



Metro South-West Joint Development Assessment Panel Agenda

Meeting Date and Time: Friday, 29 April 2016; 10:00am
Meeting Number: MSWJDAP/ 102
Meeting Venue: City of Rockingham
Civic Boulevard, Rockingham

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Mr Brian Curtis (A/Deputy Presiding Member)
Mr Lou D'Alessandro (A/Specialist Member)
Cr Chris Elliot (Local Government Member, City of Rockingham)
Cr Kelly McManus (Local Government Member, City of Rockingham)

Officers in attendance

Mr David Waller (City of Rockingham)
Mr Greg Delahunty (City of Rockingham)

Local Government Minute Secretary

Ms Nicole D'Alessandro

Applicants and Submitters

Mr Nicolas de Vecchies (Rowe Group)
Mr Sean Fairfoul (Rowe Group)

Members of the Public

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

Ms Stacey Towne (Deputy Presiding Member)
Mr Rob Nicholson (Specialist Member)

3. Members on Leave of Absence

Nil



4. Noting of Minutes

The Minutes of the Metro South-West JDAP Meeting No.100 held on 20 April 2016 and Meeting No.101 held on 22 April 2016 were not available at time of Agenda preparation.

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

Member/Officer	Report Item	Nature of Interest
Ms Stacey Towne	10.1	Direct Pecuniary
Mr Rob Nicholson		

Both Ms Towne and Mr Nicholson each hold Wesfarmers shares. Coles supermarket is owned by Wesfarmers and is a store proposed in the development application at Item 8.1.

7. Deputations and Presentations

Nil

8. Form 1 - Responsible Authority Reports – DAP Application

Nil

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 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road, Secret Harbour
	Application Details:	Amendment to Development Approval for Additions and Alterations to Secret Harbour District Shopping Centre
	Applicant:	Greg Rowe Pty Ltd
	Owner:	Perpetual Limited
	Responsible authority:	City of Rockingham
	DoP File No:	DAP/14/00649

11. General Business / Meeting Closure

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.



State Administrative Tribunal Reconsideration

Responsible Authority Report

(Regulation 12)

Property Location:	Lot 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road, Secret Harbour
Application Details:	Amendment to Development Approval for Additions and Alterations to Secret Harbour District Shopping Centre
DAP Name:	Metro South-West JDAP
Applicant:	Greg Rowe Pty Ltd
Owner:	Perpetual Limited
LG Reference:	20.2014.411.3 (D16/38850)
Responsible Authority:	City of Rockingham
Authorising Officer:	Mr Mike Ross, Manager Statutory Planning
Department of Planning File No:	DAP/14/00649
Report Date:	27th April 2016
Application Receipt Date:	3rd December 2015
Application Process Days:	60 Days
Attachment(s):	1. First JDAP determination 2. Second JDAP determination 3. Third JDAP determination 4. Application Report 5. Vehicle Swept Paths

Officer Recommendation:

That the Metro South-West Joint Development Assessment Panel, pursuant to Section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 32 of 2016, resolves to:

Reconsider its decision dated 21 January 2016; and **approve** the DAP Application reference DAP/14/00649 as detailed on the DAP Form 2 dated 3rd December 2015 and accompanying plans:

- Vehicle Turning Circle Plan - Semi-Trailer 19m at 10kmp/h, Drawing No. KC00258.000_S30a, dated 23.03.16;
- Vehicle Turning Circle Plan - Semi-Trailer 19m at 10kmp/h, Drawing No. KC00258.000_S30b, dated 23.03.16;

in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Metropolitan Region Scheme, subject to the approvals dated 18 February 2015 and 12 October 2015 and the following amended condition No. 21, additional condition No. 28 and additional advice note No.12:

Conditions

21. A maximum of three (3) semi-trailer vehicles per day may access the site via the southern access driveway on Oasis Drive. These vehicles may only access

the site between the hours of 7.00am - 10.00am in the mornings and 4.00pm - 7.00pm in the evenings. The vehicles must exit the site via the Oneida Road access driveway in accordance with Option 1 access proposed by the applicant.

28. Prior to applying for a Building Permit, detailed plans and specifications must be submitted to and approved by the City of Rockingham for the proposed access street intersection with Oasis Drive.
The access street intersection must be constructed in accordance with the approved plans prior to occupation of the development.

Advice Note

12. The landowner/applicant is advised that the future main street expansion will take precedence over the proposed car parking bays adjacent to pad site three. Any future development application for the main street expansion will require the removal of some of the proposed car bays in order to meet the built form requirements for the main street and facilitate the heavy vehicle turning movements.

