



## **Metro South-West Joint Development Assessment Panel Agenda**

**Meeting Date and Time:** 26 July 2018; 1:00pm  
**Meeting Number:** MSWJDAP/164  
**Meeting Venue:** City of Cockburn  
9 Coleville Crescent  
Spearwood

### **Attendance**

#### **DAP Members**

Mr Tony Arias (Presiding Member)  
Mr Brian Curtis (A/Deputy Presiding Member)  
Mr Andrew MacIver (Specialist Member)

#### *Item 8.1*

Cr Chris Elliot (Local Government Member, City of Rockingham)  
Cr Deb Hamblin (Local Government Member, City of Rockingham)

#### *Items 8.2 and 10.1*

Cr Charmonix Terblance (Local Government Member, City of Cockburn)  
Cr Carol Reeve-Fowkes (Local Government Member, City of Cockburn)

### **Officers in attendance**

#### *Item 8.1*

Mr Greg Delahunty (City of Rockingham)

#### *Items 8.2 and 10.1*

Mr Don Bothwell (City of Cockburn)  
Mr Patrick Andrade (City of Cockburn)  
Mr Andrew Lefort (City of Cockburn)  
Mr Daniel Arndt (City of Cockburn)

### **Minute Secretary**

Ms Lynette Jakovcevic (City of Cockburn)

### **Applicants and Submitters**

#### *Item 8.1*

Mr Ben Carter (Pinnacle Planning)

#### *Item 8.2*

Ms Emma Van Der Linden (RobertsDay)  
Mr Ryan Darby (RobertsDay)  
Mr Greg Zieschang (Opal Aged Care)  
Mr Chris Fagri (Johnstaff)  
Mr Joel Bryan (Johnstaff)  
Mr Todd Paterson (KPA Architects)  
Mr John Loreck (KPA Architects)



*Item 10.1*

Mr Alexander Kingsbury (Lavan)  
Mr Tony Watson (MW Urban)  
Mr Matthew Elliot (Accord Property)

**Members of the Public / Media**

Nil

**1. Declaration of Opening**

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

**2. Apologies**

Nil

**3. Members on Leave of Absence**

Nil

**4. Noting of Minutes**

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

**5. Declarations of Due Consideration**

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

**6. Disclosure of Interests**

Nil

**7. Deputations and Presentations**

The City of Rockingham and City of Cockburn may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

**8. Form 1 – Responsible Authority Reports – DAP Applications**

<b>8.1</b>	Property Location:	Lot 61 (No.37) and Lot 62 (No.39) Council Avenue, Rockingham
	Development Description:	Proposed Mixed Use Development – 62 Multiple Dwellings, 13 Consulting Rooms, Two Shops and a Restaurant
	Applicant:	Pinnacle Planning Services Pty Ltd
	Owner:	Rockingham No 1 Pty Ltd
	Responsible Authority:	City of Rockingham
	DAP File No:	DAP/18/01398



**8.2**    Property Location:                      Lot 7002 Abelia Road, Treeby  
             Development Description:        Residential Aged Care Facility  
             Applicant:                              Roberts Day  
             Owner:                                      Principal Healthcare Finance Pty Ltd  
             Responsible Authority:              City of Cockburn  
             DAP File No:                              DAP/18/01405

**9.    Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval**

Nil

**10.   Appeals to the State Administrative Tribunal**

**10.1**   Property Location:                      Lot 803 Yangebup Road, Yangebup  
             Development Description:        Service Station  
             Applicant:                              MW Urban  
             Owner:                                      RPD 1 Pty Ltd  
             Responsible Authority:              City of Cockburn  
             DAP File No:                              DAP/17/01335

**11.   General Business / Meeting Closure**

In accordance with Section 7.3 of the DAP Standing Orders 2017 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.



## Form 1 – Responsible Authority Report (Regulation 12)

<b>Property Location:</b>	Lot 61 (No.37) and Lot 62 (No.39) Council Avenue, Rockingham
<b>Development Description:</b>	Proposed Mixed Use Development – 62 Multiple Dwellings, 13 Consulting Rooms, Two Shops and a Restaurant
<b>DAP Name:</b>	Metro South-West JDAP
<b>Applicant:</b>	Pinnacle Planning Services Pty Ltd
<b>Owner:</b>	Rockingham No 1 Pty Ltd
<b>Value of Development:</b>	\$14.3 million
<b>LG Reference:</b>	DD020.2018.87.1
<b>Responsible Authority:</b>	City of Rockingham
<b>Authorising Officer:</b>	Peter Ricci, A/Director Planning and Development Services
<b>DAP File No:</b>	DAP/18/01398
<b>Report Due Date:</b>	16 July 2018
<b>Application Received Date:</b>	11 April 2018
<b>Application Process Days:</b>	60 Days
<b>Attachment(s):</b>	<div>1. Development Application Submission:<ul style="list-style-type: none"><li>• Planning Report</li><li>• Certificates of Title</li><li>• Traffic Report</li><li>• Acoustic Impact Statement</li><li>• Development Plan</li><li>• Landscape Plans</li></ul></div> <div>2. Design Review Panel – Meeting Note</div>

### Officer Recommendation:

That the Metro South-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/18/01398 as detailed on the DAP Form 1 date 11 April 2018 and accompanying plans:

- Location Plan & Overshadowing, Drawing A2, dated 23.5.18
- Site Plan, Drawing A3, dated 23.5.18
- Ground Floor, Drawing A4, dated 23.5.18
- Basement, Drawing A5, dated 23.5.18
- Mezzanine, Drawing A6, dated 23.5.18
- First Floor, Drawing A7, dated 23.5.18
- Second to Fifth Floor, Drawing A8, dated 23.5.18
- Sixth Floor, Drawing A9, dated 23.5.18
- Roof Plan, Drawing A10, dated 23.5.18
- Elevation 1, Drawing A11, dated 23.5.18
- Elevation 2, Drawing A12, dated 23.5.18
- Elevation 3, Drawing A13, dated 23.5.18
- Elevation 4, Drawing A14, dated 23.5.18
- Elevation 5, Drawing A15, dated 23.5.18
- Section 1, Drawing A16, dated 23.5.18

in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of clause 68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No. 2, subject to the following conditions as follows:

### **Conditions**

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. Prior to development commencing, arrangements must be made to the satisfaction of the City of Rockingham for the landowner/applicant to contribute towards the costs of providing the Administration and Community Infrastructure items pursuant to clause 5.5.14 of the *City of Rockingham Town Planning Scheme No.2*.
3. Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for the amalgamation of Lot 61 Council Avenue, Rockingham and Lot 62 Council Avenue, Rockingham into one Certificate of Title.

The amalgamation must be completed prior to occupation of the development.

4. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
5. Prior to applying for a Building Permit, plans must be prepared by a suitably qualified engineer showing how stormwater will be contained on-site and those plans must be submitted to the City of Rockingham for its approval.

All stormwater generated by the development must be contained and disposed of on-site to the satisfaction of the City of Rockingham.

6. Prior to applying for a Building Permit, a Landscaping Plan to the satisfaction of the City of Rockingham must be prepared and must include the following detail:
  - (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
  - (ii) Any lawns to be established;
  - (iii) Any natural landscape areas to be retained;
  - (iv) Those areas to be reticulated or irrigated; and
  - (v) The street setback area and all verge areas including landscaping, paving and reticulation must be upgraded in accordance with the Rockingham City Centre Streetscape Study.

The landscaping, paving and reticulation must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham for the duration of the development.

7. The car park(s) must:-

- (i) provide a minimum of 94 parking spaces;
- (ii) 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;
- (iii) include one car parking space(s) 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 a 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*;
- (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; and
- (v) have lighting installed, prior to the occupation of the development.

The car park must comply with the above requirements for the duration of the development.

