



## Regional Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 11 April 2024; 9.30am  
**Meeting Number:** RDAP/6  
**Meeting Venue:** 140 William Street, Perth  
**Public Observing:** Online

*This DAP meeting was live streamed open to the public rather than requiring attendance in person.*

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

[RDAP/6 - 11 Apr 2024 - City of Bunbury - City of Greater Geraldton](#)

### **PART A – INTRODUCTION**

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

### **PART B – CITY OF BUNBURY**

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Lots 6000, 10, 1036 & 501 Casuarina Drive Bunbury – Proposed northern breakwater, seabed dredging and fishing platform – DAP/24/02636
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

### **PART C – CITY OF GREATER GERALDTON**

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Lot 12 (No.238) Durlacher Street, Geraldton – Proposed mixed use development – DAP/23/02565
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations


### **PART D – OTHER BUSINESS**

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

  
**Tony Arias**  
Presiding Member, Presiding Member DAP



<b>Attendance</b>	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Tony Arias (Presiding Member)	Ashlee Kelly
Jacky Jurmann (Deputy Presiding Member)	Billy Sijan
Brian Curtis	
<i>Part B – City of Bunbury</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Todd Brown	Kim Muste
Cr Ben Andrew	
<i>Part C – City of Greater Geraldton</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Mayor Jeremiah Clune	Neraida Browne
Cr Natasha Colliver	Ryan Hall
	Heath Martin

  
**Tony Arias**  
Presiding Member, Presiding Member DAP




<b>Applicant and Submitters</b>
<i>Part B – City of Bunbury</i>
James Holder (Department of Transport) Stuart Ross (Department of Transport)
<i>Part C – City of Greater Geraldton</i>
Matthew Cain (Planning Solutions) Jean-mic du Buisson Perrine (Architects Perrine)

**Members of the Public / Media**

Nil.

**Observers via livestream**

There was 1 person observing the meeting via the livestream.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP



## PART A – INTRODUCTION

### 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.38am on 11 April 2024 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

#### 1.1 Announcements by Presiding Member

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

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

### 2. Apologies

Nil.

### 3. Members on Leave of Absence

Nil.

### 4. Noting of Minutes

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

  
Tony Arias  
Presiding Member, Presiding Member DAP



## PART B – CITY OF BUNBURY

### 1. Declaration of Due Consideration

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

### 2. Disclosure of Interests

Nil.

### 3. Form 1 DAP Applications

#### 3.1 Lots 6000, 10, 1036 & 501 Casuarina Drive Bunbury – Proposed northern breakwater, seabed dredging and fishing platform – DAP/24/02636

#### Deputations and Presentations

Kim Muste (Western Australian Planning Commission) responded to questions from the panel in relation to Item 3.1.

### REPORT RECOMMENDATION

**Moved by:** Cr Ben Andrew

**Seconded by:** Cr Todd Brown

That the Regional Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/23/02636 and accompanying plans (Plan Numbers 1911-03-01 Rev F, 1911-02-01 Rev C and 1911-03-04 Rev B) in accordance with provisions of the Greater Bunbury Region Scheme.

#### Conditions

1. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. All development must be carried out in accordance with the approved plans, unless amended with the written consent of the Responsible Authority. In the event of an inconsistency between the approved plans and a requirement of the conditions of this development approval, the requirement of the conditions prevail.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP



3. Prior to construction commencing, a Construction Environmental Management Plan (CEMP) shall be submitted for approval to the satisfaction of the Western Australian Planning Commission on advice of the Department of Water and Environmental Regulation and City of Bunbury. The CEMP shall include details regarding mitigation measures to address impacts associated with construction works and must address the following issues:
  - a) public safety and amenity;
  - b) site plan and security;
  - c) contact details of essential site personnel, construction period and operating hours;
  - d) community information, consultation and complaints management plan;
  - e) construction staging plan and dates;
  - f) noise, vibration and dust management;
  - g) pre-work dilapidation reports of surrounding properties and City of Bunbury assets;
  - h) traffic, access and parking management including swept path analysis of construction vehicles;
  - i) waste management and materials re-use and/or recycling;
  - j) earthworks, excavation, land retention / piling and associated matters;
  - k) contamination risks;
  - l) storm water and sediment control; and
  - m) protection of nearby waterways from sediment or pollution during construction phase;

The construction works shall be undertaken in accordance with the approved Construction Environmental Management Plan.

