FILE: 2025/1853

DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS REPORT

PROPOSAL	Alterations and Additions – Lo Quay River Cafe
LOCATION	223 Fern Road, Wilson (Lot 300 on Plan 66581)
COST	$500,000
APPLICANT	Lo Quay River Cafe
LANDOWNER	Department of Planning, Lands and Heritage
LOCAL GOVERNMENT	City of Canning
MRS CLASSIFICATION	Regional Open Space
DECISION TYPE	Part 5, *Swan and Canning Rivers Management Act 2006*, Ministerial Determination
ATTACHMENTS	1. Proposed Plans (fifteen pages) 2. Referral Response – City of Canning (five pages) 3. Plans Showing Existing and Proposed (two pages) 4. Site Photos (three pages)
RECOMMENDATION	**APPROVAL WITH CONDITIONS**

1. INTRODUCTION

1.1 The Department of Biodiversity, Conservation and Attractions (DBCA) has received an application from Jacki Harry, Director of Lo Quay River Café to undertake a building extension and internal refit to the Lo Quay River Café located at 223 Fern Road, Wilson (Lot 300 on Diagram 66581) (**Figure 1**).

1.2 The proposed development is on land reserved for Regional Open Space (ROS) under the Metropolitan Region Scheme and is within the Swan Canning Riverpark. The land is under the care, control and management of the City of Canning (the City).

1.3 The proposed development is entirely within the Swan Canning development control area (DCA) and therefore requires approval from the Minister for the Environment in accordance with Part 5 of the *Swan and Canning Rivers Management Act 2006* (SCRM Act).

1.4 The proposed works (**Attachment 1**) include the following:

- Extension of existing building by approximately 60m^2 along the western side to allow for:
  - Re-establishment of kiosk window.
  - Reconfiguration and improvement of the kitchen and server areas.
- Installation of roof structure over the northern (river facing) existing alfresco area.

- Extension of existing northern alfresco area towards the west to line up with the building extension.
- Seasonal enclosure of alfresco dining area with non-permanent roll-down café blinds.
- Signage and lighting.
- Installation of new path along western side of the café.

Figure 1: Lo Quay River Café - Swan Canning development control area (outlined in blue)

1.5 The applicant has advised that the proposal does not involve any change to operating hours, nor does it involve any request for additional seating capacity.

1.6 The proposal does not extend outside of the lease boundary or involve any changes to parking arrangements.

1.7 This draft report has been prepared in accordance with section 75 of the SCRM Act.

Figure 2: 223 (Lot 300) Fern Road, Wilson (highlighted in yellow hatching)

2. CONSULTATION

2.1 In accordance with section 73 of the SCRM Act, the application was advertised on the DBCA website for 42 days commencing on 13 August 2025. No submissions were received.

2.2 The proposal was referred to the City for comment.

City of Canning

2.3 The City advised that it supports the proposal, and provides the following recommendations and advice:

- The development is to comply in all respects with the attached stamped approved plans.
- Stormwater from all roofed and paved areas must be collected and discharged via the existing approved drainage system. Stormwater must not affect or be allowed to flow onto or into any other property. Drainage systems must be in accordance with the Building Code of Australia.
- All trees located in verge areas adjoining the subject lot and near the development are to be retained and protected. Prior to the commencement of any site work, fencing is to be installed to protect impacted trees throughout the construction phase of the development and removed once works are completed, to the satisfaction of the City.
- All landscaping areas shown for retention, inclusive of existing trees, plants and grassed areas are to be maintained for the duration of the development and to the satisfaction of the City.
- The development must be connected to the Water Corporation's Reticulated Sewerage System before the commencement of any use.
- The installation of outdoor lighting shall be in accordance with the requirements of Australian Standard *AS 4282 Control of the Obtrusive Effects of Outdoor Lighting*.

2.4 The City's comments are provided in **Attachment 2** and are incorporated into conditions and advice.

3. PUBLIC CONSULTATION – SUBMISSIONS ON DRAFT REPORT

3.1 In accordance with the requirements of Section 75 of the SCRM Act, a copy of the draft report and proposed recommendation will be provided to the applicant and the relevant stakeholder being the City. A copy will also be published on the DBCA website for 14 days, with an invitation for public submissions.

4. RELEVANT POLICIES AND PLANS

- State Planning Policy 2.10 – Swan-Canning River System (SPP 2.10)
- (Draft) State planning Policy 2.9 – Planning for Water (SPP 2.9)
- 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. 48 – Planning for Development Setback Requirements

- Liveable Neighbourhoods – A Western Australian Government Sustainable Cities Initiative (Update 02, January 2009)
- Australian Standard - 4282 – Control of the Obtrusive Effects of Outdoor Lighting

5. ENVIRONMENTAL AND PLANNING CONSIDERATIONS

- Vegetation protection
- Setbacks and visual amenity
- Public access
- Stormwater management
- Construction management

6. BACKGROUND

6.1 The Lo Quay River Café is a popular food and beverage facility located on the foreshore of the Canning River. The proposal involves an extension of the building along its western edge, 3.6m wide. The extension provides for the construction of a larger kitchen area, re-instatement of a kiosk window for the sale of takeaway food and beverages, and reconfiguration of the internal layout of the building.

6.2 The proposal also involves the provision of roof structure for the existing al fresco area, and a small extension of the alfresco area to line up with the new extension. The roof structure will replace the existing umbrellas and be around the same height. The proposal also involves a small extension of the existing alfresco area and limestone retaining wall to align with the extended building. **Attachment 3** highlights the existing development and the proposed works.

6.3 The applicant has requested approval to install roll-down café blinds to allow for seating in inclement weather.

6.4 The proposal is within public land located at Lot 300 (223) Fern Road, Wilson on the foreshore of the Canning River. The land is vested with the Department of Planning, Lands and Heritage, leased to the City of Canning and sub-leased to the current tenant (Nedgo Pty/Ltd trading as Lo Quay River Café) until August 2026 (**Figure 3**).

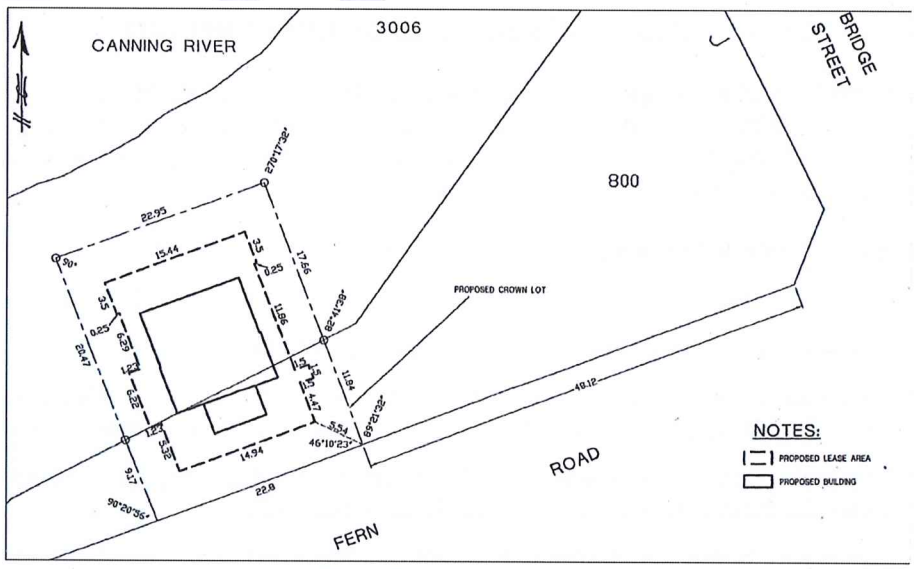


Figure 3: Lease boundaries

6.5 The Lo Quay River Café was constructed in accordance with approval from the Minister for Environment in August 2007 (SRT2414) under the SCRM Act. Condition 9 of the original approval requires the maximum seating capacity of the café to be limited to 100 persons at any one time. This was to ensure that the facility did not have an adverse impact on the amenity of the foreshore reserve.

6.6 In November 2010 and early 2015, the City extended the existing adjacent car park to address concerns by residents about the lack of parking at the café and the safety along Fern Road adjacent to the development.

7. DISCUSSION

Vegetation protection

7.1 Policy 42 states that native vegetation should be retained and restored to protect linkages and natural vegetation corridors. Proposals should avoid the removal or fragmentation of native vegetation, where possible.

7.2 No clearing of vegetation (other than turf) is proposed as part of this development application.

7.3 Two River Red Gum trees (*Eucalyptus camaldulensis)* are located in proximity to the café building. The applicant engaged a qualified arborist to prepare a Tree Protection Report confirming that the extension works can be undertaken without causing any damage to the trees. The report recommended the following provisions:

- Tree protection zones (TPZs) and fencing in line with *AS 4970-2009 Protection of trees on development sites* should be installed prior to works commencing.
- All excavation and trenching remains outside of the respective structural root zone (SRZ) for each tree.
- There shall be no use of strip style excavation within the SRZ of any tree.
- All footpaths and alfresco areas should only be covered with pavers (preferably permeable paving).
- Any earthworks (even minor) must be supervised by an arborist.
- Minor pruning of one of the trees will be required to provide clearance to the current and future roof of the café.

7.4 With regard to vegetation protection, it is expected that the impact on adjacent trees can be managed through a condition requiring a Demolition and Construction Management Plan which is expected to include diagrams showing TPZs and SRZs.

Setbacks and visual amenity

7.5 Policy 48 seeks to protect and enhance the community's use and enjoyment of the river system, particularly its foreshores, through the implementation of setbacks.

7.6 DBCA generally seeks to apply a minimum setback of 20m in foreshore areas from buildings within leased areas of foreshore reserves. This allows for opportunities for public access along the foreshore, public use and enjoyment of the river, and for landscaping to enhance the ecological quality of the river system. In addition, consistent setbacks help prevent impacts to the visual amenity of the river that can overshadow or overlook public spaces.

7.7 The current alfresco area faces the river (along the northern side of the building) and is setback approximately 14m from the high water mark of the Canning River. The proposal involves construction of a new roof structure above the existing alfresco dining area replacing existing umbrellas. The roof structure is approximately the same height as the existing umbrellas and extends 0.5m past the existing limestone retaining wall towards the river. The small roof extension is not expected to result in any negative impact to visual amenity.

7.8 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. The existing building is partly a rendered brick building with a zincalume corrugated custom orb raked roof structure. Refer to **Attachment 4** for photos of the café, including current materials and colour scheme.

7.9 The proposed extension will be of materials that match the existing building and roof and other than the increased size, will not alter the appearance of the building. The building will retain a similar profile and built form. The style generally complements the riverine environment.

7.10 The foreshore area between the café and the river is predominantly turf, with some sedges present along the riverbank. To enhance the visual amenity of the café and its proposed extension, it is recommended that a landscape plan be required as a condition of approval. The plan should include the planting of locally native vegetation to soften the appearance of the building in the foreshore. These expectations can be addressed through advice to the applicant.

7.11 Prior to commencement of works it is recommended that a Lighting and Signage Plan be prepared to the satisfaction of DBCA, with advice from the City.

7.12 With regard to setbacks and visual amenity, the proposal is considered compatible with the surrounding foreshore environment.

Public access

7.13 Policy 42 and SPP2.10 require proposed development to enhance public access to and enjoyment of the river.

7.14 The café is setback from the Canning River 14m with open turf and a thin strip of riparian vegetation. Public access between the river and the café is freely available although

there is no formal pathway. The proposal will not alter existing public access along the foreshore. A condition of approval can ensure that public access will not be restricted during the works unless necessary for safety purposes.

7.15 The proposed extension of the building to the west will encroach into public open space to the west of the site by 3.6m. The proposal includes a new 2.1m wide pathway to run alongside the extension.

7.16 The path is wider than the 1.2m guideline for pedestrian-only pathways (Western Australian Liveable Neighbourhoods), which will allow for more comfortable passage of individuals, including those using mobility aids like wheelchairs and accommodate additional foot traffic for the new kiosk window.

7.17 Some minor obstructions during construction might be required, but these can be managed through standard conditions and advice to ensure some access remains and construction areas are appropriately fenced off for public safety.

Stormwater management

7.18 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.

7.19 It can be noted that the existing café is connected to the local government stormwater drainage system. No change to the connection is proposed and any additional stormwater generated from the café extension will continue to be discharged into the existing stormwater drainage and subsequently into the river.

7.20 The City of Canning included advice on this issue which has been included in the recommended advice notes.

Construction management

7.21 The site is approximately 14m from the high water mark of the Canning River, with grassed open space between. Potential environmental impacts to the river and foreshore area from demolition and construction are considered to be manageable due to the setback from the river.

7.22 No in-water works are part of the proposal, but the proximity of the proposed works to the river and public foreshore reserve necessitate measures to minimise the risk of mobilisation of materials into the waterway.

7.23 A condition of approval can require a detailed demolition and construction management plan to demonstrate how the works will be managed to prevent any potential impacts to the foreshore or the river. It is recommended that the plan is prepared to the satisfaction of DBCA, in accordance with advice from the City.

8. SWAN RIVER TRUST

8.1 In accordance with section 75(3A) of the SCRM Act, the Swan River Trust considered DBCA's draft report at its meeting on 21 October 2025. 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.

