



Metro Outer Development Assessment Panel Agenda

Meeting Date and Time: Thursday, 8 August 2024; 9:30am
Meeting Number: MODAP/29
Meeting Venue: 140 William Street, Perth
Public Observing: Online

A live stream will be available at the time of the meeting, via the following link:
[8 August 2024 – MODAP/29 – City of Kalamunda – City of Rockingham](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF KALAMUNDA

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 193 (No. 318) & Lot 194 (No. 310) Hale Road, Wattle Grove – Child Care Premises, Medical Centre, Consulting Rooms and Shop (Pharmacy) – DAP/24/02707
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF ROCKINGHAM

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 3022 Morfontaine Parade, Port Kennedy – Proposed Tavern, Brewery and Short Stay Accommodation – DAP/24/02659
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

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

Please note, presentations for each item will be invited prior to the items noted on the agenda and the presentation details will be contained within the related information documentation



ATTENDANCE

DAP Members

Tony Arias (Presiding Member)
Lee O'Donohue (Deputy Presiding Member)
John Syme (Specialist Member)

Part B – City of Kalamunda

Mayor Margaret Thomas (Local Government Member, City of Kalamunda)
Cr Kathy Ritchie (Local Government Member, City of Kalamunda)

Part C – City of Rockingham

Mayor Deb Hamblin (Local Government Member, City of Rockingham)
Cr Dawn Jecks (Local Government Member, City of Rockingham)

Minute Secretary

Laura Simmons (DAP Secretariat)

Officers in Attendance

Ashlee Kelly (DAP Secretariat)



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declares the meeting open and acknowledges the traditional owners and pay respects to Elders past and present of the land on which the meeting is being held.

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

2. Apologies

Nil.

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

Signed minutes of previous meetings are available on the [DAP website](#).



PART B – CITY OF KALAMUNDA

1. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

- 3.1 Lot 193 (No. 318) & Lot 194 (No. 310) Hale Road, Wattle Grove – Child Care Premises, Medical Centre, Consulting Rooms and Shop (Pharmacy) – DAP/24/02707

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Part B – Item 3.1 – Lot 193 (No. 318) & Lot 194 (No. 310) Hale Road, Wattle Grove – Child Care Premises, Medical Centre, Consulting Rooms and Shop (Pharmacy)

Form 1 – Responsible Authority Report
(Regulation 12)

DAP Name:	Metro Outer Development Assessment Panel	
Local Government Area:	City of Kalamunda	
Applicant:	Dynamic Planning and Development	
Owner:	SU ATF SU FAMILY TRUST	
Value of Development:	\$2.3 million	
Responsible Authority:	City of Kalamunda	
Authorising Officer:	Cardia Mariani, A/Manager Approval Services Tracey Cooney Walshe, Statutory Planner	
LG Reference:	DA24/0141	
DAP File No:	DAP/24/02707	
Application Received Date:	8 April 2024	
Report Due Date:	23 July 2024	
Application Statutory Process Timeframe:	90 Days Advertising required in accordance with City's Local Planning Policy 11 - Public Notification – Significant development application.	
Attachment(s):	1. Development Plans 2. Landscape Plan 3. Transport Impact Assessment 4. Environmental Acoustic Assessment 5. Bushfire Assessment (Basic) Report 6. Planning Report & DRP Design Response 7. Submission table	
Is the Responsible Authority Recommendation the same as the Officer Recommendation?	<input type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
	<input checked="" type="checkbox"/> N/A	
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

Responsible Authority Recommendation

That the Metro Outer Development Assessment Panel resolves to:

- Accept** that the DAP Application reference DAP/24/02707 is appropriate for consideration as a “Commercial” land use and compatible with the objectives of the Local Structure plan and zoning table in accordance with Clause 4.2.3 of the City of Kalamunda Local Planning Scheme No. 3;

2. **Approve** DAP Application reference DAP/24/02707 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. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development 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.

Dwg No.	Rev.	Title	Date	Prepared by
A01	5	Proposed Site Plan	12.3.2024	Hodge Collard Preston Architects
A02	D	Proposed Childcare Centre Floor Plan	12.3.2024	Hodge Collard Preston Architects
A03	C	Proposed Commercial Building Floor Plan (Medical Centre & Allied Health)	18.12.2023	Hodge Collard Preston Architects
A04	D	Elevations	12.3.2024	Hodge Collard Preston Architects
-	-	Transport Impact Assessment	March 2024	urbii
-	-	Environmental Acoustic Assessment	July 2024	Herring Storer Acoustics
-	-	BAL Assessment (Basic) Report	18/3/2024	Dynamic Planning

4. The development is permitted to operate in accordance with the days, times and maximum patronage and staff numbers stipulated in the table below:

Use	Days	Hours	Maximum staff & practitioners
Medical Centre	Monday to Friday Saturday	8:00am – 7:00pm 9:00am – 5:00pm	6 practitioners 2 staff
Medical Tenancy	Monday to Friday Saturday	8:00am – 7:00pm 9:00am – 5:00pm	4 practitioners 2 staff
Shop (Pharmacy)	Monday to Friday Saturday Sunday	7:00am – 9:00pm 9:00am – 5:00pm 9:00am – 11:00am	-

Consulting rooms (1) (Dental)	Monday to Friday Saturday	8:00am – 7:00pm 9:00am – 5:00pm	2 practitioners 1 staff
Consulting rooms (2) (Podiatry)	Monday to Friday Saturday	8:00am – 7:00pm 9:00am – 5:00pm	2 practitioners 1 staff
Consulting rooms (3) (Physio etc)	Monday to Friday Saturday	8:00am – 7:00pm 9:00am – 5:00pm	2 practitioners 1 staff
Childcare premises	Monday to Friday	6:00am – 6.30pm	17 staff

5. The development must be constructed with the finished floor level matching the existing natural ground levels. 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.
6. 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
7. 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 contaminants, organic material, putrescible or refuse matter, or any other deleterious matter.
8. For the duration of the development, 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.
9. For the duration of the development, no commercial deliveries must occur outside the hours of 7am and 7pm Monday to Saturday and 9am to 7pm on Sunday.
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 for the following sites:
 - a. Lot 193 (No. 318) Hale Road, Wattle Grove
 - b. Lot 194 (No. 310) Hale Road, Wattle Grove
11. Prior to the lodgement of a building permit, the landowner must submit, and have approved by the City of Kalamunda, detailed information relating to external finishes and colour schemes. Prior to occupation of the development, the approved external finishes and colour schemes are to be implemented to the satisfaction of the City of Kalamunda and maintained for the duration of the development.
12. Prior to the lodgement of a building permit, a Construction Management Plan must be prepared by the landowner/applicant and approved by 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. Traffic management plans during construction, including any proposed road closures;
- iv. Dust management plan
- v. Toilet facilities for construction workers;
- vi. Protection of public infrastructure;
- vii. How materials and equipment will be delivered, stored and removed from the site;
- viii. Dilapidation report of adjoining properties;
- ix. Parking arrangements for staff, contractors and visitors;
- x. Construction waste disposal strategy and location of waste disposal bins;
- xi. Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction, and how they are to be managed;
- xii. How dust, sedimentation, noise, erosion, lighting and environmental hazards and will be managed during the stages of construction;
- xiii. Complaint management procedure; and
- xiv. 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.

13. Prior to the lodgement of a Building Permit, the applicant is to submit, and have approved by the City of Kalamunda, a Traffic Management Plan. Once approved the Traffic Management Plan must be implemented to the satisfaction of the City of Kalamunda.
14. 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.

15. Prior to the lodgement of a Building Permit, the applicant is to 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, carpark, 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).
- iv. Other details as required by the City to mitigate light spill impacts upon surrounding property owners.

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

- 16. Prior to the lodgement of a Building 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 the lodgement of a Building Permit, the applicant is to submit, and have approved by the City of Kalamunda a geotechnical report in accordance with AS 1726 Geotechnical Site Investigations. The approved report is to inform designs such as earthworks, subsoil drainage (if required) and stormwater drainage.
- 18. Prior to the lodgement of a Building Permit, the applicant is to submit, and have approved by the City of Kalamunda a drainage design, prescribing a functional drainage system, including detailed engineering drawings, and necessary technical information to demonstrate functionality of the design. The approved design shall be thereafter implemented to the satisfaction of the City of Kalamunda.
- 19. Prior to applying for a building permit, engineering drawings for the modifications of Hale Road (including but not limited to modifying the sharp nose of the median) 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.
- 20. Prior to occupation of the development, the landowner must contribute towards public art, pursuant to City of Kalamunda Local Planning Policy 26.
- 21. Prior to occupation of the development, lots 193 & 194 Hale Road must be amalgamated into a single lot on a Certificate of Title.
- 22. 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 (including Hale Road and Wimbridge Road]), adjoining properties or otherwise on display from any public vantage point:
 - i. Refuse storage areas;
 - ii. Service equipment;

- iii. Mechanical ventilation;
 - iv. Refrigeration units; and
 - v. Storage areas for machinery, materials, or the like.
23. Prior to occupation 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
101	b	Landscape Concept Plan	12.6.24	Kelsie Davies Landscape Architecture

The landscape plan must include the following:

- i. Parking bays to have a shade tree per 4 bays
- ii. Tree species must be a minimum bag size of 90L at the time of planting.
- iii. Tree canopies must be contained wholly within the lot boundary, except where overlapping the verge.
- iv. Tree canopies are to be achieve a 20% canopy cover at maturity,
- v. Shrub species must be a minimum 175mm pot size at the time of planting.
- vi. Ground cover planting should aim for a 4 plants/m².
- vii. Planting to drainage areas should include a biofiltration mix.
- viii. Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed. Full demonstration of these systems is required.

Once approved, all landscaping noted in the approved Landscaping Plan must be planted 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 replaced at the landowners cost to the satisfaction of the City of Kalamunda.

24. Prior to the occupation of the Childcare Centre the operator is to provide an Operational management plan to the City and receive approval for this plan prior to commencing operations. This plan is to detail:
- i. operational measures to reduce amenity impacts (such as noise, odour and light spill to nearby properties).
 - ii. Bushfire Emergency Evacuation Plan (BEEP)
25. Prior to occupation of the development, all car parking areas must meet the following requirements:
- i. The provision and maintenance of a minimum of 61 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.
 - 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.

The development must comply with the above requirements and be maintained to the satisfaction of the City of Kalamunda for the duration of the development.

26. Prior to occupation of the development, crossovers must be designed and constructed to the specification and satisfaction of the City of Kalamunda.
27. Prior to occupation of the development, any recommendations of the Transport Impact Assessment must be implemented to the satisfaction of the City of Kalamunda.
28. Prior to occupation of the development bicycle facilities must be provided in accordance with Australian Standard AS 2890.3 to the satisfaction of the City of Kalamunda and retained for the duration of the development.
29. Prior to occupation of the development end of trip facilities shall be provided for the benefit of staff. End of trip facilities are to be designed in accordance with the following criteria:
 - A locker of functional and suitable size to be provided for every bicycle parking bay provided.
 - All required end of trip facilities shall be appropriately located to ensure easy access from bicycle parking areas and be in common property if shared by more than one tenancy.
 - All end of trip facilities are required to be designed in accordance with the relevant Australian standards and Building Codes including universal access.

Advice Notes

1. In regard to condition 10, the Applicant is advised that Cell Infrastructure Contributions in the Cell 9 Infrastructure Cost sharing Arrangement (ICSA) are calculated based on dwelling yield of the subject land. The ICSA identifies a yield of 31 lots for the subject land.
2. 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. The landowners advised that a public art contribution of \$23,000 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 \$23,000, or alternatively the provision of a \$23,000 as in lieu payment to the City of Kalamunda's Public Art Fund.
4. A building permit is required prior to the commencement of works on site.

5. The operation/development is to comply with the Environmental Protection (Noise) Regulations 1997.
6. 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.
7. Please submit modified pavement marking plans to Main Roads WA for approval and implementation.
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 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.
10. 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.
11. 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.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban
Local Planning Scheme	Local Planning Scheme No. 3
Local Planning Scheme - Zone/Reserve	Urban Development
Structure Plan/Precinct Plan	Cell 9 Wattle Grove Structure Plan (Hale Road, Wattle Grove Revised Local Structure Plan)
Structure Plan/Precinct Plan - Land Use Designation	The Structure Plan allocates a Commercial Zoning to the front portion of the site and a Mixed-Use Zoning to the rear portion of the site.

	This application is located within the portion of the lot which is zoned Commercial under the Structure Plan.
Use Class and permissibility:	Commercial Zone: Medical Centre: "P" Child Care Premises: "P" Consulting Rooms: "P" Shop: "P"
Lot Size:	Entire lot area of combined lots 14,285sqm Area under consideration: 5675sqm
Existing Land Use:	Vacant Land
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	Yes
Swan River Trust Area	No

Proposal:

The development application seeks approval for a Child Care Premises, Medical Centre, Consulting Rooms and Shop (pharmacy) on a portion of Lot 193 (No. 318) & Lot 194 (No. 310) Hale Road, Wattle Grove.

The portion of the subject sites under consideration form a corner lot with frontage to both Hale Road and Wimbridge Road.

Proposed Land Use	Child Care Premises, Medical Centre, Consulting rooms and Shop.
Proposed Net Lettable Area	150sqm
Proposed No. Storeys	Single Storey
Proposed No. Dwellings	N/A

The application proposes to utilise the commercial zoned area of both lots for the development of:

- A Childcare Premises accommodating 84 children and 17 staff with proposed operating hours of 6.00am to 6.30pm Monday to Friday.
- A Medical Centre with associated consulting rooms incorporating a physiotherapy/ podiatry, and dentist with proposed operating hours of 8.00am to 7.00pm Monday to Friday; and 9am to 5pm Saturday, and closed Public Holidays.
- The Shop (pharmacy) has proposed operating hours of 7.00am to 9.00pm Monday to Friday; 9.00am to 5.00pm Saturday; and 11.00am to 5.00pm Sunday.

- A total of 61 parking bays, including 5 ACROD bays, 5 pickup/drop off bays and 11 bicycle racks.
- Access is proposed with three crossovers, two from Hale Road and a further crossover from Wimbridge Road.
- Landscaping is proposed to the entire subject site.

Background:

Site Details:

The subject site is located at the front portion of Lot 193 (No. 318) & Lot 194 (No. 310) Hale Road, Wattle Grove. The front portion of the lots is zoned Commercial under the Cell 9 Wattle Grove Structure Plan (Hale Road, Wattle Grove Revised Local Structure Plan).

A 5,675sqm area of the vacant lots will accommodate a commercial development incorporating a childcare and medical facility.

The subject site is described as follows:

1. Zoned 'Urban' under the Metropolitan Region Scheme (MRS) and 'Urban Development' under the City of Kalamunda Local Planning Scheme No.3 (LPS3).
2. Located within the Cell 9 Wattle Grove Structure Plan (Hale Road, Wattle Grove Revised Local Structure Plan) which designates the zoning of the front portion of the subject sites as Commercial.
3. The lots are bounded by Hale Road to the south and Wimbridge Road to the east.
4. Identified on the Department of Fire and Emergency Services (DFES) OBRM mapping as being located within a Bushfire Prone Area under the Fire and Emergency Services Act 1998 (as amended).
5. Located within proximity of Perth Airport but does not fall within the Australian Noise Exposure Forecast (ANEF) contours.



Figure 1 Scheme Map



Figure 2 – excerpt from Cell 9 Wattle Grove Structure Plan (Hale Road, Wattle Grove Revised Local Structure Plan)

Site History:

The lots are currently vacant but previously were the location of a garden centre.

Site Context:

The lots abut Lot 192 (326) Hale Road which was the subject of a recent development application for a Funeral Parlour. The application was refused at the City of Kalamunda Ordinary Council Meeting of 26 March 2024.

Woodlupine Brook traverses Reserve 48404 & 52542 to the rear of the lots which link to The Promenade Public open space.

The immediate locality surrounding the subject site is zoned Residential with lots being coded R30 and R20.

The subject site is located in the Cell 9 Wattle Grove Structure Plan (Hale Road, Wattle Grove Revised Local Structure Plan) area. As the lots are currently vacant the associated cost contribution for the development of infrastructure in the area has not to date been realised. A cost contribution condition will be imposed to address this issue in accordance with the Infrastructure Cost Sharing Agreement review adopted 28 May 2024.

Legislation and Policy:

Legislation

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)

Planning and Development (Development Assessment Panel) Regulations 2011

Metropolitan Region Scheme (MRS)

City of Kalamunda Local Planning Scheme No. 3 (LPS3)

Environmental Protection (Noise) Regulations 1997 (WA)

Draft Position Statement: Childcare premises 2022.

Community Services (Child Care) Regulations 1998 (the Child Care Regulations)

Child Care Services Act 2007

State Government Policies

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport

State Planning Policy 7.0 – Design of the Built Environment

Structure Plans

Cell 9 Wattle Grove Structure Plan (Hale Road, Wattle Grove Revised Local Structure Plan)

Local Policies

Local Planning Policy 2 – Advertising Signage (LPP2)

Local Planning Policy 10 – Family Day Care and Childcare Premises (LPP10)

Local Planning Policy 11 – Public Notification of Planning Proposals (LPP11)

Local Planning Policy 16 – Design Review Panels (LPP16)

Local Planning Policy 24 – Development Contribution Arrangements (LPP24)

Local Planning Policy 26 – Public Art Contributions (LPP26)

City of Kalamunda Urban Forest Strategy

Consultation:

Public Consultation

The proposal was advertised in accordance with Clause 64 and Clause 87 of the Regulations and Local Planning Policy 11 – Public Notification of Planning Proposals (LPP11). The proposed development was advertised for a period of 28 days via the following methods:

- a) Letters were sent to all landowners and occupiers within a 200-metre radius of the subject site;

- b) Notice on the City's website; and
- c) Two advertising signs on site (one each fronting Hale Road and Wimbridge Road).

A total of 21 submissions were received on the proposal, comprising 5 objections and 16 submissions of support for the proposal. All the submissions received have been responded to in the submission table (attachment 7).

The key concerns received from the consultation relate to traffic, parking, the demand for medical facilities and childcare premises in the locality.

The City's response to the concerns has been addressed in the submission table in accordance with Clause 67(2)(y), of the Regulations.

Referrals/consultation with Government/Service Agencies

No referrals were required to inform this assessment.

Design Review Panel Advice

The application was presented to the City's Design Review Panel (DRP) in October 2023 and February 2024 prior to lodgement of the application. The applicant incorporated the comments provided by the DRP and have provided a design response to the DRP comments for consideration as part of the application documentation.

The DRP were largely supportive of the proposal commending the agglomeration of complementary land uses. The design review panel sought revised plans to address a number of issues raised, including:

- A combined context and character approach was recommended for the abutting development (Funeral parlour) at Lot 192 (326) Hale Rd. As this adjoining development is no longer progressing it was seen that this proposal will be established as the basal approach for the future context and character approach for these vacant lots.
- Landscaping to include shade planting and a nature play area for the Childcare Centre, while revised landscaping was proposed it was determined that a revised plan to coordinate with drainage design and the Childcare operators play area design will offer the best approach to incorporate the design elements. A condition has been imposed to this effect.
- Improvements to the materiality, colour pallet and building hierarchy have been incorporated into the design. In addition, the entrance of the childcare centre along with the fenestration details has been significantly improved.
- Breakout spaces for staff have been incorporated into the plans, along with bike parking and enhanced pedestrian circulation.
- Clarification of internal traffic circulation was requested, revised plans which were considered largely technical in nature were reviewed by the City's Development Engineering team.

Based on the resolution of the above issues and the application being presented to the City's DRP on two occasions, the proposal was not referred to the City's DRP for further review.

Internal Departments

The application was referred to relevant internal departments for formal comment as part of the consideration process. All departments are satisfied with the proposal subject to the recommended conditions and advice notes.

Planning Assessment:

The proposal has been assessed against all the relevant legislative requirements of the Scheme, State and Local Planning Policies and the LDP outlined in the Legislation and Policy section of this report.

Land Use Permissibility

The subject site is zoned 'Urban Development' under Local Planning Scheme No. 3 (LPS3) Cell 9 Wattle Grove Structure Plan (Hale Road, Wattle Grove Revised Local Structure Plan) designates a Commercial zoning for the front portion of the subject sites.

The application seeks approval for a 'Medical Centre', 'Childcare Premises', 'Consulting Rooms' and 'Shop' which are all (P) uses in accordance with Clause 4.3 and Table 1 of LPS3.

"childcare premises" has the same meaning given to the term in the Community Services (Child care) Regulations 1988;

The land use can be found in the Child Care Regulations as follows:

"childcare premises" means premises specified in a licence or permit as premises in which a child care service may be provided.

"consulting rooms" means premises used by no more than two health consultants for the investigation or treatment of human injuries or ailments and for general care;

"medical centre" means premises used by more than two health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling);

"shop" means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;

The development application is consistent with the abovementioned land use definitions and is considered capable of support within the existing planning framework.

Local Planning Policy 10 - Family Day Care and Child Care Premises Requirements

Location Criteria

The location of childcare premises is an important aspect when considering a development application. Local Planning Policy 10 (LPP10) provides guidance on the proposed location of childcare premises and establishes criteria that should be

assessed when consideration is being given. The below table 1 outlines the proposals compliance with the location criteria for LPP10. Where the location criteria does not comply, the non-compliance is discussed further in the officer comment section of this report.

Table 1 – Location Criteria

PROVISION	REQUIREMENT	PROPOSED	COMPLIANCE
Clause 1 of LPP10	Accessibility to Public Transport	<p>There is an existing bus stop located immediately at the front of the subject site (Hale Road) and another bus stop is located across the road, opposite to the site.</p> <p>The bus stops service Transperth's 276 Bus Route which will provide public transport to Kalamunda Station and High Wycombe Train Station.</p> <p>The site has good accessibility to public transport.</p>	Yes
	Avoidance of location on arterial roads and suitability from a traffic engineering point of view	Hale road is a minor arterial road which intersects with Tonkin Highway (an arterial road) at the next intersection. The City is supportive of the traffic arrangements as noted in the TIA.	Yes
	Avoidance of clustering with other non-residential land uses, unless abutting a commercial zone	The proposal is proposed on Commercial zoned land as set out in the Cell 9 structure plan.	Yes
	Distribution between existing centres (not within 300m of another childcare premises)	<p>The nearest existing childcare premises is located approximately 160m metres away (as the crow flies).</p> <p>The childcare premises is a unit within the adjacent commercial</p>	No

		development at 332 Hale Road.	
	Walking distance to appropriate commercial, recreation or community nodes and education facilities	<p>The subject site is within walking distance to commercial land uses to the south and west.</p> <p>The subject site is also within a 320m walkable catchment area of Wattle Grove Primary School.</p> <p>The subject site abuts the lot Public open space but as this application pertains to the front of the lot only the separation is 60m.</p>	Yes
	Sufficient size and dimension to accommodate the development without affecting the amenity of the area.	Refer below	Yes
Clause 3 of LPP 10	Centres are encouraged to locate near commercial, community, educational establishments, district centre, and public recreational areas, nearby to roads that have the demonstrated capacity to accommodate any potential additional traffic generated by the centre, or within walking distance to public transport routes.	<p>The centre is within the commercial precinct.</p> <p>The site is also within a 320m walkable catchment a primary school.</p> <p>Hale Road is also provided with good public transport routes to the Kalamunda Bus Station and High Wycombe Train Station (Route 280)</p>	Yes
Clause 4 of LPS 10	Although the land use may be permitted under the provisions of the Local Planning Scheme, Child Care Premises will generally not be supported in the following locations due to potential conflicts with residential amenity,	<p>Proposal is:</p> <ul style="list-style-type: none"> i. Not at the end of a cul-de-sac ii. Not within residential zoned land. iii. Not within rural zoned land iv. Site does not have a sole vehicular 	No

	<p>traffic, safety, and parking access:</p> <ul style="list-style-type: none"> i. At the end of Cul-de-sacs; ii. In Residential zoned land within 300m of another Child Care Premises; iii. Within Rural zoned land, within 800m of another Child Care Premises; iv. Site with sole vehicular access from a longer or undedicated Right of Way, under-width street or laneway; v. Sites located on, or at intersections to, Primary or District distributor Roads; vi. Sole access abuts traffic lights, roundabout, or traffic calming device; vii. Rear battle-axe and strata sites; and viii. Multiple Dwellings. 	<p>access from a longer ROW, under-width street or laneway</p> <ul style="list-style-type: none"> v. Site is located on a District Distributor B Road (Hale Rd) and Local Distributor Road (Wimbridge Rd) vi. Dual road access. vii. Not battle-axe or strata viii. Not a multiple dwelling 	
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Built Form and Design

In addition to the above as stipulated in LPP 10, built form and streetscape of a childcare premises should be of a 'residential scale' with the height, form and setback being sympathetic to the local character of the streetscape. This should incorporate adjoining buildings and prevailing existing streetscape as well as the relevant setbacks as noted in the R-Codes.

The table below outlines compliance with the built form requirements as stipulated in LPS 3 and associated LPP 10 which are applicable to the subject site. Whilst it is noted that the development is not required to comply with the deemed-to-comply requirements of the R-Codes, LPP10 states that the development should have due regard to the existing streetscape and local character.

Table 2 – Built Form Requirements

PROVISION	REQUIREMENT	PROPOSAL	COMPLIANCE
LOT SIZE (Clause 5 of LPP 10)	Minimum 1,000m ²	5675m ²	Yes

SETBACKS (Table 2 LPS3)	FRONT (Hale Rd)	15 metres	17m (Childcare centre) 23m (Medical centre)	Yes
	Minor St (Wimbridge Rd)	3m	15.7m (Childcare centre)	Yes
	REAR	Nil	3.3m Medical centre (minimum) to internal lot boundary 1.8m Childcare centre to internal lot boundary 103.39m to lot boundary	Yes
	SIDE (West)	Nil	8.7m Medical Centre	Yes
BUILDING HEIGHT (Clause 5.1.6 of the R-Codes)		7.0 metres (wall height)	5.6m	Yes
		8.0 metres (concealed roof height)	6.2m	
Site Coverage (Table 2 Site Requirements LPS3)		60%	28.2%	Yes
Plot Ratio (Table 2 Site Requirements LPS3)		0.6	0.28	Yes
Landscaping Strip (Table 2 Site Requirements LPS3)		3m to each road frontage	3m (1.7m to truncation portion)	Yes

As noted in the above table, the development is compliant with all the relevant built form and design provisions required under Table 2 of LPS 3 and the Residential Design Codes as applicable. In addition, the plans provided have addressed comments made by the City's DRP in the following ways:

- Modifications to the hierarchy of built form, were undertaken to improve the overall legibility of the design.
- The Child Care Premises entrance was revised to achieve increased legibility and improve the built form and scale.
- The material pallet was augmented to incorporate colour and improve the sense of place feel for the young patrons. This serves to augment the amenity impact of the built form along with setting a tone for future context and character.

Hours of Operation:

Pursuant to the Operational Criteria (Clause 1b) of LPP10, Childcare premises shall be restricted to Monday to Friday between 7:00am and 7:00pm and Saturdays between 8:00am and 4:00pm, unless otherwise approved by Council.

The application proposes hours of operation on Monday to Friday between 6:00am and 6:30pm. The premises will not operate on Saturdays.

The hours of operation on weekdays are not consistent with the requirements of LPP10. Whilst consideration must be given to the hours of operation sitting outside the restricted hours specified in LPP10, the 6:00am start in lieu of 7:00am will not cause additional impacts on current surrounding residents. It is noted the balance of both subject sites is zoned Mixed use which can accommodate further abutting residential development. Refer to the officer comment section of this report for further discussion.

Landscaping:

The applicant has submitted a landscaping plan in support of the proposed development. It was noted that the proposed landscaping did not incorporate any drainage considerations. In addition, no design was provided for the Childcare premises external play area, the DRP panel had recommended a nature play area should be considered. The applicant has agreed that a condition would be imposed to ensure a revised landscaping design is provided that incorporated additional shade tree planting as per DRP comments and the City's Urban Forrest strategy along with a design for the play area. Refer to the officer comment section of this report for further discussion.

Vehicle Parking:

The development proposes a childcare premises, a pharmacy, a medical centre (300sqm), 3 number consulting room units and a further unit earmarked for medical tenancy. The car parking ratio applied by LPS3 for the respective land uses are set out below:

Table 3 – Car Parking Requirements

Land Use	Parking Requirement	Determinant as detail by applicant	Bays required
Medical Centre	6 bays per practitioner and 1 per staff.	6 practitioners 2 staff	38 bays
Medical Tenancy	6 bays per practitioner and 1 per staff.	4 practitioners 2 staff	26 bays
Shop (Pharmacy)	5 bays per 100m ² of N LA.	7.5 bays	8 bays
Consulting rooms (1) (Dental)	4 bays per practitioner plus 1 bay per employee.	2 practitioners 1 staff	9 bays
Consulting rooms (2) (Podiatry)	4 bays per practitioner plus 1 bay per employee.	2 practitioners 1 staff	9 bays
Consulting rooms (3) (Physio etc)	4 bays per practitioner plus 1 bay per employee.	2 practitioners 1 staff	9 bays

Childcare centre	1 bay per staff member, plus 1 bay for every 10 children allowed under the approval.	17 staff 8.4 children	26 bays
Total			125 bays
Provided bays			61 bays
Shortfall			64 bays

The application proposes a parking shortfall, refer to the officer comment section of this report for further discussion.

Vehicle Access and Circulation:

The applicant has submitted a Traffic Impact Statement (TIS) prepared by Urbii with the application. The application proposes vehicle access via a new full movement crossover to Hale Road.

The western crossover to hale road is a left in movement only. This approach was agreed with the City in consideration of the Main Roads criteria to limit frontage access to Hale Road and in consideration of the future development potential to the adjacent vacant lot at (Lot 192) 326 Hale Road.

The eastern crossover to Hale Road and the Wimbridge Road crossover are both full movement crossovers. The proposed development is estimated to generate 160 AM peak hour trips, 157 PM peak hour trips and 1375 trips daily. This assessment does not consider any provision for multi-use trips (a customer utilising multiple uses on the site such as the medical centre and the pharmacy).

Whilst it is noted that there were multiple concerns raised during the advertising process from the community, the TIS outlines that the traffic generated from the proposed childcare premises and medical centre component will not have a significant impact on the surrounding road networks. This is based on the WAPC threshold of +100vph.

Refer to the submissions table contained in attachment for the City's responses to each submission regarding traffic concerns.

End of Trip Facilities:

The TIS report details the provision of end of trip facilities including a shower, change room and lockers for the childcare component of the development. This will assist in encouraging staff to utilise public transport, bicycle and micro- mobility vehicles options where appropriate. To ensure appropriate end of trip facilities are provided, a condition has been imposed.

Stormwater Drainage:

Geotechnical report and drainage design is required to address on site drainage. Conditions are imposed to ensure all stormwater can be disposed of to the satisfaction of the City.

Signage

LPP10 requires all signage to be compliant with the City's Local Planning Policy 2 – Signage. The DRP had recommended a consolidated approach to signage. The application plans detail indicative verandah sign locations for the medical centre and consultancy rooms component along an indicative horizontal feature sign to the Childcare premises. The indicative signage is of an appropriate scale and is suitably located to address the DRP comments. Exact locations, dimensions, colours and materials can be assessed at occupancy stage based on the individual tenancy requirements. Conditions has been imposed to ensure illumination does not impact adjoining properties and will be in accordance with the Dark Sky and Astrotourism Position Statement.

Boundary Fencing:

The application proposes a boundary fencing height of 2.1m in lieu of 1.8m. Refer to the officer comment section of this report for further discussion.

External Service & Storage Areas:

A communal bin store has been provided to the west of the site. Breakout areas and bicycle facilities are located interspersed across the site for the benefit of staff and visitors.

Bushfire

The Site has been identified by the Department of Fire and Emergency Services (DFES) OBRM mapping as being located within a Bushfire Prone Area under the Fire and Emergency Services Act 1998 (as amended).

The Child Care Centre land use is considered a vulnerable land use and Policy Measure 6.6 of SPP3.7 applies. The applicant has provided a BAL Assessment (Basic) report that identifies the lot as BAL-LOW. Policy Measure 6.6 of SPP3.7 seeks additional supporting information and State Authority support where a BAL rating of 12.5 or above is determined. Given the BAL rating is BAL-LOW and below the referral trigger for DFES review, referral was not required in this instance.

The City is satisfied the BAL Assessment has adequately addressed the impacting factors within the surrounding influencing area. Notwithstanding the City has recommended a condition seeking the Child Care operator prepare a Bushfire Emergency Evacuation Plan (BEEP) to manage risk.

Public Art

Public art plays an important role throughout the City of Kalamunda's built environment by attracting people to work and live in a space and creating a sense of local identity. The proposed development generates a planning need for public art by virtue of the increase in the staff and visitors to the area which would benefit from the provision of public art. In addition, the location of the proposal is a highly visible corner lot which provides a transition to the commercial and mixed-use zoning when travelling along Hale Road. Wimbridge Road is a local distributor and a central access route for the adjacent residential development making it an ideal location for a statement art piece.

As the proposed works of the development are estimated at \$2.3 million, the provisions of LPP26 are applicable to the development application. Pursuant to LPP26, the provision of public art is required for third party development proposals where the estimated cost of development exceeds \$500,000. The provision of public art can be provided by integrating the artwork on site as part of the development component, or within a public area within the locality of the subject site. Recommended conditions ensures compliance with LPP26 through requiring a public art contribution equal to \$23,000.00 within the subject site, or alternatively a cash-in-lieu payment to the City of Kalamunda's Public Art Fund.

Officer Comments

The proposed development is generally compliant with all applicable legislation and policies, with the exception of the variations which are supported by the City pursuant to Clause 5.5 of LPS3. An assessment against the variations is provided below:

Variation to the Location Criteria

The proposal seeks a variation to the siting criteria as the property is located within 160m of another childcare premises. Whilst market competition / demand is not a relevant planning consideration, the City considers the location of the proposed childcare premises to be appropriate as it is within a 320m catchment to Wattle Grove Primary School, local facilities and a commercial precinct.

Given the established childcare premises adjoining the subject site has approved capacity for 83 children there is additional requirement for childcare in the area. This childcare premises will contribute positively to the provision of this essential community service in the locality and offer new options for parents an additional option to meet their childcare needs.

LPP10 seeks to avoid sites located on, or at intersections to, Primary or District Distributor Roads. A variation is sought for proximity to Hale Road a District Distributor B Road. In this instance, consideration for the traffic arrangement including access and egress options along with the capacity of the lot to provide reciprocal access to adjoining lots has been considered in consultation with the City. It is noted the design provides for the predominant access and egress to the Childcare Centre from Wimbridge Road which is the local distributor road. The City considers the location to be suitable for the proposed development with the siting of the Childcare Centre addressing Wimbridge Road, with predominant access from Wimbridge Road.

Hours of Operation

The proposed hours of operation seek a 6:00am opening time in lieu of the 7:00am opening time which may result in additional noise impacts during this time.

The City is supportive of the proposed variation to the hours of operation given the development has been designed so that the outdoor play area has been consolidated away from the established abutting residential lots. It is noted that should the balance of the subject lots be developed for residential purposes in accordance with the Mixed-use zoning, consideration will have to given to the noise impacts from the childcare centre.

The applicant provided an Environmental Acoustic report to support the variation to the hours of operation of the childcare centre as proposed. It is also noted in the report

that the children will not be permitted in the outdoor play areas prior to 7:00am. The assessment demonstrates compliance with the Noise regulations through the day. Notwithstanding it does recommend best practice in the management of the Childcare facility, to this end a condition has been imposed that seeks to require the future operator to provide an operation management plan to ensure the noise is managed to the satisfaction of the City.

Landscaping

DRP provided comments in terms of enhanced site-specific landscaping at each iteration of the proposal. While the built form has been formalised there are still a number of areas of design that require some inputs which will ultimately impact the final landscaping offering.

To better address the DRP comments it is seen as important to have a design that will consider and respond to the final design consideration including drainage, tree canopy cover at maturity, requirements for shade tree planting and to possibly incorporate a nature play area based on the tenants' requirements. A condition has been imposed to allow for a revised landscaping plan to be prepared.

Vehicle Parking

The application proposes a parking shortfall of 64 bays. The accompanying report noted the shortfall as 53 bays. The applicant has justified the variation of the basis that:

- Parking within the site will be predominantly transitional in nature (short periods only)
- Peak operational hours for each respective land use will not align meaning the demand will be staggered across the available bays.
- A portion of the staff are expected to utilise public transport and alternative means to get to work reducing the overall staff parking demand.
- The complimentary land uses will generate a large element of reciprocal parking requirement rather than individual land use requirements.
- The supporting traffic impact statement provided for an hourly demand estimate which anticipated the peak demand for parking across the site will be at 3pm with 53 bays required. This equates to 87% occupancy which can be well managed within the 61 bays provided.

The City is supportive of the proposed variation to the parking provided. While it is noted that some submissions expressed concern in relation to the parking shortfall it is demonstrated that the site-specific mitigating factors can facilitate the shortfall on site given:

- The predicted hourly usage requirements are well catered for in the provided carparking
- The usage for the balance of the units will encourage an element of reciprocal need reducing the required overall parking allocation.
- The proximity of public transport options for staff & patrons will serve to reduce staff parking requirements.
- The connectivity of the lot to local residential area will facilitate patrons who wish to walk or ride to the services offered on site.

Boundary Fencing:

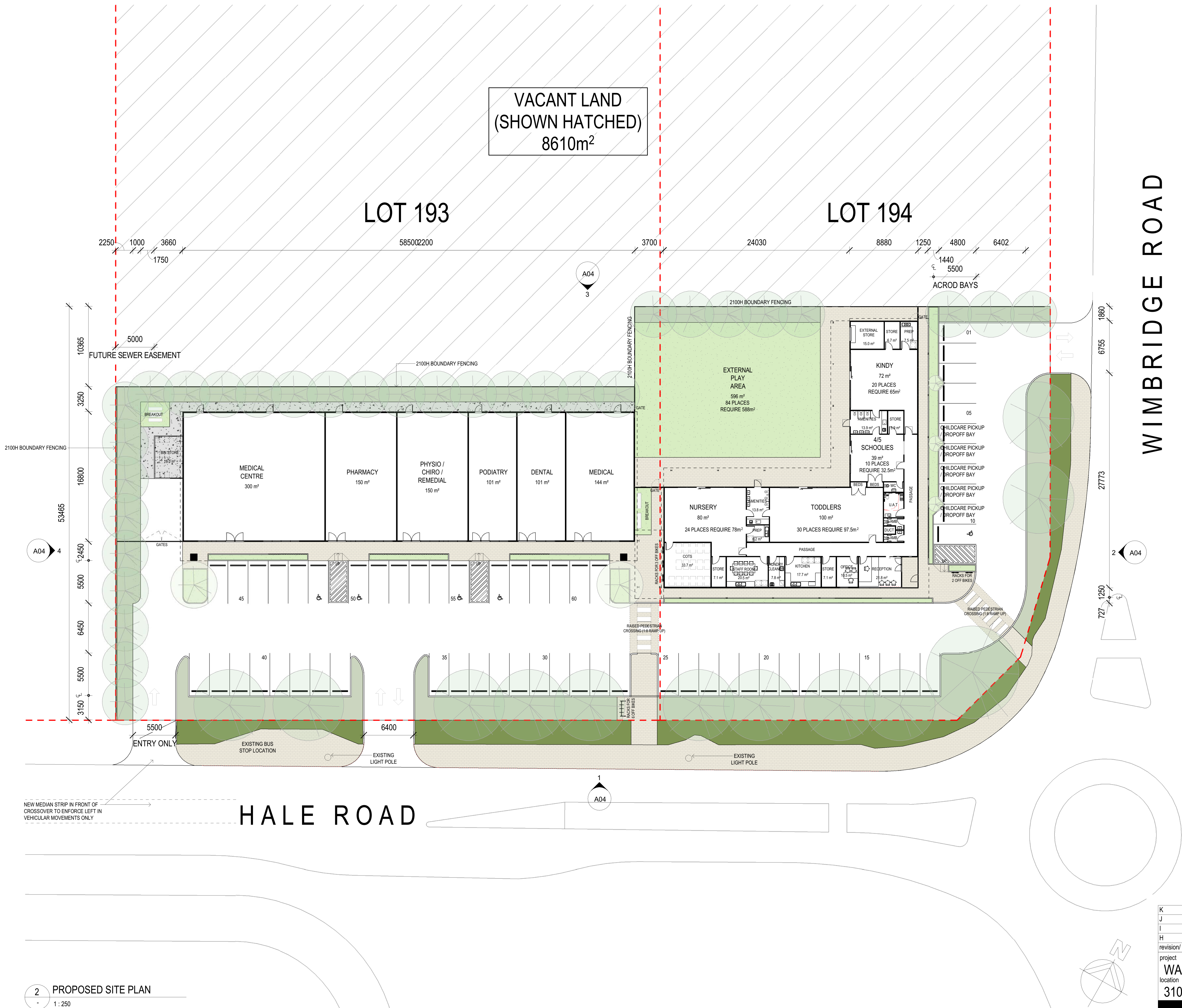
Given the abutting lots are currently vacant the variation provides for additional security to the subject lot area ahead of future development of the abutting lot and balance of the subject lot area.

The higher boundary fencing height also has acoustic benefits to reduce noise transfer between the outdoor play areas and the balance of the lots (currently undeveloped). While the balance of the lots is currently vacant the mixed-use zoning could at a future stage compromise an element of residential development. On balance, the height of the boundary fencing assists with reducing impacts on the intended amenity to adjoining portion of lots and is therefore a positive outcome for the development.

Conclusion:

It is considered that the proposed childcare premises is compatible with the commercial zoning and appropriately located in the context of the surrounding residential and commercial area. Whilst the overall development seeks some variations, the assessment demonstrates through the supporting technical documents and associated recommended conditions of approval, the development is unlikely to have an adverse impact on the amenity of the surrounding properties. The City is therefore supportive of the proposed Medical Centre, Childcare Premises, Consulting Rooms and Shop, subject to appropriate conditions and advice notes.

SITE INFORMATION:	
TOTAL LOT AREA:	23,578m ²
TOTAL PROPOSED SITE AREA:	5,675m ²
TOTAL CHILDCARE CENTRE FOOTPRINT:	612m ²
TOTAL COMMERCIAL BUILDING FOOTPRINT:	989m ²
TOTAL SITE COVERAGE:	28.2%
PROPOSED DEEP SOIL AREA:	750m ²
PROPOSED TREE CANOPY COVERAGE:	~21%



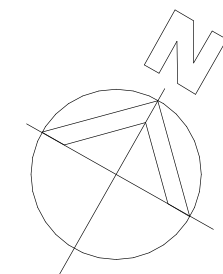
K	ISSUE FOR DA	WHC	NP	12.03.2024
J	WESTERN CROSSOVER AMENDED	WHC	NP	08.03.2024
I	ISSUE FOR COORDINATION	WHC	NP	07.03.2024
H	ISSUE FOR DRP RESPONSE	WHC	NP	18.12.2023
revision/ issue	description	drawn by	check by	date
project	description	drawn	description	
	WATTLE GROVE MIXED DEVELOPMENT	WHC	PROPOSED SITE PLAN	
location	310-326 HALE ROAD WATTLE GROVE	checked	NP	
scale	As indicated	date	12.03.2024	
project no	93.22	dwg no	A01	
rev	K			

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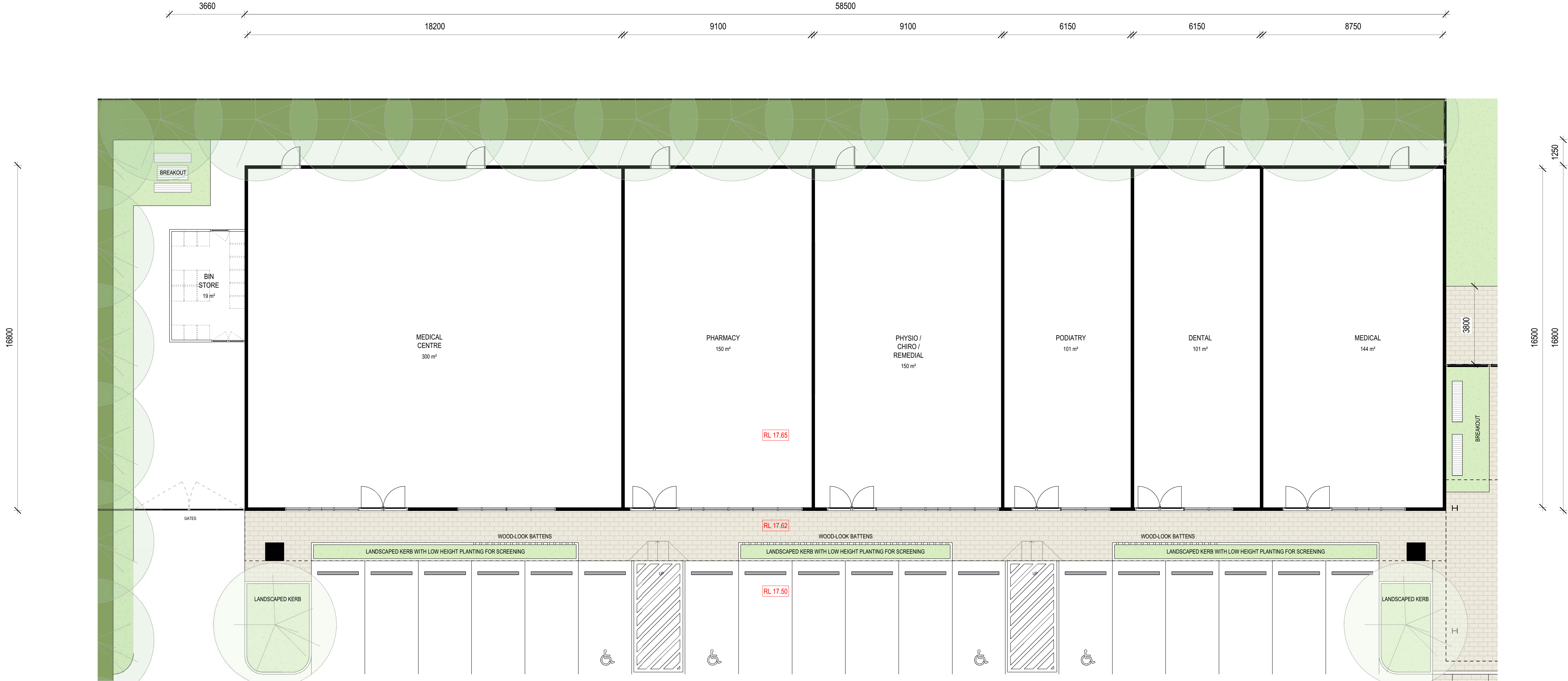
1 CHILDCARE CENTRE FLOOR PLAN
1: 100



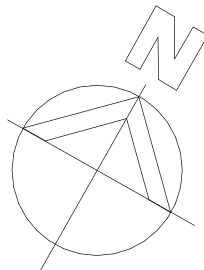
D	ISSUE FOR DA	WHC	NP	12.03.2024
C	ISSUE FOR DRP RESPONSE	WHC	NP	18.12.2023
B	ISSUE FOR DESIGN REVIEW	WHC	NP	12.09.2023
A	ISSUE FOR REVIEW	WHC	NP	24.08.2023
revision/ issue	description	drawn by	check by	date
project	description	drawn	description	
	WATTLE GROVE MIXED DEVELOPMENT	WHC	PROPOSED CHILDCARE	
location	310-326 HALE ROAD WATTLE GROVE	checked	NP	
scale	1: 100	date	12.03.2024	
project no	93.22	dwg no	A02	
rev	D			

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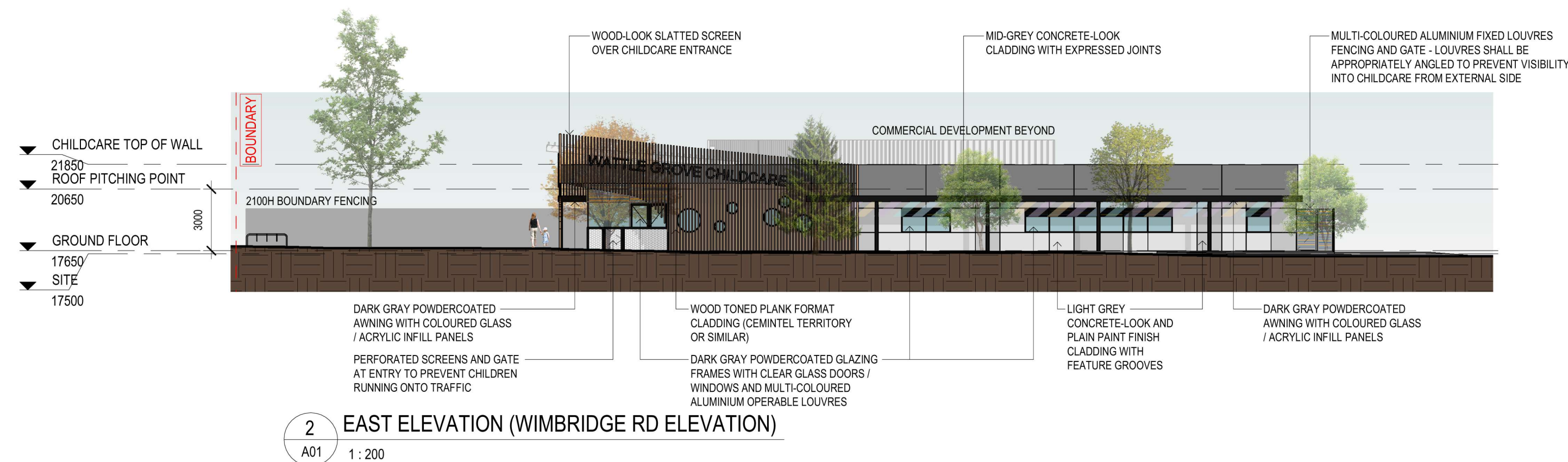
1 COMMERCIAL BUILDING FLOOR PLAN
1:100



C	ISSUE FOR DRP RESPONSE	WHC	NP	18.12.2023
B	ISSUE FOR DESIGN REVIEW	WHC	NP	12.09.2023
A	ISSUE FOR REVIEW	WHC	NP	24.08.2023
revision/ issue	description	drawn by	check by	date
project	description	drawn	Author	description
	WATTLE GROVE MIXED DEVELOPMENT			PROPOSED COMMERCIAL
location	310-326 HALE ROAD WATTLE GROVE	checked	Checker	BUILDING FLOOR PLAN
				(MEDICAL CENTRE & ALLIED HEALTH)
scale	1:100	date	18.12.2023	
		project no	93.22	dwg no A03
				rev C



1 SOUTH ELEVATION (HALE RD ELEVATION)
A01 1:200



2 EAST ELEVATION (WIMBRIDGE RD ELEVATION)
A01 1:200



3 NORTH ELEVATION
A01 1:200



4 WEST ELEVATION
A01 1:200

D	ISSUE FOR DA	WHC	NP	12.03.2024
C	ISSUE FOR DRP RESPONSE	WHC	NP	18.12.2023
B	ISSUE FOR DESIGN REVIEW	WHC	NP	12.09.2023
A	ISSUE FOR REVIEW	WHC	NP	24.08.2023
revision/ issue	description	drawn by	check by	date
project	description	drawn	check	date
	WATTLE GROVE MIXED DEVELOPMENT	WHC	NP	12.03.2024
location	310-326 HALE ROAD WATTLE GROVE	checked	NP	
scale	1:200	date	12.03.2024	
project no	93.22	dwg no	A04	
rev	D			

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GENERAL NOTES:
1. THIS IS A CONCEPT PLAN ONLY.
2. ALL STRUCTURES SUBJECT TO ENGINEERING
AND COUNCIL APPROVAL.
3. ALL MEASUREMENTS TO BE CHECKED PRIOR
TO CONSTRUCTION.