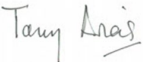
4. Prior to use commencing, any alterations, relocation, or damage of existing infrastructure within the Crown reserves and/or City of Bunbury land must be completed and reinstated at the full cost to the developer to the satisfaction of the Western Australian Planning Commission and City of Bunbury on advice of Southern Ports.
5. Prior to use commencing, as-built survey plans detailing all Southern Ports assets (road and infrastructure) are to be provided to Southern Ports, including but not limited to:
  - a) road pavement;
  - b) drainage infrastructure;
  - c) services;
  - d) sign posts; and
  - e) street lights.
6. Prior to commencement of works the applicant shall provide Southern Ports with detailed construction plans for all works including any roadways, paths, lighting and signage leading to and/or part of the proposed development to ensure no negative impact on port operations to the satisfaction of Southern Ports.
7. Construction works shall be undertaken to not interfere with port operations to the satisfaction of Southern Ports.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP



### Advice Notes

- i. This is development approval under the Greater Bunbury Region Scheme only. The applicant is advised that it is their responsibility to ensure that the development complies with all other applicable legislation and/or license requirements that may relate to the development.
- ii. In regard to Conditions 6. and 7. the applicant is recommended to liaise with Southern Ports to confirm that construction works shall not interfere with port operations. Southern Ports advises it will require uninhibited access for pilot boat vessels moored in Casuarina Boat Harbour in and out of the harbour at all times.
- iii. The proposal forms part of Stage 3.1 of the Transforming Bunbury's Waterfront project that is subject to an Environmental Protection Authority (EPA) comprehensive environmental impact assessment, set at the level of Strategic Public Environmental Review. Finalisation of the EPA assessment and the release of a Ministerial Statement under the *Environmental Protection Act 1986* shall apply to this development and all conditions must be complied with.
- iv. The Transforming Bunbury's Waterfront - Koombana Bay Coastal Hazard Risk Management and Adaption Plan (CHRMAP) 2019 applies to the application area. The development should follow the advice and recommendations of the CHRMAP.
- v. Prior to the commencement of works, the landowner/ applicant is advised to investigate whether or not approval is required pursuant to the *Aboriginal Heritage Act 1972*. The landowner/applicant should conduct a search of the Register of Aboriginal Sites to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Planning Lands and Heritage (Indigenous Affairs) with a request for advice.
- vi. The applicant is required under r.42(3) of the *Heritage Regulations 2019* to provide the Historic Heritage Conservation division of the Department of Planning Lands and Heritage with a copy of the Development Assessment Panel determination within 10 days after determination.
- vii. The Western Australian Museum recommends dredging and pile removal contractors should be inducted / briefed on the process to follow if something of potential heritage significance is found and to report the discovery and stop work in that area until the object(s) can be properly assessed and, if necessary, recovered or relocated elsewhere.
- viii. The applicant is advised that any infrastructure within the development area that requires relocation shall be relocated at the developer's cost.
- ix. The applicant is advised to liaise with the City of Bunbury to formalise any future land tenure and maintenance responsibilities.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP



## AMENDING MOTION 1

**Moved by:** Jacky Jurmann

**Seconded by:** Brian Curtis

The following amendments were made en bloc:

- (i) That Condition No. 6 be amended to read as follows:

*Prior to commencement of works the applicant shall provide Southern Ports with detailed construction plans for all works including any roadways, paths, lighting and signage leading to and/or part of the proposed development to ensure no negative impact on port operations to the satisfaction of ~~Southern Ports.~~ **the Western Australian Planning Commission on advice from Southern Ports.***

- (ii) That Condition No. 7 be amended to read as follows:

*Construction works shall be undertaken to not interfere with port operations to the satisfaction of ~~Southern Ports.~~ **the Western Australian Planning Commission on advice from Southern Ports.***

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** To provide clarity on the responsible authority for the conditions.

### REPORT RECOMMENDATION (AS AMENDED)

1. **Approve** DAP Application reference DAP/23/02636 and accompanying plans (Plan Numbers 1911-03-01 Rev F, 1911-02-01 Rev C and 1911-03-04 Rev B) in accordance with provisions of the Greater Bunbury Region Scheme.

