



## **Statutory Planning Committee**

### **Minutes**

Wednesday, 14 May, 2025

- Members:**
- Commissioner Cole - Chairperson
  - Commissioner Haeren - Deputy Chairperson
  - Commissioner Adair
  - Member Franklin
  - Member Harman
  - Member Knight
  - Commissioner Lakey
  - Member Moore
- Apologies:**
- Commissioner Brookes
- Others Present**
- Sam Boucher - Manager, Commission Business
  - Christine Collins - Planning Manager, Schemes and Strategies
  - Michael Daymond - Strategic Advisor WAPC, Reform, Design and State Assessment
  - Paola Di Perna - Planning Director, State Development Assessment Unit
  - Cate Gustavsson - Executive Planning Director, Land Use Planning
  - Michelle King - Senior Commission Support Officer
  - Kim Masuku - Principal Planner, State Development Assessment Unit
  - Amy Pires - Governance Officer, Western Australian Planning Commission
  - Tim Richings - Senior Planner, Metro Central North
  - Phillida Rodic - Director, Commission Services
  - David Saunders - Assistant Director General, Land Use Planning
  - Belinda Sleaf - Commission Support Officer
  - Damien Spivey - Project Manager, Reform Design and State Assessment
  - David Stapleton - Senior Planner, Regional Central

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#### **1. Meeting Opening and Commencement**

The Chairperson declared the meeting open at 9:51am.

**1.1 Acknowledgement of Country**

The Chairperson acknowledged the Whadjuk people of the Noongar Nation as the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

**1.2 Apologies and leave of absence**

Commissioner Brookes – Apology

**1.3 Disclosure of interests**

Commissioner Haeren declared an Indirect Pecuniary Interest on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination. Commissioner Haeren advised that Urbis, his employer, are acting for the proponent. Members agreed that Commissioner Haeren should not be present during the discussion and/or decision-making procedure on the item.

Commissioner Lakey declared an Actual Impartiality Interest on Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination. Commissioner Lakey advised that a close friend of his, is the Board Chair of the proponent (Ocean Gardens Incorporated). Members agreed that Commissioner Lakey should not be present during the discussion and/or decision-making procedure on the item.

Member Franklin declared an Indirect Pecuniary Interest on Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination. Member Franklin advised that her consultancy, Franklin Planning is currently engaged as a sub-consultant to Hames Sharley, the architect on this project, on a number of unrelated planning projects. Members agreed that Member Franklin should not be present during the discussion and/or decision-making procedure on the item.

**1.4 Disclosures of representation**

Nil.

**1.5 Declaration of due consideration**

All members indicated that they had received and considered the agenda items prior to the Statutory Planning Committee meeting.

**1.5.1 Questions from members and responses from DPLH Staff**



**2. Deputations and presentations**

**Commissioner Haeren declared an Indirect Pecuniary Interest on Item 3.1 and left the meeting at 9:54am.**

**2.1 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Presenters: Jason Robinson, Ashley Fuller and Tamara Robinson - Residents**

Jason and Tamara Robinson and Ashley Fuller made a deputation to the Statutory Planning Committee regarding Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.2 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Presenter: Peter Merrett – Resident**

Peter Merrett made a deputation to the Statutory Planning Committee regarding Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.3 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Presenter: Ken Perry**

Ken Perry made a deputation to the Statutory Planning Committee regarding Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.4 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Presenter: Martin Dickie - Dickie Architects**

Martin Dickie made a deputation to the Statutory Planning Committee regarding Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.5 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Presenters: Cr Phillip Vinciullo, Cr Daniel Kingston and Cr Christine Hamilton-Prime JP - City of Joondalup**

**Presenters: Cathrine Temple - City of Joondalup and Adam Wood – City of Joondalup**

Cr Phillip Vinciullo and Cr Christine Hamilton-Prime made a deputation to the Statutory Planning Committee regarding Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

Cathrine Temple made a deputation to the Statutory Planning Committee regarding Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.6 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Presenters: Tim Dawkins - Urbis, Stuart Sinclair - Locus, Damian Long - Locus , David Hillam - Hillam and Cameron Liebgott – Urbis**

Tim Dawkins, Stuart Sinclair, Damian Long, David Hillam and Cameron Liebgott made a deputation to the Statutory Planning Committee regarding Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**Commissioner Haeren returned to the meeting at 10:58am.**

**Commissioner Lakey declared an Actual Impartiality Interest on Item 3.2 and left the meeting at 10:58am.**

**Member Franklin declared an Indirect Pecuniary Interest on Item 3.2 and left the meeting at 10:58am.**

**2.7 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (Item 3.2)**

**Presenter: Ken Perry**

Ken Perry made a deputation to the Statutory Planning Committee regarding Item 3.2 - Part 11B Development Application - Proposed



Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination.