PLANTING IMAGES - TREES



PLANTING IMAGES - GROUNDCOVERS



PLANTING IMAGES - STRAPPY



PLANTING IMAGES - SHRUBS



PLANTING IMAGES - FEATURE



PLANTING PALETTE

Symbol	Species	Common Name	Quantities	Size
Trees:				
CORcal	Corymbia calophylla	Marri	As shown	100L
EUCfor	Eucalyptus forrestiana	Fuchsia Gum	As shown	100L
EUCor	Eucalyptus torquata	Coral Gum	As shown	100L
EUCvic	Eucalyptus viminalis	Little Ghost Gum	As shown	100L
Strappy, Groundcovers and Shrubs:				
ADEscun	Adenanthos cuneatus	Coral Carpet		140mm
CALred	Callistemon 'Red Rover'	Red Rover	3/m2	140mm
DIAsme	Dianella tasmanica 'Emerald Arch'	Emerald Arch		140mm
DIAbia	Dianella tasmanica 'Blaze'	Blaze		140mm
EREgla	Eremophila 'Blue Horizon'	Blue Horizon		140mm
EREgla	Eremophila glabra 'Silver Ball'	Emu Bush	3/m2	140mm
FICnod	Ficinia nodosa	Knobby Club Rush	3/m2	140mm
GREgin	Grevillea 'Gin Gin Gem'	Gin Gin Gem	3/m2	140mm
HIBsca	Hibbertia scandens	Snake Vine	3/m2	140mm
LEUbro	Leucophyta brownii	Silver Cushion Bush		140mm
LIRius	Liriope 'Just Right'	Just Right		140mm
LOMTan	Lomandra 'Tanika'	Tanika	3/m2	200mm
LOMnya	Lomandra 'Nyalla'	Nyalla		200mm
OLEaxi	Olearia axillaris	Coastal Daisy		200mm
OPHjap	Ophiopogon japonicus	Mondo Grass	3/m2	140mm
PIMfer	Pimelea ferruginea	Rice Flower		200mm
MYOpar	Myoporum parvifolium 'Yareena'	'Yareena'	3/m2	140mm
RH-Aori	Rhapiolepis 'Oriental Pearl'	Dwarf Indian Hawthorn		200mm
ROSoff	Rosmarinus officinalis 'Prostratus'	Creeping Rosemary		140mm
WESgre	Westringia 'Grey Box'	Compact Coastal Rosemary	3/m2	200mm
Feature Plants:				
ANifla	Anigozanthos flavidus	Kangaroo Paw	As shown	12L
ANigol	Anigozanthos hybrid 'Gold Velvet'	Gold Velvet Kangaroo Paw	As shown	12L

REV	DATE	DWN	APP	DESCRIPTION
A	11.06.24	JB	KD	LANDSCAPE CONCEPT PLAN
B	12.06.24	JB	KD	ADDED DSA DIMENSIONS

LEGEND TREES

SELECTED LARGE TREES
EG. MARRI
CANOPY: 9m

SELECTED MEDIUM TREES
EG. CORAL GUM
CANOPY: 6m

SELECTED SMALL TREES
EG. FUCHSIA GUM
CANOPY: 5m

SELECTED SMALL TREES
EG. LITTLE GHOST GUM
CANOPY: 4m

FEATURE PLANTS

SELECTED FEATURE PLANTING
EG. KANGAROO PAW

PLANTING

PLANTING TYPE 01
GROUNDCOVERS

PLANTING TYPE 02
SHRUBS

PLANTING TYPE 03
STRAPPY/MIXED

MISC

PLAY AREA TO FUTURE DETAIL

DEEP SOIL AREAS (DSA)

NOTES

1. GENERAL

1.1 ALL SCALES ARE AS NOTED AND TO SUIT A1 PAPER SIZE

1.2 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION UNLESS REVISED 'O' ISSUED FOR CONSTRUCTION AND SIGNED AND APPROVED BY PROJECT MANAGER/SUPERINTENDENT.

1.3 PLANTING 'SETOUT' SHOULD BE CHECKED BY SUPERINTENDENT BEFORE INSTALLATION BEGINS.

2. SOIL PREPARATION

2.1 ALL AREAS ARE TO BE FINE GRADED EVENLY TO CONFORM TO KERB LEVELS AND SURROUNDING FINISHES.

2.2 SURFACES SHALL BE FREE FROM DEPRESSIONS, IRREGULARITIES AND NOTICEABLE CHANGES IN GRADE. GENERALLY, GRADES SHALL DEVIATE IN LEVEL NO GREATER THAN 20mm IN ONE LINEAR METRE.

2.3 PLANTED AREAS SHALL BE SPREAD WITH MIN. 50mm OF APPROVED STANDARD SOIL CONDITIONER THAT SHALL BE RIPPED INTO EXISTING SOIL TO A MIN. DEPTH OF 200mm

2.4 ALL SITE AND IMPORTED SOILS, POTTING MIX, SOIL CONDITIONERS AND MULCHES TO BE IN ACCORDANCE TO RELEVANT AUSTRALIAN STANDARDS.

3. PLANTING

3.1 PLANTED AREAS SHALL BE MULCHED WITH AN ORGANIC (WOODCHIP) MULCH UNLESS OTHERWISE STATED TO A MINIMUM DEPTH OF 75mm.

3.2 ADVANCED TREES SHALL BE STAKED W/ 50x50mm DIA HARDWOOD POSTS. POSTS SHALL BE PAINTED BLACK AND INSTALLED TO A MIN DEPTH OF 500mm. TREES SHALL BE SECURED TO POLES W/ RUBBER TIES IN FIGURE 8.

3.5 TREES PLANTED WITH IN 1000mm OF BOUNDARY WALLS AND/OR PARKING AREAS SHALL BE INSTALLED WITHIN 600mm DEPTH NYLEX ROOT BARRIER MEMBRANE. MEMBRANE SHALL BE INSTALLED AS PER MANUFACTURERS RECOMMENDATIONS.

3.6 FINAL PLANTING SHALL BE SELECTED FROM PLANTING PALETTE SCHEDULE.

3.7 PLANTS TO BE SET OUT IN EVEN SPACINGS TO FILL THE DESIGNATED AREAS.

3.8 IN AREAS OF MIXED PLANTING, SPECIES TO BE SPREAD OUT AT RANDOM, IN GROUPINGS OF 2 OR 3.

3.9 PLANTS SHALL BE SUPPLIED FROM AN INDUSTRY ACCREDITED WHOLESALE NURSERY. PLANTS SHALL BE IN APPROPRIATE SIZE FOR THE LISTED POT SIZE AND IN GOOD HEALTH.

4. IRRIGATION

4.1 PLANTING TO GROUND LEVEL TO BE IRRIGATED VIA A FULLY AUTOMATIC SYSTEM FROM MAINS.

4.2 WATER PRESSURE TO HAVE A MINIMUM FLOW RATE OF 30L/pm AT 300KPA FROM THE WATER CONNECTION POINT (OR AS STIPULATED).

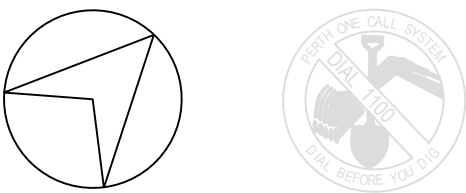
4.3 CONTROLLER TO BE LOCATED IN SERVICE ROOM (OR AS SHOWN ON IRRIGATION DETAILS).

4.4 SLEEVES BENEATH PAVED SURFACES AND TO RAISED PLANTING AREAS TO BE PROVIDED BY OTHERS.

4.5 IRRIGATION TO GARDEN BEDS TO BE NETAFIM TECHLINE, SUB SURFACE IRRIGATION. INSTALLED TO MANUFACTURERS SPECIFICATION. IRRIGATION TO TURF TO BE POP UP SPRINKLERS; MP ROTATORS OR SIMILAR. IRRIGATION TO TREES TO BE BE BUBBLERS; TORO FLOOD BUBBLERS OR SIMILAR.

4.6 ASCON DRAWINGS, MANUALS AND 12 MONTH WARRANTY SHALL BE SUPPLIED BY THE IRRIGATION CONTRACTOR TO THE CLIENT UPON PRACTICAL COMPLETION.

4.7 PLEASE REFER TO IRRIGATION DRAWING SET FOR FINAL LAYOUT AND SCHEDULE (TO FUTURE DETAIL).





urbii

Sustainable Transport. Safe Solutions

310 - 326 Hale Road, Wattle Grove

Proposed Mixed Use Development

TRANSPORT IMPACT ASSESSMENT



Prepared for:
Su Family Trust

March 2024

310 - 326 Hale Road, Wattle Grove

Prepared for: Su Family Trust
Prepared by: Paul Gbantous
Date: 11 March 2024
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1 Introduction

This Transport Impact Assessment has been prepared by **Urbii** on behalf of **Su Family Trust** with regards to the proposed mixed-use development, located at 310 - 326 Hale Road, Wattle Grove.

The subject site is situated on the northern side of Hale Road and western side of Wimbridge Road, as shown in Figure 1. A mixed-use development is proposed on the eastern portion of the site, at the corner of Hale Road and Wimbridge Road. The remaining portion of land is subject to future planning. The mixed-use development is the subject of this TIA.

The aim of this Transport Impact Assessment (TIA) is to assess the impact of the proposal on the existing transport network. The TIA was prepared in accordance with the WAPC *Transport Assessment Guidelines* 2016.

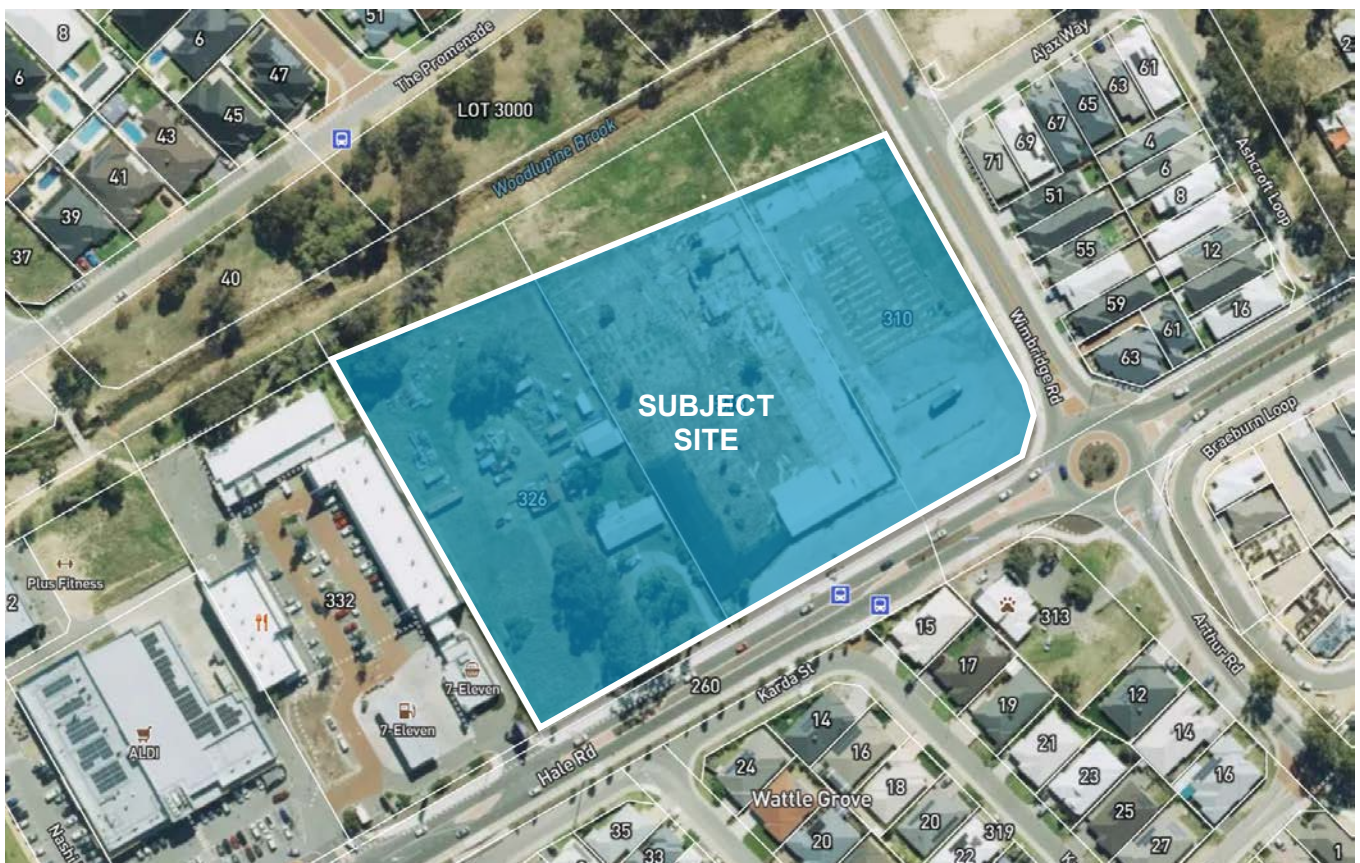


Figure 1: Subject site

2 Existing situation

2.1 Existing site use, access and parking

The site previously accommodated several uses including a Garden Centre and residential dwelling (Figure 2). The proposed development is located on the south-east portion of the site (310-318 Hale Road). The south-west portion of the site (326 Hale Road) may accommodate a future funeral parlour, which is subject to a separate application and Transport Impact Statement (TIS).



Figure 2: Historic site frontage from Hale Road

Source: Google streetview (2017)

A least three crossovers were previously provided along the Hale Road frontage. As a footpath was recently constructed, some of these crossovers were closed (Figure 3).

The site is surrounded by a mix of residential and commercial land uses, refer to Figure 4 for a context plan showing surrounding land use. Wattle Grove Primary School is located nearby to the north. Aldi, 7-eleven and other commercial uses are located on Hale Road to the west.



Figure 3: Historic and existing vehicle access

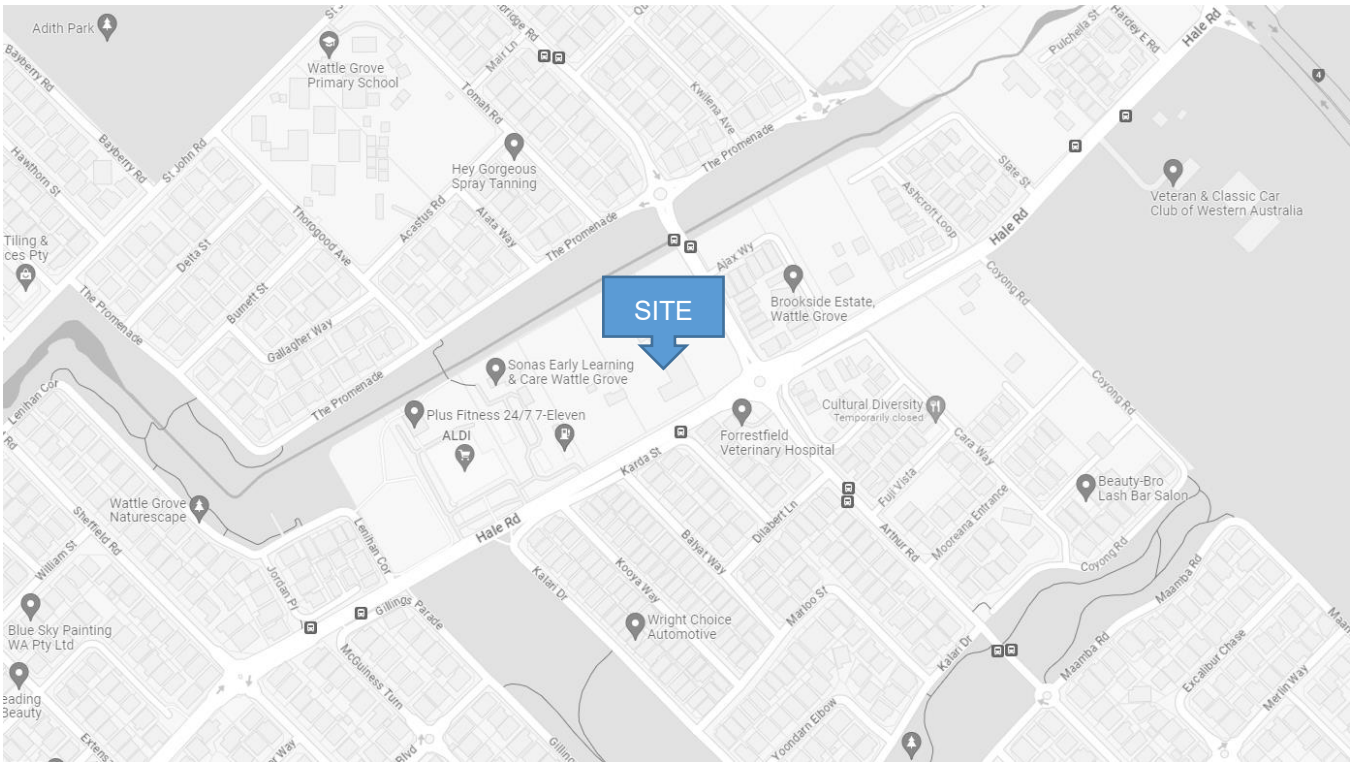


Figure 4: Location context plan



2.2 Surrounding road network and traffic management on roads

Information from online mapping services, Main Roads WA, Local Government, and site visits was collected to assess the existing traffic management on frontage roads.

2.2.1 Hale Road

Hale Road near the subject site is an approximately 11.5m wide, two-lane divided road. The road features a 4m wide, flush red-asphalt median with raised paved islands at intersections and walk crossings. Paths for walking and cycling are provided along both sides of the road.

Hale Road is classified as a *Distributor B* road in the Main Roads WA road hierarchy (Figure 5) and operates under a speed limit of 60km/h (Figure 6). Distributor B roads are the responsibility of Local Government and are typically for the reduced capacity but high traffic volumes travelling between industrial, commercial and residential areas (Figure 7).

2.2.2 Wimbridge Road

Wimbridge Road near the subject site is an approximately 9m wide, two-lane divided road. The road features a 2.2m wide, flush red-asphalt median. Paths for walking and cycling are provided along both sides of the road.

Wimbridge Road is classified as a *Local Distributor* road in the Main Roads WA road hierarchy (Figure 5) and operates under a built-up area speed limit of 50km/h (Figure 6). Local Distributor roads are the responsibility of Local Government and are typically for the movement of traffic within local areas and connect access roads to higher order Distributors (Figure 7).

Hale Road and Wimbridge Road form a 4-way roundabout intersection at the corner of the subject site.

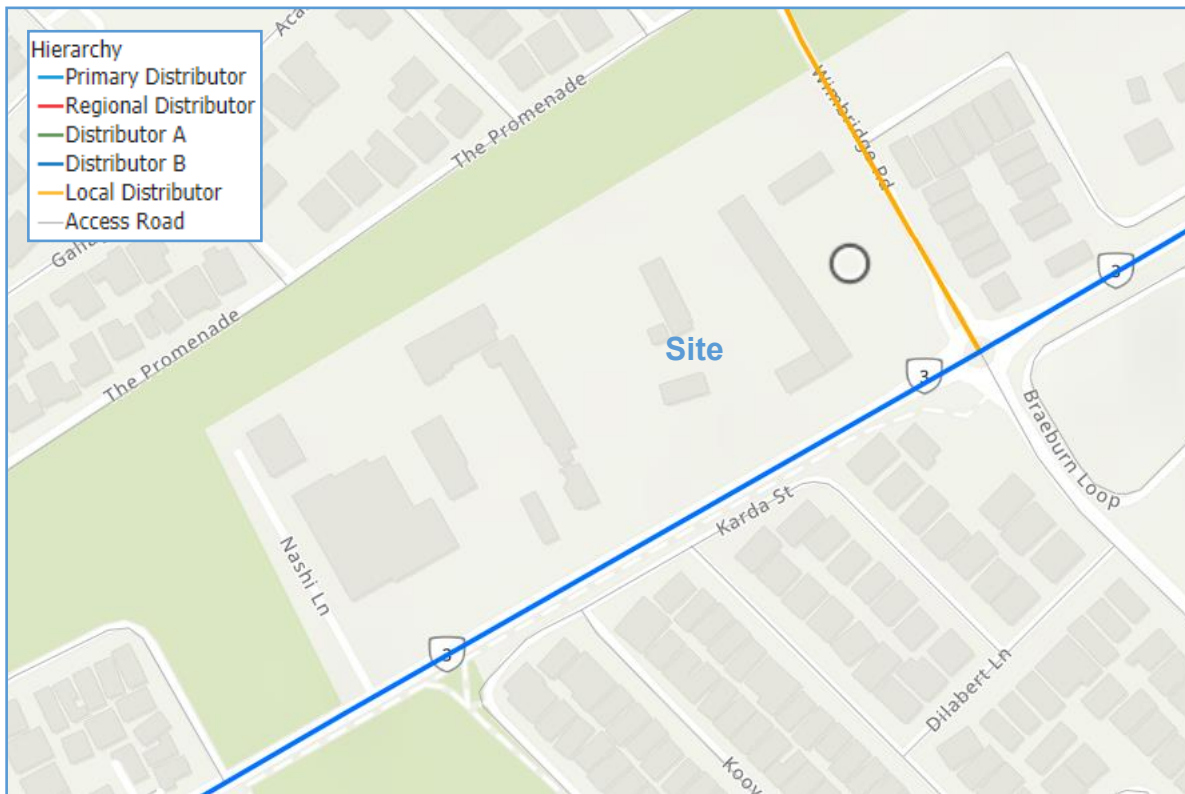


Figure 5: Main Roads WA road hierarchy plan

Source: Main Roads WA Road Information Mapping System (RIM)

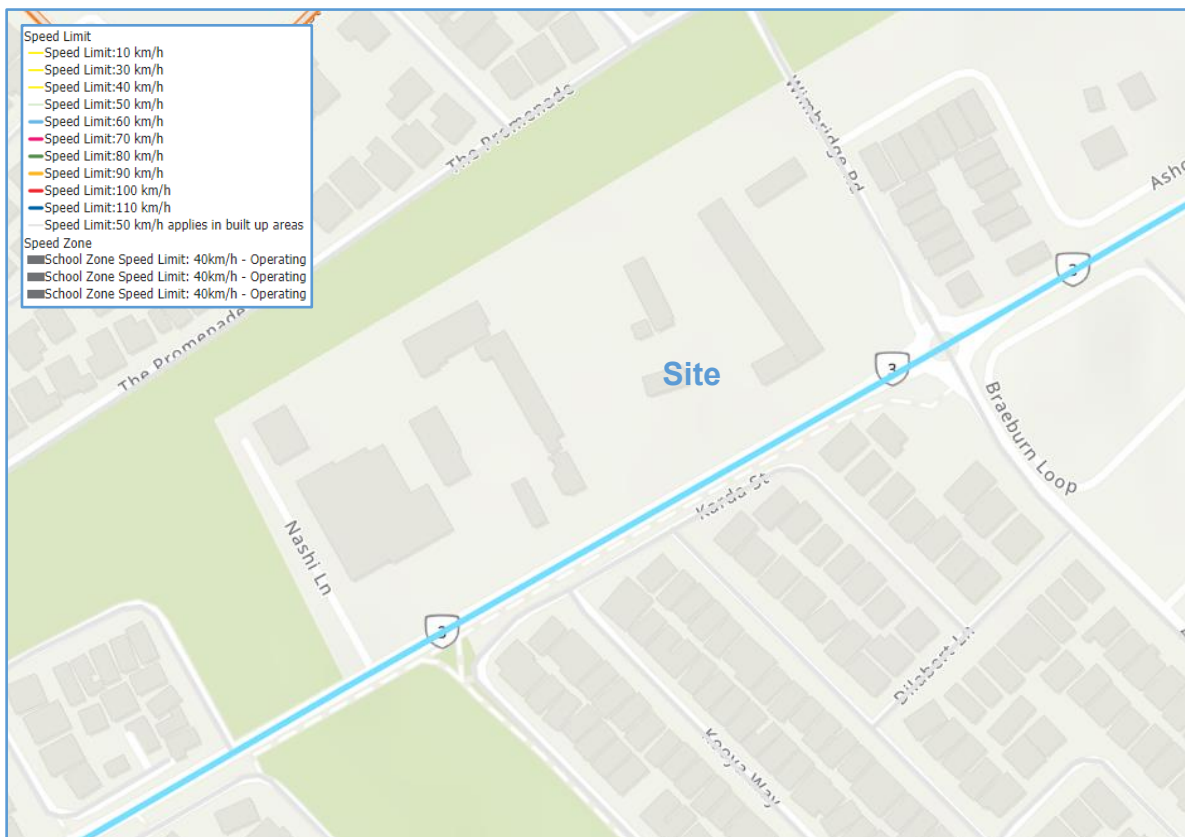


Figure 6: Main Roads WA road speed zoning plan

Source: Main Roads WA Road Information Mapping System (RIM)



ROAD HIERARCHY FOR WESTERN AUSTRALIA
ROAD TYPES AND CRITERIA (see Note 1)

CRITERIA	PRIMARY DISTRIBUTOR (PD) (see Note 2)	DISTRICT DISTRIBUTOR A (DA)	DISTRICT DISTRIBUTOR B (DB)	REGIONAL DISTRIBUTOR (RD)	LOCAL DISTRIBUTOR (LD)	ACCESS ROAD (A)
<i>Primary Criteria</i>						
1. Location (see Note 3)	All of WA incl. BUA	Only Built Up Area.	Only Built Up Area.	Only Non Built Up Area. (see Note 4)	All of WA incl. BUA	All of WA incl. BUA
2. Responsibility	Main Roads Western Australia.	Local Government.	Local Government.	Local Government.	Local Government.	Local Government.
3. Degree of Connectivity	High. Connects to other Primary and Distributor roads.	High. Connects to Primary and/or other Distributor roads.	High. Connects to Primary and/or other Distributor roads.	High. Connects to Primary and/or other Distributor roads.	Medium. Minor Network Role Connects to Distributors and Access Roads.	Low. Provides mainly for property access.
4. Predominant Purpose	Movement of inter regional and/or cross town/city traffic, e.g. freeways, highways and main roads.	High capacity traffic movements between industrial, commercial and residential areas.	Reduced capacity but high traffic volumes travelling between industrial, commercial and residential areas.	Roads linking significant destinations and designed for efficient movement of people and goods between and within regions.	Movement of traffic within local areas and connect access roads to higher order Distributors.	Provision of vehicle access to abutting properties
<i>Secondary Criteria</i>						
5. Indicative Traffic Volume (AADT)	In accordance with Classification Assessment Guidelines.	Above 8 000 vpd	Above 6 000 vpd.	Greater than 100 vpd	Built Up Area - Maximum desirable volume 6 000 vpd. Non Built Up Area – up to 100 vpd.	Built Up Area - Maximum desirable volume 3 000 vpd. Non Built Up Area – up to 75 vpd.
6. Recommended Operating Speed	60 – 110 km/h (depending on design characteristics).	60 – 80 km/h.	60 – 70 km/h.	50 – 110 km/h (depending on design characteristics).	Built Up Area 50 - 60 km/h (desired speed) Non Built Up Area 60 – 110 km/h (depending on design characteristics).	Built Up Area 50 km/h (desired speed). Non Built Up Area 50 – 110 km/h (depending on design characteristics).
7. Heavy Vehicles permitted	Yes.	Yes.	Yes.	Yes.	Yes, but preferably only to service properties.	Only to service properties.
8. Intersection treatments	Controlled with appropriate measures e.g. high speed traffic management, signing, line marking, grade separation.	Controlled with appropriate measures e.g. traffic signals.	Controlled with appropriate Local Area Traffic Management.	Controlled with measures such as signing and line marking of intersections.	Controlled with minor Local Area Traffic Management or measures such as signing.	Self controlling with minor measures.
9. Frontage Access	None on Controlled Access Roads. On other routes, preferably none, but limited access is acceptable to service individual properties.	Prefer not to have residential access. Limited commercial access, generally via service roads.	Residential and commercial access due to its historic status. Prefer to limit when and where possible.	Prefer not to have property access. Limited commercial access, generally via lesser roads.	Yes, for property and commercial access due to its historic status. Prefer to limit whenever possible. Side entry is preferred.	Yes.
10. Pedestrians	Preferably none. Crossing should be controlled where possible.	With positive measures for control and safety e.g. pedestrian signals.	With appropriate measures for control and safety e.g. median/islands refuges.	Measures for control and safety such as careful siting of school bus stops and rest areas.	Yes, with minor safety measures where necessary.	Yes.
11. Buses	Yes.	Yes.	Yes.	Yes.	Yes.	If necessary (see Note 5)
12. On-Road Parking	No (emergency parking on shoulders only).	Generally no. Clearways where necessary.	Not preferred. Clearways where necessary.	No – emergency parking on shoulders – encourage parking in off road rest areas where possible.	Built Up Area – yes, where sufficient width and sight distance allow safe passing. Non Built Up Area – no. Emergency parking on shoulders.	Yes, where sufficient width and sight distance allow safe passing.
13. Signs & Linemarking	Centrelines, speed signs, guide and service signs to highway standard.	Centrelines, speed signs, guide and service signs.	Centrelines, speed signs, guide and service signs.	Centrelines, speed signs and guide signs.	Speed and guide signs.	Urban areas – generally not applicable. Rural areas - Guide signs.
14. Rest Areas/Parking Bays	In accordance with Main Roads' Roadside Stopping Places Policy.	Not Applicable.	Not Applicable.	Parking Bays/Rest Areas. Desired at 60km spacing.	Not Applicable.	Not Applicable.

Figure 7: Road types and criteria for Western Australia

Source: Main Roads Western Australia D10#10992

2.3 Existing traffic volumes on roads and major intersections

Traffic volume and speed data obtained from Main Roads WA indicates Hale Road carried average weekday traffic flows of around 6,800 vehicles per day (west of Tonkin Highway) in 2022. The weekday peak hours occur at around 8am to 9am and between 3pm to 5pm, as detailed in Figure 8.

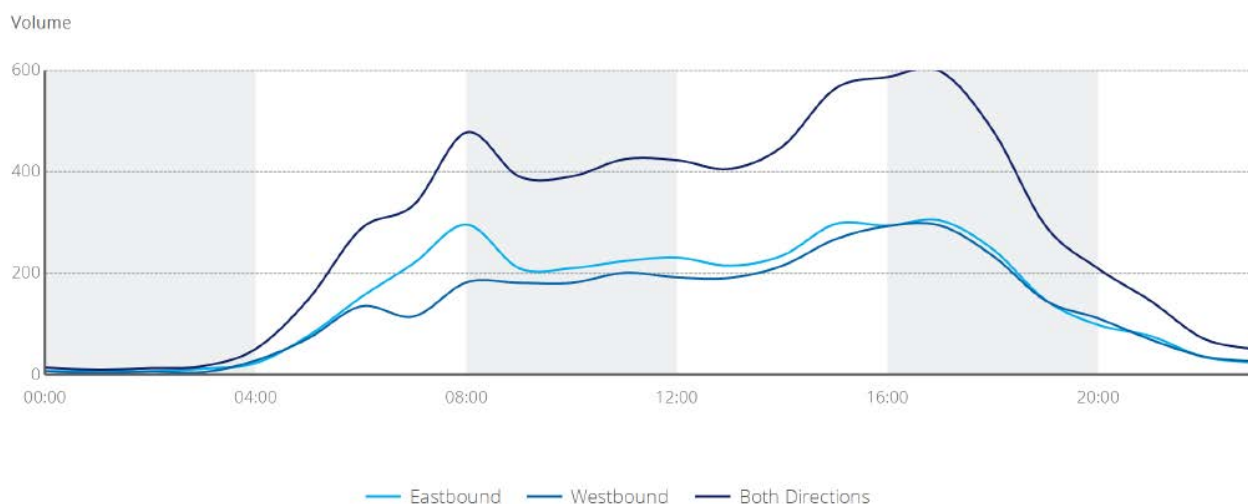


Figure 8: Weekday traffic profile (Hale Road west of Tonkin Highway)

Traffic data obtained from Main Roads WA and the City of Kalamunda for the local road network is summarised in Table 1. The peak hours on the local road network occur at 8am to 9am and 3pm to 4pm, due to the proximity to a local school.

Table 1: Existing traffic volume and speed on local roads

Road	Location	Daily traffic	85 th percentile speed
Hale Rd	West of Tonkin Hwy	6,800 vpd	59.6 km/h
Wimbridge Rd	North of Ajax Wy	2,600 vpd	51 km/h

To establish existing base traffic flows at nearby intersections, a video traffic survey was undertaken at the roundabout intersection of Hale Road and Wimbridge Road. The survey was undertaken on Tuesday 01 August 2023, on a school day. The survey was undertaken between 8am and 9am in the morning and 3pm and 4pm in the afternoon.

The base peak hour traffic flows derived for analysis are detailed in Section 7.2 of this report.

2.4 Existing operation of surrounding intersections

The operation of existing intersections is documented in Section 7.5 of this report.



2.5 Heavy vehicles

The roads near the subject site form part of RAV Network 1 which permits 19m semi-trailers to travel on these roads under general access, or “as of right” status. General access vehicles may operate state-wide provided they are:

- not a road train or b-double;
- within regulation axle mass limits;
- 19 metres or less in combination length (or a maximum 12.5 metres for rigid vehicles);
- total combination mass less than 42.5 tonnes;
- width less than 2.5 metres (excluding mirrors and lights); and
- height less than 4.3 metres.

2.6 Public transport access

Information was collected from Transperth and the Public Transport Authority to assess the existing public transport access to and from the site.

The subject site has access to the following bus services within walking distance:

- Bus Route 280: High Wycombe Stn - Carousel Shop Ctr via Wattle Grove & Cannington Stn.

Public transport services provide a viable alternative mode of transport for visitors and staff of the proposed development.

The closest bus stops are located on Hale Road abutting and across the site (Figure 9). Bus services provide excellent coverage and connectivity to the rail network.

The public transport network plan is shown in Figure 10.



Figure 9: Closest bus stops serving the proposed development



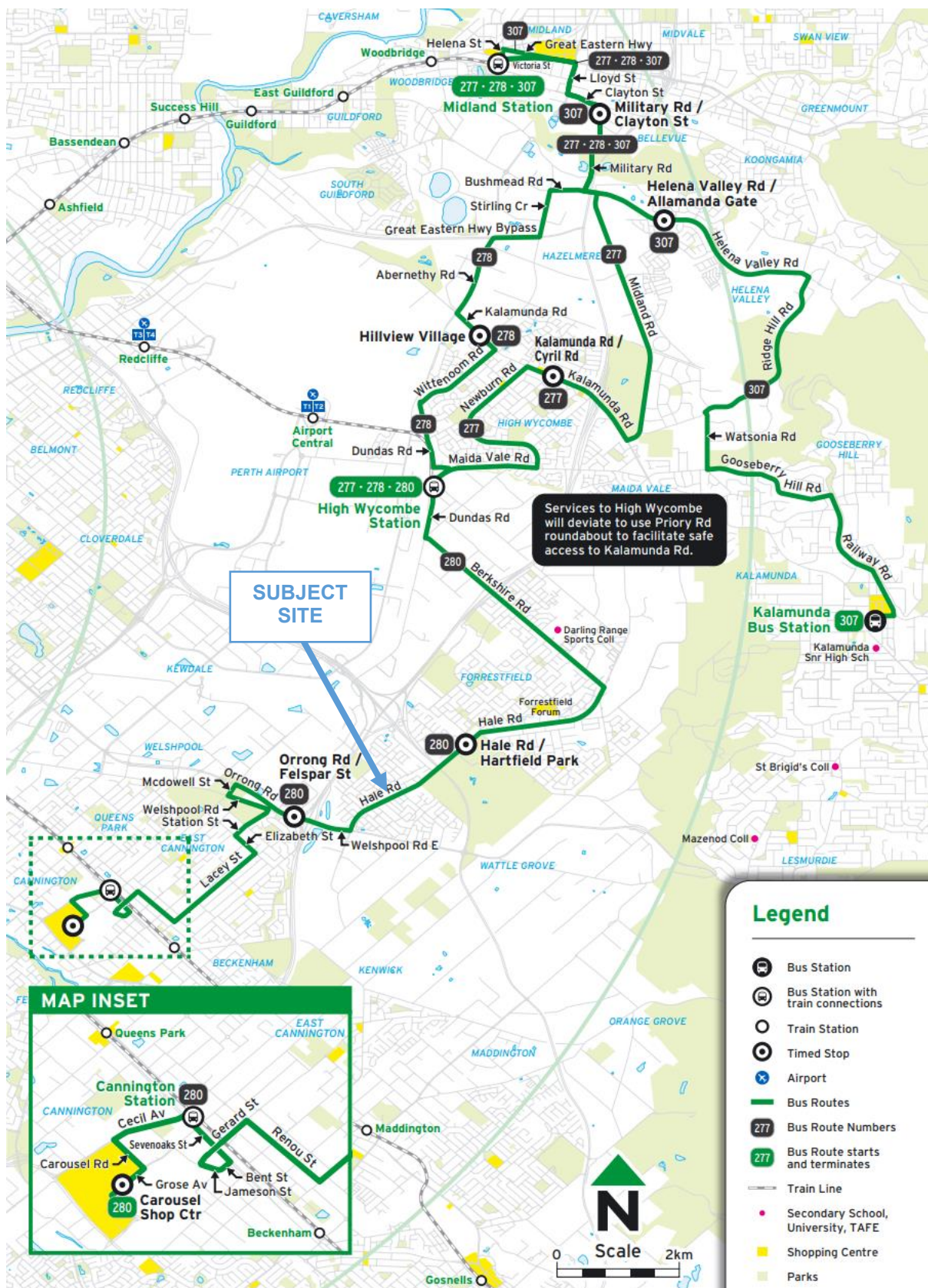


Figure 10: Transperth public transport plan

Source: Path Transit

2.7 Pedestrian access

Information from online mapping services, Main Roads WA, Local Government, and site visits was collected to assess the pedestrian access for the proposed development.

Footpaths are provided on both sides of Hale Road and Wimbridge Road adjacent to the subject site.

Kerb ramps and median refuge are provided on all four approaches of the roundabout intersection of Hale Road and Wimbridge Road, which promotes improved access for bicycles, wheelchairs and prams.



2.8 Bicycle access

Information from online mapping services, Department of Transport, Local Government, and/or site visits was collected to assess bicycle access for the proposed development.

The Department of Transport Perth Bicycle Network Map (see Figure 11) shows the existing cycling connectivity to the subject site. Higher order cycling facilities are accessible within close cycling distance of the site, including a shared path on Hale Road, which is also labeled as a 'Good Road Riding Environment.'

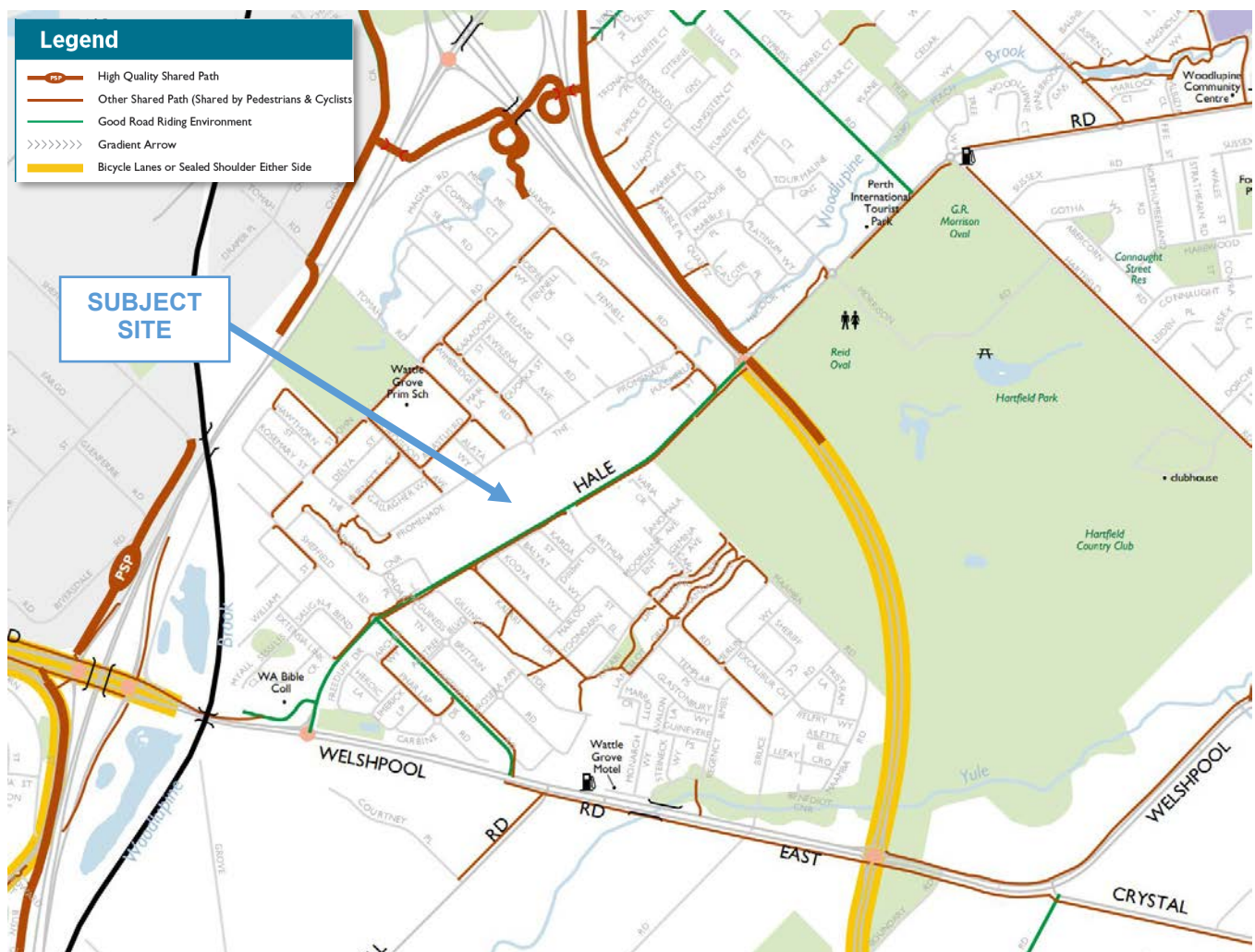


Figure 11: Perth bicycle network plan

The Strava cycling heatmap tool shows that Hale Road and Wimbridge Road are relatively popular cycling routes in the area (Figure 12).

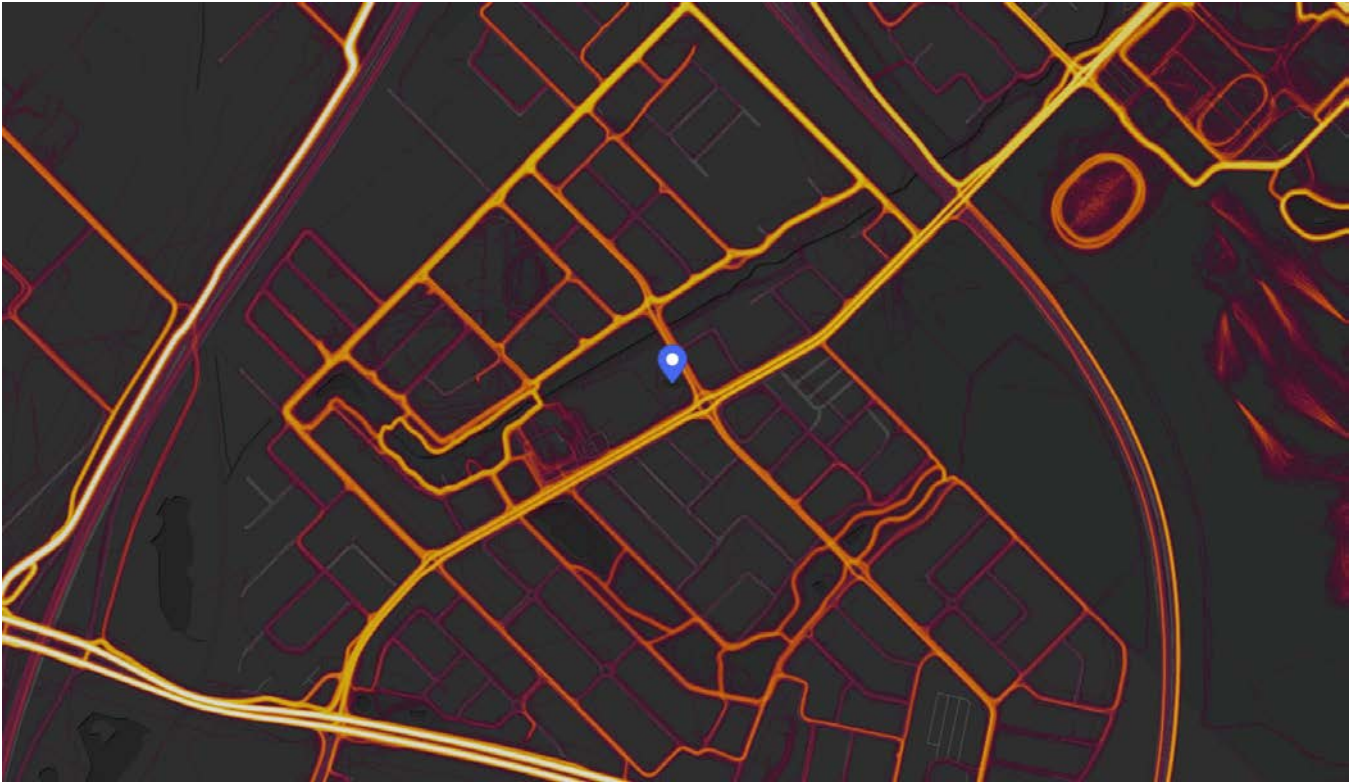


Figure 12: Strava cycling heatmap

2.9 Crash data and safety

The five-year crash history in the vicinity of the site was obtained from Main Roads WA. As detailed in Figure 13, 12 crashes were recorded in the immediate locality in the last five years. The detailed crash history is presented in Table 2.

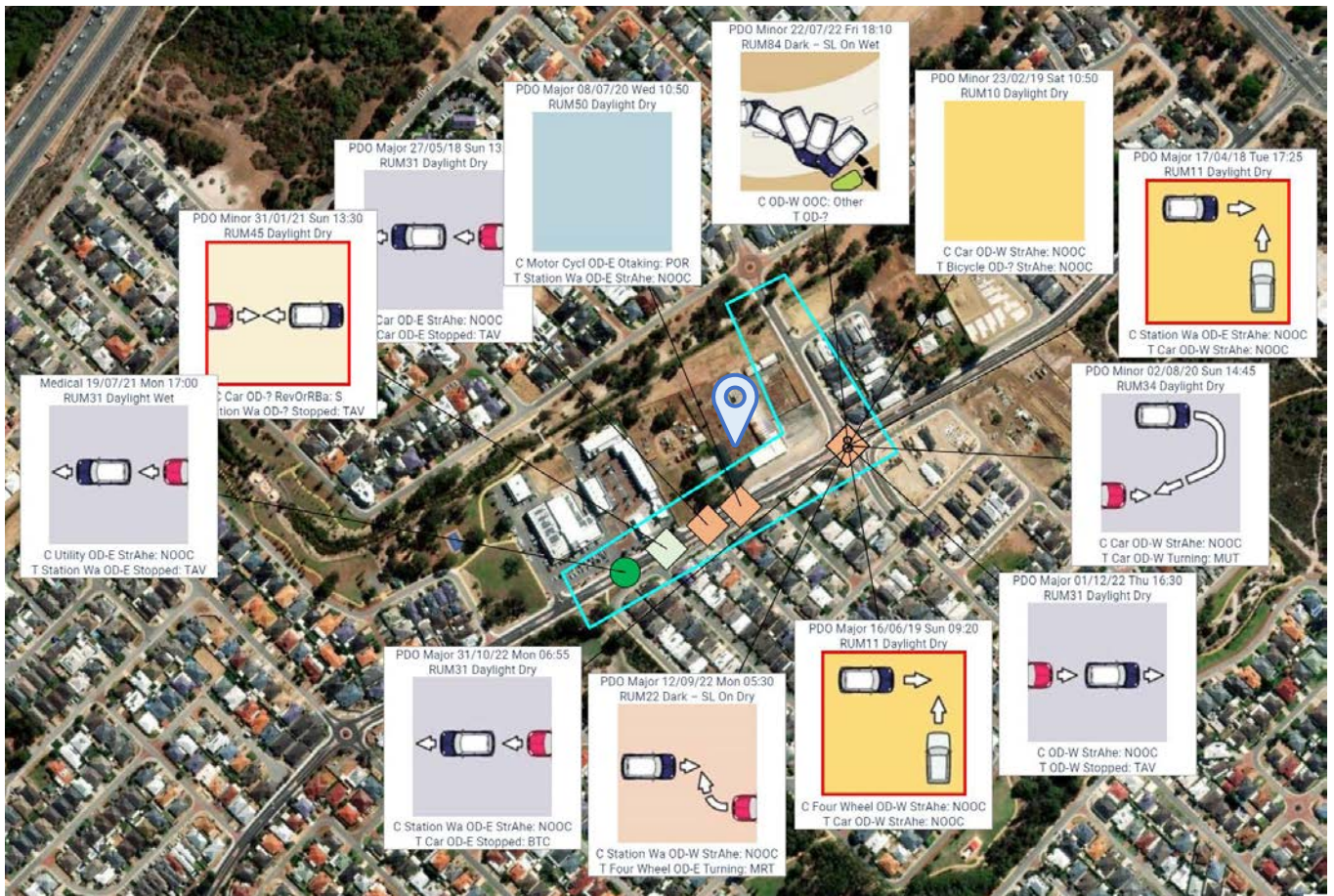


Figure 13: 5-year crash map in the locality (2018-2022)

Source: MRWA crash mapping tool

Table 2: 5-year crash history in the locality (2018-2022)

Severity	No.	%
Fatal	0	0
Hospital	0	0
Medical	1	8.33
PDO Major	7	58.33
PDO Minor	4	33.33

Year	No.	%
2018	2	16.67
2019	2	16.67
2020	2	16.67
2021	2	16.67
2022	4	33.33

Nature	No.	%
Head On	0	0
Hit Animal	0	0
Hit Object	1	8.33
Hit Pedestrian	0	0
Non Collision	0	0
Not Known	0	0
Other / Unknown	2	16.67
Rear End	4	33.33
Right Angle	3	25.00
Right Turn Thru	1	8.33
Sideswipe Opposite Dirn	0	0
Sideswipe Same Dirn	1	8.33

Light	No.	%
Dark - Street Lights Not Provided	0	0
Dark - Street Lights Off	0	0
Dark - Street Lights On	2	16.67
Dawn Or Dusk	0	0
Daylight	10	83.33
Not Known	0	0

Conditions	No.	%
Dry	10	83.33
Not Known	0	0
Wet	2	16.67

Alignment	No.	%
Curve	3	25.00
Not Known	0	0
Straight	9	75.00

Total	12
--------------	-----------



3 Development proposal

A mixed-use development is proposed for the subject site, which will combine the complementary uses of childcare, medical centre, other medical services and pharmacy. Some minor variations in floor area may take place as further plan amendments are made. The proposed development plans include:

- Child care centre for 84 children and up to 17 staff.
- Medical centre – 299m².
- Pharmacy – 150m².
- Physio/Chiro/Remedial – 150m².
- Podiatry – 101m².
- Dental – 101m².
- Medical – 144m².

A total of 61 car parking spaces are provided, including 5 ACROD parking spaces. Parking for 11 bicycles is also provided, with bicycle racks spread throughout the site. Two raised walk crossings are provided in the car park, which connect to the public path on Hale Road and Wimbridge Road.

The proposed development plans are included in Appendix A.

4 Vehicle access

The proposed vehicular access arrangements have been reviewed for efficient and safe traffic circulation.

The proposed access arrangements are shown in Figure 14. Two crossovers are proposed on Hale Road and one crossover on Wimbridge Road. The eastern crossover on Hale Road and the crossover on Wimbridge Road are proposed to accommodate full-movement, two-way traffic flows. The western crossover on Hale Road is proposed to be for left-in movements only.

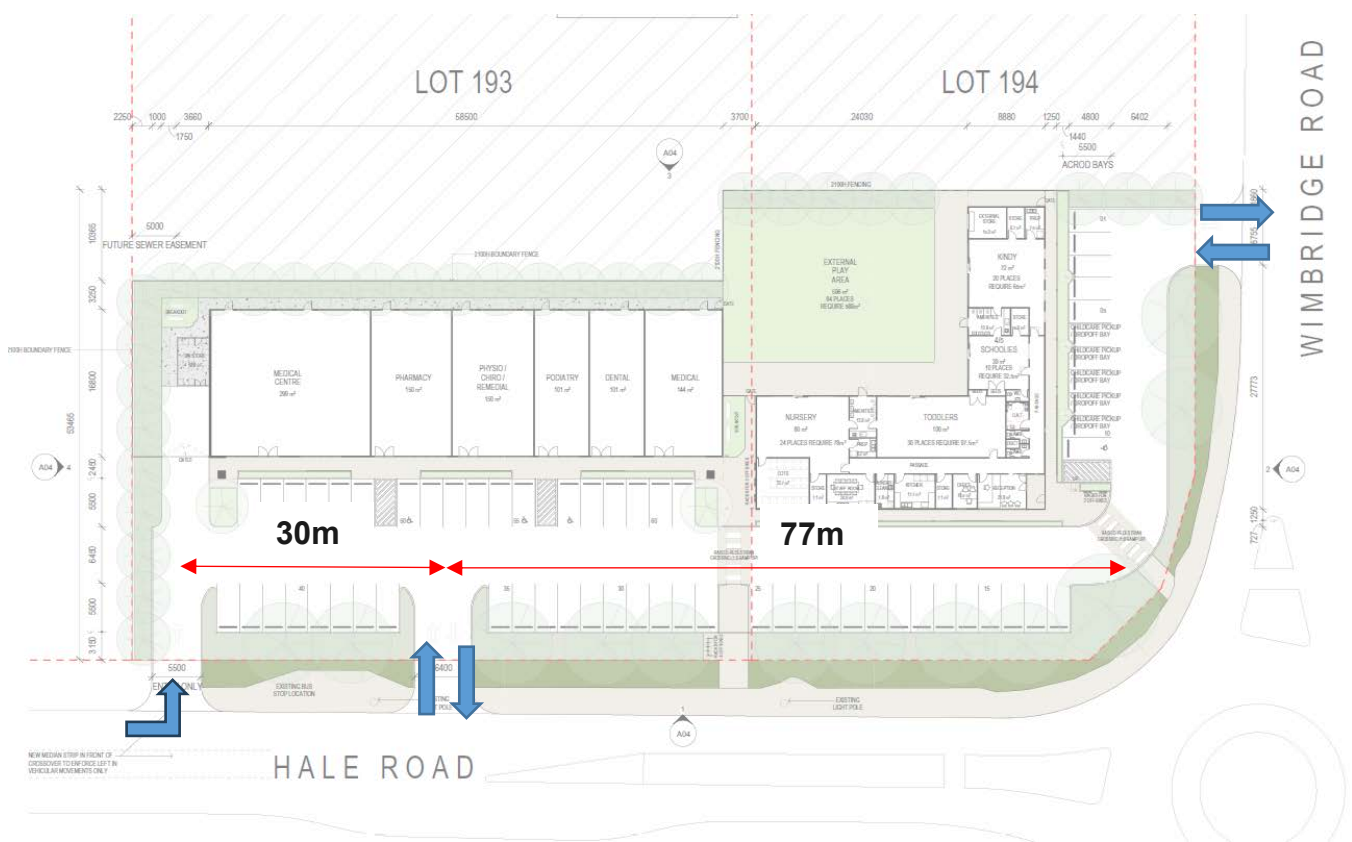


Figure 14: Proposed vehicle access

Urbii met with the City of Kalamunda on Tuesday 27 February 2024, to discuss the proposed access arrangements on Hale Road. The City was concerned that the western crossover on Hale Road was close to the adjoining site (funeral parlour) crossover. It was agreed that this crossover will be permitted for left turn entry movements only.