### Conditions

1. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. All development must be carried out in accordance with the approved plans, unless amended with the written consent of the Responsible Authority. In the event of an inconsistency between the approved plans and a requirement of the conditions of this development approval, the requirement of the conditions prevail.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP





3. Prior to construction commencing, a Construction Environmental Management Plan (CEMP) shall be submitted for approval to the satisfaction of the Western Australian Planning Commission on advice of the Department of Water and Environmental Regulation and City of Bunbury. The CEMP shall include details regarding mitigation measures to address impacts associated with construction works and must address the following issues:
  - a) public safety and amenity;
  - b) site plan and security;
  - c) contact details of essential site personnel, construction period and operating hours;
  - d) community information, consultation and complaints management plan;
  - e) construction staging plan and dates;
  - f) noise, vibration and dust management;
  - g) pre-work dilapidation reports of surrounding properties and City of Bunbury assets;
  - h) traffic, access and parking management including swept path analysis of construction vehicles;
  - i) waste management and materials re-use and/or recycling;
  - j) earthworks, excavation, land retention / piling and associated matters;
  - k) contamination risks;
  - l) storm water and sediment control; and
  - m) protection of nearby waterways from sediment or pollution during construction phase;

The construction works shall be undertaken in accordance with the approved Construction Environmental Management Plan.

4. Prior to use commencing, any alterations, relocation, or damage of existing infrastructure within the Crown reserves and/or City of Bunbury land must be completed and reinstated at the full cost to the developer to the satisfaction of the Western Australian Planning Commission and City of Bunbury on advice of Southern Ports.
5. Prior to use commencing, as-built survey plans detailing all Southern Ports assets (road and infrastructure) are to be provided to Southern Ports, including but not limited to:
  - a) road pavement;
  - b) drainage infrastructure;
  - c) services;
  - d) sign posts; and
  - e) street lights.
6. Prior to commencement of works the applicant shall provide Southern Ports with detailed construction plans for all works including any roadways, paths, lighting and signage leading to and/or part of the proposed development to ensure no negative impact on port operations to the satisfaction of the Western Australian Planning Commission on advice from Southern Ports.



7. Construction works shall be undertaken to not interfere with port operations to the satisfaction of the Western Australian Planning Commission on advice from Southern Ports.

#### Advice Notes

- i. This is development approval under the Greater Bunbury Region Scheme only. The applicant is advised that it is their responsibility to ensure that the development complies with all other applicable legislation and/or license requirements that may relate to the development.
- ii. In regard to Conditions 6. and 7. the applicant is recommended to liaise with Southern Ports to confirm that construction works shall not interfere with port operations. Southern Ports advises it will require uninhibited access for pilot boat vessels moored in Casuarina Boat Harbour in and out of the harbour at all times.
- iii. The proposal forms part of Stage 3.1 of the Transforming Bunbury's Waterfront project that is subject to an Environmental Protection Authority (EPA) comprehensive environmental impact assessment, set at the level of Strategic Public Environmental Review. Finalisation of the EPA assessment and the release of a Ministerial Statement under the *Environmental Protection Act 1986* shall apply to this development and all conditions must be complied with.
- iv. The Transforming Bunbury's Waterfront - Koombana Bay Coastal Hazard Risk Management and Adaption Plan (CHRMAP) 2019 applies to the application area. The development should follow the advice and recommendations of the CHRMAP.
- v. Prior to the commencement of works, the landowner/ applicant is advised to investigate whether or not approval is required pursuant to the *Aboriginal Heritage Act 1972*. The landowner/applicant should conduct a search of the Register of Aboriginal Sites to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Planning Lands and Heritage (Indigenous Affairs) with a request for advice.
- vi. The applicant is required under r.42(3) of the *Heritage Regulations 2019* to provide the Historic Heritage Conservation division of the Department of Planning Lands and Heritage with a copy of the Development Assessment Panel determination within 10 days after determination.
- vii. The Western Australian Museum recommends dredging and pile removal contractors should be inducted / briefed on the process to follow if something of potential heritage significance is found and to report the discovery and stop work in that area until the object(s) can be properly assessed and, if necessary, recovered or relocated elsewhere.
- viii. The applicant is advised that any infrastructure within the development area that requires relocation shall be relocated at the developer's cost.

