



Minutes of the Metro South West Joint Development Assessment Panel

Meeting Date and Time: 19 September 2013; 3.00pm
Meeting Number: MSWJDAP/24
Meeting Venue: City of Fremantle

Attendance

DAP Members

Mr David Gray (Presiding Member)
Mr Rory O'Brien (Alternate Deputy Presiding Member)
Mr Terence Tyzack (Alternate Specialist Member)
Cr Andrew Sullivan (Local Government Member, City of Fremantle)
Cr Jon Strachan (Local Government Member, City of Fremantle)
Cr Richard Smith (Local Government Member, City of Rockingham)
Cr Joy Stewart (Local Government Member, City of Rockingham)

Officers in attendance

Ms Natalie Martin Goode (City of Fremantle)
Mr Bob Jeans (City of Rockingham)
Mr Mike Ross (City of Rockingham)
Mr Riaan Staffen (City of Rockingham)
Mr Ian Patterson (DAPs Secretariat)

Local Government Minute Secretary

Mr Sam Van Baren (City of Fremantle)

Applicants and Submitters

Mr James Fudge (Federation Centres)
Mr David Hedgecock (Curtin University)
Ms Mally Rall (Department of Finance)
Ms Stephanie Gardiner (Department of Finance)
Ms Malaika Drew (Sandover Pinder)
Mr Murray Slavin (Slavin Architects)
Mr Stuart Neill (Slavin Architects)
Mr Rob Mollett (Mediterranean Shipping Company)
Mr Alex Ellis (Mediterranean Shipping Company)

Members of the Public

Nil

Mr David Gray
Presiding Member, Metro South-West JDAP



1. Declaration of Opening

The Presiding Member, Mr David Gray declared the meeting open at 3.02pm on 19 September 2013 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the Standing Orders 2012; No Recording of Meeting, which states: 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.' The Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Mr Ian Birch
Mr Robert Nicholson

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro South-West JDAP meeting No.23 held on the 5 September 2013, were noted by DAP members.

5. Disclosure of interests

Nil

6. Declaration of Due Consideration

All members declared that they had duly considered the documents.

7. Deputations and presentations

7.1 Mr Alex Ellis (Mediterranean Shipping Company (Aust) Pty Ltd) and Mr Rod Mollet presented for the application at Item 8.3 and answered questions of the panel.

The presentation at Item 7.1 was heard prior to the application at Item 8.3

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7.2 Mr David Hedgecock (Curtin University) presented for the application at Item 8.3.

The presentation at Item 7.2 was heard prior to the application at Item 8.3

7.3 Mr Murray Slavin and Mr Stuart Neill (Slavin Architects) presented for the application at Item 8.3.

The presentation at Item 7.3 was heard prior to the application at Item 8.3

8. Form 1 - Responsible Authority Reports – DAP Applications

PROCEDURAL MOTION

Moved by: Cr Joy Stewart

Seconded by: Mr Rory O'Brien

That the application at Item 9.1 be heard prior to the application at Item 8.3

The Procedural Motion was put and CARRIED UNANIMOUSLY.

8.1 Property Location:	Lot 195 (No. 9) Thundelarra Drive, Golden Bay
Application Details:	Proposed Primary School Development
Applicant:	Oldfield Knott Architects Pty Ltd
Owner:	Minister for Education
Responsible authority:	Department of Finance (Building Management and Works)
Report date:	11 September 2013
DoP File No:	DP/13/00653

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Rory O'Brien

Seconded by: Cr Joy Stewart

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DP/13/00653 and accompanying plans for the New Public Primary School in accordance with the 'Golden Bay Primary School' drawings prepared by Oldfield Knott Architects, being:

Drawing No. A1.01^F titled 'Site Plan – New Work';
Drawing No. A2.01^C titled 'Administration Block Floor Plan & Elevations';
Drawing No. A2.02^C titled 'Administration Block Roof Plan, Ceiling Plan & Sections';
Drawing No. A3.01^D titled 'Library Block Floor Plan';
Drawing No. A3.02^C titled 'Library Block Elevation & Sections';
Drawing No. A4.01^C titled "Teaching Block 1 Floor Plan – Overall Floorplan";

