



I

Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 2 October 2025; 9.30am
Meeting Number: MODAP/105
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MODAP/106 - 2 October 2025 - City of Rockingham](#)

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 9001 (No.7) McNicholl Street, Rockingham - Proposed 167 Multiple Dwellings – DAP/25/02923
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

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

Dale Page
Presiding Member, Metro Outer DAP

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DAP Members
Dale Page (Presiding Member)
Eugene Koltasz (Deputy Presiding Member)
Luigi D'Alessandro
Cr Mark Jones (Part B – City of Rockingham)
Cr Dawn Jecks (Part B – City of Rockingham)
DAP Secretariat
Kristen Parker
Ashlee Kelly

Dale Page
Presiding Member, Metro Outer DAP



Officers/Technical Advisors in Attendance
Part B – City of Rockingham
Mike Ross Lindsay Bergsma Tristan Fernandes
Applicant and Submitters
Part B – City of Rockingham
Tim Dawkins (Urbis) Daniel Rainone (Bluerock Projects) Kylee Schoonens (Rothelowman)

Members of the Public / Media

Nil

Observers via livestream

There were 6 persons observing the meeting via the livestream.

Dale Page
Presiding Member, Metro Outer DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at Time on 2 October 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 Lorna Buchan (Local Government Member, City of Rockingham)

3. Noting of Minutes

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



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 9001 (No.7) McNicholl Street, Rockingham - Proposed 167 Multiple Dwellings – DAP/25/02923

Deputations

Tim Dawkins (Urbis) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Daniel Rainone (Bluerock Projects) and Kylee Schoonens (Rothelowman) responded to questions from the panel in relation to the application at Item 3.1.

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

SUBSTANTIVE MOTION

Moved by: Cr Dawn Jecks

Seconded by: Cr Mark Jones

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

Approve DAP Application reference DAP/25/02923 and the accompanying plans in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of clause 68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No. 2, subject to conditions as follows:

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.

Dale Page
Presiding Member, Metro Outer DAP



2. All development must be carried out in accordance with the approved plans, save that, in the event of an inconsistency between the approved plans and a requirement of the conditions set out below, the requirement of the conditions shall prevail.
3. This planning approval relates to all development proposed within the lot boundaries.
4. Prior to development commencing, arrangements must be made to the satisfaction of the City of Rockingham for the landowner/applicant to contribute towards the costs of providing the Administration and Community Infrastructure items pursuant to Clause 5.5.14 of the City of Rockingham Town Planning Scheme No.2.
5. The development must operate in accordance with the Waste Management Plan (Version 1.0) prepared by Talis Consultants, dated 27th May 2025, to the satisfaction of the City of Rockingham for the duration of the development, unless otherwise varied in writing.
6. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineer 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.
7. In accordance with *Local Planning Policy 3.3.25 - Percent for Public Art – Private Developer Contribution*, prior to occupation of the development, the developer shall:
 - (i) Submit to the City of Rockingham for approval an artwork designed by a professional artist at a cost of 1% of the total project cost (being \$360,000), to be located within the subject site in an area which must be publicly visible for the duration of the development;
 - (ii) Enter into a contract with a professional artist/s to design and install the artwork approved by the City of Rockingham; and
 - (iii) Install the artwork prior to occupation of the development and maintain it thereafter to the satisfaction of the City of Rockingham.

Alternatively, the developer shall make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$360,000 in value.
8. Prior to applying for a Building Permit, an Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source, including noise emanating from Licensed Premises, will comply with the *Environmental Protection (Noise) Regulations 1997*, must be submitted to and approved by the City of Rockingham.



9. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to the City's satisfaction, that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*.

The Final Acoustic Assessment must include the following information:

- (a) noise sources compared with the assigned noise levels as stated in the *Environmental Protection (Noise) Regulations 1997*, when the noise is received at the nearest "noise sensitive premises" and surrounding residential area;
- (b) tonality, modulation and impulsiveness of noise sources; and
- (c) confirmation of the implementation of noise attenuation measures.

Any further works must be carried out in accordance with the Acoustic Report and implemented as such for the duration of the development.

