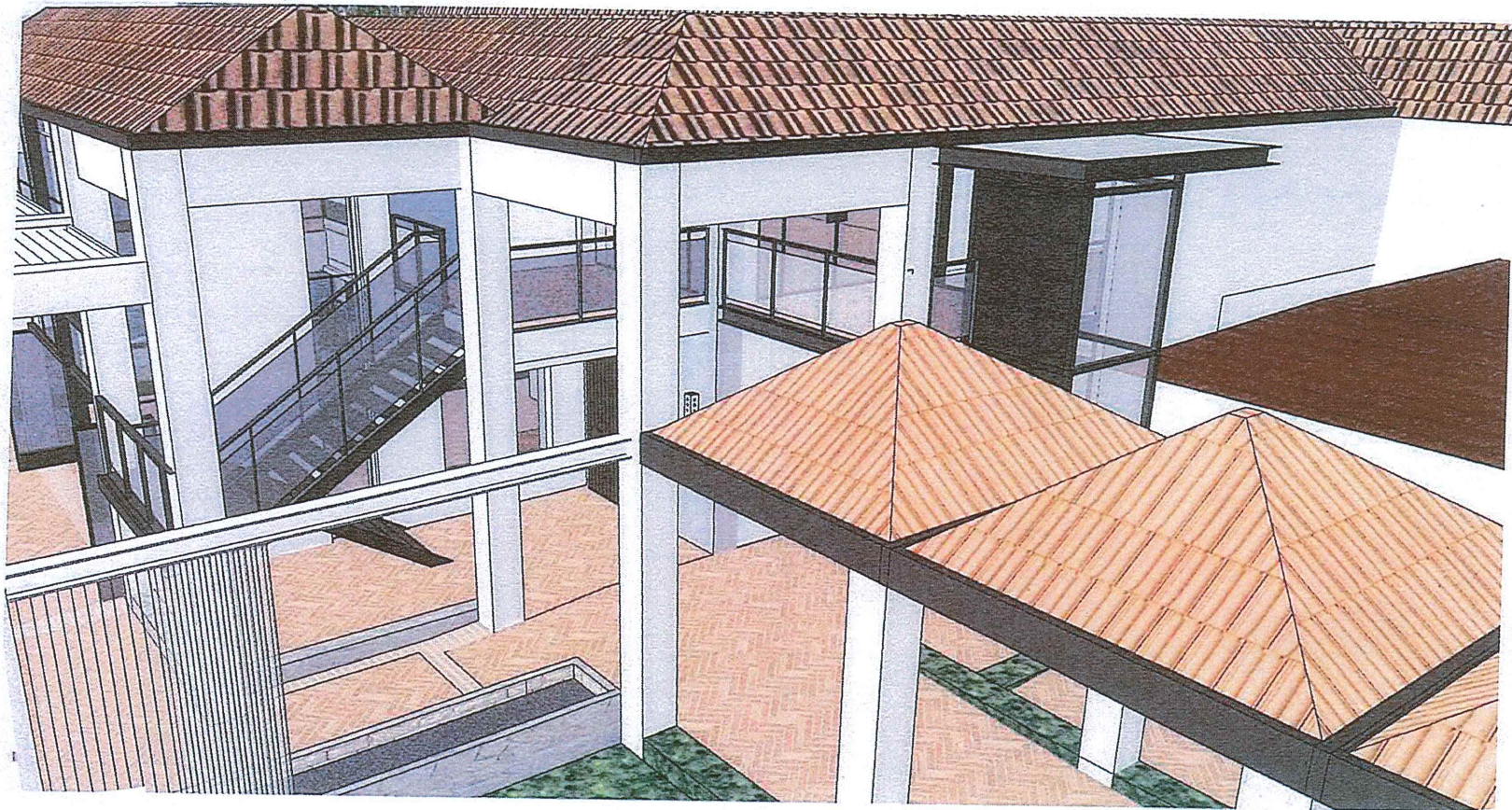
/ Design  
Theory

MATILDA BAY  
MOMENTS