The adjacent funeral parlour crossover is proposed to be left-out only, with the existing median island on Hale Road extended. It is recommended that the proposed development proponents liaise with the adjacent funeral parlour proponents, to coordinate further extension of the median past the western site crossover. This will be undertaken at subsequent design stages.



5 Changes to surrounding transport networks

The City of Kalamunda was consulted for planned changes to the surrounding transport networks. No significant changes are planned in the vicinity of the development.



6 Integration with surrounding area

The proposed development integrates well with the surrounding area. A portion of the site to the north and west will likely be developed with residential lots in the future (subject to a separate development application).

The portion of the site immediately west of the development is planned to accommodate a funeral parlour. The funeral parlour requires independent vehicle access to accommodate service and hearse vehicle movements. Independent access arrangements will also reduce the incidence of overflow parking from the funeral parlour into the proposed development.

7 Traffic assessment

7.1 Assessment period

Two time periods are considered in the traffic assessment:

- Weekday AM peak hour: 8am to 9am.
- Weekday PM peak hour: 3pm to 4pm.

The analysis was undertaken for the following scenarios:

- Existing situation (without proposed development traffic).
- 10yr post-development situation (assumed to be 2036 with development traffic included).



7.2 Existing traffic flows

To establish existing base traffic flows at nearby intersections, a video traffic survey was undertaken at the roundabout intersection of Hale Road and Wimbridge Road. The survey was undertaken on Tuesday 01 August 2023, on a school day. The survey was undertaken between 8am and 9am in the morning and 3pm and 4pm in the afternoon.

The existing traffic flows are presented in Figure 16.

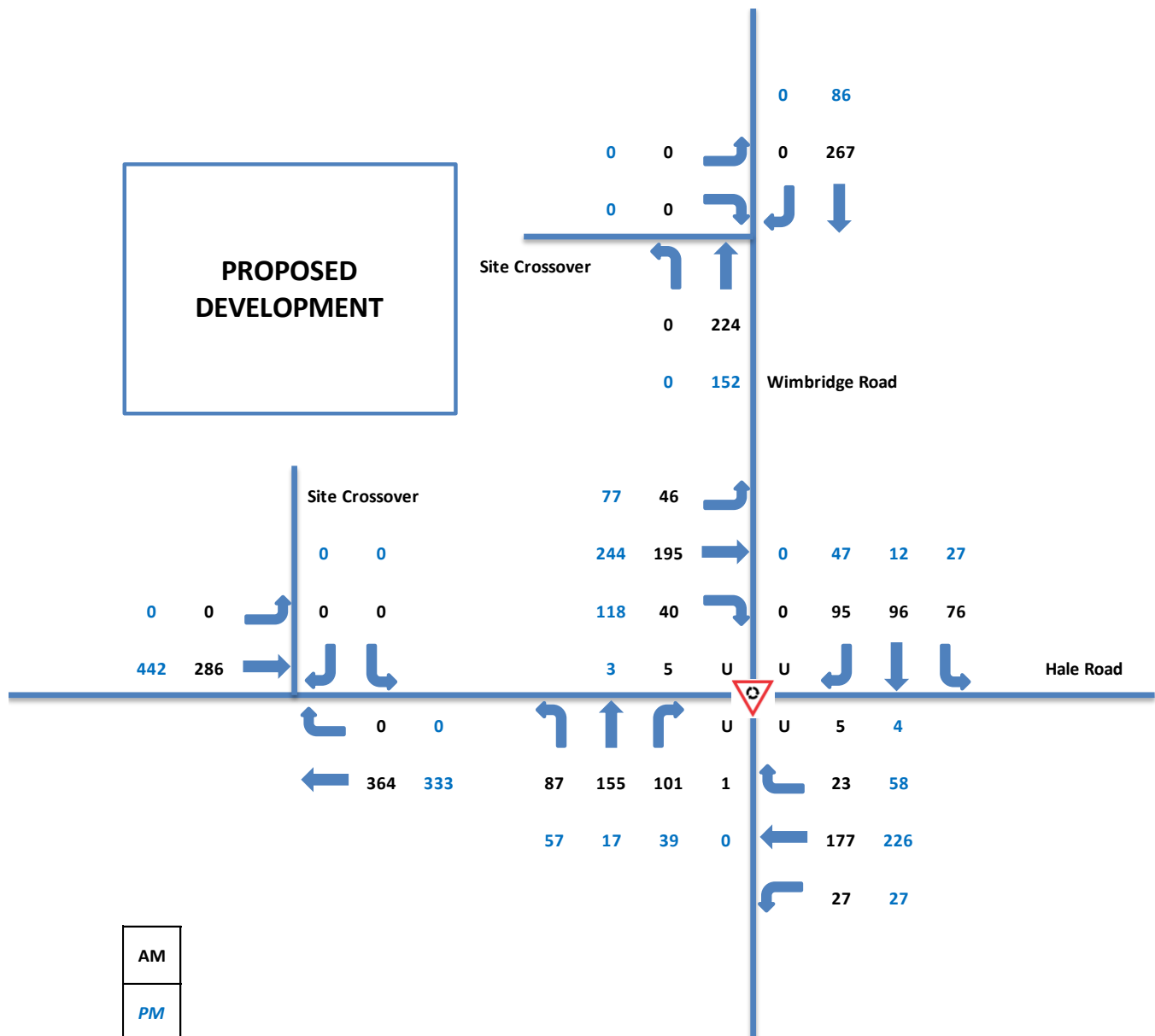


Figure 16: Surveyed existing traffic flows – weekday AM and PM peak hours

7.3 Traffic generation

The traffic volume that will be generated by the proposed development has been estimated using trip generation rates derived with reference to the following sources:

- ITE *Trip Generation Manual 10th Edition*;
- Roads and Traffic Authority of New South Wales *Guide to Traffic Generating Developments (2002)*; and
- RTA TDT 2013/ 04a.

The trip generation rates adopted are detailed in Table 3.

Table 3: Adopted trip rates for traffic generation

Land use	Trip rate source	Daily rate	AM rate	PM rate	AM-in	AM-out	PM-in	PM-out
Consulting Room	RTA Medical Centre	1.04	0.104	0.088	50%	50%	50%	50%
Pharmacy	ITE Pharmacy (880)	0.969	0.032	0.092	65%	35%	50%	50%
Child Care	RTA Child Care Centre	4	0.8	0.8	50%	50%	50%	50%

The RTA Guide specifies a rate of 1.4 trips per child between 7am and 9am (2 hours), so it was assumed that 0.8 trip per child would be generated in the peak hour (8am to 9am). The RTA Guide specifies 0.8 trips per child between 2:30pm and 4:00pm. For simplicity, it was conservatively assumed 0.8 trip per child would also be generated in the PM peak hour.

Child care centres have well defined peak periods in their daily traffic profiles therefore the daily trip rate would be no more than 4 trips per child.

The estimated traffic generation of the proposed development is detailed in Table 4. The proposed development is estimated to generate a total of 1,375 vehicles per day (vpd), with 160 and 157 vehicles per hour (vph) generated during the AM and PM peak hours, respectively.

These trips include both inbound and outbound vehicle movements. It is anticipated that most of the vehicle types would be passenger cars and SUVs.

Table 4: Traffic generation – Weekday AM and PM peak hours

Land use	Quantity	Daily Trips	AM Trips	PM Trips	AM Peak Trips		PM Peak Trips	
					IN	OUT	IN	OUT
Medical	850m ² *	884	88	75	44	44	38	37
Pharmacy	160m ² *	155	5	15	3	2	8	7
Child Care	84 places	336	67	67	34	33	34	33
Total		1375	160	157	81	79	80	77

*Note: Floor area has been rounded up to provide flexible for future minor plan revisions

It should be noted that the above analysis is conservative, as it does not apply any discounts for cross trade between the development land uses.



7.4 Trip distribution and assignment

Development traffic was assigned to the crossovers and surrounding intersections as detailed in Figure 17. The distribution assumptions were based on the existing traffic distributions in and out of the roundabout.

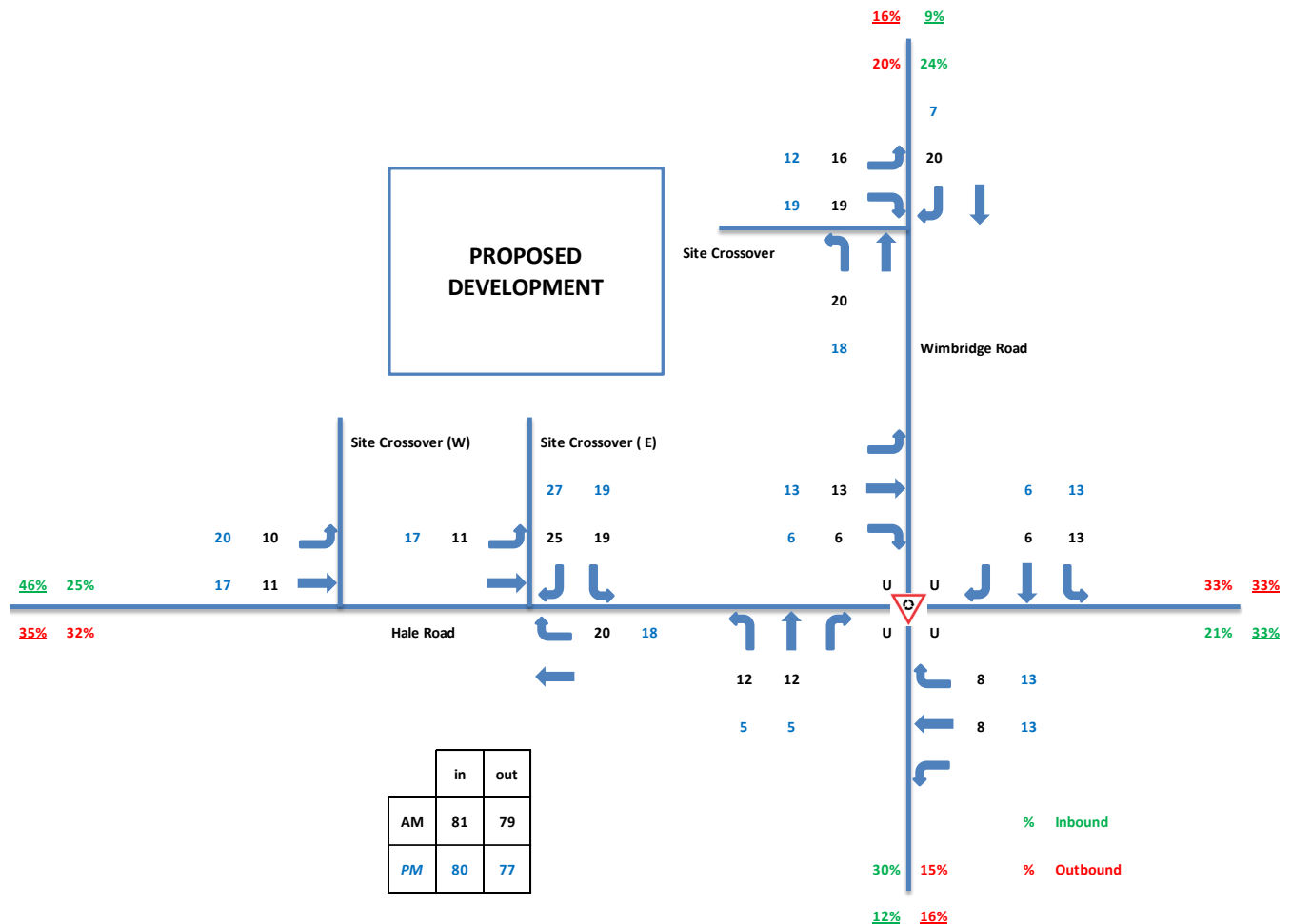


Figure 17: Proposed development traffic distribution

Note: Underlined distribution percentages represent the PM peak hour.

7.4.1 10-year post development forecasting

Forecasting background traffic volumes for the 10 year post development scenario is a complex exercise. Transport demand forecasting is shifting from fixed forecasts to 'scenario modelling.' Scenario modelling recognises that there are multiple known and unknown disrupters to transport behaviour in the coming years, for example:

- Increased work from home activity;
- Increased popularity of micromobility devices such as e-scooters;
- Increased provision of public transport such as light rail and trackless trams;
- Electric Vehicles;
- Autonomous Vehicles; and,
- Government Net Zero emission targets.

For simplicity, this transport assessment refers to population forecasts for the City of Kalamunda and the suburb of Wattle Grove. As shown in Table 5, the City of Kalamunda has a forecast average annual population growth of 0.74% per annum. The suburb of Wattle Grove has a higher forecast growth of 1.08% per annum.

Table 5: Population forecasts – City of Kalamunda

City of Kalamunda	Forecast year					Change between 2021 and 2041	
Area	2021↕	2026↕	2031↕	2036↕	2041↕	Total change↕	Avg. annual % change↕
Shire of Kalamunda	60,803	62,997	65,843	68,110	70,407	+9,604	+0.74
Forrestfield	13,768	14,326	14,683	14,830	15,004	+1,236	+0.43
Gooseberry Hill	3,498	3,569	3,668	3,743	3,833	+335	+0.46
High Wycombe	12,621	12,758	13,283	13,857	14,428	+1,807	+0.67
Kalamunda	7,421	7,894	8,299	8,629	8,930	+1,509	+0.93
Lesmurdie	8,542	8,520	8,624	8,676	8,745	+203	+0.12
Maida Vale	4,684	5,331	6,112	6,737	7,306	+2,622	+2.25
Rural East - Walliston	3,536	3,645	3,676	3,734	3,815	+279	+0.38
Wattle Grove	6,734	6,955	7,499	7,903	8,346	+1,612	+1.08
Source: Population and household forecasts, 2021 to 2041, prepared by <u>id</u> (informed decisions), March 2023.							

This TIA conservatively adopts a compounded traffic growth rate of 2% per annum. Applying this rate for traffic growing from the assessment years of 2023 to 2036 will result in a 29% increase in background traffic volumes. This traffic increase adequately caters for the development in Wattle Grove, including the remaining portions of the subject site.

The base 2036 traffic flows are detailed in Figure 18. The total 2036 post development traffic volumes are detailed in Figure 19.



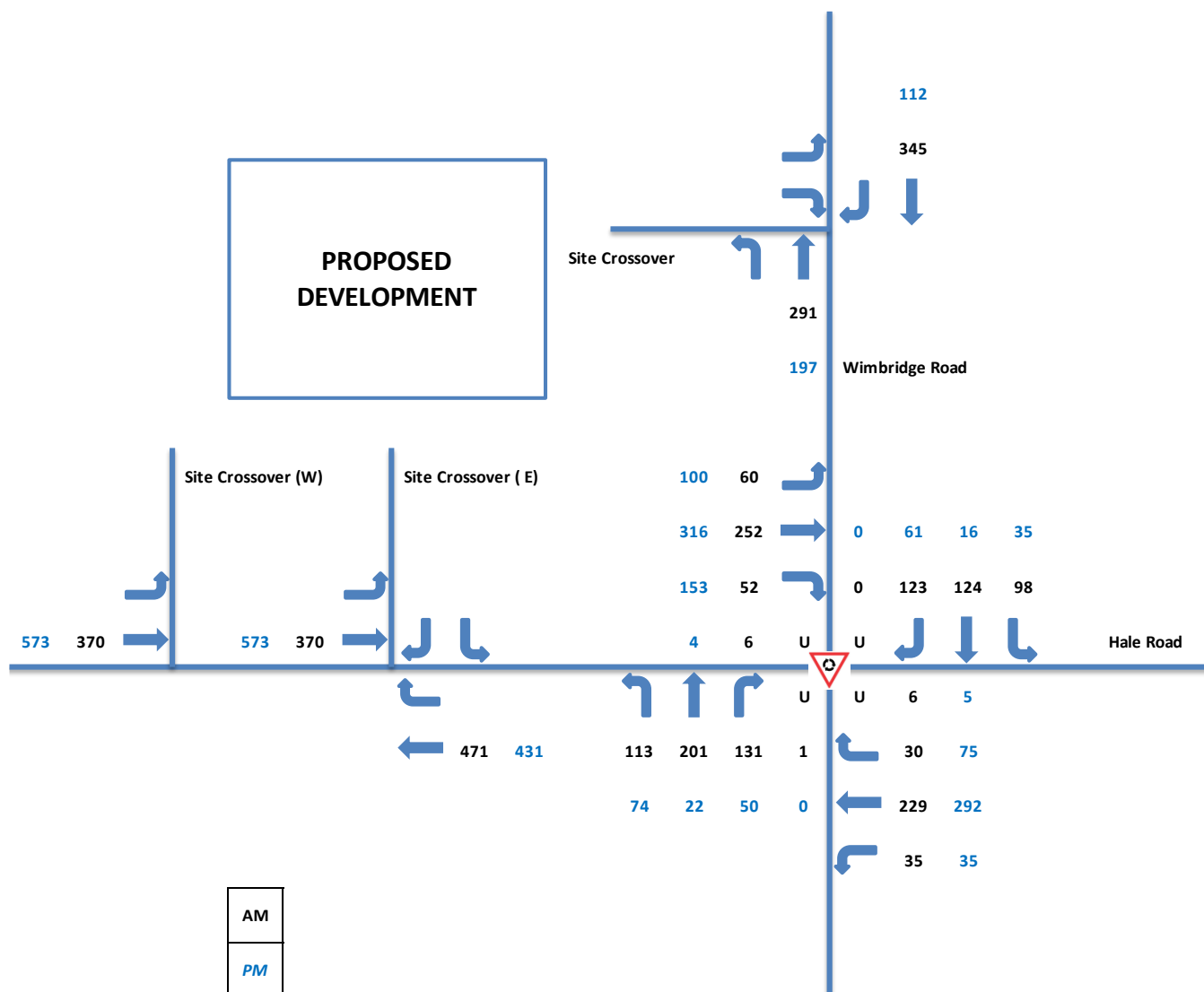


Figure 18: 2036 forecast base traffic flows (without development traffic)

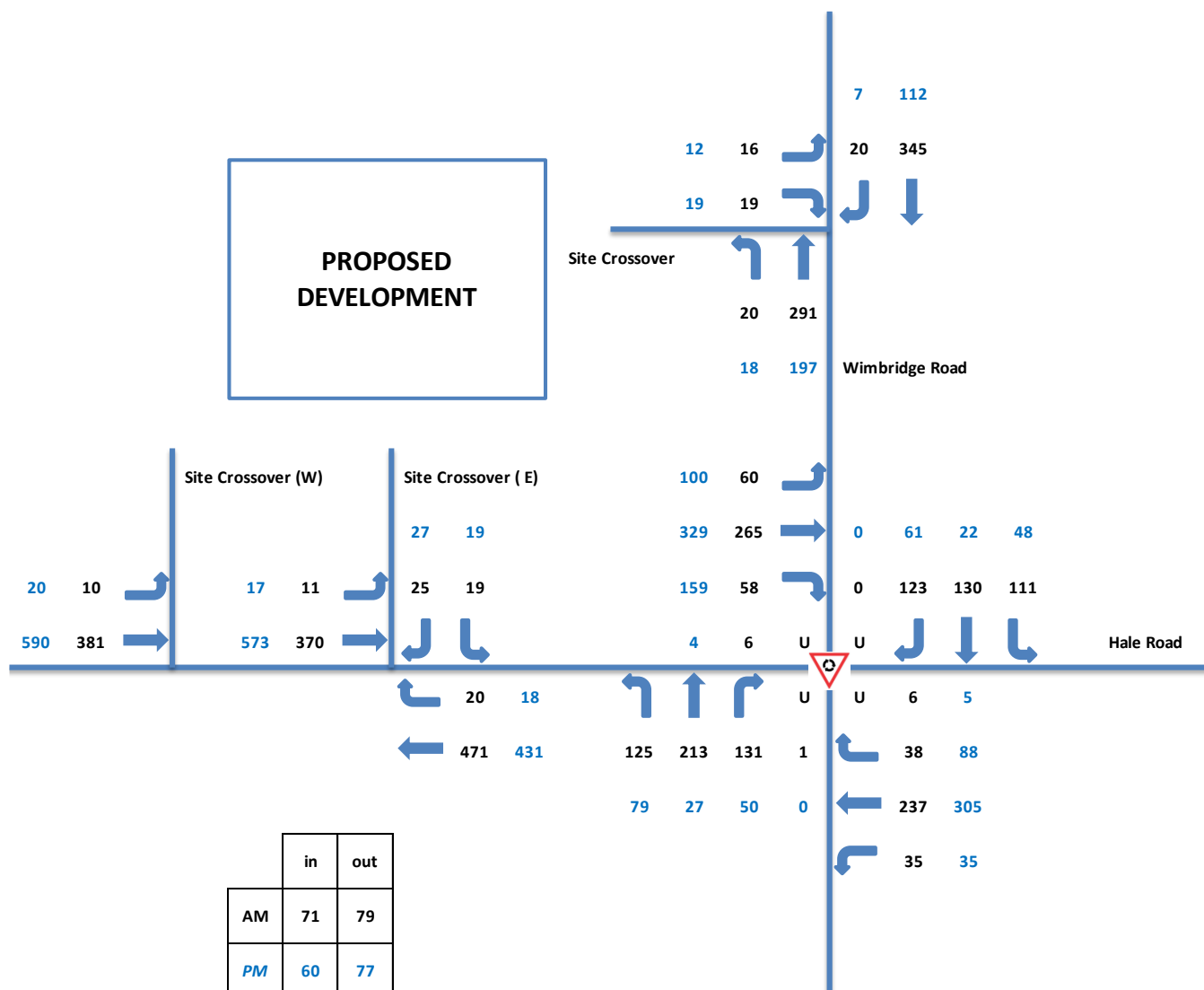


Figure 19: 2036 forecast traffic flows (including development traffic)



7.5 Analysis of intersections and development access

Capacity analysis of intersections was undertaken using the SIDRA 9 computer software package. SIDRA 9 is an intersection modelling tool commonly used by traffic engineers for all types of intersections.

Four intersections were analysed as following:

- Hale Rd / Wimbridge Rd / Arthur Rd (Existing and 2036 AM & PM peak hours).
- Site crossover (E) / Hale Rd (2036 AM & PM peak hours).
- Site crossover (W) / Hale Rd (2036 AM & PM peak hours).
- Site crossover / Wimbridge Rd (2036 AM & PM peak hours).

Overall, the SIDRA results indicate that the proposed development will have minimal impact on the road network. Most traffic movements operated at level of service A with minimal delays and queuing.

Detailed SIDRA outputs for each intersection are provided in Appendix B.

7.6 Impact on surrounding roads

The WAPC Transport Impact Assessment Guidelines for Developments (2016) provides the following guidance on the assessment of traffic impacts:

“As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road but increases over 10 percent may. All sections of road with an increase greater than 10 percent of capacity should therefore be included in the analysis. For ease of assessment, an increase of 100 vehicles per hour for any lane can be considered as equating to around 10 percent of capacity. Therefore, any section of road where development traffic would increase flows by more than 100 vehicles per hour for any lane should be included in the analysis.”

The proposed development will not increase traffic flows on any roads adjacent to the site by the quoted WAPC threshold of +100vph to warrant further analysis. Therefore, the impact on the surrounding road network is minor.

7.7 Impact on neighbouring areas

The traffic generated by the proposed development is not expected to significantly affect surrounding areas and the proposed land uses are in line with planning for the local area. Therefore, there is not expected to be any impact on neighbouring areas that would require any further consideration.

7.8 Traffic noise and vibration

It requires a doubling of traffic volumes on a road to produce a perceptible 3dB (A) increase in road noise. The proposed development will not increase traffic volumes or noise on surrounding roads anywhere near this level to result in any perceptible increase in noise.



8 Parking

8.1 Parking supply

A total of 61 car parking bays are proposed for the development. This includes five bays allocated for ACROD parking. Five bays will be reserved for the exclusive use of childcare pick-up/drop-off.

8.2 Parking requirements

Advice provided by the project Town Planner indicates that the applicable planning scheme will result in a significant 'on-paper' parking shortfall.

8.3 Parking demand modelling

Urbii has undertaken an independent parking demand modelling exercise, to estimate the combined parking demand for the site, based on floor area for tenancies and the number of staff and children in the child care centre. This exercise was undertaken to assess if total parking onsite will be sufficient, independent of specific tenant operations and parking allocations.

Reference was made to the Institute of Transport Engineers (ITE) *Parking Generation Manual* for peak parking demand rates for the proposed medical and pharmacy uses. The relevant parking generation rates for the applicable uses are detailed in Table 6.

Table 6: ITE parking generation rates

Land use	Reference	Peak Parking Demand Rate	Measurement
Medical/Dental Office	ITE - Medical-dental (720)	3.48	per 100 sqm GFA
Pharmacy	ITE - Pharmacy (880)	2.36	per 100 sqm GFA
CCC Staff	Traffic modelling	0.80	per staff member
CCC Children	Traffic modelling		Refer to modelling

Child care centre staff

As detailed in Figure 20, census data indicates that around 75% of workers employed in education and training in the City of Kalamunda travelled to work by driving a car.

An **80%** car driver mode share is considered a reasonable target for staff working at the child care centre, which is located within short walking distance of a bus stop.

The proposed development provides end of trip facilities including a shower, change room and lockers plus bicycle parking for staff, to further encourage sustainable transport to the site.

This results in an anticipated peak parking demand of **14 bays for 17 staff**.

Child care centre pick-up / drop-off

Modelling was undertaken to estimate the demand for children's pick-up/drop-off parking. As detailed in Section 7 of this report, the peak inbound traffic for children's drop-off is estimated to be 34 cars in a 60-minute period. The RTA NSW *Guide to Traffic Generating Developments* surveyed the average length of stay for drop-offs to be 6.8 minutes.

For conservative analysis, it was assumed that the average length of stay would be 7 minutes. The Poisson Distribution modelling presented in Figure 21 shows that in any 7-minute period during the peak hour, the 95th percentile number of pick-ups/drop-offs will be **7 vehicles or less**. Outside of peak hours the demand for visitor parking will be much lower.

Local workers method of travel to work							
<div> <div>reset</div> <div>export</div> </div>							
City of Kalamunda - Education and Training	2021			2016			Change
Main method of travel	Number	%	Western Australia	Number	%	Western Australia	2016 - 2021
Car, as driver	1,590	80.6	75.5	1,443	81.5	75.0	+147
Car, as passenger	53	2.7	3.1	38	2.1	3.1	+15
Train	0	0	1.7	8	0.5	2.4	-8
Bus	16	0.8	1.4	5	0.3	1.6	+11
Ferry	0	0	0.0	0	0	0	--
Tram	0	0	0.0	0	0	0.0	--
Truck	0	0	0.0	0	0	0.0	--
Motorbike/Motor scooter	0	0	0.2	11	0.6	0.4	-11
Bicycle	0	0	0.9	5	0.3	1.4	-5
Taxi/Other	0	0	0.2	0	0	0.1	--
Other - multiple methods	6	0.3	0.2	13	0.7	0.7	-7
Walked only	31	1.6	2.6	42	2.4	3.4	-11
Worked at home	51	2.6	4.1	38	2.1	2.1	+13
Did not go to work	220	11.2	10.1	162	9.1	9.4	+58
Not stated	5	0.3	0.1	6	0.3	0.4	-1
Total	1,972	100.0	100.0	1,771	100.0	100.0	+201
<small>Source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021. Compiled and presented by .id (informed decisions) Please refer to specific data notes for more information</small>							

Figure 20: City of Kalamunda – Method of travel to work data (2016-21)

Source: Australian Bureau of Statistics, Census of Population and Housing, 2016 and 2021.



Traffic volume 34 (vph) 0.00944 (vps)

Time period 7 (min) 420 (sec)

Mean number of vehicles 3.96667

Probability distribution table 95th percentile: 7 vehicles

(x)	p(x)	P(x)
1	0.07511	0.09405
2	0.14898	0.24303
3	0.19698	0.44001
4	0.19534	0.63535
5	0.15497	0.79032
6	0.10245	0.89277
7	0.05806	0.95083
8	0.02879	0.97961
9	0.01269	0.9923
10	0.00503	0.99733
11	0.00181	0.99915
12	0.0006	0.99975
13	0.00018	0.99993
14	5.2E-05	0.99998
15	1.4E-05	1
16	3.4E-06	1
17	7.9E-07	1
18	1.7E-07	1
19	3.6E-08	1
20	7.2E-09	1

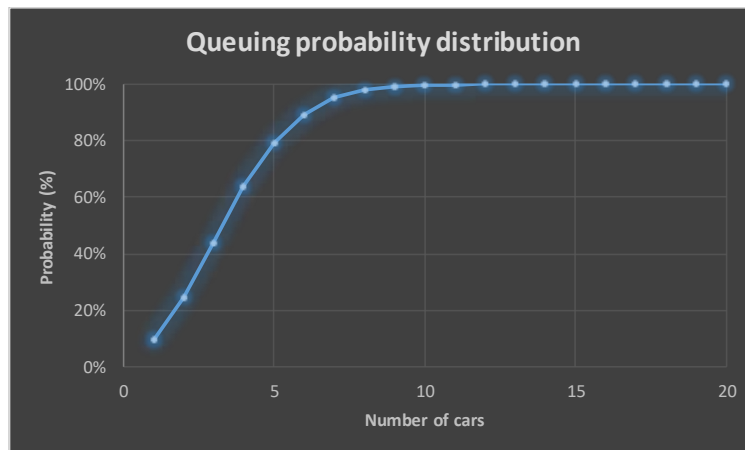


Figure 21: Probability analysis for children's drop-off/pick-up

The calculated peak parking demand for the different site land uses is presented in Table 7.

Table 7: Peak parking generation for proposed land uses

Land use	Reference	Quantity	Peak Parking Demand
Medical/Dental Office	ITE - Medical-dental (720)	850m2	30
Pharmacy	ITE - Pharmacy (880)	160m2	4
CCC Staff	Traffic modelling	17 staff	14
CCC Children	Traffic modelling	84 children	7

The ITE *Parking Generation Manual* provides the percentage distribution of parking demand for every hour of the day for different land uses. Extracts from ITE detailing the hourly parking distributions are included in Appendix C.

The total hourly parking demand for the development on weekdays is presented in Table 8. Peak parking demand is estimated to be 53 bays at 3:00pm. There are 61 car parking bays provided onsite, which equates to 87% peak occupancy.

The independent parking demand modelling provides confidence that the total car parking provided onsite is sufficient for the scale and type of land uses.

Table 8: Hourly parking demand distribution (weekdays)

Time	Medical	Pharmacy	Child Care	Total
7:00	4	0	18	22
8:00	13	0	21	34
9:00	27	2	18	47
10:00	30	2	16	48
11:00	30	2	16	48
12:00	25	2	16	43
13:00	23	3	16	42
14:00	29	3	18	50
15:00	28	4	21	53
16:00	26	3	21	50
17:00	17	3	18	38
18:00	15	3	11	29
19:00	15	2	0	17
20:00	0	2	0	2
21:00	0	2	0	2



8.4 Parking demand management

It is considered that there is enough parking to meet the needs of the development. However, should there be a need to manage car parking demand in the future, several strategies can be considered.

A sustainable transport network should prioritise active and sustainable modes of transport, with walking, cycling, public transport, car sharing, and then single occupancy cars ranked in order of priority (Figure 22).

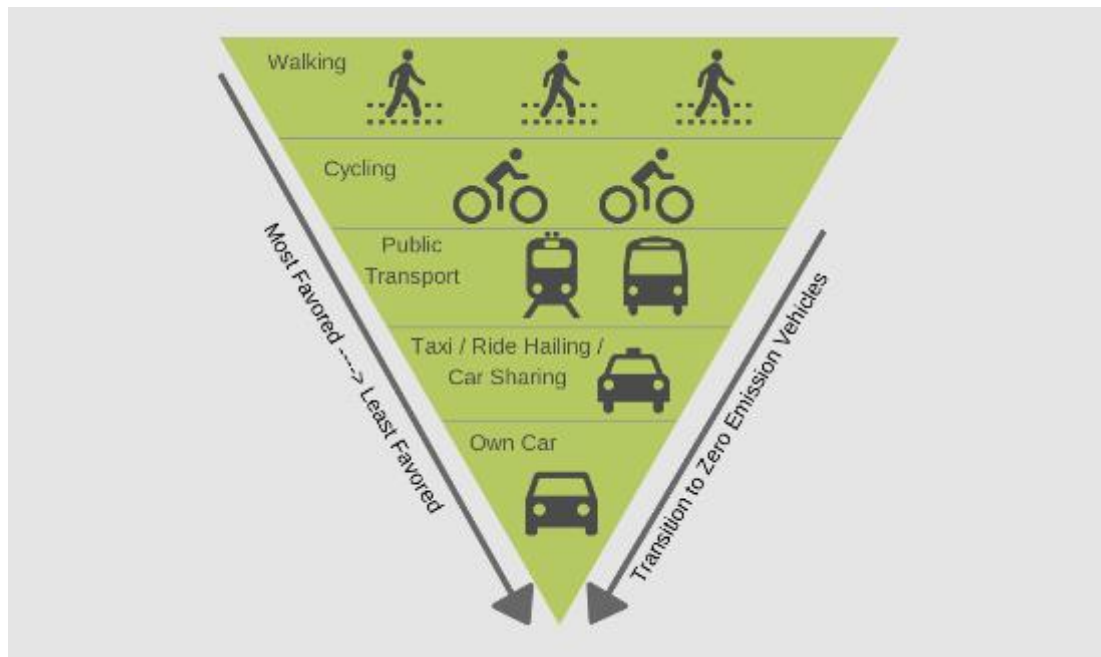


Figure 22: Sustainable transport hierarchy

Some strategies which can be considered for promoting sustainable transport and lowering demand for car parking may include, but are not limited to:

- Running healthy, active transport campaigns and promotions in the workplace. For example, tracking walking and active transport and offering prizes or other incentives for participants.
- Educating staff on public transport, walking and cycling travel options as part of training and recruitment.
- Offering subsidies or other incentives for using public transport.
- Monitoring and maintaining bicycle parking to ensure enough parking is provided and is maintained in good condition.
- Providing free charging stations for micro-mobility vehicles such as e-scooters and e-bikes.
- Implementing a car-pooling register for staff to match-up and car pool together. This can also be incentivised by issuing car-pooling badges for display on the dashboard and providing allocated priority car-pooling parking bays within the site.
- Offer tele-commuting work opportunities for staff who can complete work duties remotely, for example administrative staff.

9 Provision for service vehicles

The *Austroads Guide to Traffic Management Part 11: Parking Management Techniques* recommends allowance for 1 x Medium Rigid Vehicle (MRV) service bay for business/office developments in the range of 1,000m² to 2,500m² GFA (Table 9).

Table 9: Example of the number of service bays required for business

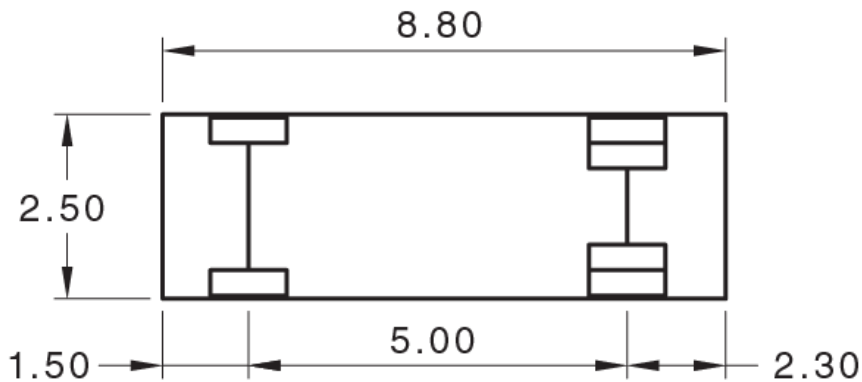
Development type	Gross floor area (GFA), m ²	Number of service bays required by vehicle class			
		Small rigid vehicle	Medium rigid vehicle	Heavy rigid vehicle	Articulated vehicle
Business/office	0–99	1	–	–	–
	1 000–2 499	–	1	–	–
	2 500–7 999	1	1	–	–
	8 000–19 999	2	1	–	–
	20 000–34 999	2	2	–	–
	35 000–64 999	2	2	1	–
	> 65 000	2	3	1	–
Shop/restaurant	0–199	1	–	–	–
	200–599	–	1	–	–
	600–1 499	1	1	–	–
	1 500–1 999	2	1	–	–
	2 000–2 799	2	2	–	–
	2 800–4 399	2	2	1	–
	4 400–8 499	2	2	1	1
	8 500–11 499	3	2	1	1
	11 500–20 999	3	3	1	1
	21 000–23 999	3	3	2	1
	24 000–32 999	3	3	2	2
	> 33 000	3	4	3	2
Hotel/motel	0–199	–	1	–	–
	200–399	–	1	1	–
	400–599	1	1	1	–
	> 600	2	1	1	–

Source: *Austroads Guide to Traffic Management Part 11: Parking Management Techniques*



The proposed development provides one shared loading bay for deliveries, large service vehicles and onsite waste collection.

Swept path analysis was prepared for an 8.8m Medium Rigid Vehicle (MRV), as detailed in Figure 23. Swept path analysis confirms satisfactory service vehicle movements and is presented in Appendix D. Service vehicles are able to enter and exit the site in forward gear.



(b) Medium rigid vehicle
Clearance height 4.50
Design turning radius 10.0

Figure 23: Adopted checking vehicle for swept path analysis

Source: AS2890.2 *Off-street commercial vehicle facilities*

It is recommended that a small rear-loader waste truck be used for private waste collection.

10 Public transport assessment

The existing public transport services as documented in Section 2.6 of this report provide excellent accessibility for the subject site. No changes to public transport are proposed as part of this development.



11 Walking assessment

The WAPC Transport Impact Assessment Guidelines for Developments (2016) provide warrants for installing pedestrian priority crossing facilities. This is based on the volume of traffic as the key factor determining if pedestrians can safely cross a road. The guidelines recommend pedestrian priority crossing facilities be considered once the peak hour traffic exceeds the volumes detailed in Table 10.

The traffic volumes in this table are based on a maximum delay of 45 seconds for pedestrians, equivalent to Level of Service E. Traffic volumes on the road network adjacent to the site are below the threshold for safe pedestrian crossing. Therefore, the pedestrian crossing level of service is satisfactory on the adjacent road network.

Table 10: Traffic volume thresholds for pedestrian crossings

Road cross-section	Maximum traffic volumes providing safe pedestrian gap
2-lane undivided	1,100 vehicles per hour
2-lane divided (with refuge)	2,800 vehicles per hour
4-lane undivided*	700 vehicles per hour
4-lane divided (with refuge)*	1,600 vehicles per hour

12 Cycling assessment

12.1 Bicycle parking and end of trip facilities

A total of 11 bicycle parking spaces are provided for the development. Consideration should be given to the provision of end of trip facilities including showers, change rooms and lockers to encourage active transport for staff.

12.2 Sustainable transport catchment

As detailed in Figure 24, the subject site is well placed for staff, guests and visitors to travel by sustainable modes of transport. A comfortable 8km or 20-25min cycle will provide the development with a large catchment for staff and visitors.

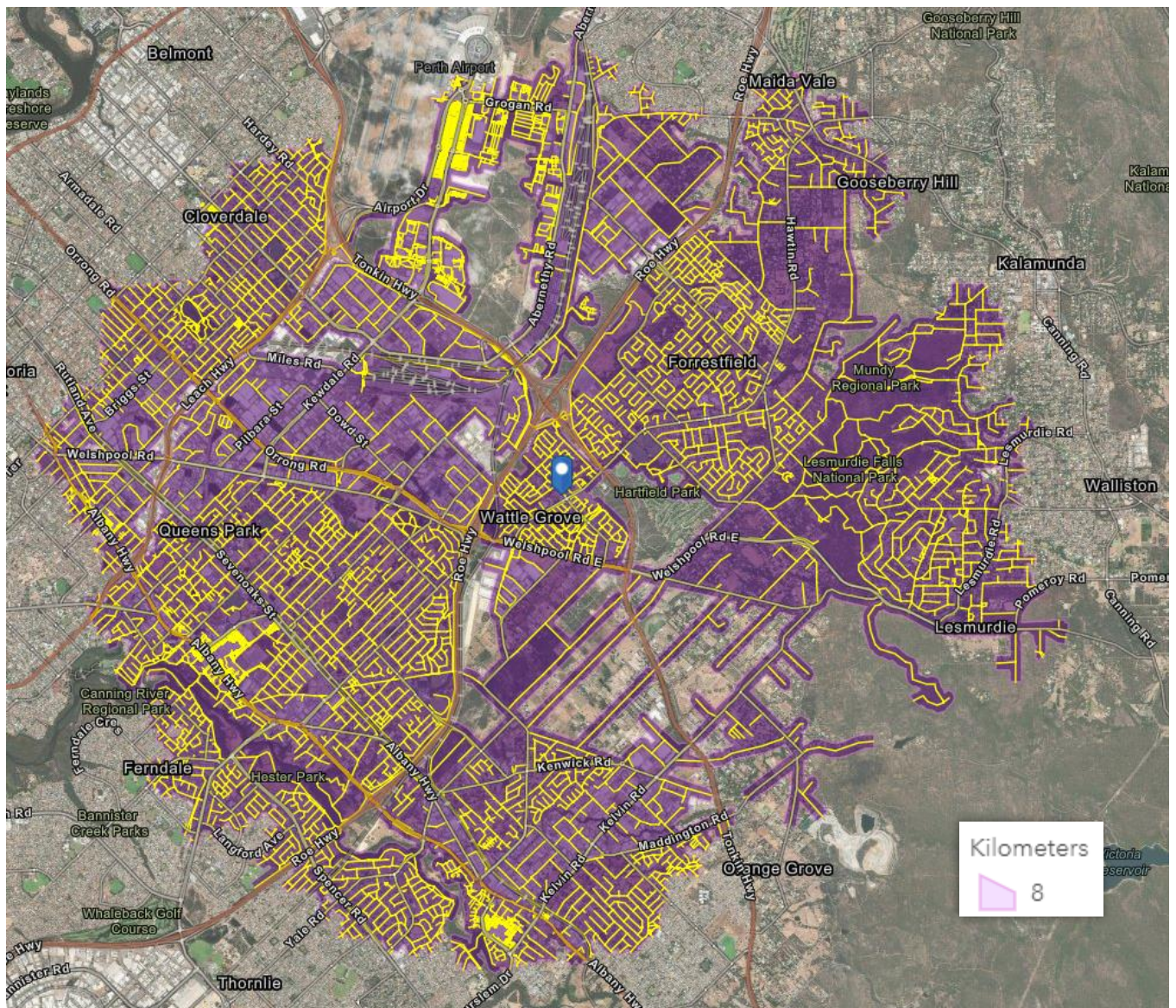


Figure 24: Cycling and micro-mobility catchment



13 Conclusion

This Transport Impact Assessment has been prepared by Urbii on behalf of Su Family Trust with regards to the proposed mixed-use development, located at 310 - 326 Hale Road, Wattle Grove.

The subject site is situated on the northern side of Hale Road and western side of Wimbridge Road.

The site promotes good connectivity with the existing and planned road, cycling and pedestrian network.

The traffic analysis undertaken in this report shows that the traffic generation of the proposed development can be accommodated by the surrounding roads and intersections. The proposed car parking supply is expected to meet the needs of the proposed development.

It is concluded that the findings of this Transport Impact Assessment are supportive of the proposed development.

Appendices

Appendix A: Proposed development plans



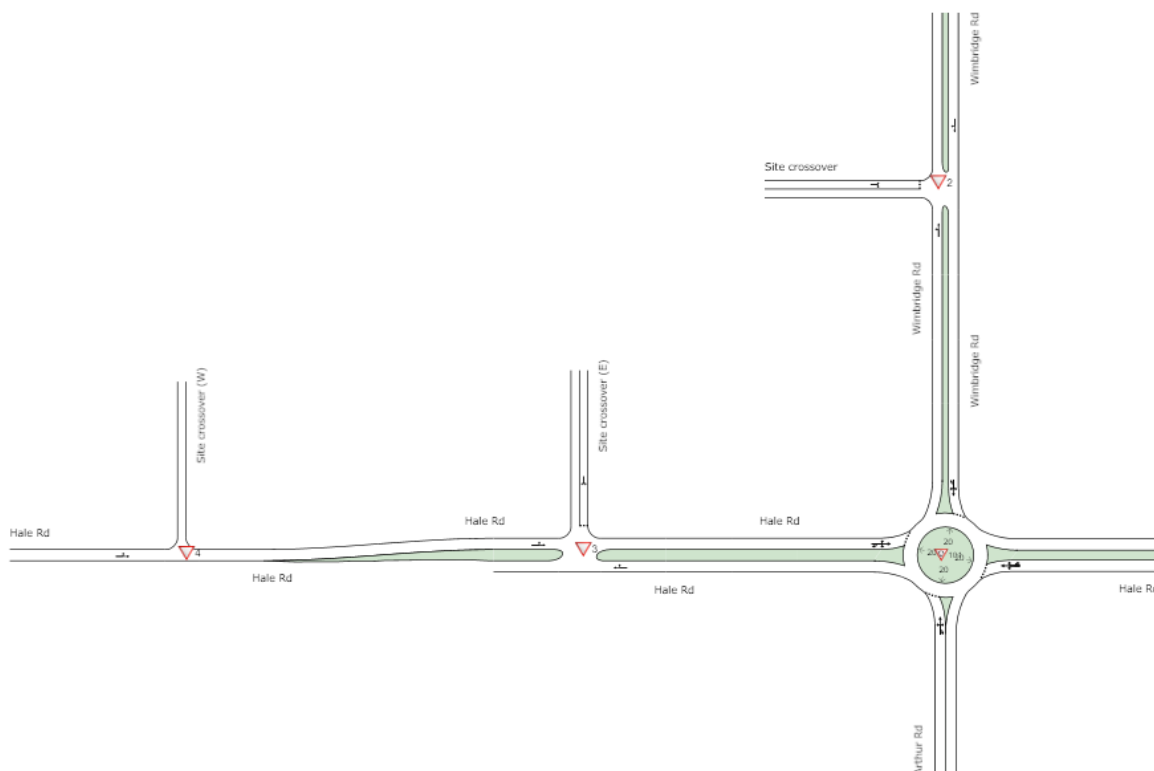
Appendix B: SIDRA analysis outputs

SIDRA outputs are presented in the form of Degree of Saturation, Level of Service, Average Delay and 95% Queue. These characteristics are defined as follows:

- **Degree of Saturation (DoS):** is the ratio of the arrival traffic flow to the capacity of the approach during the same period. The Degree of Saturation ranges from close to zero for varied traffic flow up to one for saturated flow or capacity.
- **Level of Service (LoS):** is the qualitative measure describing operational conditions within a traffic stream and the perception by motorists and/or passengers. In general, there are 6 levels of service, designated from A to F, with Level of Service A representing the best operating condition (i.e. free flow) and Level of Service F the worst (i.e. forced or breakdown flow).
- **Average Delay:** is the average of all travel time delays for vehicles through the intersection.
- **95% Queue:** is the queue length below which 95% of all observed queue lengths fall.