**2.8 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (Item 3.2)**

**Presenters: Deputy Mayor Ben Mayes – Town of Cambridge and Luke Gibson – Town of Cambridge**

Deputy Mayor Ben Mayes and Luke Gibson made a deputation to the Statutory Planning Committee regarding Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination.

**2.9 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (Item 3.2)**

**Presenters: Ben Doyle - Planning Solutions, Jarrad Sizer - Proponent, Jacob Hollenberg - Ocean Gardens Retirement Village, Tim Boekhoorn - Hames Sharley and Isabelle How - Planning Solutions**

Ben Doyle, Jacob Hollenberg, Tim Boekhoorn and Isabelle How made a deputation to the Statutory Planning Committee regarding Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination. Members also noted the written submission on this Item.

**Commissioner Lakey returned to the meeting at 11:35am.**

**Member Franklin returned to the meeting at 11:35am.**

**2.10 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Derry Bayliss – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.11 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Stephanie Catlette – BHP**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.12 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Ron Alderson – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.13 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Rebecca Carmichael – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.14 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Mandy Bruce – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.15 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: David Varcoe – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.



**2.16 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Tiffany Tonkin – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.17 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Lynette Carmichael – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.18 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Janet Church – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.19 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Michael Church – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.20 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Allana Cestrilli – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.21 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Jacqueline Carmichael – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.22 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Marcus Humphreys – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.23 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Michael Murphy – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.24 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Tricia Sumich – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.

**2.25 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (Item 3.1)**

**Written Submission: Catherine Bristow-Stagg – Resident and Timothy Bristow-Stagg – Resident**

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination.



**2.26 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (Item 3.2)**

**Written Submission: Adrian Corp – Resident**

Members noted the written submission on Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination.

**2.27 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (Item 3.2)**

**Written Submission: Georgina Pollastri – Resident**

Members noted the written submission on Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination.

**2.28 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (Item 3.2)**

**Written Submission: Harry Backes – Resident**

Members noted the written submission on Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination.

**2.29 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (Item 3.2)**

**Written Submission: Michael Jones – Resident**

Members noted the written submission on Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination.

**2.30 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (Item 3.2)**

**Written Submission: Judith O'Rourke - Residents of Ocean Garden Retirement Village**

Members noted the written submission on Item 3.2 - Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination.

**3. Non-confidential items for discussion, decision or noting**

**3.1 Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination (SD-016-24)**

**Commissioner Haeren declared an Indirect Pecuniary Interest on Item 3.1 and left the meeting at 11:35am.**

In response to the deputations received on the Part 11B Development Application - Proposed Residential Development at Lot 9012 (No. 3) Delos Way, Sorrento - Determination, members were advised by the Department of Planning, Lands and Heritage (the Department) on matters discussed, including:

Members were advised that the assessment of density focused on dwelling yield, specifically the number of dwellings per square meter rather than R160 coding, relative to height and setbacks.

Members discussed that the development application was being considered under the existing planning framework which provides the decision-maker with an ability to exercise discretion, and that extraordinary provisions under S171R are not triggered.

Members queried scale and density of the project and whether it responds to the future context of the area and were advised that the proposal is considered to provide a high-quality built form outcome in an appropriate location.

Members noted that the existing estate outside of the subject lot has been developed, and the proposed development is considered appropriate with reference to the proximity to the Hepburn and Marmion Avenues intersection and Hillary's Boat Harbour.

Members discussed consideration of the Hillary's Structure Plan and options to amend the structure plan or remove a portion of land from the development zone and designate it as a higher coded residential zone.

Members requested further clarification on overshadowing and were advised that the Department conducted an overshadowing assessment, which indicated that the overshadowing was confined to the road reserve.

Members moved the recommendation of the Department of Planning, Lands and Heritage to open debate on the item.



## REPORT RECOMMENDATION

**Moved by** Commissioner Cole  
**Seconded by** Member Harman

*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:*

### 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.*

The majority of members expressed support for the development, noting that it is capable of being approved. Members discussed that the Hillary's Structure Plan was initially endorsed by the Western Australian Planning Commission (WAPC) in 2000 and subsequently amended in 2009 noting that the City of Joondalup has confirmed that a three-year extension to the structure plan has been requested, with no changes to the R50 code or the existing housing typology.

Members discussed the age of the structure plan, noting that it is 25 years old and that the State planning framework has changed over



time and acknowledged that the land has remained vacant since its initiation.

Members acknowledged the proximity to Hillary's Boat Harbour, recognising it as a tourism activity node and noted significant issues related to noise and traffic volume at the intersection of Hepburn Avenue and West Coast Drive being unsuitable for low density development.