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Drawing No. A4.02^A titled 'Teaching Block 1 Floor Plan – Part 1 of 2';
Drawing No. A4.03^A titled 'Teaching Block 1 Floor Plan – Part 2 of 2';
Drawing No. A4.04^B titled 'Teaching Block 1 Elevations';
Drawing No. A4.05^C titled 'Teaching Block 1 Sections';
Drawing No. A5.01^C titled 'Teaching Block 2 Floor Plan';
Drawing No. A5.02^B titled 'Teaching Block 2 Elevations';
Drawing No. A5.03^C titled 'Teaching Block 2 Sections';
Drawing No. A6.01^C titled 'Teaching Block 3 Floor Plan';
Drawing No. A6.02^C titled 'Teaching Block 3 Elevations & Sections';
Drawing No. A6.02^C titled 'Teaching Block 3 Elevations & Sections';
Drawing No. A7.01^D titled 'Teaching Block 4 Floor Plan';
Drawing No. A7.02^D titled 'Teaching Block 4 Elevations';
Drawing No. A7.03^E titled 'Teaching Block 4 Sections';
Drawing No. A8.01^D titled 'Covered Assembly Block Floor Plan';
Drawing No. A8.02^D titled 'Covered Assembly Block Elevations & Sections';

and the 'Transportable School Buildings' drawings prepared by Patterson Group Architects, being:

Drawing A1.01¹ titled 'Standard GLA Classroom Floor & Ceiling Plan, Elevations';
Drawing A2.01¹ titled 'Pre-Primary Classroom Floor & Ceiling Plan, Win & Door Schedule';
Drawing A2.02¹ titled 'Pre-Primary Classroom Sections & Elevations';

and the Landscape Architectural drawings prepared by EPCAD, being Drawing L.01, L.02, L.03, L.04, L.05 and L.06 titled 'Site Plan General Layout Plan'; all stamped 'TPG RECEIVED 8 AUGUST 2013', in accordance with the provisions of the Metropolitan Region Scheme subject to the following conditions:

1. A Dust Management Plan to be prepared to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission prior to the commencement of site works. Once approved, the Dust Management plan is to be implemented in its entirety.
2. All stormwater produced is to be disposed of on-site to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.
3. All proposed crossovers, on-street car parking bays and works within the road reserve shall be to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.
4. All car parking and associated vehicle access areas shown on the approved plans shall be constructed, drained and marked prior to the occupation of the proposed development and thereafter maintained to the satisfaction of the Western Australian Planning Commission.

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5. The car parking and associated vehicle access areas shown on the approved plans shall be available for vehicles and shall not be used for the purpose of storage or obstructed in any way.
6. Landscaping as specified in the approved landscape plans shall be planted prior to the occupation of the proposed development and thereafter maintained to the satisfaction of the Western Australian Planning Commission.
7. All verge areas shall be landscaped and reticulated prior to the occupation of the proposed development and thereafter maintained to the specification of the City of Rockingham and to the satisfaction of the Western Australian Planning Commission.
8. A signage plan indicating the location and design of any proposed signage (including traffic directional signage) is to be prepared to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.
9. All piped and wired services, mechanical plant, equipment and storage areas are to be screened from public view to the satisfaction of the Western Australian Planning Commission.
10. A suitably screened bulk bin area is to be provided prior the occupation of the proposed development and designed to the specification of City of Rockingham and the satisfaction of the Western Australian Planning Commission.
11. The development site should be connected to the reticulated sewerage system of the Water Corporation before commencement of any use where possible. Where reticulated sewerage is not available the development should be connected to an approved effluent disposal system to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.
12. A Waste Management Plan is to be prepared to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.

Advice Notes

1. All development must comply with the provisions of the Health Regulations, Building Code of Australia, Public Building Regulations and all other relevant Acts, Regulations and Local Laws. This includes the provision of access and facilities for people with disabilities in accordance with the Building Codes of Australia.
2. The applicant is reminded of its obligations under the Building Act 2011.
3. The development being constructed in accordance with the *Disability (Access to*

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Premises – Buildings) Standards 2010.