Coded Network



SITES IN NETWORK		
Site ID	CCG ID	Site Name
▽101	NA	Hale Rd / Wimbridge Rd / Arthur Rd - AM 2036 PD
▽2	NA	Site Crossover / Wimbridge Rd - AM 2036 PD
▽3	NA	Site Crossover (E) / Hale Rd - AM 2036 PD
▽4	NA	Site Crossover (W) / Hale Rd - AM 2036 PD

Analysis Outputs – Movement Summary Tables

Existing AM and PM peak hour

MOVEMENT SUMMARY

Site: 101 [Hale Rd / Wimbridge Rd / Arthur Rd - AM Existing (Site Folder: General)]

Roundabout Intersection Hale Rd / Wimbridge Rd / Arthur Rd

Existing AM peak hour

Site Category: (None)

Roundabout

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES [Total veh/h HV]		DEMAND FLOWS [Total veh/h HV]		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. Dist] veh m		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Arthur Rd														
1	L2	87	0.0	92	0.0	0.354	5.0	LOS A	2.4	16.8	0.59	0.64	0.59	35.8
2	T1	155	1.0	163	1.0	0.354	5.0	LOS A	2.4	16.8	0.59	0.64	0.59	24.1
3	R2	101	4.0	106	4.0	0.354	9.6	LOS A	2.4	16.8	0.59	0.64	0.59	43.5
3u	U	1	100.0	1	100.0	0.354	14.6	LOS B	2.4	16.8	0.59	0.64	0.59	30.6
Approach		344	1.9	362	1.9	0.354	6.4	LOS A	2.4	16.8	0.59	0.64	0.59	33.2
East: Hale Rd														
4	L2	27	4.0	28	4.0	0.225	5.3	LOS A	1.4	9.7	0.48	0.57	0.48	43.3
5	T1	177	2.0	186	2.0	0.225	5.5	LOS A	1.4	9.7	0.48	0.57	0.48	37.6
6	R2	23	4.0	24	4.0	0.225	10.2	LOS B	1.4	9.7	0.48	0.57	0.48	34.3
6u	U	5	0.0	5	0.0	0.225	12.1	LOS B	1.4	9.7	0.48	0.57	0.48	51.1
Approach		232	2.4	244	2.4	0.225	6.1	LOS A	1.4	9.7	0.48	0.57	0.48	38.1
North: Wimbridge Rd														
7	L2	76	1.0	80	1.0	0.293	4.6	LOS A	1.9	13.8	0.62	0.67	0.62	41.7
8	T1	96	4.0	101	4.0	0.293	4.8	LOS A	1.9	13.8	0.62	0.67	0.62	36.1
9	R2	95	0.0	100	0.0	0.293	8.9	LOS A	1.9	13.8	0.62	0.67	0.62	22.0
9u	U	1	0.0	1	0.0	0.293	10.7	LOS B	1.9	13.8	0.62	0.67	0.62	17.3
Approach		268	1.7	282	1.7	0.293	6.2	LOS A	1.9	13.8	0.62	0.67	0.62	31.9
West: Hale Rd														
10	L2	46	7.0	48	7.0	0.293	5.8	LOS A	1.9	13.5	0.56	0.62	0.56	22.9
11	T1	195	4.0	205	4.0	0.293	5.9	LOS A	1.9	13.5	0.56	0.62	0.56	44.9
12	R2	40	0.0	42	0.0	0.293	10.5	LOS B	1.9	13.5	0.56	0.62	0.56	34.7
12u	U	5	0.0	5	0.0	0.293	12.5	LOS B	1.9	13.5	0.56	0.62	0.56	26.1
Approach		286	3.9	301	3.9	0.293	6.6	LOS A	1.9	13.5	0.56	0.62	0.56	39.9
All Vehicles		1130	2.5	1189	2.5	0.354	6.3	LOS A	2.4	16.8	0.57	0.63	0.57	35.9



MOVEMENT SUMMARY

Site: 101 [Hale Rd / Wimbridge Rd / Arthur Rd - PM Existing (Site Folder: General)]

Roundabout Intersection Hale Rd / Wimbridge Rd / Arthur Rd

Existing PM peak hour

Site Category: (None)

Roundabout

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES [Total veh/h HV]		DEMAND FLOWS [Total veh/h HV]		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. Dist]		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Arthur Rd														
1	L2	57	2.0	60	2.0	0.124	4.8	LOS A	0.7	5.1	0.53	0.61	0.53	35.9
2	T1	17	24.0	18	24.0	0.124	5.3	LOS A	0.7	5.1	0.53	0.61	0.53	24.0
3	R2	39	0.0	41	0.0	0.124	9.2	LOS A	0.7	5.1	0.53	0.61	0.53	44.6
3u	U	1	0.0	1	0.0	0.124	11.0	LOS B	0.7	5.1	0.53	0.61	0.53	33.7
Approach		114	4.6	120	4.6	0.124	6.4	LOS A	0.7	5.1	0.53	0.61	0.53	37.5
East: Hale Rd														
4	L2	27	7.0	28	7.0	0.283	5.1	LOS A	1.7	12.2	0.42	0.55	0.42	43.2
5	T1	226	3.0	238	3.0	0.283	5.2	LOS A	1.7	12.2	0.42	0.55	0.42	37.7
6	R2	58	0.0	61	0.0	0.283	9.8	LOS A	1.7	12.2	0.42	0.55	0.42	34.5
6u	U	4	25.0	4	25.0	0.283	12.4	LOS B	1.7	12.2	0.42	0.55	0.42	46.6
Approach		315	3.1	332	3.1	0.283	6.1	LOS A	1.7	12.2	0.42	0.55	0.42	37.7
North: Wimbridge Rd														
7	L2	27	4.0	28	4.0	0.102	4.7	LOS A	0.6	4.3	0.59	0.65	0.59	40.1
8	T1	12	8.0	13	8.0	0.102	4.9	LOS A	0.6	4.3	0.59	0.65	0.59	34.5
9	R2	47	4.0	49	4.0	0.102	9.0	LOS A	0.6	4.3	0.59	0.65	0.59	21.6
9u	U	1	0.0	1	0.0	0.102	10.7	LOS B	0.6	4.3	0.59	0.65	0.59	17.1
Approach		87	4.5	92	4.5	0.102	7.1	LOS A	0.6	4.3	0.59	0.65	0.59	28.6
West: Hale Rd														
10	L2	77	1.0	81	1.0	0.359	4.6	LOS A	2.4	17.1	0.37	0.53	0.37	23.5
11	T1	244	3.0	257	3.0	0.359	4.8	LOS A	2.4	17.1	0.37	0.53	0.37	46.1
12	R2	118	2.0	124	2.0	0.359	9.5	LOS A	2.4	17.1	0.37	0.53	0.37	35.6
12u	U	3	0.0	3	0.0	0.359	11.5	LOS B	2.4	17.1	0.37	0.53	0.37	26.7
Approach		442	2.4	465	2.4	0.359	6.1	LOS A	2.4	17.1	0.37	0.53	0.37	39.6
All Vehicles		958	3.1	1008	3.1	0.359	6.2	LOS A	2.4	17.1	0.43	0.56	0.43	37.7

2036 Post Development AM peak hour

MOVEMENT SUMMARY

Site: 101 [Hale Rd / Wimbridge Rd / Arthur Rd - AM 2036 PD (Site Folder: General)]

Network: N101 [2036 Post Development AM Network (Network Folder: General)]

Roundabout Intersection Hale Rd / Wimbridge Rd / Arthur Rd
2036 AM peak hour (with development)
Site Category: (None)
Roundabout

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[Total veh/h	HV] %	[Total veh/h	HV] %				[Veh. veh	Dist] m				
South: Arthur Rd														
1	L2	132	0.0	132	0.0	0.536	7.0	LOS A	4.6	32.5	0.77	0.80	0.84	26.5
2	T1	224	1.0	224	1.0	0.536	7.0	LOS A	4.6	32.5	0.77	0.80	0.84	26.5
3	R2	138	4.0	138	4.0	0.536	11.6	LOS B	4.6	32.5	0.77	0.80	0.84	41.5
3u	U	1	100.0	1	100.0	0.536	17.9	LOS B	4.6	32.5	0.77	0.80	0.84	29.0
Approach		495	1.8	495	1.8	0.536	8.3	LOS A	4.6	32.5	0.77	0.80	0.84	32.7
East: Hale Rd														
4	L2	37	4.0	37	4.0	0.334	6.0	LOS A	2.2	16.0	0.61	0.65	0.61	42.2
5	T1	249	2.0	249	2.0	0.334	6.2	LOS A	2.2	16.0	0.61	0.65	0.61	40.4
6	R2	40	4.0	40	4.0	0.334	10.9	LOS B	2.2	16.0	0.61	0.65	0.61	40.4
6u	U	6	0.0	6	0.0	0.334	12.8	LOS B	2.2	16.0	0.61	0.65	0.61	50.0
Approach		333	2.4	333	2.4	0.334	6.9	LOS A	2.2	16.0	0.61	0.65	0.61	40.9
North: Wimbridge Rd														
7	L2	117	1.0	117	1.0	0.455	6.2	LOS A	3.5	24.8	0.79	0.80	0.81	39.7
8	T1	137	4.0	137	4.0	0.455	6.4	LOS A	3.5	24.8	0.79	0.80	0.81	33.5
9	R2	129	0.0	129	0.0	0.455	10.5	LOS B	3.5	24.8	0.79	0.80	0.81	20.9
9u	U	1	0.0	1	0.0	0.455	12.3	LOS B	3.5	24.8	0.79	0.80	0.81	20.9
Approach		384	1.7	384	1.7	0.455	7.8	LOS A	3.5	24.8	0.79	0.80	0.81	33.4
West: Hale Rd														
10	L2	63	7.0	63	7.0	0.446	6.3	LOS A	3.3	23.7	0.72	0.74	0.72	27.3
11	T1	279	4.0	279	4.0	0.446	6.4	LOS A	3.3	23.7	0.72	0.74	0.72	43.9
12	R2	61	0.0	61	0.0	0.446	10.9	LOS B	3.3	23.7	0.72	0.74	0.72	32.9
12u	U	6	0.0	6	0.0	0.446	13.0	LOS B	3.3	23.7	0.72	0.74	0.72	27.3
Approach		409	3.8	409	3.8	0.446	7.2	LOS A	3.3	23.7	0.72	0.74	0.72	40.9
All Vehicles		1621	2.4	1621	2.4	0.536	7.6	LOS A	4.6	32.5	0.73	0.75	0.76	36.9

MOVEMENT SUMMARY

Site: 2 [Site Crossover / Wimbridge Rd - AM 2036 PD (Site Folder: General)]

Network: N101 [2036 Post Development AM Network (Network Folder: General)]

Site Crossover / Wimbridge Rd
2036 AM peak hour (with development)
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[Total veh/h	HV] %	[Total veh/h	HV] %				[Veh. veh	Dist] m				
South: Wimbridge Rd														
1	L2	21	0.0	21	0.0	0.170	3.7	LOS A	0.0	0.0	0.00	0.03	0.00	7.6
2	T1	306	3.0	306	3.0	0.170	0.0	LOS A	0.0	0.0	0.00	0.03	0.00	49.6
Approach		327	2.8	327	2.8	0.170	0.2	NA	0.0	0.0	0.00	0.03	0.00	46.6
North: Wimbridge Rd														
8	T1	363	2.0	363	2.0	0.203	0.1	LOS A	0.2	1.4	0.06	0.03	0.06	49.3
9	R2	21	0.0	21	0.0	0.203	6.0	LOS A	0.2	1.4	0.06	0.03	0.06	46.4
Approach		384	1.9	384	1.9	0.203	0.4	NA	0.2	1.4	0.06	0.03	0.06	49.1
West: Site crossover														
10	L2	17	0.0	17	0.0	0.045	1.0	LOS A	0.2	1.1	0.43	0.38	0.43	40.7
12	R2	20	0.0	20	0.0	0.045	4.1	LOS A	0.2	1.1	0.43	0.38	0.43	15.6
Approach		37	0.0	37	0.0	0.045	2.7	LOS A	0.2	1.1	0.43	0.38	0.43	34.9
All Vehicles		748	2.2	748	2.2	0.203	0.5	NA	0.2	1.4	0.05	0.05	0.05	47.5



MOVEMENT SUMMARY

▼ Site: 3 [Site Crossover (E) / Hale Rd - AM 2036 PD (Site Folder: General)]

■ Network: N101 [2036 Post Development
AM Network (Network Folder: General)]

Site Crossover / Hale Rd
2036 AM peak hour (with development)
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[Total veh/h	HV] %	[Total veh/h	HV] %				[Veh. veh	Dist] m				
East: Hale Rd														
8	T1	496	1.0	496	1.0	0.265	0.1	LOS A	0.2	1.7	0.06	0.03	0.06	59.3
9	R2	21	0.0	21	0.0	0.265	6.9	LOS A	0.2	1.7	0.06	0.03	0.06	41.8
Approach		517	1.0	517	1.0	0.265	0.4	NA	0.2	1.7	0.06	0.03	0.06	59.1
North: Site crossover (E)														
10	L2	20	0.0	20	0.0	0.072	1.4	LOS A	0.2	1.7	0.51	0.49	0.51	14.0
12	R2	26	0.0	26	0.0	0.072	6.1	LOS A	0.2	1.7	0.51	0.49	0.51	43.4
Approach		46	0.0	46	0.0	0.072	4.1	LOS A	0.2	1.7	0.51	0.49	0.51	38.0
West: Hale Rd														
1	L2	12	0.0	12	0.0	0.202	3.1	LOS A	0.0	0.0	0.00	0.02	0.00	24.9
2	T1	389	3.0	389	3.0	0.202	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	57.7
Approach		401	2.9	401	2.9	0.202	0.1	NA	0.0	0.0	0.00	0.02	0.00	53.7
All Vehicles		964	1.7	964	1.7	0.265	0.5	NA	0.2	1.7	0.06	0.04	0.06	57.2

MOVEMENT SUMMARY

▼ Site: 4 [Site Crossover (W) / Hale Rd - AM 2036 PD (Site Folder: General)]

■ Network: N101 [2036 Post Development
AM Network (Network Folder: General)]

Site Crossover / Hale Rd
2036 AM peak hour (with development)
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[Total veh/h	HV] %	[Total veh/h	HV] %				[Veh. veh	Dist] m				
West: Hale Rd														
1	L2	11	0.0	11	0.0	0.208	5.6	LOS A	0.0	0.0	0.00	0.02	0.00	53.3
2	T1	401	3.0	401	3.0	0.208	0.1	LOS A	0.0	0.0	0.00	0.02	0.00	59.6
Approach		412	2.9	412	2.9	0.208	0.2	NA	0.0	0.0	0.00	0.02	0.00	59.4
All Vehicles		412	2.9	412	2.9	0.208	0.2	NA	0.0	0.0	0.00	0.02	0.00	59.4

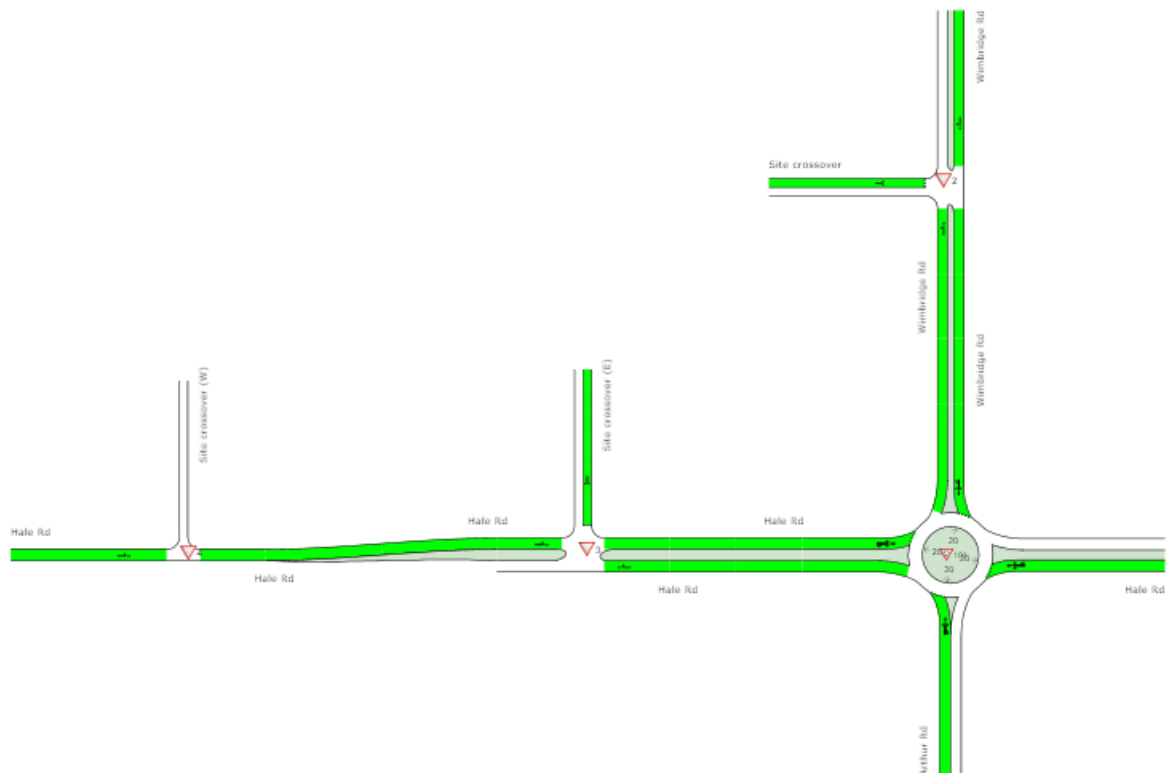
LEVEL OF SERVICE

Lane Level of Service

■ ■ Network: N101 [2036 Post Development AM Network (Network Folder: General)]

U23.056 - 310 - 326 Hale Road, Wattle Grove

Network Category: (None)



Colour code based on Level of Service

LOS A LOS B LOS C LOS D LOS E LOS F

Delay Model: SIDRA Standard (Geometric Delay is included).



QUEUE STORAGE RATIO (PERCENTILE)

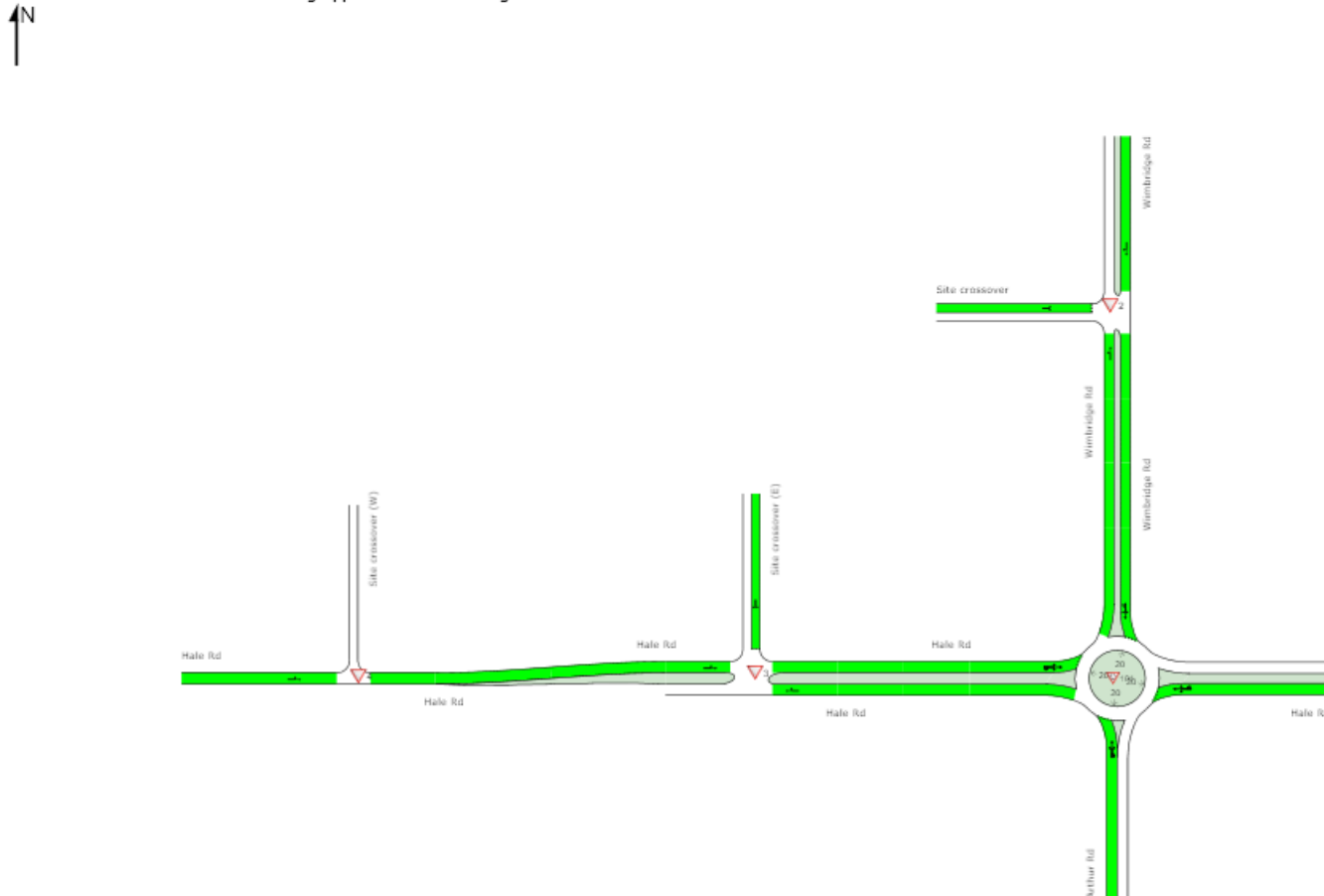
Ratio of the 95% Back of Queue Distance to the available queue storage distance per lane

■ ■ Network: N101 [2036 Post Development AM Network (Network Folder: General)]

U23.056 - 310 - 326 Hale Road, Wattle Grove

Network Category: (None)

Short Lanes not included in determining Approach Queue Storage Ratios.



Colour code based on Queue Storage Ratio

[< 0.6] [0.6 - 0.7] [0.7 - 0.8] [0.8 - 0.9] [0.9 - 1.0] [> 1.0]

Queue Model: SIDRA Standard.

2036 Post Development PM peak hour

MOVEMENT SUMMARY

Site: 101 [Hale Rd / Wimbridge Rd / Arthur Rd - PM 2036 PD (Site Folder: General)]

Network: N101 [2036 Post Development PM Network (Network Folder: General)]

Roundabout Intersection Hale Rd / Wimbridge Rd / Arthur Rd
2036 PM peak hour (with development)
Site Category: (None)
Roundabout

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[Total veh/h	HV] %	[Total veh/h	HV] %				[Veh. veh	Dist] m				
South: Arthur Rd														
1	L2	83	2.0	83	2.0	0.195	5.8	LOS A	1.2	8.7	0.66	0.70	0.66	27.6
2	T1	28	24.0	28	24.0	0.195	6.5	LOS A	1.2	8.7	0.66	0.70	0.66	27.6
3	R2	53	0.0	53	0.0	0.195	10.2	LOS B	1.2	8.7	0.66	0.70	0.66	43.4
3u	U	1	0.0	1	0.0	0.195	12.0	LOS B	1.2	8.7	0.66	0.70	0.66	32.5
Approach		165	5.1	165	5.1	0.195	7.4	LOS A	1.2	8.7	0.66	0.70	0.66	34.8
East: Hale Rd														
4	L2	37	7.0	37	7.0	0.414	5.8	LOS A	2.8	20.4	0.56	0.62	0.56	42.1
5	T1	321	3.0	321	3.0	0.414	5.9	LOS A	2.8	20.4	0.56	0.62	0.56	40.5
6	R2	93	0.0	93	0.0	0.414	10.4	LOS B	2.8	20.4	0.56	0.62	0.56	40.5
6u	U	5	25.0	5	25.0	0.414	13.2	LOS B	2.8	20.4	0.56	0.62	0.56	45.7
Approach		456	3.0	456	3.0	0.414	6.9	LOS A	2.8	20.4	0.56	0.62	0.56	40.8
North: Wimbridge Rd														
7	L2	51	4.0	51	4.0	0.181	6.0	LOS A	1.2	8.4	0.72	0.74	0.72	38.7
8	T1	23	8.0	23	8.0	0.181	6.3	LOS A	1.2	8.4	0.72	0.74	0.72	32.7
9	R2	64	4.0	64	4.0	0.181	10.3	LOS B	1.2	8.4	0.72	0.74	0.72	20.6
9u	U	1	0.0	1	0.0	0.181	12.0	LOS B	1.2	8.4	0.72	0.74	0.72	20.6
Approach		139	4.6	139	4.6	0.181	8.1	LOS A	1.2	8.4	0.72	0.74	0.72	32.0
West: Hale Rd														
10	L2	105	1.0	105	1.0	0.508	4.6	LOS A	4.0	28.4	0.52	0.59	0.52	29.2
11	T1	346	3.0	346	3.0	0.508	4.9	LOS A	4.0	28.4	0.52	0.59	0.52	45.5
12	R2	167	2.0	167	2.0	0.508	9.4	LOS A	4.0	28.4	0.52	0.59	0.52	34.2
12u	U	4	0.0	4	0.0	0.508	11.5	LOS B	4.0	28.4	0.52	0.59	0.52	29.2
Approach		623	2.4	623	2.4	0.508	6.1	LOS A	4.0	28.4	0.52	0.59	0.52	41.1
All Vehicles		1383	3.1	1383	3.1	0.508	6.7	LOS A	4.0	28.4	0.57	0.63	0.57	39.5

MOVEMENT SUMMARY

Site: 2 [Site Crossover / Wimbridge Rd - PM 2036 PD (Site Folder: General)]

Network: N101 [2036 Post Development PM Network (Network Folder: General)]

Site Crossover / Wimbridge Rd
2036 PM peak hour (with development)
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[Total veh/h	HV] %	[Total veh/h	HV] %				[Veh. veh	Dist] m				
South: Wimbridge Rd														
1	L2	19	0.0	19	0.0	0.117	3.7	LOS A	0.0	0.0	0.00	0.05	0.00	7.6
2	T1	207	3.0	207	3.0	0.117	0.0	LOS A	0.0	0.0	0.00	0.05	0.00	49.6
Approach		226	2.7	226	2.7	0.117	0.3	NA	0.0	0.0	0.00	0.05	0.00	45.7
North: Wimbridge Rd														
8	T1	118	5.0	118	5.0	0.067	0.1	LOS A	0.1	0.4	0.05	0.03	0.05	49.4
9	R2	7	0.0	7	0.0	0.067	5.3	LOS A	0.1	0.4	0.05	0.03	0.05	46.5
Approach		125	4.7	125	4.7	0.067	0.4	NA	0.1	0.4	0.05	0.03	0.05	49.2
West: Site crossover														
10	L2	13	0.0	13	0.0	0.031	0.6	LOS A	0.1	0.7	0.32	0.26	0.32	41.6
12	R2	20	0.0	20	0.0	0.031	1.9	LOS A	0.1	0.7	0.32	0.26	0.32	17.1
Approach		33	0.0	33	0.0	0.031	1.4	LOS A	0.1	0.7	0.32	0.26	0.32	35.1
All Vehicles		384	3.2	384	3.2	0.117	0.4	NA	0.1	0.7	0.04	0.06	0.04	46.2



MOVEMENT SUMMARY

Site: 3 [Site Crossover (E) / Hale Rd - PM 2036 PD (Site Folder: General)]

Network: N101 [2036 Post Development
PM Network (Network Folder: General)]

Site Crossover / Hale Rd
2036 PM peak hour (with development)
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[Total veh/h	HV] %	[Total veh/h	HV] %				[Veh. veh	Dist] m				
East: Hale Rd														
8	T1	454	3.0	454	3.0	0.250	0.3	LOS A	0.3	2.1	0.08	0.03	0.08	58.9
9	R2	19	0.0	19	0.0	0.250	8.6	LOS A	0.3	2.1	0.08	0.03	0.08	41.0
Approach		473	2.9	473	2.9	0.250	0.6	NA	0.3	2.1	0.08	0.03	0.08	58.7
North: Site crossover (E)														
10	L2	20	0.0	20	0.0	0.100	2.6	LOS A	0.3	2.2	0.65	0.65	0.65	12.2
12	R2	28	0.0	28	0.0	0.100	8.6	LOS A	0.3	2.2	0.65	0.65	0.65	41.5
Approach		48	0.0	48	0.0	0.100	6.1	LOS A	0.3	2.2	0.65	0.65	0.65	36.0
West: Hale Rd														
1	L2	18	0.0	18	0.0	0.312	3.1	LOS A	0.0	0.0	0.00	0.02	0.00	24.9
2	T1	603	2.0	603	2.0	0.312	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	57.6
Approach		621	1.9	621	1.9	0.312	0.1	NA	0.0	0.0	0.00	0.02	0.00	53.7
All Vehicles		1142	2.2	1142	2.2	0.312	0.6	NA	0.3	2.2	0.06	0.05	0.06	56.4

MOVEMENT SUMMARY

Site: 4 [Site Crossover (W) / Hale Rd - PM 2036 PD (Site Folder: General)]

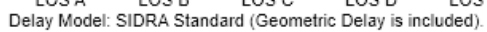
Network: N101 [2036 Post Development
PM Network (Network Folder: General)]

Site Crossover / Hale Rd
2036 PM peak hour (with development)
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[Total veh/h	HV] %	[Total veh/h	HV] %				[Veh. veh	Dist] m				
West: Hale Rd														
1	L2	21	0.0	21	0.0	0.324	5.7	LOS A	0.0	0.0	0.00	0.02	0.00	53.1
2	T1	621	3.0	621	3.0	0.324	0.1	LOS A	0.0	0.0	0.00	0.02	0.00	59.4
Approach		642	2.9	642	2.9	0.324	0.3	NA	0.0	0.0	0.00	0.02	0.00	59.2
All Vehicles		642	2.9	642	2.9	0.324	0.3	NA	0.0	0.0	0.00	0.02	0.00	59.2

Lane Level of Service

U23.056 - 310 - 326 Hale Road, Wattle Grove
Network Category: (None)



QUEUE STORAGE RATIO (PERCENTILE)

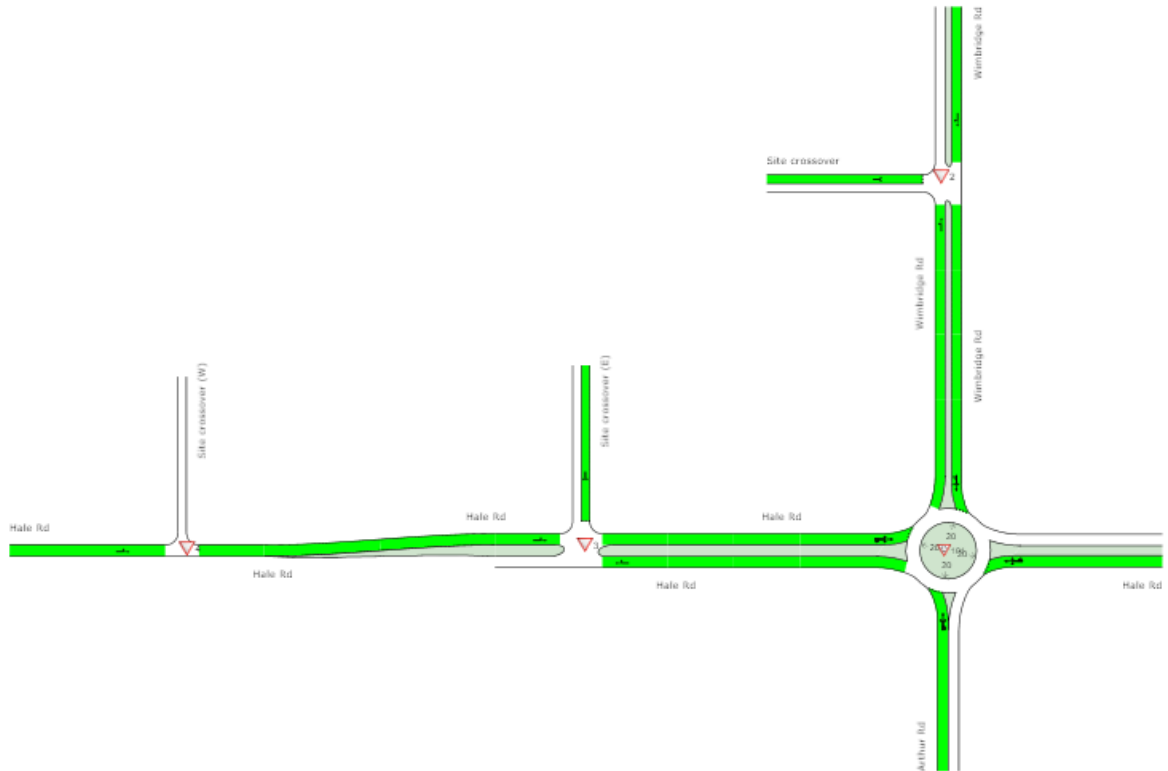
Ratio of the 95% Back of Queue Distance to the available queue storage distance per lane

■ ■ Network: N101 [2036 Post Development PM Network (Network Folder: General)]

U23.056 - 310 - 326 Hale Road, Wattle Grove

Network Category: (None)

Short Lanes not included in determining Approach Queue Storage Ratios.



Colour code based on Queue Storage Ratio

[< 0.6] [0.6 - 0.7] [0.7 - 0.8] [0.8 - 0.9] [0.9 - 1.0] [> 1.0]

Queue Model: SIDRA Standard.

Appendix C: Temporal distribution of parking demand

Source: ITE *Parking Generation Manual*

Land Use: 720 Medical-Dental Office Building

Description

A medical-dental office building is a facility that provides diagnoses and outpatient care on a routine basis but is unable to provide prolonged in-house medical and surgical care. One or more private physicians or dentists generally operate this type of facility. General office building (Land Use 710), small office building (Land Use 712), and clinic (Land Use 630) are related uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 27 study sites in a general urban/suburban setting and two study sites in a dense multi-use urban setting.

Hour Beginning	Percent of Weekday Peak Parking Demand	
	General Urban/Suburban	Dense Multi-Use Urban
12:00–4:00 a.m.	–	–
5:00 a.m.	–	–
6:00 a.m.	–	–
7:00 a.m.	12	–
8:00 a.m.	43	61
9:00 a.m.	88	62
10:00 a.m.	99	96
11:00 a.m.	100	56
12:00 p.m.	83	29
1:00 p.m.	74	67
2:00 p.m.	94	100
3:00 p.m.	93	82
4:00 p.m.	86	79
5:00 p.m.	54	71
6:00 p.m.	–	–
7:00 p.m.	–	–
8:00 p.m.	–	–
9:00 p.m.	–	–
10:00 p.m.	–	–
11:00 p.m.	–	–

Land Use: 880 Pharmacy/Drugstore without Drive-Through Window

Description

A pharmacy/drugstore is a retail facility that primarily sells prescription and non-prescription drugs. These facilities may also sell cosmetics, toiletries, medications, stationery, personal care products, limited food products, and general merchandise. The drug stores in this category do not contain drive-through windows. Pharmacy/drugstore with drive-through window (Land Use 881) is a related use.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at one study site in a general urban/suburban setting.

Hour Beginning	Percent of Weekday Peak Parking Demand
12:00–4:00 a.m.	–
5:00 a.m.	–
6:00 a.m.	–
7:00 a.m.	–
8:00 a.m.	–
9:00 a.m.	–
10:00 a.m.	41
11:00 a.m.	41
12:00 p.m.	41
1:00 p.m.	55
2:00 p.m.	59
3:00 p.m.	100
4:00 p.m.	68
5:00 p.m.	59
6:00 p.m.	73
7:00 p.m.	50
8:00 p.m.	–
9:00 p.m.	–
10:00 p.m.	–
11:00 p.m.	–

Appendix D: Swept path diagrams

Swept path diagrams are included in this section of the report. Different coloured lines are employed to represent the various envelopes of the vehicle swept path, as described below:

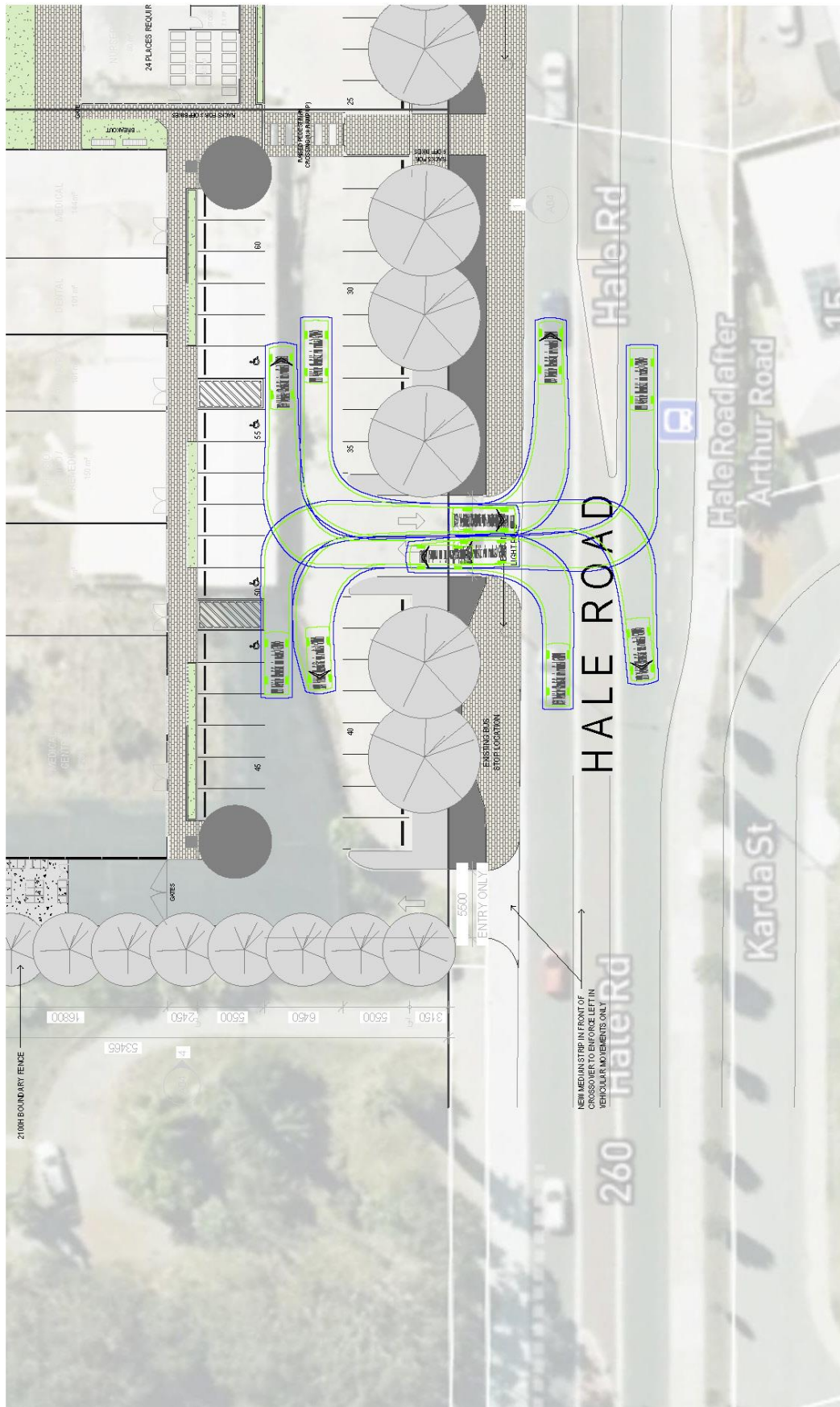
Cyan represents the wheel path of the vehicle

Green represents the vehicle body envelope

Blue represents a buffer 300mm/500mm line, offset from the vehicle swept path

The swept path diagrams are also provided separately in high-quality, A3 PDF format.





Revision notes:		Notes:	
Rev:	Date:	Rev:	Date:
1	14/02/2024	1	14/02/2024
Dark blue swept path line represents a 300mm buffer			
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**PROPOSED CHILDCARE CENTRE & COMMERCIAL CENTRE
318 HALE ROAD
WATTLE GROVE**

ENVIRONMENTAL ACOUSTIC ASSESSMENT

JULY 2024

OUR REFERENCE: 32982-1-24238

DOCUMENT CONTROL PAGE

ENVIRONMENTAL ACOUSTIC ASSESSMENT
PROPOSED CHILD CARE CENTRE AND COMMERCIAL CENTRE
WATTLE GROVE

Job No: 24238

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FOR

DYNAMIC PLANNING

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This report has been prepared in accordance with the scope of services and on the basis of information and documents provided to Herring Storer Acoustics by the client. To the extent that this report relies on data and measurements taken at or under the times and conditions specified within the report and any findings, conclusions or recommendations only apply to those circumstances and no greater reliance should be assumed. The client acknowledges and agrees that the reports or presentations are provided by Herring Storer Acoustics to assist the client to conduct its own independent assessment.

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A	PLANS
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1. INTRODUCTION

Herring Storer Acoustics were commissioned by Dynamic Planning to undertake an acoustic assessment of noise emissions associated with the proposed child care and commercial centre to be located at 318 Hale Road, Wattle Grove.

The report considers noise received at the neighbouring premises from the proposed development for compliance with the requirements of the *Environmental Protection (Noise) Regulations 1997*. This report considers noise emissions from:

- Children playing within the outside play areas of the centre.
- Mechanical Plant

We note that from information received from DWER, the bitumised area would be considered as a road, thus noise relating to motor vehicles is exempt from the *Environmental Protection (Noise) Regulations 1997*. We note that these noise sources are rarely critical in the determination of compliance. However, as requested by council and for completeness, they have been included in the assessment, for information purposes only.

For simplicity the mechanical plant from all operations have been considered together.

For information, a plan of the proposed development is attached in Appendix A.

2. SUMMARY

Noise received at the neighbouring residences from the outdoor play areas would comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*, provided outdoor play is limited to the day period (ie after 7am).

Noise from the mechanical services has also been assessed to comply with the relevant criteria given the implementation of a barrier. However, as the design of the mechanical services has not been undertaken at this stage of the project, it is recommended that the mechanical services design be reviewed for compliance with the Regulatory requirements.

It is noted that noise associated with cars movements and cars starting are exempt from complying with the Regulations. However, noise emissions from car doors is not strictly exempt from the Regulations. Noise received at the existing neighbouring residences from these noise sources would comply with the Regulatory requirements, at all times given the conditions listed below.

Thus, noise emissions from the proposed development, would be deemed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* for the proposed hours of operation, with the inclusion of the following:

- 1 Although the proposed facility would open before 7 am (ie during the night period), the outdoor play area would not be used until after 7am. Thus, noise received at the neighbouring existing residences from the outdoor play area needs to comply with the assigned day period noise level.
- 2 No specialist acoustic barriers are required.
- 3 Mechanical plant associated with the childcare would need to be barriered by a barrier at least 500mm above the top of the plant. Mechanical Plant associated with commercial developments would need to be located at the North of the buildings.
- 4 No car bays would need to be restricted.

3. CRITERIA

The allowable noise level at the surrounding locales is prescribed by the *Environmental Protection (Noise) Regulations 1997*. Regulations 7 & 8 stipulate maximum allowable external noise levels. For highly sensitive area of a noise sensitive premises this is determined by the calculation of an influencing factor, which is then added to the base levels shown below in Table 3.1. The influencing factor is calculated for the usage of land within two circles, having radii of 100m and 450m from the premises of concern. For other areas within a noise sensitive premises, the assigned noise levels are fixed throughout the day, as listed in Table 3.1.

TABLE 3.1 - BASELINE ASSIGNED OUTDOOR NOISE LEVEL

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area	0700 - 1900 hours Monday to Saturday (Day)	45 + IF	55 + IF	65 + IF
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day)	40 + IF	50 + IF	65 + IF
	1900 - 2200 hours all days (Evening)	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	35 + IF	45 + IF	55 + IF
Commercial Premises	All Hours	60	75	80
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80

Note: L_{A10} is the noise level exceeded for 10% of the time.
L_{A1} is the noise level exceeded for 1% of the time.
L_{Amax} is the maximum noise level.
IF is the influencing factor.

Under the Regulations, a highly sensitive area means that area (if any) of noise sensitive premises comprising –

- (a) A building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
- (b) Any other part of the premises within 15 m of that building or that part of the building.

It is a requirement that received noise be free of annoying characteristics (tonality, modulation and impulsiveness), defined below as per Regulation 9.

“impulsiveness” means a variation in the emission of a noise where the difference between L_{Apeak} and L_{Amax(Slow)} is more than 15 dB when determined for a single representative event;

“modulation” means a variation in the emission of noise that –

- (a) is more than 3 dB L_{Afast} or is more than 3 dB L_{Afast} in any one-third octave band;
- (b) is present for more at least 10% of the representative assessment period; and
- (c) is regular, cyclic and audible;

“tonality”

means the presence in the noise emission of tonal characteristics where the difference between –

- (a) the A-weighted sound pressure level in any one-third octave band; and
- (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as L_{ASlow} levels.

Where the noise emission is not music, if the above characteristics exist and cannot be practicably removed, then any measured level is adjusted according to Table 3.2 below.

TABLE 3.2 - ADJUSTMENTS TO MEASURED LEVELS

Where tonality is present	Where modulation is present	Where impulsiveness is present
+5 dB(A)	+5 dB(A)	+10 dB(A)

Note: These adjustments are cumulative to a maximum of 15 dB.

The neighbouring locations have been identified as

- R1 – Residents North of Hale Road; East of Wimbridge Road
- R2 – Residents South of Hale Road, East of Wimbridge Road
- R3 – Residents South of Hale Road, West of Wimbridge Road
- R4 – Residents North of The Promenade.
- C1 – Commercial to the West
- R2 – Commercial to the North

Locations R1 to R3 would have an influencing factor of +6 dB due to being within 100m of Hale Road and 40% commercial in the inner and 20% commercial in the outer circle; whereas location R4 would have an influencing factor of +4 dB due to 40% commercial in the inner circle and 20% commercial in the outer circle.

TABLE 3.3 - ASSIGNED OUTDOOR NOISE LEVEL

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L_{A10}	L_{A1}	L_{Amax}
R1-R3	0700 - 1900 hours Monday to Saturday (Day)	50	60	70
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day)	45	55	70
	1900 - 2200 hours all days (Evening)	45	55	60
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	40	50	60
R4	0700 - 1900 hours Monday to Saturday (Day)	48	58	68
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day)	43	53	68
	1900 - 2200 hours all days (Evening)	43	53	58
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	38	48	58
Commercial	All Hours	60	75	80

Note: L_{A10} is the noise level exceeded for 10% of the time.
 L_{A1} is the noise level exceeded for 1% of the time.
 L_{Amax} is the maximum noise level.

4. PROPOSAL

From information supplied, we understand that the child care centre normal hours of operations would likely be between 0630 and 1800 hours, Monday to Friday (closed on public holidays). It is understood that the proposed childcare centre will cater for 88 children.

It is noted that although the proposed child care centre would open before 7 am (ie during the night period), the outdoor play area would not be intended to be used until after 7am.

Similarly, mechanical plant would possibly operate all hours of the day.

5. MODELLING

To assess the noise received at the neighbouring premises from the proposed development, noise modelling was undertaken using the noise modelling program SoundPlan.

Calculations were carried out using the DWER's weather conditions, which relate to worst case noise propagation, as stated in the Department of Environment Regulation "*Draft Guidance on Environmental Noise for Prescribed Premises*". These conditions include winds blowing from sources to the receiver(s).

Calculations were based on the sound power levels used in the calculations are listed in Table 5.1, as well as plans and contours provided by the client.

TABLE 5.1 – SOUND POWER LEVELS

Item	Sound Power Level, dB(A)
Children Playing	<24 months 78 (per 10 children) Between 24 and 36 months 85 (per 10 children) >36 months 87 (per 10 children)
Car Moving in Car Park	79
Car Starting	85
Door Closing	87
Kitchen/Bathroom Exhaust (2x)	74 each
Childcare Air conditioning condensing Unit (4x)	71 each
Commercial Air conditioning condensing Unit (1 per unit)	71 each

Notes:

- 1 Acoustic modelling of outdoor play noise was made, based on 88 children within the outdoor play area (ie worst case scenario) broken down as follows:

0-1 years – 18 places
1-2 years – 20 places
2-3 years – 30 places
4+ years – 20 places
- 2 The noise level for the mechanical plant has been based on the sound power levels used for previous assessment of child care centres. From other studies, we understand that the noise associated with the condensing units would be conservative.
- 3 For this child care centre, the mechanical plant units have been considered roof mounted with a barrier at least 500mm above top of units for childcare units and no barrier for commercial units.
- 4 No specialist acoustic barrier is required for this development.
- 5 To determine the restriction to the parking, a point noise source was located in each car bay.

- 6 Modelling shows that noise received at the neighbouring residences from car doors closing would comply with the assigned noise level for both day and night period.
- 7 With only staff arriving before 7am, there would be no car starts before 7am.
- 8 Calculations were undertaken for the receivers at 1.5 metres above the ground level.
- 9 Noise modelling was undertaken to a number of different receiver locations for each of the neighbouring residences. However, to simplify the assessment, only the noise level in the worst case location (ie highest noise level), have been listed.

6. ASSESSMENT

The tables below show the assessment of noise emissions of concern from the operation. Standard building construction will be sufficient to ensure that noise from inside the building will meet the regulations.

The resultant noise levels at the neighbouring residence from children playing outdoors and mechanical plant are tabulated in Table 6.1.

From previous measurements, noise emissions from children playing does not contain any annoying characteristics, however mechanical plant emissions would be considered tonal and attract a +5 dB(A) Penalty. Noise emissions from outdoor play needs to comply with the assigned L_{A10} noise levels.

**TABLE 6.1 - ACOUSTIC MODELLING RESULTS FOR L_{A10} CRITERIA
OUTDOOR PLAY AREAS AND MECHANICAL PLANT**

Neighbouring Premises	Calculated Noise Level (dB(A))	
	Children Playing	Mechanical Plant
R1 Residential	38	34 (39)
R2 Residential	32	30 (35)
R3 Residential	37	35 (40)
R4 Residential	15	27 (32)
R5 Commercial	30	37 (42)
R6 Commercial	32	47 (52)

() Includes +5 dB(A) penalty for tonality

With regards to noise associated with cars within the parking area, resultant noise levels are tabulated in Tables 6.2 and 6.3. It is noted that noise emissions from a moving car being an L_{A1} noise level, with noise emissions from cars starting and doors closing being an L_{Amax} noise level.

Based on the definitions of tonality, noise emissions from car movements and car starts, being an L_{A1} and L_{Amax} respectively, being present for less than 10% of the time, would not be considered tonal. Thus, no penalties would be applicable, and the assessment would be as listed in Table 6.2 (Car Moving) and Table 6.3 (Car Starting). However, noise emissions from car doors closing could be impulsive, hence the +10dB penalty has been included in the assessment.

TABLE 6.2 - ACOUSTIC MODELLING RESULTS L_{A1} CRITERIA

CAR MOVING

Neighbouring Premises	Calculated Noise Level (dB(A))
R1 Residential	45
R2 Residential	35
R3 Residential	40
R4 Residential	21
R5 Residential	35
R6 Residential	43

TABLE 6.3 - ACOUSTIC MODELLING RESULTS L_{Amax} CRITERIA

CAR STARTING / DOOR CLOSING

Neighbouring Premises	Calculated Noise Level (dB(A))			
	Car Start		Car Door	
	Day Period	Night Period	Day Period	Night Period
R1 Residential	45	N/A	42 [52]	42 [52]
R2 Residential	38	N/A	35 [45]	35 [45]
R3 Residential	46	N/A	43 [53]	43 [53]
R4 Residential	25	N/A	22 [32]	22 [32]
R5 Residential	39	N/A	35 [45]	35 [45]
R6 Residential	45	N/A	43 [53]	43 [53]

[] Includes +10 dB(A) penalty for impulsiveness.

Tables 6.4 to 6.9 summarise the applicable Assigned Noise Levels, and assessable noise level emissions for each identified noise.

TABLE 6.4 – ASSESSMENT OF L_{A10} NOISE LEVEL EMISSIONS

OUTDOOR PLAY (DAY PERIOD)

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	38	50	Complies
R2 Residential	32	50	Complies
R3 Residential	37	50	Complies
R4 Residential	15	48	Complies
R5 Residential	30	60	Complies
R6 Residential	32	60	Complies

TABLE 6.5 – ASSESSMENT OF L_{A10} NIGHT PERIOD NOISE LEVEL EMISSIONS

MECHANICAL PLANT

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	39	40	Complies
R2 Residential	35	40	Complies
R3 Residential	40	40	Complies
R4 Residential	32	38	Complies
R5 Residential	42	60	Complies
R6 Residential	52	60	Complies

TABLE 6.6 – ASSESSMENT OF L_{A1} NIGHT PERIOD NOISE LEVEL EMISSIONS

CAR MOVEMENTS

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	45	50	Complies
R2 Residential	35	50	Complies
R3 Residential	40	50	Complies
R4 Residential	21	48	Complies
R5 Residential	35	75	Complies
R6 Residential	43	75	Complies

TABLE 6.7 – ASSESSMENT OF L_{Amax} DAY PERIOD NOISE LEVEL EMISSIONS

CAR STARTING

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	45	70	Complies
R2 Residential	38	70	Complies
R3 Residential	46	70	Complies
R4 Residential	25	68	Complies
R5 Residential	39	80	Complies
R6 Residential	45	80	Complies

TABLE 6.8 – ASSESSMENT OF L_{Amax} DAY PERIOD NOISE LEVEL EMISSIONS

CAR DOOR

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	52	70	Complies
R2 Residential	45	70	Complies
R3 Residential	53	70	Complies
R4 Residential	32	68	Complies
R5 Residential	45	80	Complies
R6 Residential	53	80	Complies

TABLE 6.9 – ASSESSMENT OF L_{Amax} NIGHT PERIOD NOISE LEVEL EMISSIONS

CAR DOOR

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
R1 Residential	52	60	Complies
R2 Residential	45	60	Complies
R3 Residential	53	60	Complies
R4 Residential	32	58	Complies
R5 Residential	45	80	Complies
R6 Residential	53	80	Complies

7. CONCLUSION

Noise received at the neighbouring residences from the outdoor play area would comply during the day period, thus, outdoor play would be limited to the day period (ie – after 7am).

Noise received at the neighbouring residences from the mechanical plant would comply at all hours, when barriered.

Noise received at the neighbouring residences from noise associated with vehicles would also comply at all hours.

Thus, noise emissions from the proposed development, would be deemed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* for the proposed hours of operation, with the inclusion of the following:

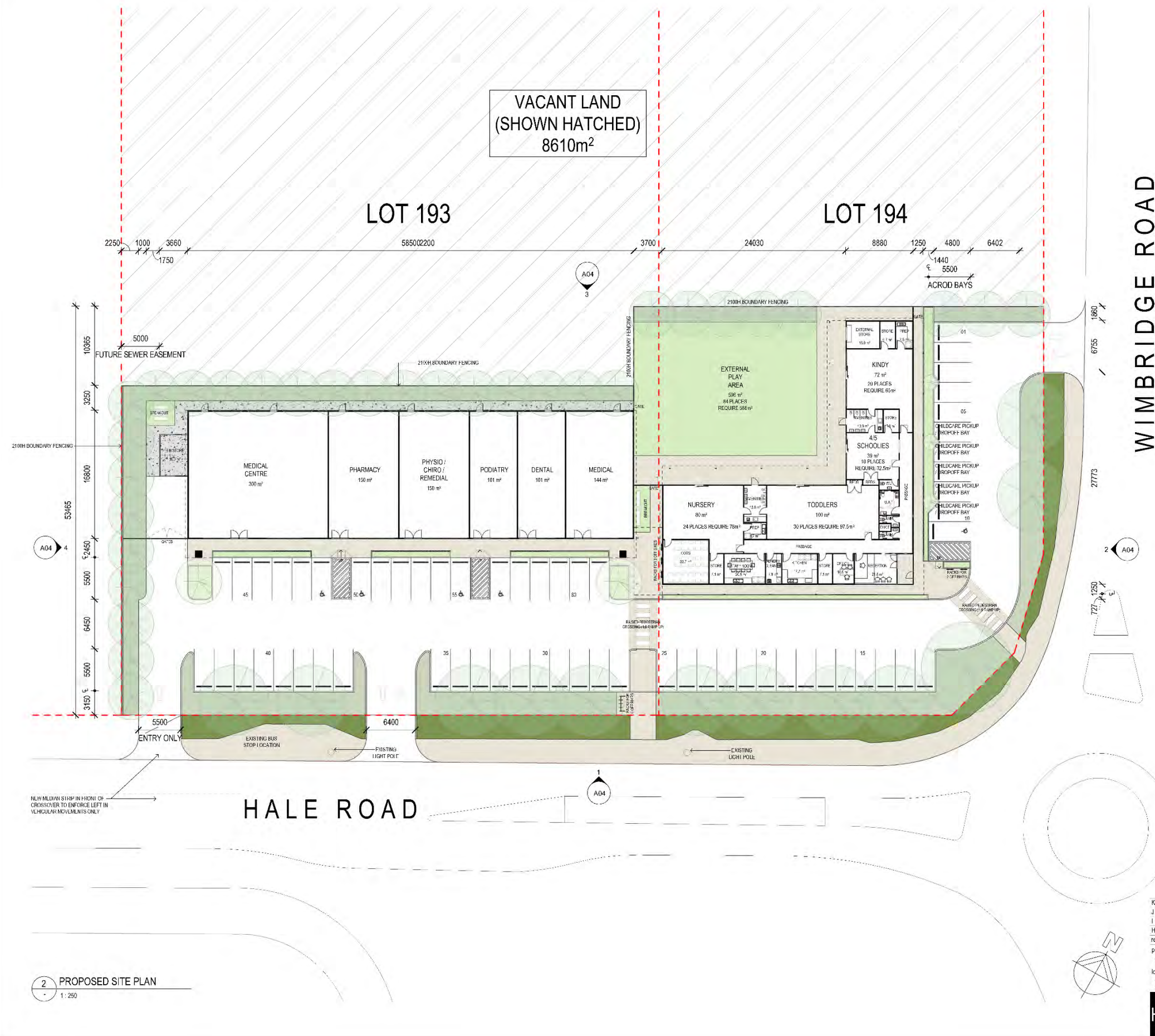
- 1 No specialist acoustic barrier would be required.
- 2 Mechanical plant would need to be barriered by a barrier at least 500mm above the top of the plant for childcare mechanical plant. Plant for commercial units would have to be set at the north side of the rooftop.
- 3 No restriction to car parking during the night time period.

Finally, it is recommended to adopt best practices in managing a child care centre to reduce noise, including but not limited to no amplified music to be played outside, and favouring soft finishes in the outdoor play area.

