



Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 10 December 2025; 9:30am
Meeting Number: MODAP/117
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:

[MODAP/117 - 10 December 2025 - City of Rockingham - City of Kalamunda - City of Mandurah](#)

PART A – INTRODUCTION

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

PART B – CITY OF ROCKINGHAM

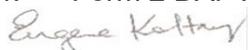
1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 6 (No.36) Patterson Road, Rockingham – Proposed Child Care Premises – DAP/25/02967
9. Form 2 DAP Applications
10. Section 31 SAT Reconsiderations

PART C – CITY OF KALAMUNDA

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot No. 192 (326) Hale Road, Wattle Grove - Service Station, Motor Vehicle Repairs & Recreation – Private – DAP/25/02890
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – CITY OF MANDURAH

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 3 (54-64) Lakes Road, Greenfields - Proposed Medical Centre, Pharmacy and Café – DAP/24/02790
4. Form 2 DAP Applications



Eugene Koltasz
Presiding Member, Metro Outer DAP



5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

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

A handwritten signature in cursive script that reads "Eugene Koltasz".

Eugene Koltasz
Presiding Member, Metro Outer DAP



DAP Members

Eugene Koltasz (Presiding Member)

Clayton Higham (Deputy Presiding Member)

Heidi Herget

Mayor Lorna Buchan (Part B – City of Rockingham)

Cr Mark Jones (Part B – City of Rockingham)

Mayor Margaret Thomas (Part C – City of Kalamunda)

Cr Kathy Ritchie (Part C – City of Kalamunda)

Cr Ryan Burns (Part D – City of Mandurah)

DAP Secretariat

Tenielle Brownfield

Zoe Hendry

Eugene Koltasz
Presiding Member, Metro Outer DAP



Part B – City of Rockingham
Applicant
Brendan Foley (Thomson Geer Lawyers) Caryen Tan (Burgess Design Group)
Officers/Technical Advisors in Attendance
David Veenendaal Casey Gillespie

Part C – City of Kalamunda
Applicant
Nik Hidding (Hidding Urban Planning)
Officers/Technical Advisors in Attendance
Tracey Cooney-Walshe Regan Travers

Part D – City of Mandurah
Applicant
Belle Smithies (Rowe Group) Mitch Allen (Numeruno Pty Ltd) Kaye Allen (Numeruno Pty Ltd)
Officers/Technical Advisors in Attendance
Tracey Cooney-Walshe Regan Travers

Members of the Public / Media

Nil

Observers via livestream

There were 2 persons observing the meeting via the livestream.

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:36am on 10 December 2025 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2025 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

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

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

2. Apologies

Cr Caroline Knight (Local Government Member, City of Mandurah)
Cr Peter Rogers (Local Government Member, City of Mandurah)

3. Noting of Minutes

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

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART B – CITY OF ROCKINGHAM

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

3.1 Lot 6 (No.36) Patterson Road, Rockingham – Proposed Child Care Premises – DAP/25/02967

Deputations

Brendan Foley (Thomson Geer Lawyers) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Caryen Tan (Burgess Design Group) addressed the DAP at Item 3.1 and responded to questions from the panel.

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

SUBSTANTIVE MOTION

Moved by: Mayor Lorna Buchan

Seconded by: Cr Mark Jones

With the agreement of the mover and seconder an administrative change was made to correct the numbering of conditions.

That the Metropolitan Outer Development Assessment Panel (MODAP) resolves to:

1. **Accept** that the DAP Application reference DAP/25/02967 is appropriate for consideration as a “Child Care Premises” land use and compatible with the objectives of the zoning table in accordance with Clause 3.2 of the City of Rockingham Town Planning Scheme No. 2;
2. **Approve** DAP Application reference DAP/25/02967 and accompanying plans:
 - Site Plan – Drawing Number SK018_A-001, Drawn by *meyer shircore architects*;
 - Ground Floor Plan, First Floor Plan - Drawing Number SK018_002, Drawn by *meyer shircore architects*;
 - Elevations - Drawing Number SK018_003, Drawn by *meyer shircore architects*;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- Architectural Impressions – Drawing Number SK018_004-006, Drawn by *meyer shircore architects*;

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 68(2)(b) of the City of Rockingham Town Planning Scheme No.2, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. No more than 89 children are to be accommodated by the Child Care Premises.
3. No more than seventeen (17) staff are to be on site at any one time.
4. The Child Care Premises must only operate between the hours of 6:30am to 6:30pm, Monday to Friday, with children not permitted in the open space play areas before 7:00am.
5. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineering showing how stormwater will be contained on-site and those plans must be submitted to the City of Rockingham for its approval. All stormwater generated by the development must be managed in accordance with *Local Planning Policy 3.4.3 - Urban Water Management* to the satisfaction of the City of Rockingham. The approved plans must be implemented, and all works must be maintained for the duration of the development.
6. Prior to the commencement of works a Construction Management Plan must be submitted and approved by the City of Rockingham. The Construction Management Plan shall include, but not be limited to, the following:
 - (i) A Dust, Noise and Vibration Management Plan;
 - (ii) Detail how access roads to and all trafficable areas on the site/s will be treated and maintained to prevent or minimise the generation of airborne dust;
 - (iii) How any stockpiles on site/s are to be managed;
 - (iv) Construction waste disposal strategy and location of waste disposal bins;
 - (v) How materials and equipment will be delivered and removed from the site/s; and
 - (vi) A Traffic Management Strategy for the duration of the project, including the locations of all car parking and loading areas to be used, the duration and frequency of use of these areas and any exemption requests.

All works must be carried out in accordance with the approved Construction Management Plan and maintained at all times, for duration of the development.

Eugene Koltasz
Presiding Member, Metro Outer DAP



7. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
8. Prior to applying for a Building Permit, detailed Engineering Drawings and specifications are to be submitted to the City of Rockingham for approval for all works within the road reserve, including crossover approach, carparks, footpaths, kerb ramps, kerbing, drainage and landscape works. All works are to be installed and maintained at the Applicant's cost to the satisfaction of the City of Rockingham for the duration of the development.
9. Prior to the occupation of the development, a new crossover is to be constructed in accordance with the City's *Commercial Crossover Specifications* to the satisfaction of the City.
10. The carpark must:
 - (i) provide a minimum of 28 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained, marked and signposted in accordance with User Class 3 for visitor bays, User Class 1A for staff bays and User Class 4 for universal bays of Australian/New Zealand Standard AS/NZS 2890.1:2004 (as amended), *Parking facilities, Part 1: Off-street car parking* prior to applying for a Building Permit;
 - (iii) provide one (1) of these car parking spaces as a space dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained, marked and signposted in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2022 (as amended), *Parking facilities, Part 6: Off-street parking for people with disabilities* and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1—2021 (as amended) *Design for access and mobility, Part 1: General Requirements for access—New building work*;
 - (iv) be constructed, sealed, kerbed, drained and clearly marked prior to the development being occupied and maintained thereafter;
 - (v) have lighting installed, prior to the occupation of the development, to the satisfaction of the City of Rockingham; and
 - (vi) all illumination being in accordance with the requirements of Australian Standard AS 4282-2023, Control of the obtrusive effects of outdoor lighting, at all times.
11. In accordance with *Local Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities*, two (2) short-term bicycle parking spaces and four (4) long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—2015 (as amended), *Parking facilities, Part 3: Bicycle parking facilities* and must be approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.

Eugene Koltasz
Presiding Member, Metro Outer DAP



12. In accordance with *Local Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities*, one (1) secure hot-water shower, change room and clothing lockers must be provided for the development which must be designed in accordance with that Policy and approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development. The showers, change rooms and lockers must be retained and maintained in good and safe condition for the duration of the development
13. All works must be carried out in accordance with the Waste Management Plan prepared by *Urbii*, dated July 2025 and maintained at all times, for the duration of development.
14. Prior to applying for a Building Permit, a bin storage area must be designed with a size suitable to service the development and screened from view of the street to the satisfaction of the City of Rockingham. The bin storage area must be constructed prior to the occupation of the development and must be retained and maintained in good condition for the duration of the development.
15. Development must comply with the requirements and recommendations of the *Herring Storer Acoustics assessment report 34747-1-25205* and incorporate:
 - (i) Fencing along the rear boundary abutting residential premises to be 2.1-metre-high double leaf colourbond fencing;
 - (ii) Fencing along the east and west boundaries to be 1.8-metre-high double leaf colourbond fencing; and
 - (ii) Air conditioning condensing units be located on the east side of the development, outside the kitchen.
16. Prior to the occupation of the development, written confirmation from a suitably qualified Acoustic Consultant must be provided that demonstrates that all requirements indicated in the Acoustic Report have been implemented within the development. The acoustic requirements must thereafter be implemented to the satisfaction of the City of Rockingham for the duration of the development.
17. Access of delivery vehicles is only permitted between the hours of 7:00am and 7:00pm from Monday to Saturday (inclusive) and between 9:00am and 7:00pm on Sunday and public holidays, for the duration of the development.
18. Prior to applying for a Building Permit, an updated Landscaping Plan generally in accordance with the *Landscape Architectural Drawings* prepared by *ecoscape*, dated 10 November 2025, to the satisfaction of the City of Rockingham, must be prepared and include the following detail:
 - (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - (ii) Any lawns to be established and areas to be mulched;
 - (iii) Those areas to be reticulated or irrigated and the irrigation strategy;
 - (iv) Proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas;
 - (v) Shade trees at a rate of one (1) per four (4) car parking bays;
 - (vi) Updates the Planting Schedule to include all plant species;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (vii) Internal pedestrian access pathways from the carpark to the building; and
- (viii) Fencing heights, types and alignments consistent with the recommendations of the *Herring Storer Acoustics assessment report 34747-1-25205*.