8. Prior to applying for a Building Permit the applicant must submit a Parking Control and Management Plan to the City of Rockingham for approval. The Parking Control and Management Plan must demonstrate:

- (i) how resident, tenant and customer parking bays will be managed; and
- (ii) that vehicles can access and egress the carparks and the building in a safe manner.

The Parking Control and Management Plan must be implemented for the duration of the development.

9. In accordance with City of Rockingham *Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities*, thirteen short-term bicycle parking spaces and six long-term bicycle parking spaces must be provided for the development.

The bicycle parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities* and must be approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development.

The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.

10. In accordance with City of Rockingham *Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities*, two secure hot-water showers, change rooms and clothing lockers must be provided for the development which must be designed in accordance with that Policy and approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development.

The showers, change rooms and lockers must be retained and maintained in good and safe condition for the duration of the development

11. Prior to applying for a Building Permit, clothes drying facilities (excluding electric clothes dryers) shall be screened from view of any adjacent public road or internal access street.

These clothes drying facilities must be implemented as such for the duration of the development.

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

- (i) the location of bin storage areas and bin collection areas;
- (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
- (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
- (iv) frequency of bin collections.

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

13. Prior to applying for a Building Permit, an Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source, including noise emanating from Licensed Premises, will comply with the *Environmental Protection (Noise) Regulations 1997*, must be submitted to and approved by the City of Rockingham.

All works must be carried out in accordance with the Acoustic Report, and implemented as such for the duration of the development.

14. Prior to applying for a Building Permit, a Sign Strategy must be prepared (which must include the information required by *Planning Policy 3.3.1, Control of Advertisements*) to the satisfaction of the City of Rockingham and it must thereafter be implemented for the duration of the development.

15. Prior to applying for a Building Permit, the applicant must demonstrate to the satisfaction of the City of Rockingham that ground floor glazing fronting Council Avenue has a minimum visible light transmission rate of at least 79% and a maximum visible reflectivity rate of 9% in order ensure that a commercial, interactive frontage is available to the development from Council Avenue.

The glazing must be thereafter be installed and maintained to the satisfaction of the City of Rockingham for the duration of the development.

16. In accordance with the requirements of *Planning Policy 3.2.1 – Development Policy Plan - City Centre Sector*, entries and window frontages facing the street of ground floor tenancies must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds or roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from the internal street, at all times.
17. All doors of the commercial tenancies facing the Council Avenue frontages of the building must be accessible to customers and not locked during all hours when the subject premises are trading.
18. Public or customer access must be from Council Avenue.
19. Above-ground meter boxes must not be located in a street setback area at any time.
20. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
21. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public views and/or screened, the details of which are to be provide to the City of Rockingham's satisfaction prior to applying for a Building Permit.

#### Advice Notes

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Development Approval must be submitted to the City of Rockingham.
2. The installation of security cameras linked to the City of Rockingham's security camera surveillance system should be considered, to provide surveillance of the proposed facility and public areas adjacent to the development.
3. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant should liaise with the City's Building Services in this regard.
4. With respect to the landscaping plan, the applicant and owner should liaise with the City of Rockingham's Land Development & Infrastructure Services to confirm requirements for landscaping plans.
5. All works in the road reserve, including construction of a crossover or footpath, installation of on-street car parking spaces and any works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham's Engineering Services in this regard.



### Details: outline of development application

Insert Zoning	MRS:	Central City Area
	TPS:	Primary Centre City Centre
Insert Use Class:		Multiple Dwellings, Shop, Consulting Room, Restaurant
Insert Strategy Policy:		Rockingham Strategic Regional Centre: Centre Plan Planning Policy 3.2.1 – Development Policy Plan City Centre Sector Planning Policy 3.3.14 – Bicycle Parking and End of Trip Facilities
Insert Development Scheme:		City of Rockingham Town Planning Scheme No.2
Insert Lot Size:		Lot 61 = 818.80m <sup>2</sup> Lot 62 = 1,818.56m <sup>2</sup> Total = 2,637.36m <sup>2</sup>
Insert Existing Land Use:		Vacant

The applicant seeks Development Approval for two, eight storey mixed use, buildings fronting Council Avenue. Specifically, the development comprises the following:

#### Northern Building:

- Thirty-two multiple dwellings, including:
  - Thirty-one 2 bedroom x 2 bathroom; and
  - One 3 bedroom x 2 bathroom.
- Three ground floor commercial tenancies including:
  - 83m<sup>2</sup> cafe tenancy fronting Council Avenue;
  - 103m<sup>2</sup> commercial tenancy fronting Council Avenue; and
  - 163m<sup>2</sup> pharmacy tenancy fronting the rear service road.
- Mezzanine Level including:
  - BBQ area;
  - A meeting room;
  - A lounge; and
  - Mezzanine levels for the commercial tenancies fronting Council Avenue.

#### Southern Building:

- Thirty multiple dwellings, including:
  - Twenty-eight 2 bedroom x 2 bathroom; and
  - Two 3 bedroom x 2 bathroom.
- One ground floor medical Centre fronting Council Avenue including:
  - Eight consulting rooms;

- One physio suite; and
- One pathology suite.
- Mezzanine Level including:
  - 264m<sup>2</sup> office; and
  - A yoga studio.
- Twenty-three residential car bays on the first floor.

Both Buildings:

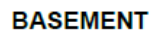
- Basement level including:
  - Forty-one residential car bays;
  - Twenty seven commercial car bays (including one accessible bay) in a tandem format;
  - Residential stores;
  - Twenty-nine bicycle parking spaces; and
  - End of trip facilities.
- Central landscaped communal open space.

The applicant provided the following documents in support of the application:

- Planning Report;
- Development Plans;
- Landscape Plan;
- Acoustic Assessment; and
- Traffic Impact Assessment.