4. Where a kindergarten and/or pre-primary facility is proposed, drop-off carparking should be located as close as possible to the front entrance of the facility.
5. The proposed canteen will require approval from the City's Environmental Health Services, and must comply with the *Health (Food Hygiene) Regulations 1993*.
6. In regard to Condition 12 the City of Rockingham require that a Waste Management Plan include the following detail:
 - a. the location of bin storage areas and bin collection areas;
 - b. the number, volume and type of bins, and the type of waste to be placed in the bins;
 - c. management of the bins and bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - d. frequency of bin collections.

If the development of the subject of this approval is not substantially commenced within a period of two years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

This decision is issued pursuant to the provisions of the Metropolitan Region Scheme, and has been made after due consideration of the regional planning implications of the proposal. Should the applicant be aggrieved by this decision there is a right to apply for a review pursuant to the provisions of Clause 33 of the Metropolitan Region Scheme. Such an application for review must be submitted to the State Administrative Tribunal, 12 St George's Terrace, Perth in accordance with Part 14 of the *Planning and Development Act 2005*. It is recommended that you contact the State Administrative Tribunal for further details (telephone 9219 3111) or go to its website: <http://www.sat.justice.wa.gov.au>

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

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8.2 Property Location: Lot 500 (No.31) Kempeana Way, Baldivis
Application Details: Construction of a New Public Primary School
Applicant: Sandover Pinder
Owner: Minister for Education
Responsible authority: Department of Finance (Building Management and Works)
Report date: 11 September 2013
DoP File No: DP/13/00671

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Richard Smith

Seconded by: Mr Rory O'Brien

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DP/13/00653 and accompanying plans for the New Public Primary School in accordance with the 'Smirk Road Primary School' drawings prepared by Sandover Pinder, being:

Drawing No. A0.01_H titled 'Master Plan';
Drawing No. A2.01_A titled 'Floor Plan – Administration, DTU & Staff Room';
Drawing No. A2.04_B titled 'Elevations – Administration, DTU & Staff Room';
Drawing No. A3.01_A titled 'Floor Plan - Library';
Drawing No. A3.04_B titled 'Elevations - Library';
Drawing No. A4.01_A titled 'Floor Plan – Teaching Block 2 (Years 1 & 2)';
Drawing No. A4.04_B titled 'Elevations and Sections – Teaching Block 2 (Years 1 & 2)';
Drawing No. A5.01_A titled 'Floor Plan – Teaching Block 3 (Years 3 & 4)';
Drawing No. A5.04_B titled 'Elevations and Sections–Teaching Block 3 (Years 3 & 4)';
Drawing No. A6.01_B titled 'Floor Plan – Teaching Block 4 Arts & Crafts';
Drawing No. A6.04_B titled 'Elevations – Teaching Block 4 Arts & Crafts (Yrs 5 & 6)';
Drawing No. A7.01_B titled 'Floor Plan – Covered Assembly, Canteen & Music Room';
Drawing No. A7.04_B titled 'Elevations and Sections – Covered Assembly, Canteen & Music Room';
Drawing No. A0.02_A titled 'Site Sections';
Drawing No. A9.01_A titled 'Coloured External Elevations';
Drawing No. A9.02_A titled 'External Materials';

and the 'Transportable School Buildings' drawings prepared by Patterson Group Architects, being:

Drawing A1.01¹ titled 'Standard GLA Classroom Floor & Ceiling Plan, Elevations';
Drawing A2.01¹ titled 'Pre-Primary Classroom Floor & Ceiling Plan, Win & Door Schedule';
Drawing A2.02¹ titled 'Pre-Primary Classroom Sections & Elevations';

and the Landscape Architectural Drawings prepared by Plan E, being:

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Drawing No. L4.101_E titled 'Landscape Construction – Hard Works';
Drawing No. L4.102_C titled 'Landscape Construction – Hard Works';
Drawing No. L4.103_E titled 'Landscape Construction – Hard Works';
Drawing No. L4.104_E titled 'Landscape Construction – Hard Works';
Drawing No. L5.101_F titled 'Landscape Construction – Soft Works';
Drawing No. L5.102_F titled 'Landscape Construction – Soft Works';
Drawing No. L5.103_F titled 'Landscape Construction – Soft Works';
Drawing No. L5.104_E titled 'Landscape Construction – Soft Works';

all stamped 'TPG RECEIVED 8 AUGUST 2013', in accordance with the provisions of the Metropolitan Region Scheme subject to the following conditions:

1. A Dust Management Plan to be prepared to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission prior to the commencement of site works. Once approved, the Dust Management plan is to be implemented in its entirety.
2. All stormwater produced is to be disposed of on-site to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.
3. All proposed crossovers, on-street car parking bays and works within the road reserve shall be to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.
4. All car parking and associated vehicle access areas shown on the approved plans shall be constructed, drained and marked prior to the occupation of the proposed development and thereafter maintained to the satisfaction of the Western Australian Planning Commission.
5. The car parking and associated vehicle access areas shown on the approved plans shall be available for vehicles and shall not be used for the purpose of storage or obstructed in any way.
6. Landscaping as specified in the approved landscape plans shall be planted prior to the occupation of the proposed development and thereafter maintained to the satisfaction of the Western Australian Planning Commission.
7. All verge areas shall be landscaped and reticulated prior to the occupation of the proposed development and thereafter maintained to the specification of the City of Rockingham and to the satisfaction of the Western Australian Planning Commission.
8. A signage plan indicating the location and design of any proposed signage (including traffic directional signage) is to be prepared to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.

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9. All piped and wired services, mechanical plant, equipment and storage areas are to be screened from public view to the satisfaction of the Western Australian Planning Commission.
10. A suitably screened bulk bin area is to be provided prior the occupation of the proposed development and designed to the specification of City of Rockingham and the satisfaction of the Western Australian Planning Commission.
11. The development site should be connected to the reticulated sewerage system of the Water Corporation before commencement of any use where possible. Where reticulated sewerage is not available the development should be connected to an approved effluent disposal system to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.
12. Measures being taken to minimise disruption to car parking areas by construction activities during school terms.
13. A Waste Management Plan is to be prepared to the specification of the City of Rockingham and the satisfaction of the Western Australian Planning Commission.

Advice Notes

1. All development must comply with the provisions of the Health Regulations, Building Code of Australia, Public Building Regulations and all other relevant Acts, Regulations and Local Laws. This includes the provision of access and facilities for people with disabilities in accordance with the Building Codes of Australia.
2. The applicant is reminded of its obligations under the Building Act 2011.
3. Confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282 – 1997, Control of obtrusive effects of outdoor lighting, at all times.
4. Car parking spaces dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking Facilities, Part 6: Off-street parking for people with disabilities, linked to the main entrance of the development by continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1-2009, Design for access and mobility, Part 1: General Requirements for access – New building work;
5. Car parking areas must be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval, prior to applying for a Building Permit – Certified;

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6. In regard to Condition 12 the City of Rockingham require that a Waste Management Plan include the following detail:
 - a. the location of bin storage areas and bin collection areas;
 - b. the number, volume and type of bins, and the type of waste to be placed in the bins;
 - c. management of the bins and bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - d. frequency of bin collections.
7. The City of Rockingham advises that due to the design of on-street car parking, footpaths need to be constructed along the back of the embayments thus eliminating the current nature strip area. Nib areas between the embayments need to be brick or concrete infilled.
8. The City of Rockingham advises that two pram ramps are required in proximity to the two disabled car parking bays within the car park accessed from Kempeana Way.

If the development of the subject of this approval is not substantially commenced within a period of two years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

This decision is issued pursuant to the provisions of the Metropolitan Region Scheme, and has been made after due consideration of the regional planning implications of the proposal. Should the applicant be aggrieved by this decision there is a right to apply for a review pursuant to the provisions of Clause 33 of the Metropolitan Region Scheme. Such an application for review must be submitted to the State Administrative Tribunal, 12 St George's Terrace, Perth in accordance with Part 14 of the *Planning and Development Act 2005*. It is recommended that you contact the State Administrative Tribunal for further details (telephone 9219 3111) or go to its website: <http://www.sat.justice.wa.gov.au>

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

Agenda Items 9 and 9.1 were considered at this time.