Background:

Site Details

Property Address:	Lot 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road, Secret Harbour
Zoning MRS:	Urban
TPS:	District Town Centre
Use Class:	Dry Cleaning Premises, Laundromat, Office, Restaurant, Shop
Strategy Policy:	State Planning Policy 4.2 - Activity Centres for Perth and Peel Planning Policy 3.2.3 - Secret Harbour Town Centre Planning Policy 3.3.1 - Control of Advertisements
Development Scheme:	City of Rockingham Town Planning Scheme No.2
Lot Size:	Lot 2003 = 3.058ha Lot 2010 = 2.7493ha Lot 2013 = 3,522m ²
Existing Land Use:	Lot 2003 = Shopping centre and petrol station Lot 2010 = vacant Lot 2013 = vacant
Value of Development:	\$30 million

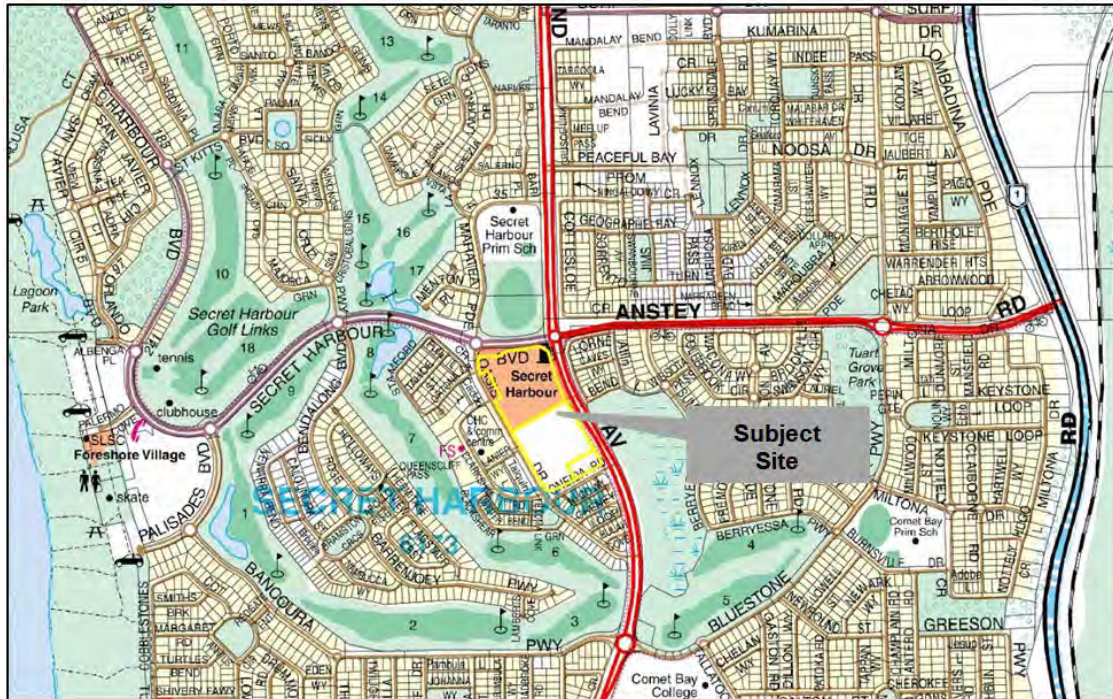


Figure 1 - Location Plan



Figure 2 - Aerial Photo

History

The following outlines the history of Development Approvals on site:

- February 2005 - Development Approval issued - Stage 1 Shopping Centre
- September 2005 - Development Approval issued - Tavern and Drive Thru Bottle shop
- September 2006 - Subdivision Approval issued - to excise the Tavern from the Shopping Centre Site
- May 2007 - Development Approval issued - Service Station

- September 2007 - Development Approval issued - Two (2) pylon signs and associated signage (Caltex)
- October 2007 - Development Approval issued - revised Tavern design
- May 2009 - Modification to Development Approval issued - Alfresco Area of Tavern
- February 2015 - JDAP Development Approval issued - Extension to Secret Harbour Shopping Centre
- May 2015 - JDAP Development Approval issued - Fast Food Outlet (McDonalds)
- October 2015 - Modification to JDAP Development Approval (Form 2) issued - Extension to Secret Harbour Shopping Centre
- November 2015 - Modification to JDAP Development Approval (Form 2) issued - Fast Food Outlet (McDonalds)
- November 2015 - JDAP Development Approval issued - Shop (Liquor Store)
- January 2016 - Modification to JDAP Development Approval (Form 2) Refused - Extension to Secret Harbour Shopping Centre. The Form 2 application proposed:
 - the removal of a portion of the Oasis Drive central median;
 - the inclusion of a boom gate at the Oasis Drive Access Street; and
 - a modified condition 21 reading:

“Heavy vehicles may only access the southern driveway on Oasis Drive from south of the site and are not to travel along Oasis Drive between the northern driveway and the southern driveway.”
- January 2016 - An application for review (appeal) was lodged with the State Administrative Tribunal (SAT) in relation to the refusal of the modified proposal including the proposed modified condition.

Existing Site Improvements

The existing Secret Harbour Shopping Centre is contained wholly within Lot 2003. It is a single storey building that contains 5,246m² of floor space. The Centre comprises one supermarket (3,800m²), 1,620m² of specialty stores, and an associated car park containing 390 parking spaces.

A Caltex Service Station is located on the north eastern corner of Lot 2003.

The site has two vehicular access points from Warnbro Sound Ave, one from Secret Harbour Boulevard and two from Oasis Drive.

The adjacent Lot 2002 contains the Whistling Kite Tavern and drive thru bottle shop. It gains access over Lot 2003 as shown in the following Deposited Plan.