## BASEMENT

## BASEMENT

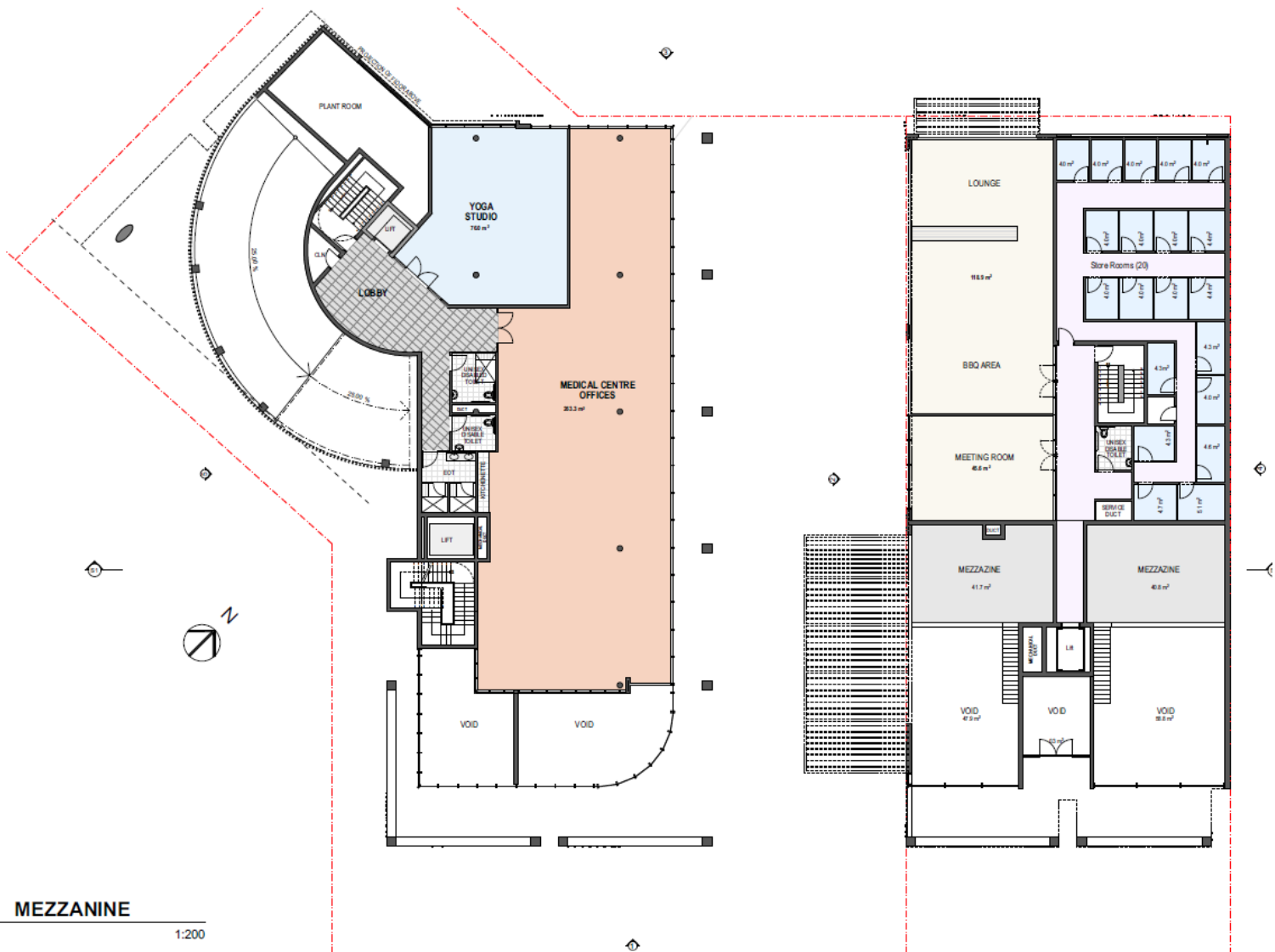


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### 3. Mezzanine

MEZZANINE

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# 4. First Floor

FIRST FLOOR

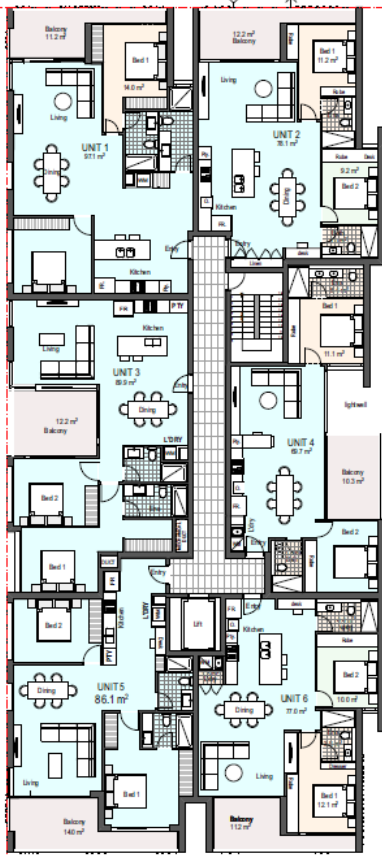
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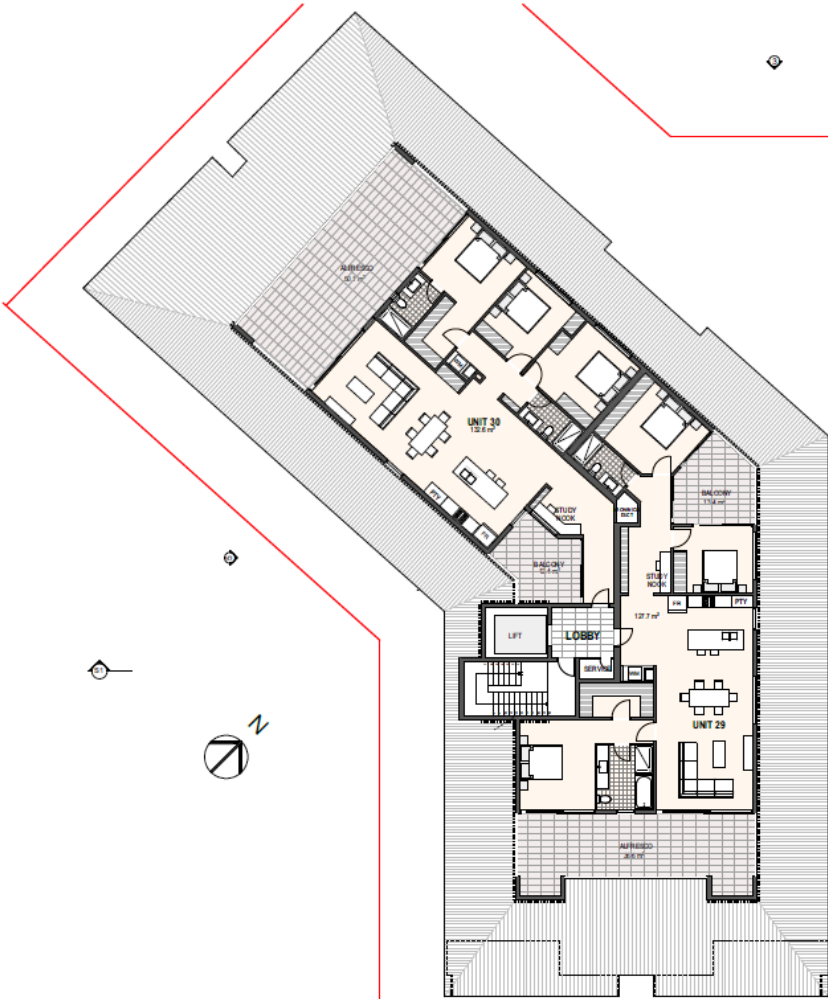
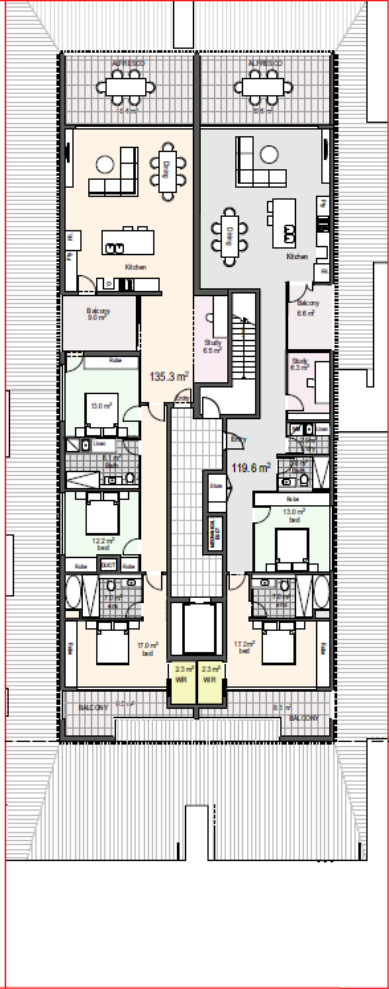


The floor plan illustrates the layout of the second floor, featuring seven distinct residential units. Units 1 through 4 are situated along the top and left sides, each with a balcony. Unit 5 is a larger unit located on the right side, featuring a separate entrance and a small garden area. Units 6 and 7 are smaller units located at the bottom of the plan. The central area includes a lobby with a staircase and a lift. A north arrow is positioned in the bottom left corner.