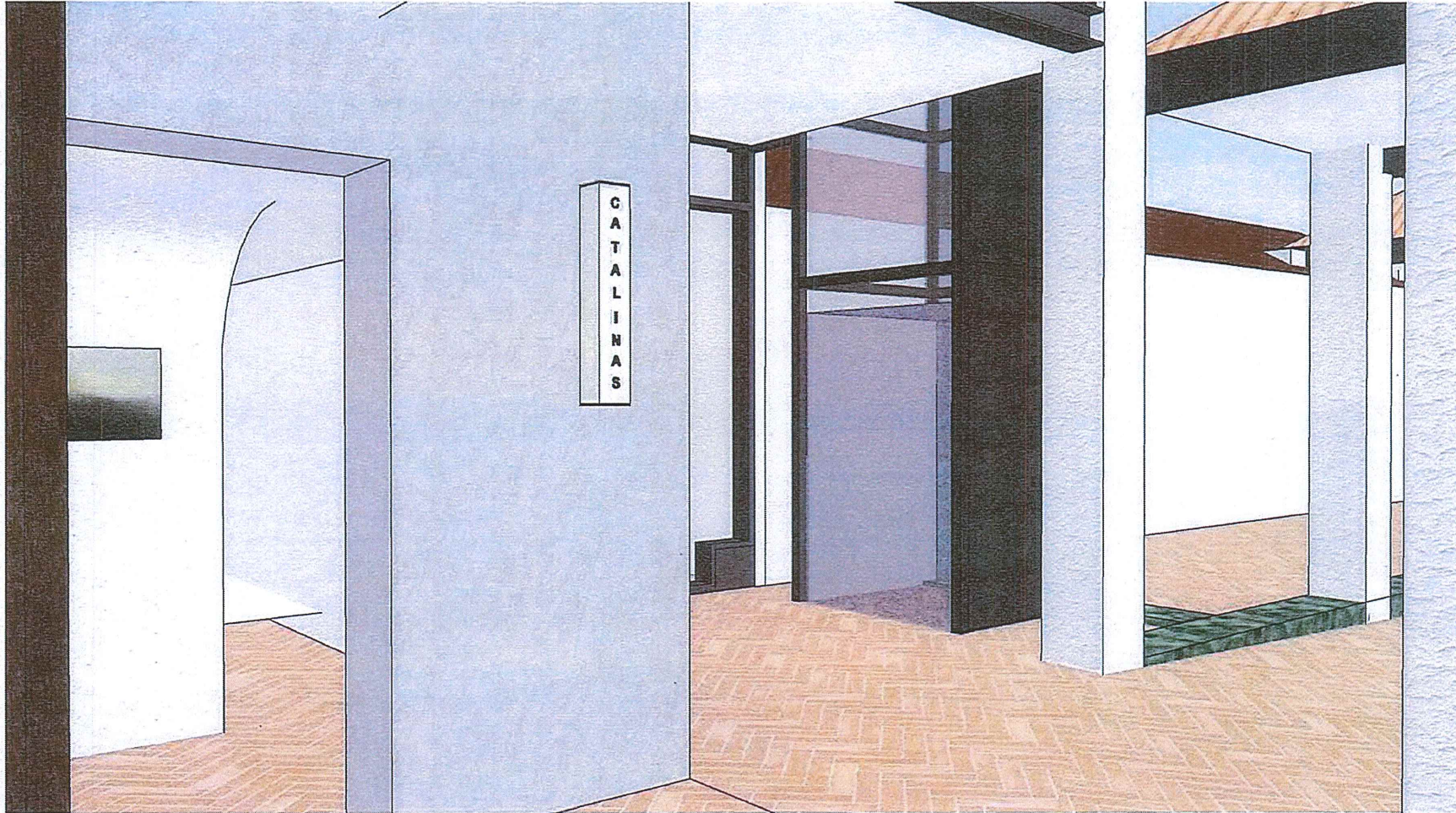


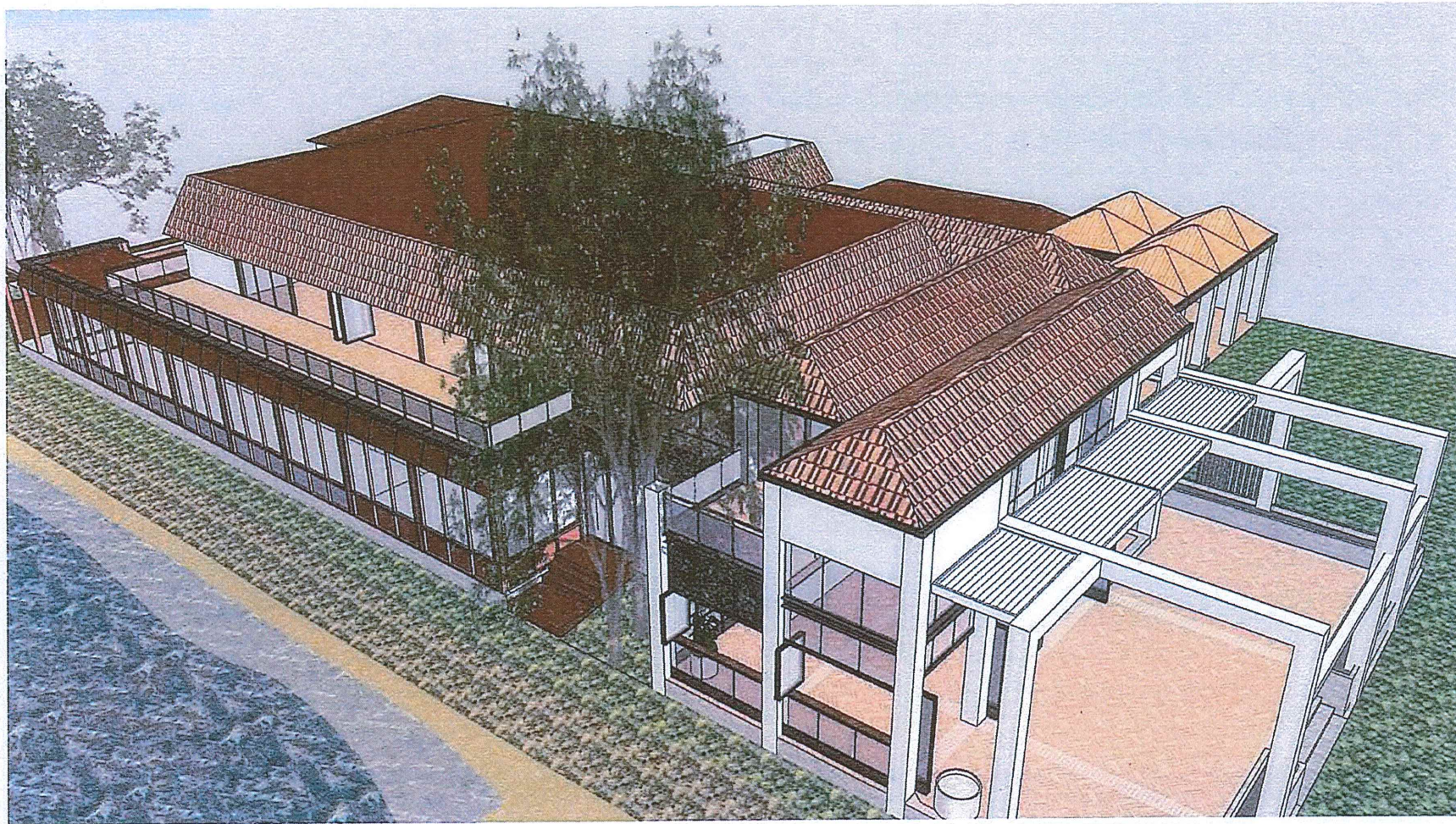