Mr David Gray
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9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval

9.1 Property Location:	Lots 909 & 913 Warnbro Sound Avenue and 913 & 914 Palm Springs Boulevard, Warnbro
Application Details:	Modification to DAP Planning Approval for Expansion of the Warnbro District Shopping Centre
Applicant:	TPG Town Planning and Urban Design
Owner:	CPT Custodian PTY and Fabcot Pty Ltd
Responsible authority:	City of Rockingham
Report date:	12 th September 2013
DoP File No:	DP/13/00174

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Joy Stewart

Seconded by: Mr Rory O'Brien

That the Metro Southwest JDAP resolves to:

1. Accept that the DAP Application reference DP/13/00174 as detailed on the DAP Form 2 dated 22 July 2013 is appropriate for consideration in accordance with regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011;
2. To approve the proposed modifications to the DAP Application reference DP/13/00174 as detailed on the DAP Form 2 dated 22 July 2013 and accompanying Plan No. SD201, in accordance with the provisions of Clause 6.11 of the City of Rockingham Town Planning Scheme No.2 and subclause 30(1) of the Metropolitan Region Scheme, for the proposed amendment to the approved expansion of the Warnbro District Shopping Centre at Lots 909 and 915 Warnbro Sound Avenue and 913 and 914 Palm Springs Boulevard, Warnbro, the subject being:
 - (a) To delete existing Condition No.13, which reads as follows:

“13. The intersection of Halliburton Avenue to Warnbro Sound Avenue must be modified to include two right-turn lanes plus a left-turn lane on the westbound approach to the intersection, prior to the occupation of the development.”

And replace with a revised Condition 13 as follows:

“13. The median break opposite Driveway 7 on Halliburton Avenue being closed in accordance with specifications approved by the City, prior to the occupation of the development.”



The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

Cr Richard Smith and Cr Joy Stewart left the meeting at this time (3.10pm).

Cr Jon Strachan rotated to the panel at 3.10pm

Cr Andrew Sullivan joined the panel at 3.15pm

The Presentations (7.3, 7.4 and 7.5) pertinent to Item 8.3 were heard at this time.

8.3 Property Location:	Lot 101 & 102 (11) Cliff Street, Fremantle
Application Details:	Refurbishment of existing office building and new office annex on existing car park
Applicant:	Slavin Architects
Owner:	Mediterranean Shipping Company (Aust) Pty Ltd
Responsible authority:	City of Fremantle
Report date:	12 September 2013
DoP File No:	DP/13/00554

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Jon Strachan

Seconded by: Mr Terence Tyzack

That the Metro South-West Joint Development Assessment Panel resolves to:

Approve DAP Application reference DP/13/00554 and accompanying plans dated 5 September 2013, SK200, SK201, SK202, SK203, SK204, SK205, SK206, SK207, SK462, SK300, SK301, SK302, SK303, SK304, SK900, SK9011, SK912, SK913, SK914 & SK915 in accordance with Clause 10.2 of the City of Fremantle Local Planning Scheme No. 4, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 5 September 2013. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.
2. Prior to the issue of a building permit, the applicant providing additional details regarding the following matters to the satisfaction of the Chief Executive Officer of the City of Fremantle on advice of the Design Advisory Committee:
 - a. An alternative facade design to the proposed new building that has greater regard to the architectural cues of the existing building on site and the adjoining heritage buildings;