9. CONCLUSION

9.1 The proposed alterations and additions to the Lo Quay River Café have been assessed against relevant planning and environmental policies applicable to the Swan Canning DCA. The development is considered to be appropriate to its setting and involves minimal impact on vegetation, public access and visual amenity.

9.2 The proposal supports the ongoing use and enjoyment of the river system by the community. Subject to the recommended conditions and advice, the proposal is considered acceptable and is recommended for approval.

10. RECOMMENDATION – APPROVAL WITH CONDITIONS

That the Director General of DBCA advises the Minister for the Environment that the proposal at Lo Quay River Cafe (**Attachment 1**), as described in the application received on 19 June 2025, with additional information provided on 22 July 2025 and 2 October 2025, be approved, subject to the following:

CONDITIONS

1. Approval to implement this decision is valid for two (2) years from the date of this approval. If on-site works have not substantially commenced within this period, a new approval will be required before commencing or completing the development.
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. All works are to be undertaken in accordance with a Demolition Construction Management Plan which is to be submitted to and approved by the Department of Biodiversity, Conservation and Attractions to the specification of the City of Canning, prior to commencement of works. (**Advice Note 2**)
4. Any fill and/or topsoil brought onto the site, is to be certified clean, uncontaminated and free from rubble, weeds and disease, and suitable for the proposed works. (**Advice Note 3**)
5. All lighting and signage is to be installed in accordance with a Lighting and Signage Plan, which is to be submitted to and approved by the Department of Biodiversity, Conservation and Attractions to the specification of the City of Canning, prior to commencement of works. (**Advice Note 5** and **6**)
6. All works are to be undertaken in accordance with a Landscaping Plan which is to be submitted to and approved by the Department of Biodiversity, Conservation and Attractions to the specification of the City of Canning, prior to commencement of works. (**Advice Note 7** and **8**)
7. Prior to the commencement of works, all significant vegetation in and adjacent to the authorised work site shall be identified and protected by installation of Tree Protection Zones in accordance with *Australian Standard AS 4970-2009 - Protection of trees on development site.* (see **Advice Note 9**)
8. All tree pruning/removal works shall be carried out in accordance with *Australian Standard 4373-2007 – Pruning of Amenity Trees* to protect tree health.
9. All efforts must be made to avoid waste and to adopt reusable alternatives, including reusable serve-ware. (**Advice Note 11**)
10. The maximum seating capacity of the café shall be limited to 100 persons at any one time.
11. Seating for patrons may be provided only within the café lease area.

12. The authorised works shall not prevent public access along the foreshore reserve unless temporary closure is necessary for safety purposes. In the event the path is closed, a clearly signed, safe alternative route shall be provided.
13. 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.
14. 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.
15. All stormwater run-off shall be discharged to the local government stormwater drainage system to the satisfaction of the City of Canning on the advice of the Department of Biodiversity, Conservation and Attractions. (**Advice Note 12**)

ADVICE NOTES

1. Notifications can be emailed to rivers.planning@dbca.wa.gov.au.
2. The Demolition and Construction 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 any temporary fencing requirements;
    c. management of machinery and equipment, including a refuelling procedure and spill response;
    d. waste management including removal and disposal of asbestos;
    e. protection of the river from inputs of debris, rubbish or other deleterious material. Specifically, the DCMP is to address preventative control mechanisms to ensure any dust/shavings/off-cuts etc are captured and responsibly disposed of off-site;
    f. hours of operation and schedule of works;
    g. management of any potential acid sulfate soils (PASS) that may be exposed during the works;
    h. management of dewatering if required;
    i. containment of stockpiles of materials;
    j. mechanism for complaints and incidents; and
    k. a detailed site map showing the location of:
        i. perimeter fencing
        ii. laydown areas and vehicle entry/exit points
        iii. protected vegetation
        iv. on-site storage and bunding of materials and equipment
        v. any proposed redirection of pedestrian traffic;
    l. in case of damage or pollution events, the Department of Biodiversity, Conservation and Attractions can be contacted on 9278 0981 (Riverpark Duty Officer) or 9480 9924 (Marine Pollution Response).
3. Regarding **Condition 4**, refer to the Department of Water and Environmental Regulation's fact sheet Amendments to the Environmental Protection Regulations 1987 - clean fill and uncontaminated fill for the requirements of clean fill.
4. In the event the site requires dewatering during construction, a Dewatering Management Plan should be submitted to and approved by the Department of Biodiversity, Conservation and Attractions prior to commencement of works demonstrating that the proposal satisfies the objectives and policy requirements of the Department of Biodiversity, Conservation

and Attractions' *Policy 50: Planning for dewatering affecting the Swan Canning Development Control Area*.

5. Regarding **Condition 5**, lighting should be designed to minimise light spill so that fauna, community enjoyment and visual amenity are not unacceptably affected. All lighting is to be consistent with the National Light Pollution Guidelines for Wildlife (Department of Climate Change, Energy, the Environment and Water, 2023) and AS4282 Control of the Obtrusive Effects of Outdoor Lighting.

   Further, light spill to the river and within habitat areas should be no more than 0.01-0.03 lux (moonlight), where possible, to ensure no adverse ecological consequences.

6. Regarding **Condition 5**, the final design for signage shall include the exact design, location and specification of any new proposed signs.

7. The Landscaping Plan required under **Condition 6** should include suitable locally native species to soften and screen the proposed new building.

8. Regarding **Condition 6**, all landscaping areas shown for retention, inclusive of existing trees, plants and grassed areas are to be maintained for the duration of the development and to the satisfaction of the City of Canning.

9. Regarding **Condition 7**, works should be undertaken in accordance with Australian Standard *AS 4970-2009 - Protection of trees on development site* and the Tree Protection Report, dated 8 September 2025, completed for Lo Quay River Café by West Works Consultancy.

10. Note 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 prior approval of the Department of Biodiversity, Conservation and Attractions.

11. Regarding **Condition 9**, Western Australia's Plan for Plastics introduced regulations to ban selected single-use plastic items. Businesses can no longer supply a range of items, including but not limited to, single-use plastic cups, cutlery, plates, bowls, and expanded polystyrene takeaway food containers (a full list of the Stage 1 and Stage 2 bans is available online).

12. Regarding **Condition 15**, stormwater from all roofed and paved areas must be collected and discharged via the existing approved drainage system. Stormwater must not affect or be allowed to flow onto or into any other property. Drainage systems must be in accordance with the Building Code of Australia.

Report Status

Signed: _____ Date: 29/10/25

Dan Coffey
A/Executive Director (As delegate of the CEO)

Attachment 1

Departmoot of Blodive,sity, Conservation and Attractions

GOVERNMENT OF WESTERN AUSTRALIA

SWAN CANNING RIVER PARK

Development Application Guidelines for Form 1

Under the Swan and Canning Rivers Management Act 2006 - Part 5 - section 72(1)

Important information for applicants

1. The Department of Biodiversity, Conservation and Attractions (the department) is responsible for assessment of development applications in the Swan Canning Development Control Area under section 72(1) of the *Swan and Canning Rivers Management Act 2006* (SCRM Act).
2. The original application Form 1 must be accompanied by sufficient information detailing the proposed works and a full set of scaled plans and specifications for the proposed development. Under section 72(7) of the SCRM Act, the department may also request further information relating to the development before considering the application to be valid and to enable proper consideration of the application.
3. The landowner(s) must consent to the application being made and must sign the application. The applicant is responsible for obtaining landowner(s) consent, except where the landowner is the department.
4. Where the applicant appoints an authorised agent to act on their behalf, the authorised agent must attach a copy of the written authority to the application.
5. The application is to be lodged with the local government or redevelopment authority in whose jurisdiction the proposed development is situated. If the proposed development is not within a local government or redevelopment authority area, the application is to be made direct to the department's Swan Canning Waterways Branch.
6. There are penalties for providing false information in the application, which may include a fine of up to $10 000, under section 88 of the SCRM Act.
7. Please read the information below carefully when preparing your application. The application will not be considered valid and will be returned to the applicant if the application has not been signed by the owner(s) of the land, or is not accompanied by adequate detail, plans and specifications of the proposed development.

Planning Policies for development affecting the Swan Canning Development Control Area

Development proposals must be consistent with the purpose and objectives of the SCRM Act, which provides for the protection and enhancement of the ecological health, community benefit, amenity and heritage value of the Swan Canning river system. A range of planning policies have been created to guide land use and development and provide for consistent and integrated planning and decision making in relation to the Swan Canning Development Control Area.

The policies provide guidance regarding the issues that are considered when assessing an application. Where possible please address any relevant issues identified in the policies and include this supplementary information with the application.

Corporate Planning Policies for development affecting the Swan Canning Development Control Area

The department has a range of policies, guidelines and plans relevant to development affecting the Swan Canning Development Control Area which are available on the department's website.

These documents provide direction and guidance regarding how the department assesses development applications in accordance with the SCRM Act and Swan and Canning Rivers Management Regulations 2007.

State Planning Policy 2.1 O - Swan Canning River System (SPP 2.1 O)

State planning policies (SPPs) provide the highest level of planning policy control and guidance in Western Australia. SPPs are prepared under Part 3 of the *Planning and Development Act 2005.*

SPP 2.10 identifies the key issues for planning and decision making for the Swan Canning river system and is available on the Department of Planning, Lands and Heritage website: https://www.dplh.wa.gov.au/spp2-10

Other relevant planning policies, guidelines and Australian Standards that address issues such as (but not limited to): design, lighting, wetlands, bushfire planning, visual impacts, stormwater, contaminated sites, acid sulphate soils, bushland conservation and water quality may also be considered during the assessment.

Application submission

Via email at: Rivers.planning@dbca.wa.gov.au

In person to:

Department of Biodiversity, Conservation and Attractions

17 Dick Perry Avenue

Technology Park, Western Precinct

KENSINGTON WA 6151

In post to:

Statutory Assessments - Swan Canning Waterways Branch

Department of Biodiversity, Conservations and Attractions

Locked Bag 104

BENTLEY DC WA 6983

Telephone enquiries: 9219 9000

Department of **Biodiversity, Conservation and Attractions**

GOVERNMENT OF WESTERN AUSTRALIA

SWAN CANNING RIVERPARK

Checklist of information to include with a Form 1 application

To assist the efficient assessment of applications please include the detail requested below and any other additional information relevant to the proposal.

Item	☑	N/A
Completed application form, including written consent of the landowner(s).	☑	
Additional information including details of the proposed development (including the existing and proposed use of the site and proposed hours of operation) and addressing any relevant issues identified in the policies.	☑	
Plans and specifications of the proposed development showing: • current and proposed levels (contours at no greater than 1 metre intervals), including retaining structures and fill requirements • the location, metric dimensions, materials, finishes and type of all existing and proposed structures, including services • sections through the site • the nature and extent of any open space and landscaping proposed • proposed external lighting and signage • any watercourse(s) flowing through the site • position of any large trees or on-site vegetation clearly marking vegetation to be retained and removed • the existing and proposed means of access and movement for pedestrians and vehicles	☑	
Plans, elevations and sections of any building or structure proposed to be erected or altered and/or any building or structure to be retained.	☑	
Site plan of the lot showing the development location in relation to: • adjacent roads • rivers, creeks, springs and wetlands • nearby conservation areas and/or Bush Forever sites • floodway and floodplain boundaries • land reserved for Parks and Recreation under the Metropolitan Region Scheme	☑	
Information on the availability of drainage and sewer.	☑	
Information on any impacts to heritage sites and subsequent approvals (if required).	☐	☑
Information regarding potential acid sulphate soils and/or contamination.	☐	
If the proposed development is likely to disturb potential and/or actual acid sulfate soils or a contaminated site, a preliminary investigation is required, and the results included with this application.	☐	☑
Detail of proposed construction methodologies.	☐	
Geotechnical information	☐	
Operational details (where relevant) e.g. for a proposed cafe	☑	
Larger developments should also include:		
Photo montages showing the development in relation to the river and foreshore landscape.	☐	☐
Information on the impacts of parking, noise and traffic generated by the proposal.	☐	☐
Details of stormwater management incorporating water sensitive urban design principles.	☐	☐
Details of any dewatering proposed during construction including the expected volumes, water quality, method of disposal and sampling regimes in accordance with DBCA's Policy 50 – Planning for dewatering affecting the Swan and Canning Development Control Area.	☐	☐
Any specialist studies and/or management plans required to support the application such as traffic, heritage, environmental, engineering, landscaping or urban design studies.	☐	☐

Department of **Biodiversity, Conservation and Attractions**

SWAN CANNING RIVERPARK

Form 1 – Application for Approval of Development

Swan and Canning Rivers Management Act 2006 – Part 5 – section 72(1)

1. Applicant details

The applicant is the person with whom the department, on behalf of the Chief Executive Officer, will correspond, unless an authorised agent has been appointed to act on behalf of the applicant, in which case correspondence will be sent direct to the agent.