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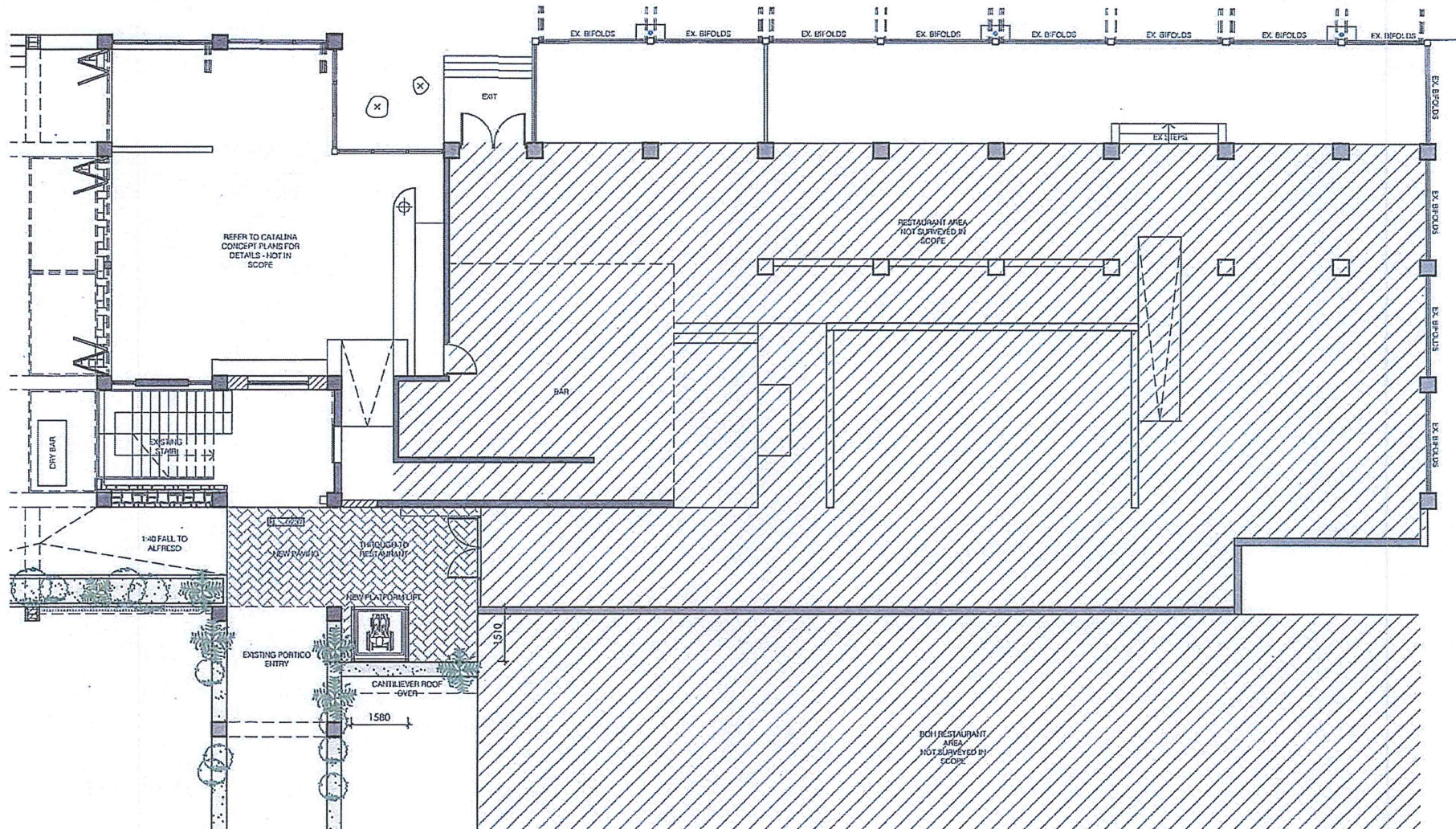
MATILDA BAY  
MOMENTS



