



Planning and Development Act 2005
Section 171P(1)

**APPROVAL OF FORM 11B-1 SIGNIFICANT DEVELOPMENT
APPLICATION**

WAPC Ref: SD-016-24
Property Location: Lot 9012 (No. 3) Delos Way, Sorrento
Application Details: Residential Development (83 Multiple Dwellings)
Determination Date 14 May 2025

That the Statutory Planning Committee resolves:

- A. to note this application is capable of being determined under the applicable planning instrument, being the City of Joondalup Local Planning Scheme No. 3 and it has been considered and determined accordingly, and
- B. under s.171P(1) of the *Planning and Development Act 2005* to approve development application reference SD-016-24 and accompanying plans (date-stamped 14 April 2025) for residential development (83 Multiple Dwellings) at Lot 9012 (No. 3) Delos Way, Sorrento, subject to the following:

Conditions

Approval Timeframe

1. This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and have no further effect.

Conformity with Plans

2. The development is to be undertaken in accordance with the approved plans (date stamped 14 April 2025) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Joondalup.

3. A copy of the final working drawings (prepared for submission of relevant building permit applications) and all associated plans, report and information that address the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission.

Design and Materials

4. Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), demonstrating that the development is to be constructed with high quality and durable external materials and finishes, which are consistent with or enhance those detailed on the approved elevations of the development (date stamped 14 April 2025), to the satisfaction of the Western Australian Planning Commission.

Construction

5. (a) A Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup, prior to the submission of the relevant building permit. The Plan is to address the following, but not limited to:
 - i. hours of construction;
 - ii. temporary fencing, hoardings, gantries, and signage;
 - iii. site access and egress;
 - iv. construction traffic management;
 - v. pedestrian and cyclist management and any footpath obstructions;
 - vi. parking arrangements for staff and contractors;
 - vii. deliveries and storage of construction materials and machinery;
 - viii. management of vibration, dust, and erosion;
 - ix. management of any site dewatering or stormwater discharge;
 - x. management of construction noise and other site generated noise;
 - xi. demolition and construction waste management, recycling, and removal;
 - xii. protection of street trees and public realm infrastructure; and
 - xiii. public communication and complaint handling procedures.

(b) The approved Construction Management Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.

Landscaping and Public Realm

6. Prior to the submission of the relevant building permit application, detailed landscaping plans and specifications for both the subject site and adjoining road reserves are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup. Works within the public realm shall be undertaken at the applicant's expense in accordance with the approved plans and details and thereafter maintained to the satisfaction of the Western Australian Planning Commission.

7. (a) Prior to submission of the relevant building permit application, the landscaping plans are to be updated to provide all details relating to hard and soft landscaping and shall:
- i. Ensure all proposed bicycle racks are located wholly within the lot boundaries;
 - ii. Include reinstated pedestrian access between the West Coast Drive footpath and the pedestrian plaza on the southwestern corner of the site;
 - iii. Provide plant species, plant spacing, pot size and quantities;
 - iv. Provide details of planting on structure, including size and depth of soil areas;
 - v. Provide details of tree species, pot size and deep soil areas;
 - vi. Provide an irrigation design prepared by a certified Irrigation Designer;
 - vii. Be based on water sensitive urban design and designing out crime principles;
 - viii. Show spot levels and/or contours;
 - ix. Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500.

Be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup.

(b) Prior to occupation of the development, the applicant/landowner is to provide written confirmation from a suitably qualified professional confirming that all landscaping and reticulation has been established in accordance with the approved landscaping plans, Australian Standards and best trade practice. The approved landscaping is to thereafter be maintained to the satisfaction of the Western Australian Planning Commission.

Notifications

8. Prior to the occupation of the development, an Easement in accordance with Section 195 and 196 of the *Land Administration Act 1997* for the benefit of the City of Joondalup is to be placed on the certificate of title of the site specifying access rights to the City of Joondalup and the public at large to the portion of land in the south-western corner of the site intended to be utilised as a 'pocket park'. Notice of this easement is to be included on the diagram or plan of survey (deposited plan) and evidence provided to the Western Australian Planning Commission.
9. Prior to occupation of the development, the landowner/applicant is to register on the Certificate/s of Title a notification, pursuant to section 70A of the *Transfer of Land Act 1893*. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:

"The lot is situated in the vicinity of a maritime facility and entertainment precinct and may in the future be affected by noise arising from land uses and activities associated with Hillary Boat Harbour. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction."

Universal Access

10. (a) Prior to submission of the relevant building permit application, a Universal Access Statement, prepared by a suitably qualified person and detailing universal access within the public realm of the development site and for all building entries, is to be submitted to and approved by the Western Australian Planning Commission.
- (b) Prior to occupation of the development, the applicant is to demonstrate that universal access has been provided in accordance with the approved plans and Universal Access Statement.