Name	Jacki Harry
Position (if applicable)	Director
Organisation (if applicable)	Lo Quay River Cafe
Contact person	Jacki Harry
Postal address	[redacted]
Town/Suburb	[redacted] State WA Postcode [redacted]
Telephone	Work [redacted] Mobile [redacted]
Email	[redacted]@[redacted]

I give authority for an agent (as identified at item No. 3) to act on my behalf during the assessment of the application ☐ YES ☑ NO

If 'YES', please provide Agent's details at item No. 3

Applicant signature		Date	19.06.2025

2. Landowner details

All owner(s) of the land **must sign this application**. Where land is owned by the Crown or has a management order granted to a local government or other agency, this application must be signed by the relevant landowner or management body as required under section 72(5)(a) of the Act. If there are more than two landowners, please provide the additional information and signature(s) on a separate page.

Details of first landowner

Name	State of Western Australia (see letter attached)
Position (if applicable)	c/- Senior State Land Officer
Organisation (if applicable)	Department of Planning, Lands & Heritage
Contact person	Steven De Haer
Postal address	140 William St
Town/Suburb	Perth State WA Postcode 6000

I consent to this application being made.

First landowner signature		Date	

Details of second landowner (if applicable)

Name	City of Canning
Position (if applicable)	
Organisation (if applicable)	City Of Canning
Contact person	Nikki Crook
Postal address	Locked Bag 80
Town/Suburb	Welshpool State WA Postcode 6986

I consent to this application being made.

Second landowner signature		Date	23.06.2025

3. Authorised agent details (if applicable)

The applicant must sign the form and tick the authorisation under item No. 1 to provide authority for an appointed authorised agent to act on their behalf.

Details of authorised agent

Name					
Position (if applicable)					
Company/agency (if applicable)					
ACN/ABN (if applicable)					
Postal address					
Town/Suburb		State		Postcode	
Telephone	Work		Mobile		
Email					
Authorised Agent signature		Date			

4. Location of proposed development

Certificate of title information	Volume	LR3161	Folio	88
	Diagram/plan/deposit plan no.	66581		
Lot No.(s)	Lot 300			
Location	Fern Rd			
Reserve No.(s) (if applicable)				
Street No.(s) and name	223 Fern Rd			
Town/Suburb	Wilson			
Nearest road intersection	Riverton Dve East			

5. Details of proposed development

Please provide a written description of the proposed development (refer to the Development Application Guidelines for further details on what information to include in this section).

Estimated cost of development	$500,000.00
Current use of land	The land is currently used as a cafe, and has been since 2011
Proposed development	Improvement to the kitchen area of the cafe, establishment of a kiosk for take away options and a more weather-proof patio roof and improved storage

Department of **Planning, Lands and Heritage**

GOVERNMENT OF WESTERN AUSTRALIA

Our ref: Case 2501858
Enquiries: Vida Horobin
[redacted]@[redacted]

Jacki Harry
Lo Quay River Cafe
223 Fern Road
Wilson, WA 6107

Dear Jacki,

REQUEST FOR LANDOWNER CONSENT TO LODGE APPLICATION FOR APPROVAL OF DEVELOPMENT OVER PORTION OF LOT 300 ON DEPOSITED PLAN 66581 – WILSON, CITY OF CANNING

The Department of Planning, Lands and Heritage (Department) has received your Application for Approval of Development, seeking landowner consent for works associated with the renovation of Lo Quay River Café, which is located on a portion of Lot 300 on Deposited Plan 66581 in the City of Canning.

It is noted that Lot 300 on DP 66581 is leased by the City of Canning for the purpose of "Café and Kiosk", and that the City of Canning has entered into a sublease with NEDGO Pty Ltd.

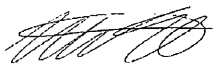
Please accept this letter as confirmation of landowner consent to lodge the relevant your Application for Approval of Development form. Note that the Department will not be responsible for any fees or costs associated with preparation and lodgement of plans and/or any eventual development.

This letter does not represent approval or consent for planning purposes under the relevant local government and/or region scheme. Further, in the event that approval is granted for the proposal, this letter is not to be taken as acknowledgement of (or consent for) the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.

The proponent must comply with the requirements of all other relevant legislation, including but not limited to the *Swan and Canning Rivers Management Act 2006*, in anticipation of the proposed works.

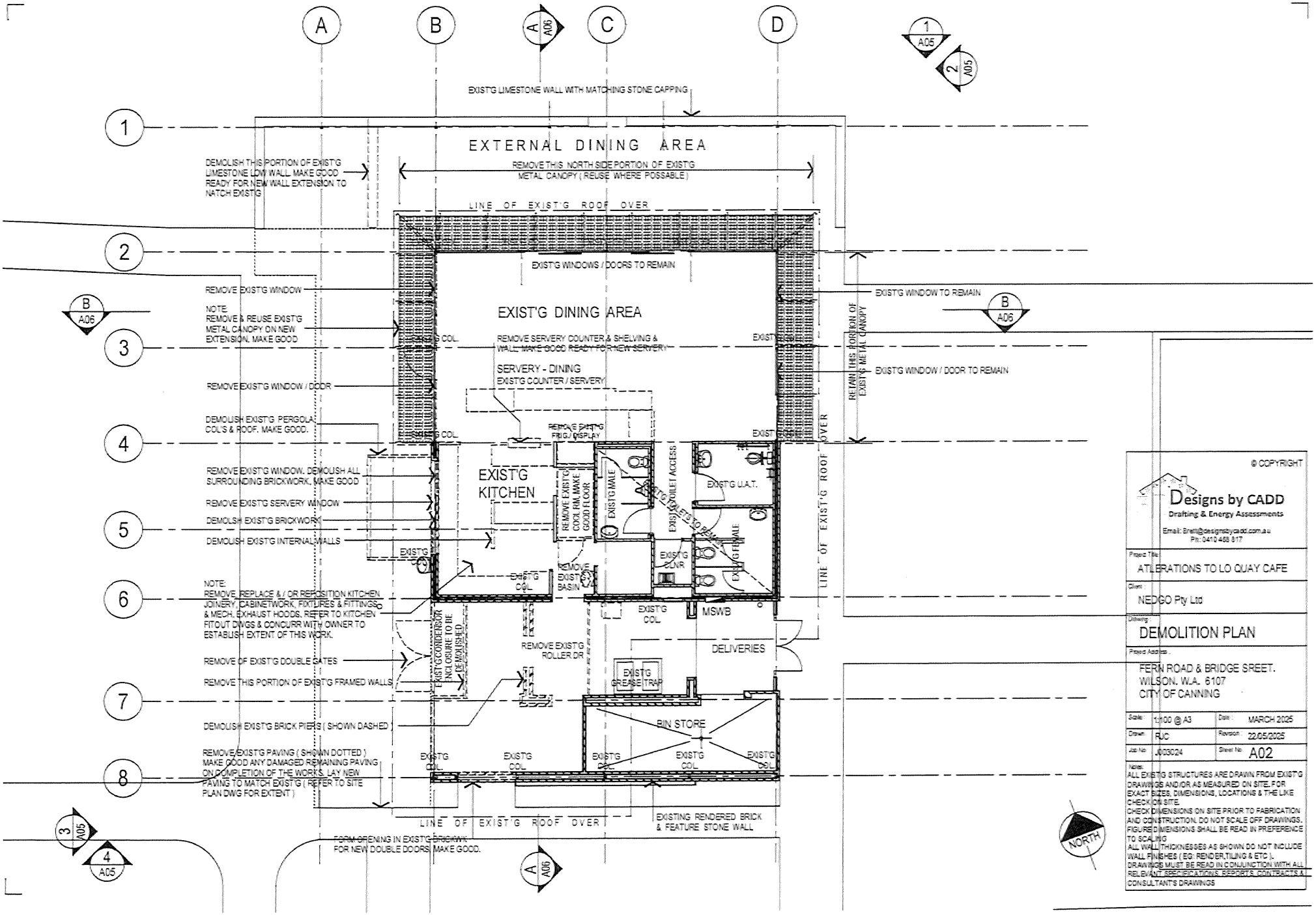
Should you have any further queries regarding this matter, please do not hesitate to contact Vida Horobin on (08) 6551 8018 or vida.horobin@dplh.wa.gov.au