The landscaping (including all verge landscaping), paving and reticulation must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham.

19. Prior to the occupation of the development, a final illumination report must be prepared which demonstrates to the satisfaction of the City of Rockingham, that the completed development complies with the requirements of Australian Standard AS 4282—2019, Control of the obtrusive effects of outdoor lighting.
20. Floodlighting must not be illuminated after 10:00pm or before 7:00am on any day. All illumination must be in accordance with the requirements of Australian Standard AS 4282—2019, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development.
21. The Applicant is responsible for protecting any existing City streetscape assets along Patterson Road and Benjamin Way during the construction phase of the project. This includes any existing streetscape lighting, grated gully pits, side entry pits, kerbing, footpaths, trees, turf etc. Any damage caused to the existing assets (identified to be retained), must be rectified to the satisfaction of the City of Rockingham and the Applicant's full cost.
22. Prior to the occupation of the development a sign permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant and owner should liaise with the City's Building Services in this regard.

Advice Notes

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application a fresh application for Development Approval must be submitted to the City.
2. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.
3. The development must comply with the *Food Act 2008*, the Food Safety Standards and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only); the applicant and owner should liaise with the City's Health Services in this regard.
4. Street trees must be in accordance with the City's standard for street tree planting and to the Utility's Providers Code of Practice for Western Australia, 1 June 2015.
5. It is recommended the applicant and owner liaise with the City's Land Infrastructure and Development Services to confirm requirements for landscaping plans.

Eugene Koltasz
Presiding Member, Metro Outer DAP



6. All works in the road reserve, including construction of a crossover or footpath, installation of on-street car parking spaces, planting of street trees, bicycle parking devices, street furniture and other streetscape works and works to the road carriageway must be to the specifications of the City; the applicant and owner should liaise with the City's Land Infrastructure and Development Services in this regard.
7. With respect to Condition 22, it is recommended that a photographic dilapidation report is undertaken by the applicant, to record the current condition of these assets.
8. The applicant is advised that a Stormwater Management Plan will require compliance with *Local Planning Policy 3.4.3 - Urban Water Management*. The applicant is encouraged to discuss the specific policy requirements with the City prior to the submission of the plan.
9. The business will need to comply with the *Food Act 2008* and Chapter 3 of the *Australian New Zealand Food Standards Code (Australia Only)*. A permit will need to be obtained from the City's Health services prior to the occupation of the development in this regard.

AMENDING MOTION 1

Moved by: Clayton Higham

Seconded by: Heidi Herget

That Condition No. 21 be amended to read as follows:

The Applicant is responsible for protecting any existing City streetscape assets along Patterson Road and Benjamin Way during the construction phase of the project. This includes any existing streetscape lighting, grated gully pits, side entry pits, kerbing, footpaths, trees, turf etc. Any damage caused by the applicant or their agents to the existing assets (identified to be retained), must be rectified to the satisfaction of the City of Rockingham and the Applicant's full cost.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure that the burden of any damage is restricted to the applicant or agents of the applicant through the construction phase

SUBSTANTIVE MOTION (AS AMENDED)

That the Metropolitan Outer Development Assessment Panel (MODAP) resolves to:

1. **Accept** that the DAP Application reference DAP/25/02967 is appropriate for consideration as a "Child Care Premises" land use and compatible with the objectives of the zoning table in accordance with Clause 3.2 of the City of Rockingham Town Planning Scheme No. 2;

Eugene Koltasz
Presiding Member, Metro Outer DAP



2. **Approve** DAP Application reference DAP/25/02967 and accompanying plans:
- Site Plan – Drawing Number SK018_A-001, Drawn by *meyer shircore architects*;
 - Ground Floor Plan, First Floor Plan - Drawing Number SK018_002, Drawn by *meyer shircore architects*;
 - Elevations - Drawing Number SK018_003, Drawn by *meyer shircore architects*;
 - Architectural Impressions – Drawing Number SK018_004-006, Drawn by *meyer shircore architects*;

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 68(2)(b) of the City of Rockingham Town Planning Scheme No.2, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. No more than 89 children are to be accommodated by the Child Care Premises.
3. No more than seventeen (17) staff are to be on site at any one time.
4. The Child Care Premises must only operate between the hours of 6:30am to 6:30pm, Monday to Friday, with children not permitted in the open space play areas before 7:00am.
5. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineering showing how stormwater will be contained on-site and those plans must be submitted to the City of Rockingham for its approval. All stormwater generated by the development must be managed in accordance with *Local Planning Policy 3.4.3 - Urban Water Management* to the satisfaction of the City of Rockingham. The approved plans must be implemented, and all works must be maintained for the duration of the development.
6. Prior to the commencement of works a Construction Management Plan must be submitted and approved by the City of Rockingham. The Construction Management Plan shall include, but not be limited to, the following:
 - (i) A Dust, Noise and Vibration Management Plan;
 - (ii) Detail how access roads to and all trafficable areas on the site/s will be treated and maintained to prevent or minimise the generation of airborne dust;
 - (iii) How any stockpiles on site/s are to be managed;
 - (iv) Construction waste disposal strategy and location of waste disposal bins;
 - (v) How materials and equipment will be delivered and removed from the site/s; and

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (vi) A Traffic Management Strategy for the duration of the project, including the locations of all car parking and loading areas to be used, the duration and frequency of use of these areas and any exemption requests.

All works must be carried out in accordance with the approved Construction Management Plan and maintained at all times, for duration of the development.

7. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
8. Prior to applying for a Building Permit, detailed Engineering Drawings and specifications are to be submitted to the City of Rockingham for approval for all works within the road reserve, including crossover approach, carparks, footpaths, kerb ramps, kerbing, drainage and landscape works. All works are to be installed and maintained at the Applicant's cost to the satisfaction of the City of Rockingham for the duration of the development.
9. Prior to the occupation of the development, a new crossover is to be constructed in accordance with the City's *Commercial Crossover Specifications* to the satisfaction of the City.
10. The carpark must:
 - (i) provide a minimum of 28 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained, marked and signposted in accordance with User Class 3 for visitor bays, User Class 1A for staff bays and User Class 4 for universal bays of Australian/New Zealand Standard AS/NZS 2890.1:2004 (as amended), *Parking facilities, Part 1: Off-street car parking* prior to applying for a Building Permit;
 - (iii) provide one (1) of these car parking spaces as a space dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained, marked and signposted in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2022 (as amended), *Parking facilities, Part 6: Off-street parking for people with disabilities* and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1—2021 (as amended) *Design for access and mobility, Part 1: General Requirements for access—New building work*;
 - (iv) be constructed, sealed, kerbed, drained and clearly marked prior to the development being occupied and maintained thereafter;
 - (v) have lighting installed, prior to the occupation of the development, to the satisfaction of the City of Rockingham; and
 - (vi) all illumination being in accordance with the requirements of Australian Standard AS 4282-2023, Control of the obtrusive effects of outdoor lighting, at all times.
11. In accordance with *Local Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities*, two (2) short-term bicycle parking spaces and four (4) long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—2015 (as amended),

Eugene Koltasz
Presiding Member, Metro Outer DAP



Parking facilities, Part 3: Bicycle parking facilities and must be approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.