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3. Within 12 months of an issue of a certificate of Building Compliance the design and construction of the development is to meet an equivalent NABERS rating for energy efficiency. In addition the applicant will demonstrate to the satisfaction of the Chief Executive Officer that the new build part of the development will achieve a high level of water efficiency, natural light and indoor air quality above the rating of a standard building. Any costs associated with generating, reviewing or modifying the equivalent NABERS rating is to be incurred by the owner of the development site.
4. All air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof or balconies of the building shall be located to be not visible from the street, and where visible from other buildings or vantage points shall be suitably located, screened or housed, to the satisfaction of the Chief Executive Officer, City of Fremantle.
5. Prior to occupation, the boundary walls located on the north-western and south-eastern boundaries shall be of a clean finish to the satisfaction of the Chief Executive Officer, City of Fremantle.
6. Prior to occupation of the development, the car parking and loading area(s), and vehicle access and circulation areas shown on the approved site plan, including the provision of disabled car parking, shall be constructed, drained, and line marked and provided in accordance with Clause 5.7.1(a) of the City of Fremantle Local Planning Scheme No.4, to the satisfaction of the Chief Executive Officer, City of Fremantle.
7. Prior to occupation, the west facing, third floor openings to the new annex addition on the western elevation shall be either:
 - a. fixed obscured or translucent glass to a height of 1.60 metres above floor level, or
 - b. fixed with vertical screening, with openings not wider than 5cm and with a maximum of 25% perforated surface area, to a minimum height of 1.60 metres above the floor level, or
 - c. screened by an alternative method to the satisfaction of the Chief Executive Officer, City of Fremantle,and thereafter maintained to the satisfaction of Chief Executive Officer, City of Fremantle.
8. The works hereby approved shall be undertaken in a manner which does not irreparably damage any original or significant fabric of the building.

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Should the works subsequently be removed, any damage shall be rectified to the satisfaction of the Chief Executive Officer, City of Fremantle.

9. Prior to the submission of a Building Permit, the applicant is to submit to the City details of the following, to the satisfaction of the Chief Executive Officer, City of Fremantle;
 - a. Details of internal works proposed for the provision of internal plumbing, electrical and safety services and how the impact on the heritage fabric of the existing place will be minimised; and,
 - b. The details of any treatments to internal surfaces, materials, finishes or replacement of existing fabric that may be necessary for the provision of other services that may impact on the heritage fabric of the place but are necessary for the achievement of other conditions included in this approval.
 - c. Detailed documentation of the proposed sky deck area and a materials and colours schedule of the existing building and new addition, noting the requirement that the colour of the shade fins should not result in a dominant feature, approved/endorsed by the State Heritage Office.

10. Prior to occupation, the design and materials of the development of the new building portions shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the new annex development shall provide the following:
 - a. Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b. Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use; and
 - c. Roof insulation in accordance with the requirements of the Building Codes of Australia.

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Presiding Member, Metro South-West JDAP



AMENDING MOTION

Moved by: Cr Jon Strachan

Seconded by: Mr Terence Tyzack

To amend the wording of Condition No. 1 to read:

“This approval relates only to the development as indicated on the approved plans, dated 5 September 2013. It does not relate to any other development on this lot and if the development of the subject of this approval is not substantially commenced within a period of four years from the date of the decision letter, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.”

REASON: To provide clarity and certainty in setting the terms of commencement for the proposed development.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Cr Jon Strachan

Seconded by: Cr Andrew Sullivan

To delete Condition No. 2 and renumber subsequent conditions.

REASON: The proposed facade design is well considered and appropriate to the context.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Cr Jon Strachan

Seconded by: Cr Andrew Sullivan

To amend the wording of Condition No. 3 to read:

“The design and construction of the development is to meet an equivalent NABERS rating for energy efficiency. In addition the applicant will demonstrate to the satisfaction of the Chief Executive Officer that the new build part of the development will achieve a high level of water efficiency, natural light and indoor air quality above the rating of a standard building.”

REASON: The NABERS ratings are a requirement of building compliance and will need to be complied to proceed.

The Amending Motion was put and CARRIED UNANIMOUSLY.



AMENDING MOTION

Moved by: Cr Jon Strachan

Seconded by: Cr Andrew Sullivan

To delete condition No. 7 and renumber subsequent conditions.

REASON: The windows of the adjacent building are non-permeable, do not light living spaces and are partially screened by proposed sunshades such that overlooking is not an issue. The Amending Motion was put and CARRIED (3/2).

For: Cr Jon Strachan
Cr Andrew Sullivan
Mr Rory O'Brien
Against: Mr David Gray
Mr TerenceTyzack

AMENDING MOTION

Moved by: Mr David Gray

Seconded by: Mr TerenceTyzack

To amend Condition No. 8 to read:

“Heritage works hereby approved shall be undertaken in a manner which does not irreparably damage any original or significant fabric of the heritage buildings. Should the works subsequently be removed, any damage shall be rectified to the satisfaction of the Chief Executive Officer, City of Fremantle.”