Site works for the Shopping Centre expansion commenced in February 2016.

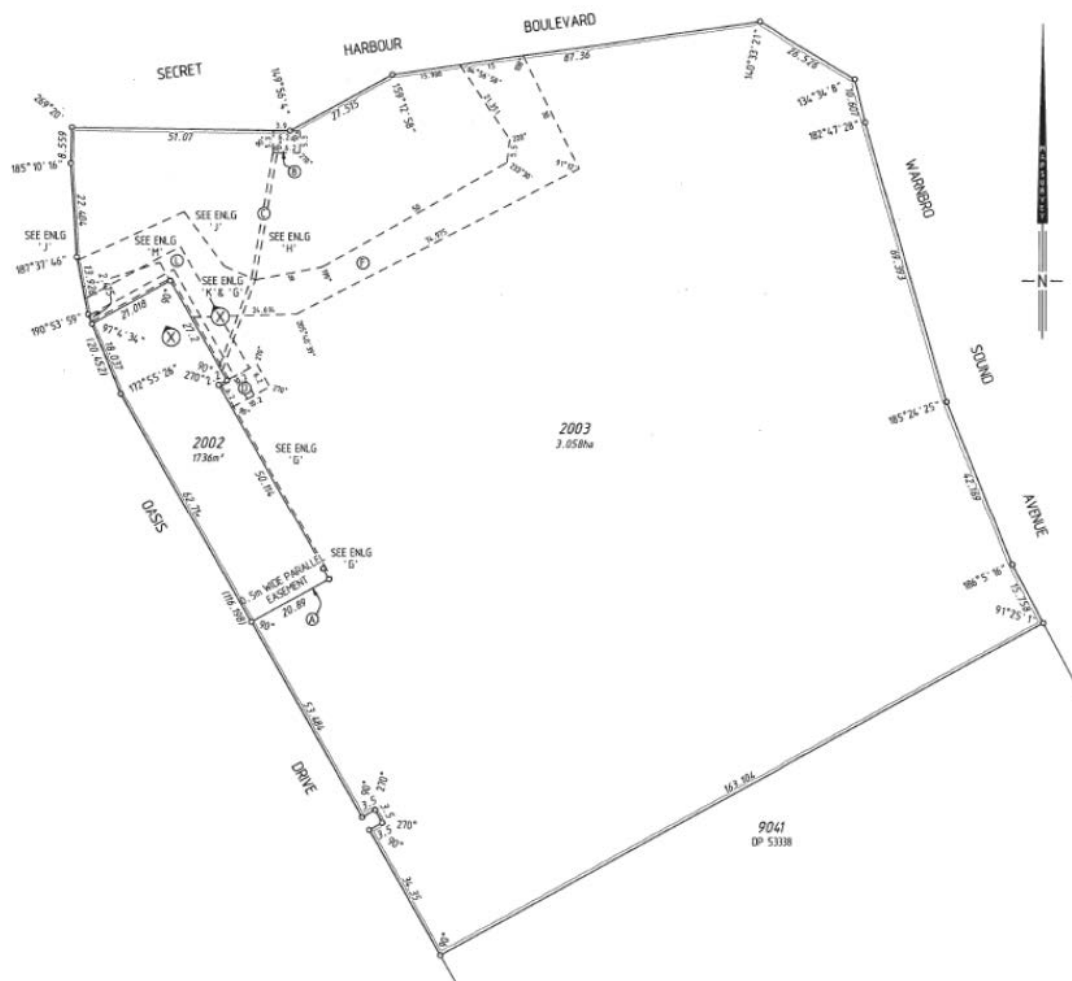


Figure 3 - Lot 2003 Deposited Plan



Figure 4 - Site Plan

Details: outline of development application

The Metro South-West Joint Development Assessment Panel (SWJDAP) was invited to reconsider its decision to refuse the JDAP Form 2 application for the reconsideration of a Development Approval condition pursuant to section 31 of the *State Administrative Tribunal Act 2004*.

The refusal related to the removal of a portion of the Oasis Drive central median, the inclusion of a boom gate at the Oasis Drive Access Street; and a modified condition 21.

The approved condition 21 states that:

“Heavy vehicles are not permitted to gain access to or from the site via the southern access driveway on Oasis Drive.”

The applicant proposed to amend the condition to read:

“Heavy vehicles may only access the southern driveway on Oasis Drive from south of the site and are not to travel along Oasis Drive between the northern driveway and the southern driveway”

As part of the reconsideration, the applicant provided two options:

- Option 1 - Maintain the existing Loading Dock. Heavy vehicles obtain access to the site from Oasis Drive travelling South (Left in) and egress the site via Oneida Road (Left out). Number of vehicles limited to two semi-trailer trucks per day to access from Oasis Drive. This would be limited to between 7am - 10am, 4pm - 6pm & 8pm - 10pm - Monday to Friday, 7am - 10am, 3pm - 6pm Saturdays, 12 - 5pm Sundays and public holidays.
- Option 2 - Flip the Loading Dock. Heavy vehicles obtain access to the site from Oneida Road travelling West (Right in) and egress the site via Oasis Drive (Left out).