12. In accordance with *Local Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities*, one (1) secure hot-water shower, change room and clothing lockers must be provided for the development which must be designed in accordance with that Policy and approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development. The showers, change rooms and lockers must be retained and maintained in good and safe condition for the duration of the development
13. All works must be carried out in accordance with the Waste Management Plan prepared by *Urbii*, dated July 2025 and maintained at all times, for the duration of development.
14. Prior to applying for a Building Permit, a bin storage area must be designed with a size suitable to service the development and screened from view of the street to the satisfaction of the City of Rockingham. The bin storage area must be constructed prior to the occupation of the development and must be retained and maintained in good condition for the duration of the development.
15. Development must comply with the requirements and recommendations of the *Herring Storer Acoustics assessment report 34747-1-25205* and incorporate:
 - (i) Fencing along the rear boundary abutting residential premises to be 2.1-metre-high double leaf colourbond fencing;
 - (ii) Fencing along the east and west boundaries to be 1.8-metre-high double leaf colourbond fencing; and
 - (ii) Air conditioning condensing units be located on the east side of the development, outside the kitchen.
16. Prior to the occupation of the development, written confirmation from a suitably qualified Acoustic Consultant must be provided that demonstrates that all requirements indicated in the Acoustic Report have been implemented within the development. The acoustic requirements must thereafter be implemented to the satisfaction of the City of Rockingham for the duration of the development.
17. Access of delivery vehicles is only permitted between the hours of 7:00am and 7:00pm from Monday to Saturday (inclusive) and between 9:00am and 7:00pm on Sunday and public holidays, for the duration of the development.
18. Prior to applying for a Building Permit, an updated Landscaping Plan generally in accordance with the *Landscape Architectural Drawings* prepared by *ecoscape*, dated 10 November 2025, to the satisfaction of the City of Rockingham, must be prepared and include the following detail:
 - (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - (ii) Any lawns to be established and areas to be mulched;
 - (iii) Those areas to be reticulated or irrigated ad the irrigation strategy;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (iv) Proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas;
- (v) Shade trees at a rate of one (1) per four (4) car parking bays;
- (vi) Updates the Planting Schedule to include all plant species;
- (vii) Internal pedestrian access pathways from the carpark to the building; and
- (viii) Fencing heights, types and alignments consistent with the recommendations of the *Herring Storer Acoustics assessment report 34747-1-25205*.

The landscaping (including all verge landscaping), paving and reticulation must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham.

- 19. Prior to the occupation of the development, a final illumination report must be prepared which demonstrates to the satisfaction of the City of Rockingham, that the completed development complies with the requirements of Australian Standard AS 4282—2019, Control of the obtrusive effects of outdoor lighting.
- 20. Floodlighting must not be illuminated after 10:00pm or before 7:00am on any day. All illumination must be in accordance with the requirements of Australian Standard AS 4282—2019, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development.
- 21. The Applicant is responsible for protecting any existing City streetscape assets along Patterson Road and Benjamin Way during the construction phase of the project. This includes any existing streetscape lighting, grated gully pits, side entry pits, kerbing, footpaths, trees, turf etc. Any damage caused by the applicant or their agents to the existing assets (identified to be retained), must be rectified to the satisfaction of the City of Rockingham and the Applicant's full cost.
- 22. Prior to the occupation of the development a sign permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant and owner should liaise with the City's Building Services in this regard.

Advice Notes

- 1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application a fresh application for Development Approval must be submitted to the City.
- 2. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.
- 3. The development must comply with the *Food Act 2008*, the Food Safety Standards and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only); the applicant and owner should liaise with the City's Health Services in this regard.
- 4. Street trees must be in accordance with the City's standard for street tree planting and to the Utility's Providers Code of Practice for Western Australia, 1 June 2015.

Eugene Koltasz
Presiding Member, Metro Outer DAP



5. It is recommended the applicant and owner liaise with the City's Land Infrastructure and Development Services to confirm requirements for landscaping plans.
6. All works in the road reserve, including construction of a crossover or footpath, installation of on-street car parking spaces, planting of street trees, bicycle parking devices, street furniture and other streetscape works and works to the road carriageway must be to the specifications of the City; the applicant and owner should liaise with the City's Land Infrastructure and Development Services in this regard.
7. With respect to Condition 22, it is recommended that a photographic dilapidation report is undertaken by the applicant, to record the current condition of these assets.
8. The applicant is advised that a Stormwater Management Plan will require compliance with *Local Planning Policy 3.4.3 - Urban Water Management*. The applicant is encouraged to discuss the specific policy requirements with the City prior to the submission of the plan.
9. The business will need to comply with the *Food Act 2008* and Chapter 3 of the *Australian New Zealand Food Standards Code (Australia Only)*. A permit will need to be obtained from the City's Health services prior to the occupation of the development in this regard.

The Substantive Motion (as amended) was put and CARRIED UNANIMOUSLY.

REASON: The Panel was satisfied that the proposed Child Care Premises is consistent with the Planning Framework for the site and the land use is compatible with the objectives of the zoning table in accordance with Clause 3.2 of the City of Rockingham Town Planning Scheme No 2. The variation to the building setback and car parking location is acceptable given the site constraints and the presence of an easement across the front of the site relating to the requirements of the reciprocal rights of access agreement with the adjoining lot. The built form is considered acceptable and fit for the purpose of the childcare premises. The development will complement the existing commercial development context that is present along Patterson Road.

9. Form 2 DAP Applications

Nil

10. Section 31 SAT Reconsiderations

Nil

Mayor Lorna Buchan and Cr Mark Jones (Local Government DAP Members, City of Rockingham) left the panel at 10.05am.

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART C – CITY OF KALAMUNDA

Mayor Margaret Thomas and Cr Kathy Ritchie (Local Government DAP Members, City of Kalamunda) joined the panel at 10.06am.

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

3.1 Lot No. 192 (326) Hale Road, Wattle Grove - Service Station, Motor Vehicle Repairs & Recreation – Private – DAP/25/02890

Deputations

Nik Hidding (Hidding Urban Planning) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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

SUBSTANTIVE MOTION

Moved by: Mayor Margaret Thomas

Seconded by: Heidi Herget

With the agreement of the mover and seconder the following administrative changes were made:

(i) That Advice Note No. 1 be amended to read as follows:

In regard to condition ~~14~~ 10, the Applicant is advised Cell 9 Infrastructure Cost Sharing Arrangement (ICSA) currently attracts a development contribution of \$24,565 per residential lot created (November 2024). Where commercial development is proposed, the dwelling yield of the subject site applies. The ICSA currently forecasts a lot yield of 20 lots for the subject site.

(ii) That Advice Note No. 5 be amended to read as follows:

In regard to condition ~~16~~ 15, Please submit modified pavement marking plans to Main Roads WA for approval and implementation.

(iii) That Advice Note No. 13 be deleted and the remaining conditions be renumbered accordingly.

Eugene Koltasz
Presiding Member, Metro Outer DAP



That the Metro Outer Development Panel resolves to:

Approve DAP Application reference DAP/25/02890 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 10.4 of the City of Kalamunda Local Planning Scheme No. 3, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. For the duration of the development, the development being carried out in accordance with the plan(s)/drawing(s) and document(s) (including any recommendations made) listed below, including any amendments to those plans as shown in red, to the satisfaction of the City of Kalamunda.

Plan No	Rev.	Title	Date	Prepared by
DA02	F	Proposed Conceptual Site Plan	10.10.25	Hodge Collard Preston Architects
DA02a	F	Proposed Site Plan Structure Plan Overlaid	10.10.25	Hodge Collard Preston Architects
DA03	F	Proposed Site Plan with tracking	10.10.25	Hodge Collard Preston Architects
DA04	F	Proposed Auto Floor Plan	10.10.25	Hodge Collard Preston Architects
DA05	F	Proposed Fuel Station Floor Plan	10.10.25	Hodge Collard Preston Architects
DA06	F	Proposed Gym Floor Plan	10.10.25	Hodge Collard Preston Architects
DA07	F	Proposed Elevation Auto	10.10.25	Hodge Collard Preston Architects
DA08	F	Proposed Elevation Fuel Station	10.10.25	Hodge Collard Preston Architects
DA09	F	Proposed Elevation & Section Gym & Tenancy	10.10.25	Hodge Collard Preston Architects
C1	B	Stormwater Drainage Plan and Details	8.10.25	JCCE
C2	B	Stormwater Drainage Details	8.10.25	JCCE
		Spillceptor (8 pages)		Atlan Stormwater
P191373	2	Environmental Noise Impact	31 August 2025	Reverberate Consulting
t24.265	01a	Transport Impact Assessment	October 2025	Transcore

Eugene Koltasz
Presiding Member, Metro Outer DAP



3. For the duration of development, all stormwater drainage from roofed and paved areas being disposed of to the specification outlined in the approved Drainage Plan and to the satisfaction of the City of Kalamunda.
4. For the duration of works, fill brought to the site must be clean, and solid earth/sand or clean inert material that is free of contaminates, organic material, putrescible or refuse matter, or any other deleterious matter.
5. The approved boundary wall and footings adjacent to the boundary must be constructed wholly within the subject allotment. Prior to occupation of the development, the external surface of the boundary wall must be finished to a professional standard to complement development on the adjoining lot, to the satisfaction of the City of Kalamunda.
6. The Service station, Motor vehicle repair and Recreation – Private (gym) must be constructed with the finished floor level matching the approved plans. Any proposed cut and fill to the site does not form part of this development approval and if required, amended plans must be submitted to the City of Kalamunda for approval.
7. For the duration of development, car parking areas must always be available for their intended purpose and must not be used for any alternative purpose at any time.
8. The applicant must comply with all the recommendations provided in the Environmental Noise Assessment submitted as part of the development application for the duration of the development. The noise mitigation and management measures discussed in the conclusion must be implemented in perpetuity, to the satisfaction of the City of Kalamunda
9. Signs and on-site advertising must not include reflective, flashing, chasing or pulsating lights and must not have such intensity as to cause annoyance to the public or illuminate beyond the extent of the lot boundaries for the duration of the development to the satisfaction of the City of Kalamunda.
10. Prior to the lodgement of a building permit, arrangements being made to the satisfaction of the City of Kalamunda to ensure that a Cost Contribution will be made towards the Infrastructure Cost Sharing Arrangement for Cell 9 pursuant to the City of Kalamunda Local Planning Scheme No. 3.
11. Prior to the lodgement of a building permit, a Construction Management Plan must be prepared by the landowner/applicant and approved, to the satisfaction of the City of Kalamunda. The Construction Management Plan shall detail how the construction of the development will be maintained including the following:
 - i. Public safety and security;
 - ii. Hours of construction;
 - iii. Dust management plan
 - iv. Toilet facilities for construction workers;
 - v. Protection of public infrastructure;
 - vi. How materials and equipment will be delivered, stored and removed from the site;
 - vii. Parking arrangements for staff, contractors and visitors;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- viii. Construction Waste disposal strategy and location of waste disposal bins;
- ix. Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction, and how they are to be managed;
- x. How dust, noise, erosion, lighting and environmental hazards and will be managed during the stages of construction;
- xi. Complaint management procedure; and
- xii. Other matters likely to impact on surrounding property owners.