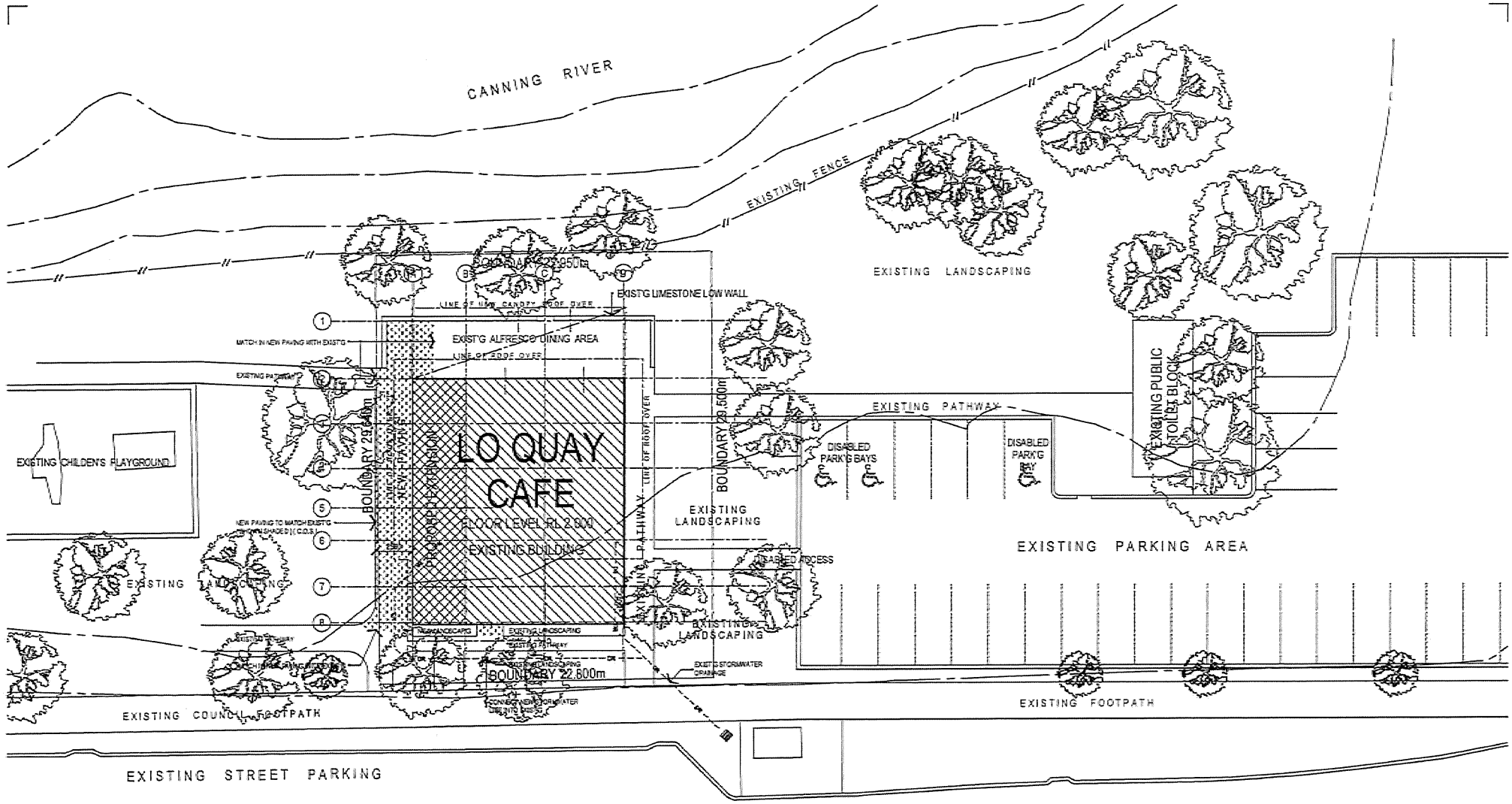
Yours sincerely



Vida Horobin
Assistant Manager
Land Use Management

20th June 2025

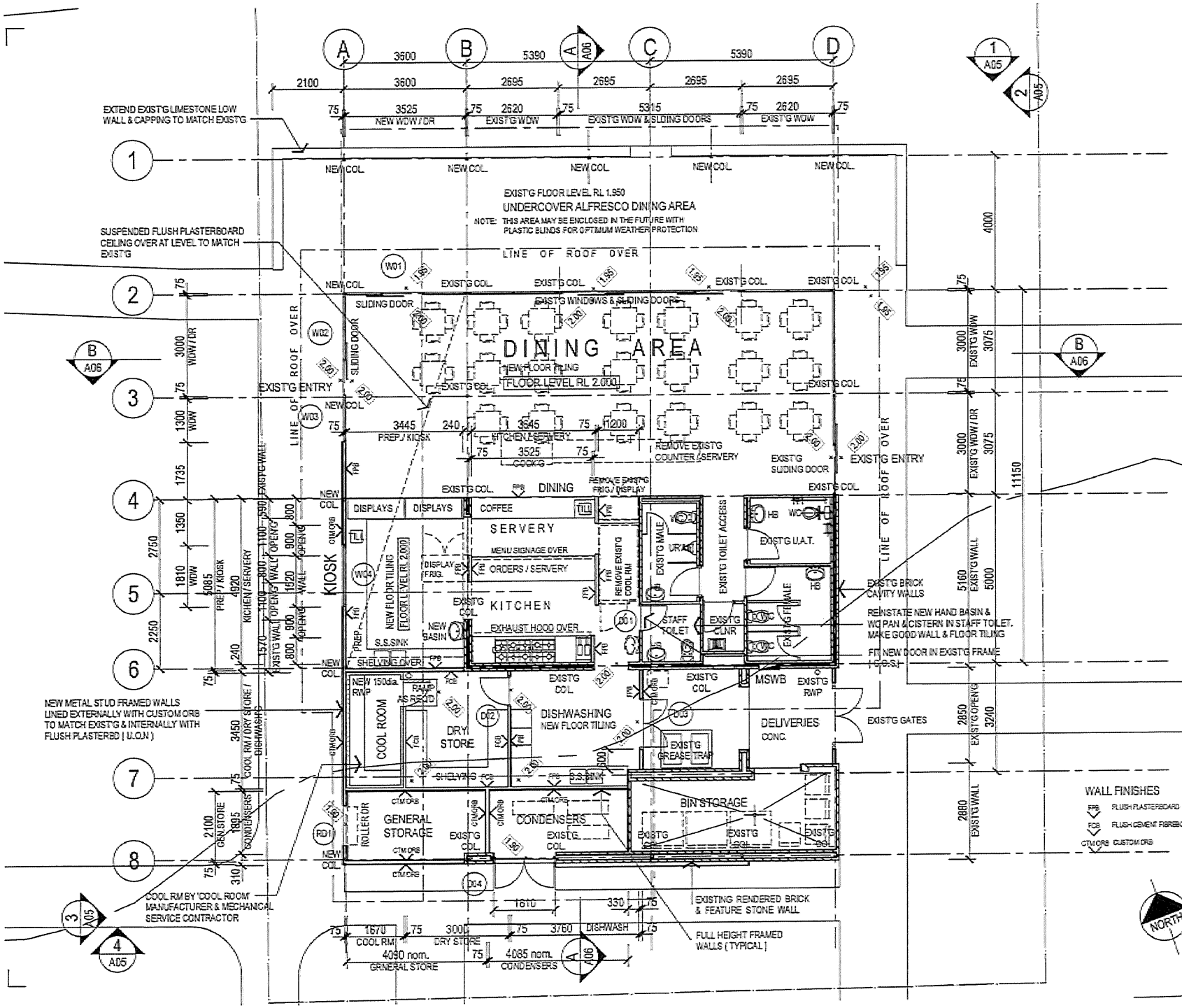

EXTERNAL DINING AREA
EXIST'G LIMESTONE WALL WITH MATCHING STONE CAPPING
DEMOLISH THIS PORTION OF EXIST'G LIMESTONE LOW WALL. MAKE GOOD READY FOR NEW WALL EXTENSION TO MATCH EXIST'G
REMOVE THIS NORTH SIDE PORTION OF EXIST'G METAL CANOPY (REUSE WHERE POSSABLE)
LINE OF EXIST'G ROOF OVER
EXIST'G WINDOWS / DOORS TO REMAIN
EXIST'G WINDOW TO REMAIN
EXIST'G WINDOW / DOOR TO REMAIN
RETAIN THIS PORTION OF EXIST'G METAL CANOPY
REMOVE EXIST'G WINDOW
NOTE:
REMOVE & REUSE EXIST'G METAL CANOPY ON NEW EXTENSION. MAKE GOOD
REMOVE EXIST'G WINDOW / DOOR
DEMOLISH EXIST'G PERGOLA COL'S & ROOF. MAKE GOOD.
EXIST'G DINING AREA
REMOVE SERVERY COUNTER & SHELVING & WALL. MAKE GOOD READY FOR NEW SERVERY
SERVERY - DINING
EXIST'G COUNTER / SERVERY
REMOVE EXIST'G FRIG / DISPLAY
EXIST'G KITCHEN
REMOVE EXIST'G COOL RM. MAKE GOOD FLOOR
EXIST'G MALE
EXIST'G TO BE REMOVED
EXIST'G TOILET ACCESS
EXIST'G U.A.T.
EXIST'G FEMALE
EXIST'G CONR
REMOVE EXIST'G BASIN
EXIST'G COL
REMOVE EXIST'G WINDOW. DEMOLISH ALL SURROUNDING BRICKWORK. MAKE GOOD
REMOVE EXIST'G SERVERY WINDOW
DEMOLISH EXIST'G BRICKWORK
DEMOLISH EXIST'G INTERNAL WALLS
NOTE:
REMOVE, REPLACE & / OR REPOSITION KITCHEN JOINERY, CABINETWORK, FIXTURES & FITTINGS & MECH. EXHAUST HOODS. REFER TO KITCHEN FITOUT DWGS & CONCURR WITH OWNER TO ESTABLISH EXTENT OF THIS WORK.
REMOVE OF EXIST'G DOUBLE GATES
REMOVE THIS PORTION OF EXIST'G FRAMED WALLS
EXIST'G CONDENSOR ENCLOSURE TO BE DEMOLISHED
REMOVE EXIST'G ROLLER DR
EXIST'G COL
MSWB
DELIVERIES
EXIST'G GREASE TRAP
BIN STORE
DEMOLISH EXIST'G BRICK PIERS (SHOWN DASHED)
REMOVE EXIST'G PAVING (SHOWN DOTTED) MAKE GOOD ANY DAMAGED REMAINING PAVING ON COMPLETION OF THE WORKS. LAY NEW PAVING TO MATCH EXIST'G (REFER TO SITE PLAN DWG FOR EXTENT)
EXISTING RENDERED BRICK & FEATURE STONE WALL
FORM OPENING IN EXIST'G BRICKWK FOR NEW DOUBLE DOORS. MAKE GOOD.
NORTH
© COPYRIGHT
Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410 468 817
Project Title: ALTERATIONS TO LO QUAY CAFE
Client: NEDGO Pty Ltd
Drawing: DEMOLITION PLAN
Project Address: FERN ROAD & BRIDGE SREET. WILSON. W.A. 6107 CITY OF CANNING
Scale: 1:100 @ A3
Date: MARCH 2025
Drawn: RJC
Revision: 22/05/2025
Job No: J003024
Sheet No: A02
Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURED DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER,TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS



NORTH

NOTES :

Scale : 1:250 @ A3	Project Title : ATLERATIONS TO LO QUAY CAFE		© COPYRIGHT
Drawn : RJC			Designs by CADD Drafting & Energy Assessments
Job No. : 003024	Project Address : FERN ROAD & BRIDGE SREET. WILSON. W.A. 6107 CITY OF CANNING	Drawing : SITE PLAN	
Date : MARCH 2025			Email: Brett@designsbycadd.com.au Ph: 0410 458 817
Revision : 22/05/2025		Client : NEDGO Pty Ltd	
Sheet No. A01			



NAME	AREAS
MAIN DINING AREA	89.0m2
EXTERNAL DINING AREA	65.0m2
KITCHEN / SERVERY	18.0m2
PREP. / KIOSK	18.0m2
COOL RM	5.7m2
DRY STORE	13.7m2
DISHWASHING	13m2
GENERAL STORE	7.0m2
BIN STORAGE	13.5m2
SITE AREA	676.40m2
TOTAL O/A BUILDING AREA (NOT INCLUDING EXTERNAL DINING AREA)	247.0m2
EXISTING PARKING	43
EXISTING DISABLE BAYS	3

NOTES:

NO TREES ARE REQUIRED TO BE REMOVED FOR THESE ALTERATIONS. ALL VIEWS OF CANNING RIVER & PLAYGROUND ARE TO REMAIN

REFER TO KITCHEN CONTRACTOR'S DRAWINGS FOR KITCHEN EQUIPMENT LAYOUT

REFER TO STRUCTURAL ENG'S DRAWINGS FOR ALL FOOTINGS & STRUCT.STEEL BEAM & COLUMN SIZES ETC

EXIST'G FLOOR LEVEL TO REMAIN RL 2.000

ALL WATER PROOFING TO BCA VOL 1 PART F 9 A.S. 4654.2

TERMITE PROTECTION TO A.S. 3660.1 & .2

FIRE & SMOKE PROTECTION TO COMPLY WITH BCA Vol. 1 SECTION E & A.S. 2444 - 2001

HOT WATER UNIT TO COMPLY WITH BCA WA ADDITIONS

EXHAUST FANS (FLUMED EXTERNALLY)

© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410 458 817

Project Title: ALTERATIONS TO LO QUAY CAFE

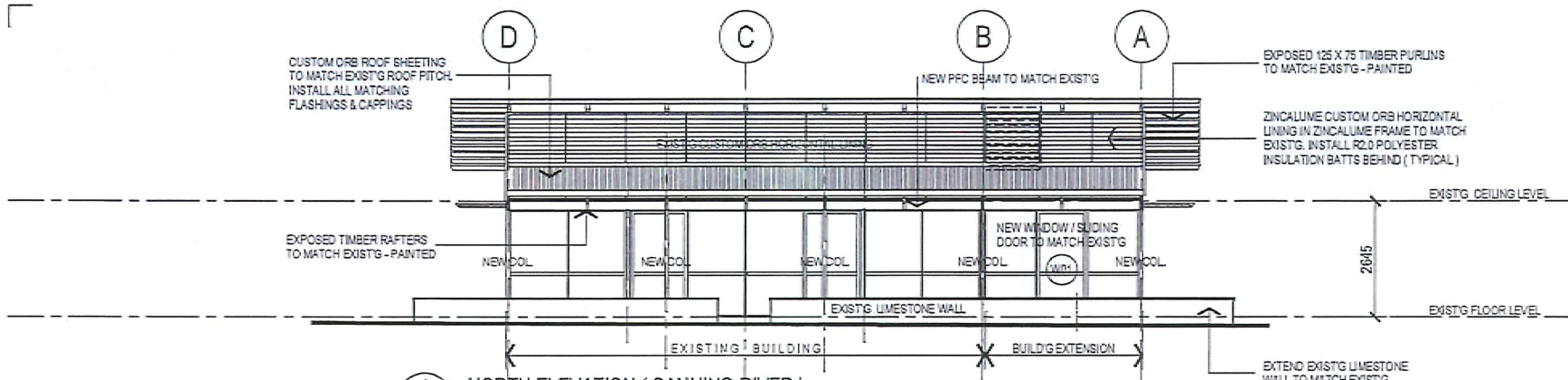
Client: NEDGO Pty Ltd

Drawing: FLOOR PLAN

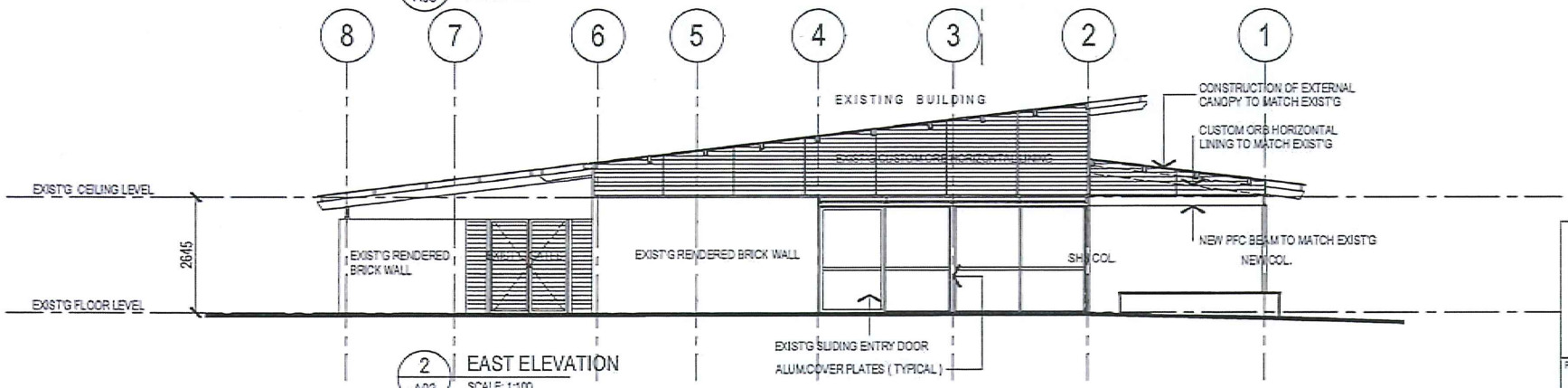
Project Address: FERN ROAD & BRIDGE SREET. WILSON. W.A. 6107 CITY OF CANNING

Scale:	1:100 @ A3	Date:	MARCH 2025
Drawn:	RJC	Revision:	22/05/2025
Job No:	J003024	Sheet No:	A03