/ Design  
Theory







01 PLAN  
SCALE 1:100

REV	ISSUE	DATE

PROJECT  
UPGRADES  
MATILDA BAY RESTAURANT  
CRAWLEY

DRAWING  
GROUND FLOOR PLAN

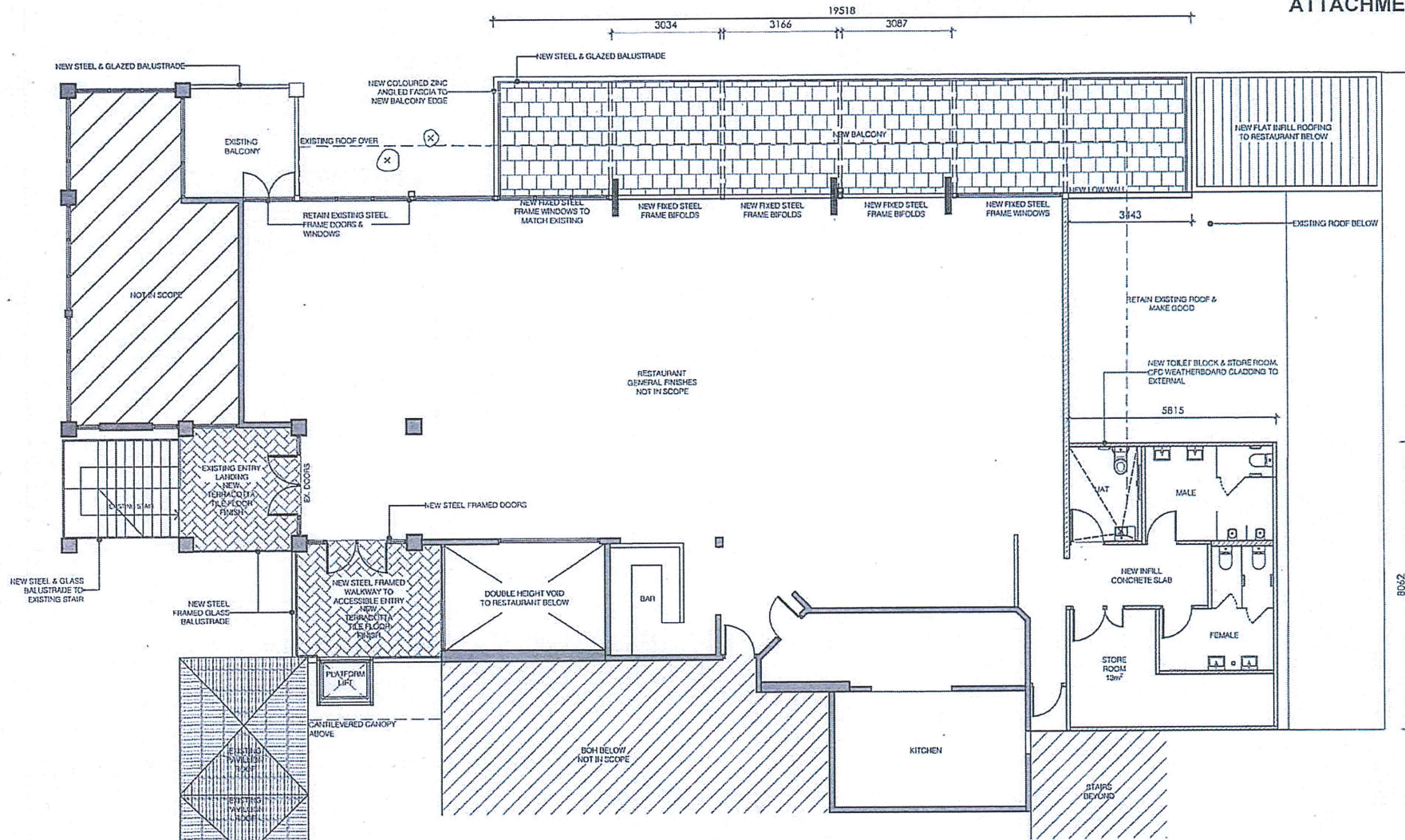
**Design  
Theory**

P | 08 356 3254  
E | info@designtheory.com.au  
W | www.designtheory.com.au  
A | FIRST FLOOR, 71 HIGH STREET,  
FREMANTLE 6160  
CHECK ALL DIMENSIONS ON THE DRAWING TO  
CORRESPOND WITH DIMENSIONS ON THE  
FURNITURE. \*DO NOT REPORT TO US THE DIMENSIONS OF THE  