The approved Construction Management Plan must be implemented prior to the commencement of works and thereafter maintained for the duration of works, to the satisfaction of the City of Kalamunda.

12. Prior to lodgement of a building permit, the applicant/landowner must submit, and have approved by the City of Kalamunda, detailed information relating to external finishes and colour schemes. Prior to the occupation of the development the approved external finishes and colour schemes must be implemented to the satisfaction of the City of Kalamunda and maintained for the duration of the development.
13. Prior to lodgement of a building permit, a Waste Management Plan must be prepared by the landowner and approved to the satisfaction of the City of Kalamunda. The Waste Management Plan must include the following detail to the satisfaction of the City of Kalamunda:
 - (i) The location of the bin storage areas and bin collection areas (all storage and loading areas must be screened from the streetscape).
 - (ii) The number, volume and type of bins, and the type of waste to be placed in the bins.
 - (iii) Management of the bins and the bin storage areas, including cleaning rotation and moving bins to and from the bin collection areas; and
 - (iv) Frequency of bin collections.
 - (v) Appropriate traffic management measures to mitigate conflicts between private vehicles and waste collection vehicles.
 - (vi) Other matters likely to impact on surrounding property owners.

The approved Waste Management Plan is to be implemented for the duration of the development by the landowner to the satisfaction of the City of Kalamunda.

14. Prior to lodgement of a building permit, the applicant must submit, and have approved by the City of Kalamunda, an External Lighting Plan, in accordance with the following criteria:
 - (i) Detailing lighting to internal driveways, carparks, pathways, areas of open space.
 - (ii) All lighting must be designed and installed so that as far as reasonably possible, by way of hooding and orientation, minimal light will be cast onto any adjoining property.
 - (iii) Lighting must not cause a nuisance to adjoining residents or the travelling public and must comply at all times with the requirements stipulated under the Australian Standard 4282-1997 (Control of the obtrusive effects of outdoor lighting).

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (iv) Have regard to the WAPC Dark sky and astrotourism Position Statement (January 2022).
- (v) Other details as required by the City to mitigate light spill impacts upon surrounding property owners.

Prior to occupation, the approved lighting plan must be implemented and the constructed lighting thereafter maintained for the duration of the development to the satisfaction of the City of Kalamunda.

- 15. Prior to applying for a building permit, engineering drawings for the modifications of Hale Road are to be submitted to and approved to the satisfaction of the City of Kalamunda. Prior to occupation of the development, all works are to be completed at the cost of the applicant / landowner in accordance with the approved engineering drawings as per advice and recommendation of Transport Impact Assessment and to the specification and satisfaction of the City of Kalamunda.
- 16. Prior to the lodgement of a Occupancy Permit, the applicant is to submit, and have approved by the City of Kalamunda, a Signage Plan.

The approved signage plan is to be implemented prior to occupation of the development and thereafter maintained for the duration of the development to the satisfaction of the City of Kalamunda.

- 17. Prior to occupation of the development, the landowner must locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining properties or otherwise on display from any public vantage point:
 - i. Refuse storage areas.
 - ii. Service equipment.
 - iii. Mechanical ventilation.
 - iv. Refrigeration units.
- 18. Prior to the lodgement of a Occupancy Permit, the landowner/applicant contributing towards public art, pursuant to City of Kalamunda Local Planning Policy 26.
- 19. Prior to the lodgement of a Occupancy Permit, all car parking areas must meet the following requirements:
 - (i) The provision and maintenance of a minimum of 111 car parking spaces, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off street car parking;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (ii) The provision and maintenance car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off street parking for people with disabilities and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1 2009, Design for access and mobility, Part 1: General Requirements for access New building work;
 - (iii) Vehicle parking, manoeuvring and circulation areas are to be suitably constructed, sealed, kerbed, line marked and drained to the specification and satisfaction of the City of Kalamunda and Australian Standard AS2890; and
 - (iv) Comply with the above requirements and be maintained to the satisfaction of the City of Kalamunda for the duration of the development.
20. Prior to the lodgement of a Occupancy Permit, all crossovers shall be designed and constructed to the specifications and satisfaction of the City of Kalamunda.
21. Prior to the lodgement of a Occupancy Permit any recommendations of the Transport Impact Assessment must be implemented to the satisfaction of the City of Kalamunda.
22. Prior to the lodgement of a Occupancy Permit for the development, bicycle facilities must be provided in accordance with Australian Standard AS 2890.3 to the satisfaction of the City of Kalamunda. The facilities shall thereafter be retained for the duration of the development.
23. Prior to the lodgement of an Occupancy Permit of each individual facility in the development end of trip facilities must be provided for the benefit of respective facility staff. End of trip facilities are to be designed in accordance with the following criteria:
- (i) A locker of functional and suitable size to be provided for every bicycle parking bay provided.
 - (ii) All required end of trip facilities shall be appropriately located to ensure easy access from bicycle parking areas.
 - (iii) All end of trip facilities are required to be designed in accordance with the relevant Australian standards and Building Codes including universal access.

Eugene Koltasz
Presiding Member, Metro Outer DAP



24. Prior to the lodgement of a Occupancy Permit, submit to the City of Kalamunda for approval a detailed landscape plan to landscape the subject site in the areas shown on the below listed plans.

Plan No.	Rev.	Title	Date	Prepared by
L-1100	03	Landscape Planting Plan	8.10.25	Bella Build and Design

The landscape plan must include the following:

- i. Tree species must be a minimum bag size of 90L at the time of planting and include the following mix:
 - *Eucalyptus drummondii*
 - *Eucalyptus erythrocorys*
 - *Eucalyptus laeliae*
 - *Eucalyptus lane-poolei*
 - *Eucalyptus stricklandii*
 - *Corymbia eximia* 'Nana'
 - *Pistacia chinensis* (DPIRD SPHB low)
 - *Cupaniopsis anacardioides* (Tuckeroo)
- ii. Shrub species must be a minimum 175mm pot size at the time of planting.
- iii. Ground cover planting should aim for a 4 plants/m².
- iv. Planting to drainage areas should include a biofiltration mix.
- v. Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed (soil cells). Full demonstration of these systems is required.

Once approved, all landscaping noted in the approved Landscaping Plan must be plated prior to occupation of the development and maintained thereafter, to the satisfaction of the City of Kalamunda.

Any species which fail to establish within the first two planting seasons following implementation must be replaces at the landowners cost to the satisfaction of the City of Kalamunda.

Advice Notes

1. In regard to condition 10, the Applicant is advised Cell 9 Infrastructure Cost Sharing Arrangement (ICSA) currently attracts a development contribution of \$24,565 per residential lot created (November 2024). Where commercial development is proposed, the dwelling yield of the subject site applies. The ICSA currently forecasts a lot yield of 20 lots for the subject site.
2. In regards to Public Art, the City of Kalamunda's Local Planning Policy 26 (Public Art Contributions) provides a concise and documented procedure for public art contributions to provide for consistent management and transparent process by the City.

Eugene Koltasz
Presiding Member, Metro Outer DAP



3. In regards to Public Art, the landowners are advised that a public art contribution of \$80,000 applies to this approval, which can be provided through either a public art contribution within the subject site or within a public area within the vicinity of the subject site equal to \$80,000, or alternatively the provision of a \$80,000 as in lieu payment to the City of Kalamunda's Public Art Fund. The method of contribution is at the discretion of the landowner.
4. A building permit is required prior to the commencement of works on site.
5. In regard to condition 15, Please submit modified pavement marking plans to Main Roads WA for approval and implementation.
6. The operation/development is to comply with the Environmental Protection (Noise) Regulations 1997.
7. This development approval does not authorise the erection of any signage not exempt by Schedule 5 (Exempted advertisements) of the City of Kalamunda Local Planning Scheme No. 3.
8. Prior to occupation any damages to public assets arising during the development activity are to be repaired and restored in accordance with the "Local Government Guidelines for Restoration and Reinstatement in WA" and to the satisfaction of the City of Kalamunda.
9. The applicant is advised to manage and minimise erosion and sediment loss during the works and after completion in accordance with the Eastern Metropolitan Regional Council's policy 5.1.2 "Erosion and Sediment Control".
10. The applicant is required to manage noise and vibration during the works in accordance with Australian Standard AS 2436 "Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites".
11. A Traffic Management Plan (TMP) is required for any works in the road reserve or impacting the road reserve. Submit a TMP in accordance with Main Roads WA's Traffic Management for Works on Roads Code of Practice, to the City. For non-complex TMPs submit the TMP at least 14 calendar days before commencing work, and for complex TMPs a minimum of 21 days before commencing work. The Traffic Management Plan must be approved before work impacting the road reserve can commence.
12. The applicant is reminded of their obligations to comply with the "Land development sites and impacts on air quality: a guideline for the prevention of dust and smoke pollution from land development sites in Western Australia", prepared by the Department of Water and Environment Regulation.