Unit	Area (sq. m)	Balcony Area (sq. m)
Unit 1	77.0	10.4
Unit 2	85.6	17.2
Unit 3	81.8	17.2
Unit 4	82.1	13.8
Unit 5	102.1	13.8
Unit 6	80.7	16.2
Unit 7	80.1	16.2

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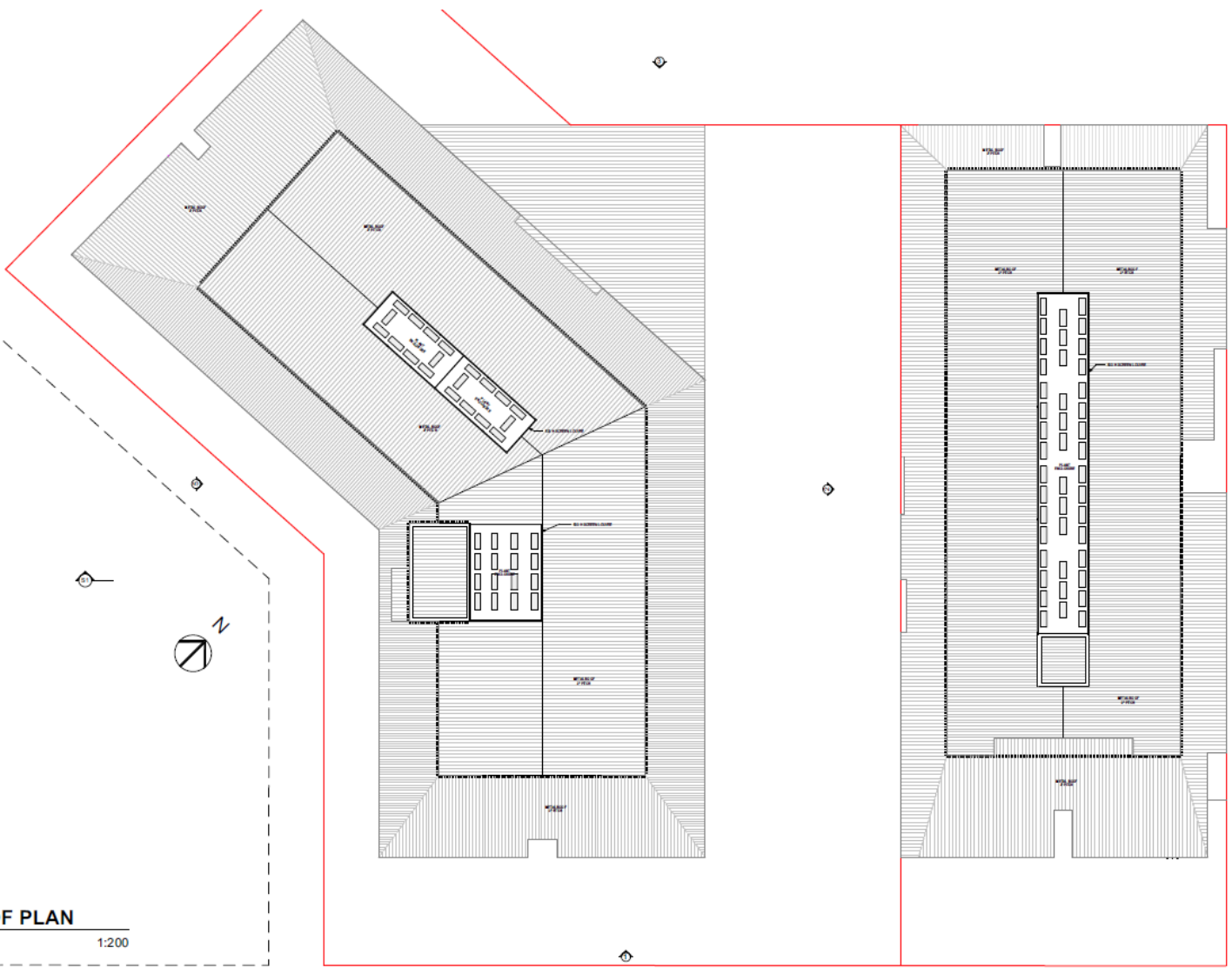
## 6. Sixth Floor

SIXTH FLOOR

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7. Roof Plan

ROOF PLAN  
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## 8. Council Avenue Elevation