REASON: To clarify that this condition applies to the heritage buildings and not the new building.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr TerenceTyzack

Seconded by: Mr Rory O'Brien

To amend Condition No. 9 (c) to read:

“Detailed documentation of the proposed sky deck area and a materials and colours schedule of the existing building and new addition, noting the requirement that the colour of the shade fins should not result in a dominant feature.”

REASON: To clarify the approving authority for the condition.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Mr David Gray
Presiding Member, Metro South-West JDAP



PRIMARY MOTION (AS AMENDED)

Moved by: Cr Jon Strachan

Seconded by: Mr Terence Tyzack

That the Metro South-West Joint Development Assessment Panel resolves to:

Approve DAP Application reference DP/13/00554 and accompanying plans dated 5 September 2013, SK200, SK201, SK202, SK203, SK204, SK205, SK206, SK207, SK462, SK300, SK301, SK302, SK303, SK304, SK900, SK9011, SK912, SK913, SK914 & SK915 in accordance with Clause 10.2 of the City of Fremantle Local Planning Scheme No. 4, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 5 September 2013. It does not relate to any other development on this lot and if the development of the subject of this approval is not substantially commenced within a period of four years from the date of the decision letter, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained
2. The design and construction of the development is to meet an equivalent NABERS rating for energy efficiency. In addition the applicant will demonstrate to the satisfaction of the Chief Executive Officer that the new build part of the development will achieve a high level of water efficiency, natural light and indoor air quality above the rating of a standard building.
3. All air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof or balconies of the building shall be located to be not visible from the street, and where visible from other buildings or vantage points shall be suitably located, screened or housed, to the satisfaction of the Chief Executive Officer, City of Fremantle.
4. Prior to occupation, the boundary walls located on the north-western and south-eastern boundaries shall be of a clean finish to the satisfaction of the Chief Executive Officer, City of Fremantle.
5. Prior to occupation of the development, the car parking and loading area(s), and vehicle access and circulation areas shown on the approved site plan, including the provision of disabled car parking, shall be constructed, drained, and line marked and provided in accordance with Clause 5.7.1(a) of the City of Fremantle Local Planning Scheme No.4, to the satisfaction of the Chief Executive Officer, City of Fremantle.
6. Heritage works hereby approved shall be undertaken in a manner which does not irreparably damage any original or significant fabric of the

Mr David Gray
Presiding Member, Metro South-West JDAP



heritage buildings. Should the works subsequently be removed, any damage shall be rectified to the satisfaction of the Chief Executive Officer, City of Fremantle

7. Prior to the submission of a Building Permit, the applicant is to submit to the City details of the following, to the satisfaction of the Chief Executive Officer, City of Fremantle;
 - a. Details of internal works proposed for the provision of internal plumbing, electrical and safety services and how the impact on the heritage fabric of the existing place will be minimised; and,
 - b. The details of any treatments to internal surfaces, materials, finishes or replacement of existing fabric that may be necessary for the provision of other services that may impact on the heritage fabric of the place but are necessary for the achievement of other conditions included in this approval.
 - c. Detailed documentation of the proposed sky deck area and a materials and colours schedule of the existing building and new addition, noting the requirement that the colour of the shade fins should not result in a dominant feature.
8. Prior to occupation, the design and materials of the development of the new building portions shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the new annex development shall provide the following:
 - a. Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b. Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use; and
 - c. Roof insulation in accordance with the requirements of the Building Codes of Australia.

The Primary Motion (As Amended) was put and CARRIED UNANIMOUSLY.

10. Appeals to the State Administrative Tribunal

Nil

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11. Meeting Close

The Presiding Member reminded the meeting that in accordance with Standing Order 7.3 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the presiding member declared the meeting closed at 4.08pm.

A handwritten signature in black ink, appearing to read 'D. Gray', written over a horizontal line.

Mr David Gray
Presiding Member, Metro South-West JDAP