Eugene Koltasz
Presiding Member, Metro Outer DAP



13. The landowners required to apply for Registration of a Food Business accompanied with the appropriate registration fee a minimum of two weeks prior to commencing operation. The Application must include floor plans and elevations of the kitchen and bar areas detailing all fixtures, fittings and finishes to the City's Health Service so that assessment may be made against the requirements of the Food Standards Code and advice can be provided before commencing construction. Such advice will aid in preventing expense and delays caused by the possible need to rectify structural non-compliances at the time of completion.
14. The landowner must book a food premises inspection with the City of Kalamunda's Health Service prior to commencing operations. The premise must meet all requirements and pass the inspection without requiring any corrective actions before it will be allowed to trade.
15. The landowners are advised that the food premises must comply with the Food Act 2008 and Food Standards Code. Further advice on these requirements is available from the City of Kalamunda's Health Service on 9257 9813.
16. The applicant is reminded of their obligation to comply with all regulatory and licencing requirements associated with the service station. This includes dangerous goods licencing, safety requirements, and environmental protection requirements such as bunding and stormwater retention and treatment.

AMENDING MOTION 1

Moved by: Clayton Higham

Seconded by: Mayor Margaret Thomas

That a new Condition No. 25 be added to read as follows:

Openings facing the public open space must provide a minimum 50% visual permeability for the duration of the development to the satisfaction of the City of Kalamunda.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure that the frontage to the open space at the rear of the gym remains interactive with the activity within the gym.

Eugene Koltasz
Presiding Member, Metro Outer DAP



SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Outer Development Panel resolves to:

Approve DAP Application reference DAP/25/02890 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 10.4 of the City of Kalamunda Local Planning Scheme No. 3, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. For the duration of the development, the development being carried out in accordance with the plan(s)/drawing(s) and document(s) (including any recommendations made) listed below, including any amendments to those plans as shown in red, to the satisfaction of the City of Kalamunda.

Plan No	Rev.	Title	Date	Prepared by
DA02	F	Proposed Conceptual Site Plan	10.10.25	Hodge Collard Preston Architects
DA02a	F	Proposed Site Plan Structure Plan Overlaid	10.10.25	Hodge Collard Preston Architects
DA03	F	Proposed Site Plan with tracking	10.10.25	Hodge Collard Preston Architects
DA04	F	Proposed Auto Floor Plan	10.10.25	Hodge Collard Preston Architects
DA05	F	Proposed Fuel Station Floor Plan	10.10.25	Hodge Collard Preston Architects
DA06	F	Proposed Gym Floor Plan	10.10.25	Hodge Collard Preston Architects
DA07	F	Proposed Elevation Auto	10.10.25	Hodge Collard Preston Architects
DA08	F	Proposed Elevation Fuel Station	10.10.25	Hodge Collard Preston Architects
DA09	F	Proposed Elevation & Section Gym & Tenancy	10.10.25	Hodge Collard Preston Architects
C1	B	Stormwater Drainage Plan and Details	8.10.25	JCCE
C2	B	Stormwater Drainage Details	8.10.25	JCCE
		Spillceptor (8 pages)		Atlan Stormwater
P191373	2	Environmental Noise Impact	31 August 2025	Reverberate Consulting
t24.265	01a	Transport Impact Assessment	October 2025	Transcore

Eugene Koltasz

Eugene Koltasz
Presiding Member, Metro Outer DAP



3. For the duration of development, all stormwater drainage from roofed and paved areas being disposed of to the specification outlined in the approved Drainage Plan and to the satisfaction of the City of Kalamunda.
4. For the duration of works, fill brought to the site must be clean, and solid earth/sand or clean inert material that is free of contaminates, organic material, putrescible or refuse matter, or any other deleterious matter.
5. The approved boundary wall and footings adjacent to the boundary must be constructed wholly within the subject allotment. Prior to occupation of the development, the external surface of the boundary wall must be finished to a professional standard to complement development on the adjoining lot, to the satisfaction of the City of Kalamunda.
6. The Service station, Motor vehicle repair and Recreation – Private (gym) must be constructed with the finished floor level matching the approved plans. Any proposed cut and fill to the site does not form part of this development approval and if required, amended plans must be submitted to the City of Kalamunda for approval.
7. For the duration of development, car parking areas must always be available for their intended purpose and must not be used for any alternative purpose at any time.
8. The applicant must comply with all the recommendations provided in the Environmental Noise Assessment submitted as part of the development application for the duration of the development. The noise mitigation and management measures discussed in the conclusion must be implemented in perpetuity, to the satisfaction of the City of Kalamunda
9. Signs and on-site advertising must not include reflective, flashing, chasing or pulsating lights and must not have such intensity as to cause annoyance to the public or illuminate beyond the extent of the lot boundaries for the duration of the development to the satisfaction of the City of Kalamunda.
10. Prior to the lodgement of a building permit, arrangements being made to the satisfaction of the City of Kalamunda to ensure that a Cost Contribution will be made towards the Infrastructure Cost Sharing Arrangement for Cell 9 pursuant to the City of Kalamunda Local Planning Scheme No. 3.
11. Prior to the lodgement of a building permit, a Construction Management Plan must be prepared by the landowner/applicant and approved, to the satisfaction of the City of Kalamunda. The Construction Management Plan shall detail how the construction of the development will be maintained including the following:
 - i. Public safety and security;
 - ii. Hours of construction;
 - iii. Dust management plan
 - iv. Toilet facilities for construction workers;
 - v. Protection of public infrastructure;
 - vi. How materials and equipment will be delivered, stored and removed from the site;
 - vii. Parking arrangements for staff, contractors and visitors;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- viii. Construction Waste disposal strategy and location of waste disposal bins;
- ix. Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction, and how they are to be managed;
- x. How dust, noise, erosion, lighting and environmental hazards and will be managed during the stages of construction;
- xi. Complaint management procedure; and
- xii. Other matters likely to impact on surrounding property owners.

The approved Construction Management Plan must be implemented prior to the commencement of works and thereafter maintained for the duration of works, to the satisfaction of the City of Kalamunda.

- 12. Prior to lodgement of a building permit, the applicant/landowner must submit, and have approved by the City of Kalamunda, detailed information relating to external finishes and colour schemes. Prior to the occupation of the development the approved external finishes and colour schemes must be implemented to the satisfaction of the City of Kalamunda and maintained for the duration of the development.
- 13. Prior to lodgement of a building permit, a Waste Management Plan must be prepared by the landowner and approved to the satisfaction of the City of Kalamunda. The Waste Management Plan must include the following detail to the satisfaction of the City of Kalamunda:
 - (i) The location of the bin storage areas and bin collection areas (all storage and loading areas must be screened from the streetscape).
 - (ii) The number, volume and type of bins, and the type of waste to be placed in the bins.
 - (iii) Management of the bins and the bin storage areas, including cleaning rotation and moving bins to and from the bin collection areas; and
 - (iv) Frequency of bin collections.
 - (v) Appropriate traffic management measures to mitigate conflicts between private vehicles and waste collection vehicles.
 - (vi) Other matters likely to impact on surrounding property owners.

The approved Waste Management Plan is to be implemented for the duration of the development by the landowner to the satisfaction of the City of Kalamunda.

- 14. Prior to lodgement of a building permit, the applicant must submit, and have approved by the City of Kalamunda, an External Lighting Plan, in accordance with the following criteria:
 - (i) Detailing lighting to internal driveways, carparks, pathways, areas of open space.
 - (ii) All lighting must be designed and installed so that as far as reasonably possible, by way of hooding and orientation, minimal light will be cast onto any adjoining property.
 - (iii) Lighting must not cause a nuisance to adjoining residents or the travelling public and must comply at all times with the requirements stipulated under

Eugene Koltasz
Presiding Member, Metro Outer DAP



- the Australian Standard 4282-1997 (Control of the obtrusive effects of outdoor lighting).
- (iv) Have regard to the WAPC Dark sky and astrotourism Position Statement (January 2022).
 - (v) Other details as required by the City to mitigate light spill impacts upon surrounding property owners.