In support of the two options the applicant submitted the following swept path plans:

(a) Option 1 - Left In Oasis Drive - Vehicle Turning Circle Plan - Semi-Trailer 19m at 10kmp/h

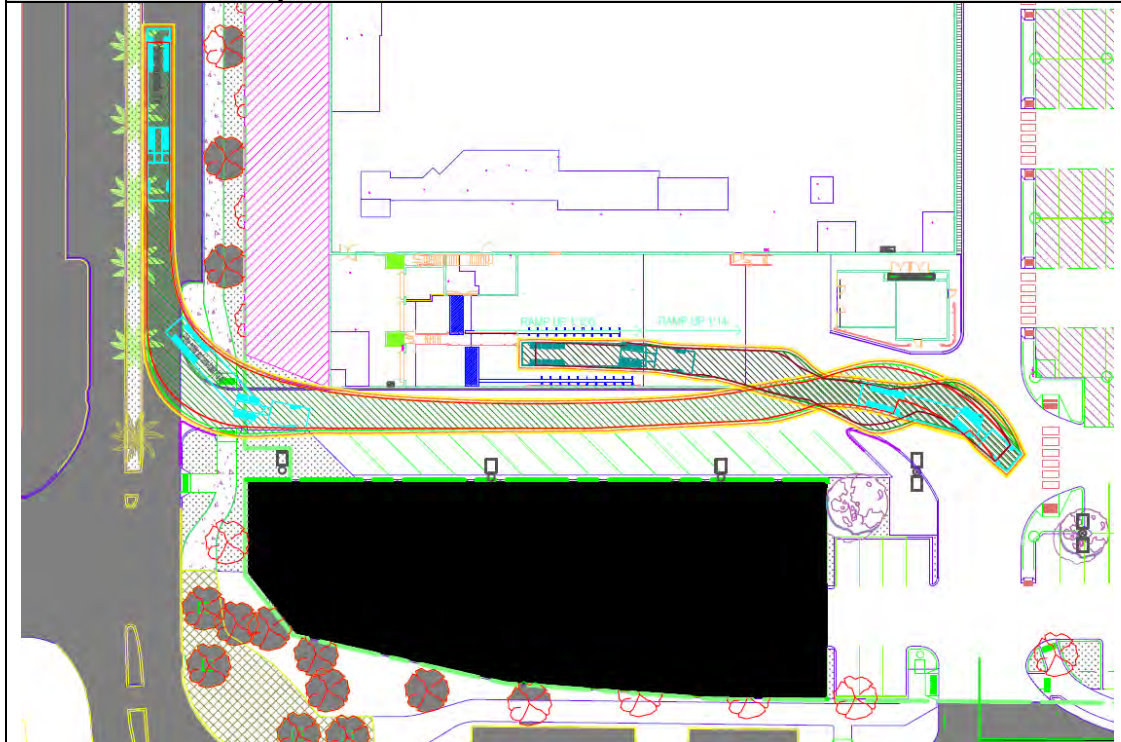


Figure 5 – Option 1: Access

(b) Option 1 - Left Out Oneida Road - Vehicle Turning Circle Plan - Semi-Trailer 19m at 10kmp/h



Figure 6 – Option 1: Egress

(c) Option 2 -Flipped Loading Dock - Right In Oneida Road - Vehicle Turning Circle Plan - Semi-Trailer 19m at 10kmp/h