APPENDIX A

PLANS

SITE INFORMATION:	
TOTAL LOT AREA:	23,578m ²
TOTAL PROPOSED SITE AREA:	5,675m ²
TOTAL CHILDCARE CENTRE FOOTPRINT:	612m ²
TOTAL COMMERCIAL BUILDING FOOTPRINT:	989m ²
TOTAL SITE COVERAGE:	28.2%
PROPOSED DEEP SOIL AREA:	750m ²
PROPOSED TREE CANOPY COVERAGE:	~21%



K	ISSUE FOR DA	WHC	NP	12.03.2024
J	WESTERN CROSSOVER AMENDED	WHC	NP	08.03.2024
I	ISSUE FOR COORDINATION	WHC	NP	07.03.2024
H	ISSUE FOR DRP RESPONSE	WHC	NP	18.12.2023
revision/issue	description	drawn by	check by	date
project	WATTLE GROVE MIXED DEVELOPMENT	drawn	WHC	PROPOSED SITE PLAN
location	310-326 HALE ROAD WATTLE GROVE	checked	NP	
scale	As indicated	date	12.03.2024	
project no	93.22	dwg no	A01	
rev	K			



1 CHILDCARE CENTRE FLOOR PLAN
1:100



0	ISSUE FOR DA	WHC	NP	12.03.2024
C	ISSUE FOR DRP RESPONSE	WHC	NP	18.12.2023
B	ISSUE FOR DESIGN REVIEW	WHC	NP	12.09.2023
A	ISSUE FOR REVIEW	WHC	NP	24.08.2023
revision/issue	description	drawn by	check by	date
project		drawn	description	
		WHC	PROPOSED CHILDCARE	
location		checked	CENTRE FLOOR PLAN	
		NP		
scale		date		
1:100		12.03.2024		
project no		12.03.2024	dwg no	
93.22			A02	
			REV	
			D	

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date
12.03.2024
project no
93.22
dwg no
A02
REV
D



PLANNING IN BUSHFIRE PRONE AREAS

BAL ASSESSMENT (BASIC) REPORT



A BAL REPORT FOR A PROPOSED BUILDING ON A SITE THAT IS NOT WITHIN 100 METRES OF BUSHFIRE PRONE VEGETATION

Please read the **BAL Assessment (Basic) fact sheet** before completing this report.

1. Fire Danger Index (FDI)

Determine the FDI for your site. The FDI for all of Western Australia is 80.

2. Bushfire prone vegetation

Determine if there is bushfire prone vegetation within 100 metres of the proposed building. Insert NIL where there is no bushfire prone vegetation within 100 metres of the proposed building.

3. Distance between the proposed building and bushfire prone vegetation

Determine the horizontal distance between the proposed building and the nearest bushfire prone vegetation in the area surrounding the proposed building. Insert YES where the horizontal distance is greater than 100 metres on flat land and 110 metres on sloping land.

4. Slope of the land under bushfire prone vegetation

Determine the horizontal distance between the proposed building and the nearest bushfire prone vegetation. Insert N/A where the horizontal distance is greater than 100 metres on flat land and 110 metres on sloping land.

Step 5: Bushfire Attack Level (BAL)

Determine the BAL for the proposed building or development. Insert the BAL.

If the BAL is BAL-LOW, then this report may be used to support a relevant application for the proposed building or development. If the BAL is **not** BAL-LOW, this report should not be used.

Attach any supporting information (i.e. site plans, photos, aerial photography and other design documents and specifications) as evidence that your site is not within 100 metres of bushfire prone vegetation.

I certify that the inputs into this BAL assessment (basic) report are a true and accurate representation of the conditions of the proposed building and site on the date of this assessment for the site located at:

.....

And being the whole of the land described in Certificate of Title:

The BAL rating is: Date of assessment:

Signed:

Postal address:

Phone: Email:

HALE ROAD COMMERCIAL DEVELOPMENT

LOT 193 (NO. 318) AND LOT 194 (NO. 310) HALE ROAD, WATTLE GROVE



PROJECT REF: 940



Prepared for
Su Family Trust
APPLECROSS WA 6953

History and Status of this Document

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1.0 Introduction

Dynamic Planning and Developments acts on behalf of Su Family Trust, the registered proprietor of Lot 193 (No. 318) and Lot 194 (No. 310) Hale Road, Wattle Grove (herein referred to as the 'subject site').

This planning report has been prepared in support of an Application for Planning Approval for a proposed 'Commercial' development at the subject site. The planning report contains the following pertinent details of the proposal relevant to the assessment of the proposed application:

- Details of the proposal;
- Detailed assessment of the proposal against the relevant planning provisions applicable under the City of Kalamunda Local Planning Scheme No. 3 (LPS No. 3) and any relevant Local Planning Policies; and
- Detailed justification of any variations sought.

In addition to this planning report, the following documentation has been provided in order to assist the City of Kalamunda in making a recommendation on the proposed application:

- Certificate(s) of Title pertaining to the subject site(s) (**Appendix 1**);
- Relevant development plans (**Appendix 2**);
- A Transport Impact Assessment (**Appendix 3**);
- A self-reported bushfire assessment BAL rating (**Appendix 4**);
- A copy of design review panel comments and resolutions as prepared and addressed by HCP Architects (**Appendix 5**)

- Completed and signed City of Kalamunda Development Application Form, MRS Form 1 and DAP Form 1.

It will be demonstrated in subsequent sections of this submission that the proposed development is entirely appropriate for approval.

2.0 Site Details

2.1 Legal Description

The subject site is legally described as:

Lot	Plan	Volume	Folio	Street Address
193	413819	2949	622	318 Hale Road
194	413818	2949	570	310 Hale Road

The area of the subject site is 14,285m².

A copy of the Certificate(s) of Title pertinent to the subject site is contained in **Appendix 1**.

2.2 Locational and Land Use Context

2.2.1 Regional and Local Context

The subject site is located within the City of Kalamunda municipal area, within the suburb of Wattle Grove. The site is situated within a broader area of existing residential development adjacent to a Neighbourhood Commercial Centre (Wattle Grove Shopping Centre) along Hale Road, with the subject site also planned for commercial development.

The subject site exists as a corner lot with frontage to Hale Road and Wimbridge Road, with a corridor of planned public open space along the rear of the subject site. Access to the existing commercial development occurs from Hale Road with an element of shared access.

It is understood that Lot 192 (No. 326) Hale Road is being as a funeral parlour. It is important to note that development on Lots 193 and 194 will have no impact on the funeral parlour at Lot 192 with access and parking dealt with separately on each site. The nature of the proposed uses is such that there will not be any cross trade between the developments.

More broadly, the site is situated approximately 16km east of the Perth CBD within the municipal locality of the City of Kalamunda and in the suburb of Wattle Grove. It is noted that the site sits approximately 450m from the Wattle Grove Shopping Centre and 8km from the Perth Airport. Hale Road provides connections to Tonkin Highway and Welshpool Road East leading to Leach Highway. These roads are reserved as 'Primary Regional Roads' under the provisions of the Metropolitan Region Scheme (MRS) and provide great connections around the Perth Metropolitan Area.

Figures 1 and 2 depict the subject site in its regional and local context, respectively.

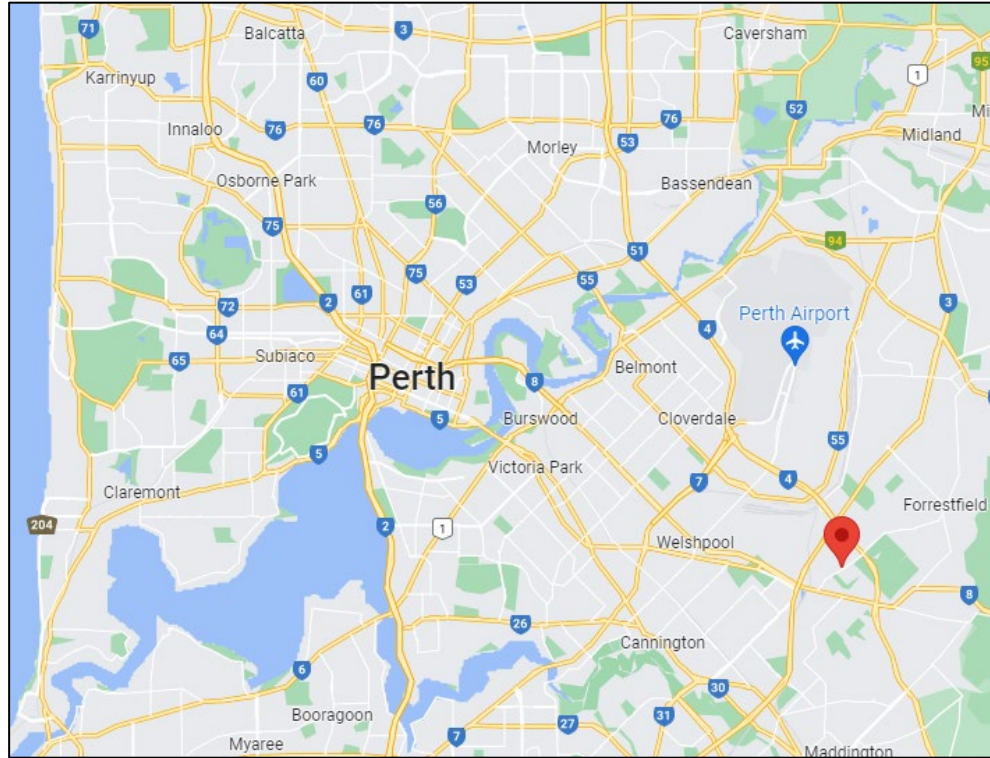


Figure 1 – Regional Context



Figure 2 – Local Context

3.0 Planning Framework

3.1 Metropolitan Region Scheme (MRS)

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS).

For reasons outlined further in this report, the proposed development is considered to be consistent with the 'Urban' MRS zoning applicable to the subject site.

3.2 City of Kalamunda Local Planning Scheme No. 3 (LPS No.3)

The subject site is zoned 'Urban Development' under the provisions of LPS No. 3. The objective of the 'Urban Development' zone is outlined in Clause 4.2.1 of LPS No. 3 and has been summarised below:

- *To provide orderly and proper planning through the preparation of a Structure Plan setting the overall design principles for the area.*
- *Encourage the retention and rehabilitation of native vegetation and the minimisation of bush fire hazard.*

In accordance with the 'Urban Development' zoning, the City has adopted the 'Cell 9 Wattle Grove Outline Development Plan' to guide subdivision and development.

3.3 Cell 9 Wattle Grove Structure Plan

Cell 9 Wattle Grove Structure Plan is the Local Structure Plan (LSP) that pertains to the subject site and the broader area. Under the LSP both lots are zoned 'Mixed Use' and 'Commercial'. As the development will take place upon the 'Commercial' zoned portion of the site, the development will be considered against the 'Commercial'. As the LSP only contains the relevant plans, the objectives and land use permissibility will be as per LPS No. 3. The objectives for the 'Commercial' zone are outlined in Clause 4.2.3 of LPS No. 3 and has been summarised below:

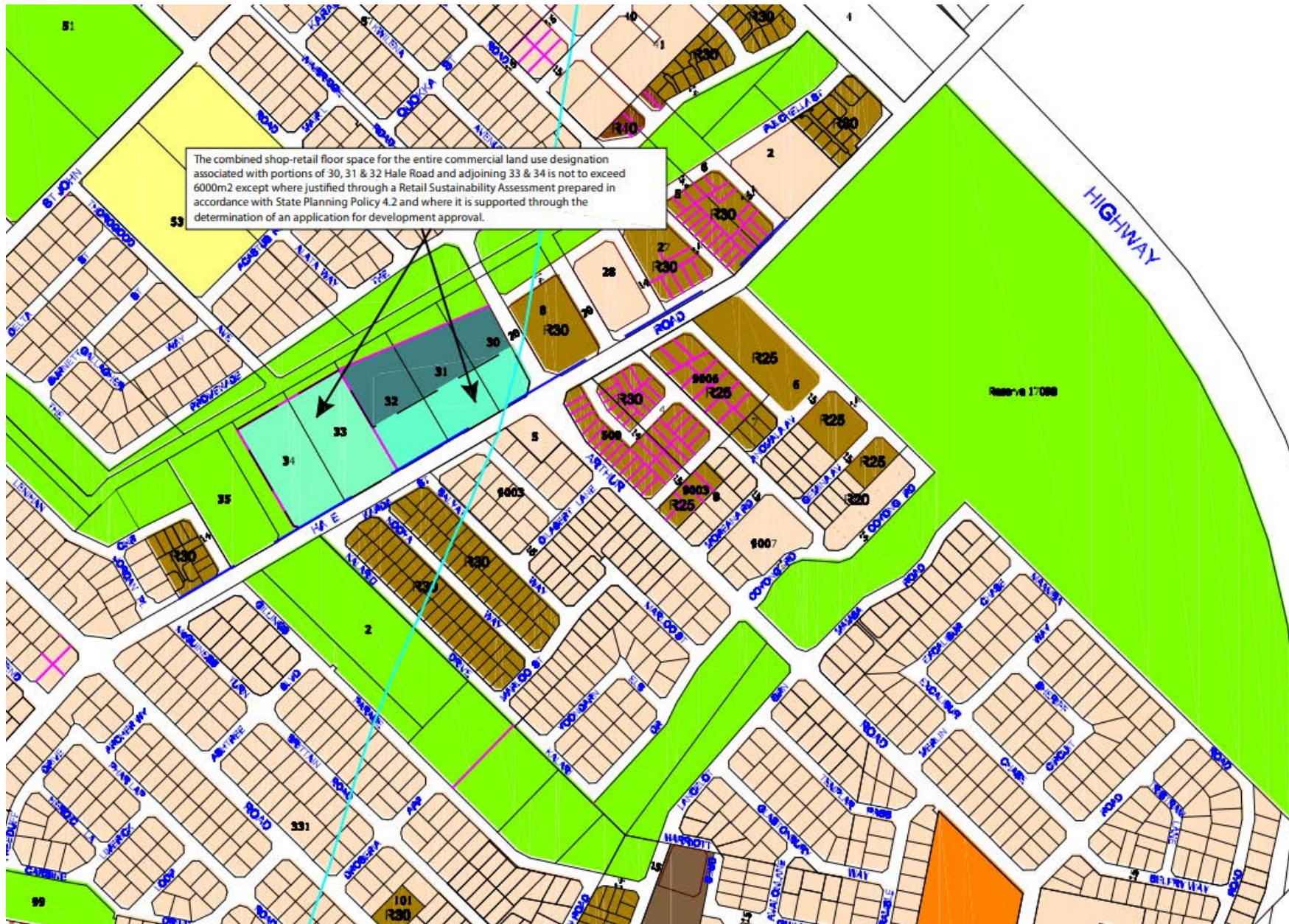
- *To serve the needs of a localised area in providing for local shopping facilities, business, professional, civic, cultural, medical and other health related services.*
- *To ensure that development is designed to be compatible with nearby uses and zones particularly Residential zones.*

An assessment of the objectives has been provided in section 5 of this report.

3.4 Land Use Permissibility

The permissibility of land uses is determined with regard to the Local Planning Scheme No. 3. Table 1 of LPS No. 3 specifies the land uses capable of approval in the 'Commercial' zone. Land use permissibility is further discussed under Section 6.0 as part of the detailed assessment against the provisions of LPS3.

Figure 4 – Cell 9 Wattle Grove



4.0 Proposal Details

The proposed development seeks approval for a 'Commercial' development at the subject site which will consist of a Child Care Premises and an Allied Health Facility containing a medical centre, pharmacy, physiotherapy/chiropractor, podiatry and dental.

The details of the proposal are outlined below.

4.1 Development Details

Key aspects of the proposed design have been summarised below:

- The childcare centre premises will include approximately 612sqm of built form accompanied by 596sqm outdoor play area, which is capable of accommodating 84 children of varying age groups and approximately 17 staff with staggered starting and finishing times throughout the day.
- The medical centre, pharmacy, physiotherapy, podiatry, dental and consultation rooms will include approximately 945sqm of built form.
- The development will provide sixty one (61) parking spaces, with five (5) of which being designated to ACROD parking and five (5) parking bays for exclusive pick up/drop off functions. It will also include the provision of eleven (11) bicycle racks.
- The entirety of the car parking area and landscaping is to be developed as a part of this proposal.
- The development will have access to Hale Road and Wimbridge Road via car park crossovers that will be developed as a part of this proposal.
- Two (2) crossovers are proposed from Hale Road, one left in only crossover and one full movement crossover. An additional full movement crossover is proposed along Wimbridge Road.
- 43 trees have been proposed for planting within the site, 14 of which will operate as primary shade trees for vehicle parking.
- A bin store has been provided on the western boundary of Lot 193, screened from the public realm. Access to this bin store is provided from Hale Road.
- A fence is proposed along the boundary to the neighbouring lots, at a height of 2100mm and ending approximately 23 meters from the boundary of Hale Road to provide visual permeability along the streetscape.
- A raised pedestrian accessway/pathway has been proposed from Hale Road and the corner of Wimbridge Road and Hale Road to provide for pedestrian access to the development.

4.2 Operational Details

- The Childcare Premises will operate with a capacity of 84 children with 17 staff working at the facility.
- The Childcare Premises will operate with operating hours of 6.00am to 6.30pm Monday to Friday.
- The proposed Consulting Rooms – Physio/Chiro/Remedial uses will nominally operate within allocated times of 8:00am – 7:00pm Monday to Friday, 9:00am to 5:00pm, Saturday; and closed on Public Holidays.
- The proposed Consulting Rooms – Physio/Chiro/Remedial uses are intended to operate with 2 consultants and 1 admin staff.
- The proposed Consulting Rooms – Podiatry will nominally operate within allocated times of 8:00am – 7:00pm Monday to Friday, 9:00am to 5:00pm Saturday; and closed on Public Holidays.
- The proposed Consulting Rooms- Podiatry use is intended to operate with 2 or less consultants and 1 admin employee.
- The proposed Consulting Rooms – Dental will nominally operate within allocated times of 8:00am and 7:00pm Monday to Friday, 9:00am to 5:00pm Saturday; and closed on Public Holidays
- The proposed Consulting Rooms – Dental is intended to operate with 2 practitioners and 1 admin employee.
- The proposed Shop use will nominally operate within allocated times of 7:00am and 9:00pm Monday to Friday, 9:00am to 5:00pm Saturday, 11:00am to 5:00pm on Sundays.
- The proposed Shop use will operate out of an NLA of 150m².
- Staffing hours throughout the Childcare centre development are intended to be staggered, with car

parking spaces serving more than one purpose with the staggered arrival of staff combined with pick up and drop off times allowing for the use of bays by staff and parents alike.

- It can be further assumed that multipurpose trip's will be a large portion of the patronage that the commercial hub enjoys, as the complimentary nature of the land uses not only allows but encourages it. The developments close proximity to other 'Commercial' developments on Hale Road allows for multipurpose trips to become commonplace as people utilise the hub in the same manner as one would a shopping centre.
- On-peak and off-peak times for each differing land use has been discussed in greater detail in Section 8 of the Traffic Impact Assessment attached in **Appendix 3**, which explains that the parking supply is sufficient to meet the requirements of the centre in its peak hours due to the non-conflicting nature of the land uses parking requirements and their peak period, in addition to the short term parking bays supplied for the exclusive use of the Child Care Centre.

Figure 5 depicts the site plan for the subject site with a copy of the complete proposed development plans within **Appendix 2**.

Figure 5 –Extract of development plans

5.0 Assessment

The statutory provisions applicable to the subject site require assessment of the proposal to be undertaken against the provisions of the following documents:

- City of Kalamunda Local Planning Scheme No. 3 (LPS No. 3);
- State Planning Policy 7.0 – Design of the Built Environment;
- City of Kalamunda Local Planning Policy 10 – Family Day Care and Child Care Premises (LPP10); and
- Planning Bulletin 72/2009 – Child Care Centres.

The below sections will address the relevant land use permissibility and development requirements outlined in the abovementioned statutory planning documents.

5.1 Land Use Permissibility

The proposed development includes the following land uses being 'Childcare Premises', 'Shop', 'Consulting Rooms' and 'Medical Centre', which are defined in the City's LPS No. 3 as:

"Child Care Premises" means land that has the same meaning given to the term in the Community Services (Childcare) Regulations 1988;

"Shop" means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;

"Consulting rooms" means premises used by no more than two health consultants for the investigation or treatment of human injuries or ailments and for general care;

"Medical centre" means premises used by more than two health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling).

The relevant land use permissibility in accordance with Table 1 of the City's LPS No. 3 has been summarised below;

Land Use	Permissibility
Childcare Centre	'P'
Consulting Room	'P'
Medical Centre	'P'
Shop	'P'

It is considered that the proposed land uses are consistent with the objectives of the 'Commercial' zone as applied by the 'Cell 9 Wattle Grove Structure Plan' in the LPS No. 3 as:

- Section 4.2.3 of LPS 3 outlines that the goals of 'Commercial' are to serve the needs of a localised area in providing for local shopping facilities, business, professional, civic, cultural, medical and other health related services.
- Section 4.2.3 of LPS 3 outlines that the goals of 'Commercial' are to ensure that development is designed to be compatible with nearby uses and zones particularly Residential zones.
- It will also be demonstrated that there is no amenity impact that will result from the development.

In light the above; the proposed development warrants favourable consideration and support.

5.2 State Planning Policy 7.0 – Design of the Built Environment

Design review is an independent and impartial evaluation process through which a panel of experts on the built environment assesses the design of a proposal. Design review benefits development proposals by providing informed opinions and guidance on the interpretation and application of design elements and principles, which can be particularly helpful for unique or complex development proposals. Design review can often assist in achieving efficient assessment and reduced approval times.

In the context of the development, the design has been reviewed by a Design Review Panel (DRP) and to design elements have been made as part of this process. These DRP

responses have been addressed by HCP Architecture to the with consideration of the DRP's minutes and comments attached in **Appendix 5.**

5.3 Development Requirements

The relevant development requirements pertaining to the proposed development are outlined in:

- City of Kalamunda Local Planning Scheme No. 3 (LPS No. 3);
- City of Kalamunda Local Planning Policy 10 – Family Day Care and Child Care Premises (LPP10); and
- Planning Bulletin 72/2009 – Child Care Centres.

An assessment of the proposed developments compliance with the abovementioned documents has been provided below in following sections.

5.3.2 Local Planning Scheme No. 3

Table 1 below provides an assessment of the proposal against the relevant requirements outlined in LPS No. 3. Where there are variations to the applicable requirements, these have been noted in **red**.

City of Kalamunda Local Planning Scheme No. 3 Proposed Development Compliance

Land Use	Parking Requirement	Parking Determinant	Number of Bays Required
Childcare centre (as per 'Child Care Premises')	1 bay per staff member, plus 1 bay for every 10 children allowed under the approval.	84 – Children = 9 bays	14 bays
Dental (as per 'Consulting Rooms')	4 bays per practitioner plus 1 bay per employee.	2 – Dentists 1 – Admin	9 bays
Podiatry (as per 'Consulting Rooms')	6 bays per practitioner and 1 per staff.	2 – Podiatrists 1 – Admin	9 bays
Physio/Chiro/Remedial (as per 'Consulting Rooms')	4 bays per practitioner plus 1 bay per employee.	2 – Practitioner 1 – Admin	9 bays
Pharmacy (as per 'Shop')	5 bays per 100m ² of NLA.	150m ² NLA	8 bays
Medical Centre No.1 (as per 'Medical Centre')	Medical Centre: 6 bays per practitioner and 1 per staff	6 – Practitioner 2 – Admin	38 bays
Medical Tenancy (as per 'Medical Centre')	Medical Centre: 6 bays per practitioner and 1 per staff	4 – Practitioner 2 – Admin	38 bays
Overall Parking Requirements	114 bays are required		
Total Number of Bays Provided	61		
Total Number of Bays Shortfall	114 – 61 = 53 on paper bay shortfall.		
Design			
The design must cater for the existing level of residential amenity and minimize the potential for nuisance in terms of: a) Visual impact; and Noise associated with operation of the child care facility and car park.	Site is located within 'Commercial' Zone, any impacts to the visual amenity of surrounding residential estates has been addressed and the built form of the development is not out of character with the surrounding land uses. Child playground areas have been located to rear of the site away from any residential land uses.		
2. Parking and Traffic Assessment		✓	

Parking areas should preferably be designed to allow traffic to move easily within the area so that the risk of congestion is minimised. Vehicles will be required to enter and exit the site in forward gear. All parking related to the Family Day Care or Child Care Premises will be contained on the subject site.	All parking related to the proposed centre is contained on site and the provision of reversing bays allows all traffic to exit the site in forward gear. Further the TIS (Appendix 3) demonstrates that the parking area is designed appropriately.	✓
In any application for planning approval to which this part applies, provision shall be made for suitably designed and screened service yards and refuse storage areas, which shall be subsequently maintained to the satisfaction of the local government.	All bin and refuse storage areas are well screened and hidden from the streetscape and will be maintained to the satisfaction of the local government.	✓
Parking bays for childcare premises shall be provided in accordance with the requirements as laid out in the Scheme's 'Table 3 – Parking Requirements (Child Care Centre/Day Care)', as follows: "1 bay per staff member, plus 1 bay for every 10 children allowed under the approval."	Variations in parking provisions are justified by the transitional nature of the use of parking within the site. It is proposed that peak staffing times at the proposed 'Childcare Centre' will not interfere in any way with the peak patronage times of the surrounding uses. Furthermore, a portion of the employees from the proposed 'Childcare Centre' are expected to use public or other means of transport to access the site as they are expected to be under the age of 18. It is also expected that as the proposed uses are complimentary to one another, an aspect of trip sharing is possible, creating less demand for parking spaces. Additionally, where variations have been proposed they have been justified and in the Traffic Impact Assessment in Appendix 3 .	

Table 1 – LPS No. 3 Assessment

5.3.3 City of Kalamunda Local Planning Policy 10 – Family Day Care and Child Care Premises (LPP10)

Table 2 below provides an assessment of the proposal against the relevant requirements outlined in LPP10. Where there are variations to the applicable requirements, these have been noted in red.

Planning Bulletin 72/2009		Proposed Development Compliance	
Location Criteria			
Accessibility to Public Transport.	Site is located within 20m of bus stop - Hale Road Before Arthur Road Stop ID: 13857		✓
Avoidance of location on Arterial Roads and suitability from a traffic engineering point of view	Neither Hale Road nor Wimbridge Road are Arterial roads, and traffic impacts upon have been addressed by the Transport Impact Assessment in Appendix 3.		✓
Distribution between existing centres.	Site abuts commercial zone		✓
Walking distance to appropriate commercial, recreation or community nodes and education facilities	Site is within walking distance to commercial district and Wattle Grove Primary School		✓
Sufficient size and dimension to accommodate the development without affecting the amenity of the area.	The site is considered of sufficient size as it is significantly larger than the minimum 1000sqm required for childcare sites		✓
Avoidance of clustering with other non-residential land uses, unless abutting a commercial zone.	Site abuts commercial zone		✓
Child Care Premises			
<ul style="list-style-type: none">Centres are encouraged to locate near commercial, community, educational establishments, district centre, and public recreational areas, nearby to roads that have the demonstrated capacity to accommodate any potential additional traffic generated by the centre, or within walking distance to public transport routes.	Site is located near local commercial premises on Hale Rd. Site is located 800m from Wattle Grove Primary School Site is located near Wattle Grove Naturescape and other local public recreation areas Site is well serviced by public transport Site is well serviced by appropriate roads, Hale Road and Wimbridge Road		✓

Inappropriate Sites		
i. At the end of Cul-de-sacs; ii. In Residential zoned land within 300m of another Child Care Premises; iii. Within Rural zoned land, within 800m of another Child Care Premises; iv. Site with sole vehicular access from a longer or undedicated Right of Way, under-width street or laneway; v. Sites located on, or at intersections to, Primary or District distributor Roads; vi. Sole access abuts traffic lights, roundabout, or traffic calming device; vii. Rear battle-axe and strata sites; and viii. Multiple Dwellings	The subject site does not possess any characteristics of an inappropriate site	N/A
Minimum Lot Size and Site Coverage		
Parking areas should be located in front of the building.	The proposed parking has been located immediately in front of the building entrance.	✓
Maximum of 50% site coverage of roofed structures	All roofed structures cover less than 50% of the subject site.	✓
Design Criteria		
Built Form and Streetscape		
A traffic impact assessment should be prepared to address: <ul style="list-style-type: none"> The site characteristics. The proposal and its expected trip generation. Parking requirements, including the design of parking areas, and any pick-up and drop-off facilities. Existing traffic conditions and any future changes expected to the traffic conditions. Current road safety conditions, including a crash history in the locality. 	Transport Impact Assessment has been prepared by Urbii that is supportive of the proposed development and stated the following key points: <ul style="list-style-type: none"> The site features good connectivity with the existing road network. There is good public transport coverage through nearby bus and connecting train services. Connectivity for walking and cycling is also good with the development proposed construction of a footpath link on Lewis Road adjacent to the site. 	✓

- | | |
|--|---|
| <ul style="list-style-type: none"> The expected impact of the proposed development on the existing and future traffic conditions. | <ul style="list-style-type: none"> The traffic analysis undertaken in the report shows that the traffic generation of the proposed development is minimal and as such would have insignificant impact on the surrounding road network. |
|--|---|

Table 2 – City of Kalamunda Local Planning Policy 10 Assessment

5.3.4 Planning Bulletin 72/2009 – Childcare Centres

Table 3 below provides an assessment of the proposal against the relevant requirements outlined in Planning Bulletin 72/2009. Where there are variations to the applicable requirements, these have been noted in red.

Planning Bulletin 72/2009		Proposed Development Compliance	
Location of Childcare Centres			
Distributed strategically to provide the maximum benefit to the community it serves.	There is one other childcare premises within 850m of the site within what is large residential catchment. Sufficient demand is available for both centres to exist.		✓
Within easy walking distance or part of appropriate commercial, recreation or community nodes and education facilities.	The facility is in close proximity to the Wattle Grove Shopping Centre, is well positioned to service the residential development surrounding it within the 'Cell 9 Structure Plan' as well as being in close proximity to a number of local schools: <ul style="list-style-type: none">• Wattle Grove Primary School• Woodlupine Primary School• Forrestfield Primary School• Hillside Christian College		✓
Located in areas where adjoining uses are compatible with a child care centre (includes considering all permissible uses under the zoning of adjoining properties).	The proposed land use is capable of approval and the development will include appropriate management the amenity impacts on adjoining properties.		✓
Serviced by public transport.	The site is in close proximity to bus routes along Hale Rd.		✓

Considered suitable from a traffic engineering/safety point of view.	Traffic Impact Assessment has been prepared demonstrating the development is suitable from a traffic engineering perspective.	✓
Of sufficient size and dimension to accommodate the development without affecting the amenity of the area.	The property the subject of the application is 14,285m ² in area which is sufficient to accommodate the proposed development.	✓
<p>Childcare centres will generally not be suitable where:</p> <ul style="list-style-type: none"> • Soil contamination exceeds levels regarded by DEC and DOH as suitable for standard residential land uses. • Groundwater is to be abstracted for the irrigation of gardens and play area within the childcare centre and groundwater contamination exceeds 10x Australian drinking water criteria. • The service provided by the centre will have a demonstrable, adverse impact on the existing or planned level of childcare centre services enjoyed by the local community. • Access is not from a major road or in close proximity to a major intersection where there may be safety concerns. • Access is from a local access street which may impact on the amenity of the area due to traffic and parking. • The current use or any permissible use under the zoning of the adjoining premises produces unacceptable levels of noise, fumes or emissions or poses a potential hazard by reason of activities or materials stored on-site. • Noise produced by road, railways and aircraft are likely to have an adverse impact on the site. • The site is in a heavy industry area or in the buffer area of a heavy industry area. 	<ul style="list-style-type: none"> • Ground water won't be abstracted for irrigation. • There will be no adverse impact on the surrounding childcare centres in the area due to the number of local schools in the area which equates to demand for childcare premises. • Access is not from a major road. • Access is provided from both Hale Rd and Wimbridge Road. • None of the surrounding land uses will produce unacceptable noise, fumes or emissions or will present a hazard risk as they are primarily residential properties. • The site is not located in an industry area, or a buffer area associated with industrial operations. 	✓ ✓ ✓ ✓ ✓
Site Characteristics		
Sites in a residential area should be greater than 1000sqm.	The site is located within a 'Commercial' zone.	N/A
Topography should be generally flat across the site.	The subject site is flat in topography.	✓

Design of Centres		
Visual appearance should reflect the character of the area.	The childcare premises has been designed to be residential in bulk, scale, and appearance to match surrounding development. Further, a context analysis has been completed to inform the building materials and colours used in the development by HCP Architects. The development has also undergone the Design Review Panel (DRP) process, with concerns and issues being responded to appropriately by HCP Architects. The DRP process is attached in Appendix 5 .	✓
Parking areas should be located in front of the building.	The proposed parking has been located immediately in front of the building entrance.	✓
Outdoor play areas should be in a safe location on the site, and away from adjoining noise-sensitive premises.	The outdoor play areas are largely located away from the adjoining noise sensitive premises except for the portion to the south of the lot, which is located along the boundary abutting the residential development. This area will be appropriately treated from an acoustic standpoint to ensure noise levels at the residential property do not exceed levels allowed under the <i>Environmental Protection (Noise) Regulations 1997</i> .	✓
Traffic Impacts		
<p>A traffic impact assessment should be prepared to address:</p> <ul style="list-style-type: none"> • The site characteristics. • The proposal and its expected trip generation. • Parking requirements, including the design of parking areas, and any pick-up and drop-off facilities. • Existing traffic conditions and any future changes expected to the traffic conditions. • Current road safety conditions, including a crash history in the locality. 	<p>Transport Impact Assessment has been prepared by Urbii that is supportive of the proposed development and stated the following key points:</p> <ul style="list-style-type: none"> • The site features good connectivity with the existing road network. • There is good public transport coverage through nearby bus and connecting train services. • Connectivity for walking and cycling is also good with the development proposed construction of a footpath link on Lewis Road adjacent to the site. 	✓

<ul style="list-style-type: none"> The expected impact of the proposed development on the existing and future traffic conditions. 	<ul style="list-style-type: none"> The traffic analysis undertaken in the report shows that the traffic generation of the proposed development is minimal and as such would have insignificant impact on the surrounding road network. 	
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Table 3 – Planning Bulletin 72/2009 Assessment

6.0 Other Considerations

6.1 Transport Impact Assessment

The proposed development is supported by a Transport Impact Assessment (TIA) prepared by Urbii (**Appendix 3**). The TIA has been prepared in the accordance with the WAPC's *Transport Impact Assessment Guidelines for Development (WAPC guidelines)* and highlights that the proposed development is satisfactory from a Traffic and Parking perspective and warrants favourable consideration. Key conclusions within the report are as follows:

- The traffic analysis undertaken in the report shows that the traffic generation of the proposed development is minimal and as such would have insignificant impact on the surrounding road network.
- The car parking provision is in a shortfall of the applicable requirements under the City's Local Planning Scheme

No.3 (LPS3), however the nature of the development involves a staggered attendance of staff, therefore opportunity for parking spaces to be utilised at different peak hours with spaces serving more than one staff member uninterrupted. Typically, hours where staffing is at full capacity will not impede the developments parking opportunities for surrounding land uses. Additionally, it is intended that staffing will be gradually reduced from 3pm onwards daily.

- Staff working at the proposed 'Childcare Centre' that are under the age of 18 are predicted to utilise public transport and other means to access the site. The estimated number of under 18 employee's is set to be approximately five (5).
- The TIA has responded to the City's concerns regarding the placement of the sites ingress and egress via Hale Rd and its functionality. The responses are outlined in **Appendix 3 – Traffic Impact Assessment**.

7.0 Conclusion

Based on the contents of this planning report, it is clear that the development proposal is appropriate for approval as it delivers a development opportunity for the City of Kalamunda, its residents and working population that will improve the local population's access to service and amenities. As considered in detail within the contents of the planning report, the proposal will deliver a functional built form outcome that aligns with the objectives of the 'Commercial' zone and will limit any amenity impacts to the adjoining landowners. In summary, reasons in support of the proposal are reiterated as follows:

- The proposed development is consistent with the land use definition of 'Childcare Premises', 'Consulting Rooms', 'Medical Centre' and 'Shop', all of which are permitted uses under the 'Commercial' zone in LPS3;
- The proposed development is consistent with the Local Planning Policy – Family Day Care and Child Care Premises;
- The proposed development is compliant with the applicable development requirements aside from variations in parking provisions. These variations have been justified with the development demonstrated to meet parking demand on site with adjoining properties.

- There will be no detrimental amenity impacts on adjoining properties as a result of this development.

Based on the above, the proposal is considered to warrant favourable consideration and support of the City of Kalamunda.



WATTLE GROVE MIXED DEVELOPMENT

310-326 HALE ROAD, WATTLE GROVE

HCP JOB REF: 93.22

DATE: MARCH 2024

Proposed Site Plan



SITE INFORMATION:	
TOTAL LOT AREA:	23,578m ²
TOTAL PROPOSED SITE AREA:	5,675m ²
TOTAL CHILDCARE CENTRE FOOTPRINT:	612m ²
TOTAL COMMERCIAL BUILDING FOOTPRINT:	989m ²
TOTAL SITE COVERAGE:	28.2%
PROPOSED DEEP SOIL AREA:	750m ²
PROPOSED TREE CANOPY COVERAGE:	~21%





WATTLE GROVE MIXED DEVELOPMENT

310-326 HALE ROAD, WATTLE GROVE

HCP JOB REF: 93.22

DATE: MARCH 2024



Hodge Collard Preston
ARCHITECTS



Existing Site Conditions



STREET VIEW ON HALE ROAD



STREET VIEW ON WIMBRIDGE ROAD



EXISTING SITE ELEVATIONS - STREET VIEW FROM HALE ROAD



EXISTING SITE ELEVATIONS - VIEW FROM WIMBRIDGE ROAD



Existing (largely) vacant site with minimal trees and landscaping



Vet clinic and house fencing opposite to site

Hale Road Street View

PROPOSED DEVELOPMENT:

1. New single-storey developments in line with scale of surrounding residences and existing commercial development west of site.
2. Proposal to increase street-facing landscaping and provide deep soil area suited for medium-sized trees, forming a buffer between Hale Road and new carparking area.





Existing (largely) vacant site with minimal trees and landscaping



Housing frontages opposite to site

Wimbridge Road Street View

PROPOSED DEVELOPMENT:

1. Proposal to increase street-facing landscaping and provide deep soil area suited for medium-sized trees, forming a buffer between Wimbridge Road and new carparking area.
2. New childcare centre car bays located away from Wimbridge Street side for improved safety at drop-off / pick-up and more separation from houses opposite to site.



DESIGN RESPONSE

1. CONTEXT AND CHARACTER
2. LANDSCAPE QUALITY
3. BUILT FORM AND SCALE
4. FUNCTIONALITY AND BUILD QUALITY
5. SUSTAINABILITY
6. AMENITY
7. LEGIBILITY
8. SAFETY
9. COMMUNITY
10. AESTHETICS



01 Context and Character

DAC COMMENTS:

- Although there is no established context and character for the site, there is opportunity to start creating a precedent for the site. Consider the local and over Kalamunda context for colours and materials to be introduced to the development.
- Even if there is not a strong context and character established for the immediate locality, consider the broad context of Kalamunda. The bush setting context is recommended to be strengthened within the design.

DESIGN RESPONSE:

1. Conscious of the scale and aesthetics of the residential and commercial buildings in the **site's** immediate vicinity, the proposal strives to exercise restraint in its built forms and façade design. A contemporary material palette is proposed to introduce a point of difference to the development – yet the textural scale and subtlety of the selected materials will ensure the overall design remains cohesive and harmonious with its context.
2. Timber– look battens and slatted cladding, as well as pockets of land designated for native landscaping and trees, are introduced to the development in a bid to strengthen the bush context of Kalamunda.



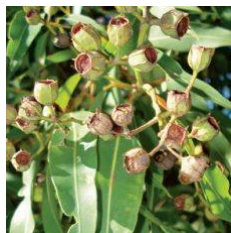


INSPIRATIONAL IMAGERY



LANDSCAPE DESIGN NOTES

- 1 Proposed native hedge planting around car park as a soft barrier
- 2 Proposed mix of native shrubs and groundcovers to provide colour interest and textures. Planting layout to follow the CPTED principles
- 3 Proposed native small, medium, or large trees





02 Landscape Quality

DAC COMMENT:

- Consider nature play and shade cover for childcare.
- Panel does not recommend astro turf due to chemicals and toxins.
- Engage a landscape professional to provide details on landscape species and plant mixes.
- Consider cascading landscaping in planters instead of plants which will grow up and block the view into the tenancies.
- Recommend spacing the trees in front of the building to stagger the façade.
- Consider a reduction in some bays (subject to City approval) to provide larger trees in the parking area on the northern parking bays to reduce provide shade on carpark.
- Consider the width dimensions of the planters to provide meaningful landscaping and viability of the plants in the long term.
- Recommend extending landscaping into the Hale Road streetscape and consider re-alignment of the trees so the base of the tree is not up against a paved surface to allow for better growing conditions.

DESIGN RESPONSE:

1. Example of nature play design that could be implemented in the allocated childcare external area with consideration to use natural turf as much as possible. Final design to be agreed with childcare operator.
2. Example imagery of landscape design intent provided – waterwise landscaping and natives will be implemented.
3. Planters replaced with landscaped kerbs; trees have also been strategically added to stagger frontages of both the childcare centre and commercial development without obstructing views into tenancy entrances.
4. Width of all planters increased to accommodate meaningful and viable long-term landscaping.
5. Landscaping strips abutting Hale road adjusted with trees realigned for better growth. Tree diamonds deleted.



03 Built Form and Scale

DESIGN RESPONSE:

1. Built forms are kept as a single storey buildings. This is in line with the nearby existing commercial developments and will complement the surrounding low density housing.
2. Trees and landscaping introduced to improve and soften the streetscape.
3. To reduce perceived scale of the proposed buildings from Hale Road and Wimbridge Road, the following are incorporated into planning and design:
 - Fragmentation of the façade by varying the cladding materials
 - Significant setback (by way of car parking and driveway) from street frontages
4. Street canopies at lower heights have also been introduced in both the commercial and childcare buildings to reduce the perceived scale at pedestrian level.
5. Pedestrian arrival feature canopy promotes connection between the childcare centre and commercial development.



EXISTING COMMERCIAL
DEVELOPMENTS NEARBY



04 Functionality & Build Quality

DAC COMMENT:

- Consider the conflict between the breakout space for the medical centre and the privacy /noise restrictions /nurturing environment required for the childcare premises.
- Consider the width of the pedestrian pathways to ensure there is sufficient space for users with prams or wheelchairs.
- Bicycle parking bays appears to take up too much space for the footpath. Consider location of bike parking or creating two separate bike parking spaces that do not obstruct pedestrian movement.
- Review window placement to consider conflicts such a bicycle bays and noise, views in and out of the building, light quality throughout the day and passive surveillance.

DESIGN RESPONSE:

1. Durable and low-maintenance materials such as precast concrete and CFC claddings are selected to ensure longevity of the buildings.
2. Building height, form, and spatial configuration of the childcare centre are informed by the functional requirements the tenant and the necessity for an entry statement as wayfinding.
3. Monolithic façade of the commercial development will simplify construction while providing flexibility in location of the intertenancy walls.
4. Childcare centre window placement has been rationalized with consideration towards interior functionality. Introduction of playful round windows to the façade and lowering the surrounding coloured glass awning result in a building that is of a more child-friendly scale and aesthetic. Windows facing communal breakout space relocated to improve privacy.
5. All internal childcare centre spaces have access to direct and borrowed natural lighting. Skylights (Solatube or similar) will also be installed to the childcare centre passage as part of sustainability commitment.
6. Fixed louvre fencing and gate introduced between childcare external play area and communal breakout space; louvre blades strategically angled to allow light through but will limit visibility into childcare centre.
7. All footpaths have been widened to accommodate wheelchairs and prams – refer dimensions on plan drawings.
8. Bicycle parking location and type have been rationalised to prevent obstruction of footpaths.



05 Sustainability

DAC COMMENT:

- Provide sustainability commitments as part of the submission.
- Recommend provision of solar panels on the roof. Provide future location of invertors and future battery locations.
- Recommend provision of mechanical ventilation and associated screening.
- Consider roof vents for cross ventilation.
- Provide a list of commitments for the sustainability of the development (LED lighting, water usage).

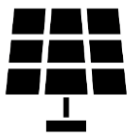
DESIGN RESPONSE:

1. Insulation will be provided to comply with Section J of the NCC.
2. Shading devices have been added to all north, east and west facing glazing.
3. Louvres added to all childcare centre windows facing the public domain to maintain natural cross ventilation without compromising security.
4. Mechanical ventilation equipment to be installed on roof behind parapet walls. Additional louvered screening will be provided where parapet wall is not present.
5. Sustainability commitment:
 - 5-star WELS rated plumbing fixtures and fittings will be utilized.
 - LED lighting with sensors will be used throughout
 - Waterwise landscaping will be implemented.
 - Solar panels will be installed to meet energy target – location of invertors and batteries to be determined with childcare operator and commercial tenants.
 - Provision for future EV charging bays will be included.
 - Skylights (Solatube or similar) will also be installed to the childcare centre passage.
 - All habitable interior spaces have windows and louvres to access natural light and ventilation.

Provision for future
EV Charging



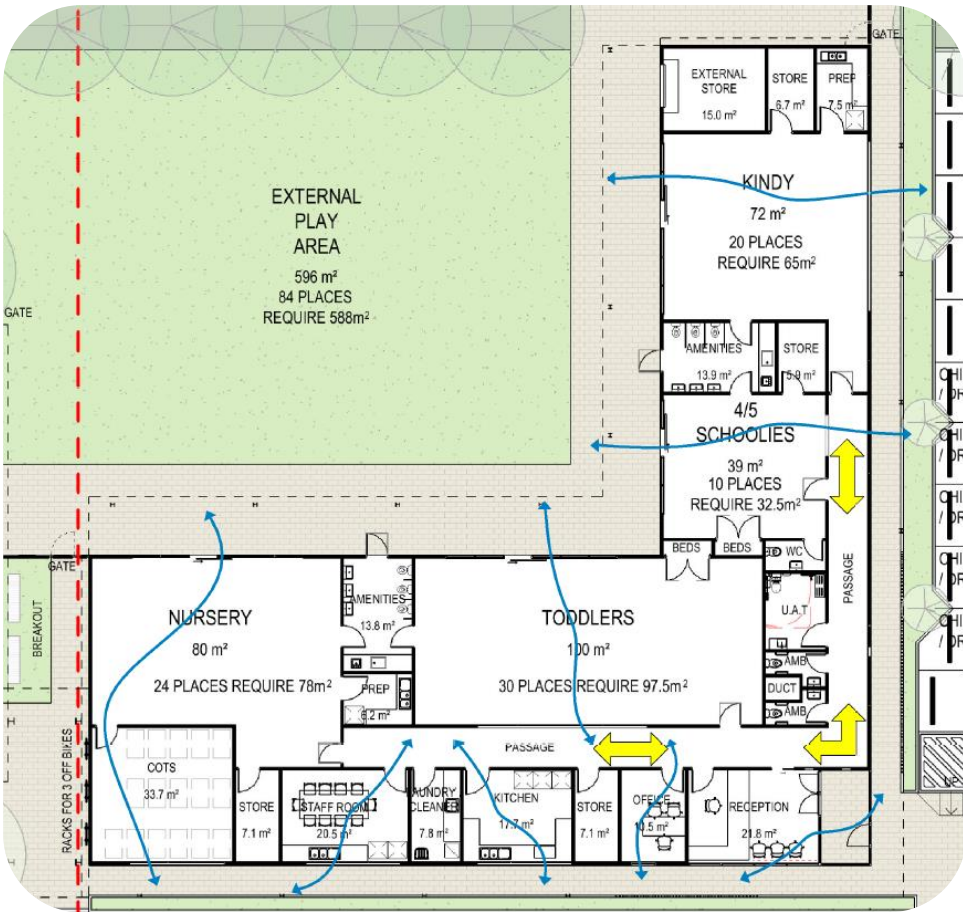
PV Panels



Mixed Mode
Ventilation & Lighting



WELS Rated Fixtures &
Waterwise Landscaping



06 Amenity

DESIGN RESPONSE:

SITE

1. The childcare centre and commercial building share a bin store, communal breakout spaces, and majority of the proposed car bays.
2. Bin store located adjacent to the commercial building - accessible via a landscaped path to the north to mitigate the potential disturbance / noise issues to the childcare centre caused by bin collection.
3. Bicycle racks have been provided in the vicinity of childcare centre, commercial development, and the pedestrian arrival feature canopy connecting the two buildings.
4. Where accessible by foot traffic, both buildings are equipped with awnings to shelter pedestrians from sun and rain.
5. The proposed verge tree will provide shading for car bays located further away from the buildings.
6. The revised childcare centre entrance and feature canopy reinforce the sense of arrival onto the development. Pedestrian movement from existing crossings on Hale Road and Wimbridge Road have also been considered and incorporated into the overall site planning.

CHILDCARE CENTRE

1. The proposed childcare centre plan has a logical and easily navigated layout. A central spine distributes users of the building to **children's** areas effectively.
2. Room sizes and shapes are appropriate for their use, and flow directly out into the exterior play areas.
3. Access to natural light (direct and indirect) have been carefully considered and incorporated through glazed doors and windows.
4. Access to natural ventilation has been incorporated through large openings to the play areas and louvred windows throughout.

CHILDCARE CENTRE ACCOMMODATION			
AGE GROUP	NUMBER OF PLACES	STAFF TO CHILDREN RATIO	NUMBER OF STAFF
NURSERY (BIRTH – 2 YEARS)	24	1:4	6
TODDLERS (2-3 YEARS)	30	1:5	6
KINDY (3-4 YEARS)	20	1:10	2
PRE-SCHOOL (4-5 YEARS)	10	1:10	1
TOTAL NO. OF CHILDREN	84	TOTAL NO. OF STAFF	15
CHILDCARE CENTRE PARKING REQUIREMENT			
1 PER 10 PLACES	$84 \div 10 = 8.4 = 9 \text{ BAYS}$		
1 PER STAFF	15 BAYS		
TOTAL	24 BAYS		





07 Legibility

DAC COMMENT:

- Recommend redesigning the entrance to the childcare to create a strong entry point clear to frequent and new users.

DESIGN RESPONSE:

- Design of childcare centre entrance reworked to achieve a lighter aesthetic.
- Ceiling and soffit over entry / reception have been raised to create a sense of arrival. Introduction of slatted cladding creates a playful wayfinding feature and helps to bring down the scale of the entrance so that it remains child-friendly.
- Designated signage zones have also been added to the south elevation of the commercial building to ensure cohesive sizing.
- Streetside trees and landscaping have been proposed off Hale Road and Wimbridge Road to increase the street presence of the development.
- Walkways proposed to connect to existing footpaths along Hale Road and Wimbridge Road to promote pedestrian access onto the development.





08 Safety

DAC COMMENT:

- Consider bringing the bin store forward towards the building façade and create a staff break out area at the back.
- Consider raising the crossings slightly to slow down vehicles. Ensure that these are tested with appropriate consultants.
- Consider treatments for recessed areas (bin store) and northern edge of **children's** centre, and how these concealed spaces can lead to antisocial behaviour.

DESIGN RESPONSE:

1. Bin store brought closer to Hale Road to accommodate a staff breakout space adjacent to the commercial building.
2. Pedestrian crossings have all been raised and paved to marginally slow down vehicular traffic and improve safety of pedestrians.
3. Site planning reworked to reduce recessed areas. Strategic fencing & gates with access control alongside the use of CCTV and artificial lighting (on timer after-hours) will help to deter antisocial behaviour within unavoidable recessed spaces.
4. Planter boxes added to the childcare centre footpaths, alongside a 1200mmH fencing at the entrance to improve children safety and provide protection from vehicular traffic when entering / leaving the childcare centre. Traffic consultant had reviewed and confirmed no manoeuvring issue for all proposed car bays.
5. Car bays for childcare centre are mostly located to the building side to minimize children crossing through vehicular traffic.
6. Public access to tenancies in the commercial building all from carpark side only for ease of surveillance.



Double-layered entry at childcare centre



Raised pedestrian crossings

09 Community

DAC COMMENT:

- Consider incorporating a skylight into the childcare premises to act as a beacon at the corner and showcase the entry and act as a feature to the local community.

DESIGN RESPONSE:

1. The redesigned childcare centre entrance introduces more glazing to allow penetration of natural light. Skylights (Solatube) or similar will be installed as part of the **client's** sustainability commitment.
2. The development will provide benefits and convenience for the neighbouring residents to meet the high demand of childcare and health care in the community.





2 EAST ELEVATION (WIMBRIDGE RD ELEVATION)
A11 1:200



4 WEST ELEVATION
A11 1:200



3 NORTH ELEVATION
A11 1:200



1 SOUTH ELEVATION (HALE RD ELEVATION)
A11 1:200

10 Aesthetics

DAC COMMENT:

- Recommend providing location of AC units and screening to ensure there is reduced impact on the aesthetics of the overall site.
- Consider further articulation to the medical centre block to provide a grain a texture that encompasses the broader Kalamunda area.
- The corner entry element of the childcare centre is to be reconsidered
- to enhance the entry and wayfinding opportunity.

DESIGN RESPONSE:

1. AC units will be located on roof – all street-facing elevations have parapet walls which will conveniently assist with concealment.
2. The slatted cladding and building form of the childcare centre create a strong wayfinding feature for the local community.
3. There is unity in the material scale and palette between the childcare centre and the commercial development. The overall design concept for the site aims to strengthen the bush context of Kalamunda while maintaining a sensible scale to ensure harmonious transition to the existing surrounding housing estates.
4. While most childcare centres tend to incorporate colours in their design for visual interest, to ensure the proposed buildings remain harmonious amongst the context from streetside, splashes of colour will be introduced by way of coloured glass / acrylic awnings. Through interaction with sunlight throughout the day, the awnings will cast colourful shadows on the pedestrian pathways and/or wall claddings. Colours will be present and ever-changing while remaining completely invisible from the street-facing facades.
5. On the northern side (concealed by 2100H acoustic boundary fencing), the childcare centre features painted wall panels to echo colours in the front-facing coloured glass / acrylic awnings.