Members noted that the State Review Design Panel (SRDP) being generally supportive of the design approach and noted that this development represents an opportunity to act as a gateway and provide a positive transition from the existing suburban context.

Members who spoke against the proposal raised concerns regarding the planning process and noted that the structure plan is still current, and that the adjoining area has been developed in accordance with this plan. Additionally, they expressed that the scale and height of the development is not an appropriate contextual response in this locality.

Members acknowledged the diversity of opinions and expressed gratitude to all deputations for their submissions and noted that the community has had strong opinions regarding the proposal.

Members voted on the recommendation of the Department of Planning, Lands and Heritage.

**The votes were recorded as follows:**

**For:** Commissioner Cole, Member Harman, Member Knight and Commissioner Lakey

**Against:** Commissioner Adair, Member Franklin and Member Moore

*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:*

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.*

**The motion was put and carried**

**Commissioner Haeren returned to the meeting at 11:57am.**

**The Chairperson declared a brief adjournment at 11:57am.**

**The meeting resumed at 12:02pm, with all attending members present.**

**3.2 Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination (SD-022-24)**

**Commissioner Lakey declared an Actual Impartiality Interest on Item 3.2 and left the meeting at 12:02pm and did not return.**

**Member Franklin declared an Indirect Pecuniary Interest on Item 3.2 and left the meeting at 12:02pm.**

In response to the deputations received on the Part 11B Development Application - Proposed Residential Development at Lot 3 (No.60) Kalinda Drive & Lot 560 Balandi Way, City Beach - Determination, members were advised by the Department of Planning, Lands and Heritage (the Department) on matters discussed, including:

Clarification on the appropriateness of the scale and density of the development within the context of the area – members were advised on the objectives of the Ocean Mia planning framework relative to the

local planning strategy and the identification for greater dwelling yield on this site and the resultant impact of the built form.

Members queried traffic and parking, and the existing parking problems raised related to the density of the proposal and visitor parking availability. It was noted that there is a lack of alternative parking options in the area and that the addition of three extra on-street parking bays would help address these concerns further noting that these bays are not exclusive to the development site.

Members requested clarification of Lot 501 owned by the Town of Cambridge and the proposed future use and were advised that the future development of the land will be assessed at the time which a proposal is presented for assessment.

Members requested clarification regarding the proposal, for retirement living noting the development on Lot 3 is proposed residential accommodation and is subject to restrictions under the *Retirement Villages Act*. Members were advised that while a restriction or occupancy condition could be imposed, during the assessment it was determined not to impose such a condition.

Members also queried having two separate proposals within one application, and whether a breakdown of the value for the project was presented and it was confirmed that the application was submitted as a whole, with certain components of the project costings applicable to both lots as a single construction project.

Members queried whether Lot 560 would have access to the facilities on Lot 3 and the retirement village and were advised that any arrangement between the parties may be sought independently.

Members requested clarification on the option to refuse the application due to concerns about it being a single development application for two lots with three separate buildings encompassing two operations, noting issues with building height, bulk, and scale. Members were advised that the development is capable of being determined and the Committee has the authority to approve or refuse parts of the application under the Section 171(s) of the *Planning and Development Act 2005* or if a deferral was considered, it would allow the proponent time to consider separating the application into distinct lots and for discussions with the Department on the separation and meeting the 11B pathway \$20million threshold.

Members moved the recommendation of the Department of Planning, Lands and Heritage to open debate on the item.



## REPORT RECOMMENDATION

**Moved by** Commissioner Cole

**Seconded by** Member Knight

*That the Statutory Planning Committee resolves:*

- A. *to note this application is not capable of being determined under the applicable planning instrument, being the Town of Cambridge Local Planning Scheme No. 1, and is seeking discretion under s.171R of the Planning and Development Act 2005 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-022-24 and accompanying development plans (date-stamped 23 April 2025) for:*
  - i. *partial demolition of existing buildings and redevelopment of part of the Ocean Gardens Independent Living Complex for 24 apartments and associated servicing and parking at Lot 3 Kalinda Drive, City Beach, and*
  - ii. *the construction of 31 multiple dwellings apartments and associated servicing and parking at Lot 560 Balandi Way, City Beach,*

### 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 be of no further effect.*

### Conformity with Plans

- 2. *The development is to be undertaken in accordance with the approved plans (date-stamped 23 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 Town of Cambridge.*
- 3. *A copy of the final working drawings (prepared for submission of relevant building permit applications) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission.*