Prior to occupation, the approved lighting plan must be implemented and the constructed lighting thereafter maintained for the duration of the development to the satisfaction of the City of Kalamunda.

- 15. Prior to applying for a building permit, engineering drawings for the modifications of Hale Road are to be submitted to and approved to the satisfaction of the City of Kalamunda. Prior to occupation of the development, all works are to be completed at the cost of the applicant / landowner in accordance with the approved engineering drawings as per advice and recommendation of Transport Impact Assessment and to the specification and satisfaction of the City of Kalamunda.
- 16. Prior to the lodgement of a Occupancy Permit, the applicant is to submit, and have approved by the City of Kalamunda, a Signage Plan.

The approved signage plan is to be implemented prior to occupation of the development and thereafter maintained for the duration of the development to the satisfaction of the City of Kalamunda.

- 17. Prior to occupation of the development, the landowner must locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining properties or otherwise on display from any public vantage point:
 - i. Refuse storage areas.
 - ii. Service equipment.
 - iii. Mechanical ventilation.
 - iv. Refrigeration units.
- 18. Prior to the lodgement of a Occupancy Permit, the landowner/applicant contributing towards public art, pursuant to City of Kalamunda Local Planning Policy 26.
- 19. Prior to the lodgement of a Occupancy Permit, all car parking areas must meet the following requirements:
 - (i) The provision and maintenance of a minimum of 111 car parking spaces, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off street car parking;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (ii) The provision and maintenance car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off street parking for people with disabilities and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1 2009, Design for access and mobility, Part 1: General Requirements for access New building work;
 - (iii) Vehicle parking, manoeuvring and circulation areas are to be suitably constructed, sealed, kerbed, line marked and drained to the specification and satisfaction of the City of Kalamunda and Australian Standard AS2890; and
 - (iv) Comply with the above requirements and be maintained to the satisfaction of the City of Kalamunda for the duration of the development.
20. Prior to the lodgement of a Occupancy Permit, all crossovers shall be designed and constructed to the specifications and satisfaction of the City of Kalamunda.
21. Prior to the lodgement of a Occupancy Permit any recommendations of the Transport Impact Assessment must be implemented to the satisfaction of the City of Kalamunda.
22. Prior to the lodgement of a Occupancy Permit for the development, bicycle facilities must be provided in accordance with Australian Standard AS 2890.3 to the satisfaction of the City of Kalamunda. The facilities shall thereafter be retained for the duration of the development.
23. Prior to the lodgement of an Occupancy Permit of each individual facility in the development end of trip facilities must be provided for the benefit of respective facility staff. End of trip facilities are to be designed in accordance with the following criteria:
- (i) A locker of functional and suitable size to be provided for every bicycle parking bay provided.
 - (ii) All required end of trip facilities shall be appropriately located to ensure easy access from bicycle parking areas.
 - (iii) All end of trip facilities are required to be designed in accordance with the relevant Australian standards and Building Codes including universal access.

Eugene Koltasz
Presiding Member, Metro Outer DAP



24. Prior to the lodgement of a Occupancy Permit, submit to the City of Kalamunda for approval a detailed landscape plan to landscape the subject site in the areas shown on the below listed plans.

Plan No.	Rev.	Title	Date	Prepared by
L-1100	03	Landscape Planting Plan	8.10.25	Bella Build and Design

The landscape plan must include the following:

- i. Tree species must be a minimum bag size of 90L at the time of planting and include the following mix:
 - *Eucalyptus drummondii*
 - *Eucalyptus erythrocorys*
 - *Eucalyptus laeliae*
 - *Eucalyptus lane-poolei*
 - *Eucalyptus stricklandii*
 - *Corymbia eximia* 'Nana'
 - *Pistacia chinensis* (DPIRD SPHB low)
 - *Cupaniopsis anacardioides* (Tuckeroo)
- ii. Shrub species must be a minimum 175mm pot size at the time of planting.
- iii. Ground cover planting should aim for a 4 plants/m².
- iv. Planting to drainage areas should include a biofiltration mix.
- v. Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed (soil cells). Full demonstration of these systems is required.

Once approved, all landscaping noted in the approved Landscaping Plan must be plated prior to occupation of the development and maintained thereafter, to the satisfaction of the City of Kalamunda.

Any species which fail to establish within the first two planting seasons following implementation must be replaces at the landowners cost to the satisfaction of the City of Kalamunda.

25. Openings facing the public open space must provide a minimum 50% visual permeability for the duration of the development to the satisfaction of the City of Kalamunda.

Advice Notes

1. In regard to condition 10, the Applicant is advised Cell 9 Infrastructure Cost Sharing Arrangement (ICSA) currently attracts a development contribution of \$24,565 per residential lot created (November 2024). Where commercial development is proposed, the dwelling yield of the subject site applies. The ICSA currently forecasts a lot yield of 20 lots for the subject site.

Eugene Koltasz
Presiding Member, Metro Outer DAP



2. In regards to Public Art, the City of Kalamunda's Local Planning Policy 26 (Public Art Contributions) provides a concise and documented procedure for public art contributions to provide for consistent management and transparent process by the City.
3. In regards to Public Art, the landowners are advised that a public art contribution of \$80,000 applies to this approval, which can be provided through either a public art contribution within the subject site or within a public area within the vicinity of the subject site equal to \$80,000, or alternatively the provision of a \$80,000 as in lieu payment to the City of Kalamunda's Public Art Fund. The method of contribution is at the discretion of the landowner.
4. A building permit is required prior to the commencement of works on site.
5. In regard to condition 15, Please submit modified pavement marking plans to Main Roads WA for approval and implementation.
6. The operation/development is to comply with the Environmental Protection (Noise) Regulations 1997.
7. This development approval does not authorise the erection of any signage not exempt by Schedule 5 (Exempted advertisements) of the City of Kalamunda Local Planning Scheme No. 3.
8. Prior to occupation any damages to public assets arising during the development activity are to be repaired and restored in accordance with the "Local Government Guidelines for Restoration and Reinstatement in WA" and to the satisfaction of the City of Kalamunda.
9. The applicant is advised to manage and minimise erosion and sediment loss during the works and after completion in accordance with the Eastern Metropolitan Regional Council's policy 5.1.2 "Erosion and Sediment Control".
10. The applicant is required to manage noise and vibration during the works in accordance with Australian Standard AS 2436 "Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites".
11. A Traffic Management Plan (TMP) is required for any works in the road reserve or impacting the road reserve. Submit a TMP in accordance with Main Roads WA's Traffic Management for Works on Roads Code of Practice, to the City. For non-complex TMPs submit the TMP at least 14 calendar days before commencing work, and for complex TMPs a minimum of 21 days before commencing work. The Traffic Management Plan must be approved before work impacting the road reserve can commence.

Eugene Koltasz
Presiding Member, Metro Outer DAP



12. The applicant is reminded of their obligations to comply with the “Land development sites and impacts on air quality: a guideline for the prevention of dust and smoke pollution from land development sites in Western Australia”, prepared by the Department of Water and Environment Regulation.
13. The landowners required to apply for Registration of a Food Business accompanied with the appropriate registration fee a minimum of two weeks prior to commencing operation. The Application must include floor plans and elevations of the kitchen and bar areas detailing all fixtures, fittings and finishes to the City’s Health Service so that assessment may be made against the requirements of the Food Standards Code and advice can be provided before commencing construction. Such advice will aid in preventing expense and delays caused by the possible need to rectify structural non-compliances at the time of completion.
14. The landowner must book a food premises inspection with the City of Kalamunda’s Health Service prior to commencing operations. The premise must meet all requirements and pass the inspection without requiring any corrective actions before it will be allowed to trade.
15. The landowners are advised that the food premises must comply with the Food Act 2008 and Food Standards Code. Further advice on these requirements is available from the City of Kalamunda’s Health Service on 9257 9813.
16. The applicant is reminded of their obligation to comply with all regulatory and licencing requirements associated with the service station. This includes dangerous goods licencing, safety requirements, and environmental protection requirements such as bunding and stormwater retention and treatment

The Substantive Motion (as amended) was put and CARRIED UNANIMOUSLY.

REASON: The Panel was satisfied that the proposed mixed-use development is consistent with the two zonings for the site under Local Planning Scheme No 3 and the uses under Cell 9 Wattle Grove Structure Plan.

The Panel noted that the built form was generally supported by the City’s Design Review Panel (DRP) and concurred with the DRP in its second review that the final design was an improvement on the earlier design. The interface with the proposed gym is a positive outcome and the introduction of passive surveillance to the adjoining POS from the gym is supported.

The Panel supported the parking shortfall variation based on the reciprocal parking with the uses due to differing peak hours of operation.

The application was supported by a number of technical reports which the Panel noted and was satisfied that their recommendations and conditions imposed on the approval are unlikely to result in any adverse impacts on the amenity of surrounding properties and the locality.

Eugene Koltasz
Presiding Member, Metro Outer DAP



4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Mayor Margaret Thomas and Cr Kathy Ritchie (Local Government DAP Members, City of Kalamunda) left the panel at 10.31am.