  
Tony Arias  
Presiding Member, Presiding Member DAP



- ix. The applicant is advised to liaise with the City of Bunbury to formalise any future land tenure and maintenance responsibilities.

**The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.**

**REASON:** The Panel was satisfied that the proposed 'Northern Breakwater, seabed dredging and fishing platform" are consistent with the ' Port Installation and Waterways reservation under the Greater Bunbury Region Scheme and Local Planning Scheme No. 8 and capable of being approved. The proposal is consistent with the planning framework, in particular the 2022 Bunbury Geographe Sub-regional Strategy and the City of Bunbury Local Planning Strategy 2018 which references the proposed Northern Breakwater.

The proposed development has been subject to an Environmental Protection Authority (EPA) formal environmental impact assessment, set at the level of Strategic Public Environmental Review (PER). The classification of the development as a strategic proposal by the EPA enables WAPC (decision maker) to make a determination prior to finalisation of the environmental assessment process. The RAR indicated that the finalisation of the EPA assessment and the release of a Ministerial Statement with conditions considered imminent, which will address environmental conditions.

The Panel also noted that there were no objections to the proposed development during the advertising/referral process.

**4. Form 2 DAP Applications**

Nil.

**5. Section 31 SAT Reconsiderations**

Nil.

*Cr Todd Brown and Cr Ben Andrew (Local Government DAP Member, City of Bunbury) left the panel at 9.46am.*



## PART C – CITY OF GREATER GERALDTON

Mayor Jeremiah Clune and Cr Natasha Colliver (Local Government DAP Member, City of Greater Geraldton) joined the panel at 9.47am.

### 1. Declaration of Due Consideration

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

### 2. Disclosure of Interests

Nil.

### 3. Form 1 DAP Applications

#### 3.1 Lot 12 (No.238) Durlacher Street, Geraldton – Proposed mixed use development – DAP/23/02565

#### Deputations and Presentations

Matthew Cain (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 3.1.

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

## REPORT RECOMMENDATION

**Moved by:** Mayor Jeremiah Clune

**Seconded by:** Cr Natasha Colliver

That the Regional Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/23/02565 and accompanying plans as included in Attachment 7 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City of Greater Geraldton Local Planning Scheme No. 1, subject to the following conditions:

#### Conditions

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

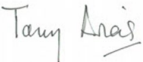
  
Tony Arias  
Presiding Member, Presiding Member DAP



2. Development/land use shall be in accordance with the attached approved plan(s) received 18 March 2024 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the RDAP or the City of Greater Geraldton.
3. Prior to lodgement of an application for a building permit, a Construction Management plan (CMP) must be submitted to and approved in writing by the local government addressing the following matters:
  - a) Hours of construction noting construction work which emits noise can only be performed during the hours of 7:00am and 7:00pm Monday to Saturday. Noise before or after these times as well as Sundays and public holidays is not permitted, unless otherwise approved in writing by the local government;
  - b) How materials and equipment will be delivered and removed from the site;
  - c) Details of measures to be put in place for the removal of any hazardous materials;
  - d) How materials and equipment will be stored on the site;
  - e) Parking arrangements for employees and contractors;
  - f) Construction waste disposal strategy and location of waste disposal bins;
  - g) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
  - h) Details of how the construction process will be managed to minimise the impact on pedestrian and vehicle movement;
  - i) Measures to be put in place to control, prevent and mitigate any environmental impacts on adjoining landowners and the surrounding road network. The matters to be addressed shall include noise, light spill, vibration, dust, sand, vehicle washdown, waste management and the movement of soil, sediment and stormwater;
  - j) Detailed measures to be put in place to protect local government assets and buildings on nearby properties during the construction period and to ensure these are reinstated to a satisfactory condition at the end of the construction process. In order to facilitate this, a dilapidation report prepared by a suitably qualified person shall be prepared detailing the current condition of all City infrastructure adjacent to the subject site and also buildings on nearby properties and a copy of this shall be provided to the City; and
  - k) Contact details of the builder and the details of the complaints handling system to be used throughout the building process.

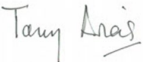
The approved CMP shall be implemented for the duration of the construction process to the satisfaction of the local government.