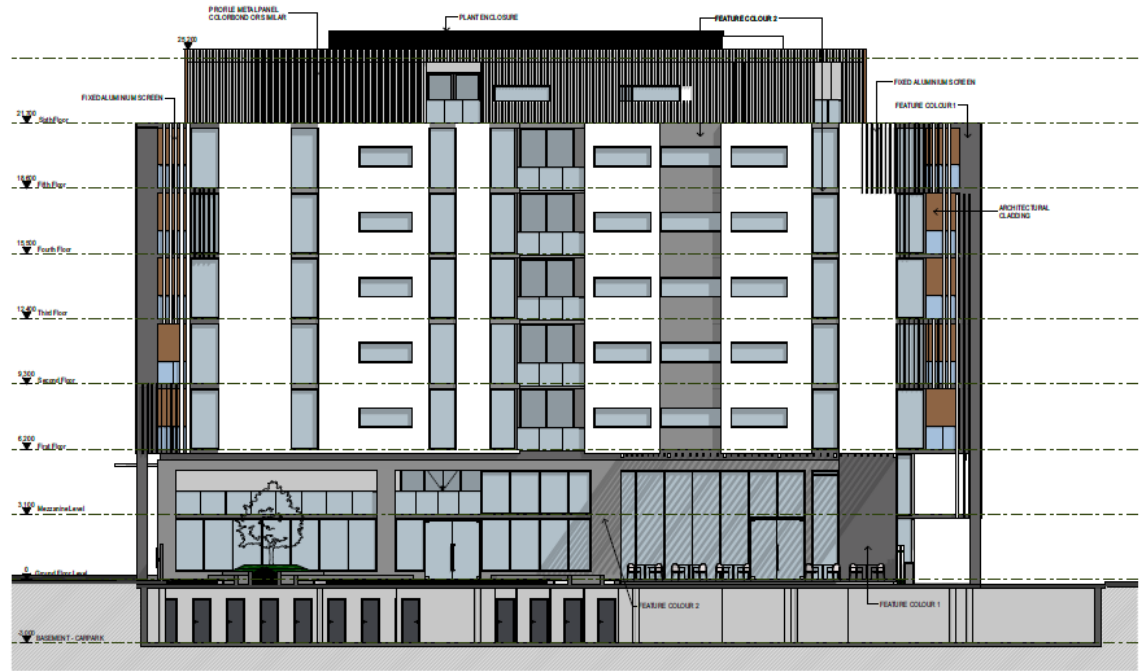


### FRONT ELEVATION

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9. South East Elevation

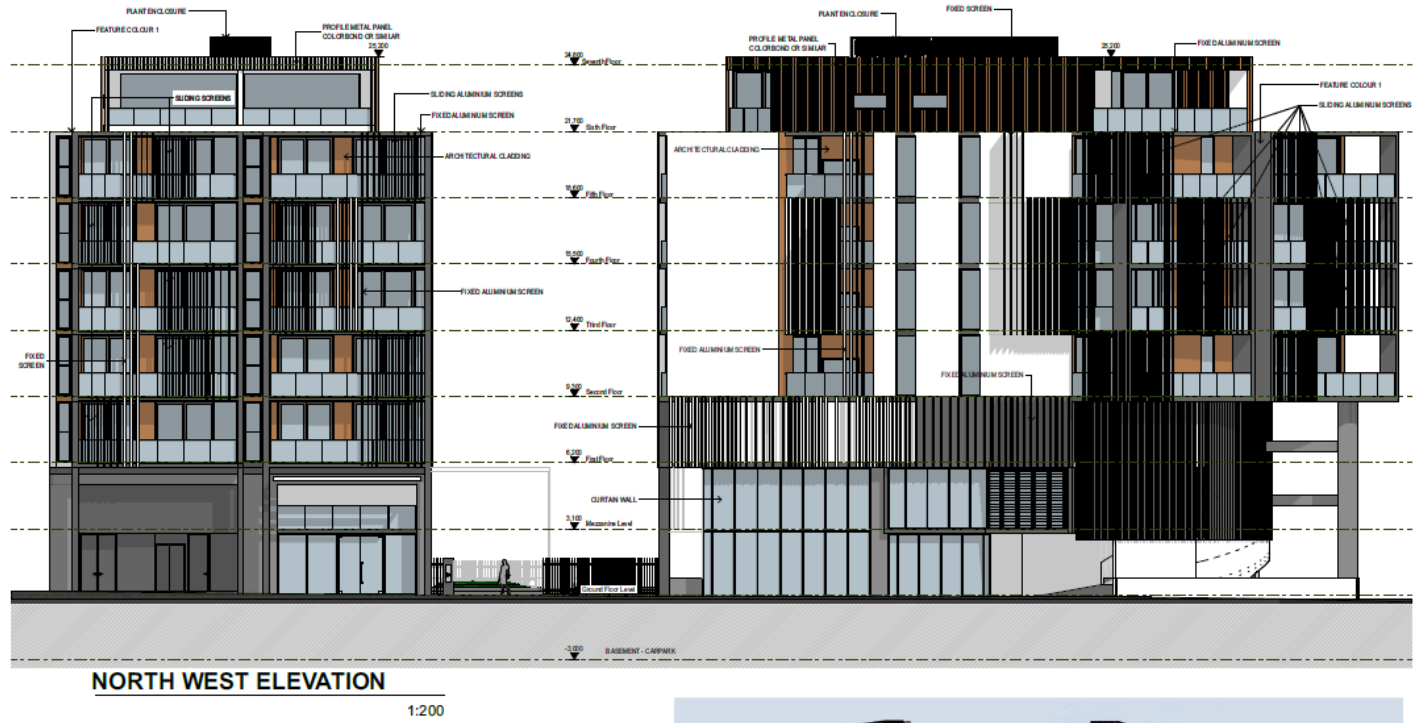


SOUTH EAST ELEVATION

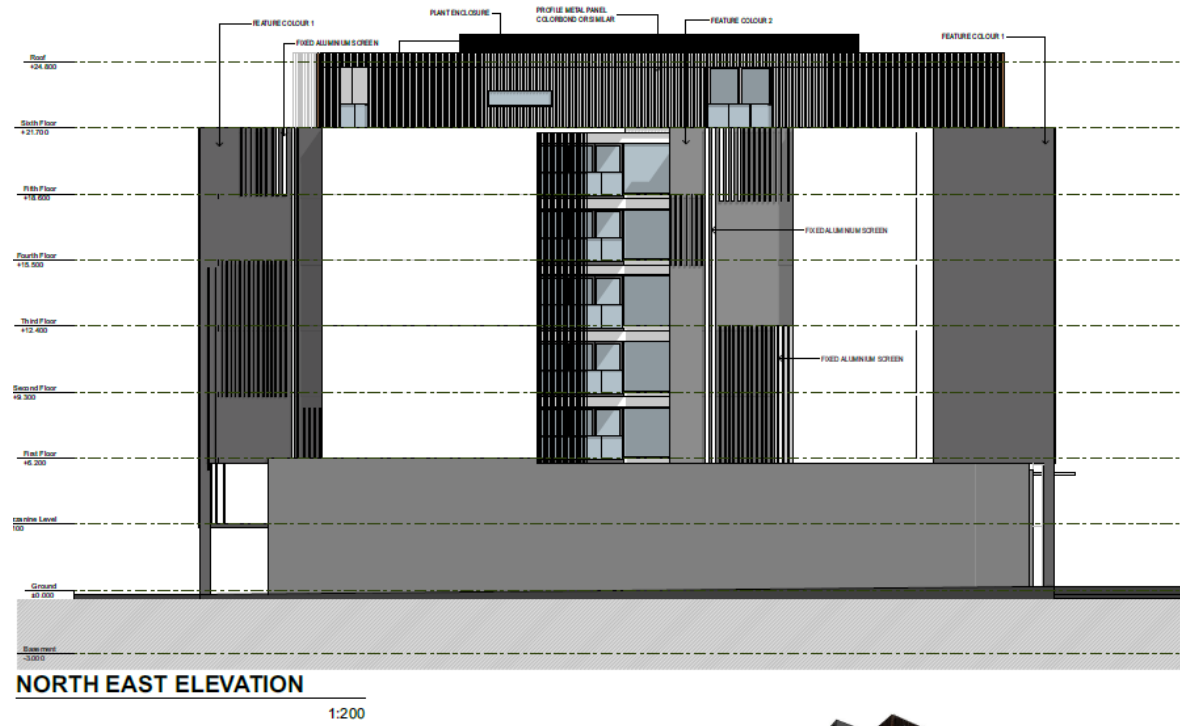
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# 10. North West Elevation