A handwritten signature in cursive script that reads "Eugene Koltasz".

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART D – CITY OF MANDURAH

Cr Ryan Burns (Local Government DAP Member, City of Mandurah) joined the panel at 10.32am.

1. Declaration of Due Consideration

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

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

3.1 Lot 3 (54-64) Lakes Road, Greenfields - Proposed Medical Centre, Pharmacy and Café – DAP/24/02790

Deputations

Belle Smithies (Rowe Group) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Mitch Allen responded to questions from the panel at Item 3.1.

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

SUBSTANTIVE MOTION

Moved by: Cr Ryan Burns

Seconded by: Eugene Koltasz

With the agreement of the mover and seconder the following amendments were made:

- (i) That Advice Note No. 3 be amended to read as follows:

With reference to Condition 3 4 and Condition 15 future development within the precinct may affect traffic and access arrangements to the development. The City may seek a contribution of the construction value of the traffic modifications required for this development, where the construction value is determined at the time of Building Application lodgement. A Deed of agreement outlining the contributions, timing of the delivery of intersection upgrades and other conditions should be entered into with all parties, including the City of Mandurah.

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (ii) That Advice Note No. 4 be amended to read as follows:

With reference to Condition 4 5 the following species in the landscaping plan are host species for the Polyphagous shot hole borer:

- *Liquidamber styraciflua* — host species
- *Zelkova serrata* — host species

It is recommended local endemic tree species be planted to provide value to Black Cockatoos. The updated landscape management plan is to be prepared in consideration of the requirements of the Bushfire Management Plan.

That the Metro Outer Development Panel resolves to:

1. **Accept** that the DAP Application reference DAP/24/02790 is appropriate for consideration as a Medical Centre, Pharmacy and Cafe land use and compatible with the objectives of the zoning table in accordance with Clause 3.3.6 of the City of Mandurah Local Planning Scheme No. 12.
2. **Approve** DAP Application reference DAP/24/02790 and accompanying Plan No.'s. DA010, DA011, DA012, DA013, DA100, DA101, DA102, DA103, DCA104, DA105, DA200, DA201, DA220, DA221, DA300 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of Clause 3.3.6 of the City Mandurah Local Planning Scheme No. 12.

Conditions:

1. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The development shall be conducted and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah.
3. A vehicle and pedestrian access link shall be provided from the northern internal access and car park to the northern lot boundary to the satisfaction of the City of Mandurah.
4. Prior to the commencement of site works, engineering construction designs for vehicle access to the development from Lakes Road are to be submitted to the specification and satisfaction of the City of Mandurah. Unless otherwise approved by the City of Mandurah, the development must construct the intersection which will include the provision of a left in slip lane from the north, right turn slip lane from the south, vehicle storage in the median and associated road widening.

Eugene Koltasz
Presiding Member, Metro Outer DAP



5. Prior to the commencement of site works, an updated landscaping and irrigation plan for the subject site and road verge(s) must be submitted to and be approved by the City of Mandurah. The plan, once approved, shall be implemented and maintained to the satisfaction of the City of Mandurah.
6. Prior to the commencement of site works, trees identified for removal shall be inspected for hollows and nesting fauna prior to the removal. Should fauna be present, a qualified fauna removal expert shall be engaged to remove and relocate the fauna to the satisfaction of the City of Mandurah.
7. Prior to the commencement of site works, a Construction Management Plan shall be submitted to and be approved by the City of Mandurah. The Plan must detail how the site will be managed during and after works are completed, to minimise issues associated with dust/sand, erosion, noise, vibration, traffic and general construction issues. The approved plan must thereafter be implemented to the satisfaction of the City of Mandurah.
8. Prior to the commencement of site works, an updated stormwater and drainage plan must be submitted to and be approved by the City of Mandurah. The plan is to demonstrate all stormwater from roofed and paved areas being collected and disposed of on-site in landscaped areas in accordance with water sensitive design principles.
9. All recommendations contained in the Bushfire Management Plan prepared by Western Environment dated 21 October 2024 and approved by the City of Mandurah are required to be implemented prior to occupancy and for the duration of the development.
10. The development shall be constructed and operated in accordance with the requirements detailed in the Lakes Specialist Centre Acoustic Report Development Application prepared by Benjamin Matis & Jason Lim dated 18 September 2024.
11. Prior to construction, an acoustic assessment shall be undertaken by a suitably qualified person to assess the suitability of design and location of mechanical plant. All recommendations relating to design, location and noise attenuation measures such as acoustic screening must be submitted to and approved by the City of Mandurah. Any recommendations must thereafter be implemented to the satisfaction of the City of Mandurah.
12. Prior to the installation or construction of any signage on site, a Signage Strategy shall be prepared and submitted and be approved by the City of Mandurah. Once the Signage Strategy has been approved signage shall then be installed in accordance with the approved Signage Strategy.
13. Prior to occupancy, the proposed development shall be connected to sewer to the satisfaction of the City of Mandurah.
14. Prior to occupancy, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading, staff and disabled bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.

Eugene Koltasz
Presiding Member, Metro Outer DAP



15. Prior to occupancy, the vehicle access to the site, including left in slip lane, right turn slip lane, median storage and associated road widening is to be constructed to the specification and satisfaction of the City of Mandurah. Once constructed, the vehicle cross over shall be maintained at all times to the satisfaction of the City of Mandurah. During construction, the existing landscaping, footpaths, infrastructure, and associated paved areas within the road reserve shall be protected and/or reinstated to the satisfaction of the City of Mandurah.
16. Prior to occupancy redundant crossovers shall be removed and the verge and kerb reinstated to the specification and satisfaction of the City of Mandurah.
17. Prior to occupancy, an acoustic verification report shall be provided to the City of Mandurah, by a suitably qualified person demonstrating that the "as constructed" Specialist Medical Centre complies with the acoustic building standards required by the acoustic assessment and report prepared titled Lakes Specialist Centre Acoustic Report Development Application prepared by Benjamin Matis & Jason Lim dated 18 September 2024.
18. The trees identified on the site plan as being retained shall be protected through construction and beyond unless otherwise agreed in writing by the City of Mandurah.
19. All services (e.g. air conditioners, water meters, hot water storage systems) shall be integrated into the building design and/or screened from surrounding properties to the satisfaction of the City of Mandurah.
20. Security, building, signage and carpark lighting must be located, designed and installed to prevent excess light spillage from the development. Reference should be made to AS4282 Control of the obtrusive effects of outdoor lighting and other relevant lighting standards.
21. The approved Waste Management Plan (Ref WMP24061 prepared by Talis Consultants dated 1 October 2024) must be implemented, constructed and thereafter maintained to the satisfaction of the City of Mandurah.
22. All uncovered car parking bays are to be constructed in accordance with Australian Standard AS2890.1 Off-Street Parking Facilities. Any bays adjacent to kerbs or for those bays that are to be used for disabled parking, shall be in accordance with Australian Standards AS1428.1 Design for access and mobility.
23. Waste collection vehicles, deliveries vehicles, forklifts and similar equipment are only permitted between the period of 7:00am to 7:00pm Monday to Saturday and 9:00am and 7:00pm Sundays and Public Holidays, unless otherwise approved by the City of Mandurah. All delivery vehicles must be located within the property boundary and have the engine turned off during loading and unloading of goods associated with the use of the site to the satisfaction of the City of Mandurah.

Eugene Koltasz
Presiding Member, Metro Outer DAP



Advice Notes

1. At the time of the subdivision of Lot 3 (54-64) Lakes Road, land required for future Lakes Road infrastructure upgrade will be required to be ceded free of cost to the Crown.
2. It is strongly recommended that prior to the removal of Black Cockatoo habitat vegetation the application is referred to the Federal Department of Climate Change, Energy, the Environment and Water.
3. With reference to Condition 4 and Condition 15 future development within the precinct may affect traffic and access arrangements to the development. The City may seek a contribution of the construction value of the traffic modifications required for this development, where the construction value is determined at the time of Building Application lodgement. A Deed of agreement outlining the contributions, timing of the delivery of intersection upgrades and other conditions should be entered into with all parties, including the City of Mandurah.
4. With reference to Condition 5 the following species in the landscaping plan are host species for the Polyphagous shot hole borer:
 - Liquidamber styraciflua – host species
 - Zelkova serrata – host species

It is recommended local endemic tree species be planted to provide value to Black Cockatoos. The updated landscape management plan is to be prepared in consideration of the requirements of the Bushfire Management Plan.

AMENDING MOTION 1

Moved by: Eugene Koltasz

Seconded by: Clayton Higham

That Condition No. 3 be amended to read as follows:

Provision shall be made for A vehicle and pedestrian access link ~~shall be provided~~ from the northern internal access ~~and car park~~ to the northern lot boundary to the satisfaction of the City of Mandurah.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: As the proposed pedestrian link is to be between this site and the Peel Health Campus site, yet to be finally planned the condition was amended to ensure sufficient flexibility for future planning.