Transport, Access and Parking

11. Prior to submission of the relevant building permit application, a detailed parking plan is to be prepared by a suitably qualified engineering consultant which demonstrates the proposed car parking areas, vehicle access, universal access and bicycle bays have been designed to the specifications of the City of Joondalup, in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009), Off-street Commercial Vehicle Facilities (AS2890.2:2002) and Off-street carparking – Bicycles (AS2890.3), as applicable, unless otherwise approved, to the satisfaction of the Western Australian Planning Commission on advice from the City of Joondalup.
12. (a) Prior to occupation of the development, certification is required that all car parking spaces, access aisles, loading bays and bicycle parking spaces have been designed, constructed and marked in accordance with the approved parking plan to the specifications of the City of Joondalup and in accordance with the applicable Australian Standard (as above), to the satisfaction of the Western Australian Planning Commission.
- (b) All parking bays, driveways and access points shall thereafter be maintained by the owners and/or managers of the development to the satisfaction of the Western Australian Planning Commission.
13. (a) Prior to submission of the relevant building permit application, a Wayfinding Strategy detailing signage and other measures to enhance identification of the location of the visitor car parking areas shall be submitted to and approved by the Western Australian Planning Commission on advice from the City of Joondalup.
- (b) The recommendations of the Wayfinding Strategy shall be implemented and adhered to at all times by the owners and/or managers of the development to the satisfaction of the Western Australian Planning Commission.

Noise

14. (a) Prior to submission of the relevant building permit application, a final Acoustic Report and associated construction plans, detailing effective management of

noise ingress and egress for all land uses, traffic noise, service vehicles, and mechanical equipment, to reflect plans date-stamped 14 April 2025, are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup.

(b) Prior to occupation of the development, certification is to be provided from a qualified acoustic consultant confirming that the recommendations of the approved Acoustic Report have been implemented in the completed development, to the satisfaction of the Western Australian Planning Commission.

Environmental, Lighting and Sustainability

15. (a) Prior to submission of the relevant building permit, a Stormwater Management Plan is to be submitted to and approved by the Western Australia Planning Commission, on advice from the City of Joondalup demonstrating that all stormwater can be retained on site.

(b) The approved Stormwater Management Plan is to be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

16. (a) Prior to submission of the relevant building permit application, a Lighting Strategy detailing external illumination of the development which is sympathetic to the surrounding properties and enhances the amenity and safety of the area is to be submitted to and approved by the Western Australian Planning Commission on advice from the City of Joondalup.

(b) Prior to occupation of the development, the applicant is to provide certification from a suitably qualified person demonstrating the lighting has been installed in accordance with the approved Lighting Strategy to the satisfaction of the Western Australian Planning Commission.

17. (a) The development is to achieve a minimum 4-star Green Star rating, or equivalent. Prior to the submission of the relevant building permit application, the applicant is to submit an updated sustainability report confirming the Environmentally Sustainable Design strategy that will guide construction stage and demonstrate equivalent sustainable design ratings will be achieved.

(b) The accepted sustainability initiatives shall be incorporated into the development and thereafter maintained by the owners and/or managers of the development to the satisfaction of the Western Australian Planning Commission.

Utilities and Facilities

18. The Waste Management Plan (Version 4.0 dated 5 March 2025) is to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

19. Prior to submission of the relevant building permit application, details of any proposed external facing air-conditioning condensers, external building plant, lift overruns, piping, ducting, transformers and fire control rooms being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on neighbouring properties and the public realm being submitted to and approved by the Western Australian Planning Commission, on advice from the City of Joondalup.

Advice

- (a) With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantially commencement date is calculated from the date the applicant receives the determination notice.
- (b) This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and licence or permit requirements that may relate to the development.
- (c) With regard to Condition 3, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions of this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local or State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2).

- (d) With regard to Condition 4, the developer is encouraged to incorporate materials and colours to the external surface of the building and associated structures, including roofing, that have low reflective characteristics to minimise potential glare from the development impacting the amenity of the adjoining or nearby neighbours.

- (e) With regard to Condition 8, any proposed works outside the development lot boundaries will require consent from the City of Joondalup as the road reserve owner/manager, prior to implementation.
- (f) With regard to Conditions 16, the lighting plan and subsequent installed lighting should demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997.
- (g) The bin store area is to address the requirements of a suitable enclosure under the *City of Joondalup Health Local Law 1999*.
- (h) The City of Joondalup advises that the development is required to comply with the Health (Aquatic Facilities) Regulations 2007 and the Code of Practice for the design, construction, operation, management and maintenance of aquatic facilities. The applicant is advised to liaise with the City and/or Department of Health (WA) to ensure any separate legislative requirements are satisfied prior to the submission of a building permit application.
- (i) The Water Corporation advises that building approval will be required for the development from the Water Corporation. An application can be submitted via the Water Corporation online portal BuilderNet. Documents required for approval may include final construction site plans, architectural floor plans, and hydraulics plans. The Water Corporation advises that:
 - The landowner will be responsible for funding any costs of a water connection (meter) and to make payment of the appropriate fees and charges and/or applicable Standard Infrastructure Contributions attributed to the nominated size and flow rate of the connection/s required.
 - A water connection may result in the installation of a backflow protection device. The applicant should consult a suitably qualified licensed plumbing contractor or hydraulic consultant to assess the development's requirements. The cost of the installation and ongoing testing and maintenance will be the responsibility of the lot owner.
- (j) If the landowner/applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the *Planning and Development Act 2005*.