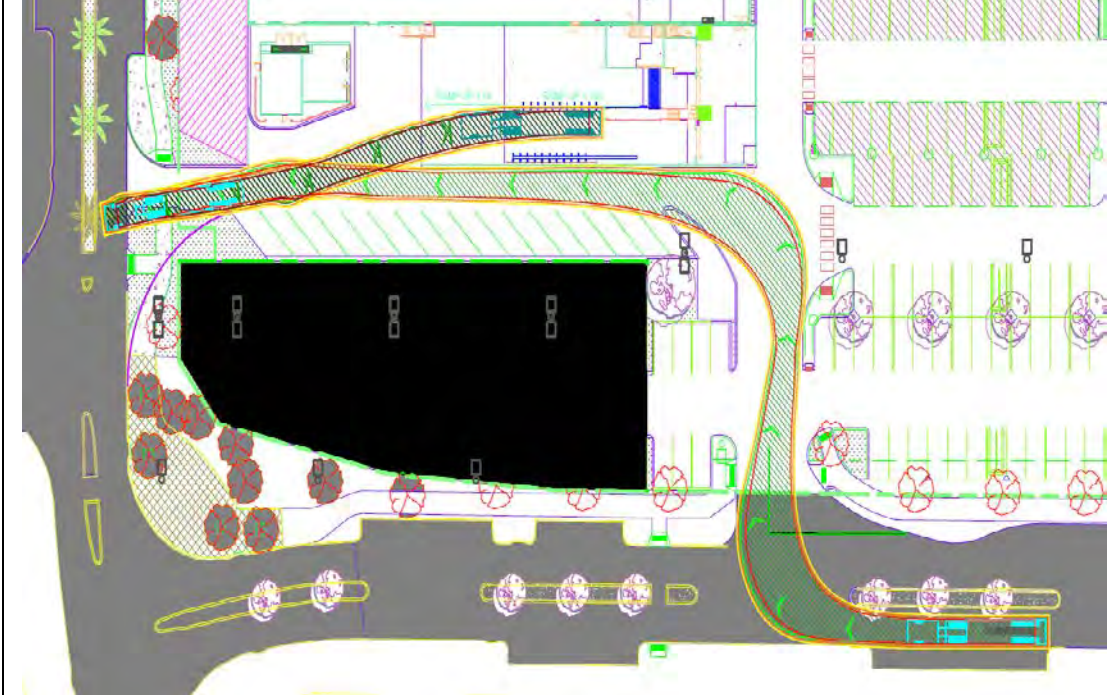


Figure 7 – Option 2: Access

(d) Option 2 - Flipped Loading Dock - Left Out Oasis Drive - Vehicle Turning Circle Plan - Semi-Trailer 19m at 10kmp/h

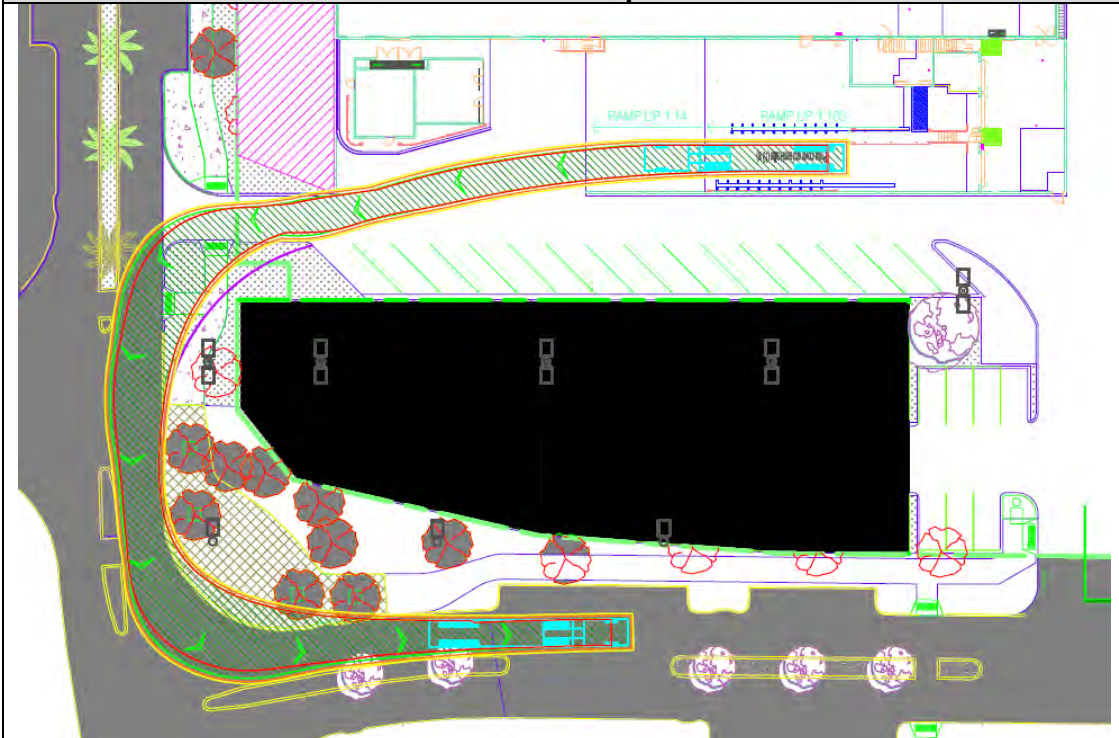


Figure 8 – Option 2: Egress

Legislation & policy:

Legislation

State Administrative Tribunal Act 2004

If invited by SAT, the SWJDAP has the ability to reconsider its decision pursuant to Section 31(2) of the *State Administrative Tribunal Act 2004*. This Responsible Authority Report (RAR) forms the assessment for the SWJDAP to reconsider its decision.

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 - Deemed Provisions

Clause 67 - Matters to be considered by local government

Clause 67 outlines the matters to which the Local Government is to give due regard when considered relevant to an application. Where relevant, these have been discussed in the Planning Assessment.

Clause 77 - Amending or cancelling development approval

Clause 77 permits the Local Government to consider a modification to the approved development including:

- (b) *to amend or delete any condition to which the approval is subject;*
- (c) *to amend an aspect of the development approved which, if amended, would not substantially change the development approved;*

Planning and Development (Development Assessment Panels) Regulations 2011

Regulation 17 (1) (b) states that an owner of land in respect of which a development approval has been granted by a DAP pursuant to a DAP application may apply for the DAP to amend or delete any condition to which the approval is subject.

Regulation 17 (4) (a) states that the DAP may determine an application under subregulation (1) by approving the application with or without conditions.