Submitter No.	Comment	City Response	Applicant Response
1	No Objection	Noted	Noted
2	No Objection	Noted	Noted
3	No Objection	Noted	Noted
4	No Objection	Noted	Noted
5	Open spaces	No context provided.	Unsure as to what this comment relates toward.
6	No Objection	Noted	Noted
7	No Objection	Noted	Noted
8	Proposal Of Childcare and Other Shops Are Fine. Sports And Recreation Centre Will Be Icing On The Cake	Noted	Acknowledged
9	Already have medical centre with pharmacy at Aldi shopping centre No need for another one	Commercial viability and proliferation of services are not a planning consideration but matters for the operator. Given the development is appropriately zoned for the proposed land uses, the use for a medical centre and shop (pharmacy) can be considered on their merits The proposal is considered appropriate to the locality and has been recommended for approval.	The site is appropriately zoned under the provisions of LPS3 to accommodate the proposed Medical Centre, Childcare and Pharmacy. Matters pertaining to the commercial need or competition are not a planning consideration. This comment should be dismissed.
10	No Objection	Noted	Noted
11	No Objection	Noted	Noted
12	No Objection	Noted	Noted
13	I am writing to express my concerns regarding the proposed car park and site layout for the medical centre and childcare centre.		Independent parking demand modelling presented in

	<p>Firstly, I want to acknowledge that the introduction of a medical centre and childcare centre is a welcome addition to our community. These facilities will undoubtedly provide essential services and convenience to residents. However, I have significant concerns about the adequacy of the proposed car parking and the internal road layout within the facility. The number of car parking spaces planned appears insufficient to meet the anticipated demand from both the medical centre and childcare centre. This shortfall could lead to congestion and inconvenience for patients, parents, and staff. Adequate parking is essential to ensure that these facilities are accessible and user-friendly.</p> <p>Moreover, the current layout of the floor space is cramped, resulting in narrow roads within the lot. These narrow roads may pose safety risks for children attending the childcare centre and for patients visiting the medical centre. Safe and spacious internal roads are vital to ensure smooth and secure travel within the facility.</p> <p>Additionally, I have observed that a significant portion of open space at the rear of the site has been reserved for future development. While planning for future growth is understandable, it appears that this decision has been made at the expense of providing adequate car parks and open space at the front of the site.</p> <p>This approach could negatively impact the overall functionality and aesthetics of the site and the suburb. It is also important to consider that families from surrounding suburbs such as Forrestfield, Queens Park, Lesmurdie, and Kenwick are likely to use these new facilities. Therefore, it is crucial to allocate sufficient space to accommodate the needs of all visitors, ensuring a pleasant and practical experience for everyone.</p> <p>The design also should include connection of the lots by road and side access between wattle grove facility - current vacant lot and proposed medical/childcare centre as the patrons could easily move</p>	<p>Noted</p> <p>The TIS provided outlines a detailed parking demand analysis with assessments of peak parking and hourly demand outlined in Tables 7 & 8 respectively, this has indicated that peak demand will be well catered for on site.</p> <p>Internal road design and layout is consistent with developments of this typology and meets the appropriate design standards.</p> <p>As the TIS outlines adequate parking has been provide for the development, the City has no comment on the portion of the lot to retained vacant.</p> <p>The interconnectivity of lot via the vacant lot at Lot 192 (326) Hale Rd., can be addressed at a future</p>	<p>Section 8 of the TIA indicates that car parking supply will be satisfactory.</p> <p>The width of car parking aisles and circulation roadways is compliant with AS2890.1. Providing overly wide internal roads can confuse car park drivers, encourage overtaking and higher travel speed.</p> <p>SIDRA analysis was undertaken to assess the future performance of the roundabout intersection of Hale Road / Wimbridge Road. Analysis was undertaken for 10 years post development (Year 2036) and indicates that the roundabout will operate at Level of Service A in the AM and PM peak hours. Refer to Appendix B of the TIA.</p> <p>With respect to the design, the proposed has been assessed by the City's design review panel (DRP), and the proposal has adopted</p>
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	<p>around these places rather than causing congestion at Hale Road. Also plz consider and plan for the possible future development rear of this site as they are going to utilize the Wimbridge Road for exit and entry. Apartments or any other activity centre rear (possible proposals of the mixed-use site could cause additional burden on Wimbridge Road and Hale Road intersections and hence proper planning to made accordingly.</p> <p>In conclusion, while the addition of a medical centre and childcare centre is a positive development, it is essential to address the issues related to car parking and the internal road layout. I urge you to reconsider the current proposal to ensure it meets the practical needs of the community and maintains the visual and functional appeal of the suburb.</p>	<p>development application stage with the landowner but cannot be imposed on a landowner in advance of application lodgement.</p> <p>Any future access arrangement relating to a proposed development to the balance of the lot will be assessed at the time of application lodgement.</p>	<p>recommendations from the DRP.</p> <p>In regard to open space, the Wattle Grove Cell 9 Outline Development Plan (ODP) outlines where open spaces are to be provided and this proposal has no impact on the planned open space.</p>
14	It's a wonderful proposal to put in some new shops and a newer childcare because of our new and growing community and different cultures	Noted	Acknowledged
15	I am supportive of the proposed development as it will improve the available services in the suburb.	Noted	Acknowledged
16	My wife and I fully support this development proposal. We believe it is an excellent use of the land and will add important services for residents and the surrounding areas. We also believe that the architecture and landscaping are compatible with the existing residential neighbourhood.	Noted	Acknowledged
17	<p>As the owner and manager of 338 Hale Road strongly disagree with the development in its proposed format; for the following reasons:</p> <ul style="list-style-type: none"> • Huge deficiency in parking bays 53 Bays = 46% deficiency. • Entry and exit and entry ways to the street are not to standard, the exit on to Hale Road is directly into bus stop, and the location of the street island makes it less than ideal. 	<p>As the TIS outlines adequate parking has been provide for the development, the City has recommended a condition to address the design of the median.</p> <p>Commercial viability and proliferation of services are not a</p>	<p>Independent parking demand modelling presented in Section 8 of the TIA indicates that car parking supply will be satisfactory.</p> <p>The configuration of crossovers, car parking bays,</p>

	<p>The other consideration is impact of business at Wattle Grove, there are already similar use tenancies at the Wattle Grove Shopping Centre, i.e. medical centre, pharmacy, and dentist. These are mum and dad operators who will suffer from this development being approved at this time.</p>	<p>planning consideration but matters for the operator. Given the development is appropriately zoned for the proposed land uses, the use for a medical centre and shop (pharmacy) can be considered on their merits</p> <p>The proposal is considered appropriate to the locality and has been recommended for approval</p>	<p>aisles and circulation roadways is compliant with Australian Standard AS2890.1.</p> <p>The site is appropriately zoned under the provisions of LPS3 to accommodate the proposed Medical Centre, Childcare and Pharmacy. Matters pertaining to the commercial need or competition are not a planning consideration. This comment should be dismissed.</p>
18	<p>As per plans the entry/exit seems to be 30-35 meters from the roundabout island on Wimbridge Road. I cannot understand how this would not affect the traffic jam. Practically most of the drop-offs (entry and exit) to the childcare will be in morning 8-9 am, the same time 400 vehicles enter and exit the Wattle grove primary school through Wimbridge Road.</p> <p>As it stands there is already a huge backlog of vehicles at this roundabout through to Wimbridge Road between 8-9am & between 2:30-3:30 pm. The traffic assessment reports is incorrect on this. May be complying on paper but not the practical reality. The entry and exit of the childcare should be from Hale Road and not from Wimbridge Road. You need to stand just 15 minutes on Wimbridge Road to see the backlog between 8-9am & 2:30-3:30 pm. Kindly take this into consideration before finally approving the entry/exit of the childcare from Wimbridge Road.</p>	<p>SIDRA analysis in the Transport Impact Assessment (TIA) on page 59-60 shows that the level of service is A and the que distance will not impact the operation of the roundabout. Given the Childcare centre has proposed opening hours from 6am staggered drop off can be undertaken by those wishing to avoid peak school traffic.</p> <p>The SIDRA results indicate that the proposed development will have minimal impact on the road network.</p>	<p>SIDRA analysis was undertaken to assess the future performance of the site crossovers and of the roundabout intersection of Hale Road / Wimbridge Road. Analysis was undertaken for 10 years post development (Year 2036) and indicates that the roundabout and crossovers will operate at Level of Service A in the AM and PM peak hours. Refer to Appendix B of the TIA.</p>

	<p>As per the "Development_Proposal_Lot_193-194_Hale_Road_Wattle_Grove" 5.3.4 Planning Bulletin 72/2009 – Childcare Centres Table 3/ Page 19 Childcare centres will generally not be suitable where:</p> <ul style="list-style-type: none"> • Access is not from a major road or in close proximity to a major intersection where there may be safety concerns. • Access is from a local access street which may impact on the amenity of the area due to traffic and parking. <p>The entrance and exit of the proposed childcare with a full movement crossover is proposed along Wimbridge Road which is just 30-35 meters from the major Hale Road/Wimbridge roundabout intersection. This poses a very serious safety concern for many primary school kids/ parents with push bikes that walk along Wimbridge Road to/from school during this time. Practically most of the drop-offs (entry and exit) to the childcare will be in morning 8-9 am, the same time 400 vehicles enter and exit the Wattle grove primary school through Wimbridge Road.</p> <p>The proximity of a full movement crossover of the childcare at a distance of just 30 meters from a major intersection (Hale/Wimbridge Rd) will no doubt result in accidents/ casualties at one point. I am sure the childcare will not take any responsibility of these accidents/casualties and the council will have to bear the full brunt of the affected families and Wattle Grove Community in future.</p> <p>I humbly request you to agree to an alternative entrance/exit of full movement crossover of the proposed childcare from Wimbridge Road in regards to the overall safety, security and accessibility of kids/parents going through Wimbridge Road each day twice whole year.</p>	<p>Section 7.6 of the TIA has concluded most traffic movements operated at level of service A with minimal delays and queuing.</p> <p>Table 8 has shown the hourly parking demand which states that the highest parking demand would be 53 bays at 3pm and they have provided 61 parking bays which is considered to be sufficient.</p> <p>Planning Bulletin 72/2009 Childcare centres seek to utilise lower order roads for access/egress when the option does not pose traffic concerns. The Wimbridge Rd crossover for the Childcare Centre would adhere to this requirement.</p> <p>Therefore, the City is supportive of the proposed development.</p>	
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19	Even though I am on the other side of Tokin Highway which sometimes makes me avoid wattle grove shopping centre - I think this will be a great addition to the area. Being a young adult and idea of children will be in the future it will be good to have other options as i don't think their are many currently in the area. Approve :)	Noted	Acknowledged
20	<p>I have no objections to the proposed businesses planned in this area. It will be a nice change, compared to the eyesore that was the old Trees A Green site.</p> <p>The proposed entrance / exit and Crossover for the Child Care will be almost opposite my driveway.</p> <p>Wimbridge Rd gets a huge amount of traffic in mornings and afternoons due to the primary school. Adding extra vehicles accessing Wimbridge Road for the Child Care access for drop off and pickups will only add to this congestion. It is very difficult as is for me and my fellow residents to try and reverse out of our driveways during these peak times.</p> <p>It is also a huge safety concern for the large number of students who walk this road or ride their bicycles to and from school.</p> <p>I propose the access to the Child Care be from Hale Rd for the safety of the residents of Wimbridge Rd, especially the young children.</p>	<p>The SIDRA results indicate that the proposed development will have minimal impact on the road network.</p> <p>Section 7.6 of the TIA has concluded most traffic movements operated at level of service A with minimal delays and queuing.</p> <p>Therefore, the City is not concerned with the additional traffic generated from the development.</p> <p>Planning Bulletin 72/2009 Childcare centres seek to utilise lower order roads for access/egress when the option does not pose traffic concerns. The Wimbridge Rd crossover for the Childcare Centre would adhere to this requirement.</p>	Refer to response for comment 18.
21	* There are major safety concerns that are arising due to the Entry / Exit of the childcare facility on Wimbridge Road as it is very close to a major intersection where a vehicle from Hale Road would take a left and approach this Entry / Exit area after a distance of approximately 30 metres. Since there are fences erected on the border of the	The SIDRA results indicate that the proposed development will have minimal impact on the road network. Section 7.6 of the TIA has concluded most traffic movements operated at	Refer to response for comment 18.

	<p>premises a vehicle taking a left to Wimbridge Road does not have a clear view or understanding of what hazards are ahead in terms of the childcare facility Entry/ Exit especially since most people are in a rush in the morning to drop off their children to school before work.</p> <p>* Wimbridge Road has been experiencing major traffic congestion during school pick up and drop times from 8 am to 9 am and 2.30 pm to 3.30 pm (around 400- 450 vehicles entering and exiting) where the traffic is bumper to bumper from the major road Hale Road roundabout to the promenade roundabout and vice versa which is approximately 100 to 125 metres in distance. In between all this congestion there will be also more addition of traffic, especially when parents want to enter / exit from the child care premises. Please note that most parents are in a rush during this time as they have to also attend to work. The traffic assessment report does not accurately address this and a simple example will be to observe this traffic congestion for a better understanding and more accurate feedback and report.</p> <p>* As per the planning report Childcare facilities will generally not be suitable where:</p> <p>1) Access is not from a major road or in close proximity to a major intersection where there may be safety concerns In this case access is from a major road - Hale Road as well as in close proximity to a major intersection of Hale Road and Wimbridge Road.</p> <p>2) Access is from a local access street which may impact on the amenity of the area due to traffic and parking. In this case access is from a local access street Wimbridge Road which will have a major impact on the amenity of the area due to</p>	<p>level of service A with minimal delays and queuing.</p> <p>Therefore, the City is not concerned with the additional traffic generated from the development.</p> <p>Planning Bulletin 72/2009 Childcare centres seek to utilise lower order roads for access/egress when the option does not pose traffic concerns. The Wimbridge Rd crossover for the Childcare Centre would adhere to this requirement.</p>	
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	<p>overload of traffic during peak school and day care drop and pick up times.</p> <p>I humbly request considering an alternative entry/ exit for the childcare facility from Wimbridge Road keeping in mind the traffic safety concerns where passengers would mostly be children if involved in an accident and also the onus of responsibility for such incidents needs to be considered.</p>		
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PART C – CITY OF ROCKINGHAM

1. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

2. Disclosure of Interests

3. Form 1 DAP Applications

- 3.1 Lot 3022 Morfontaine Parade, Port Kennedy – Proposed Tavern, Brewery and Short Stay Accommodation – DAP/24/02659

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Part C – Item 3.1 – LOT 3022 MORFONTAINE PARADE, PORT KENNEDY – PROPOSED TAVERN, BREWERY AND SHORT STAY ACCOMMODATION

Form 1 – Responsible Authority Report (Regulation 12)

DAP Name:	Metro Outer Development Assessment Panel
Local Government Area:	City of Rockingham
Applicant:	Lateral Planning
Owner:	Western Australian Beach and Golf Resort Pty Ltd
Value of Development:	\$6.5 million
Responsible Authority:	City of Rockingham
Authorising Officer:	Mr Peter Ricci, Director Planning and Development Services
LG Reference:	020.2023.329.1
DAP File No:	DAP/24/02659
Application Received Date:	1 March 2024
Report Due Date:	30 July 2024
Application Statutory Process Timeframe:	90 Days
Attachment(s):	<ol style="list-style-type: none"> 1. Development Plans 2. MODAP Agenda Dated 12 June 2024 3. Deputation from Lateral Planning and City Response 4. MODAP Minutes Dated 12 June 2024 5. Amended Conditions Table 6. DPLH Easement Correspondence

Responsible Authority Recommendation

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

APPROVE DAP Application reference DAP/24/02659 and the 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 the City of Rockingham Town Planning Scheme No.2 (TPS2), subject to the following conditions:

1. 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.
2. 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.

3. 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; those plans must be submitted to the City of Rockingham for 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.

4. 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.
5. Prior to occupation of the development, a crossover is to be constructed in accordance with the City's Commercial Crossover Specifications to the satisfaction of the City of Rockingham.
6. Engineering drawings for works along the existing road reserves must be submitted to the Manager of Land and Development Infrastructure for approval, prior to works commencing on site. All works within the Road Reserve must be completed to the satisfaction of the City of Rockingham.
7. An 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. Any damage due to the works, will need to be repaired to the satisfaction of the City of Rockingham.
8. Prior to occupation of the development the car parking area must:
 - (i) provide a minimum of 45 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 3 for visitors 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 one (1) car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 4 of 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;
 - (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; and

- (v) comply with the above requirements for the duration of the development.
9. Prior to applying for a Building Permit, a Landscaping Plan must be submitted and approved to the satisfaction of the City of Rockingham and shall include the following detail:
- (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area inclusive of the verge;
 - (ii) any lawns to be established and areas to be mulched;
 - (iii) any natural landscape areas to be retained;
 - (iv) those areas to be reticulated or irrigated.

The landscaping 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.

10. In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities, 10 short term and 2 long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, 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.
11. Prior to applying for a Building Permit, a Revised Acoustic Report and a Noise Management Plan must be submitted to and approved by the City of Rockingham, that includes appropriate noise mitigation and management measures to ensure 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*.
12. Prior to 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:

- (i) 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;
- (ii) tonality, modulation and impulsiveness of noise sources; and
- (iii) 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.

13. Prior to applying for a Building Permit, a revised Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:

- (i) the location of bin storage areas and bin collection areas;
- (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) the manner and frequency of bin collections.

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

14. 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 either:

- (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 \$65,000), 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;
- (iii) The artwork shall then be installed prior to occupation of the development and maintained thereafter to the satisfaction of the City of Rockingham; or
- (iv) Make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$65,000 in value, which may be utilised in the adjoining public realms.

15. Prior to applying for a Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert which demonstrates that the configuration of the vehicle crossover and proposed commercial vehicle loading bay in the street verge does not cause any road safety concerns, to the satisfaction of the City of Rockingham. The applicant shall implement any recommended mitigation measures identified in the Traffic Safety Sightline Audit.

16. Floodlighting must not be illuminated after 10pm or before 7am on any day. All illumination must be confined to the land 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.

17. Unless otherwise approved by the City of Rockingham or exempt through an

applicable Local Planning Policy, entries and window frontages of the building facing the Foreshore Plaza 'main street' must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times.

18. Prior to building occupancy, the developer responsibilities outlined in Table 3 of the 'Kennedy Bay Brewery - Element 5 Vulnerable Tourism Land Uses Assessment Report', prepared by Bushfire Safety and dated 21/2/2024, shall be implemented and maintained thereafter for the duration of the development.
19. The development shall be managed to prevent the emission or transmission of odour which unreasonably interferes with the health, welfare, convenience, comfort or amenity of surrounding premises.
20. To facilitate access for a private waste servicing vehicle the plans shall be amended, where required, to increase the vertical clearance at the car park entrance.
21. Prior to the occupation of the development, a public access easement in accordance with Sections 195 and 196 of the *Land Administration Act 1997* is to be placed on Proposed Lot 1 (Lot 3022 Morfontaine Parade, Port Kennedy) for all car parking bays, excluding the 9 short-stay accommodation bays. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.

Advice Notes:

1. Regarding Conditions 13 and 20, the applicant is advised that the WMP should be updated to consider the need to accommodate:
 - A full complement of FOGO bins (which the City is preparing to implement); and
 - A waste collection vehicle that can enter the car park to collect the commercial waste bins, given the vertical clearance provided at the vehicle entry to the first floor slab level.
2. 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.
3. A Building Permit must be obtained for the proposed works prior to commencement of site works. The Applicant and owner should liaise with the City's Building Services in this regard.
4. The Tavern is required to comply with the *Liquor Control Act 1988*. All relevant approvals and licenses are to be sought prior to the occupation of the development in conjunction with the Department of Local Government, Sport and Cultural Industries (DLGSC).

5. The development must comply with the *Health (Public Building) Regulations 1992*; the Applicant and owner should liaise with the City's Health Services in this regard.
6. The Applicant is responsible for protecting any existing City streetscape assets during the course of the project. 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 to the satisfaction of the City of Rockingham. It is recommended that a photographic dilapidation report is undertaken by the Applicant, to record the current condition of these assets.

Background:

This application was previously considered at the meeting of the Metro Outer Development Assessment Panel (MODAP) held on the 12th June 2024.

The Responsible Authority Report (RAR) recommended that the MODAP grant conditional Development Approval (refer to Attachment 1).

At this meeting in a deputation from Lateral Planning the following recommended conditions were requested be amended:

- Condition 12 (final acoustic assessment);
- Condition 15 (traffic sightline safety audit); and
- Condition 17 (clear glazing required facing the Foreshore plaza).

The following recommended conditions were requested to be deleted:

- Condition 1 (Standard Condition);
- Condition 6 (Engineering Drawings);
- Condition 14 (Public Art);
- Condition 20 (Public Access Easement over Lot 3007 Port Kennedy Drive);
- Condition 21 (Public Access Easement over Lot 4 (Lot 3022) Morfontaine Parade, Port Kennedy); and
- Condition 22 (Increase building height at the car park entrance).

The deputation from Lateral Planning and the City's response are contained in Appendix 2.

The MODAP considered the proposed development was appropriate from a land use perspective and discussed the requested deletion to Condition No.14 regarding the provision of public art.

The MODAP resolved in an Amending Motion:

"That Condition No.14 (iv) be amended to read as follows:

*Make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$65,000 in value, **which may be utilised in the adjoining public realms.***" (The amended text is highlighted **bold**).

Further, the MODAP was concerned about the ability to impose recommended Condition No.20 that affected land outside of the Development Application area, being Lot 3007 Port Kennedy Drive which is Crown land that the Port Kennedy Golf Course is located on.

Recommended Condition No.20 stated:

“20. Prior to occupation of the development, public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 are to be placed on the certificate of title for portion of Lot 3007 Port Kennedy Drive, Port Kennedy (Golf Course Car Park). Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.”

The condition was recommended to ensure there was sufficient publicly accessible off-site car parking in recognition of a Parking Strategy contained within the LDP and the 85 bay on-site car parking shortfall assessed for the current application.

On 12 June 2024 in a Procedural Motion, the MODAP resolved to defer the application for up to 180 days for the following reason:

“Condition 20 requires the agreement of a third party and may be beyond the jurisdiction of the DAP to apply. Evidence is supplied by the City that the reciprocal parking arrangements that are the subject of Condition 20 are an essential element of the precinct parking plan, and the proposed development would have a significant shortfall of parking in the absence of guaranteed access to this parking supply. Evidence is required that these arrangements will be concluded or other suitable arrangements to address the car parking deficit can be implemented.”

The Minutes of the MODAP meeting are contained in Attachment 3.

On 20 June 2024, City Officers met with the Proponent’s representatives Lateral Planning and Place Development to discuss primarily the reason for the MODAP deferral. The requested changes to the conditions were also discussed, with the intent to reach agreement between the parties on the contested conditions where possible.

The Applicant and the City reached agreement on the wording of the following contested conditions (as recommended in the RAR): 1, 6, 12, 15, 17 and 22. Minor wording amendments were also discussed and agreement reached relating to Conditions 8 and 13. The proposed changes and the reasoning behind the proposed amendments to the conditions are outlined in the Table contained in Attachment 4.

On 10 July 2024, in response to the MODAP’s concern about the provision of car parking for the proposed development, the City approved an amendment to the Kennedy Bay Village Local Development Plan (LDP) upon the receipt of additional information from the subdivider.

The LDP was amended to clarify the need for reciprocal access easements to be created across the various non-residential development sites within the town centre by including the following text:

“Reciprocal parking will be enforced by way of condition of development approval requiring public access easements on the relevant Certificates of Title”.

For conciseness, the discussion that follows addresses:

- The relevant changes to the LDP;
- The adequacy of car parking for the development given the timing of the surrounding subdivision works; and
- The recommended amendments to conditions.

The Agenda for the MODAP meeting held on 12 June 2024 should be consulted with respect to the original application documents and the associated RAR.

Proposal:

The Development Application seeks approval for a two-storey 'brewpub' incorporating a 'Tavern' and 'Brewery' and nine (9) 'Short Stay Accommodation' units above a 45 bay car park at the rear of the 'brewpub'.

Legislation and Policy:

Legislation

Planning and Development Act 2005
 Planning and Development (Local Planning Schemes) Regulations 2015 ('the Regulations')
 Environmental Protection (Noise) Regulations 1997
 Metropolitan Region Scheme
 Town Planning Scheme No.2 (TPS2).

State Government Policies

State Planning Policy 3.7 Planning in Bushfire Prone Areas
 Separation Distances Between Industrial and Sensitive Land Uses - Guidance Statement No.3 (**GS3**) (Environmental Protection Authority)

Structure Plans/Activity Centre Plans

Kennedy Bay Local Structure Plan

Local Policies

Local Planning Policy No.3.1.2- Local Commercial and Activity Centres Strategy (LPP3.1.2);
 Local Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities (PP3.3.14);
 Local Planning Policy No.3.3.19 - Licensed Premises (LPP3.3.19);
 Local Planning Policy No.3.3.25 - Percent for Public Art - Private Developer Contribution.

Consultation:

Not Applicable.

Planning Assessment:

The assessment outlined in this report has been limited to areas relating to the MODAP reason for deferral dated 12 June 2024, and the recommended conditions in the previous RAR that the Applicant requested to have either amended or deleted.

The Kennedy Bay Coastal Village LDP and associated Parking Strategy guide the provision of parking for development sites in the Kennedy Bay Coastal Village town centre.

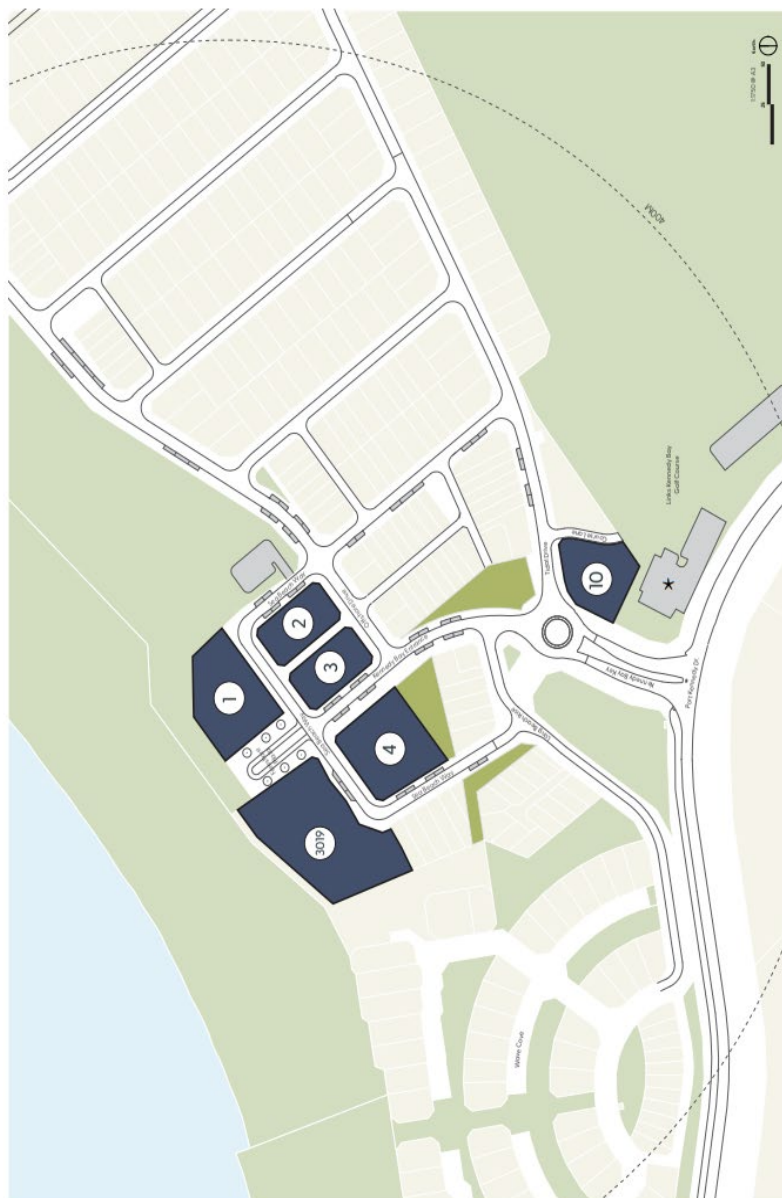
The LDP provides for the creation of reciprocal parking easements across non-residential development sites within the town centre, enforced by way of conditions of Development Approval imposed at the appropriate times. The development sites in question are indicated on the map in Figure 1 below as Lot 1, Lots 2/3, Lot 4, Lot 10 and Lot 3019.

LOTS SUBJECT TO RECIPROCAL PARKING ARRANGEMENTS

Non-residential development within the 400m walkable catchment shown below are subject to reciprocal parking easements.

For lots 2 and 3, the reciprocal parking easement would only apply if non-residential development were proposed.

*Possible reciprocal parking easement over Golf Course Car Park, subject to further investigation.



1. Excerpt from LDP showing Reciprocal Parking Intentions

As noted on the plan above, there is provision for a reciprocal parking easement to be created over the Golf Course carpark, subject to further investigation.

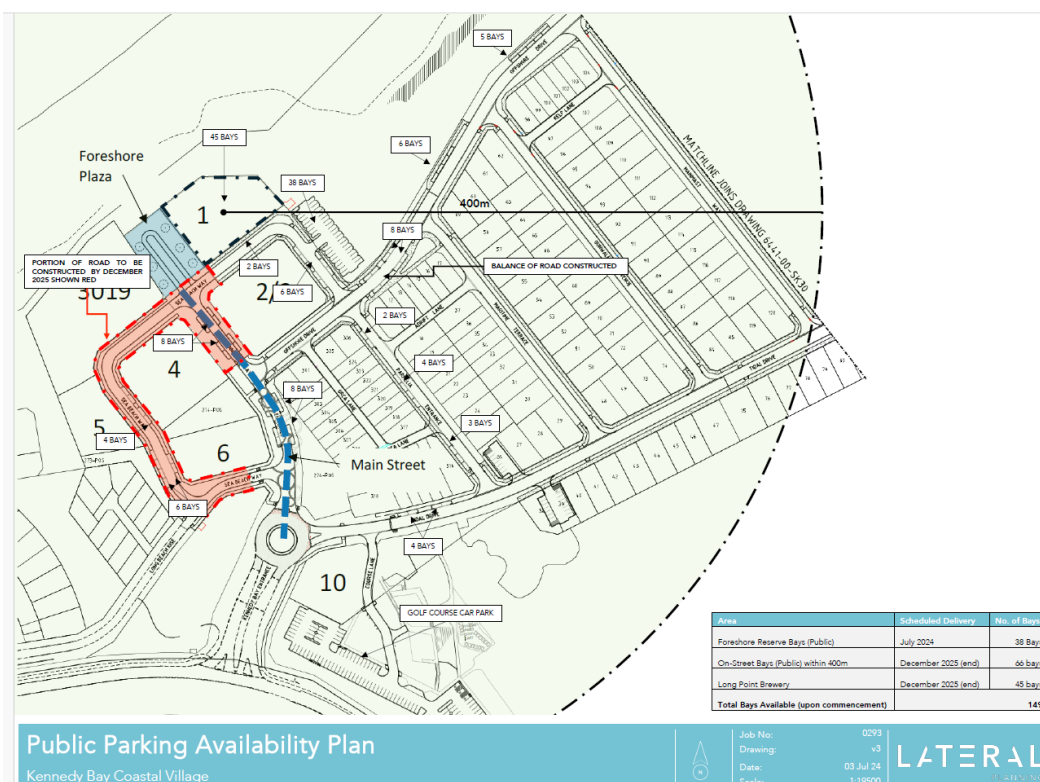
Subsequent to the MODAP meeting a process was initiated by the subdivider through the Department of Planning, Lands and Heritage (DPLH) to establish a reciprocal parking easement over Lot 3007 (the Golf Course car park) being Crown land.

On 11 July 2024, the DPLH provided correspondence indicating support in principle to the creation of a reciprocal parking easement over a portion of the golf course car park (45 car bays), subject to undertaking due diligence (refer to Attachment 5).

While the outcome of this process has yet to be finalised it is considered that the timing, or indeed the creation of any such easement over the Golf Course car park is not fatal to the MODAP determining the current Development Application. As indicated below it is considered, upon review, there is (or will be) sufficient available car parking provided in the surrounding public realm by the time the proposed development, if approved, is constructed.

Figure 2 below demonstrates that by the time the proposed development is ready to commence operation in December 2025, there will be 149 available public car parking bays either on site; in the foreshore car park or in the form of on-street 'embayment' car bays within a 5 minute (400m) walk from the subject site. This is more than enough to off-set the assessed parking shortfall for the current application (an 85 on site car bay shortfall) without relying on the creation of reciprocal parking easements on the other non-residential development sites in the town centre or the Golf Course car park.

The reciprocal parking easements will become more important as development in the town centre gathers momentum and generates additional parking demand. The current application will be the first major development within the town centre if approved. As such there is currently no other competing demand for parking in the public realm generated from other development sites in the town centre.



2. Car Parking Plan

Given the above, it is considered appropriate to delete recommended Condition No.20 outlined in the previous RAR that stated:

“20. Prior to occupation of the development, public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 are to be placed on the certificate of title for portion of Lot 3007 Port Kennedy Drive, Port Kennedy (Golf Course Car Park). Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.”

The LDP also includes a provision stating that a reciprocal parking arrangement shall apply between Lot 1 (the subject site) and Lot 4 indicated on the map in Figure 1.

The appropriate time to create a reciprocal access easement over Lot 4 (or the other non-residential development lots in the town centre) will be when Development Approval is granted over that land. As such it is considered appropriate to delete recommended Condition No.21 outlined in the previous RAR that stated:

“21. Prior to occupation of the development, the landowner(s) shall enter into a legal agreement with the City of Rockingham to place public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 on proposed Lot 4 (Lot 3023) Morfontaine Parade, Port Kennedy. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.”

Further, in order to align the recommended conditions for this application with the LDP, it is recommended that the following additional condition (that the applicant has agreed to) is included requiring the creation of a public access easement on the subject site (of the current Development Application), specifically, over all the car parking bays except for the dedicated parking for the short stay accommodation use.

The recommended wording is as follows:

“Prior to occupation of the development, a public access easement in accordance with Sections 195 and 196 of the Land Administration Act 1997 is to be placed on Proposed Lot 1 (Lot 3022 Morfontaine Parade, Port Kenney) for all car parking bays, excluding the 9 short stay accommodation bays. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham”.

In light of the above amendments, the recommended conditions should be re-numbered accordingly in the event approval is granted.

Conclusion

As indicated in the previous RAR, the application is considered to have merit; is consistent with relevant planning framework, and where variations are required these can be supported.

Subsequent to the MODAP meeting held on 12 June 2024, the Applicant and the City met and agreed upon changes to the various recommended conditions that were either initially contested by the Applicant or of concern to the MODAP.

The LDP has also since been updated to strengthen the parking provisions and clarify arrangements for reciprocal access easements to be created across the various non-residential development sites within the town centre.

Measures have also been progressed by the subdivider to create a public access easement over the Golf Course car park, which is Crown land. While the initial response from the DPLH has been positive, this process could take a while to complete and has yet to be concluded.

In light of the above, it is considered there will be a sufficient available supply of publicly accessible car parking in proximity to the subject site to satisfy the initial demand generated by this Development Application.

As the surrounding development sites become developed there will be conditions imposed requiring reciprocal parking easements on each site in accordance with the LDP. This will further increase the available supply of publicly accessible car parking for the town centre in response to growing demand.

Regarding the MODAP's reason for deferral, it is considered that the additional information provided by the Applicant, in conjunction with the amended LDP, satisfactorily demonstrates that there will be sufficient car parking bays available that are conveniently located around the town centre, to address the parking requirements for this development, when construction is completed.

The City and Applicant have agreed to amend the wording to various recommended conditions that were contested in the Applicant's original deputation to the MODAP. The proposed amendments are outlined in Attachment 4; are considered minor in nature and do not materially affect the planning outcome.

It is recommended that the MODAP approve the application subject to revised conditions.

Responsible Authority Report Attachment 1

LONG POINT BREWING CO.

LOT 1, SEA BEACH WAY, PORT KENNEDY, WA 6172

SHEET LIST	
DA0.01	COVER PAGE
DA1.00	LOCATION PLAN
DA1.01	PROPOSED SITE PLAN
DA1.02	GROUND FLOOR GA PLAN
DA1.03	LEVEL 1 GA PLAN
DA1.04	LEVEL 2 GA PLAN
DA1.05	ROOF PLAN
DA2.00	ELEVATIONS
DA2.01	ELEVATIONS
DA3.00	SECTIONS
DA3.01	SECTIONS

AREA SCHEDULE	
Department	Area
GROUND FLOOR	
BACK OF HOUSE	227 m²
BREWERY	322 m²
FRONT OF HOUSE (EXTERNAL)	300 m²
FRONT OF HOUSE (INTERNAL)	292 m²
SHORT STAY - BACK OF HOUSE	27 m²
SHORT STAY - COMMON	28 m²
	1195 m²
LEVEL 1 - SHORT STAY	
SHORT STAY - ACCOMODATION	416 m²
SHORT STAY - BACK OF HOUSE	4 m²
	420 m²
LEVEL 1 - BREWERY	
BACK OF HOUSE	104 m²
FRONT OF HOUSE (EXTERNAL)	132 m²
FRONT OF HOUSE (INTERNAL)	201 m²
	438 m²
LEVEL 2 - SHORT STAY	
SHORT STAY - ACCOMODATION	474 m²
	474 m²
	2527 m²



REV.	DATE	AMENDMENT	INITL.
A	07.11.23	DRAFT ISSUE	EL
B	10.11.23	DRAFT ISSUE	EL
C	05.12.23	DRAFT DA ISSUE	JB
D	07.12.23	DA ISSUE	JB
E	13.12.23	DA ISSUE	EL
F	10.01.24	DA ISSUE	EL

CLIENT

SHANE WORMALL

PROJECT

LONG POINT BREWING CO.

PROJECT ADDRESS

SEABACH WAY, PORT KENNEDY

PROJECT STATUS

DEVELOPMENT APPLICATION

MJA PROJECT NUMBER

23018

SCALE @ A3

NORTH

DRAWING

COVER PAGE

DRAWING NO. DRAFTER CHECKED REV.

DA0.01 - - F



REV.	DATE	AMENDMENT	INITL.
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B	10.11.23	DRAFT ISSUE	EL
C	29.11.23	DA FOR REVIEW	JB
D	05.12.23	DRAFT DA ISSUE	JB
E	07.12.23	DA ISSUE	JB
F	13.12.23	DA ISSUE	EL
G	10.01.24	DA ISSUE	EL

CLIENT

SHANE WORMALL

PROJECT

LONG POINT BREWING CO.

PROJECT ADDRESS

SEABACH WAY, PORT KENNEDY

PROJECT STATUS

DEVELOPMENT APPLICATION

MJA PROJECT NUMBER

23018

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NORTH



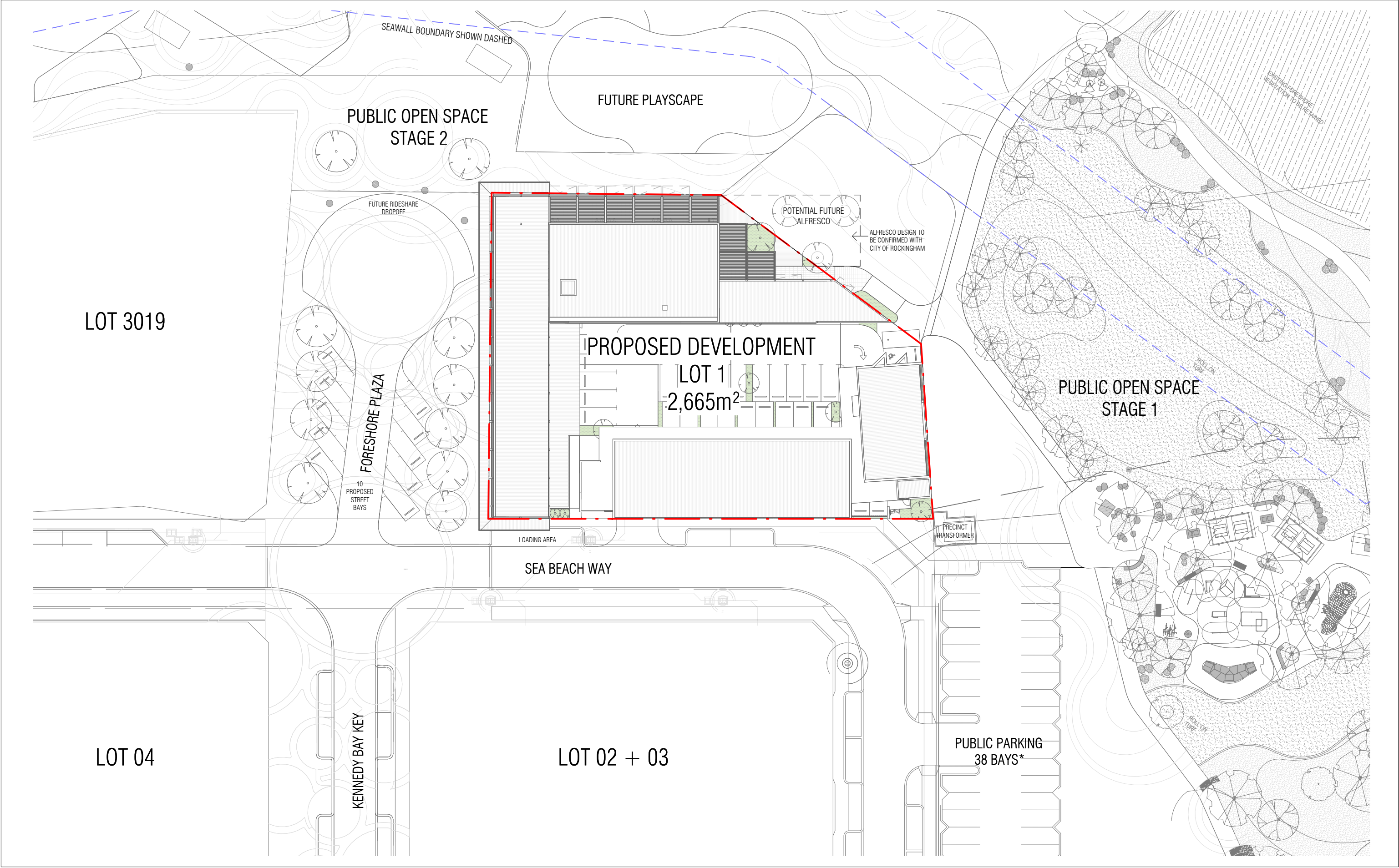
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DRAWING

LOCATION PLAN

DRAWING NO. DRAFTER CHECKED REV.

DA1.00 JB/EL JB/EL G



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E	13.12.23	DA ISSUE	EL
F	10.01.24	DA ISSUE	EL

CLIENT

SHANE WORMALL
PROJECT

LONG POINT BREWING CO.

PROJECT ADDRESS

SEABACH WAY, PORT KENNEDY
PROJECT STATUS

DEVELOPMENT APPLICATION

MJA PROJECT NUMBER

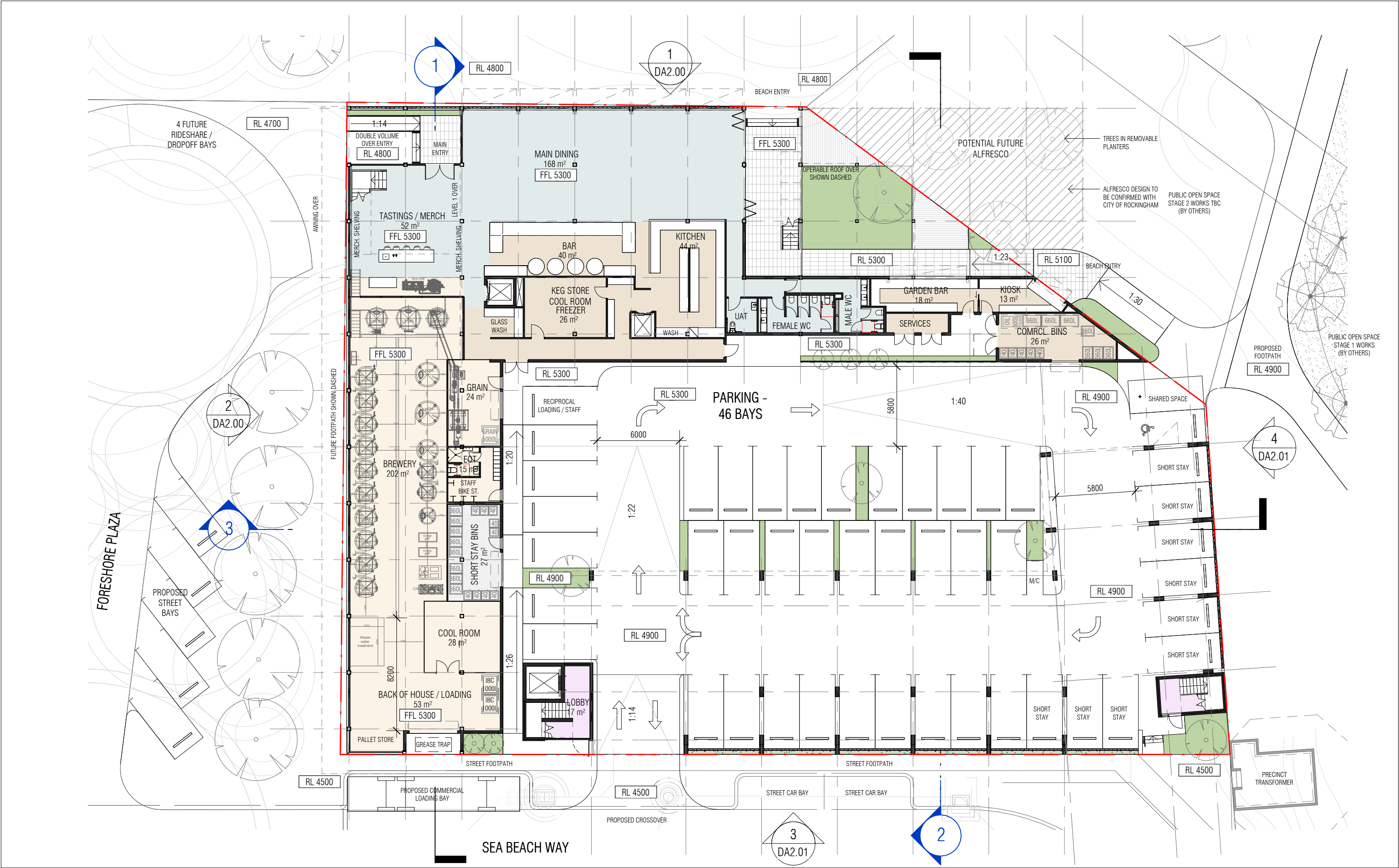
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PROPOSED SITE PLAN
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DA1.01 F



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G	07.12.23	DA ISSUE	JB
H	13.12.23	DA ISSUE	EL
J	10.01.24	DA ISSUE	EL

CLIENT
SHANE WORMALL

PROJECT
LONG POINT BREWING CO.

PROJECT ADDRESS
SEABACH WAY, PORT KENNEDY

PROJECT STATUS
DEVELOPMENT APPLICATION

MJA PROJECT NUMBER
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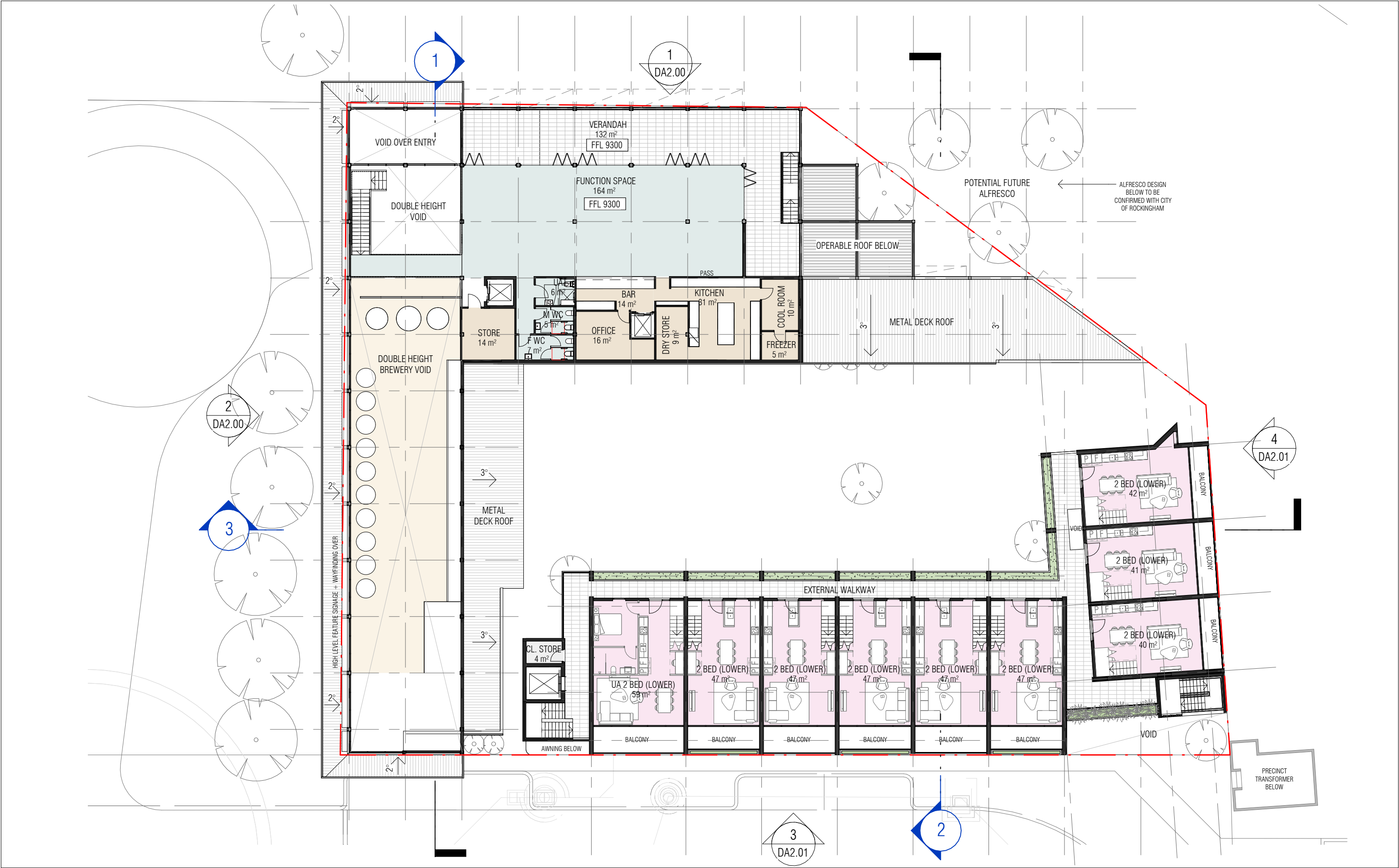
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GROUND FLOOR GA PLAN

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DA1.02 JB/EL JB/EL J



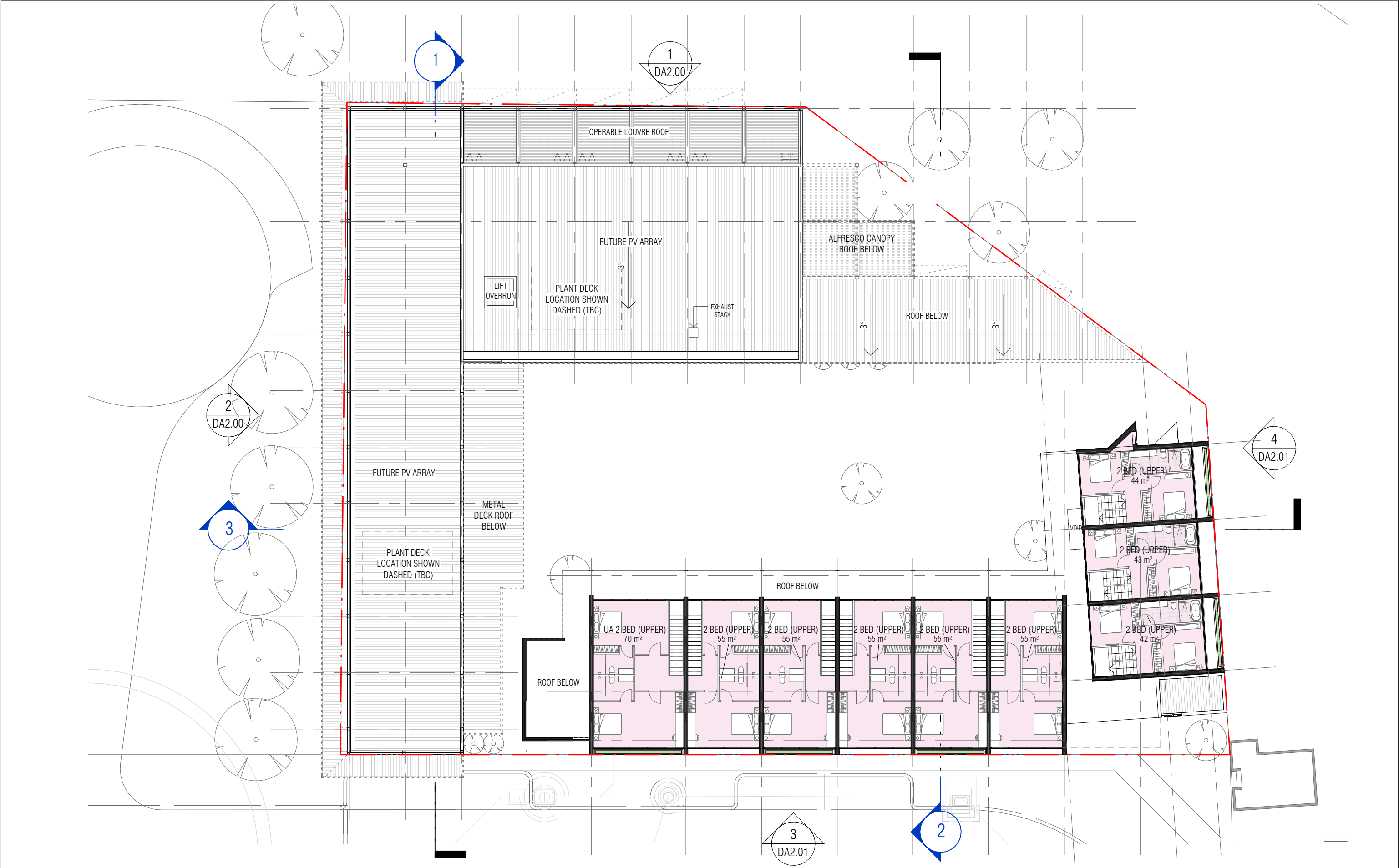
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F	05.12.23	DRAFT DA ISSUE	JB
G	07.12.23	DA ISSUE	JB
H	13.12.23	DA ISSUE	EL
J	10.01.24	DA ISSUE	EL

CLIENT
SHANE WORMALL
PROJECT
LONG POINT BREWING CO.