4. Prior to commencement of the development a detailed schedule of colours, finishes and materials shall be provided to and approved in writing by the local government. The colours, finishes and materials shall generally be consistent with the details shown on the approved plans.
5. Prior to the occupation of the development, a Travel Plan shall be submitted to and approved in writing by the local government.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP



6. Prior to an application for a building permit, an outdoor lighting plan including details of proposed lighting to pathways, communal areas and car parking areas shall be submitted to and approved in writing by the local government. The outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto adjoining properties. The approved outdoor lighting plan shall be implemented prior to the occupation of the development and thereafter maintained to the satisfaction of the local government.
7. Prior to the occupation or use of the development, a Waste and Servicing Management plan shall be submitted to and approved in writing by the local government. The plan shall include details on the location and timing of servicing and deliveries to the commercial tenancies, serviced apartments and multiple dwellings. The development shall operate in accordance with the approved Waste and Servicing Management plan unless otherwise approved in writing by the local government.
8. Prior to the occupation of the approved development, the crossovers are required to be installed to the satisfaction of the local government.
9. Prior to an application for a building permit being made, a detailed design of the stormwater collection and system of disposal from the developed areas is to be submitted to and approved in writing by the local government. The approved detailed design is to be implemented in full prior to the commencement of the approved use and maintained thereafter to the approval of the local government with all stormwater to be disposed of on-site.
10. The final art work design for the rear of the building and retaining wall facing the Cathedral Avenue/Brand Highway interchange is to be submitted to and approved by the local government and installed prior to occupation of the development.
11. Building services located on the roof and other external fixtures such as air-conditioning infrastructure, satellite dishes, solar panels, radio and other antennas, external hot water heaters and the like shall be integrated into the design of the buildings so as to not be visually obtrusive when viewed from the street.
12. Prior to an application for a building permit being made, an acoustic report completed by a suitably qualified acoustic engineer, and demonstrating that the potential noise from the proposed development will comply with the Environmental Protection (Noise) Regulations 1997, shall be submitted to and approved in writing by the local government. The acoustic report shall take into consideration noise from plant and equipment, and noise between the commercial tenancies, serviced apartments and multiple dwellings. The approved acoustic report, including any specifications, requirements and recommendations cited in the report shall be implemented and adhered to at all times, including being incorporated into the building permit application documentation (where applicable). Prior to the initial occupation of the development, the applicant shall provide written confirmation from a suitably qualified acoustic engineer, that the development has been constructed in accordance with the recommendations of the acoustic report.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP



13. Prior to an application for a building permit being made, the Noise Management Plan ( prepared by Herring Storer Acoustics, 30 November 2023) shall be revised and then submitted and approved in writing by the local government to demonstrate compliance with the provisions of State Planning Policy 5.4 – Road and Rail Noise. The revised Noise Management Plan shall reflect the final detailed design with regard to proposed noise amelioration measures.
14. The development shall be constructed and operate in accordance with the recommendations of the approved Noise Management Plan (as updated) unless otherwise approved in writing by the local government. Written certification from a suitably qualified acoustic engineer shall be provided to the local government demonstrating that the recommended measures have been undertaken to the local government's satisfaction prior to the occupation or use of the development.
15. A Notification pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the Certificate(s) of Title of the subject lot(s). The Notification is to state as follows:  
  

*“This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.”*

This notification shall be lodged and registered prior to the occupation or use of the development.
16. Prior to commencement of any works within the road reserve, detailed design civil drawings shall be submitted to and approved in writing by the local government, for the following:
  - a) design levels for all construction works;
  - b) construction plans for the verge and crossing points; and
  - c) extension of the footpath along the western side of Durlacher Street, between the subject site and Hermitage Street.