Rockingham Town Planning Scheme No. 2 (TPS2)

Clause 4.5 - District Town Centre Zone

Objective

The proposed modified condition 21, arising out of the applicant's Option 1, is considered to be consistent with the District Town Centre Zone's objective of achieving a 'main street' Town Centre, as outlined in Clause 4.5.1 of TPS2. The proposed modified condition also complies with the relevant provision of the City's *Planning Policy 3.2.3 - Secret Harbour Town Centre (PP3.2.3)*, which is addressed below.

Clause 4.5.3 - Planning Principles

The Council is required to have due regard to the following planning principles in determining any development application. The relevant principles have been considered in relation to this application.

- (a) *be guided by the objectives of the Policies;*

PP3.2.3 is considered below in the Local Policies Section. The proposed modified condition 21, arising out of the applicant's Option 1, complies with the objectives of the Policy.

(b) *have due regard to the impact of the development on the establishment, quality and use of the public domain;*

By limiting the number of vehicle movements and restricting the hours that the vehicles may access the site, the proposed modified condition 21, arising out of the applicant's Option 1, will not impact the Oasis Drive main street as sought by TPS2 and the PP3.2.3.

(d) *have due regard to the principles and objectives of State Planning Policy 4.2: Activity Centres for Perth and Peel; and*

State Planning Policy 4.2: Activity Centres for Perth and Peel is considered below in the State Government Policies Section.

(e) *consider the specific requirements of the policies established by the Policies for each of the use precincts within the Zone.*

As discussed below, the proposed modified condition 21, arising out of the applicant's Option 1, complies with the specific Policy provisions.

State Government Policies

State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP4.2)

The purpose of SPP4.2 *inter alia* is to specify broad planning requirements for the planning and development of new activity centres in Perth and Peel.

Clause 5.4 - Urban Form

The proposed modified condition is consistent with the urban form requirements of SPP4.2 by virtue of the fact that amenity of the main street will not be impacted as the central median will be retained. The pedestrian environment will not be unduly impacted as the heavy vehicle movements will be limited in number and contained to certain hours outside of when the main street will be at its busiest.

Local Policies

Planning Policy 3.2.3 - Secret Harbour Town Centre (PP3.2.3)

PP3.2.3 provides guidance on development of land within the Secret Harbour Town Centre.

Clause 3 - Policy Objectives

The objectives of PP3.2.3 are:

- (i) *To create a Town Centre which will be the primary social and commercial focus of the locality and surrounding district.*
- (ii) *To achieve an integrated townscape character that incorporates Main Street design principles.*
- (iii) *To create a built environment and landscape that will make a substantial contribution to the sense of community and identity of Secret Harbour.*
- (iv) *To achieve a contemporary, mixed use development by incorporating the best features of commercially successful townscapes.*
- (v) *To allow the Town Centre to grow in stages, whilst maintaining a 'sense of being' at every stage.*
- (vi) *To maintain flexibility to ensure that various land use combinations can be incorporated as demand emerges.*

The proposed modified condition is not considered to compromise the objectives of PP3.2.3 as the main street will not be impacted and the pedestrian environment will not be unduly impacted.

Clause 5 - Indicative Development Plan (IDP)

Clause 5 of PP3.2.5 requires the Council to have regard to the IDP in applying PP3.2.3. The IDP is contained within Figure 9.

The proposed modified condition is consistent with the IDP which identifies a landscaped median along the extent of the Oasis Drive main street.



Figure 9 - Indicative Development Plan

Clause 6 - General Requirements

PP3.2.2 includes general requirements as well as specific precinct requirements applying to development. The relevant requirement is outlined below, along with a comment on compliance with this requirement.

Table 1: PP3.2.2 General Requirements		
Requirement	Comment	Compliance
Development Guidelines		
Generally		
(xv) Service access, including refuse and bin storage for all commercial buildings, should be from the rear of street front premises.	Although the amended proposal will obtain access from the Oasis Drive main street, the amenity of the main street will not be impacted as the central median will be retained. The pedestrian environment will not be unduly impacted as the heavy vehicle movements will be limited in number and contained to certain hours outside of when the street will be at its busiest.	Yes

Consultation:

Public Consultation

As the proposed modified condition will not materially modify the development, advertising is not required.

Consultation with other Agencies or Consultants

Department of Planning (DoP)

The first application received was referred to the Department of Planning for comment as the site has direct access to Warnbro Sound Avenue (Other Regional Road) and the proposed development has the potential to increase traffic flows by more than 100 vehicles per hour in peak period. As the modified condition will have no further impact on Warnbro Sound Avenue, it was not considered necessary to refer the proposal again.

Planning assessment:

The applicant has presented two options for consideration:

- Option 1 Existing Loading Dock - Left In Oasis Drive Left Out Oneida Road; and
- Option 2 Flipped Loading Dock - Left In Oneida Road Left Out Oasis Drive.

Option 1 Existing Loading Dock - Left In Oasis Drive Left Out Oneida Road

City Response:

These movements are considered to be safe from a traffic engineering point of view. It should, however, be noted that the pedestrian crossing point on Oasis Drive at this access point and the tactile indicators should be located outside of the truck swept path area. A new condition is recommended to address this matter.