4.
  - (a) *The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans, including elevations (date-stamped 23 April 2025) and the landscaping plans (date-stamped 26 March 2025) (other than as amended by conditions of approval) to the satisfaction of the Western Australian Planning Commission.*
  - (b) *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), to the satisfaction of the Western Australian Planning Commission.*
5. *Prior to submission of the relevant building permit application, details of any proposed external facing air-conditioning condensers, external building plant, piping, ducting, or transformers being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on the residential dwellings and that of neighbouring properties external to the site and the public realm, being submitted to, and approved by, the Western Australian Planning Commission, on advice from the Town of Cambridge.*

#### Utilities and Facilities

6. *The Waste Management Plan (date-stamped 26 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.*

#### Construction

7. *Prior to submission of demolition or relevant building permit application, a dilapidation report prepared by a suitably qualified professional is to be submitted to the satisfaction of the Western Australian Planning Commission on advice from the Town of Cambridge, detailing the current condition and status of all buildings, surrounding paved areas and ancillary structures, including but not limited to the buildings and structures on the following properties within 100 metres of the development site boundaries and road reserves:*
  - (a) *Ocean Gardens Retirement Village on Lot 3 (No. 60) Kalinda Drive, City Beach;*
  - (b) *Lots 551 - 559 (Nos. 1 - 17, inclusive) Balandi Way, City Beach;*
  - (c) *Lots 572 - 561 (Nos. 2 - 24, inclusive) Alkoomie Terrace, City Beach;*



- (d) Lots 2 - 8 (Nos. 2 - 8, inclusive) Alba Lane, City Beach;
- (e) Lots 2 - 12 (Nos. 2 - 12, inclusive) Kinta Street, City Beach.

*A copy of the dilapidation report(s) is to be provided to the Town of Cambridge and the respective landowner/s of the abovementioned properties.*

*In the event that access for undertaking the dilapidation survey is denied by a landowner, the applicant must demonstrate in writing to the satisfaction of the Western Australian Planning Commission that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.*

8.

- (a) *Prior to submission of the relevant demolition or building permit application, whichever occurs first, a Demolition and Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Town of Cambridge. The Plan is to address the following, but not limited to:*

- i. hours of construction and works;*
- 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 any construction noise or any other site generated noise;*
- xi. management, recycling and removal of demolition and construction waste;*
- xii. protection of public realm infrastructure;*
- xiii. public communication regarding the construction and compliant handling procedures.*

- (b) *The approved Demolition and Construction Management Plan is to be implemented and adhered to at all times, to the satisfaction of the Western Australian Planning Commission.*

9. *The Stormwater Management Plans dated 21 November 2024 for Buildings A and B and 24 March 2025 for Building C are to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*
10.
  - (a) *Prior to submission of the relevant building permit application, the applicant is to submit a Lighting Strategy, detailing external illumination of the development in accordance with AS4282, AS1158.3.1 and for approval by the Western Australian Planning Commission, on advice from the Town of Cambridge.*
  - (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 strategy to the satisfaction of the Western Australian Planning Commission.*

Environmental

11. *Prior to occupation of each stage of the development, certification that the landscape areas and reticulation have been completed in accordance with the Landscaping Plan (date-stamped 26 March 2025) is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Cambridge. The approved landscaping plan is to thereafter be maintained by the owners or operators of the development, to the satisfaction of the Western Australian Planning Commission.*
12. *Prior to occupation of the development, certification is to be provided from a suitably qualified environmental consultant confirming the implementation of the sustainability measures contained within the Sustainability Report (dated November 2024), and the ability of the development to be thereafter occupied and operated in accordance with the final approved Sustainability Report, to the satisfaction of the Western Australian Planning Commission.*
13. *Prior to occupation of any stage of development, all screening, including visual privacy screening and bin store screening, must be installed and thereafter maintained, to the satisfaction of the Western Australian Planning Commission.*
14. *Prior to occupation, certification is to be provided from a qualified acoustic consultant confirming that the recommendations of the approved Acoustic Report (dated 23 November 2024) have been implemented in that stage of*



*development, to the satisfaction of the Western Australian Planning Commission.*

Vehicle Access and Parking

- 15. Prior to occupation of the development, certification is required that all car parking spaces, access aisles and bicycle parking spaces have been constructed in accordance with Australian Standards AS2890.1:2004 and AS2890.3, including but not limited to sightlines (section 3.2.4), ramp gradients (section 3.3) and headroom (section 5.3) to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Cambridge.*
- 16. Prior to occupation of the development, suitable arrangements are to be made for the portion of Lot 560 Balandi Way required for the proposed public footpath adjacent to Bimbimbie Lane to be ceded to the Town of Cambridge free of cost, to the satisfaction of the Western Australian Planning Commission.*
- 17. Prior to occupation of the development, any redundant or temporary vehicle crossovers shall be removed and the kerbing, and verge landscaping reinstated, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Cambridge.*

Bushfire management

- 18. Prior to occupation of the development on Lot 560 Balandi Way, 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:*