# 11. North East Elevation

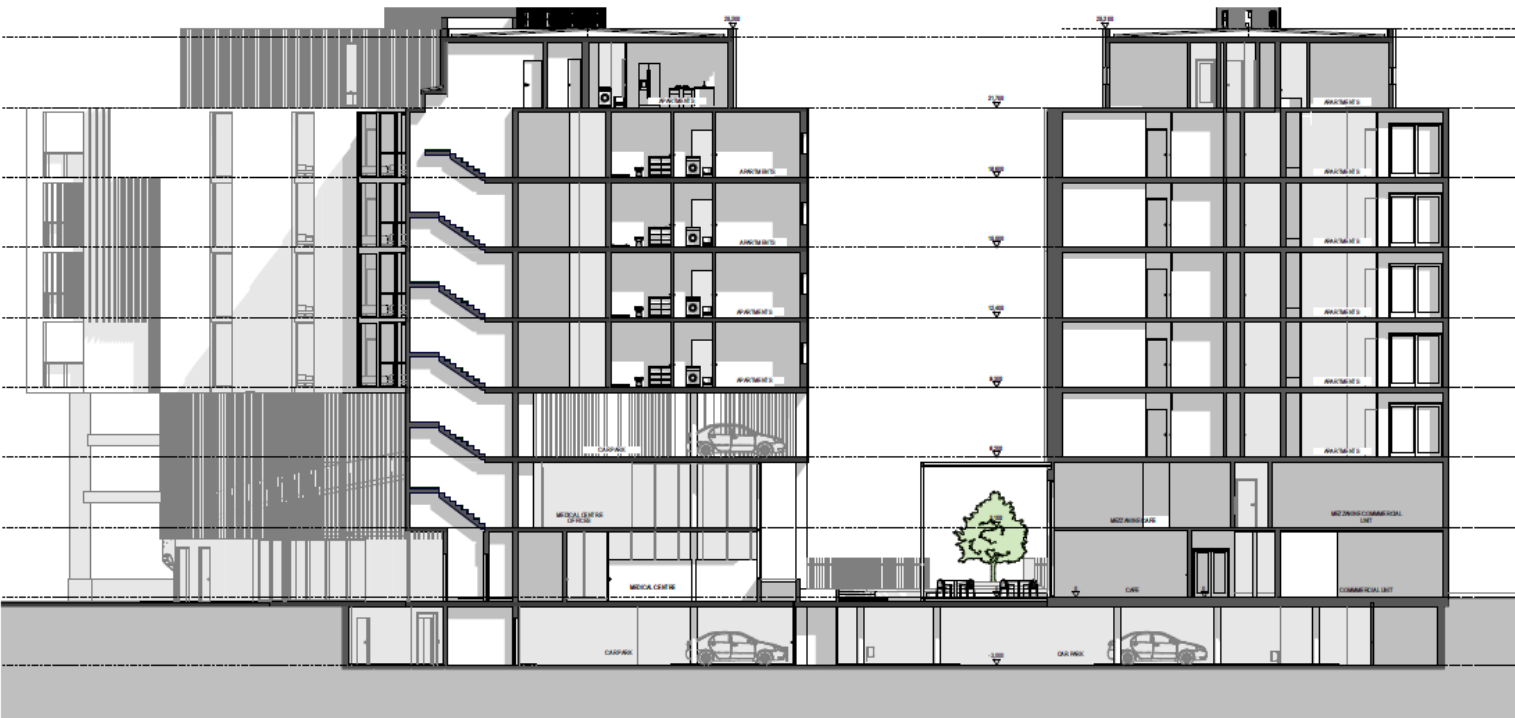




**SOUTH WEST ELEVATION**

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13. Section

SECTION 1





14. Council Avenue Perspective





**15. Rear Service Road Perspective**



16. Council Avenue Perspective



## Background:

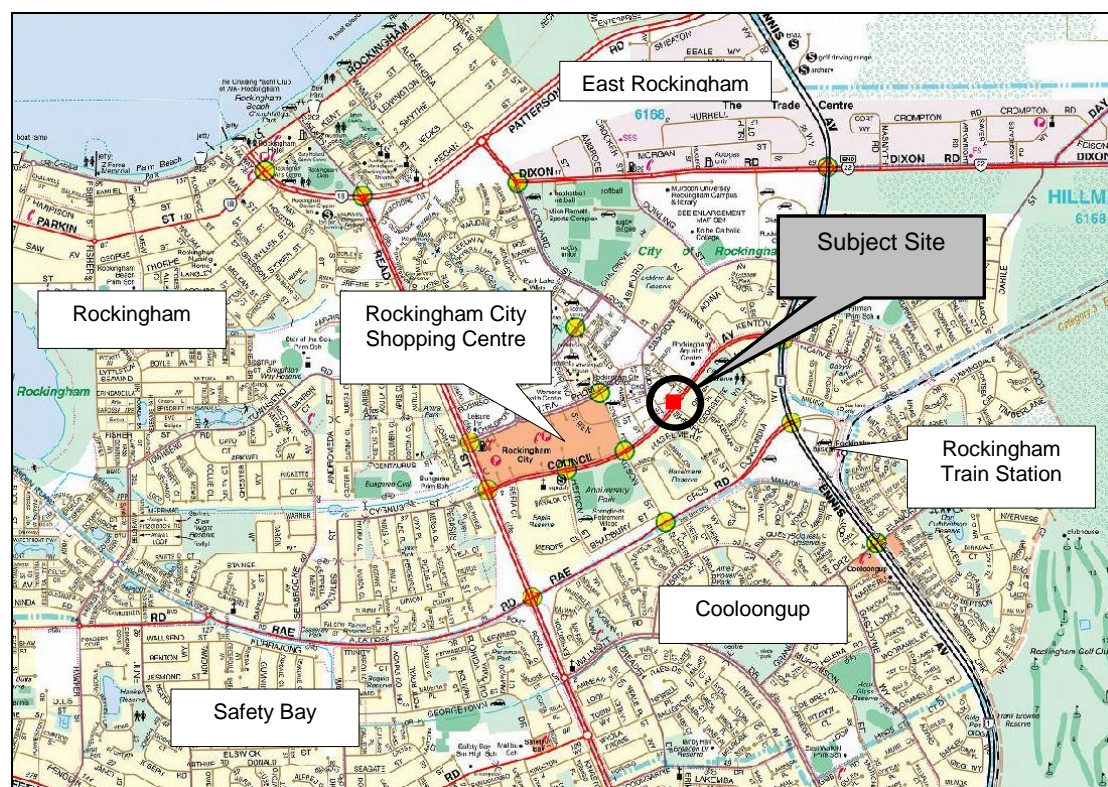
In February 1996, an Integrated Development Guide Plan (IDGP) was approved over the subject land. The approved IDGP makes provision an internal public roads system including public parking.

To achieve the objectives of the IDGP the subject site is affected by a number of access and parking easements which encumber all lots contained within the area bounded by Council Avenue, MacKinnon Street and Goddard Street.

On 13 June 2014, the SWJDAP granted Development Approval for a six storey, mixed use development comprising:-

- 99 Multiple Dwellings; and
- Two retail shops (179.8m<sup>2</sup>) (ground floor).

This development approval was renewed in November 2016 and is currently valid.

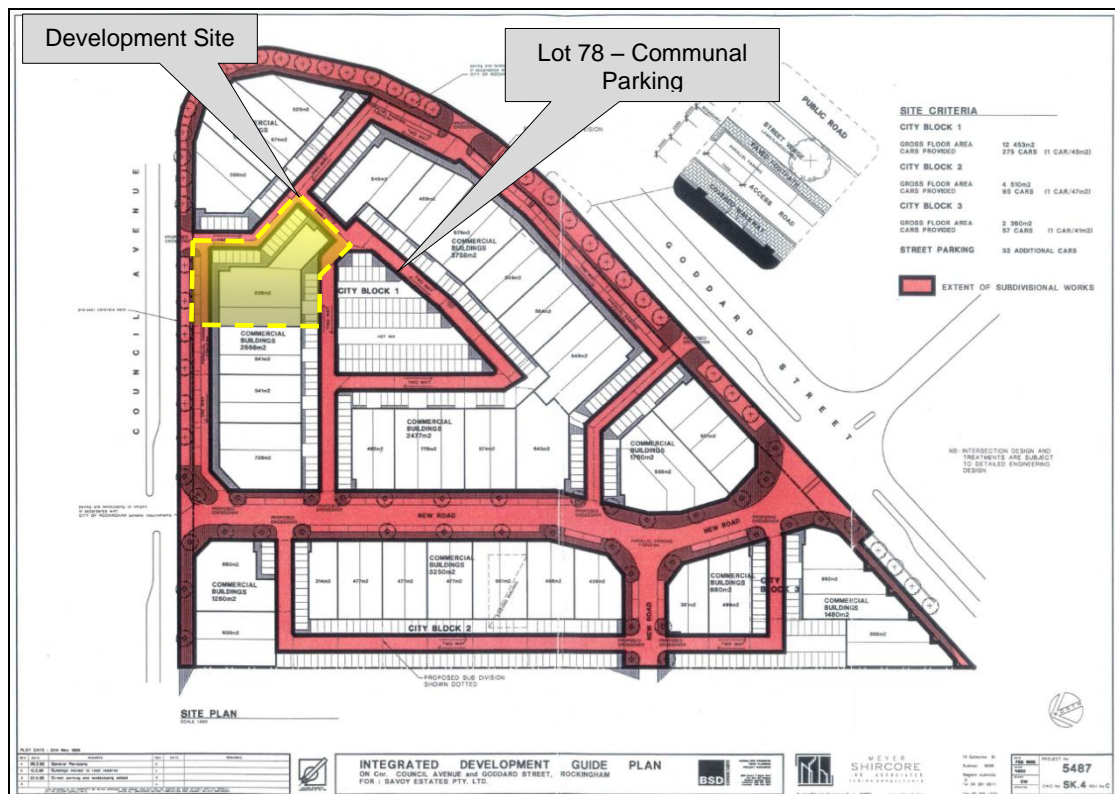


17. Location Plan





18. Aerial Photo



19. Integrated Development Guide Plan

## **Legislation and Policy:**

### **Legislation**

#### **Planning and Development (Local Planning Scheme) Regulations 2015 (The Regulations)**

Clause 67 of the Regulations provide the matters which the local government is to have due regard to in the assessment of development applications. Where relevant, these are discussed throughout this Report.