10. Floodlighting must not be illuminated after 10:00pm or before 7:00am on any day. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282:2023, *Control of the obtrusive effects of outdoor lighting*, at all times, for the duration of the development.
11. The Multiple Dwellings must be designed, constructed and maintained to BAL- 12.5 as specified in Australian Standard AS3959-2018: *Construction of Buildings in Bushfire-Prone Areas* (AS3959). Prior to issuing a Building Permit, plans must be submitted to the City of Rockingham demonstrating that the building has been designed to the required BAL as specified in AS3959. The building must be maintained in accordance with the specified requirements of the BAL for the duration of the development.
12. Prior to occupation of the Multiple Dwellings, the Asset Protection Zone (APZ), as detailed in the Bushfire Management Plan prepared by Bushfire Prone Planning (Reference No. 241417), dated 26 May 2025, must be installed on the site in accordance with the following requirements:
- (a) maximum Fine Fuel Load of 2 tonnes per hectare;
 - (b) tree trunks at maturity must be a minimum distance of 6 metres from all elevations of the building and tree canopies at maturity must be 5 metres apart;
 - (c) shrubs must not be located within 3 metres of a building;
 - (d) grass must be managed to maintain a height of 100mm or less;
 - (e) fences and sheds must be constructed of non-combustible material; and
 - (f) sheds must not contain flammable materials.

The APZ must be maintained in accordance with these requirements and in a good and safe condition for the duration of the development



13. The carpark must:
- (i) provide 167 car parking spaces onsite;
 - (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 1A of Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-Street car parking* prior to applying for a Building Permit;
 - (iii) provide four (4) 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 2890.6:2022, *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*;
 - (iv) be constructed, sealed, kerbed, drained, illuminated and marked prior to the development being occupied and maintained thereafter; and
 - (v) comply with the above requirements for the duration of the development.
14. Twenty four (24) on-street car parking spaces must be provided along Louise Street and Marks Place.
- The car parking spaces must:
- (i) be designed, constructed, sealed, kerbed, drained and marked in accordance with Australian Standard AS 2890.5—2020, *Parking facilities, Part 5: On-street parking*;
 - (ii) be approved by the City of Rockingham prior to applying for a Building Permit; and
 - (iii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied; and comply with the above requirements for the duration of the development.
15. In accordance with *Local Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities*, 20 short-term bicycle parking spaces and 167 long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3:2015, *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.



16. Prior to the commencement of the development, a pre-works geotechnical report prepared by a suitably qualified person must be submitted to the City of Rockingham for approval and this report must address:
- (a) fill material composition and quality which considers the classification of the site under the Contaminated Sites Act 2003 as remediated for restricted use;
 - (b) any possible impacts on the potentially asbestos containing material below a geotextile warning barrier in the three containment cells onsite; and
 - (c) on-site drainage.
17. Prior to the commencement of development, a Construction Management Plan is to be submitted to and approved by the City of Rockingham. The Construction Management Plan is to address the following:
- (a) Noise Management, demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997*;
 - (b) Dust Management; and
 - (c) Traffic Management.
- The approved Construction Management Plan must be implemented for the duration of the construction period.
18. Engineering civil drawings for works within the development site and within the road reserves of McNicholl Street, Louise Street, Marks Place, Kimba Street and Betano Road must be submitted to the City of Rockingham for approval prior to works commencing on site. All works within the Road Reserve must include:
- (a) inspection of the existing infrastructure surrounding the proposed area of works needs to be identified and documented prior to works commencing. Particular interest is to be paid to the state of the existing road pavements;
 - (b) protection of all existing services in the road reserve for the duration of the works;
 - (c) protecting any existing City streetscape assets along Louise Street, Market Street, Marks Place, Kimbla Street and Betano Road during the construction period. This includes any existing streetscape lighting, grated gully pits, side entry pits, kerbing, footpaths, trees, turf etc. If any damage is caused to the existing assets (identified to be retained), they must be rectified; and
 - (d) and upon completion of the proposed services installation and affected areas in the road reserve shall be reinstated and any damage due to the works must be repaired;

to the satisfaction of the City of Rockingham prior to occupancy of the development.



19. Prior to applying for a Building Permit, a Landscaping Plan to the satisfaction of the City of Rockingham shall 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) any natural landscape areas to be retained;

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.

- (v) those areas to be reticulated or irrigated; and
- (vi) all verge areas to be paved.

The 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 for the duration of the development.

20. Existing street trees adjacent to the development site must be protected throughout the course of the project in accordance with Australian Standard AS 4970:2025 Protection of Trees on Development Sites.
21. The development must be finished in accordance with the colour/material schedule provided, prior to occupation of the development, unless approval in writing is obtained from the City of Rockingham to modify the approved schedule.
22. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels external hot water heaters, air conditioners, shall not be visible from any adjacent street and are designed to integrated with the building and be located so as to not be visually obtrusive, to the satisfaction of the City of Rockingham.
23. Any meter boxes shall be painted the same colour as the wall they are attached to.

Advice Notes

- 1. With respect to Condition 3, it is noted that separate approval is required from the City of Rockingham for any works proposed in the road verge.
- 2. With respect to Condition 16, development works are required to be carried out in accordance with the Ongoing Site Management Plan dated April 2015 (or any more recent versions), and development of an Environmental Management Plan for the construction works is recommended.