*"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land".*

- 19. Prior to occupation of the development, certification by a Bushfire Consultant is to be provided to demonstrate that the measures included in the bushfire management plan date-stamped 26th March 2025 have been implemented in full to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cambridge.*



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 is advised it is their responsibility to ensure that the proposed development complies with all other application legislation, local laws and/or licence/permit applications that may relate to the development.*
- c. *With regard to Conditions 2 and 3, the final working drawings and associated documents are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (WAPC), and any variations from the approved development plans are to be clearly identified.*

*Once the WAPC is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, the WAPC will provide a clearance letter and copies of the working drawings to the City of Nedlands to assist with the issuing of a building permit. Where works and/or building permit are proposed to be staged, the Commission 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 of 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. *The applicant/landowner is advised that:*
  - i. *Should any structural modifications be required a Building Permit must be obtained from the Town of Cambridge prior to the commencement of such works.*
  - ii. *Formal building approval will be required for the development from the Water Corporation. Applications can be submitted via the Water Corporation's on-line portal BuilderNet. Documents required for approval may include final construction site plans, architectural floor plans and hydraulic plans. The sewer pipe within the development site will need to be protected during construction in accordance*



- with the Water Corporation Working Near Assets guidelines.*
- iii. A load connection application for electricity transmission services for the development will be required to be submitted to Western Power.*
  - iv. Plans will need to be provided to DFES Built Environment Branch for assessment, as required by Regulation 18B of the Building Regulations 2012 (as amended). Lodgement will need to be made separately for the proposed works at Lot 3 (60) Kalinda Drive and those proposed at Lot 560 Balandi Way. Any required fire services will need to be designed in accordance with the relevant Australian Standards and the Fire and Emergency Services Commissioners' Operational Requirements.*
  - e. The development approval only pertains to the works shown on the approved plans that are within the cadastral lot boundaries of the development site. Any works outside the development site are not permitted unless the prior approval and consent from the Town of Cambridge has first been granted.*
  - f. No trees outside the development site, including any verge trees, are to be removed. All trees in the adjoining reserves and verges are to be retained, and protected from damage, including unauthorised pruning, unless shown on the Landscaping Plan date-stamped 26 March 2025 or otherwise approved by the Town of Cambridge.*
  - g. A Demolition Permit may be required from the Town of Cambridge prior to commencement of any demolition works.*
  - h. The Town of Cambridge advises that in relation to the adjoining road reserve:*
    - i. The use of verge areas for temporary storage during building / demolition works requires a permit in accordance with the Town of Cambridge's Local Government and Public Property Local Law 2017.*
    - ii. Any verge treatment must be in accordance with Town of Cambridge Council Policy No. 107 - Verge Landscaping, Maintenance and Cleaning.*
  - i. A 'Vehicle Crossover Application Form' for any proposed crossover, as shown on the approved plans, must be submitted to and be to the satisfaction of the Town of Cambridge and subsequently constructed in accordance with the Town of Cambridge Council Policy No. 106 – Vehicle Crossover.*
  - 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.*

Members discussed the proposal being considered under Local Planning Scheme 2 (LPS 2) which requires extraordinary discretion in relation to residential density and taking into consideration the Ocean Mia Design Guidelines. Members noted that the application is for a development across two lots being developed and operated independently and constructed as one single project.

Members noted that the 31 apartments are spread across two buildings on Lot 560 Balandi Way which has a split R30/40 density code and the Ocean Mia Design Guidelines reference seven types of housing lots, with the subject lot identified as Type 7 – Multiple Dwelling Lot. Members noted that the two residential buildings are described as A and B, with building A incorporating 10 multi dwellings at four stories presenting a height variation of 10.15% and Building B comprises of 21 multi dwellings at six stories with a height variation of 20.45% and the site area for each dwelling is 80m<sup>2</sup>. Members acknowledged that the Ocean Mia Design Guidelines allow for of the ground level building footprint not to exceed 75% of the building zone and that the development plans indicate a 40% footprint at ground level.

Members noted that the State Design Review Panel (SDRP) expressed support for the proposal and the advice provided has been incorporated into the revised plans.

Members discussed the applicant's request to delete Condition 7 of the recommendation for the removal of dilapidation condition and members did not support the requested amendment.

Members noted the concerns from the Town of Cambridge around the interface to the laneway and discussed the impact to adjoining properties in the Ocen Mia estate. Members discussed whether the parking was adequate and whether the location was appropriate for the scale of development proposed.

Members discussed whether the application can be determined based on the discussions around the multiple lot development and noted legal advice provided ahead of the meeting.