It is also considered appropriate to restrict the number of service vehicles to a maximum of three per day and limit the hours that the vehicles may access the site, via this access street, to between the hours of 7.00am - 10.00am in the mornings and 4.00pm - 7.00pm in the evenings. This will ensure that the amenity of the Oasis Drive main street is maintained and that the development complies with the TPS2, SPP4.2

and PP3.2.3.

It is noted that in order for service vehicle movements to function appropriately, the corner of the proposed main street expansion is proposed to be shaved off to accommodate the left turn radius of a delivery vehicle entering the site from Oasis Drive.

An advice note has been recommended advising that the retention of the main street expansion is considered to be more important than retention of the proposed car bays. Any future development application for the main street expansion will require the removal of some of the proposed car bays in order to meet the built form requirements for the main street and facilitate the heavy vehicle turning movements.

In summary, Option 1 is supported subject to the modified condition, additional condition and additional advice note being applied.

Option 2 Flipped Loading Dock - Left In Oneida Road Left Out Oasis Drive

City Response:

These movements are not supported from a traffic engineering point of view.

In order to accommodate this turning movement the pedestrian crossing distance across the revised crossover would be significantly greater in width and could lead to issues for people with a disability (particularly visual impairment). The geometry of the crossover with Oasis Drive and the geometry of the Oasis Drive and Oneida Rd intersection would also need to be significantly modified, leading to much higher speeds possible for normal passenger vehicles which would lead to significantly diminished road safety outcomes.

In summary, Option 2 is not supported on safety grounds.

Conclusion:

The modified condition 21, arising out of the applicant's Option 1, will ensure that the amenity of the main street will not be impacted as the central median will be retained. The pedestrian environment will not be unduly impacted as the heavy vehicle movements will be limited in number and contained to certain hours outside of when the street will be at its busiest.

Regulation 17(4)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011* gives the JDAP the ability to add an additional condition 22 when considering a Form 2 application. As such, it is also recommended that an additional condition is applied to rationalise the proposed conflict between the proposed footpath and the vehicle swept paths.

NOTE: It should be noted that stamped approved plans issued by the JDAP on 2 October 2015 show the modified median as proposed by the applicant. It is requested that this error on the plans is rectified as the modification of this median has not been permitted through the previous approvals.



LG Ref: 20.2014.00000411
DoP Ref: DAP/14/01055
Enquiries: Development Assessment Panels
Telephone: (08) 6551 9919

Mr Greg Rowe
Rowe Group Pty Ltd
3/369 Newcastle Street
Northbridge WA 6003

Dear Mr Rowe

**Metro South-West JDAP – City of Rockingham – DAP Application
20.2014.00000411
Lot 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road,
Secret Harbour
Extension to Mixed Use Development**

Thank you for your application and plans submitted to the City of Rockingham on 10 October 2014 for the above development at the above mentioned site.

This application was considered by the Metro South-West Joint Development Assessment Panel at its meeting held on 12 February 2015, where in accordance with the provisions of the City of Rockingham Town Planning Scheme No.2, it was resolved to approve the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, a DAP Form 2 application may be made to amend or cancel this planning approval in accordance with Regulation 17 of the Development Assessment Panel Regulations 2011.

Also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be made within 28 days of the determination in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any enquiries in respect to the conditions of approval please contact Ms Erika Barton at the City of Rockingham on (08) 9528 0305.

Yours sincerely

Sean O'Connor

DAP Secretariat

18/02/2015

Encl. DAP Determination Notice
Approved plans

Cc: Ms Erika Barton
City of Rockingham
erika.barton@rockingham.wa.gov.au





Planning and Development Act 2005

City of Rockingham Town Planning Scheme No.2

Metro South-West Joint Development Assessment Panel

Determination on Development Assessment Panel Application for Planning Approval

Location: Lot 2003 Secret Harbour Boulevard and Lots 2010 and 2013 Oneida Road, Secret Harbour

Description of proposed Development: Extension to Mixed Use Development

In accordance with Regulation 8 of the *Development Assessment Panels Regulations 2011*, the above application for planning approval was **granted** on 12 February 2015, subject to the following:

Approve DAP Application reference DP/12/01055 and accompanying plans (as amended in red):

- Ground Floor Plan, Drawing No. DA02, Issue H, dated 26.11.14;
- Oasis Drive Town Square Plan Entry 1, Drawing No. DA03, Issue D, dated 07.10.14;
- Oasis Drive Town Square Plan Entry 2, Drawing No. DA04, Issue D, dated 07.10.14;
- Entry Plan 4, Drawing No. DA05, Issue D, dated 07.10.14;
- Roof Plan, Drawing No. DA06, Issue D, dated 07.10.14;
- Elevations, Drawing No. DA07, Issue D, dated 07.10.14;
- Elevations, Drawing No. DA08, Issue F, dated 14.11.14
- Sections + Views, Drawing No. DA010, Issue D, dated 07.10.14;
- Signage External, Drawing No. DA013, issue E, dated 07.10.14;
- Proposed Signalised at the Oneida Road/Warnbro Sound Avenue Intersection, Issue B, Dated 11-12-2014

in accordance with Clause 6.7.1(a) of the City of Rockingham Town Planning Scheme No.2 and Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

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. The specialist tenancies marked as 'tenancies' on the plans are approved for use as: 'Dry Cleaning Premises', 'Laundromat', 'Office', 'Restaurant', and 'Shop' as defined by the City of Rockingham's Town Planning Scheme No.2.
3. Arrangements must be made for the amalgamation of the land onto one Certificate of Title prior to applying for a Building Permit and must be completed prior to occupation.