#### **City of Rockingham Town Planning Scheme No.2 (TPS2)**

##### **Clause 3.2 - Zoning Table**

The proposed development is comprised of a mixture of uses that are all designated as 'D' uses within the Primary Centre City Centre Zone. This means that the uses are not permitted unless the Council has exercised its discretion by granting Development Approval.

##### **Clause 4.3A.1 – Objectives of the 'Primary Centre City Centre' Zone**

The subject site is zoned 'Primary Centre City Centre' under TPS2. The proposed development is considered to be consistent with the objectives of the Primary Centre City Centre Zone which include *inter alia*:

- “(b) to contribute to the development of integrated retail, office, commercial, residential, civic and community facilities generally in accordance with the requirements of the Development Policy Plan for the City Centre Sector;
- (c) to achieve high intensity land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of the central public transit system;
- (e) to locate car parking areas behind street front buildings;
- (f) to provide contiguous, activated street front development;
- (g) to promote active day and night time retail and social environments;
- (h) to encourage development that will provide a high calibre model of sustainable, transit oriented development;”

##### **Clause 4.3A.2 – Residential Design Codes Not to Apply**

The Residential Design Codes (R-Codes) do not apply to development within the Primary Centre City Centre Zone.

##### **Clause 4.3A.3 – Minimum Residential Density**

A minimum density of 1 dwelling per 125m<sup>2</sup> of land area is required in the Primary Centre City Centre Zone. Based on a site area of 2,637.36m<sup>2</sup>, a minimum of 21 dwellings is required. The development provides for a total of 62 apartment style dwellings. This meets the minimum density requirements.

#### Clause 4.15 – Car parking

Pursuant to clause 4.15.1.1, car parking is required to be provided in accordance with Table 3 of TPS2.

In order for the development site to be considered as 'Location A' in terms of the R-Codes' parking requirements, the site must be within 800m of a train station or 250m of a high frequency bus stop. The site is located 850m from the Rockingham Train Station and 280m from a high frequency bus stop. Given that the difference in distance is minimal, the parking rates for 'Location A' have been applied.

As established in the approved IDGP, the surrounding service road network and Lot 78 is intended to provide 275 reciprocal parking bays available for use by occupiers of lots located within the IDGP area (see Figure 19 – Integrated Development Guide Plan). The IDGP allocates parking bays at a rate of one parking bay per 45m<sup>2</sup> Gross Floor Area (GFA). The subject site has a GFA of 1,397m<sup>2</sup>, meaning that a total of 31 parking bays are allocated to the subject site. These 31 bays are drawn from Lot 78 and the existing car parking bays in the surrounding road network. As the proposed development will remove 26 of these car bays, 26 bays will be subtracted from the number available to this development, leaving five in total.

Use	Minimum Required		Provided
	Rate	Number	
Multiple Dwellings			
59 2 x 2 Bedrooms	1 / dwelling *	59	
3 3 x 3 Bedrooms	1.25 / dwelling *	3.75	
Total		62.75	67 <sup>t</sup>
Residential Visitor parking			
62 Dwellings	0.25 / dwelling *	16	0
Commercial			
Restaurant (48 Patrons)	1 bay per 8 patrons	6	
Office (103m <sup>2</sup> )	1 / 60m <sup>2</sup> NLA	1.71	
Shop (163m <sup>2</sup> )	1 / 22m <sup>2</sup> NLA	7.4	
Medical Centre (8 consultants)	3 bays per consultant	24	
Office (264m <sup>2</sup> )	1 / 60m <sup>2</sup> NLA	4.4	
Total		43.51	27 <sup>^t</sup>
Reciprocal parking			
Allocation to site in terms of IDGP			5
Total		122.26	99 <sup>^</sup>
Notes:			
* As per the R-codes, Location A.    ^ Includes one AS2890.6 spaces.			
<sup>t</sup> Includes tandem bays			

There is a deficiency in the number of visitor bays and commercial parking bays proposed. Initially, a second level of parking, replicating the residential parking provided on the first floor of the southern building, was proposed. This was compliant with the car parking requirements of TPS2. The City's Design Review Panel (DRP), however, in its review of proposal, recommended that this second level of parking be removed for the following reasons:

- There is a surplus of at grade parking available in the vicinity;
- Visitors to residential and commercial components of the development are unlikely to enter the secured basement parking and are more likely to avail of the existing surplus in the area;
- The development is served well by good public transport links; and
- Secure bicycle spaces and end of trip facilities will be provided.

Consequently, the 23 bay shortfall in parking was accepted by the City's DRP and is supported by the City.

#### *Parking for People with a Disability*

Parking provision for people with a disability is based on the Building Code of Australia (BCA) Requirements and the City's *Planning Procedure 1.16 – Car Parking and Access Considerations for people with Disability*.

The development is comprised of a mixture of land uses with four different classifications under the he BCA.

- Class 2 – Multiple Dwellings (no requirement for accessible bays);
- Class 5 – Office (1 space for every 50 carparking spaces or part thereof);
- Class 6 – Shops and Restaurant (1 space for every 50 carparking spaces or part thereof); and
- Class 9 – Medical Centre (1 space for every 50 carparking spaces or part thereof).

In terms of the BCA, each of the commercial land use classifications are required to provide one accessible bay per 50 car parking spaces. As there is a total of 43.51 bays require for all of the commercial land uses, it is appropriate to require one accessible bay for this development.

#### Clause 6.1 - Design Review Panel

Pursuant to Clause 6.1.1, the Council has appointed a DRP for the purpose of considering, and advising Council with respect to certain applications. Given the nature of the subject proposal, it was required to be referred to the City's DRP.

On 21 February 2018, an earlier version of the proposal was considered (at pre-lodgement stage) by the City's DRP and supported subject to a number of modifications being made to the proposal including:

- Removal one level of above ground parking;
- Inclusion of deep planting areas in the linear park;
- Removal of void to pharmacy tenancy;
- Improvement and simplification of medical centre wall to linear park;
- Inclusion of gating security system to park;

- Inclusion of a bin store in each building;
- Formerly fixed vertical screens provided with the ability to slide;
- Reorientation of balconies towards central park;
- Relocation of residential entry in southern building towards the street; and
- Inclusion of occupier amenities space in northern building.

As these recommendations were incorporated into an amended design (being the subject application), it is not considered necessary to refer the item back to the DRP.

Pursuant to Clause 6.1.3, when dealing with applications on which a recommendation has been made by the City's DRP, the decision-maker (SWJDAP) shall have due regard for that recommendation.

### **State Government Policies**

#### **State Planning Policy 3.1 – Residential Design Codes**

Clause 4.3A.2 of TPS2 states that the Residential Design Codes (R-Codes) are not to apply to the development of land in the Primary Centre City Centre Zone for any of the residential purposes dealt with by the R-Codes. Notwithstanding this, the R-Codes are used in the assessment of the car parking and end-of-trip facilities which have been discussed in this report.

### **Local Planning Policies**

#### **Rockingham Strategic Metropolitan Centre: Centre Plan**

In September 2009, the Council adopted the Centre Plan for the Rockingham Strategic Metropolitan Centre (Centre Plan); it was endorsed by the Western Australian Planning Commission in November 2009 as an appropriate Centre Plan to guide future planning and development in the locality. The scope of the Centre Plan covers an area of almost 600 hectares between the Rockingham Train Station and Rockingham Beach and includes the subject site. The Centre Plan is guided by the following vision:

“The vision is for a modern, distinctly coastal centre offering a wide range of mixed uses including retail, commercial, office, civic, residential, education and recreation within an accessible and highly inter-connected, urban-scaled townscape, comprising a major activity centre and related urban villages based on ‘Main Street’ principles.”

The City Centre Sector, within which the subject lot is located, is one of 11 Sectors within the Centre Plan.