Members discussed a motion for deferral of the application to allow the applicant the opportunity to discuss the value and land use, along with the adequacy of parking for the proposal with the Department and sought advice from the applicant on the timeframe that this could be achieved and members concluded that the next meeting on Wednesday, 4 June 2025 to be the most appropriate date for further consideration of the proposal.



## **MOTION TO DEFER**

**Moved by** Commissioner Adair

**Seconded by** Commissioner Haeren

*That the Statutory Planning Committee resolves to defer the item relating to development application reference SD-022-24 and accompanying development plans (date-stamped 23 April 2025) for:*

- (i) partial demolition of existing buildings and redevelopment of part of the Ocean Gardens Independent Living Complex for 24 apartments and associated servicing and parking at Lot 3 Kalinda Drive, City Beach, and*
- (ii) the construction of 31 multiple dwellings apartments and associated servicing and parking at Lot 560 Balandi Way, City Beach,*

*To return to the Statutory Planning Committee meeting on 4 June 2025 to seek further advice in relation to the value and land use of the components of the application and the adequacy of parking for the development.*

The Chairperson put the motion to defer to a vote.

### **The votes were recorded as follows**

**For:** Commissioner Adair and Commissioner Haeren and Member Moore

**Against:** Commissioner Cole, Member Harman, Member Knight

Due to the equality of votes the Chairperson exercised a casting vote in accordance with Regulation 14(7) of the Planning and Development (Western Australian Planning Commission) Regulations 2024

**The motion to defer was put and lost on the casting vote of the Chairperson**

## **AMENDING MOTION**

Members discussed the inclusion of a new Condition 15 to include 12 resident and three visitor bicycle parking bays within Building C of the proposal and renumbering the remaining conditions accordingly.

**Moved by** Member Knight

**Seconded by** Member Harman

- 15. Prior to submission of the relevant building permit application, the approved development plans are to be modified, to the satisfaction of the Western Australian Planning Commission, to*

*include 12 resident and three visitor bicycle parking bays within the Building C in accordance with C2.3.6 of the R-Codes.*

**The amending motion was put and carried**

Members voted on the report recommendation with the abovementioned amendment

**The votes were recorded as follows:**

**For:** Commissioner Cole, Member Harman, Member Knight

**Against:** Commissioner Adair, Commissioner Haeren and Member Moore

Due to the equality of votes the Chairperson exercised a casting vote in accordance with Regulation 14(7) of the Planning and Development (Western Australian Planning Commission) Regulations 2024 to endorse the recommendation of the Department Planning, Lands and Heritage with the abovementioned amendment for the reasons discussed and outlined in the report.

**SUBSTANTIVE RESOLUTION**

*That the Statutory Planning Committee resolves:*

- A. to note this application is not capable of being determined under the applicable planning instrument, being the Town of Cambridge Local Planning Scheme No. 1, and is seeking discretion under s.171R of the Planning and Development Act 2005 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-022-24 and accompanying development plans (date-stamped 23 April 2025) for:*
  - i. partial demolition of existing buildings and redevelopment of part of the Ocean Gardens Independent Living Complex for 24 apartments and associated servicing and parking at Lot 3 Kalinda Drive, City Beach, and*
  - ii. the construction of 31 multiple dwellings apartments and associated servicing and parking at Lot 560 Balandi Way, City Beach,*

**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 be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 23 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 Town of Cambridge.*
3. *A copy of the final working drawings (prepared for submission of relevant building permit applications) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission.*
4.
  - (a) *The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans, including elevations (date-stamped 23 April 2025) and the landscaping plans (date-stamped 26 March 2025) (other than as amended by conditions of approval) to the satisfaction of the Western Australian Planning Commission.*
  - (b) *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), to the satisfaction of the Western Australian Planning Commission.*
5. *Prior to submission of the relevant building permit application, details of any proposed external facing air-conditioning condensers, external building plant, piping, ducting, or transformers being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on the residential dwellings and that of neighbouring properties external to the site and the public realm, being submitted to, and approved by, the Western Australian Planning Commission, on advice from the Town of Cambridge.*

Utilities and Facilities

6. *The Waste Management Plan (date-stamped 26 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.*

Construction

7. *Prior to submission of demolition or relevant building permit application, a dilapidation report prepared by a suitably qualified professional is to be submitted to the satisfaction of the Western Australian Planning Commission on advice from the Town of Cambridge, detailing the current condition and status of all buildings, surrounding paved areas and ancillary structures, including but not limited to the buildings and structures on the following properties within 100 metres of the development site boundaries and road reserves:*

- (a) Ocean Gardens Retirement Village on Lot 3 (No. 60) Kalinda Drive, City Beach;*
- (b) Lots 551 - 559 (Nos. 1 - 17, inclusive) Balandi Way, City Beach;*
- (c) Lots 572 - 561 (Nos. 2 - 24, inclusive) Alkoomie Terrace, City Beach;*
- (d) Lots 2 - 8 (Nos. 2 - 8, inclusive) Alba Lane, City Beach;*
- (e) Lots 2 - 12 (Nos. 2 - 12, inclusive) Kinta Street, City Beach.*