Eugene Koltasz
Presiding Member, Metro Outer DAP



AMENDING MOTION 2

Moved by: Heidi Herget

Seconded by: Clayton Higham

That a new Condition No. 24 be added to read as follows:

Prior to occupancy the proponents are to submit a parking management plan detailing the management of short- and long-term parking for visitors and staff to the satisfaction of the City of Mandurah.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure that parking on site is appropriately managed and coordinated with the adjoining site approval.

AMENDING MOTION 3

Moved by: Heidi Herget

Seconded by: NIL

That a new Condition No. 25 be added to read as follows:

Prior to issue of a building permit an update transport impact report is to be prepared to the satisfaction of the City of Mandurah.

The Amending Motion LAPSED for want of a seconder.

SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Outer Development Panel resolves to:

1. **Accept** that the DAP Application reference DAP/24/02790 is appropriate for consideration as a Medical Centre, Pharmacy and Cafe land use and compatible with the objectives of the zoning table in accordance with Clause 3.3.6 of the City of Mandurah Local Planning Scheme No. 12.
2. **Approve** DAP Application reference DAP/24/02790 and accompanying Plan No.'s. DA010, DA011, DA012, DA013, DA100, DA101, DA102, DA103, DCA104, DA105, DA200, DA201, DA220, DA221, DA300 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of Clause 3.3.6 of the City Mandurah Local Planning Scheme No. 12.

Conditions:

1. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Eugene Koltasz
Presiding Member, Metro Outer DAP



2. The development shall be conducted and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah.
3. Provision shall be made for a vehicle and pedestrian access link from the northern internal access to the northern lot boundary to the satisfaction of the City of Mandurah.
4. Prior to the commencement of site works, engineering construction designs for vehicle access to the development from Lakes Road are to be submitted to the specification and satisfaction of the City of Mandurah. Unless otherwise approved by the City of Mandurah, the development must construct the intersection which will include the provision of a left in slip lane from the north, right turn slip lane from the south, vehicle storage in the median and associated road widening.
5. Prior to the commencement of site works, an updated landscaping and irrigation plan for the subject site and road verge(s) must be submitted to and be approved by the City of Mandurah. The plan, once approved, shall be implemented and maintained to the satisfaction of the City of Mandurah.
6. Prior to the commencement of site works, trees identified for removal shall be inspected for hollows and nesting fauna prior to the removal. Should fauna be present, a qualified fauna removal expert shall be engaged to remove and relocate the fauna to the satisfaction of the City of Mandurah.
7. Prior to the commencement of site works, a Construction Management Plan shall be submitted to and be approved by the City of Mandurah. The Plan must detail how the site will be managed during and after works are completed, to minimise issues associated with dust/sand, erosion, noise, vibration, traffic and general construction issues. The approved plan must thereafter be implemented to the satisfaction of the City of Mandurah.
8. Prior to the commencement of site works, an updated stormwater and drainage plan must be submitted to and be approved by the City of Mandurah. The plan is to demonstrate all stormwater from roofed and paved areas being collected and disposed of on-site in landscaped areas in accordance with water sensitive design principles.
9. All recommendations contained in the Bushfire Management Plan prepared by Western Environment dated 21 October 2024 and approved by the City of Mandurah are required to be implemented prior to occupancy and for the duration of the development.
10. The development shall be constructed and operated in accordance with the requirements detailed in the Lakes Specialist Centre Acoustic Report Development Application prepared by Benjamin Matis & Jason Lim dated 18 September 2024.

Eugene Koltasz
Presiding Member, Metro Outer DAP



11. Prior to construction, an acoustic assessment shall be undertaken by a suitably qualified person to assess the suitability of design and location of mechanical plant. All recommendations relating to design, location and noise attenuation measures such as acoustic screening must be submitted to and approved by the City of Mandurah. Any recommendations must thereafter be implemented to the satisfaction of the City of Mandurah.
12. Prior to the installation or construction of any signage on site, a Signage Strategy shall be prepared and submitted and be approved by the City of Mandurah. Once the Signage Strategy has been approved signage shall then be installed in accordance with the approved Signage Strategy.
13. Prior to occupancy, the proposed development shall be connected to sewer to the satisfaction of the City of Mandurah.
14. Prior to occupancy, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading, staff and disabled bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.
15. Prior to occupancy, the vehicle access to the site, including left in slip lane, right turn slip lane, median storage and associated road widening is to be constructed to the specification and satisfaction of the City of Mandurah. Once constructed, the vehicle cross over shall be maintained at all times to the satisfaction of the City of Mandurah. During construction, the existing landscaping, footpaths, infrastructure, and associated paved areas within the road reserve shall be protected and/or reinstated to the satisfaction of the City of Mandurah.
16. Prior to occupancy redundant crossovers shall be removed and the verge and kerb reinstated to the specification and satisfaction of the City of Mandurah.
17. Prior to occupancy, an acoustic verification report shall be provided to the City of Mandurah, by a suitably qualified person demonstrating that the “as constructed” Specialist Medical Centre complies with the acoustic building standards required by the acoustic assessment and report prepared titled Lakes Specialist Centre Acoustic Report Development Application prepared by Benjamin Matis & Jason Lim dated 18 September 2024.
18. The trees identified on the site plan as being retained shall be protected through construction and beyond unless otherwise agreed in writing by the City of Mandurah.
19. All services (e.g. air conditioners, water meters, hot water storage systems) shall be integrated into the building design and/or screened from surrounding properties to the satisfaction of the City of Mandurah.
20. Security, building, signage and carpark lighting must be located, designed and installed to prevent excess light spillage from the development. Reference should be made to AS4282 Control of the obtrusive effects of outdoor lighting and other relevant lighting standards.

Eugene Koltasz
Presiding Member, Metro Outer DAP



21. The approved Waste Management Plan (Ref WMP24061 prepared by Talis Consultants dated 1 October 2024) must be implemented, constructed and thereafter maintained to the satisfaction of the City of Mandurah.
22. All uncovered car parking bays are to be constructed in accordance with Australian Standard AS2890.1 Off-Street Parking Facilities. Any bays adjacent to kerbs or for those bays that are to be used for disabled parking, shall be in accordance with Australian Standards AS1428.1 Design for access and mobility.
23. Waste collection vehicles, deliveries vehicles, forklifts and similar equipment are only permitted between the period of 7:00am to 7:00pm Monday to Saturday and 9:00am and 7:00pm Sundays and Public Holidays, unless otherwise approved by the City of Mandurah. All delivery vehicles must be located within the property boundary and have the engine turned off during loading and unloading of goods associated with the use of the site to the satisfaction of the City of Mandurah.
24. Prior to occupancy the proponents are to submit a parking management plan detailing the management of short- and long-term parking for visitors and staff to the satisfaction of the City of Mandurah.

Advice Notes

1. At the time of the subdivision of Lot 3 (54-64) Lakes Road, land required for future Lakes Road infrastructure upgrade will be required to be ceded free of cost to the Crown.
2. It is strongly recommended that prior to the removal of Black Cockatoo habitat vegetation the application is referred to the Federal Department of Climate Change, Energy, the Environment and Water.
3. With reference to Condition 4 and Condition 15 future development within the precinct may affect traffic and access arrangements to the development. The City may seek a contribution of the construction value of the traffic modifications required for this development, where the construction value is determined at the time of Building Application lodgement. A Deed of agreement outlining the contributions, timing of the delivery of intersection upgrades and other conditions should be entered into with all parties, including the City of Mandurah.
4. With reference to Condition 5 the following species in the landscaping plan are host species for the Polyphagous shot hole borer:
 - Liquidamber styraciflua – host species
 - Zelkova serrata – host species

It is recommended local endemic tree species be planted to provide value to Black Cockatoos. The updated landscape management plan is to be prepared in consideration of the requirements of the Bushfire Management Plan.

The Substantive Motion (as amended) was put and CARRIED UNANIMOUSLY.

Eugene Koltasz
Presiding Member, Metro Outer DAP



REASON: The Panel supported the proposed development of a medical centre, pharmacy and café on the site. It is satisfied that the proposed uses are consistent with the City of Mandurah Local Planning Scheme No 12 and the land use provisions of the Mandurah East Structure Plan and the Draft Mandurah Health precinct Structure Plan. All of which designate the uses as permissible or discretionary.

The proposed development is adjacent to the existing Peel health Campus (soon to be substantially expanded) and a recently approved “day hospital” on the adjoining lot on the southern boundary.

The Panel noted, and supported the parking shortfall, given the submitted Traffic Impact Statement assessment, supported by Council technical officers, that demonstrated that the demand for parking is significantly less for specialist medical practitioners than general practitioners that demand is usually calculated for. Also, it was submitted that specialist partitioners will regularly not use their rooms in the complex as they practice at other rooms away from the site. Reciprocal parking was also factored into the parking demand for the pharmacy and café uses.

Overall, the City’s Design Review Panel supported the proposed built form and considered it to be of a high quality and functional design. The Panel also supported this assessment.

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

Nil

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11.16am.

A handwritten signature in cursive script that reads "Eugene Koltasz".

Eugene Koltasz
Presiding Member, Metro Outer DAP