PROJECT ADDRESS
SEABACH WAY, PORT KENNEDY
PROJECT STATUS
DEVELOPMENT APPLICATION

MJA PROJECT NUMBER
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DRAWING
LEVEL 01 GA PLAN
DRAWING NO. **DA1.03** DRAFTER **JB/EL** CHECKED **JB/EL** REV. **J**



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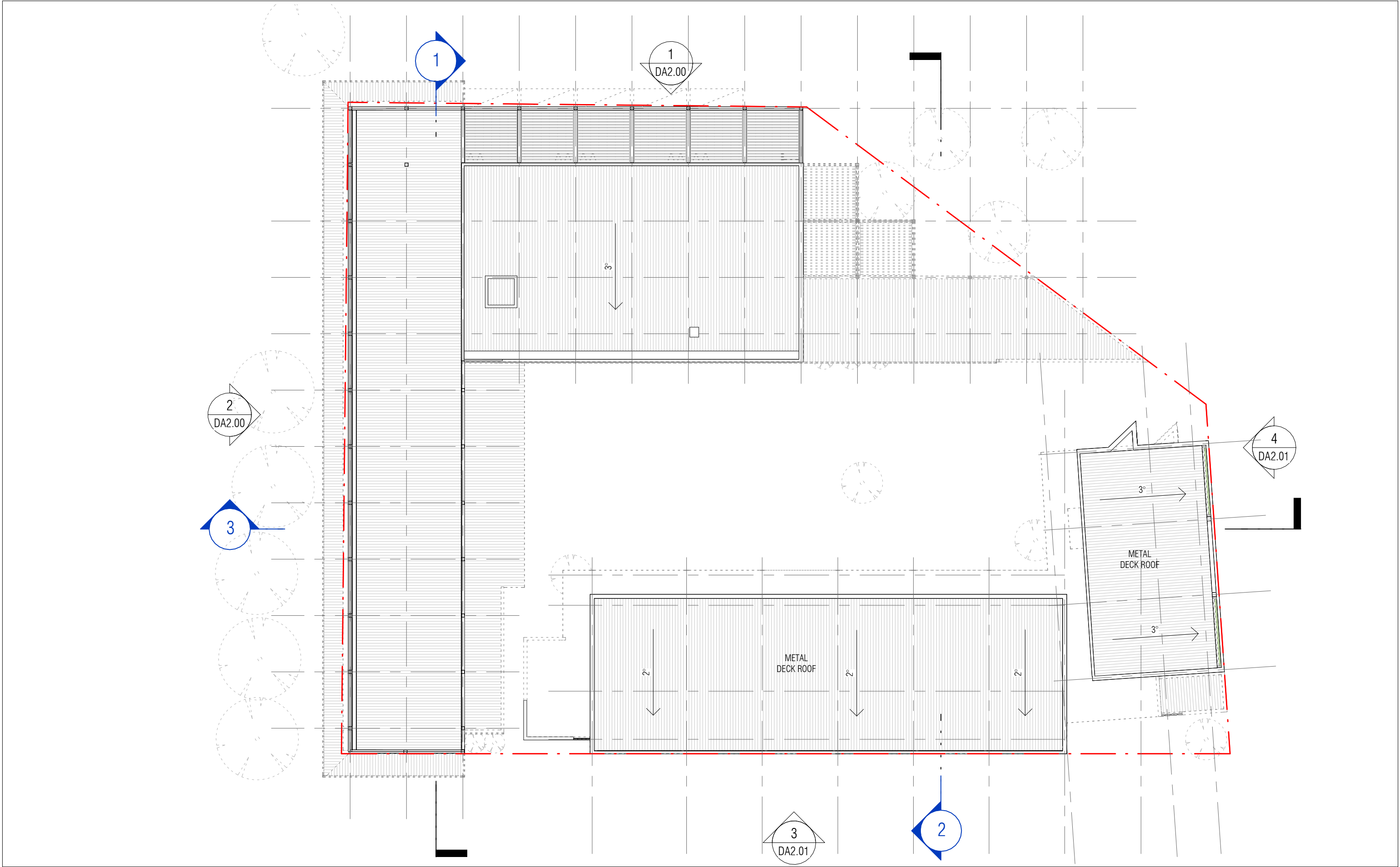
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D	05.12.23	DRAFT DA ISSUE	JB
E	07.12.23	DA ISSUE	JB
F	13.12.23	DA ISSUE	EL
G	10.01.24	DA ISSUE	EL

CLIENT
SHANE WORMALL
PROJECT
LONG POINT BREWING CO.

PROJECT ADDRESS
SEABACH WAY, PORT KENNEDY
PROJECT STATUS
DEVELOPMENT APPLICATION

MJA PROJECT NUMBER
23018
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F	13.12.23	DA ISSUE	EL
G	10.01.24	DA ISSUE	EL

CLIENT

SHANE WORMALL

PROJECT

LONG POINT BREWING CO.

PROJECT ADDRESS

SEABACH WAY, PORT KENNEDY

PROJECT STATUS

DEVELOPMENT APPLICATION

MJA PROJECT NUMBER

23018

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NORTH



Scale Bar 1 : 250



DRAWING

ROOF GA PLAN

DRAWING NO.

DA1.05

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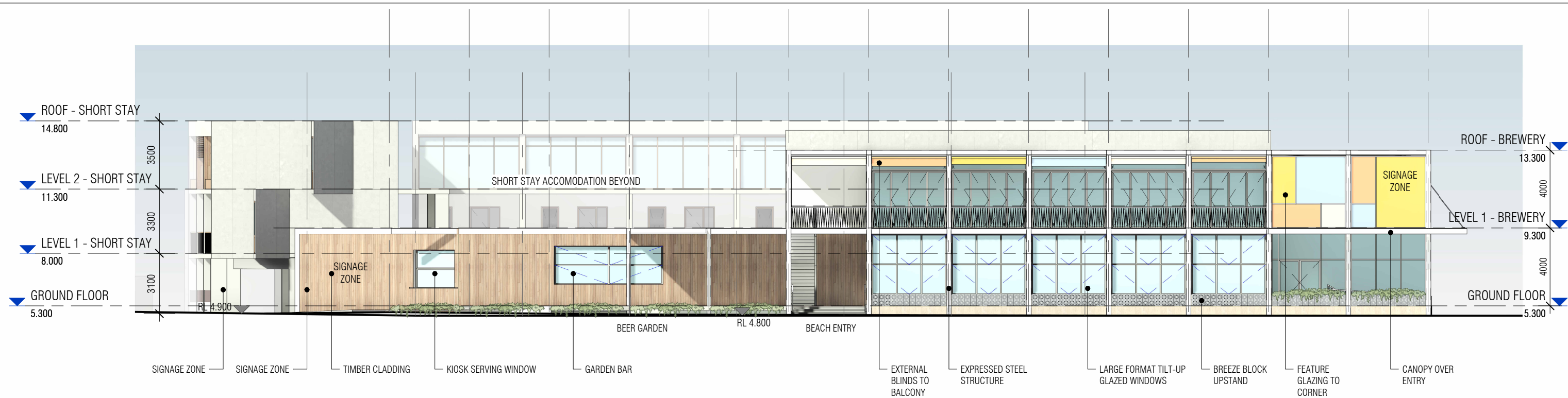
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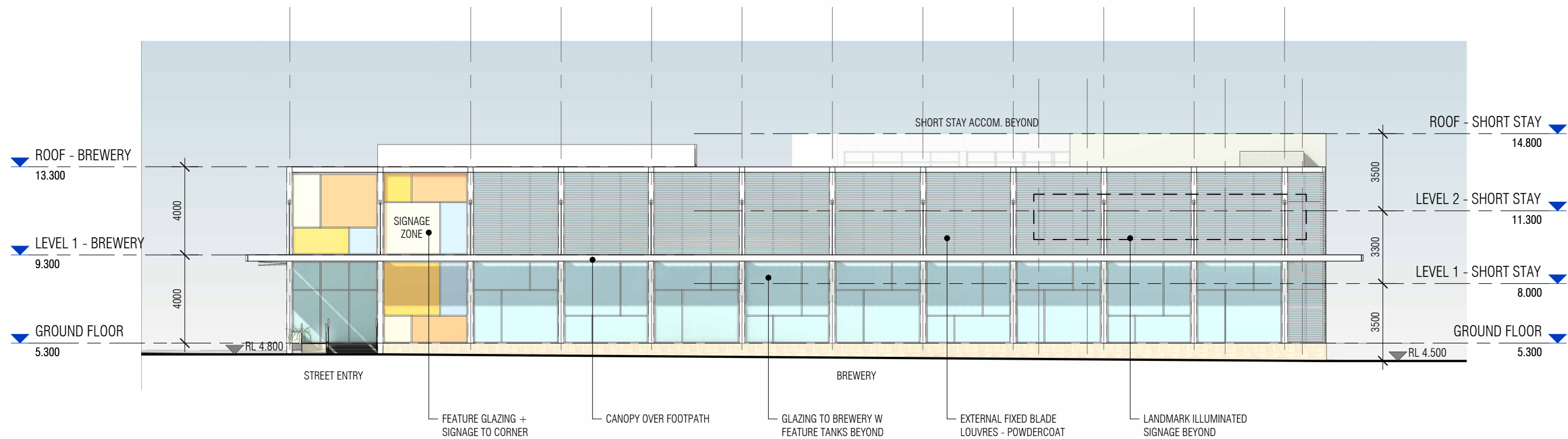
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REV.

G



1 WEST ELEVATION
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2 SOUTH ELEVATION
1 : 200

NOTE: TREES REMOVED FOR CLARITY

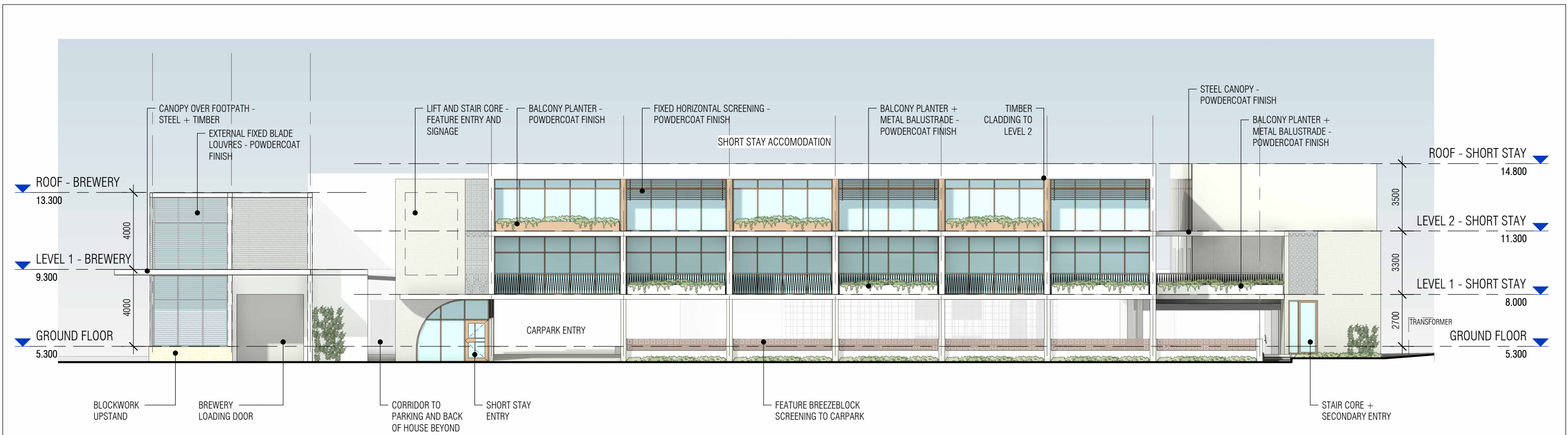
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D	11.12.23	DA ISSUE	EL
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F	10.01.24	DA ISSUE	EL

CLIENT	PROJECT
SHANE WORMALL	LONG POINT BREWING CO.

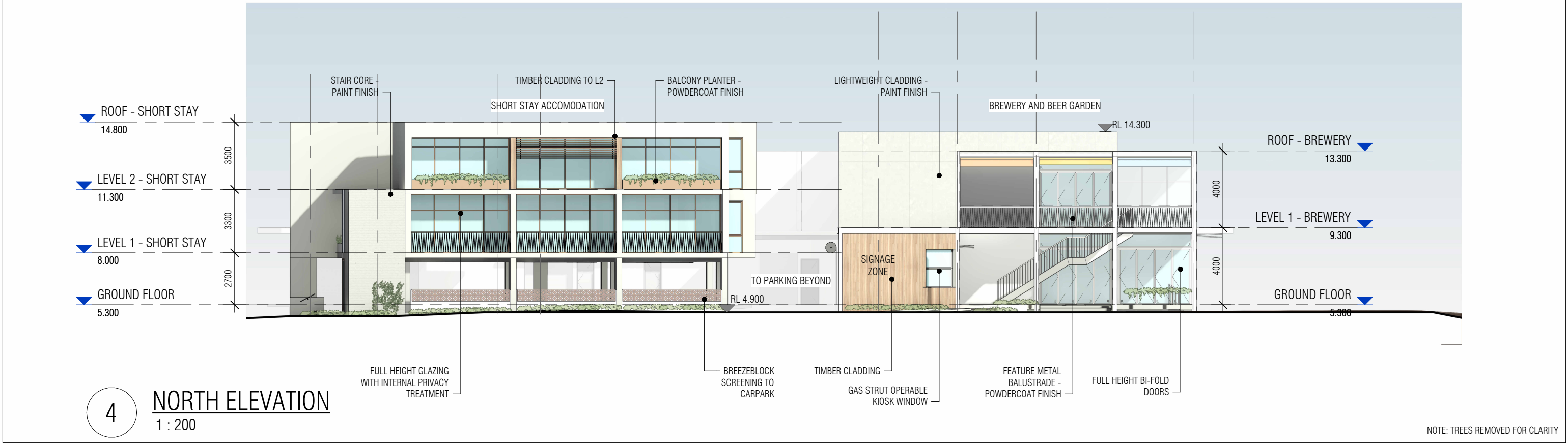
PROJECT ADDRESS	PROJECT STATUS
SEABACH WAY, PORT KENNEDY	DEVELOPMENT APPLICATION

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DRAWING			
ELEVATIONS			
DRAWING NO.	DRAFTER	CHECKED	REV.
DA2.00	JB/EL	JB/EL	F



3 EAST ELEVATION
1 : 200



4 NORTH ELEVATION
1 : 200

NOTE: TREES REMOVED FOR CLARITY



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CLIENT

SHANE WORMALL
PROJECT

LONG POINT BREWING CO.

PROJECT ADDRESS

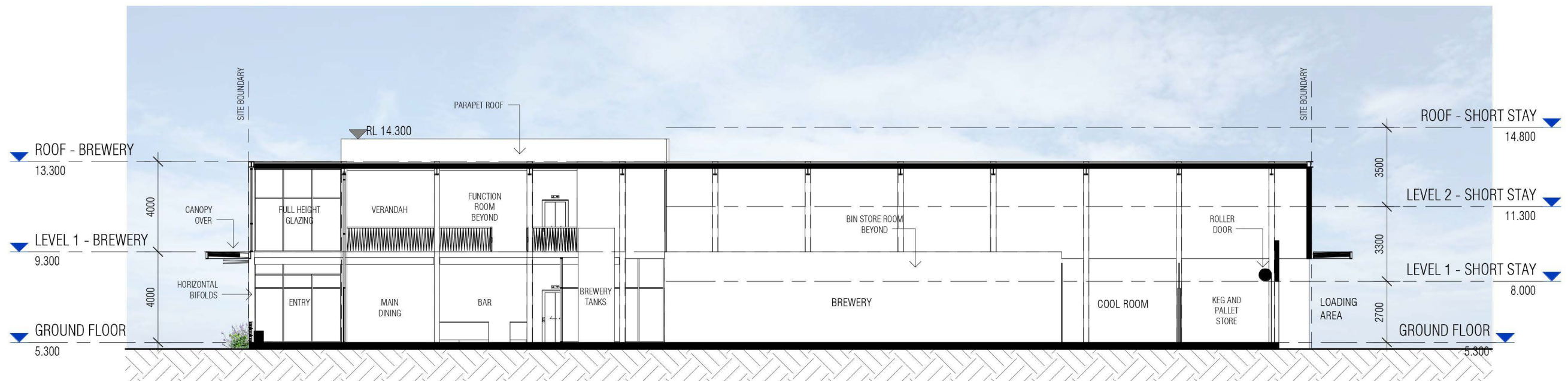
SEABACH WAY, PORT KENNEDY
PROJECT STATUS

DEVELOPMENT APPLICATION

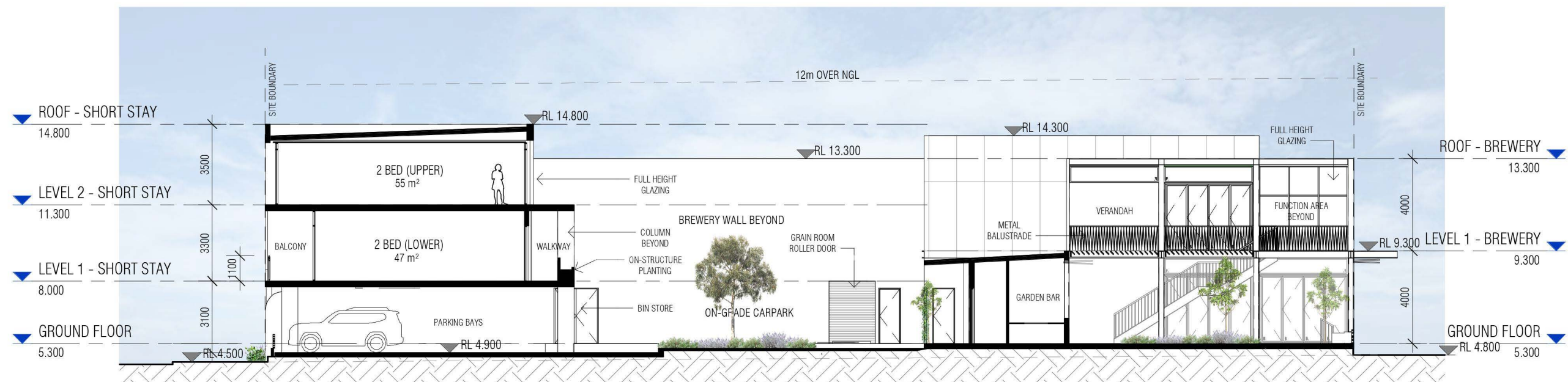
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DRAWING

ELEVATIONS
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REV. F



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2 SECTION 2
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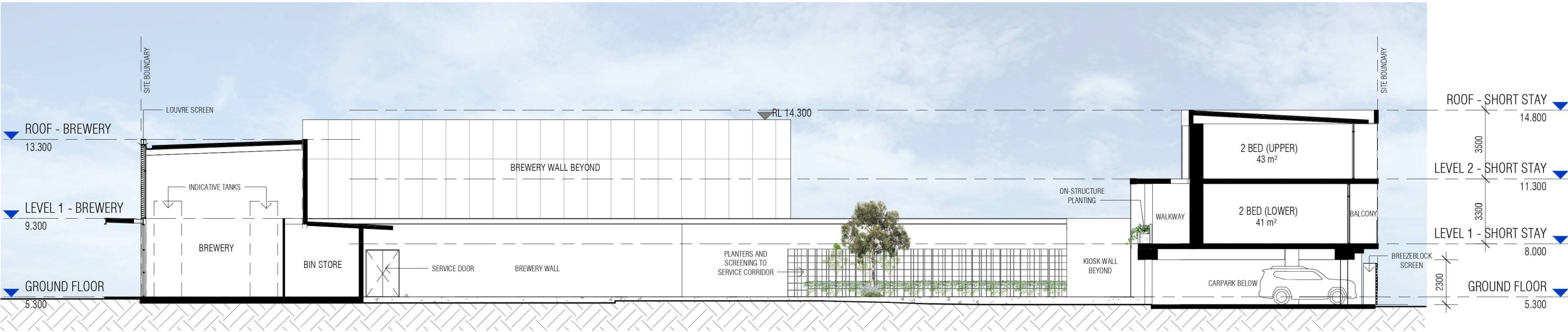
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CLIENT	SHANE WORMALL
PROJECT	LONG POINT BREWING CO.

PROJECT ADDRESS	SEABACH WAY, PORT KENNEDY
PROJECT STATUS	DEVELOPMENT APPLICATION

MJA PROJECT NUMBER	23018
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DRAFTER	JB/EL
CHECKED	JB/EL
REV.	C



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C	07.12.23	DA ISSUE	JB

CLIENT
SHANE WORMALL
PROJECT
LONG POINT BREWING CO.

PROJECT ADDRESS
SEABACH WAY, PORT KENNEDY
PROJECT STATUS
DEVELOPMENT APPLICATION

MJA PROJECT NUMBER	NORTH
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DRAWING			
SECTIONS			
DRAWING NO.	DRAFTER	CHECKED	REV.
DA3.01	JB/EL	JB/EL	C

Responsible Authority Report Attachment 2

Link to agenda: [MODAP/17 - 12 June 2024 - City of Rockingham](#)

Responsible Authority Report Attachment 3

6 June 2024

**APPLICANT'S SUBMISSION TO
METRO OUTER DEVELOPMENT ASSESSMENT PANEL MEETING OF 12TH JUNE 2024
AGENDA PART B ITEM 3.1 – PROPOSED TAVERN, BREWERY AND SHORT STAY
ACCOMMODATION
LOT 3022 MORFONTAINE PARADE, PORT KENNEDY**

Applicant's Request to DAP

Lateral Planning acts on behalf of Long Point Brewing Pty Ltd, the proponent of the proposed 'Tavern, Brewery and Short-Stay Accommodation' development at Lot 3022 Morfontaine Parade, Port Kennedy.

Kennedy Bay is new coastal village positioned along the Port Kennedy coast. With development proposals dating back to 1986, Western Australian Beach and Golf Resort (WABGR) has been actively progressing the planning and development of the village for almost 10 years. Part of the coastal village planning included a dedicated mixed-use, active town centre positioned on the coast. The coastal village forms the active nucleus of the broader development area, centred around an expansive active foreshore landscape.

Our development proposal is the catalyst for the implementation of the active vision for the town centre; incorporating the history of locality, the architectural expression of the proposal creates an attractive and vibrant precinct reflective of the WABGR vision.

Thank you to the City for its positive recommendation and the unanimous support for the Application received from the Council of the City. We respectfully request the Development Assessment Panel's **support** the Application, with amendments to the conditions consistent with our Alternative Recommendation shown at **Attachment 1**.

To assist with the consideration of the Application, **Attachment 2** includes a tabulated summary of requested condition amendments. In this regard, the Applicant requests the DAP:

1. **Delete** Conditions **1, 6, 14, 20 - 22**; and
2. **Modify** Condition **12** and **17**.

A summary of the proposed modifications and justification is provided on the following pages.

Proposed Modifications to Conditions and Justification

Condition 1:

- **Original Text:** *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.*
- **Requested Change:** Delete Condition 1.
- **Justification:** Pursuant to the *Planning and Development Act 2005*, the development is required to comply with the approved development plans and conditions set out within the determination notice. As such, there is no utility in Condition 1 and should therefore be deleted.

Condition 6:

- **Original Text:** *Engineering drawings for works within the development site and along the existing road reserves must be submitted to the Manager of Land and Development Infrastructure for approval prior to works commencing on site. All works within the Road Reserve must be completed to the satisfaction of the City of Rockingham.*
- **Requested Change:** Delete Condition 6.
- **Justification:** A building permit must be obtained prior to any works occurring onsite and engineering drawings will be included in the building permit application documentation. Condition 6 does not relate to the building permit and results in a duplication of processes that requires engineering drawings to be reviewed by and prepared to the satisfaction of the Manager of Land and Development Infrastructure, in addition to the City's Building Certifier upon lodgement of the building permit. Removing Condition 6 streamlines the approval process and eliminates unnecessary duplication ensuring efficiency and consistency at the design development stage.

Condition 12

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

The Final Acoustic Assessment must include the following information:

- *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;*
- *tonality, modulation and impulsiveness of noise sources; and*
- *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.

- **Requested Change:** Modify Condition 12 text as follows:
 - *All recommended measures included in the Revised Acoustic Report and Noise Management Plan shall be implemented prior to the occupation of the development, and be maintained thereafter to the satisfaction of the City.*
- **Justification:** Condition 11 requires that prior to application for a Building Permit, a Revised Acoustic Report and Noise Management Plan be submitted to and approved by the City of Rockingham. The original wording of Condition 12 required an “Final Acoustic Assessment” be prepared following construction and any further works being carried out in accordance with the Acoustic Report. In this regard, Acoustic Reports are assumption based only and do not take into account the evolving context in which the development is sited. The amended wording of Condition 12 is more practical, ensuring that the recommendations contained in the Revised Acoustic Report and Noise Management Plan be implemented for the life of the development. This approach is consistent recent approvals issued by the DAP.

Condition 14

- **Original Text:** *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 either:*
 - *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 \$65,000), to be located within the subject site in an area which must be publicly visible for the duration of the development;*
 - *Enter into a contract with a professional artist/s to design and install the artwork approved by the City of Rockingham;*
 - *The artwork shall then be installed prior to occupation of the development and maintained thereafter to the satisfaction of the City of Rockingham; or*
 - *Make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$65,000 in value.*
- **Requested Change:** Delete Condition 14.
- **Justification:** The landowner of Lot 3022 Morfontaine Parade, WABGR, has committed approximately \$250,000.00 to the delivery of public art throughout the Foreshore Reserve and Public Plaza as part of the delivery of the overall Landscaping Masterplan. This represents a significant commitment to the enhancement of the overall precinct and streetscape outcomes. The Foreshore Reserve and Public Plaza immediately about the Site and the development has been designed to directly integrate with these reserve areas.

It is also noted that artistic elements will be incorporated into the overall design and delivery of the Brewery Development reinforcing its place in the Local Centre and connecting the history and context of the area.

Imposing an additional requirement for public art within the Site, or the requirement for a further financial contribution is not related to context of the development and voluntary public art contributions already made by the landowner.

Condition 15

- **Original Text:** *Prior to applying for a Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert that verifies that compliant sight distance is provided for vehicles leaving the car park in proximity to the adjacent proposed commercial vehicle loading bay in the street verge, to the satisfaction of the City of Rockingham. The applicant shall implement any recommended mitigation measures required to achieve compliance.*
- **Requested Change:** Modify Condition 15 text as follows:
 - *Prior to applying for Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert that verifies that the configuration of the vehicle crossover and proposed commercial vehicle loading bay in the street verge do not cause any road safety concerns to the satisfaction of the City of Rockingham. The applicant shall implement any recommended mitigation measures identified in the Traffic Safety Sightline Audit.*
- **Justification:** As identified in the Transport Impact Statement prepared by KCTT, the inclusion of the commercial loading bay in the verge generates a partial departure from the sightline requirements of AS2890.1. The original wording of Condition 15 requires compliant sightlines, which has been identified as not being achievable when the commercial vehicle bay is in use. Notwithstanding, this departure can be adequately managed through mitigation measures including but not limited to, spotters during deliveries, use of the commercial loading bay being restricted to times outside of the operating hours of the brewery / tavern (when the crossover is not in use) and tangible measures, such as convex safety mirrors.

Therefore, the proposed modification to the wording of Condition 15 maintains the requirement for a "Traffic Sightline Safety Audit", which identifies measures to mitigate road safety concerns, and any recommended mitigation measures be implemented.

Condition 17

- **Original Text:** Entries and window frontages of the building facing the Foreshore Plaza 'main street' must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times.

- **Requested Change:** Modification Condition 17 as follows:
 - *Unless otherwise approved or exempt, entries and window frontages of the building facing the Foreshore Plaza 'main street' must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times.*
- **Justification:** The original wording of Condition 17 is overly restrictive and prohibits any form of signage, branding or glazing being installed to the window frontages facing the Foreshore Plaza.

As depicted in the development application plans, areas along the building façade facing the Foreshore Plaza have been designated as potential signage locations. The City of Rockingham Local Planning Policy 3.3.1 – Control of Advertisements provides guidance with respect to signage in which development approval is required for, as well as, signage that is exempt from requirement development approval.

The proposed modification to the wording of Condition 17 ensures flexibility for the future Brewery / Tavern operator to install advertising signage, branding (or similar) on the window frontages, subject to approval for satisfaction of the exemptions, without compromising the overall intent of the original condition.

Condition 20

- **Original Text:** Prior to occupation of the development, public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 are to be placed on the certificate of title for portion of Lot 3007 Port Kennedy Drive, Port Kennedy (Golf Course Car Park). Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.
- **Requested Change:** Delete Condition 20.
- **Justification:** Condition 20 does not serve a direct planning purpose related to the proposed development. The portion of Lot 3007 Port Kennedy Drive, Port Kennedy (Golf Course Car Park) reflected within proposed Condition 20 is owned by the State of Western Australia and not within the Applicant's control. Imposing a public access easement on land unrelated to the Application is inappropriate, cannot be facilitated by our Client and requires the consent of an unrelated third party. That is, Condition 20 necessitates the State agreeing to an easement of its unrelated land, which cannot be guaranteed through the clearance of this condition.

Further to the above, the *Kennedy Bay Coastal Village Local Development Plan (LDP)* and *Kennedy Bay Coastal Village Town Centre Parking Strategy (Parking Strategy)* were approved

by the City in March 2024. The LDP and Car Parking Strategy contemplates reciprocal parking throughout the entire Kennedy Bay Coastal Village Precinct and the primary objective of the Parking Strategy was to illustrate that the parking proposed within the precinct is appropriate to support the land uses contemplated within the LDP. It is therefore considered that the planning framework manages the reciprocity of parking throughout the Precinct, where public access easements over land unrelated to the proposed development are inappropriate. It is therefore requested; Condition 20 be removed.

Condition 21

- **Original Text:** *Prior to occupation of the development, the landowner(s) shall enter into a legal agreement with the City of Rockingham to place public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 on proposed Lot 4 (Lot 3023) Morfontaine Parade, Port Kennedy. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.*
- **Requested Change:** Delete Condition 21.
- **Justification:** Similar to Condition 20, Condition 21 does not serve a planning purpose related to the proposed development. Condition 21 requires a legal agreement between WABGR and the City over proposed future Lot 4 (Lot 3023) Morfontaine Parade, Port Kennedy. Proposed Lot 4 has not yet been created and is not the subject of a development application. At this stage, the use, built form outcome and number and arrangement of parking bays is uncertain. The Applicant therefore requests that Condition 21 be deleted.

Condition 22

- **Original Text:** To facilitate access for a private waste servicing vehicle the plans shall be amended to increase the vertical clearance at the car park entrance to 3.650m minimum, consistent with the Western Australian Local Government Association (WALGA) Multiple Dwelling Waste Management Plan Guidelines.
- **Requested Change:** Delete Condition 22.
- **Justification:** The development proposes the car park entrance with a vertical clearance of 2.3m. As detailed in the Waste Management Plan, the collection of waste generated by the tavern and brewery will be undertaken onsite using a private contractor. In accordance with Condition 13 and Advice Note 1, prior to lodgement of a building permit, an updated Waste Management Plan is required to be lodged to the satisfaction of the City of Rockingham. As part of the updated WMP, confirmation will be provided that the nominated private waste contractor has a waste vehicle that can access the Site.

The additional 1.35m clearance poses an unnecessary constraint and is unreasonable as it results in a significant negative impact on the development. Achieving compliance with Condition 22 results in the loss of two (2) accommodation units (23%) due to amendments to floor levels, service relocations and stair riser modifications. As such, it is therefore

considered that Condition 22 does not serve a planning purpose and can be adequately addressed through the enforcement of Condition 13 and Advice Note 1.

Summary

The proposed Long Point Brewery and Short-Stay Accommodation at Lot 3022 Morfontaine Parade, Port Kennedy represents a major milestone in the urban expansion and delivery of the Kennedy Bay residential precinct and will serve as a catalyst for meaningful activation and development of the Town Centre. The use of the Site is consistent with the current and draft planning framework, as summarised below:

- The Site is zoned for 'Urban' Development pursuant to the Metropolitan Region Scheme.
- The Site is zoned 'Development' under the City of Rockingham Local Planning Scheme No. 2.
- The Site is designated for 'Commercial' development pursuant to the draft Kennedy Bay Local Structure Plan.
- 'Tavern', 'Brewery' and 'Serviced Apartments' are capable of approval at the Site and are 'preferred' land uses at the Site under the provisions of the approved Kennedy Bay Coastal Village Local Development Plan.

The development has been architecturally designed by MJA Studio to an exceptional standard and with the core design brief of creating an attractive, vibrant and sustainable entertainment setting that seamlessly integrates with the overall foreshore landscaping and plaza areas.

As such, the DAP is requested to approve the development as per the recommendation provided by the City, with minor modifications to the conditions as set out at Attachment 1.

Attachment 1

Applicant Alternative Recommendation

Part B – Item 3.1 – LOT 3022 MORFONTAINE PARADE, PORT KENNEDY – PROPOSED TAVERN, BREWERY AND SHORT STAY ACCOMMODATION

Alternative Recommendation

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

APPROVE DAP Application reference DAP/24/02659 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 the City of Rockingham Town Planning Scheme No.2 (TPS2), subject to the following 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. 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; those plans must be submitted to the City of Rockingham for 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.

3. 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.
4. Prior to occupation of the development, a crossover is to be constructed in accordance with the City's Commercial Crossover Specifications to the satisfaction of the City of Rockingham.
5. An 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. Any damage due to the works, will need to be repaired to the satisfaction of the Manager Land & Development Infrastructure.
6. Prior to occupation of the development the car parking area must:
 - (i) provide a minimum of 45 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 3 for visitors 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 one (1) car parking space(s) dedicated to people with disabilities,

which are designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 4 of 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;

- (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
 - (v) comply with the above requirements for the duration of the development; and
 - (vi) all 45 car parking bays within the development complex must be accessible for customer, and staff parking at all times and not be gated or otherwise physically controlling access.
7. Prior to applying for a Building Permit, a Landscaping Plan must be submitted and approved to the satisfaction of the City of Rockingham and shall include the following detail:
- (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area inclusive of the verge;
 - (ii) any lawns to be established and areas to be mulched;
 - (iii) any natural landscape areas to be retained;
 - (iv) those areas to be reticulated or irrigated.

The landscaping 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.

8. In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities, 10 short term and 2 long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, 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.
9. Prior to applying for a Building Permit, a Revised Acoustic Report and a Noise Management Plan must be submitted to and approved by the City of Rockingham, that includes appropriate noise mitigation and management measures to ensure 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*.
10. All recommended measures included in the Revised Acoustic Report and Noise Management Plan shall be implemented prior to the occupation of the development, and be maintained thereafter to the satisfaction of the City.

11. Prior to applying for a Building Permit, a revised Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:
 - (i) the location of bin storage areas and bin collection areas;
 - (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.

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

12. Prior to applying for a Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert that verifies that the configuration of the vehicle crossover and proposed commercial vehicle loading bay in the street verge do not cause any road safety concerns, to the satisfaction of the City. The applicant shall implement any recommended mitigation measures identified in the Traffic Safety Sightline Audit.
13. Floodlighting must not be illuminated after 10pm or before 7am on any day. All illumination must be confined to the land 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.
14. Unless otherwise approved, entries and window frontages of the building facing the Foreshore Plaza 'main street' must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times.
15. Prior to building occupancy, the developer responsibilities outlined in Table 3 of the 'Kennedy Bay Brewery - Element 5 Vulnerable Tourism Land Uses Assessment Report', prepared by Bushfire Safety and dated 21/2/2024, shall be implemented and maintained thereafter for the duration of the development.
16. The development shall be managed to prevent the emission or transmission of odour which unreasonably interferes with the health, welfare, convenience, comfort or amenity of surrounding premises.

Advice Notes:

1. Regarding Condition 13, the applicant is advised that the WMP should be updated to consider the need to accommodate:
 - A full complement of FOGO bins (which the City is preparing to implement); and
 - A waste collection vehicle that can enter the car park to collect the

commercial waste bins, given the vertical clearance provided at the vehicle entry to the first floor slab level.

2. 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.
3. A Building Permit must be obtained for the proposed works prior to commencement of site works. The Applicant and owner should liaise with the City's Building Services in this regard.
4. The Tavern is to comply with the *Liquor Control Act 1988*. All relevant approvals and licenses are to be sought prior to the occupation of the development in conjunction with the Department of Local Government, Sport and Cultural Industries (DLGSC).
5. The development must comply with the *Health (Public Building) Regulations 1992*; the Applicant and owner should liaise with the City's Health Services in this regard.
6. The Applicant is responsible for protecting any existing City streetscape assets during the course of the project. 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 to the satisfaction of the City of Rockingham. It is recommended that a photographic dilapidation report is undertaken by the Applicant, to record the current condition of these assets.

Attachment 2

Condition Amendments Summary Table

Lot 3022 Morfontaine Parade, Port Kennedy – Proposed Tavern, Brewery and Short Stay Accommodation – DAP24/02659		
Cond.	Proposed Condition Amendments	Applicant Comment
1	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.	Request removal of Condition 1.
2	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.	No change.
3	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; those plans must be submitted to the City of Rockingham for 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.	No change.
4	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.	No change.
5	Prior to occupation of the development, a crossover is to be constructed in accordance with the City's Commercial Crossover Specifications to the satisfaction of the City of Rockingham.	No change.
6	Engineering drawings for works within the development site and along the existing road reserves must be submitted to the Manager of Land and Development Infrastructure for approval prior to works commencing on site. All works within the Road Reserve must be completed to the satisfaction of the City of Rockingham.	Request removal of Condition 6.
7	An 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. Any damage due to the works, will need to be repaired to the satisfaction of the Manager Land & Development Infrastructure.	No change.
8	Prior to occupation of the development the car parking area must: <ul style="list-style-type: none"> (i) provide a minimum of 45 car parking spaces; (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 3 for visitors 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 one (1) car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 4 of 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; (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; (v) comply with the above requirements for the duration of the development; and (vi) all 45 car parking bays within the development complex must be accessible for customer, and staff parking at all times and not be gated or otherwise physically controlling access. 	No change.

Lot 3022 Morfontaine Parade, Port Kennedy – Proposed Tavern, Brewery and Short Stay Accommodation – DAP24/02659		
Cond.	Proposed Condition Amendments	Applicant Comment
9	<p>Prior to applying for a Building Permit, a Landscaping Plan must be submitted and approved to the satisfaction of the City of Rockingham and shall include the following detail:</p> <ul style="list-style-type: none"> (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area inclusive of the verge; (ii) any lawns to be established and areas to be mulched; (iii) any natural landscape areas to be retained; (iv) those areas to be reticulated or irrigated. <p>The landscaping 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.</p>	No change.
10	<p>In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities, 10 short term and 2 long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, 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.</p>	No change.
11	<p>Prior to applying for a Building Permit, a Revised Acoustic Report and a Noise Management Plan must be submitted to and approved by the City of Rockingham, that includes appropriate noise mitigation and management measures to ensure that all mechanical services associated with the proposed development and any other noise source, including noise emanating from Licensed Premises will comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>	No change.
12	<p>All recommended measures included in the Revised Acoustic Report and Noise Management Plan shall be implemented prior to the occupation of the development, and be maintained thereafter to the satisfaction of the City. a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to City's satisfaction, that the completed development complies with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>The Final Acoustic Assessment must include the following information:</p> <ul style="list-style-type: none"> (i) noise sources compared with the assigned noise levels as stated in the <i>Environmental Protection (Noise) Regulations 1997</i>, when the noise is received at the nearest "noise sensitive premises" and surrounding residential area; (ii) tonality, modulation and impulsiveness of noise sources; and (iii) confirmation of the implementation of noise attenuation measures. <p>Any further works must be carried out in accordance with the Acoustic Report and implemented as such for the duration of the development.</p>	Modification to wording of Condition 12 as shown in red text.
13	<p>Prior to applying for a Building Permit, a revised Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:</p> <ul style="list-style-type: none"> (i) the location of bin storage areas and bin collection areas; (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. 	No change.

Lot 3022 Morfontaine Parade, Port Kennedy – Proposed Tavern, Brewery and Short Stay Accommodation – DAP24/02659		
Cond.	Proposed Condition Amendments	Applicant Comment
	All works must be carried out in accordance with the Waste Management Plan and maintained at all times, for the duration of development.	
14	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 either: (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 \$65,000), 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; (iii) The artwork shall then be installed prior to occupation of the development and maintained thereafter to the satisfaction of the City of Rockingham; or (iv) Make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$65,000 in value.	Request removal of Condition 14.
15	Prior to applying for a Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert that verifies that the configuration of the vehicle crossover and proposed commercial vehicle loading bay in the street verge do not cause any road safety concerns compliant sight distance is provided for vehicles leaving the car park in proximity to the adjacent proposed commercial vehicle loading bay in the street verge , to the satisfaction of the City of Rockingham. The applicant shall implement any recommended mitigation measures identified in the Traffic Safety Sightline Audit. required to achieve compliance.	Modification of wording of Condition 15, as shown in red text.
16	Floodlighting must not be illuminated after 10pm or before 7am on any day. All illumination must be confined to the land 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.	No change.
17	Unless otherwise approved or exempt , entries and window frontages of the building facing the Foreshore Plaza ‘main street’ must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times.	Modification to wording of Condition 17, as shown in red text.
18	Prior to building occupancy, the developer responsibilities outlined in Table 3 of the ‘Kennedy Bay Brewery - Element 5 Vulnerable Tourism Land Uses Assessment Report’, prepared by Bushfire Safety and dated 21/2/2024, shall be implemented and maintained thereafter for the duration of the development.	No change.
19	The development shall be managed to prevent the emission or transmission of odour which unreasonably interferes with the health, welfare, convenience, comfort or amenity of surrounding premises.	No change.
20	Prior to occupation of the development, public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 are to be placed on the certificate of title for portion of Lot 3007 Port Kennedy Drive, Port Kennedy (Golf Course Car Park). Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.	Request removal of Condition 20.
21	Prior to occupation of the development, the landowner(s) shall enter into a legal agreement with the City of Rockingham to place public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 on proposed Lot 4 (Lot 3023) Morfontaine Parade, Port Kennedy. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.	Request removal of Condition 21.
22	To facilitate access for a private waste servicing vehicle the plans shall be amended to increase the vertical clearance at the car park entrance to 3.650m minimum, consistent with the Western Australian Local Government Association (WALGA) Multiple Dwelling Waste Management Plan Guidelines.	Request Condition 22 be deleted.

Lot 3022 Morfontaine Parade, Port Kennedy – Proposed Tavern, Brewery and Short Stay Accommodation – DAP24/02659		
Cond.	Proposed Condition Amendments	Applicant Comment
Advice Notes		
1	<p>Regarding Condition 13, the applicant is advised that the WMP should be updated to consider the need to accommodate:</p> <ul style="list-style-type: none"> • A full complement of FOGO bins (which the City is preparing to implement); and • A waste collection vehicle that can enter the car park to collect the commercial waste bins, given the vertical clearance provided at the vehicle entry to the first floor slab level. 	No change.
2	The development must comply with the <i>Food Act 2008</i> , the <i>Food Safety Standards</i> 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.	No change.
3	A Building Permit must be obtained for the proposed works prior to commencement of site works. The Applicant and owner should liaise with the City's Building Services in this regard.	No change.
4	The Tavern is to comply with the <i>Liquor Control Act 1988</i> . All relevant approvals and licenses are to be sought prior to the occupation of the development in conjunction with the Department of Local Government, Sport and Cultural Industries (DLGSC).	No change.
5	The development must comply with the <i>Health (Public Building) Regulations 1992</i> ; the Applicant and owner should liaise with the City's Health Services in this regard.	No change.
6	The Applicant is responsible for protecting any existing City streetscape assets during the course of the project. 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 to the satisfaction of the City of Rockingham. It is recommended that a photographic dilapidation report is undertaken by the Applicant, to record the current condition of these assets.	No change.



Direction for Further Services from the Responsible Authority

Regulation 13(1)

Guidelines

A DAP Member who wishes to request further services (e.g. technical advice and assistance or information in writing) from the Responsible Authority must complete this form and submit to daps@dplh.wa.gov.au.

The request will be considered by the DAP Executive Director and if approved, the Responsible Authority will be directed to provide a response to DAP Secretariat within the form.

It is important to note that **the completed form containing the query, response and any accompanying documentation will be published on the DAP website** as an addendum to the meeting agenda.

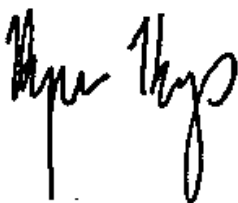
DAP Application Details

DAP Name	Metro Outer DAP
DAP Application Number	DAP/24/02659
Responsible Authority	City of Rockingham
Property Location	Lot 3022 Morfontaine Parade, Port Kennedy

Nature of technical advice or information required*

1	DAP query	Please provide a response to the requested changes to conditions 1, 6, 12, 14, 17 & 20-22, as outlined in the presentation request from Mr Adrian Dhue (Lateral Planning).
	Response	Please see response in attached document.

DAP Executive Director Authorisation

Signature	
Date	10 June 2024
Response Due	11 June 2024; midday

* Any alternate recommendation sought does not infer a pre-determined position of the panel.

City of Rockingham Response - Regulation 13 Request – DAP/24/02659



On 10th June 2024, the Development Assessment Panel Executive Director Mr Ryan Keys directed the City of Rockingham to provide a response to the following query:

“Please provide a response to the requested changes to conditions 1, 6, 12, 14, 17 & 20-22 as outlined in the presentation requested by Mr Adrian Dhue (Lateral Planning)”

The City’s response is provided below:

Condition 1:

1. 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.

The City objects to the removal of this condition. This is a Standard Development condition which is placed on all Development Approvals. This condition was drafted by the City’s Legal Counsel.

The intention is to provide clarity when interpreting the approved plans compared to the conditions of development approval where there is inconsistency between the two. For example, the plans show a vertical clearance into the car park which is insufficient for a standard size waste collection vehicle to access. To address this, conditions 13 and 22 are recommended, which should prevail.

Condition 6:

6. Engineering drawings for works within the development site and along the existing road reserves must be submitted to the Manager of Land and Development Infrastructure for approval prior to works commencing on site. All works within the Road Reserve must be completed to the satisfaction of the City of Rockingham.

This is a standard condition, the main purpose of which is to manage any works proposed in the road reserve - more so than within the development site. The crossover and the parking bays proposed in the road reserve adjacent the site on Sea Beach Way need to be designed and constructed to the City’s specifications. The requirement for the City to review and approve a set of engineering drawings is therefore essential.

Condition 6 does not duplicate process as the applicant contends, as the engineering drawings will be assessed by the City’s Land Development and Infrastructure team regardless of whether they are provided in the Application for Building Permit or submitted separately via Condition no.6 of the Development Approval.

The City recommends that the condition is retaining, but modified as follows, to make it clear that the works of interest are in the road reserve, not within the site:

Reword:

“Engineering drawings for works along the existing road reserves must be submitted to the Manager of Land and Development Services for approval, prior to works commencing on site. All works within the Road Reserve must be completed to the satisfaction of the City of Rockingham”.

Condition 12:

12. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to City's satisfaction, that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*.
- The Final Acoustic Assessment must include the following information:
- (i) 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;
 - (ii) tonality, modulation and impulsiveness of noise sources; and
 - (iii) 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.

The City objects to the applicant's modified condition.

This is a standard condition which the City imposes that requires a Final Acoustic Report to be submitted following the completion of the works that demonstrates that any measures required in Condition No.11 have been implemented (incorporating noise attenuation measures where required in the built form) and that the development complies with the *Environmental Protection (Noise) Regulations 1997*.

This is a critical condition in the context of the noise modelling results which suggest that patron and music noise produced from the Tavern will not comply with the Regulations at various locations unless noise mitigation measures and noise management initiatives are implemented.

Condition 14:

14. 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 either:
- (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 \$65,000), 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;
 - (iii) The artwork shall then be installed prior to occupation of the development and maintained thereafter to the satisfaction of the City of Rockingham; or
 - (iv) Make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$65,000 in value.

The City objects to the deletion of Condition 14.

The condition is a standard condition imposed in accordance with the City's *Planning Policy No.3.3.25 Percent for Public Art – Private Developer Contribution* that seeks to facilitate the provision of public art as part of the development application approval process by applying a percent for public art contribution.

The Western Australia Beach & Golf Resort Pty Ltd (WABGR) is the land owner and subdivider and as such, is a different entity than the developer of the tavern. The onus is on each developer to contribute equitably in terms of public art, as per the policy.

In applying this Policy foreshore works and public plaza works proposed are considered a separate matter, forming part of the foreshore improvement works for the development of the estate as a whole.

The City is concerned that should this condition be deleted then a precedent could be created, meaning that similar contributions may not be imposed on subsequent developments in this local centre.

The requirement for public art should not be a surprise to the developer and should have been factored into the feasibility of the project.

Condition 15:

15. Prior to applying for a Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert that verifies that compliant sight distance is provided for vehicles leaving the car park in proximity to the adjacent proposed commercial vehicle loading bay in the street verge, to the satisfaction of the City of Rockingham. The applicant shall implement any recommended mitigation measures required to achieve compliance.

The City agrees with the applicant's revised condition, as follows:

"Prior to applying for a Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert that verifies that the configuration of the vehicle crossover and proposed commercial vehicle loading bay in the street verge do not cause any road safety concerns to the satisfaction of the City of Rockingham. The applicant shall implement any recommended mitigation measures identified in the Traffic Safety Audit."

Condition 17:

17. Entries and window frontages of the building facing the Foreshore Plaza 'main street' must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times.

The City generally agrees with the applicant's request to modify Condition No. 17, based on the provisions of *Local Planning Policy 3.3.1 Control of Advertisements* that may exempt or require Development Approval to place signage on the window glazing.

The City recommends the following modification of Condition 17, as follows:

*"Unless otherwise approved **by the City of Rockingham** or **if Local Planning Policy** exempt, entries and window frontages of the building facing the Foreshore Plaza 'main street' must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times."*

Condition 20:

The City objects to the deletion of this condition.

20. Prior to occupation of the development, public access easement(s) in accordance with Sections 195 and 196 of the *Land Administration Act 1997* are to be placed on the certificate of title for portion of Lot 3007 Port Kennedy Drive, Port Kennedy (Golf Course Car Park). Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.

The City considers that this Condition has a planning purpose.

The adequacy of parking of vehicles is a relevant planning consideration of all Development Applications pursuant to clause 67(2)(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Condition 20 fairly and reasonably relates to the development, as the condition reflects the reciprocal parking arrangements embodied in the adopted Kennedy Bay Coastal Village Town Centre Parking Strategy, February 2024. (extracts follow)

The condition requires a Public Access Easement for the Kennedy Bay Golf Course Car Park site which is owned by the Western Australia Beach & Golf Resort Pty Ltd, to secure future reciprocal parking arrangements for the Brewery site.

If Condition 20 and 21 are deleted as the applicant has requested, the adopted Kennedy Bay Coastal Village Town Centre Parking Strategy, February 2024 would need to be reviewed, as it could no longer be relied upon to guide future planning decisions for the development of the Kennedy Bay Town Centre.

The following information contains excerpts from the adopted Kennedy Bay Coastal Village Town Centre Parking Strategy, February 2024:

5.2.8 The submitted Brewery Development Application² dated 12th December 2023 had a cumulative parking requirement for 170 spaces (no reciprocity considered), per CoR scheme. The application notes a total of 36 car parking spaces are provided on lot for the specific use of the Brewery³. It is proposed that the additional parking demand for the Brewery will be accommodated on-street (up to 117 on-street spaces within 5 minute walk), and if necessary, within the Foreshore Reserve car park (15 spaces surplus) and Golf Course car park (45 spaces surplus). Again, this 170 spaces calculation assumes no parking reciprocity between the on-site short-term accommodation, front of house beer tasting bar, front of house brewery which is an adjacent beer garden and restaurant hospitality facility, and the NLA of brewery operations.