*A copy of the dilapidation report(s) is to be provided to the Town of Cambridge and the respective landowner/s of the abovementioned properties.*

*In the event that access for undertaking the dilapidation survey is denied by a landowner, the applicant must demonstrate in writing to the satisfaction of the Western Australian Planning Commission that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.*

- 8.
- (a) Prior to submission of the relevant demolition or building permit application, whichever occurs first, a Demolition and Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Town of Cambridge. The Plan is to address the following, but not limited to:*
    - i. hours of construction and works;*
    - 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 any construction noise or any other site generated noise;*
- xi. *management, recycling and removal of demolition and construction waste;*
- xii. *protection of public realm infrastructure;*
- xiii. *public communication regarding the construction and compliant handling procedures.*

*(b) The approved Demolition and Construction Management Plan is to be implemented and adhered to at all times, to the satisfaction of the Western Australian Planning Commission.*

9. *The Stormwater Management Plans dated 21 November 2024 for Buildings A and B and 24 March 2025 for Building C are to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

10.

- (a) Prior to submission of the relevant building permit application, the applicant is to submit a Lighting Strategy, detailing external illumination of the development in accordance with AS4282, AS1158.3.1 and for approval by the Western Australian Planning Commission, on advice from the Town of Cambridge.*
- (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 strategy to the satisfaction of the Western Australian Planning Commission.*

#### Environmental

11. *Prior to occupation of each stage of the development, certification that the landscape areas and reticulation have been completed in accordance with the Landscaping Plan (date-stamped 26 March 2025) is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Cambridge. The approved landscaping plan is to thereafter be maintained by the owners or operators of the development, to the satisfaction of the Western Australian Planning Commission.*

12. *Prior to occupation of the development, certification is to be provided from a suitably qualified environmental consultant*

*confirming the implementation of the sustainability measures contained within the Sustainability Report (dated November 2024), and the ability of the development to be thereafter occupied and operated in accordance with the final approved Sustainability Report, to the satisfaction of the Western Australian Planning Commission.*

- 13. Prior to occupation of any stage of development, all screening, including visual privacy screening and bin store screening, must be installed and thereafter maintained, to the satisfaction of the Western Australian Planning Commission.*
- 14. Prior to occupation, certification is to be provided from a qualified acoustic consultant confirming that the recommendations of the approved Acoustic Report (dated 23 November 2024) have been implemented in that stage of development, to the satisfaction of the Western Australian Planning Commission.*

#### *Vehicle Access and Parking*

- 15. Prior to submission of the relevant building permit application, the approved development plans are to be modified, to the satisfaction of the Western Australian Planning Commission, to include 12 resident and three visitor bicycle parking bays within the Building C in accordance with C2.3.6 of the R-Codes.*
- 16. Prior to occupation of the development, certification is required that all car parking spaces, access aisles and bicycle parking spaces have been constructed in accordance with Australian Standards AS2890.1:2004 and AS2890.3, including but not limited to sightlines (section 3.2.4), ramp gradients (section 3.3) and headroom (section 5.3) to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Cambridge.*
- 17. Prior to occupation of the development, suitable arrangements are to be made for the portion of Lot 560 Balandi Way required for the proposed public footpath adjacent to Bimbimbie Lane to be ceded to the Town of Cambridge free of cost, to the satisfaction of the Western Australian Planning Commission.*
- 18. Prior to occupation of the development, any redundant or temporary vehicle crossovers shall be removed and the kerbing, and verge landscaping reinstated, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Cambridge.*



Bushfire management

19. Prior to occupation of the development on Lot 560 Balandi Way, 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:

*"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land".*

20. Prior to occupation of the development, certification by a Bushfire Consultant is to be provided to demonstrate that the measures included in the bushfire management plan date-stamped 26th March 2025 have been implemented in full to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cambridge.

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 is advised it is their responsibility to ensure that the proposed development complies with all other application legislation, local laws and/or licence/permit applications that may relate to the development.
- c. With regard to Conditions 2 and 3, the final working drawings and associated documents are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (WAPC), and any variations from the approved development plans are to be clearly identified.