ITEMS.  
DESIGN THEORY SHALL NOT BE HELD RESPONSIBLE FOR  
THE ACCURACY OF ANY OF THE DIMENSIONS FOR ANY  
FURNITURE OR OTHER ITEMS WHICH ARE NOT  
SUPPLIED BY OR ON BEHALF OF DESIGN THEORY.

SCALE  
1:101  
DRAWN  
DC

DRAWING NO.  
A1000  
REV  
A





01 PLAN  
93000 SCALE 1:100

REV ISSUE DATE

PROJECT  
UPGRADES  
MATILDA BAY RESTAURANT  
CRAWLEY

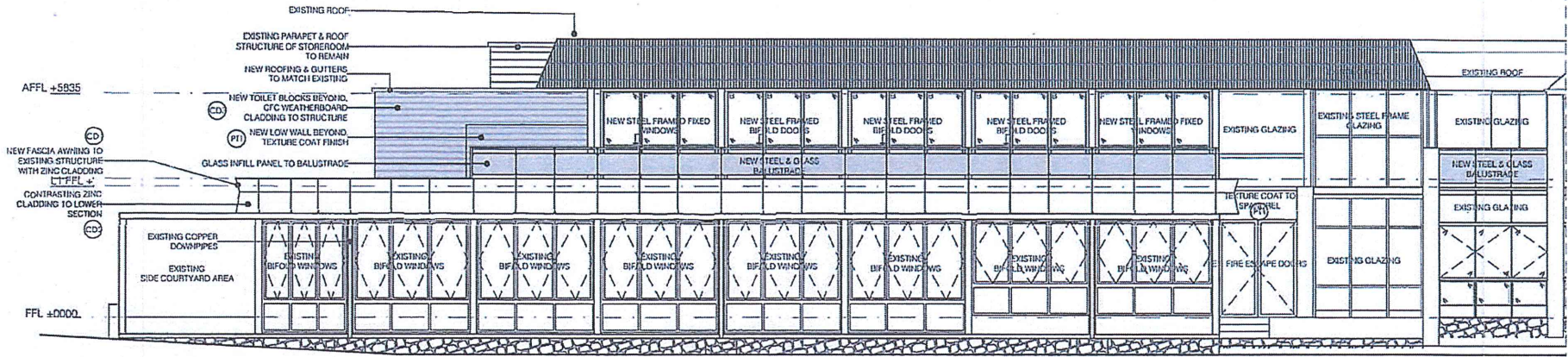
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FIRST FLOOR PLAN