3. No excavation may be undertaken in containment cell areas without a task/project specific risk assessment being first undertaken. In the event that the excavation will result in encountering the asbestos contaminated fill, then a health and asbestos management plan must be developed and implemented.
4. The development must comply with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*; the applicant and owner should liaise with the Department of Water and Environmental Regulation in this regard.
5. With respect to Condition 18, it is recommended that a photographic dilapidation report is undertaken by the applicant, to record the current condition of these assets.
6. With respect to Condition 19, pavement treatment external to the site (i.e. verge areas) is to be continued to match the adjoining southern treatment in order to ensure consistency within the locality and be in accordance with the *Rockingham City Centre Streetscape Study (1994)*.

AMENDING MOTION 1

Moved by: Dale Page

Seconded by: Eugene Koltasz

That Condition No. 8 be amended to read as follows:

Prior to applying for a Building Permit, an Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source, ~~including noise emanating from Licensed Premises~~, will comply with the *Environmental Protection (Noise) Regulations 1997*, must be submitted to and approved by the City of Rockingham.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: There are no licensed premises associated with this application, and the wording is therefore not relevant.

AMENDING MOTION 2

Moved by: Dale Page

Seconded by: Eugene Koltasz

That Condition No. 10 be amended to read as follows:

*Floodlighting must not be illuminated after 10:00pm or before 7:00am on any day. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282:2023, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development **to the satisfaction of the City of Rockingham.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

Dale Page
Presiding Member, Metro Outer DAP



REASON: Adherence to this Australian Standard includes the potential for performance solutions, which could give rise to disagreement about whether the Australian Standard is being met. The amended wording makes it clear that the City of Rockingham will determine whether the condition is being complied with.

AMENDING MOTION 3

Moved by: Dale Page

Seconded by: Eugene Koltasz

That Condition No.12(d) be amended to read as follows:

(d) *grass must be managed to maintain a height of 100mm or less;*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: This is to correct a typo and make the requirement clear.

AMENDING MOTION 4

Moved by: Dale Page

Seconded by: Eugene Koltasz

That Condition No.13(ii) be amended to read as follows:

- ii) be designed, ~~constructed, sealed, kerbed, drained and marked~~ in accordance with User Class 1A of Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-Street car parking prior to applying for a Building Permit;

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The amendment corrects an anomaly in point ii) which currently requires construction of the parking prior to a building permit.

SUBSTANTIVE MOTION (AS AMENDED)

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

Approve DAP Application reference DAP/25/02923 and the accompanying plans in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of clause 68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No. 2, subject to conditions as follows:

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.

Dale Page
Presiding Member, Metro Outer DAP



2. All development must be carried out in accordance with the approved plans, save that, in the event of an inconsistency between the approved plans and a requirement of the conditions set out below, the requirement of the conditions shall prevail.
3. This planning approval relates to all development proposed within the lot boundaries.
4. Prior to development commencing, arrangements must be made to the satisfaction of the City of Rockingham for the landowner/applicant to contribute towards the costs of providing the Administration and Community Infrastructure items pursuant to Clause 5.5.14 of the City of Rockingham Town Planning Scheme No.2.
5. The development must operate in accordance with the Waste Management Plan (Version 1.0) prepared by Talis Consultants, dated 27th May 2025, to the satisfaction of the City of Rockingham for the duration of the development, unless otherwise varied in writing.
6. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineer 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.
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 - (i) Submit to the City of Rockingham for approval an artwork designed by a professional artist at a cost of 1% of the total project cost (being \$360,000), to be located within the subject site in an area which must be publicly visible for the duration of the development;
 - (ii) Enter into a contract with a professional artist/s to design and install the artwork approved by the City of Rockingham; and
 - (iii) Install the artwork prior to occupation of the development and maintain it thereafter to the satisfaction of the City of Rockingham.

Alternatively, the developer shall make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$360,000 in value.
8. Prior to applying for a Building Permit, an Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source will comply with the *Environmental Protection (Noise) Regulations 1997*, must be submitted to and approved by the City of Rockingham.



9. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to the City's satisfaction, that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*.

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Any further works must be carried out in accordance with the Acoustic Report and implemented as such for the duration of the development.

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 - (f) sheds must not contain flammable materials.

The APZ must be maintained in accordance with these requirements and in a good and safe condition for the duration of the development



13. The carpark must:
- (i) provide 167 car parking spaces onsite;
 - (ii) be designed in accordance with User Class 1A of Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-Street car parking* prior to applying for a Building Permit;
 - (iii) provide four (4) 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 2890.6:2022, *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*;
 - (iv) be constructed, sealed, kerbed, drained, illuminated and marked prior to the development being occupied and maintained thereafter; and
 - (v) comply with the above requirements for the duration of the development.
14. Twenty four (24) on-street car parking spaces must be provided along Louise Street and Marks Place.
- The car parking spaces must:
- (i) be designed, constructed, sealed, kerbed, drained and marked in accordance with Australian Standard AS 2890.5—2020, *Parking facilities, Part 5: On-street parking*;
 - (ii) be approved by the City of Rockingham prior to applying for a Building Permit; and
 - (iii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied; and comply with the above requirements for the duration of the development.
15. In accordance with *Local Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities*, 20 short-term bicycle parking spaces and 167 long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3:2015, *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.