Once the WAPC is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, the WAPC will provide a clearance letter and copies of the working drawings to the City of Nedlands to assist with the issuing of a building permit. Where works and/or

*building permit are proposed to be staged, the Commission 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 of 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. *The applicant/landowner is advised that:*
  - i. *Should any structural modifications be required a Building Permit must be obtained from the Town of Cambridge prior to the commencement of such works.*
  - ii. *Formal building approval will be required for the development from the Water Corporation. Applications can be submitted via the Water Corporation's on-line portal BuilderNet. Documents required for approval may include final construction site plans, architectural floor plans and hydraulic plans. The sewer pipe within the development site will need to be protected during construction in accordance with the Water Corporation Working Near Assets guidelines.*
  - iii. *A load connection application for electricity transmission services for the development will be required to be submitted to Western Power.*
  - iv. *Plans will need to be provided to DFES Built Environment Branch for assessment, as required by Regulation 18B of the Building Regulations 2012 (as amended). Lodgement will need to be made separately for the proposed works at Lot 3 (60) Kalinda Drive and those proposed at Lot 560 Balandi Way. Any required fire services will need to be designed in accordance with the relevant Australian Standards and the Fire and Emergency Services Commissioners' Operational Requirements.*
- e. *The development approval only pertains to the works shown on the approved plans that are within the cadastral lot boundaries of the development site. Any works outside the development site are not permitted unless the prior approval and consent from the Town of Cambridge has first been granted.*
- f. *No trees outside the development site, including any verge trees, are to be removed. All trees in the adjoining reserves and verges are to be retained, and protected from damage, including unauthorised pruning, unless shown on the Landscaping Plan date-stamped 26 March 2025 or otherwise approved by the Town of Cambridge.*



- g. *A Demolition Permit may be required from the Town of Cambridge prior to commencement of any demolition works.*
- h. *The Town of Cambridge advises that in relation to the adjoining road reserve:*
  - i. *The use of verge areas for temporary storage during building / demolition works requires a permit in accordance with the Town of Cambridge's Local Government and Public Property Local Law 2017.*
  - ii. *Any verge treatment must be in accordance with Town of Cambridge Council Policy No. 107 - Verge Landscaping, Maintenance and Cleaning.*
- i. *A 'Vehicle Crossover Application Form' for any proposed crossover, as shown on the approved plans, must be submitted to and be to the satisfaction of the Town of Cambridge and subsequently constructed in accordance with the Town of Cambridge Council Policy No. 106 – Vehicle Crossover.*
- 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.*

**The motion was put and carried on the casting vote  
of the Chairperson**

**Member Franklin returned to the meeting at 12:50pm.**

**3.3 Shire of Wickepin - Draft Local Planning Strategy No. 2 -  
Certification to Advertise (TPS/3203)**

Members agreed to endorse the recommendation of the Department of Planning, Lands and Heritage for the reasons outlined in the report.

**Moved by** Member Harman  
**Seconded by** Member Knight

*That the Statutory Planning Committee, resolves under regulation 12(4) of the Planning and Development (Local Planning Schemes) Regulations 2015, to certify the Shire of Wickepin draft Local Planning Strategy (No.2) for the purpose of proceeding to advertise the strategy, subject to:*

1. *modification of the Shire of Wickepin draft Local Planning Strategy No. 2 in accordance with the attached Schedule of Modifications (Attachments 2 and 3);*
2. *the modifications being satisfactorily undertaken, certify that the Shire of Wickepin draft Local Planning Strategy (No.2) is*

*consistent with Regulation 11(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 and suitable for advertising; and*

3. *the Shire of Wickpin draft Local Planning Strategy (No.2) to be advertised for a period of no less than 21 days, in accordance with Regulation 13(2) of the Planning and Development (Local Planning Schemes) Regulations 2015.*

**The motion was put and carried**

**4. Confidential items for discussion, decision or noting**

*The Statutory Planning Committee move to the consideration of confidential items for discussion, decision or noting and resolve, pursuant to Regulation 27 of the Planning and Development (Western Australian Planning Commission) Regulations 2024, that the meeting be closed to members of the public.*

**Moved by** Member Harman

**Seconded by** Member Knight

**The motion was put and carried**

**4.1 City of Wanneroo - District Planning Scheme No. 2, Amendment No. 219 - Recommendation to Minister (TPS/3176)**

**THIS ITEM IS CONFIDENTIAL**

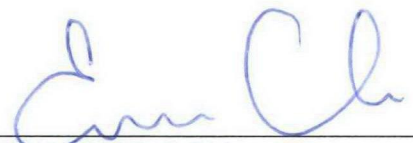
**5. Urgent or other business**

**THIS ITEM IS CONFIDENTIAL**

**6. Meeting conclusion and closure**

The next ordinary meeting is scheduled for 9:30am on Wednesday, 21 May 2025.

There being no further business before the Committee, the Chairperson thanked members for their attendance and declared the meeting closed at 1:02pm.

  
\_\_\_\_\_  
CHAIRPERSON

05/06/2025  
\_\_\_\_\_  
DATE