Design Theory

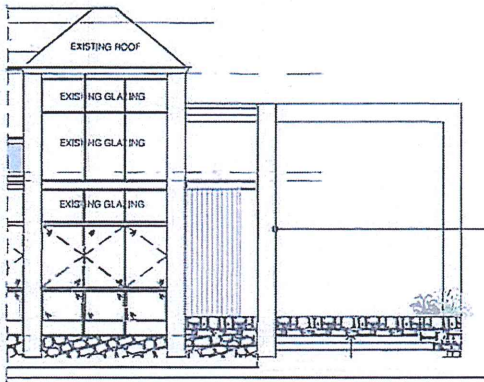
P | 08 325 2724  
E | hello@designtheory.com.au  
W | www.designtheory.com.au  
A | FIRST FLOOR, 71 HIGH STREET  
FRESHMILE 6163  
CHECK ALL DIMENSIONS ON SITE PRIOR TO  
CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE  
WITH THE DESIGN AND CONSTRUCTION SPECIFICATIONS  
PROVIDED BY DESIGN THEORY.

SCALE  
1:10  
DRAWN  
DC

DRAWING NO.  
A1002  
REV  
A



**A** RIVERFRONT ELEVATION | PART A  
 93000 SCALE 1:100



**A** RIVERFRONT ELEVATION PART B  
 93000 SCALE 1:100

REV	ISSUE	DATE	PROJECT
			UPGRADES MATILDA BAY RESTAURANT CRAWLEY

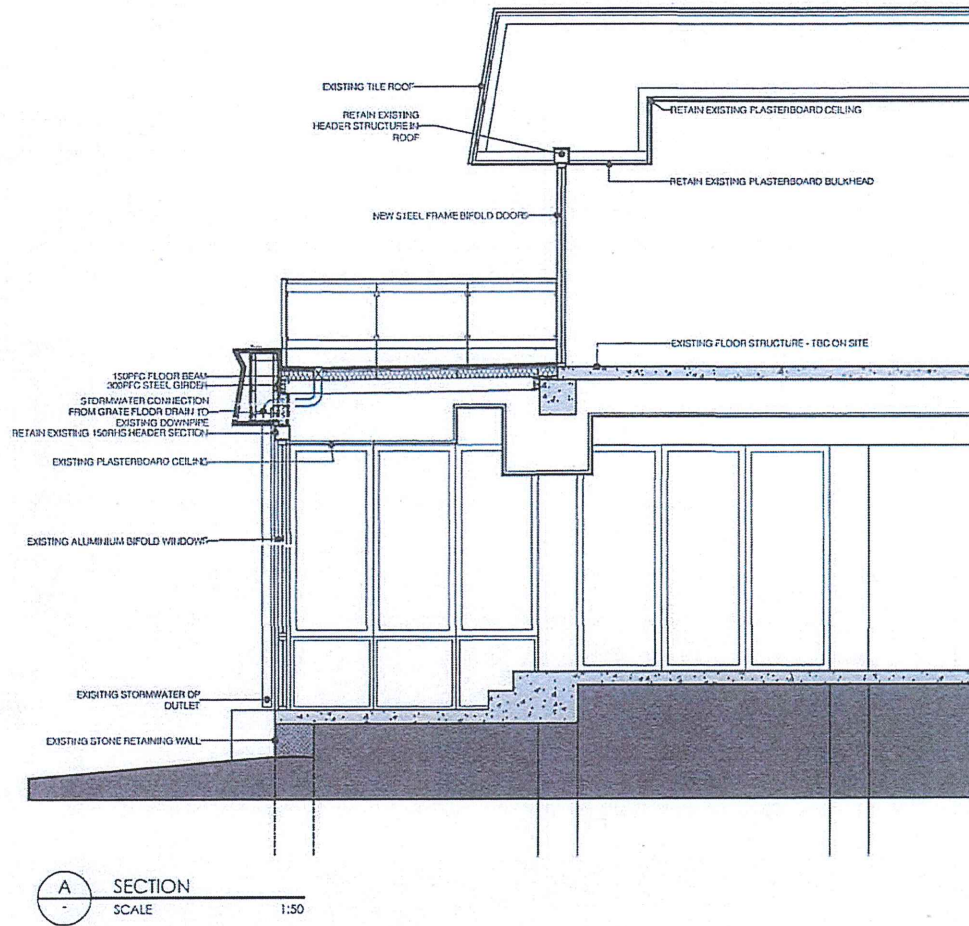