The approved works shall be implemented prior to the occupation of the development to the satisfaction of the local government. All costs associated with these works, including the construction of the footpath shall be at the expense of the landowner/proponent.
17. Prior to an application for a Building Permit being made, a Parking Management plan shall be submitted to and approved in writing by the local government. The Parking Management plan is to include details addressing the following, but not limited to:
  - a) the management of allocation of parking bays for each land use component of the development including signage and enforcement;
  - b) the installation of appropriate way finding measures to ensure efficient use of parking facilities;
  - c) management of car stacker bays for the residential and commercial components of the development;
  - d) the installation, provision and ongoing maintenance of an appropriate traffic management system to the vehicle access ramps and within the car parking areas. This system may include signals, alerts and mirrors; and



- e) the installation of appropriate signage along the frontage of the building if required to identify the location of, and access to the on-site car parking bays;
  - f) details of who will be responsible for management, operation and maintenance of parking (inclusive of car stackers);
  - g) the management measures for the operation of the vehicular entry gate(s) to ensure access is readily available for owners/visitors/tenants to the residential and non-residential uses;
  - h) the allocation of the car parking bays to ensure that there is a minimum of 66 resident, 9 visitor and 105 non-residential car parking bays provided on site; and
  - i) the allocation of the motorcycle/scooter bays to ensure there is a minimum of 7 resident and 14 non-residential motorcycle/scooter bays provided on site.
18. The area set aside for the parking of bicycles as shown on the attached approved plan(s) shall:
- a) be installed to the satisfaction of the local government prior to the commencement of the approved use;
  - b) be maintained thereafter to the satisfaction of the local government;
  - c) be designed in accordance with AS2890.3; and
  - d) a minimum of 28 resident, 4 visitor and 4 non-residential bicycle spaces being provided on site.
19. The area set aside for the parking of vehicles and motorcycle/scooters together with the associated access as shown on the attached approved plan(s) shall:
- a) be installed to the satisfaction of the local government prior to the commencement of the approved use;
  - b) be maintained thereafter to the satisfaction of the local government;
  - c) be made available for such use at all times and not used for any other purpose unless otherwise approved in writing by the local government;
  - d) be formed, constructed and drained such that bays can be used in accordance with the approved plan(s) and use;
  - e) have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the approved plan(s);
  - f) be designed in accordance with AS2890; and
  - g) provide for accessible car parking in accordance with the relevant provisions of the National Construction Code Series and AS2890 Part 6 2009.
20. All privacy screening devices and privacy glazing as shown on the approved plan(s) shall:
- a) be permanently fixed and made of durable materials;
  - b) be a minimum of 1.6 metres in height from floor level;
  - c) be installed to the satisfaction of the local government prior to the occupation of the development; and
  - d) be maintained thereafter to the satisfaction of the local government.





21. The acoustic wall adjoining Lot 2355 (No. 242) Durlacher Street, Geraldton as shown on the attached approved plan(s) shall be constructed prior to occupation of the approved development to the satisfaction of the local government. Details of the proposed surface finish and colour of the acoustic wall on the affected landowners side is to be submitted to and approved by the local government prior to installation.
22. The acoustic pool feature wall separating the pool communal area and ground floor multiple dwellings as shown on the attached approved plan(s) shall be constructed prior to occupation of the approved development to the satisfaction of the local government.
23. Prior to an application for a building permit, a detailed Landscaping plan shall be submitted to and approved in writing by the local government. The Landscaping plan shall show the following:
  - a) the location and species of proposed trees and plants;
  - b) planting size and planting density;
  - c) areas to be irrigated or reticulated;
  - d) pavement details, materials for planters, shade structures and the treatment of associated landscaped surfaces;
  - e) the provision of a minimum 7.6% deep soil areas;
  - f) the provision of a minimum of 1303.5m<sup>2</sup> of on-structure planting consistent with the locations shown on the approved plan(s);
  - g) the provision of trees within the deep soil areas in accordance with Part 3.3 Table 3.3a of the Residential Design Codes Volume 2 – Apartments; and
  - h) management and maintenance details.

All works shown in the approved landscaping plan shall be undertaken in accordance with the approved plans to the satisfaction of the local government, prior to the occupation or use of the development and maintained thereafter to the satisfaction of the local government.