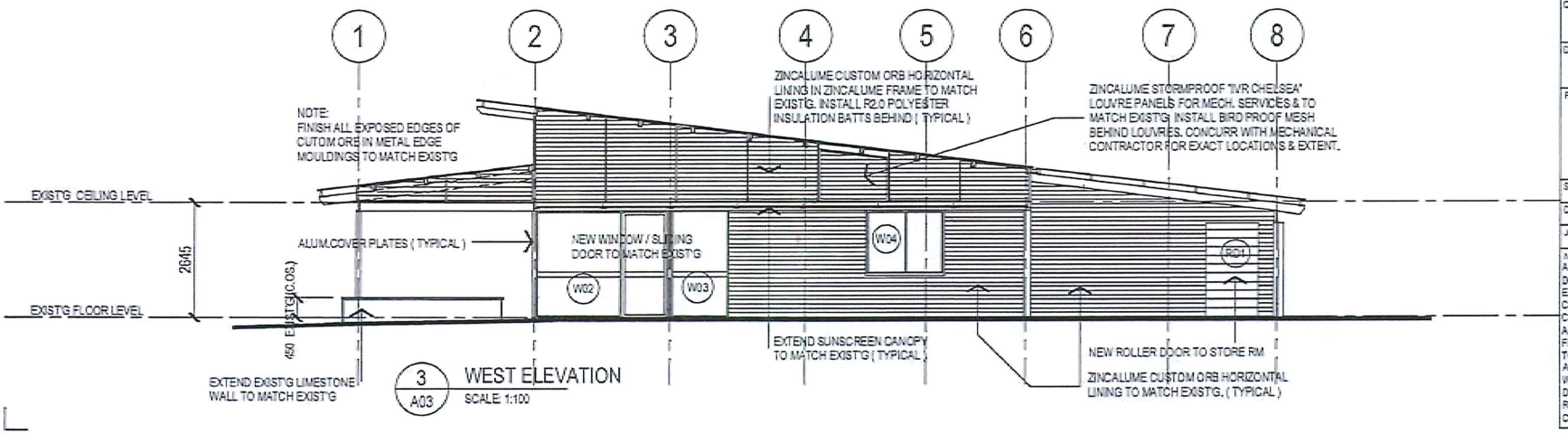
Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURE DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER, TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS



1 A03 NORTH ELEVATION (CANNING RIVER)
SCALE: 1:100



2 A03 EAST ELEVATION
SCALE: 1:100



3 A03 WEST ELEVATION
SCALE: 1:100

© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410 468 817

Project Title :
ATLERATIONS TO LO QUAY CAFE

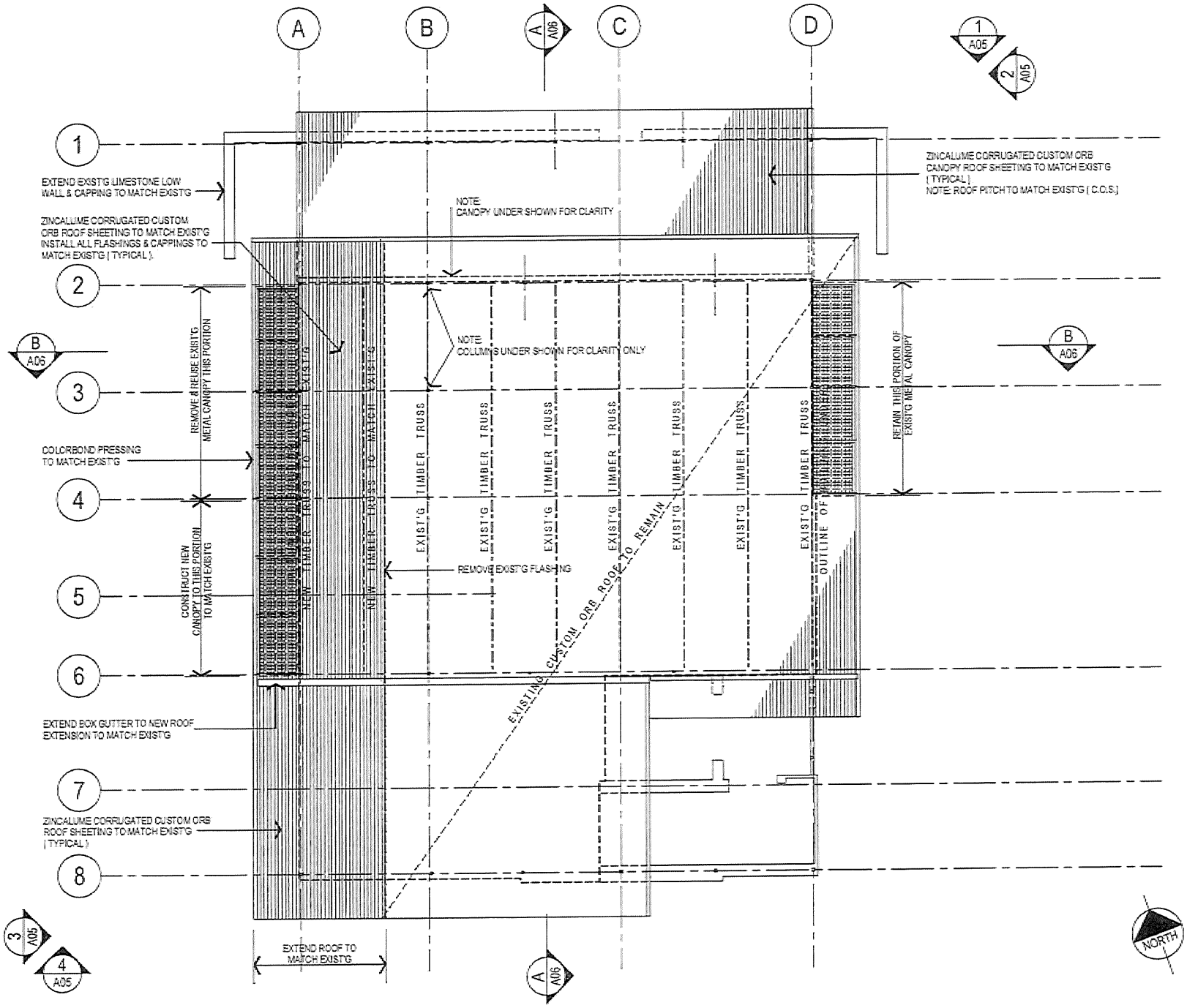
Client :
NEDGO Pty Ltd

Drawing :
ELEVATIONS 1, 2 & 3

Project Address :
FERN ROAD & BRIDGE SREET.
WILSON. W.A. 6107
CITY OF CANNING

Scale :	1:100 @ A3	Date :	MARCH 2025
Drawn :	RJC	Revision :	22/05/2025
Job No.	J003024	Sheet No.	A06

Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURE DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER,TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS.



NOTES:

ROOFING CONTRACTOR TO PROVIDE ALL FLASHINGS TO MECHANICAL, ELECTRICAL & PLUMBING ROOF PENETRATIONS AS REQ'D.

ALL EXTERNAL RWP'S SHALL BE 0.8mm ZINCALUME

© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0412 468 617

Project Title: ATLERATIONS TO LO QUAY CAFE

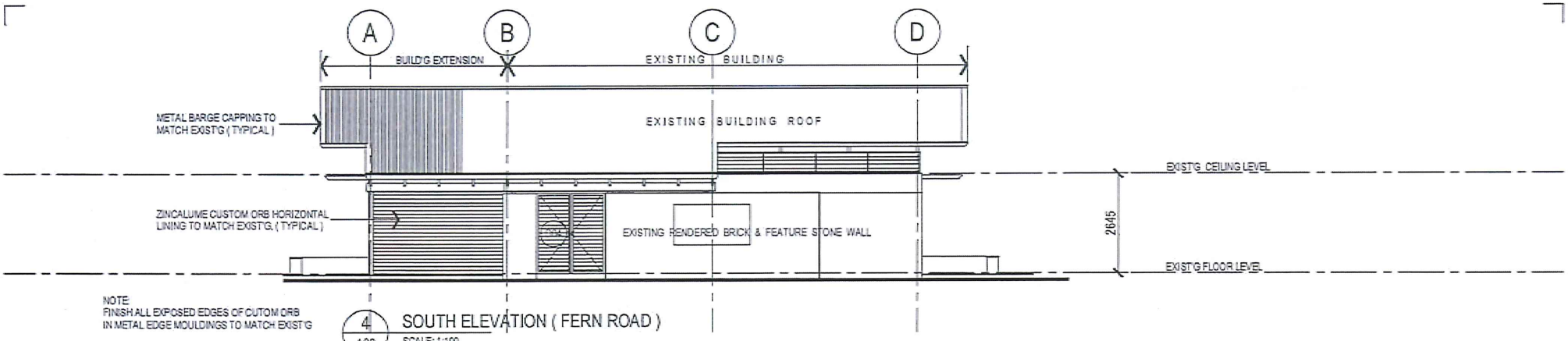
Client: NEDGO Pty Ltd

Drawing: ROOF PLAN

Project Address: FERN ROAD & BRIDGE SREET. WILSON. W.A. 6107 CITY OF CANNING

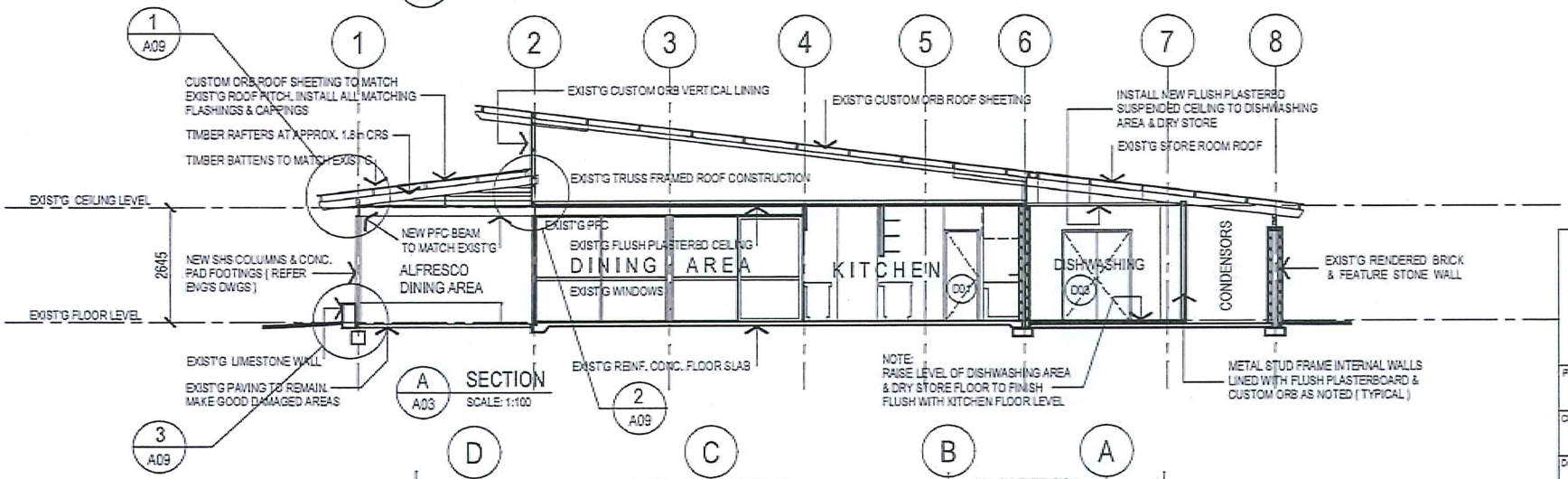
Scale: 1:100 @ A3	Date: MARCH 2025
Drawn: RJC	Revision: 22/05/2025
Job No: JD03024	Sheet No: A04

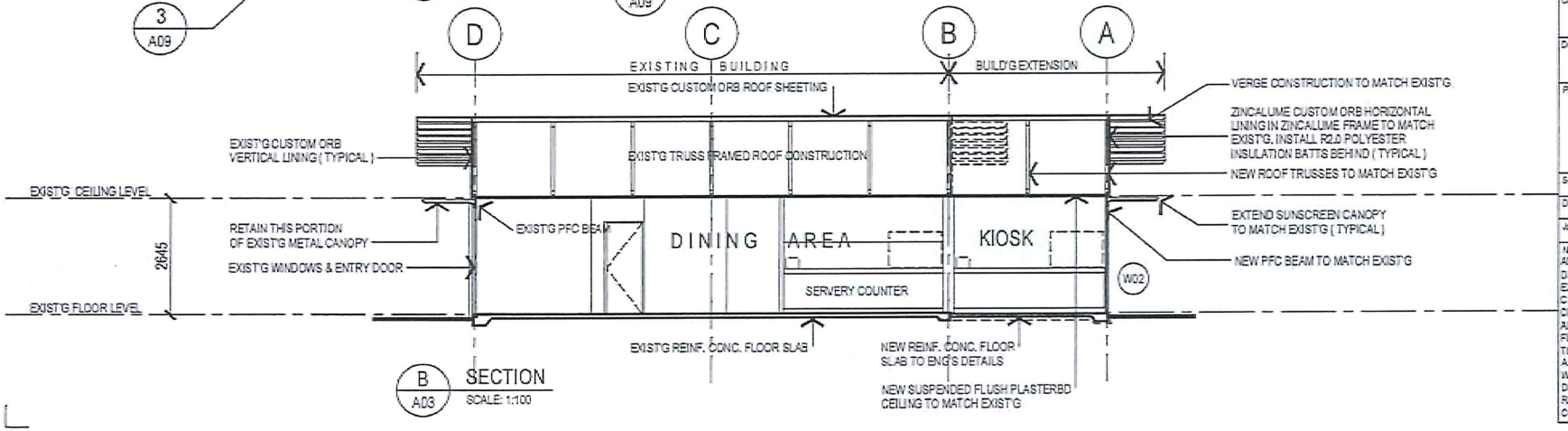
Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURE DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER,TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS



NOTE:
FINISH ALL EXPOSED EDGES OF CUTOM ORB IN METAL EDGE MOULDINGS TO MATCH EXIST'G

4 / A03 SOUTH ELEVATION (FERN ROAD)
SCALE: 1:100





B / A03 SECTION
SCALE: 1:100

© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410 458 817

Project Title :
ATLERATIONS TO LO QUAY CAFE

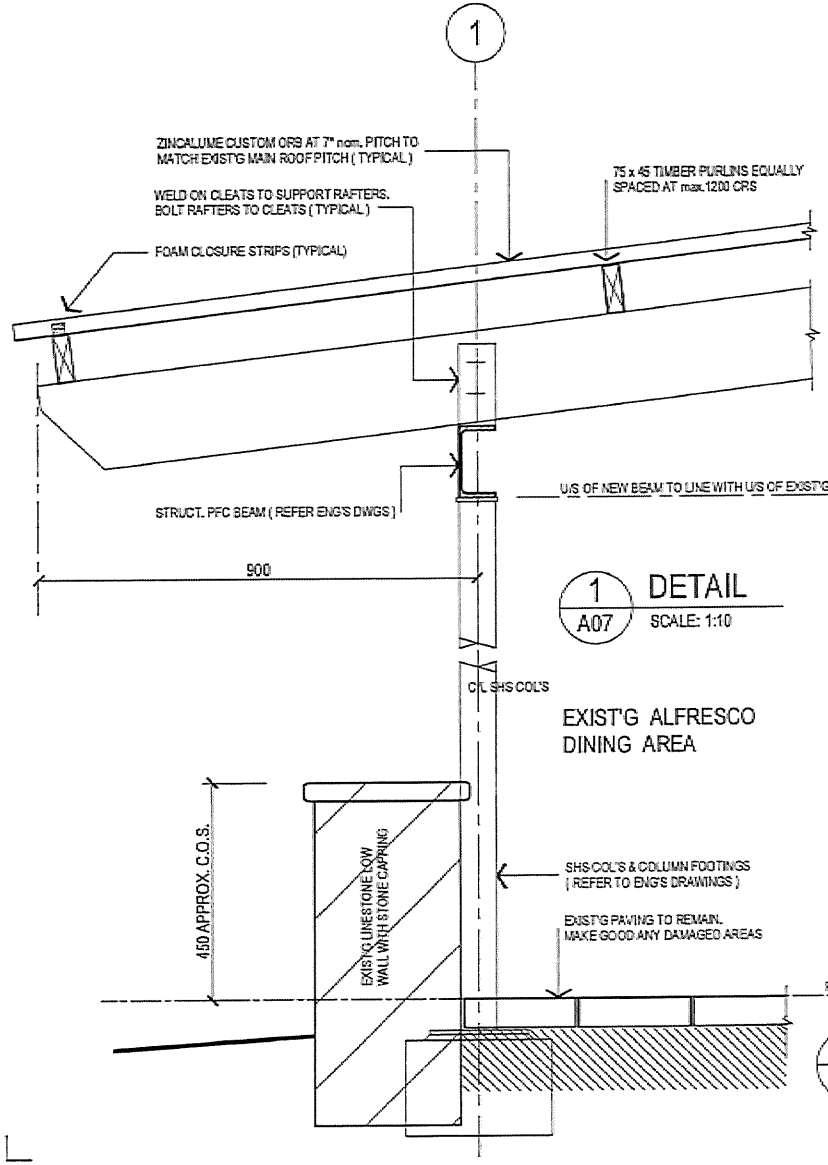
Client :
NEDGO Pty Ltd

Drawing :
ELEV.4 & SECTIONS AA & BB

Project Address :
FERN ROAD & BRIDGE SREET.
WILSON. W.A. 6107
CITY OF CANNING

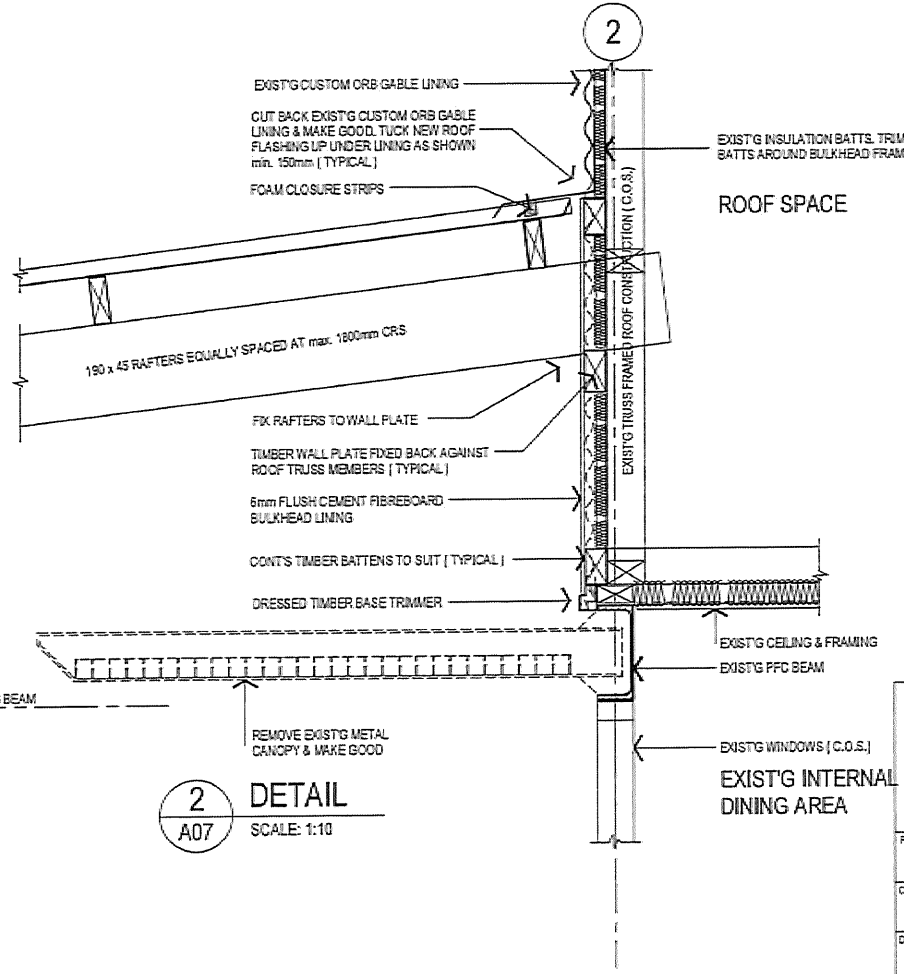
Scale : 1:100 @ A3	Date : MARCH 2025
Drawn : RJC	Revision : 22/05/2025
Job No: J003024	Sheet No: A07

Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURE DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER,TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS



1 / A07 DETAIL
SCALE: 1:10

3 / A07 DETAIL
SCALE: 1:10



2 / A07 DETAIL
SCALE: 1:10

© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410 468 817

Project Title:
ATLERATIONS TO LO QUAY CAFE

Client:
NEDGO Pty Ltd

Drawing:
CONSTRUCTION DETAILS

Project Address:
FERN ROAD & BRIDGE SREET.
WILSON. W.A. 6107
CITY OF CANNING

Scale: 1:10 @ A3	Date: MARCH 2025
Drawn: RJC	Revision: 22/05/2025
Job No: J003024	Sheet No: A09

Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURE DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER,TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS

LEGEND:

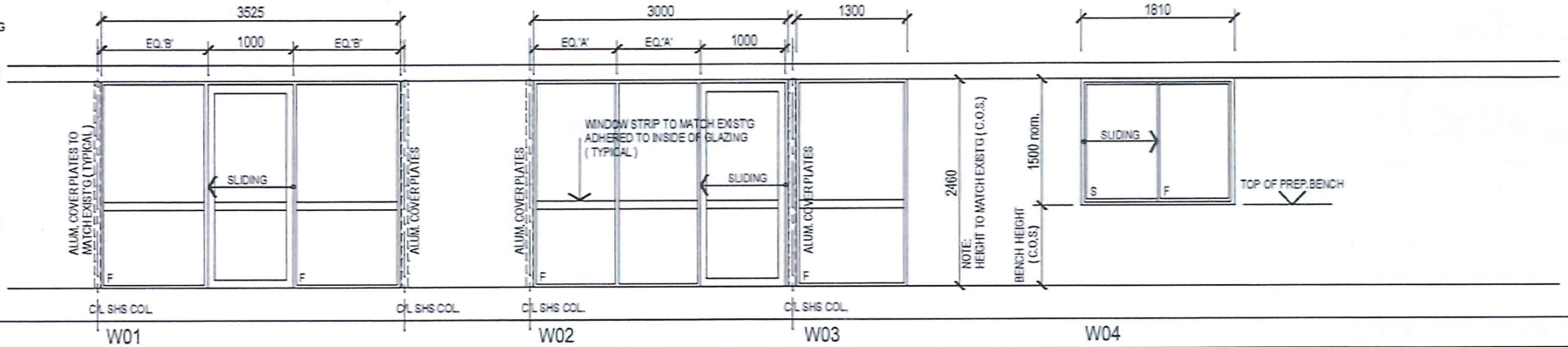
CHECK ON SITE ALL OPENING DIMENSIONS PRIOR TO FABRICATION

UNLESS OTHERWISE NOTED WINDOW FRAMES SHALL BE 100 X 40 nom. ALUM. BOX SECTIONS. ALL FRAMES TO HAVE SUB-HEADS. (U.O.N.)

ALL GLAZING SHALL BE AS SPECIFIED & CONFORM TO AUSTRALIAN STANDARDS:
A S 2208 - SAFETY GLAZING
A S 1170 - LOADING CODE

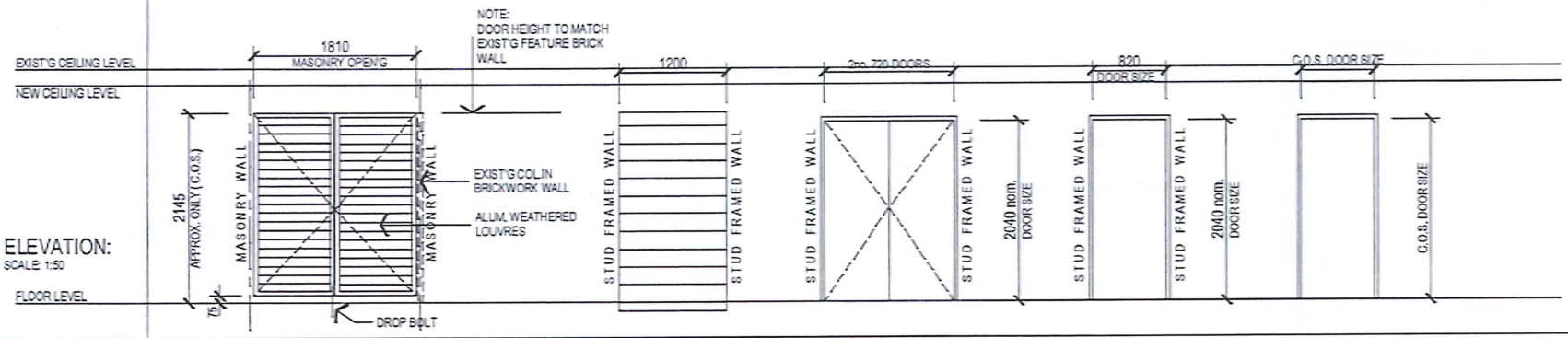
GLAZING SHALL BE VIRIDIAN COMFORT PLUS :
'U' VALUE 7.0; SHDC 0.70

ELEVATION:
SCALE: 1:50



DR / WDW NO.	W01	W02	W03	W04
NO. OFF	1	1	1	1
FRAME TYPE:	100mm X 40mm nom. POWDERCOATED ALUM. BOX FRAME (TO MATCH EXIST'G)	100mm X 40mm nom. POWDERCOATED ALUM. BOX FRAME (TO MATCH EXIST'G)	100mm X 40mm nom. POWDERCOATED ALUM. BOX FRAME (TO MATCH EXIST'G)	100mm X 40mm nom. POWDERCOATED ALUM. BOX FRAME (TO MATCH EXIST'G)
DOOR TYPE:	FULLY GLAZED MANUAL SLIDING DOOR (LOCKABLE)	FULLY GLAZED MANUAL SLIDING DOOR (LOCKABLE)		MANUAL SLIDING SASH (LOCKABLE)
GLAZING:	ALL GLAZING TO A.S.	ALL GLAZING TO A.S.	ALL GLAZING TO A.S.	ALL GLAZING TO A.S.
REMARKS:				

ELEVATION:
SCALE: 1:50



DR / WDW NO.	D04	RD1	D03	D02	D01
NO. OFF	1	1	1	1	1
FRAME TYPE:	100mm X 40mm nom. POWDERCOATED ALUM. BOX FRAME (TO MATCH EXIST'G)	STUD FRAMED WALL	PRESSED METAL FRAME	PRESSED METAL FRAME	EXIST'G PRESSED METAL FRAME
DOOR TYPE:	DOUBLE ALUM. FRAMED DOORS FULLY LOUVRED - LOCKABLE	POWDERCOATED LOCKABLE ROLLER DOOR WITH WIND LOCKS	FLUSH PANEL SOLID CORE	FLUSH PANEL SEMI SOLID CORE	DOOR SIZE TO SUIT EXIST'G FRAME FLUSH PANEL SEMI SOLID CORE
GLAZING:					
REMARKS:					

© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410 468 817

Project Title:
ATLERATIONS TO LO QUAY CAFE

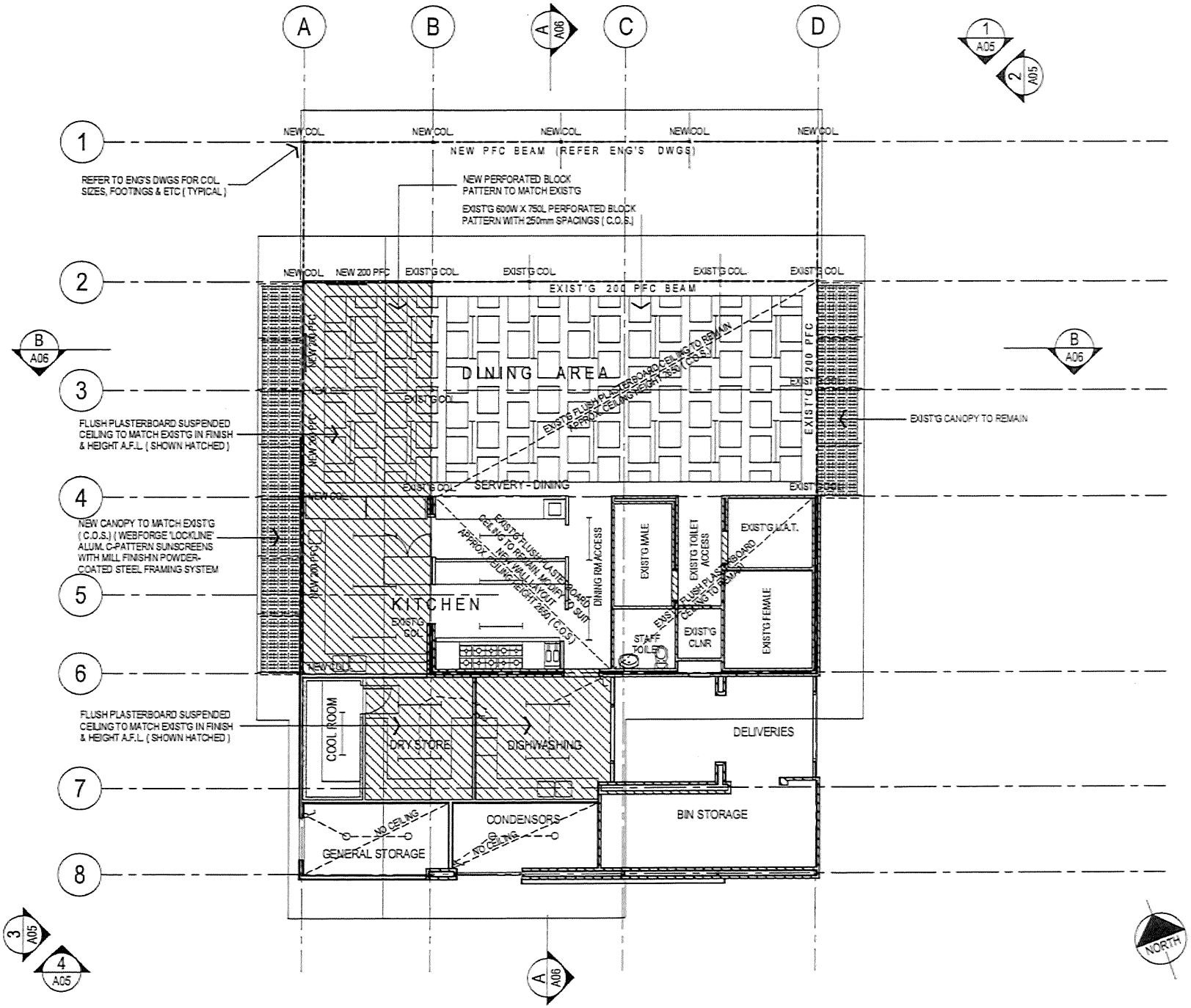
Client:
NEDGO Pty Ltd

Drawing:
WINDOW / DOOR SCHEDULE

Project Address:
FERN ROAD & BRIDGE SREET,
WILSON. W.A. 6107
CITY OF CANNING

Scale:	1:50 @ A3	Date:	MARCH 2025
Drawn:	RJC	Revision:	22/05/2025
Job No:	J003024	Sheet No:	A08

Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURE DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER,TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS



© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410 468 817

Project Title:
ALTERATIONS TO LO QUAY CAFE

Client:
NEDGO Pty Ltd

Drawing:
CEILING PLAN

Project Address:
FERN ROAD & BRIDGE SREET.
WILSON. W.A. 6107
CITY OF CANNING

Scale: 1:100 @ A3	Date: MARCH 2025
Drawn: RJC	Revision: 22/05/2025
Job No. J003024	Sheet No. A05

Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURE DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER,TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS

CITY OF CANNING

Attachment 2

24 September 2025

Department of Biodiversity, Conservation and Attractions
Locked Bag 104
Bentley Delivery Centre WA 6983

Sent via email: rivers.planning@dbca.wa.gov.au

Dear Sir/Madam,

Recommendation on Planning Proposal – Additions/Alterations to Lo Quay Café – DBCA Ref: 2025-1853 (City Ref: XFR25/0004) – Lot 300 (223) Fern Road, Wilson WA 6107

Reference is made to the Application Referral received on the 13th of August 2025, inviting the City of Canning to provide comments and recommendations considered relevant to this proposal.

The City has undertaken an assessment of the proposal against the City's Local Planning Framework and wishes to provide the following advice to the Department for its consideration.

Background

Part 5, Section 68 of the *Swan and Canning Rivers Management Act 2006*, identifies that land and waters in the Swan Canning Development Control Area which is owned by or vested by a public authority may be used but not developed, without approval under Section 70 of the Act. The subject site is owned by the State of Western Australia and is reserved under the Metropolitan Region Scheme for the purposes of 'Regional Open Space'.

The subject site holds an existing leased area with the City of Canning for the purposes of a 'Café and Kiosk' and has operated with relevant sub-leases to café operators for more than a decade.

As this application applies to 'development' as identified in the *Swan and Canning Rivers Management Act 2006* and the *Planning and Development Act 2005*, the Department of Biodiversity, Conversation and Attractions (DBCA) is required to give due regard to several matters before providing recommendations to the Chief Executive Officer of the Department, and/or to the Minister and the Swan River Trust.

For the purposes of the City's recommendations to the Department, the City will rely on the relevant matters of the Metropolitan Region Scheme as outlined in Part 10, Section 43 of the Metropolitan Region Scheme Text.

Metropolitan Region Scheme and Local Planning Scheme

The Metropolitan Region Scheme prepared under the *Planning and Development Act 2005* has been endorsed and prepared for several purposes as identified in Part 1, Clause 5 of the Metropolitan Region Scheme Text; inclusive of the intent to *"reserve and protect land for regional transport, infrastructure, conservation, recreation, cultural and public purposes"*.

In this regard, the subject site is reserved for the public purpose of 'Regional Open Space' which intends to *"to protect the natural environment, provide recreational and cultural opportunities, safeguard important landscapes and sites of cultural or historical significance and provide for public access"*.

As of the 26 May 2020, the City's gazetted Local Planning Scheme (LPS42) has set the key development controls applicable to regulate development in the City of Canning. As the land is reserved for the purposes of the Metropolitan Region Scheme, the City's Local Planning Scheme does not apply to the subject site and the development is considered exempted from the requirement of development approval under Schedule 2, Part 7, Clause 61 (1) and (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (to be read as part of the Scheme).

Notwithstanding the above, when considering an application for development approval under the Metropolitan Region Scheme, several matters are to be taken into regard, to the extent they are of State or Regional importance, inclusive of the purposes and aims of any applicable local planning scheme in operation, and, the local government's local planning strategy in respect of a local planning scheme.

To assist in the Department's assessment of the application, the City is providing comments and recommendations applicable to that of the City's local planning framework and particularly, the City's local planning scheme.

Site Considerations

Zoning	*Metropolitan Region Scheme*	Regional Open Space
	Local Planning Scheme No. 42	N/A – Reserved under MRS
Lot Area		676m^2
Existing Land Use(s)		Restaurant/Café
Applicable State Planning Policies (SPP)		• (Draft) SPP 2.9 – Planning for Water • SPP 2.10 – Swan Canning River System • SPP3.7 – Bushfire
Applicable Local Planning Policies (LP)		• LP.02 – Tree Retention, Planting and Development
Applicable Provisions of the City's Local Planning Scheme		• Part 1.8 and 1.9 – Purposes and Aims of the Scheme • Part 2.1 – Regional Reserves • Part 4 – General Development Requirements

1. Relevant Local Planning Scheme, Guide/Resumptive Town Planning (TP) Scheme (Name and Number), Structure Plan, Activity Centre Plan or Outline Development Plan (where appropriate).

Part 4.10, 4.11 and 4.12 of the City's *Local Planning Scheme No. 42* identifies that car parking, end of trip facilities and suitable arrangements for service vehicles shall be provided to all developments subject to the Scheme.

The proposal shows an expansion of roughly 4m by 17m of the café with minor internal alterations, including an expansion to an existing dining and kitchen area, and storage areas. For the purposes of the City's Scheme, the requirements for bicycle parking are derived from the 'net lettable area' (NLA) of the development.

NLA is defined in Schedule 2, Part 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to mean "*the area of all floors within the internal finished surfaces of permanent walls but does not include the following:*

(a) *stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;*
(b) *lobbies between lifts facing other lifts serving the same floor;*
(c) *areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;*
(d) *areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building*".

As the works do not detail any areas excluded by the above, the added 68m^2 would wholly attribute to NLA for the purposes of the Scheme. As the land use pertains to a 'Restaurant/Café' for the purposes of the Scheme, bicycle parking would be provided to a ratio of 0.5 space per 100m^2 of NLA (0.4 spaces for visitors + 0.1 spaces for employees). As the added area is less than 100m^2, only one (1) additional bicycle parking bay would be warranted by this proposal.

The ratio to provide for car parking for a 'Restaurant/Café' land use is found under Table 4 – Land Use, which identifies the minimum number of car parking bays are to be provided to a rate of 1 space per 5 seats, or, 1 space per 5m^2 of seating area (whichever is greater). Without knowing the full extent of alfresco seating available as part of this application, the City has derived the minimum parking requirements based on the proposed dining area shown.

The area identified on the plans for the dining area is 86.28m^2 (14.38m x 6m), which would in turn warrant car parking under the Scheme to a minimum of 18 (17.2) bays. As identified on the plans, 43 car parking bays are available at the site.

Holistically, the works would not generate further activities or parking activities to that existing and appear to be primarily to simplify and improve the layout of the premises. It is not anticipated that traffic reports or further studies are required as part of this application to consider the potential impacts to parking availability in the locality and to the immediate road network.

2. Relevant planning studies and Council Bylaws/adopted policies affecting the proposed development:

LP.02 – Tree Retention, Planting and Development
The City's Local Planning Policy LP.02 - Tree Retention, Planting and Development (LP.02) sets out the requirements pertaining to tree retention and planting on development sites.

Upon inspection of the plans, the extensions proposed do not interfere or conflict with the existing trees and canopies near the development. To ensure the works do not jeopordize the protection of nearby trees that are deemed worthy of retention, the City recommends that suitable conditions are considered by the Department to require tree protection zones during the construction phase of the development, in accordance with Australian Standards *AS 4373-2007 Pruning of Amenity Trees* and *AS 4970-2009 Protection of Trees on Development Sites*.

3. Associated TP Scheme Amendments, development applications or other proposals which may affect the proposed development:

Not applicable.

Recommendation

It is considered that the proposal satisfies the City's *Local Planning Scheme No. 42 (LPS42)* objectives and key development provisions and is considered acceptable with the local planning framework, subject to suitable conditions and associated advice notes.

The City recommends the following conditions are imposed to a future decision under the Metropolitan Region Scheme, to ensure the development remains consistent with the purpose and intent of the City's Local Planning Scheme, the requirements of orderly and proper planning, and for the preservation of amenity in the locality.

Conditions

(1) The development is to comply in all respects with the attached stamped approved plans.

(2) Storm water from all roofed and paved areas must be collected and discharged via the existing approved drainage system. Storm water must not affect or be allowed to flow onto or into any other property. Drainage systems must be in accordance with the Building Code of Australia.

(3) All trees located in verge areas adjoining the subject lot and near the development are to be retained and protected. Prior to the commencement of any site work, fencing is be installed to protect impacted trees throughout the construction phase of the development and removed once works are completed, to the satisfaction of the City.

(4) All landscaping areas shown for retention, inclusive of existing trees, plants and grassed areas are to be maintained for the duration of the development and to the satisfaction of the City.