Looking beyond the Brewery lot, reciprocal parking is entirely appropriate to consider, as the brewery's peak demand period (evening) will not align with that of its neighbours. For instance, the golf course would be expected to experience peak demand at midday or in the mid-afternoon and the childcare

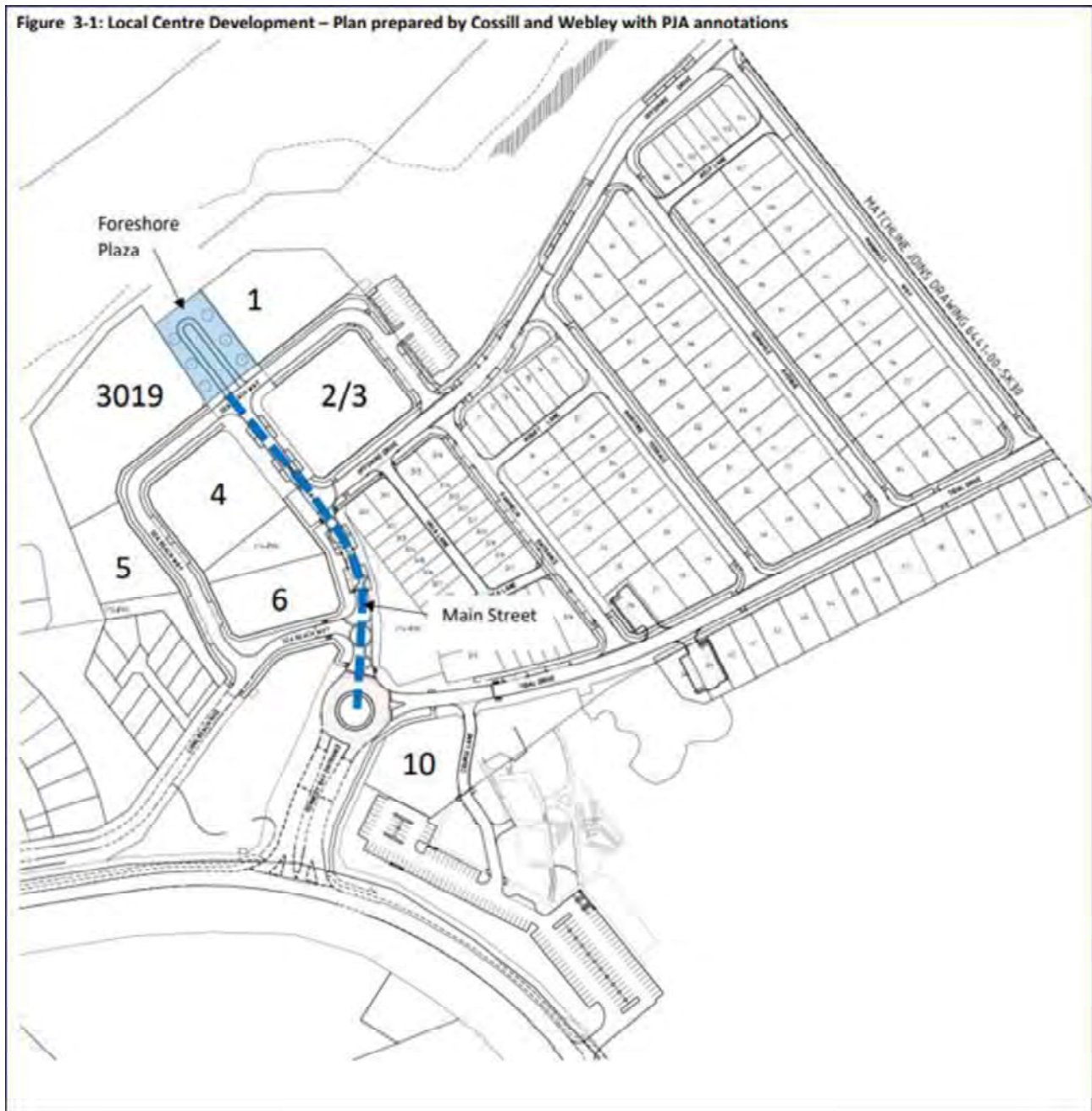
³ 36 brewery spaces + 9 short stay apartments spaces = 45 spaces provided.

Kennedy Bay
Coastal Village Town Centre Parking Strategy

facilities will only experience peak demand during drop-off and pick-up periods, which means that the car park near the golf course is likely to have more capacity for reciprocal parking during the evening.

7.1.2 The minimum parking requirements set out in City of Rockingham (CoR) Planning Scheme No. 2 would mean that the Local Centre is technically required to accommodate a total of 469 spaces if all land uses were considered individually. However, the proposals provide 382 total parking spaces, which equates to a total shortfall of 87 spaces, again if all land uses were considered individually. This Parking Strategy has demonstrated that, despite this minimum individual lot parking set-out, the Local Centre will still have a sufficient level of parking to meet the demands of its land uses:

- (1) Firstly, the proposal for two shared car parks within the development (Foreshore Reserve and Golf Course car parks) allows for reciprocal parking. The CoR Planning Scheme sets out that *a lower quantum of parking may be acceptable should it be demonstrated that peak parking periods do not overlap*, as car parks can accommodate the overflow demand of other land uses during their less busy periods. The diversity of facilities proposed within the Local Centre are demonstrated to have peak demand periods at different times of day, and therefore this justifies a lower parking provision on each lot than specified by the Scheme.
- (2) In addition, an analysis of parking demand profiles and parking generation rates for sites which are comparable to the land uses proposed, has been researched and studied. This analysis, set out in detail in Section 5.2, demonstrates that the actual peak parking demand for each lot is in fact expected to be lower than the minimum specified in the CoR Planning Scheme requirements. This therefore further supports the proposed parking levels.
- (3) Finally, this Parking Strategy sets out several parking strategies which can be implemented in the Local Centre. This is a key part of a 'demand management' approach, incorporating measures such as robust parking restrictions, shared parking facilities and user-pays parking. These strategies will help to manage the parking demand generated by the Local Centre and further justify a parking provision lower than the Scheme specification.



If a reciprocal parking arrangement cannot be secured through applying Condition 20 and 21, there will be no legal mechanism to apply a shared parking arrangement between these different sites within the Kennedy Bay Town Centre.

[Coastal Village Town Centre Parking Strategy \(rockingham.wa.gov.au\)](http://rockingham.wa.gov.au)

Condition 21:

21. Prior to occupation of the development, the landowner(s) shall enter into a legal agreement with the City of Rockingham to place public access easement(s) in accordance with Sections 195 and 196 of the *Land Administration Act 1997* on proposed Lot 4 (Lot 3023) Morfontaine Parade, Port Kennedy. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.

The City objects to the deletion of this condition and considers that Condition 21 has a planning purpose for similar reasons expressed for Condition 20.

Condition 21 requires a Legal Agreement to be entered into with the WABGR, to secure future reciprocal parking arrangements at the time of a Development Application being approved.

Before the Kennedy Bay Coastal Village Town Centre Parking Strategy, February 2024 and Kennedy Bay Coastal Village LDP was adopted the City, it was identified that Lot 4 (on the LDP) would be included in a reciprocal parking arrangement with the Brewery site.

A representative for the WABGR agreed to provide additional parking in the foreshore carpark and Lot 4 if parking became an issue.

Lot 4 (described as Lot 3 on WAPC approval) is included in the Kennedy Bay Subdivision Approval issued by the WAPC on 28 June 2021, with subdivisional works now occurring within the Town Centre. (refer to the Nearmaps Image below)



WAPC Subdivision Approved Plan dated 28 June 2021



If a reciprocal parking arrangement cannot be secured through applying Condition 21, there will be no legal mechanism to apply a shared parking arrangement between these different development sites within the Kennedy Bay Town Centre.

Condition 22:

The City objects to this condition being deleted.

It is important that commercial waste from the development can be collected internally within the car park by a private waste contractor where it is screened from view and allows efficient access to the bin store areas for a waste collection vehicle. The commercial waste involves a variety of bin sizes which are quite large (up to 660 litre sized bins).

The vertical clearance of the first floor slab above the car park entry (2.8m to 3.2m high, based on the levels on the site plan) currently prevents a standard waste collection vehicle entering the car park.

The City has no objection for a smaller size commercial waste vehicle to be used if one can be sourced. The details of which need to be included in the updated Waste Management Plan required in Condition no. 13.

In the event that a suitable sized waste collection vehicle cannot be secured, however, then the height of the first floor slab at the car park entry location will need to be increased to facilitate access by a suitable waste collection vehicle. A design solution for the applicant to consider may involve increasing the height of the short stay accommodation units as a whole or in part, rather than simply removing any short stay accommodation units from the plans.

To clarify the options available the City recommends amending Conditions 13 and 22 to state:

"13. Prior to applying for a Building Permit, a revised Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:

- (i) the location of bin storage areas and bin collection areas;*

- (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;*
- (iv) **specifications of a waste collection vehicle of a size that can gain access to the car park in order to service the commercial bin stores; and**
- (v) *frequency of bin collections”.*

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

- “ 22. **Subject to Condition No.13, if required the plans shall be amended with respect to the vertical clearance to the car park entrance required to provide for access by a refuse waste vehicle to collect commercial waste”.**

Responsible Authority Report Attachment 4



Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 12 June 2024; 9:30am
Meeting Number: MODAP/17
Meeting Venue: 140 William Street, Perth
Public Observing: Online

A recording of the meeting is available via the following link: [MODAP/17 - 12 June 2024 - City of Rockingham](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. 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 3022 Morfontaine Parade, Port Kennedy – Proposed Tavern, Brewery and Short Stay Accommodation – DAP/24/02659
 - 3.2 431 Surf Drive, Secret Harbour – Child Care Premises – DAP/24/02661
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

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

Tony Arias
Presiding Member, Metro Outer DAP



Attendance	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Tony Arias (Presiding Member)	Claire Ortlepp
Lee O'Donohue (Deputy Presiding Member)	Ashlee Kelly
John Syme	
<i>Part B – City of Rockingham</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Mayor Deb Hamblin	David Banovic
Cr Dawn Jecks	Mike Ross
	Chris Parlane

Tony Arias
Presiding Member, Metro Outer DAP



Applicant and Submitters
<i>Part B – City of Rockingham</i>
Adrian Dhue (Lateral Planning) Jess Beaver (MJA Studio) Matt Middleton (MJA Studio) Elliot Langdon (MJA Studio) Darren Cooper (DCM) Reyne Dial (Place Development) Ben McCarthy (King City) Shane Wormall (Proponent) Ben Beverly (Marshall Day Acoustics) Marina Kleyweg (KCTT) Ross Underwood (Planning Solutions) Brandon Bradburn (Planning Solutions) Rhys Kelly (Proponent)

Members of the Public / Media

Nil.

Observers via livestream

There were 3 persons observing the meeting via the livestream.

Tony Arias
Presiding Member, Metro Outer DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:31am on 12 June 2024 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2024 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 DAP Member, City of Rockingham)
Cr Mark Jones (Local Government DAP Member, City of Rockingham)

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

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

Tony Arias
Presiding Member, Metro Outer DAP



PART B – CITY OF ROCKINGHAM

1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for further information and responsible authority response in relation to Item 3.1, received on 11 June 2024 was published in Part B of the Related Information.

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

In accordance with section 2.4.9 of the DAP Code of Conduct 2024, DAP Members, Mayor Deb Hamblin and Cr Dawn Jecks, declared that they had participated in a prior Council meeting in relation to the application at items 3.1 & 3.2. However, under section 2.1.2 of the DAP Code of Conduct 2024, Mayor Hamblin and Cr Jecks acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the Presiding Member determined that the members listed above, who have disclosed an impartiality interest, were permitted to participate in the discussion and voting on the items.

3. Form 1 DAP Applications

PROCEDURAL MOTION

Moved by: Mayor Deb Hamblin

Seconded by: Cr Dawn Jecks

That the application at Item 3.2 be heard prior to the application at Item 3.1.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: to allow the less complex Item 3.2 application to be heard before the Item 3.1 application.

Tony Arias
Presiding Member, Metro Outer DAP



3.2 431 Surf Drive, Secret Harbour – Child Care Premises – DAP/24/02661

Deputations and Presentations

Ross Underwood (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 3.2 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.

REPORT RECOMMENDATION

Moved by: Mayor Deb Hamblin

Seconded by: Cr Dawn Jecks

With the agreement of the mover and seconder, the following amendment was made:

That Condition No. 9 be amended to read as follows:

Prior to applying for a Building Permit, a ~~Vegetation Retention~~ Tree Management Plan must be submitted and approved by the City of Rockingham for all trees identified for retention/possible retention on the approved plans. If any of the earmarked trees become no longer suitable for retention ~~due to damage caused by site works~~, prior written approval is to be required from the City in order to remove tree/s.

REASON: *The amended condition was appropriate to recognise the objective to retain the trees but provide some flexibility during the detailed design process.*

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

APPROVE DAP Application reference DAP/24/02661 and revised development plans received on 29 April 2024 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Rockingham Town Planning Scheme No.2 (TPS2), subject to the following conditions:

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 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.
3. No more than 85 children are to be accommodated at the Child Care Premises.
4. No more than 21 staff are permitted at the Child Care Premises at any one time.

Tony Arias
Presiding Member, Metro Outer DAP



5. 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 areas before 7:00am.
6. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineering consultant 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 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. 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.
8. Prior to applying for a Building Permit, a Landscaping Plan 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;
 - (iv) Proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas; and
 - (v) Shade trees at a rate of one (1) per four (4) car parking bays.

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.
9. Prior to applying for a Building Permit, a Tree Management Plan must be submitted and approved by the City of Rockingham for all trees identified for retention/possible retention on the approved plans. If any of the earmarked trees become no longer suitable for retention, prior written approval is to be required from the City in order to remove tree/s.
10. Prior to applying for a Building Permit, detailed Engineering Drawings and specifications are to be submitted to City of Rockingham for approval for all works within the road reserve, including crossover approach, carparks, footpaths, 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.

Tony Arias
Presiding Member, Metro Outer DAP



11. Prior to applying for a Building Permit, exhaust facilities associated with the proposed kitchen area must be designed in accordance with Australian Standard AS 1668.2—2002, The use of ventilation and air conditioning in buildings, Part 2: Ventilation design for indoor air containment control (excluding requirements for the health aspects of tobacco smoke exposure) and be fitted with filtration and odour suppression devices to the satisfaction of the City of Rockingham.

The exhaust facilities must be installed prior to the occupation of the development and must be thereafter maintained to the satisfaction of the City of Rockingham for the duration of the development.

12. 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.
13. Prior to applying for a Building Permit, a Sign Strategy must be prepared (which must include the information required by Planning Policy 3.3.1 - Control of Advertisements) to the satisfaction of the City of Rockingham, and it must thereafter be implemented for the duration of the development.
14. Prior to the occupation of the development, the Bushfire Emergency Evacuation Plan prepared by Emerge Associates, dated March 2024, shall be updated to:
 - (i) Page iv under "If you are told to leave" to list the Emergency WA website as a primary source of information;
 - (ii) Page iv to include actions and considerations in the circumstances that an "Emergency Warning" is issued by DFES;
 - (iii) Include a plan showing the nominated safe place(s) where the children and staff will be evacuated to via bus. This plan should consider possible road closures and alternative routes;
 - (iv) Include a separate appendix with a list of possible transport providers for evacuation; and
 - (v) Delete "City of Rockingham fire and emergency services manager" from Page 5.

The Bushfire Emergency Evacuation Plan must thereafter be implemented and maintained at all times to the satisfaction of the City of Rockingham.

Tony Arias
Presiding Member, Metro Outer DAP



15. Prior to occupation of the development, the Asset Protection Zone (APZ), as depicted in Figure 4 of the Bushfire Management Plan prepared by Emerge Associates, must be installed on the site in accordance with the following requirements:

- (i) maximum Fine Fuel Load of two (2) tonnes per hectare;
- (ii) tree trunks at maturity must be a minimum distance of six (6) metres from all elevations of the building and tree canopies at maturity must be 5 metres apart;
- (iii) shrubs must not be located within three (3) metres of a building;
- (iv) grass must be managed to maintain a height of 100mm or less;
- (v) fences and sheds must be constructed of non-combustible material; and
- (vi) 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.

16. 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.

17. The carpark must:

- (i) provide a minimum of 29 car parking spaces;
- (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 3 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 one (1) of these car parking spaces as a space 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;
- (iv) be constructed, sealed, kerbed, drained and clearly marked prior to the development being occupied and maintained thereafter;
- (v) have all parking bays clearly marked as 'Staff' or 'Visitor' prior to occupation

Tony Arias
Presiding Member, Metro Outer DAP



of the development, to the satisfaction of the City of Rockingham. The tandem car parking bays must not form part of the visitor parking allocation;

- (vi) have lighting installed, prior to the occupation of the development, to the satisfaction of the City of Rockingham; and
- (vii) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282-2019, Control of the obtrusive effects of outdoor lighting, at all times.

18. In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities, four (4) bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, 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.

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. The development must comply with the *Health (Public Building) Regulations 1992*; the Applicant and owner should liaise with the City's Health Services in this regard.
5. The Applicant is advised the vehicle crossover must be designed and constructed in accordance with the City of Rockingham's Specifications for Commercial Crossovers.
6. 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.
7. With respect to Condition 6, a Stormwater Management Plan will require compliance with 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.

Tony Arias
Presiding Member, Metro Outer DAP



8. With respect to Condition 8, the Applicant and owner should liaise with the City's Land and Development Infrastructure Services to confirm requirements for landscaping plans.
9. All works in the road reserve, including construction of a crossover or footpath, installation of on-street car parking spaces, planting of street trees, and other streetscape works or works to the road carriageway, must be to the specifications of the City; the Applicant and owner should liaise with the City's Land and Development Infrastructure Services in this regard.
10. The Applicant is responsible for protecting any existing City streetscape assets along Warnbro Sound Avenue and Surf Drive during the course of the project. 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 to the satisfaction of the Manager Land and Development Infrastructure. It is recommended that a photographic dilapidation report is undertaken by the Applicant, to record the current condition of these assets.
11. Existing street trees adjacent to the development site must be protected throughout the course of the project in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The subject land is zoned 'Development' in the City's Local Planning Scheme No.2 (LPS2) where 'Child Care Centre' uses is a discretionary use in the Residential zone and capable of approval. The panel was satisfied that the proposed development was consistent with the local planning framework.

The site is well located to minimise amenity impacts, having two road frontages, Warnbro Sound Avenue to the west and Surf Drive to the north, and opposite the site is undeveloped land proposed as Public Open Space by the City through a Scheme Amendment.

It was noted that the Traffic Impact Statement (TIS) recognised that there would be an increase in traffic as a result of the development on the adjoining roads Warnbro Sound Avenue and Surf Drive. However, both Warnbro Sound Avenue and Surf Drive have been designed to carry high traffic volumes. The traffic analysis undertaken in the TIS indicates that the traffic generation of the proposed development is relatively low and as such would not have a significant impact on the surrounding road network. The City Officer's accepted that the local road network can accommodate the estimated additional traffic generated by the proposal.

There was some discussion regarding the retention of five trees within the open space area of the proposed development, but following discussion with the applicant and City Officers, the Panel was satisfied that an amended condition was appropriate to recognise the objective to retain the trees but provide some flexibility during the detailed design process.

Tony Arias
Presiding Member, Metro Outer DAP



3.1 Lot 3022 Morfontaine Parade, Port Kennedy – Proposed Tavern, Brewery and Short Stay Accommodation – DAP/24/02659

Deputations and Presentations

Jess Beaver (MJA Studio) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

Reyne Dial (Place Development) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

Adrian Dhue (Lateral Planning) addressed the DAP in support of the recommendation for the application 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.

REPORT RECOMMENDATION

Moved by: Mayor Hamblin

Seconded by: Cr Dawn Jecks

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

APPROVE DAP Application reference DAP/24/02659 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 the City of Rockingham Town Planning Scheme No.2 (TPS2), subject to the following conditions:

1. 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.
2. 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.
3. 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; those plans must be submitted to the City of Rockingham for 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.

Tony Arias
Presiding Member, Metro Outer DAP



4. 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.
5. Prior to occupation of the development, a crossover is to be constructed in accordance with the City's Commercial Crossover Specifications to the satisfaction of the City of Rockingham.
6. Engineering drawings for works within the development site and along the existing road reserves must be submitted to the Manager of Land and Development Infrastructure for approval prior to works commencing on site. All works within the Road Reserve must be completed to the satisfaction of the City of Rockingham.
7. An 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. Any damage due to the works, will need to be repaired to the satisfaction of the Manager Land & Development Infrastructure.
8. Prior to occupation of the development the car parking area must:
 - (i) provide a minimum of 45 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 3 for visitors 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 one (1) car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 4 of Australian/New Zealand Standard AS/NZS2890.6:2009, 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;
 - (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
 - (v) comply with the above requirements for the duration of the development; and
 - (vi) all 45 car parking bays within the development complex must be accessible for customer, and staff parking at all times and not be gated or otherwise physically controlling access.

Tony Arias
Presiding Member, Metro Outer DAP



9. Prior to applying for a Building Permit, a Landscaping Plan must be submitted and approved to the satisfaction of the City of Rockingham and shall include the following detail:
- (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area inclusive of the verge;
 - (ii) any lawns to be established and areas to be mulched;
 - (iii) any natural landscape areas to be retained;
 - (iv) those areas to be reticulated or irrigated.

The landscaping 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.

10. In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities, 10 short term and 2 long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, 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.
11. Prior to applying for a Building Permit, a Revised Acoustic Report and a Noise Management Plan must be submitted to and approved by the City of Rockingham, that includes appropriate noise mitigation and management measures to ensure 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*.
12. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to City's satisfaction, that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*.

The Final Acoustic Assessment must include the following information:

- (i) 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;
- (ii) tonality, modulation and impulsiveness of noise sources; and
- (iii) confirmation of the implementation of noise attenuation measures.

Tony Arias
Presiding Member, Metro Outer DAP



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

13. Prior to applying for a Building Permit, a revised Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:
- (i) the location of bin storage areas and bin collection areas;
 - (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.

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

14. 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 either:
- (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 \$65,000), 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;
 - (iii) The artwork shall then be installed prior to occupation of the development and maintained thereafter to the satisfaction of the City of Rockingham; or
 - (iv) Make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$65,000 in value.
15. Prior to applying for a Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert that verifies that compliant sight distance is provided for vehicles leaving the car park in proximity to the adjacent proposed commercial vehicle loading bay in the street verge, to the satisfaction of the City of Rockingham. The applicant shall implement any recommended mitigation measures required to achieve compliance.
16. Floodlighting must not be illuminated after 10pm or before 7am on any day. All illumination must be confined to the land 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.

Tony Arias
Presiding Member, Metro Outer DAP



17. Entries and window frontages of the building facing the Foreshore Plaza 'main street' must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times.
18. Prior to building occupancy, the developer responsibilities outlined in Table 3 of the 'Kennedy Bay Brewery - Element 5 Vulnerable Tourism Land Uses Assessment Report', prepared by Bushfire Safety and dated 21/2/2024, shall be implemented and maintained thereafter for the duration of the development.
19. The development shall be managed to prevent the emission or transmission of odour which unreasonably interferes with the health, welfare, convenience, comfort or amenity of surrounding premises.
20. Prior to occupation of the development, public access easement(s) in accordance with Sections 195 and 196 of the *Land Administration Act 1997* are to be placed on the certificate of title for portion of Lot 3007 Port Kennedy Drive, Port Kennedy (Golf Course Car Park). Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.
21. Prior to occupation of the development, the landowner(s) shall enter into a legal agreement with the City of Rockingham to place public access easement(s) in accordance with Sections 195 and 196 of the *Land Administration Act 1997* on proposed Lot 4 (Lot 3023) Morfontaine Parade, Port Kennedy. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.
22. To facilitate access for a private waste servicing vehicle the plans shall be amended to increase the vertical clearance at the car park entrance to 3.650m minimum, consistent with the Western Australian Local Government Association (WALGA) Multiple Dwelling Waste Management Plan Guidelines.

Advice Notes:

1. Regarding Condition 13, the applicant is advised that the WMP should be updated to consider the need to accommodate:
 - A full complement of FOGO bins (which the City is preparing to implement); and
 - A waste collection vehicle that can enter the car park to collect the commercial waste bins, given the vertical clearance provided at the vehicle entry to the first floor slab level.
2. 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.

Tony Arias
Presiding Member, Metro Outer DAP



3. A Building Permit must be obtained for the proposed works prior to commencement of site works. The Applicant and owner should liaise with the City's Building Services in this regard.
4. The Tavern is to comply with the *Liquor Control Act 1988*. All relevant approvals and licenses are to be sought prior to the occupation of the development in conjunction with the Department of Local Government, Sport and Cultural Industries (DLGSC).
5. The development must comply with the *Health (Public Building) Regulations 1992*; the Applicant and owner should liaise with the City's Health Services in this regard.
6. The Applicant is responsible for protecting any existing City streetscape assets during the course of the project. 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 to the satisfaction of the City of Rockingham. It is recommended that a photographic dilapidation report is undertaken by the Applicant, to record the current condition of these assets.

AMENDING MOTION

Moved by: Lee O'Donohue

Seconded by: John Syme

That Condition No. 14 (iv) be amended to read as follows:

*Make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$65,000 in value, **which may be utilised in the adjoining public realms.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To recognise that a related party is to provide public art in the adjoining public open space and provide flexibility in the application and avoid duplication of contributions.

PROCEDURAL MOTION

Moved by: John Syme

Seconded by: Cr Dawn Jecks

That the consideration of DAP Application DAP/24/02659 be deferred for up to 180 days, being 9 December 2024, in accordance with section 5.10.1a of the DAP Standing Orders 2024, for the following reasons:

- To enable the proponent to supply evidence that public access easements required by Condition 20 are formally agreed to by third parties.

Tony Arias
Presiding Member, Metro Outer DAP



The Procedural Motion was put and CARRIED (3/2).

For: Lee O'Donohue
John Syme
Cr Dawn Jecks

Against: Tony Arias
Mayor Deb Hamblin

REASON: Condition 20 requires the agreement of a third party and may be beyond the jurisdiction of the DAP to apply. Evidence is supplied by the City that the reciprocal parking arrangements that are the subject of Condition 20 are an essential element of the precinct parking plan, and the proposed development would have a significant shortfall of parking in the absence of guaranteed access to this parking supply. Evidence is required that these arrangements will be concluded or other suitable arrangements to address the car parking deficit can be implemented.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Tony Arias
Presiding Member, Metro Outer DAP



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
DR169/2023 DAP/23/02486	City of Swan	Lot 1 (No.9) Waterhall Road, South Guildford	Child Care Premises	13/11/2023
DR179/2023 DAP/22/02358	Shire of Serpentine Jarrahdale	Lot 806 South Western Highway, Byford	Proposed Showroom and Fast Food/Takeaway Development	4/12/2023
DAP/23/02545 PA23/588	Shire of Serpentine Jarrahdale	Lot 218 (No.575) Abernethy Road, Oakford	Proposed Educational Establishment	19/12/2023

The Presiding Member noted the following Supreme Court Appeal -

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/23/02496 CIV 2251 of 2023	City of Swan	Lot 2 & 67 (No.163) and Lot 18 (No.159) James Street, Guildford	Proposed redevelopment of Vaudeville Theatre	03/11/2023

* Matters finalised during the last meeting cycle.

2. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.

3. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:10am.

Tony Arias
Presiding Member, Metro Outer DAP

Responsible Authority Report Attachment 5

Lot 3022 Morfontaine Parade, Port Kennedy - Proposed Tavern, Brewery and Short Stay Accommodation - DAP24/02659			
Cond.	Proposed Condition Amendments	Applicant Comment	
1	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.	No change.	
2	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.	No change.	
3	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; those plans must be submitted to the City of Rockingham for 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.	No change.	
4	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.	No change.	
5	Prior to occupation of the development, a crossover is to be constructed in accordance with the City's Commercial Crossover Specifications to the satisfaction of the City of Rockingham.	No change.	
6	Engineering drawings for works within the development site and along the existing road reserves must be submitted to the Manager of Land and Development Infrastructure for approval, prior to works commencing on site. All works within the Road Reserve must be completed to the satisfaction of the City of Rockingham.	Amend wording of Condition 6 to relate to any works in the road reserve. No objection from the City Noted.	
7	An 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. Any damage due to the works, will need to be repaired to the satisfaction of the Manager Land & Development Infrastructure.	No change.	
8	Prior to occupation of the development the car parking area must: (i) provide a minimum of 45 car parking spaces; (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 3 for visitors 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 one (1) car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 4 of 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; (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; (v) comply with the above requirements for the duration of the development; and (vi) all 45 car parking bays within the development complex must be accessible for customer, and staff parking at all times and not be gated or otherwise physically controlling access.	For discussion – Does the City want Part (vi) of Condition 8 (highlighted) to be removed, noting the requirement for an easement over the lot for bays to be made available to the public at large? (vi) can be removed as its covered by C21 (renumbered) Noted.	
9	Prior to applying for a Building Permit, a Landscaping Plan must be submitted and approved to the satisfaction of the City of Rockingham and shall include the following detail: (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area inclusive of the verge; (ii) any lawns to be established and areas to be mulched;	No change.	

	<p>(iii) any natural landscape areas to be retained;</p> <p>(iv) those areas to be reticulated or irrigated.</p> <p>The landscaping 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.</p>		
10	In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities, 10 short term and 2 long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, 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.	No change.	
11	Prior to applying for a Building Permit, a Revised Acoustic Report and a Noise Management Plan must be submitted to and approved by the City of Rockingham, that includes appropriate noise mitigation and management measures to ensure that all mechanical services associated with the proposed development and any other noise source, including noise emanating from Licensed Premises will comply with the <i>Environmental Protection (Noise) Regulations 1997</i> .	No change.	
12	<p>Prior to occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to City's satisfaction, that the completed development complies with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>The Final Acoustic Assessment must include the following information:</p> <p>(i) noise sources compared with the assigned noise levels as stated in the <i>Environmental Protection (Noise) Regulations 1997</i>, when the noise is received at the nearest "noise sensitive premises" and surrounding residential area;</p> <p>(ii) tonality, modulation and impulsiveness of noise sources; and</p> <p>(iii) confirmation of the implementation of noise attenuation measures.</p> <p>Any further works must be carried out in accordance with the Acoustic Report and implemented as such for the duration of the development.</p>	<p>No change.</p> <p>Reverting to the original wording of the condition that states "Prior to occupation of the development..."</p> <p>This provides the trigger & certainty to the developer and City. Standard wording. The intention is to ensure any recommended noise attenuation measures identified in condition 11 have been implemented prior to the building is occupied.</p> <p>Noted – no objection.</p>	
13	<p>Prior to applying for a Building Permit, a revised Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:</p> <p>(i) the location of bin storage areas and bin collection areas;</p> <p>(ii) the number, volume and type of bins, and the type of waste to be placed in the bins;</p> <p>(iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and</p> <p>(iv) the manner and frequency of bin collections.</p> <p>All works must be carried out in accordance with the Waste Management Plan and maintained at all times, for the duration of development.</p>	<p>No change.</p> <p>Recommend amending (iv) to make it clear that the method of waste collection is an issue – and this talks to advice note 1.</p> <p>Noted – no objection.</p>	Formatted Table
14	<p>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 either:</p> <p>(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 \$65,000), to be located within the subject site in an area which must be publicly visible for the duration of the development;</p> <p>(ii) Enter into a contract with a professional artist/s to design and install the artwork approved by the City of Rockingham;</p> <p>(iii) The artwork shall then be installed prior to occupation of the development and maintained thereafter to the satisfaction of the City of Rockingham; or</p> <p>(iv) Make a contribution to the City of Rockingham equal to 1% of the total construction value for the provision of public art, being \$65,000 in value, which may be utilised in the adjoining public realms.</p>	As resolved by the MODAP. No change.	
15	<p>Prior to applying for a Building Permit, a Traffic Sightline Safety Audit shall be prepared by a suitably qualified expert which demonstrates that verifies that the configuration of the vehicle crossover and proposed commercial vehicle loading bay in the street verge does not cause any road safety concerns compliant sight distance is provided for vehicles leaving the car park in proximity to the adjacent proposed commercial vehicle loading bay in the street verge, to the satisfaction of</p>	<p>Modification of wording of Condition 15, as shown in red text.</p> <p>The City has no objection.</p> <p>Noted.</p>	

	the City of Rockingham. The applicant shall implement any recommended mitigation measures identified in the Traffic Sightline Safety Audit. required to achieve compliance.	
16	Floodlighting must not be illuminated after 10pm or before 7am on any day. All illumination must be confined to the land 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.	No change.
17	Unless otherwise approved by the City of Rockingham or exempt through an applicable Local Planning Policy, entries and window frontages of the building facing the Foreshore Plaza 'main street' must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and a commercial, interactive frontage is available between the development and the public domain at all times.	Modification to wording of Condition 17, as shown in red text. <u>The City has no objection.</u> <u>Noted.</u>
18	Prior to building occupancy, the developer responsibilities outlined in Table 3 of the 'Kennedy Bay Brewery - Element 5 Vulnerable Tourism Land Uses Assessment Report', prepared by Bushfire Safety and dated 21/2/2024, shall be implemented and maintained thereafter for the duration of the development.	No change.
19	The development shall be managed to prevent the emission or transmission of odour which unreasonably interferes with the health, welfare, convenience, comfort or amenity of surrounding premises.	No change.
20	Prior to occupation of the development, public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 are to be placed on the certificate of title for portion of Lot 3007 Port Kennedy Drive, Port Kennedy (Golf Course Car Park). Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.	Removal of Condition 20, pursuant to agreement between the State of Western Australia, WABGR (leaseholder) and the City regarding the creation of an easement over the Golf Course Car Park. <u>No objection subject to the creation of the easement as per an agreement between the parties. Address this outside of the tavern DA process. To support this request please provide the City a written update that indicates the DPLH's position and willingness to create an easement over the golf course car park.</u> <u>Noted – written advice providing support from DPLH provided on 11 July 2024.</u>
21	Prior to occupation of the development, the landowner(s) shall enter into a legal agreement with the City of Rockingham to place public access easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 on proposed Lot 4 (Lot 3023) Morfontaine Parade, Port Kennedy. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.	Removal of Condition 21, addressed in updated Town Centre Car Parking strategy requiring any future development to be subject to a public access easement condition. <u>No objection. The amended LDP provides the trigger for a condition when DA's are submitted for the other lots.</u> <u>Noted.</u>
22 20	To facilitate access for a private waste servicing vehicle the plans shall be amended <u>where required</u> to increase the vertical clearance at the car park entrance. to 3.650m minimum, consistent with the Western Australian Local Government Association (WALGA) Multiple Dwelling Waste Management Plan Guidelines.	Request Condition 22 be amended to remove the reference to the height requirement. Through clearance of Condition 13 and Advice Note 1, the Applicant will demonstrate how waste can be collected by a private waste contractor on site. <u>No objection in principle. Have included 'where required' for clarity.</u> <u>Noted – no objection.</u>
21 3	Prior to occupation of the development, a public access easement in accordance with Sections 195 and 196 of the Land Administration Act 1997 is to be placed on Proposed Lot 1 (Lot 3022 Morfontaine Parade, Port Kennedy) for all car parking bays, excluding the 9 short stay accommodation bays. Notice of this easement is to be included on the Deposited Plan to the satisfaction of the City of Rockingham.	New condition to be included over Proposed Lot 1, in accordance with updated Car Parking Strategy. For discussion with the City; the proposed Condition excludes the 9 short-stay accommodation bays as being made available to the public at large, to provide secure on-site parking for the future tenants of the accommodation units at a rate of 1 bay per unit. We are of the view this balanced the operational requirements of the proposed development, whilst still ensuring 80% of the bays are made available to the public via an easement in gross. <u>No objection. This is consistent with the amended LDP.</u> <u>Noted.</u>

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Advice Notes		
1	<p>Regarding Conditions 13 and 20, the applicant is advised that the WMP should be updated to consider the need to accommodate:</p> <ul style="list-style-type: none">A full complement of FOGO bins (which the City is preparing to implement); andA waste collection vehicle that can enter the car park to collect the commercial waste bins, given the vertical clearance provided at the vehicle entry to the first floor slab level.	<p>No change.</p> <p>Linked this advice note to C20 (re-numbered) for clarity.</p> <p>Noted.</p>
2	<p>The development must comply with the <i>Food Act 2008</i>, the <i>Food Safety Standards</i> 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.</p>	<p>No change.</p>
3	<p>A Building Permit must be obtained for the proposed works prior to commencement of site works. The Applicant and owner should liaise with the City's Building Services in this regard.</p>	<p>No change.</p>
4	<p>The Tavern is to comply with the <i>Liquor Control Act 1988</i>. All relevant approvals and licenses are to be sought prior to the occupation of the development in conjunction with the Department of Local Government, Sport and Cultural Industries (DLGSC).</p>	<p>No change.</p>
5	<p>The development must comply with the <i>Health (Public Building) Regulations 1992</i>; the Applicant and owner should liaise with the City's Health Services in this regard.</p>	<p>No change.</p>
6	<p>The Applicant is responsible for protecting any existing City streetscape assets during the course of the project. 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 to the satisfaction of the City of Rockingham. It is recommended that a photographic dilapidation report is undertaken by the Applicant, to record the current condition of these assets.</p>	<p>No change.</p>

Responsible Authority Report Attachment 6

Chris Parlane

From: Zoe James <Zoe.James@dplh.wa.gov.au>
Sent: Monday, 29 July 2024 2:36 PM
To: Chris Parlane; Reyne Dial
Cc: Adrian Dhue; David Roberts; Kyle Tuck
Subject: Content Manager: RE: Timeframe - Kennedy Bay - Proposed Public Access Easement

CAUTION: This email originated from outside of the City of Rockingham. Do not click links or open attachments unless you recognise the sender and know the content is safe. If you are unsure please contact the Service Desk.

OFFICIAL

[Case 2401989]

Hi Chris and Reyne

Thanks for your emails. Roughly 12 months is a fair estimate subject to the process listed below for the Department to consider and progress the public access easement for the car park under the *Land Administration Act 1997* (LAA):

1. Department's assessment of submission by applicant, investigation and internal and external referrals by Land Use Management – this may take roughly 2-3 months all going well (however, if there is any issued raised that need to be addressed we will advise you accordingly, and it is difficult to confirm timeframes that may be associated – that being said, I can't foresee any issues and will keep you updated).
2. Subject to no objections from our due diligence process the Department will seek WABGR's agreement to proceed and costs involved – 1 to 2 weeks.
3. Issue of instructions to your nominated surveyor to prepare/lodge the Deposited Plan to depict the easement at the applicants cost – this may take 1-2 months.
4. The easement document will be prepared for the City's review and agreement. Given this is subject to external agencies agreement it is difficult to confirm timeframes. If any amendments are proposed this will need to go via the Department's Legal team which may add additional time for negotiation.
5. If no changes are proposed to the Department's precedent easement it shouldn't take too long to send the hard copy to the City for signing and assessment for duty – allow 1-2 months.
6. Lodgement of documents at Landgate to finalise.

The Department will prioritise this request where possible. Please do not hesitate to contact me with any queries.

Kind regards
Zoe

Zoe James

A/Assistant Manager | Land Management Metropolitan & Peel

Department of Planning, Lands and Heritage

140 William Street, Perth WA 6000

wa.gov.au/dplh | 6552 4569



The Department is responsible for planning and managing land and heritage for all Western Australians – **now and into the future**

The Department acknowledges the Aboriginal people of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders, past and present.

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From: Chris Parlane <Chris.Parlane@rockingham.wa.gov.au>
Sent: Monday, July 29, 2024 1:44 PM
To: Zoe James <Zoe.James@dplh.wa.gov.au>
Cc: Adrian Dhue <adrian@lateralplanning.com.au>; David Roberts <david@placedevelopment.com.au>; Reyne Dial <reyne@placedevelopment.com.au>
Subject: RE: Timeframe - Kennedy Bay - Proposed Public Access Easement

You don't often get email from chris.parlane@rockingham.wa.gov.au. [Learn why this is important](#)

Hi Zoe,

It sounds like you and Reyne have been in discussion. As such, you can ignore my message to call me.

If you can provide a brief email to Reyne that confirms the above by 11am tomorrow, this would be greatly appreciated to inform the City's reporting back to the DAP.

Regards,



Chris Parlane - Senior Planning Officer

PO Box 2142 Rockingham DC WA 6967
Civic Boulevard Rockingham Western Australia
telephone +61 8 9528 0305 facsimile +61 8 9592 1705
email Chris.Parlane@rockingham.wa.gov.au
web rockingham.wa.gov.au



From: Reyne Dial <reyne@placedevelopment.com.au>
Sent: Monday, 29 July 2024 1:40 PM
To: Zoe James <Zoe.James@dplh.wa.gov.au>
Cc: Chris Parlane <Chris.Parlane@rockingham.wa.gov.au>; Adrian Dhue <adrian@lateralplanning.com.au>; David Roberts <david@placedevelopment.com.au>
Subject: FW: Timeframe - Kennedy Bay - Proposed Public Access Easement

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Hi Zoe,

Thanks for your time on the phone this afternoon.

As discussed, please see email below from the City of Rockingham. I understand given the number of processes involved with this request which includes external parties, that this matter is likely to take in the order of 12-months to resolve, however, would you mind please confirming this by way of return email?

As noted below, there is a sense of urgency to this request to meet the upcoming JDAP meeting reporting deadlines. If I could please request a response be received by no later than 11.00am tomorrow.

Thanks again for your assistance.

Kind regards,

Reyne Dial

Place
DEVELOPMENT

+61 447 170 500
reyne@placedevelopment.com.au
PO Box 280, West Perth WA 6872
placedevelopment.com.au

From: Chris Parlane <Chris.Parlane@rockingham.wa.gov.au>

Date: Monday, 29 July 2024 at 12:10

To: Reyne Dial <reyne@placedevelopment.com.au>, Adrian Dhue <adrian@lateralplanning.com.au>

Subject: Timeframe - Kennedy Bay - Proposed Public Access Easement

Hi Reyne and Adrian,

The City's responsible authority report has been prepared to take the matter back to the DAP next week. During the review of this report the question was asked how long the DPLH will take to create the easement over the golf course car park.

Can you please get the DPLH to provide an email indicating of the timeframe they expect the easement process to take? An email would be helpful to inform the reporting. The RAR needs to be uploaded to the DAP by 12pm tomorrow. It would be helpful if this information were received by 11am tomorrow.

Don't hesitate to contact me should you wish to discuss.

Regards,



where the coast comes to life

Chris Parlane - Senior Planning Officer

PO Box 2142 Rockingham DC WA 6967
Civic Boulevard Rockingham Western Australia
telephone +61 8 9528 0305 facsimile +61 8 9592 1705
email Chris.Parlane@rockingham.wa.gov.au



From: Zoe James <Zoe.James@dplh.wa.gov.au>

Sent: Thursday, 11 July 2024 9:19 AM

To: Reyne Dial <reyne@placedevelopment.com.au>

Cc: Chris Parlane <Chris.Parlane@rockingham.wa.gov.au>; David Waller <David.Waller@rockingham.wa.gov.au>; David Roberts <david@placedevelopment.com.au>; Mike Ross <Michael.Ross@rockingham.wa.gov.au>; Ben Russ <Ben.Russ@dplh.wa.gov.au>

Subject: Content Manager: RE: RE: Kennedy Bay - Proposed Public Access Easement

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OFFICIAL

[Case 02601-1995]

Hi Reyne

Thanks for your email and submission. The Department will consider the request for the Public Access Easement for the car park to the City of Rockingham over portion of Lot 3007 on DP 413840, and is supportive subject to our due diligence investigation process being completed under section 195/196 of the *Land Administration Act 1997* (LAA). We will prioritise this where possible.

Kind regards

Zoe

Zoe James

A/Assistant Manager | Land Management Metropolitan & Peel

Department of Planning, Lands and Heritage

140 William Street, Perth WA 6000

wa.gov.au/dplh | 6552 4569



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From: Reyne Dial <reyne@placedevelopment.com.au>

Sent: Thursday, July 11, 2024 9:07 AM

To: Zoe James <Zoe.James@dplh.wa.gov.au>; Ben Russ <Ben.Russ@dplh.wa.gov.au>

Cc: Chris.Parlane <Chris.Parlane@rockingham.wa.gov.au>; David Waller <David.Waller@rockingham.wa.gov.au>; David Roberts <david@placedevelopment.com.au>; michael.ross <michael.ross@rockingham.wa.gov.au>

Subject: Re: RE: Kennedy Bay - Proposed Public Access Easement

Hi Zoe and Ben,

Sorry to press on the below as I appreciate these things take time, but the microbrewery development application is effectively on hold pending confirmation of the below.

If there's any chance of expediting a preliminary review and confirmation that this can be supported, it would be appreciated.

Happy to discuss further.

Kind regards,

Reyne Dial

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reyne@placedevelopment.com.au

PO Box 280, West Perth WA 6872

placedevelopment.com.au

From: Reyne Dial <reyne@placedevelopment.com.au>

Date: Thursday, 4 July 2024 at 15:58

To: Zoe James <Zoe.James@dplh.wa.gov.au>, Ben Russ <ben.russ@dplh.wa.gov.au>

Cc: Chris Parlane <Chris.Parlane@rockingham.wa.gov.au>, David Waller

<David.Waller@rockingham.wa.gov.au>, David Roberts <david@placedevelopment.com.au>, Mike Ross

<Michael.Ross@rockingham.wa.gov.au>

Subject: Re: RE: Kennedy Bay - Proposed Public Access Easement

Hi Zoe / Ben,

Further to previous discussions regarding the proposed microbrewery at Kennedy Bay and the subsequent request for the State of WA to support a Public Access Easement over Lot 3007, confirming I have now lodged the Crown Land Enquiry Form to formalise the process as requested.

Notwithstanding, to allow the City to finalise its assessment of the microbrewery development application with a level of certainty, are you please able to confirm by way of return email that the Department can consider / support this request?

This is required in order to enable the application to be reconsidered by the JDAP so your prompt response and favourable consideration of the above would be appreciated.

I have copied in the relevant officers from the City of Rockingham who have confirmed their support for the Public Access Easement below for your records.

Kind regards,

Reyne Dial

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reyne@placedevelopment.com.au

PO Box 280, West Perth WA 6872

placedevelopment.com.au

From: Mike Ross <Michael.Ross@rockingham.wa.gov.au>
Date: Wednesday, 26 June 2024 at 07:51
To: Reyne Dial <reyne@placedevelopment.com.au>
Cc: Chris Parlane <Chris.Parlane@rockingham.wa.gov.au>, David Waller <David.Waller@rockingham.wa.gov.au>, David Roberts <david@placedevelopment.com.au>
Subject: RE: Kennedy Bay - Proposed Public Access Easement

Morning Reyne,

Thank you for your email of 25 June 2024, with respect to the Kennedy Bay Golf Course Carpark.

I confirm, the City seeks a Public Access Easement over a portion of the golf course car park, being 45 parking bays (Lot 3007 on Deposited Plan 413840) to the City of Rockingham pursuant to section 195 and 196 of the *Land Administration Act 1997* (LAA). Notice of this easement is to be included on the Deposited Plan.

The public access easement is supported by the City's approved Kennedy Bay Coastal Village Town Centre Parking Strategy (Feb 2024) and approved Kennedy Bay Town Centre Local Development Plan, which include reciprocal parking between lots including a portion of the Kennedy Bay Golf Course Carpark.

The matter arose, when the Longbeach Brewery DAP Application for Lot 3022 Morfontaine Parade, Port Kennedy was considered at the MODAP meeting on 12 June 2024.

The DAP application was deferred in accordance with DAP Standing Orders to enable the proponent to supply evidence that public access easements required by Condition 20 are formally agreed to by third parties being the Western Australian Planning Commission.

The public access easement will provide a robust parking arrangement which will support the establishment and growth of the Kennedy Bay Town Centre.

Regards



Mike Ross - Manager Statutory Planning

PO Box 2142 Rockingham DC WA 6967
Civic Boulevard Rockingham Western Australia
telephone +61 8 9528 0334 facsimile +61 8 9592 1705
email Michael.Ross@rockingham.wa.gov.au
web rockingham.wa.gov.au



From: Reyne Dial <reyne@placedevelopment.com.au>
Sent: Tuesday, 25 June 2024 1:23 PM
To: Mike Ross <Michael.Ross@rockingham.wa.gov.au>
Cc: Chris Parlane <Chris.Parlane@rockingham.wa.gov.au>; David Waller <David.Waller@rockingham.wa.gov.au>;

David Roberts <david@placedevelopment.com.au>
Subject: Kennedy Bay - Proposed Public Access Easement

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Hi Mike,

Thanks for your time last week to discuss the parking strategy for Kennedy Bay.

As discussed, I have been liaising with DPLH with regard to the requirement for a Public Access Easement over a portion of the golf course car park (Lot 3007 on Deposited Plan 413840) to the City of Rockingham pursuant to section 195/196 of the *Land Administration Act 1997* (LAA).

DPLH have advised that they can consider a formal request and subject to their due diligence investigation process, will create a new case which can be progressed separately on a Crown land interest only deposited plan.

In support of this request, I have been asked to provide written confirmation from the City confirming its agreement to the above.

Could you please confirm by way of return email the City's position with respect to the above to allow me to progress this further with DPLH Land Use Management?

Happy to discuss if any queries.

Kind regards,

Reyne Dial

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reyne@placedevelopment.com.au
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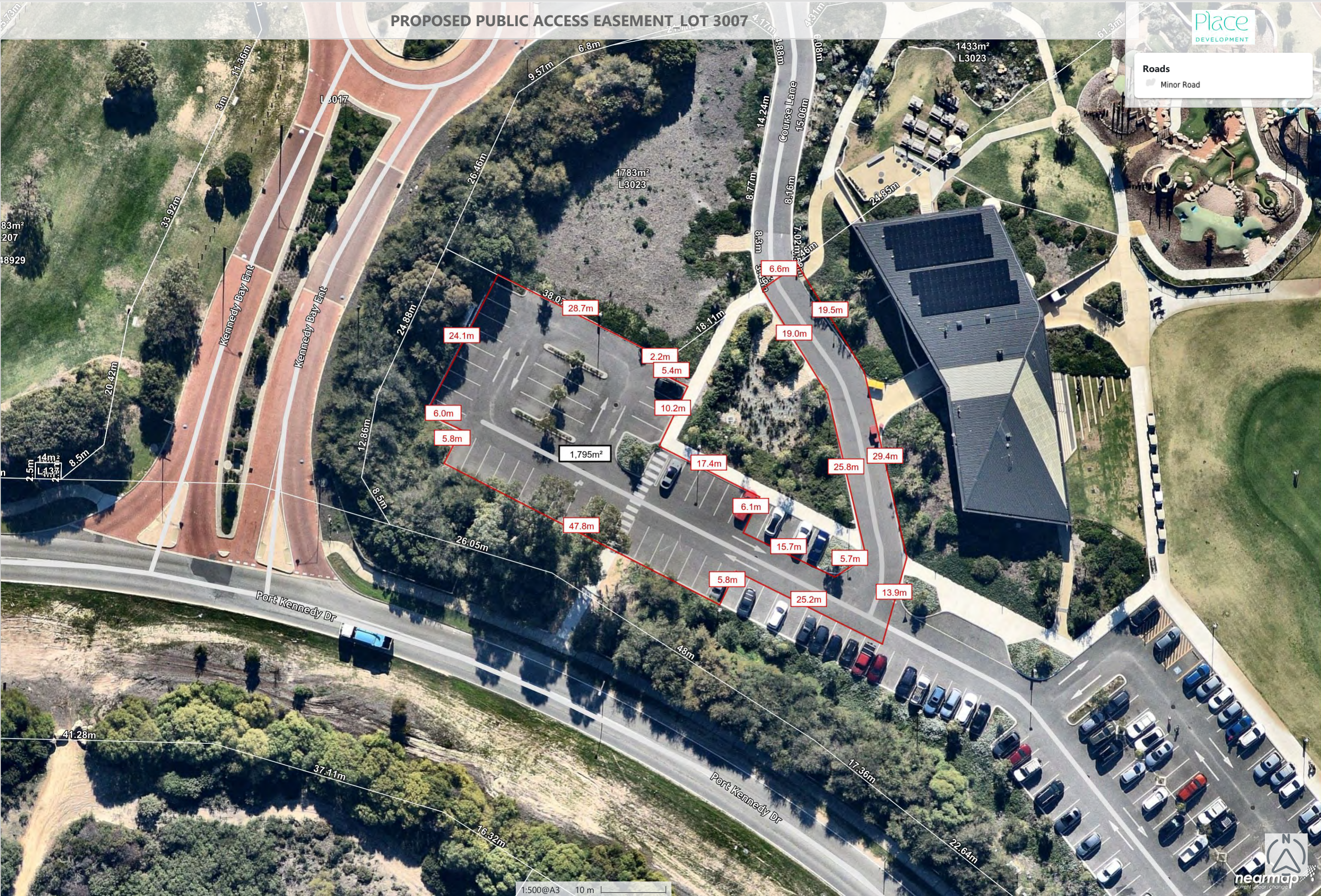
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PROPOSED PUBLIC ACCESS EASEMENT LOT 3007

Place
DEVELOPMENT

Roads

Minor Road



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP notes 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
DR193/2023 DAP/23/02545	Shire of Serpentine Jarrahdale	Lot 218 (No.575) Abernethy Road, Oakford	Proposed Educational Establishment	19/12/2023
DR94/2024 DAP/23/02623	City of Cockburn	Lot 9501 Gaebler Road, Hammond Park	Mixed Use Commercial Development	27/06/2024

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/23/02496 CIV 2251 of 2023	City of Swan	Lot 2 & 67 (No.163) and Lot 18 (No.159) James Street, Guildford	Proposed redevelopment of Vaudeville Theatre	03/11/2023

2. General Business

3. Meeting Closure

In accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.