### Advice Notes

1. The Travel Plan is to be prepared having regard to the provisions of the City's Travel Plans local planning policy.
2. In relation to the preparation and approval of a Construction Management Plan the landowner/proponent is advised that during construction, vehicle access to the site shall be at the location of the vehicle crossover only unless otherwise approved by the local government. In addition, no material, machinery or vehicles associated with construction shall be allowed on the verge without the prior written approval from the local government.
3. The design/construction of the shared footpath is to be in accordance with the City's Land Development Specifications. It is recommended that the proponents engineering consultants liaise with the City's Development Engineer prior to finalisation of the construction plans for the verge, crossing points and shared footpath as this will facilitate a prompt approval process and will avoid delays at the building permit application stage.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP



4. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge and footpath levels.
5. Access and facilities for people with disabilities must be provided at all times to the building and internally throughout the building in accordance with AS1428.1 2009.
6. Plans and specifications for the project must be deposited with the Department of Fire & Emergency Services in accordance with Building Regulations 2012 r.18B. For further information refer to [www.dfes.wa.gov.au](http://www.dfes.wa.gov.au)
7. The landowner/proponent is to comply with the Health (Public Buildings) Regulations 1992.
8. The landowner/proponent should liaise accordingly with the affected adjoining landowner with regard to the surface finish and colour of the acoustic wall on the affected landowners side.
9. A geotechnical report will be required given the significant excavation proposed and also noting that the adjoining property to the north (Lot 3147) is a known or suspected contaminated site under Section 15 of the Contaminated Sites Act 2003.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

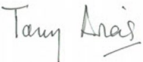
**REASON:** The Panel was satisfied that the proposed ‘Multiple Dwellings, Serviced Apartments, Restaurant/Café, Consulting Rooms and Office’ are discretionary uses within the ‘Mixed Use’ zoning and R80 Code under the City of Greater Geraldton Local Planning Scheme No. 1. The site adjoins other land also zoned ‘Mixed Use’ R80 with the land on Durlacher Street (opposite the subject property) zoned ‘Residential’ R40. The proposal was consistent with the planning framework and supported by the RAR.

The Panel noted that the proposed development sought variations to a number of the requirements of Local Planning Scheme No. 1, including Building height, Plot ratio and Tree canopy and deep soil areas. The response from the applicant and the City’s officers on these matters, and the considered manner and reasoning in the RAR as to why the variations should be supported was accepted by the Panel. The RAR concludes that the variations will not result in unacceptable impacts on the adjoining areas or undue losses of amenity.

There was also discussion regarding traffic movement in the locality as a result of the approval of the proposed development. The Transport Impact Statement for the proposed development concluded that the peak hour traffic generation is estimated to be below 100 vehicles during any peak hour and so the development traffic is considered to have a moderate impact and can be accommodated within the existing capacity of the road network. This view was supported in the RAR and by the City’s officers.

**4. Form 2 DAP Applications**


Nil

  
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**5. Section 31 SAT Reconsiderations**

Nil

  
**Tony Arias**  
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## PART D – OTHER BUSINESS


### 1. State Administrative Tribunal Applications and Supreme Court Appeals

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

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DP/14/00039 DR65/2020	Shire of York	Lots 4869 (2256), 5931, 9926 (2948) and 26934 Great Southern Highway, St Ronans	Construction and Use of Allawuna Farm for the purposes of a Class II Landfill	28 July 2020
DAP/21/02063 DR241/2021	Shire of Dardanup	Lot 2 Banksia Road, Crooked Brook	Cleanaway Dardanup Landfill Facility	5 November 2021
DAP/23/02479 DR146/2023	Shire of Capel	Lot 148 (No.168) Skippings Road, Boyanup	Extractive Industry Development Proposal	30 August 2023
DAP/23/02506 DR199/2023	Shire of Augusta-Margaret River	Lot 11 & 12 Fearn Avenue, Margaret River	Proposed Hotel and Restaurant	22 December 2023
DAP/23/02549 DR197/2023	City of Greater Geraldton	Lots 150 - 151 (205 and 181-195) Marine Terrace, Lot 152 (15) Fitzgerald Street and Lot 153 (222-228) Lester Avenue, Geraldton	Proposed Mixed Use Development	3 January 2024
DAP/23/02591 DR26/2024	City of Kalgoorlie-Boulder	Lot 9003, 9004 and 9005 Hart Kerspian Drive, Broadwood	Key workers lifestyle village – 394 grouped dwellings, communal open space, caretaker, office & communal facilities	22 February 2024

### 2. General Business


The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.

  
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Presiding Member, Presiding Member DAP



### 3. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10.11am.

  
**Tony Arias**  
Presiding Member, Presiding Member DAP