16. Prior to the commencement of the development, a pre-works geotechnical report prepared by a suitably qualified person must be submitted to the City of Rockingham for approval and this report must address:
- (a) fill material composition and quality which considers the classification of the site under the Contaminated Sites Act 2003 as remediated for restricted use;
 - (b) any possible impacts on the potentially asbestos containing material below a geotextile warning barrier in the three containment cells onsite; and
 - (c) on-site drainage.
17. Prior to the commencement of development, a Construction Management Plan is to be submitted to and approved by the City of Rockingham. The Construction Management Plan is to address the following:
- (a) Noise Management, demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997*;
 - (b) Dust Management; and
 - (c) Traffic Management.
- The approved Construction Management Plan must be implemented for the duration of the construction period.
18. Engineering civil drawings for works within the development site and within the road reserves of McNicholl Street, Louise Street, Marks Place, Kimba Street and Betano Road must be submitted to the City of Rockingham for approval prior to works commencing on site. All works within the Road Reserve must include:
- (a) inspection of the existing infrastructure surrounding the proposed area of works needs to be identified and documented prior to works commencing. Particular interest is to be paid to the state of the existing road pavements;
 - (b) protection of all existing services in the road reserve for the duration of the works;
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 - (d) and upon completion of the proposed services installation and affected areas in the road reserve shall be reinstated and any damage due to the works must be repaired;

to the satisfaction of the City of Rockingham prior to occupancy of the development.



19. Prior to applying for a Building Permit, a Landscaping Plan to the satisfaction of the City of Rockingham shall 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) any natural landscape areas to be retained;

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.

- (v) those areas to be reticulated or irrigated; and
- (vi) all verge areas to be paved.

The 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 for the duration of the development.

20. Existing street trees adjacent to the development site must be protected throughout the course of the project in accordance with Australian Standard AS 4970:2025 Protection of Trees on Development Sites.
21. The development must be finished in accordance with the colour/material schedule provided, prior to occupation of the development, unless approval in writing is obtained from the City of Rockingham to modify the approved schedule.
22. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels external hot water heaters, air conditioners, shall not be visible from any adjacent street and are designed to integrated with the building and be located so as to not be visually obtrusive, to the satisfaction of the City of Rockingham.
23. Any meter boxes shall be painted the same colour as the wall they are attached to.

Advice Notes

- 1. With respect to Condition 3, it is noted that separate approval is required from the City of Rockingham for any works proposed in the road verge.
- 2. With respect to Condition 16, development works are required to be carried out in accordance with the Ongoing Site Management Plan dated April 2015 (or any more recent versions), and development of an Environmental Management Plan for the construction works is recommended.



3. No excavation may be undertaken in containment cell areas without a task/project specific risk assessment being first undertaken. In the event that the excavation will result in encountering the asbestos contaminated fill, then a health and asbestos management plan must be developed and implemented.
4. The development must comply with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*; the applicant and owner should liaise with the Department of Water and Environmental Regulation in this regard.
5. With respect to Condition 18, it is recommended that a photographic dilapidation report is undertaken by the applicant, to record the current condition of these assets.
6. With respect to Condition 19, pavement treatment external to the site (i.e. verge areas) is to be continued to match the adjoining southern treatment in order to ensure consistency within the locality and be in accordance with the *Rockingham City Centre Streetscape Study (1994)*.

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

REASON: This application proposes much-needed accommodation with good diversity in dwelling types, in a location well-suited to higher density housing – close to services and public transport. It meets the objectives and requirements of the draft Precinct Plan and is broadly consistent with the relevant provisions of the R-Codes. The proposal responds well to the 10 design principles in SPP7.0. The buildings are well designed and largely supported by the City's Design Review Panel – minor issues that were raised by the DRP as requiring more attention have been addressed via conditions of approval. The panel acknowledged there were some concerns raised through public consultation on the application but was of the view that these concerns have been responded to appropriately in the RAR and via conditions of approval. The panel agreed the application proposes a high-quality development that aligns with the vision of the precinct plan for this strategic centre.

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Dale Page
Presiding Member, Metro Outer DAP

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PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

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

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/24/02689 DR106/2025	City of Kwinana	Lot 9000 (129) Orton Road, Casuarina	Extractive Industry (Sand)	16/7/2025

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 9.59am.