DRAWING  
ELEVATION



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SCALE  
1:100  
DRAWN  
DC

DRAWING NO.  
A9001  
REV  
A



REV ISSUE

DATE

PROJECT  
 UPGRADES  
 MATILDA BAY RESTAURANT  
 CRAWLEY

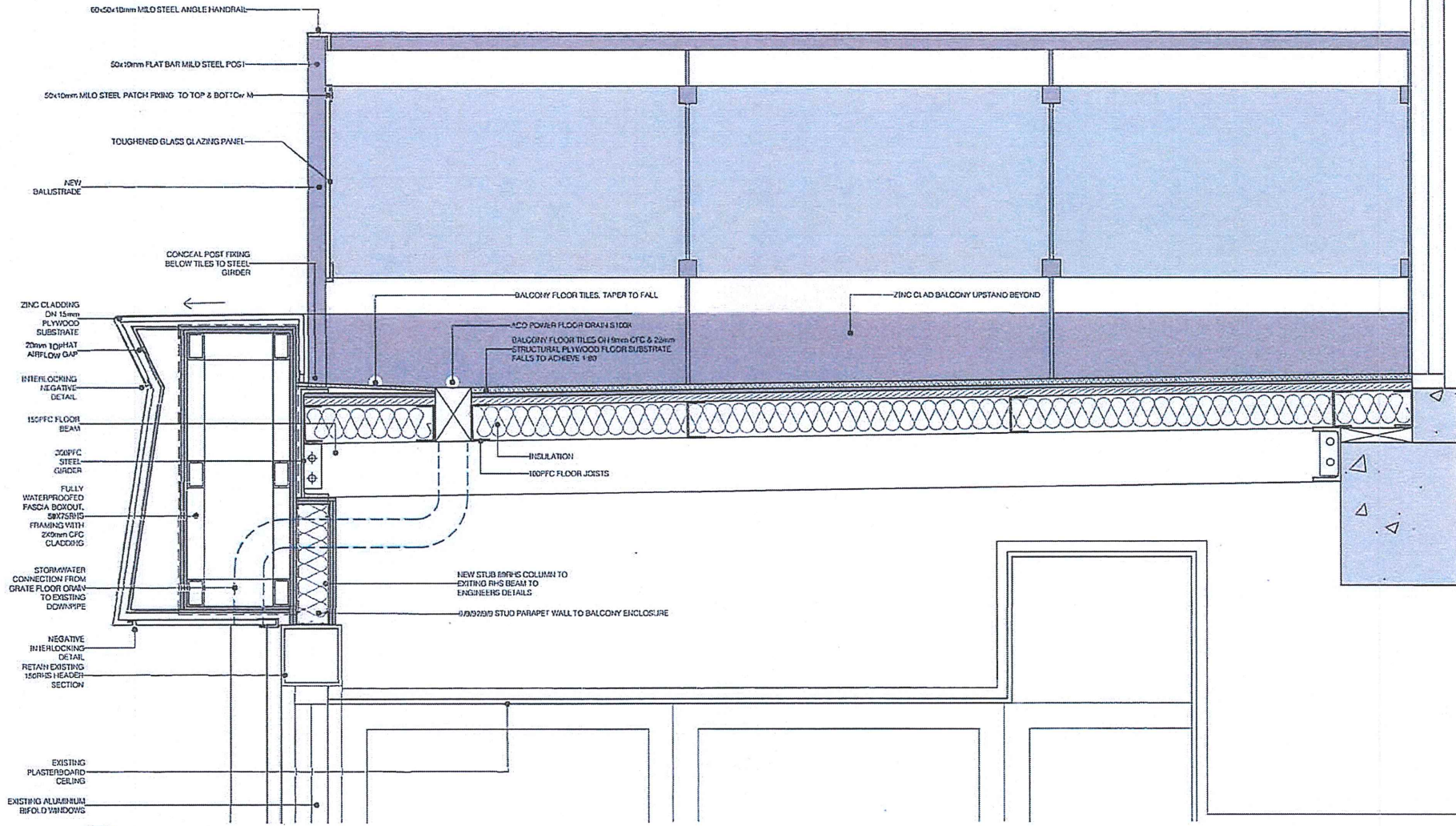
DRAWING  
 DETAILED SECTION

Design  
 Theory

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 E | hello@designtheory.com.au  
 W | www.designtheory.com.au  
 A | 3RD FLOOR, 71 HIGH STREET  
 FREMANTLE 6100  
 CHECK ALL LEGAL OBLIGATIONS AND REGULATIONS  
 GOVERNMENT AND LOCAL GOVERNMENT FOR ALL  
 REGULATIONS AND VARIATIONS THAT APPLY TO THE PROJECT  
 DESIGN