#### **Planning Policy 3.2.1 – Development Policy Plan City Centre Sector (PP3.2.1)**

PP3.2.1 has been established to guide development within the City Centre Sector, within which there are seven precincts. For each of the precincts PP3.2.1 identifies a desired future character, preferred land uses and required elements for development proposals. The subject site is located within the Eastside Precinct.

The proposed development is consistent with the desired future character for the Eastside Precinct, having a higher density mixed use development fronting Council Avenue. It is consistent with the preferred land uses, being residential on the upper



floors and commercial on ground level. The following provides an assessment of the development against the relevant required elements of the Eastside Precinct:

Policy Requirements	Planning Comments	Compliant
The Precinct is to be developed as a mixed use area conforming to an urban townscape discipline.	The proposed development provides for a mix of residential and commercial land uses.	Yes
<p>Buildings are to be located, configured and activated to frame and address street frontages and laneways in a way that is consistent with the Precinct Concept Plan, relevant 'Frontage Types' as indicated in Section 4.4.</p> <p><u>Frontage 2 – Medium Level of Activation, Nil Setback</u></p> <p>A medium level of frontage activation with secondary retail, customer oriented offices, inner-city commercial tenancies and residential lobbies at ground level and a 2 to 3 storey façade positioned at the street front boundary. At the ground level, buildings should address the street with a primary business entrance and a commercial façade that is transparent over at least 60% of the area of the facade.</p>	<p>The development provides for an eight storey building that provides appropriate street framing and activation through the provision of commercial ground floor tenancies with transparent façades.</p> <p>The commercial façade and main entrance to the building provides for approximately 80% transparency of the façade fronting the internal service road.</p> <p>The lot contains easements for parking and carriageway that preclude a nil lot boundary front setback. In lieu of this the building is proposed to be set back nil from a proposed footpath adjacent to the internal service road. This is consistent with the setback of the building on the adjoining lot to the East.</p> <p>The rear service road is activated with the inclusion of the Pharmacy tenancy, an entrance to the eastern side of the building and transparent glazing to the Medical Centre.</p>	Yes
Side and rear building setbacks are to be determined by reference to the example of the Eastside Precinct Concept Plan, subject to review by Council of individual land use and siting proposals and compliance with relevant health, building and safety regulations.	Side and rear building setbacks comply with the intent of the Eastside Concept Precinct Plan which allows for a 0m setback on the side boundary.	Yes
Consistent with Figure 4.2 'Density and Height' in	The development provides for the equivalent density of 235	No, however, the proposed

Policy Requirements	Planning Comments	Compliant
<p>Section 4.2, residential development within the Precinct is to be designed to accommodate a balanced mix of dwelling types and sizes at preferred densities ranging between 80 and 200 dwellings per hectare with a minimum density of 80 dwellings per hectare in any development which includes a residential component.</p>	<p>dwellings per hectare.</p> <p>As the proposal is non-compliant in this regard, the SWJDAP may exercise its discretion subject to confirmation that the design meets the overall intent and objectives of TPS2 and PP3.2.1.</p> <p>It is noted that the current approval over the site proposes 375 dwelling units per hectare.</p>	<p>development is a significant reduction in density when compared to the existing approval. As such this variation to PP3.2.1 is supported</p>
<p>Consistent with Section 4.3, buildings are to present a minimum 2 storey or equivalent parapet height to the street or relevant public space subject to the maintenance of a 10.5 metre height limit along street frontages, with any additional height to be setback a minimum of 3 metres. The scale and massing of buildings is to be designed to minimise any overshadowing of adjoining properties and public spaces to the satisfaction of the City. A height range of between 2 to 6 storeys.</p>	<p>By virtue of the existing easements for parking and carriageway the development is proposed to be set back at least 6m from the primary street lot boundary.</p> <p>The ground floor is proposed to be set back approximately 9.2m with the next six floors set back approximately 6m. The eighth storey is proposed to be set back a further 4.5m (approx. 10.5m from the street boundary).</p> <p>As the proposal is non-compliant in this regard, the SWJDAP may exercise its discretion subject to confirmation that the design meets the overall intent and objectives of TPS2 and PP3.2.1.</p>	<p>No, however, the over height building is considered to comply with the overall intent and objectives of TPS2 and PP3.2.1. for the following reasons:</p> <ul style="list-style-type: none"> <li>• A quality mixed use building will locate people and services in an area well serviced by public transport;</li> <li>• Given the orientation of the building there will be no undue overshadowing implications as a result of the increased height; and</li> <li>• The bulk and scale of the building is broken up with the inclusion of a central landscaped communal</li> </ul>

Policy Requirements	Planning Comments	Compliant
		open space area. Consequently this variation to P3.2.1 is supported.
Car parking is to be provided in accordance with Table 3 of Town Planning Scheme No.2.	The proposed development provides sufficient parking overall, however, there is a deficiency in the provision of commercial parking. As the proposal is non-compliant in this regard, the City may exercise its discretion subject to confirmation that the design meets the overall intent and objectives of TPS2 and PP3.2.1.	No, however, the shortfall in parking was recommended by the City's DRP and is consequently supported for the reasons detailed in the legislation section of this report.
Car parking is not permitted between the road reserve boundary and building frontages.	The IDGP makes provision for on-site public parking within the registered access and parking easements along the boundaries of the subject site.  The development fronts onto Council Avenue as per the Concept Precinct Plan. This requirement is therefore not deemed applicable in this instance.	Yes
Off-street car parking is to be located behind, under or over ground floor, street front buildings or alternatively, no closer than 20 metres to the street front boundary in the case of land identified in the IDP for future building development.	Off-street parking is provided in a basement and on the first floor level within the building.	Yes
In lieu of the normal landscaping requirements of the Scheme, developers are required to contribute to the cost of streetscape and landscape works within the public domain in the vicinity of their development site. The particular streetscape treatment applicable to any	The streetscape works will be required as part of the development.	Yes

Policy Requirements	Planning Comments	Compliant
site is to be determined by reference to the recommendations of the relevant City Centre Streetscape Study.		
Any landscaping of ancillary areas is to be undertaken in accordance with an approved landscape plan and in a manner consistent with the desired urban character of the Precinct and any townscape improvement plans which Council may adopt from time to time.	The submitted landscaping concept demonstrates that an appropriate landscaping response can be achieved. The detail will be agreed upon through the design review process.	Yes
Podium level courtyard gardens may provide private open space over car parks located behind street front buildings. Relevant examples of this form of development are located at Rockingham Beach, Mandurah Marina, Joondalup City Centre, Subiaco and in Northbridge over the Graham Farmer Freeway.	The development includes a central landscaped courtyard area on ground level located above the basement parking. This serves to break up the building bulk and offers a high level of amenity to future residents.	Yes

### Planning Policy 3.3.14 – Bicycle Parking and End-of-Trip Facilities (PP3.3.14)

PP3.3.14 aims to facilitate the appropriate provision of secure, well designed and effective on site bicycle parking and end-of-trip facilities to encourage the use of bicycles as a means of transport and access to and within the City.

#### Bicycling Parking

The bicycle parking requirement is shown in the below table:

Land Use	Required			
	Short Term		Long Term	
	Rate	Amount	Rate	Amount
<b>Office</b> =264m <sup>2</sup>	1/500m <sup>2</sup> NLA	1	1/200m <sup>2</sup> NLA	2
<b>Office</b> =103m <sup>2</sup>	1/500m <sup>2</sup> NLA	1	1/200m <sup>2</sup> NLA	1
<b>Medical Centre</b> = 8 Practitioners	1/ 8 Practitioners	1	1/ 4 Practitioners	2
<b>Restaurant</b>	1/150m <sup>2</sup>	1	1/250m <sup>2</sup>	1