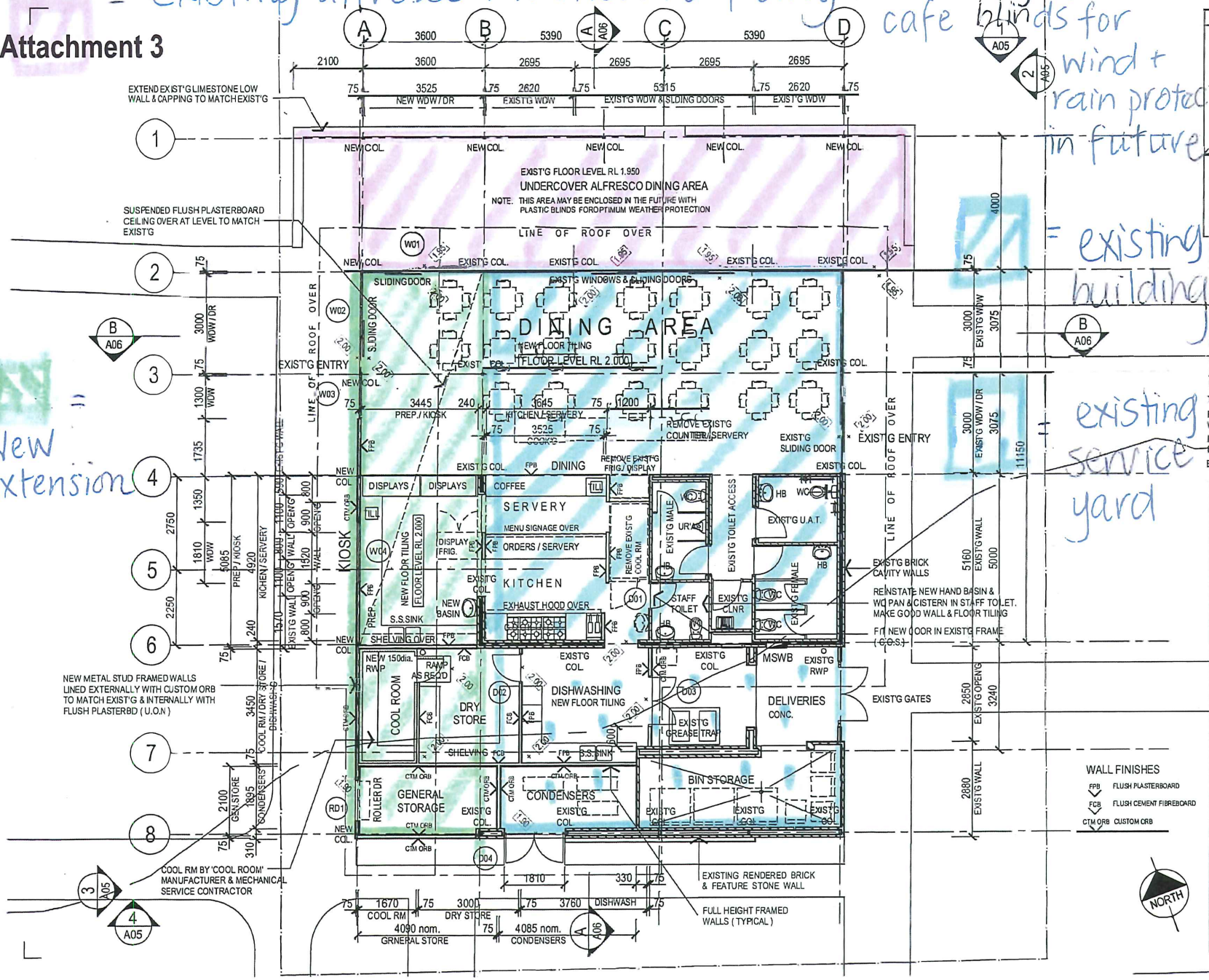
Attachment 3

= existing altresco with new roof only. Possibility of installing clear cafe blinds for wind + rain protec in future

= existing building

= New extension

= existing service yard



NAME	AREAS
MAIN DINING AREA	89.0m2
EXTERNAL DINING AREA	65.0m2
KITCHEN / SERVERY	18.0m2
PREP. / KIOSK	18.0m2
COOL RM	5.7m2
DRY STORE	13.7m2
DISHWASHING	13m2
GENERAL STORE	7.0m2
BIN STORAGE	13.5m2
SITE AREA	676.40m2
TOTAL O/A BUILDING AREA (NOT INCLUDING EXTERNAL DINING AREA)	247.0m2
EXISTING PARKING	43
EXISTING DISABLE BAYS	3

NOTES:
NO TREES ARE REQUIRED TO BE REMOVED FOR THESE ALTERATIONS. ALL VIEWS OF CANNING RIVER & PLAYGROUND ARE TO REMAIN
REFER TO KITCHEN CONTRACTOR'S DRAWINGS FOR KITCHEN EQUIPMENT LAYOUT
REFER TO STRUCTURAL ENG'S DRAWINGS FOR ALL FOOTINGS & STRUCT.STEEL BEAM & COLUMN SIZES ETC
EXIST'G FLOOR LEVEL TO REMAIN RL 2.000
ALL WATER PROOFING TO BCA VOL.1 PART F & A.S. 4654.2
TERMITE PROTECTION TO A.S. 3660.1 & .2
FIRE & SMOKE PROTECTION TO COMPLY WITH BCA Vol. 1 SECTION E & A.S. 2444 - 2001
HOT WATER UNIT TO COMPLY WITH BCA WATER ADDITIONS
EXHAUST FANS (FLUMED EXTERNALLY)

WALL FINISHES
FPB FLUSH PLASTERBOARD
FCB FLUSH CEMENT FIBREBOARD
CTM ORB CUSTOM ORB

© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410468 817

Project Title: ATLERATIONS TO LO QUAY CAFE
Client: NEDGO Pty Ltd
Drawing: FLOOR PLAN
Project Address: FERN ROAD & BRIDGE SREET. WILSON.W.A. 6107 CITY OF CANNING

Scale:	1:100 @ A3	Date:	MARCH 2025
Drawn:	RJC	Revision:	22/05/2025
Job No:	J003024	Sheet No:	A03

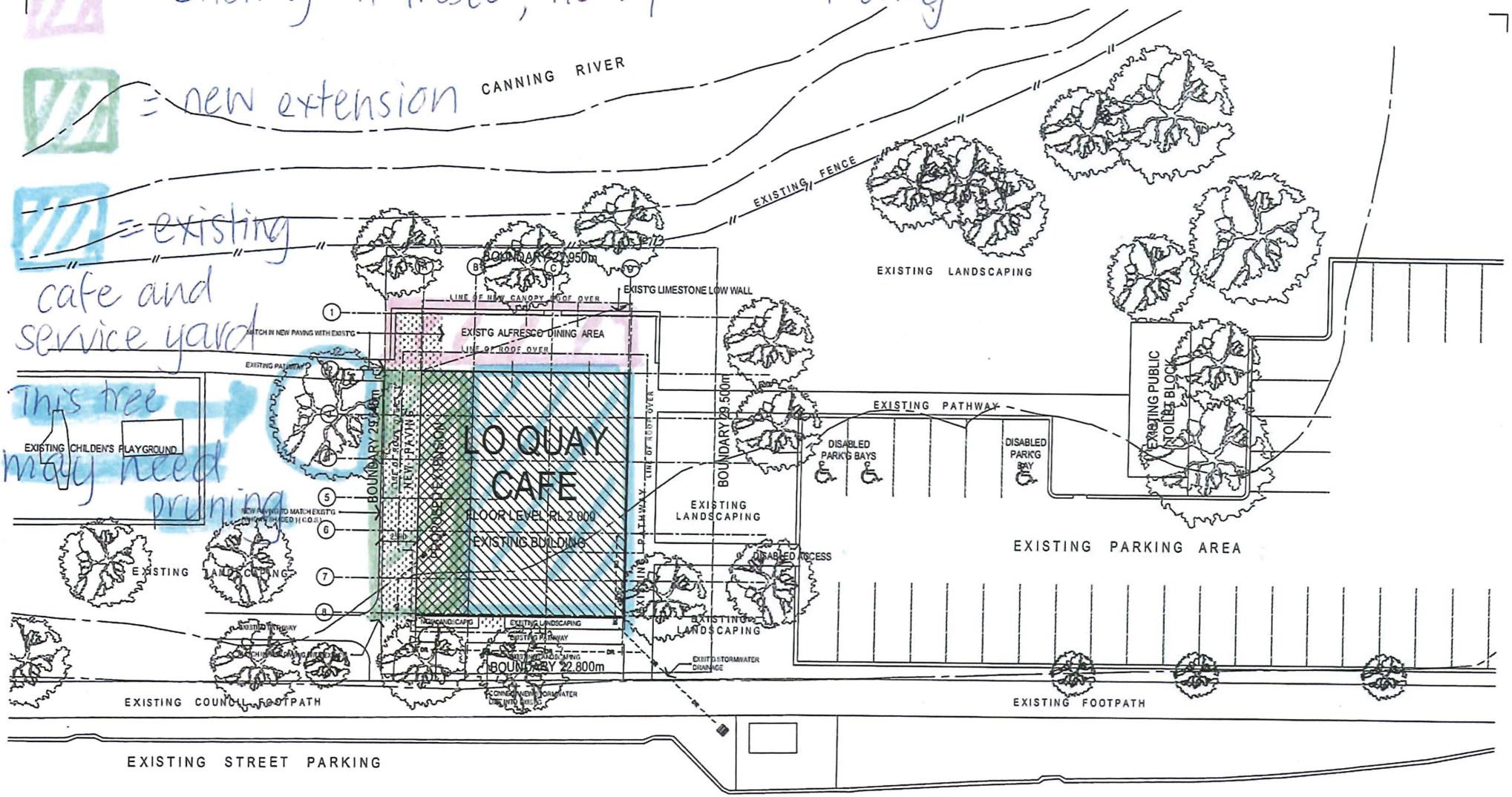
Notes:
ALL EXIST'G STRUCTURES ARE DRAWN FROM EXIST'G DRAWINGS AND/OR AS MEASURED ON SITE. FOR EXACT SIZES, DIMENSIONS, LOCATIONS & THE LIKE CHECK ON SITE.
CHECK DIMENSIONS ON SITE PRIOR TO FABRICATION AND CONSTRUCTION. DO NOT SCALE OFF DRAWINGS. FIGURED DIMENSIONS SHALL BE READ IN PREFERENCE TO SCALING
ALL WALL THICKNESSES AS SHOWN DO NOT INCLUDE WALL FINISHES (EG: RENDER,TILING & ETC).
DRAWINGS MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, REPORTS, CONTRACTS & CONSULTANT'S DRAWINGS

= existing al fresco, new patio roof only

= new extension

= existing cafe and service yard

This tree may need pruning



FERN ROAD

NORTH

NOTES:

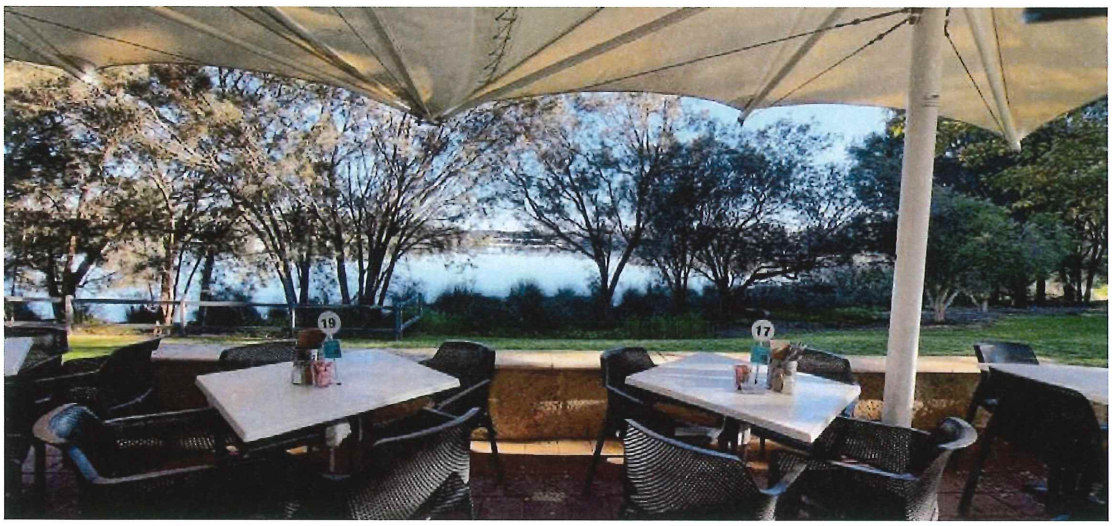
Scale: 1:250 @ A3	Project Title: ATLERATIONS TO LO QUAY CAFE		
Drawn: RJC			
Job No: J003024	Project Address: FERN ROAD & BRIDGE SREET. WILSON. W.A. 6107 CITY OF CANNING	Drawing: SITE PLAN	
Date: MARCH 2025			
Revision: 22/05/2025		Client: NEDGO Pty Ltd	
Sheet No: A01			

© COPYRIGHT

Designs by CADD
Drafting & Energy Assessments
Email: Brett@designsbycadd.com.au
Ph: 0410 468 817

Attachment 4

North side of Café - overlooking the river



Eastern side of café – existing building