SCALE  
 1:10  
 DRAWN  
 DC

DRAWING NO.  
 A9001  
 REV  
 A



D1 DETAILED SECTION  
SCALE 1:10

REV	ISSUE	DATE

PROJECT  
UPGRADES  
MATILDA BAY RESTAURANT  
CRAWLEY

DRAWING  
DETAILED SECTION

**Design  
Theory**

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E | hello@designtheory.com.au  
W | www.designtheory.com.au  
A | FIRST FLOOR, 21 HIGH STREET  
FREMANTLE WA60  
CHECK ALL DIMENSIONS ON SITE WHICH TO CORRESPOND WITH THE SCALE OF THE DRAWING. FOR ANY DIMENSIONS NOT SHOWN ON THE DRAWING REFER TO THE PROJECT INFORMATION.  
DESIGN THEORY SHALL NOT BE LIABLE FOR ANY DAMAGE TO ANY OF THE DOCUMENTS FOR ANY REASON OTHER THAN THAT OF THE PROJECT INFORMATION.

SCALE	DRAWING NO.
1:10	A9101
DRAWN	REV
DC	A




Meeting No 05/2021

Tuesday 22 June 2021

**EXTRACT**

ITEM 5.1

	Extract of Minutes Swan River Trust
Meeting No:	05/2021
Date:	22 June 21
Time:	9am
Signed:	<i>J. Adair</i>

### 5.1 Part 5 Development Application – renovations and additions to Matilda Bay Restaurant, Crawley

Mr Greg Comiskey, Manager, Statutory Assessments Unit and Ms Mandy Sherring, Planning Officer, Statutory Assessments Unit provided the Trust with a general overview of the development proposal. Ms Megan Adair, Acting General Manager, Planning and Economic Development Alliance, City of Perth attended the meeting for this item in accordance with section 22 of the SCRM Act. The proposal is for renovations and additions including a balcony, new toilets on the first floor and a disability access elevator.

The Trust considered the draft report and recommendation prepared on behalf of the Director General of DBCA in accordance with the Swan and Canning Rivers Management Act 2006. Members confirmed with DBCA officers that the development will be connected to reticulated sewer. The Trust, including the City of Perth representative, noted that the development will not increase the overall size of the development and supported the recommendation subject to the conditions in the draft report.

#### RESOLUTION 21/2021

The Trust **RESOLVED** to advise the Director General of DBCA that it recommends the application be approved subject to the conditions outlined in DBCA's draft report.



City of Perth

Mr Glen McLeod-Thorpe  
Manager Statutory Assessments  
Department of Biodiversity, Conservation and Attractions  
Locked Bag 104  
**BENTLEY DELIVERY CENTRE WA 6983**

Dear Mr McLeod-Thorpe

**4 AUSTRALIA II DRIVE, CRAWLEY - MINOR ADDITIONS TO 'MATILDA BAY RESTAURANT' (FIRST FLOOR BALCONY, LIFT INSTALLATION AND TOILET FACILITIES TO FIRST FLOOR)**

Thank you for your letter dated 24 May 2021 referring an application for minor additions to 'Matilda Bay Restaurant' (first floor balcony, lift installation and toilet facilities to first floor) at the subject site to the City for comment.

It is advised that the City supports this modified proposal subject to the following:-

**Advice Note:**

- A) The Department of Biodiversity, Conservation and Attractions is advised that although a large area of the subject lot is deemed to be a bushfire prone area, the City has determined that a BAL assessment is not required. The proposed works are not occurring within land indicated as bushfire prone and it does not result in any intensification of the land use, an increase of residents or employees, involve the occupation of employees for a considerable amount of time, or result in an increase to the overall bushfire threat.*

The applicant should also be advised that no building works should proceed prior to the City issuing a building permit. The City requires any building permit application to be accompanied by written confirmation that the conditions of planning approval and the building permit plans have been cleared to the DBCA's satisfaction and including written clearances from the Office of Heritage (where applicable).

**Enquiries to:**

Ben Sharman  
Development Approvals Unit  
Our Ref: DA-2021/5119.

27 St Georges Terrace, Perth WA 6000  
T (08) 9461 3333 E info.city@cityofperth.wa.gov.au  
ABN 83 780 118 628

Preliminary building advice is also enclosed for the applicant's information and compliance.

Ben Sharman of the City's Development Approvals Unit is available on (08) 9461 3184 to assist you with any further queries you may have relating to this matter.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Dewald Gericke", with a long horizontal flourish extending to the right.

**DEWALD GERICKE**  
**ACTING ALLIANCE MANAGER DEVELOPMENT APPROVALS**

**1 June 2021**