4. Prior to issue of a Building Permit, engineering drawings and specifications are to be prepared for the upgrading of the intersection of Oneida Road and Warnbro Sound Avenue to a signalised intersection, in accordance with Main Roads WA specifications and to the satisfaction of the City of Rockingham. The applicant is to contribute a proportionate cost of the required works.
5. Where the approved plans referenced in Condition No. 4 show that a portion of Lot 2013 is required for the construction of the intersection, then that portion must be ceded to the Crown for the purposes of a public road, free of cost, prior to occupation of the development.
6. Prior to issue of a Building Permit, arrangements being made with the City of Rockingham for the partial payment of the cost to engage a suitably qualified Quantity Surveyor/Engineer, to the satisfaction of the City of Rockingham, to provide a cost estimate for the construction of the intersection, as illustrated in the approved plans referenced in Condition No. 4.
7. Prior to any works occurring, arrangements being made with the City of Rockingham for the partial payment of the cost of the intersection works as advised by the Quantity Surveyor/Engineer referenced in Condition No. 6.
8. The proposed access street intersections with Warnbro Sound Avenue, Oneida Road and Oasis Drive must be designed and constructed to the satisfaction of the City of Rockingham. Detailed plans and specifications must be submitted to and approved by the City prior to issue of a Building Permit. The access street intersections must be constructed in accordance with the approved plans prior to occupation of the development.
9. The Access Street Middle on Warnbro Sound Avenue must only provide for Left in/Left Out/Right in traffic movements from the site.
10. Unless otherwise agreed with the City of Rockingham on advice from the Department of Planning, the existing left-in/left-out access at Access Street North onto Warnbro Sound Avenue (adjacent to the petrol station) is to be modified or closed within 28 days of the expiry of the current lease for the petrol station, but no later than 30 March 2018, after which there is to be no more than six access or egress movements to Warnbro Sound Avenue.
11. The undeveloped area fronting Oasis Drive is to be landscaped and the blank walls of the building fronting Oasis Drive to be treated generally in accordance with the Elevations Plan, Drawing No.DA08, dated 14.11.2014, and to the City's satisfaction, prior to occupation of the development and maintained until that land is occupied by streetfront shops.
12. 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.
13. All stormwater generated by the development shall be designed to be contained of on-site and certified by a suitably qualified hydraulic consultant, prior to the issue of a Building Permit. The design shall be implemented and maintained for the duration of the development.
14. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to issue of a Building Permit.
 - (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.

The landscaping 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.

15. The carpark must:-

- (i) provide a minimum of 729 parking spaces;
- (ii) be designed in accordance with User Class 3A of the 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 issue of a Building Permit;
- (iii) include seventeen 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;
- (v) have lighting installed, prior to the occupation of the development; and
- (vi) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times.

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

- 16. Thirty-eight (38) on-street car parking spaces must be provided for short term parking along Oasis Drive. The parking must be designed in accordance with the High Turnover Use Category of the Australian Standard AS 2890.5—1993, Parking facilities, Part 5: On-street parking, approved by the City of Rockingham prior to issue of a Building Permit, and constructed prior to occupation of the development at the applicant's expense.
- 17. A minimum of sixteen short-term bicycle parking spaces and ten long-term bicycle parking spaces must be provided for the development. The parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities, approved by the City of Rockingham prior to lodgement of a Building Permit, and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good condition at all times.
- 18. Two secure hot-water showers (one male, one female), change room and clothing lockers must be provided for the development. It must be designed in accordance with Planning Policy 3.3.14, Bicycle Parking and End-of-Trip Facilities, approved by the City prior to issue of a Building Permit, and constructed prior to occupancy of the development. The showers and change rooms and lockers must be retained and maintained in good condition at all times.
- 19. A Waste Management Plan must be prepared and include the following detail to the satisfaction of the City, prior to issue of a Building Permit:-





- (i) the location of bin storage areas and bin collection areas;
- (ii) details of screening of the bins from view from the street;
- (iii) the expected volume of waste to be disposed of (including general waste, recycling and waste oil);
- (iv) the number, volume and type of bins, and the type of waste to be placed in the bins;
- (v) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas;
- (vi) frequency of bin collections; and
- (vii) the bin storage area drainage details.

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

- 20. A Loading and Service Management Plan be prepared to the satisfaction of the City of Rockingham prior to occupation of the development that addresses the access of service vehicles and operation of loading areas, including the timing of the use.
- 21. Heavy vehicles are not permitted to gain access to or from the site via the southern access driveway on Oasis Drive.
- 22. An Acoustic Assessment must be prepared which demonstrates that the completed development complies with the Environmental Protection (Noise) Regulations 1997, and includes the following information, to the satisfaction of the City, prior to the occupation of the development:
 - (i) noise sources compared with the assigned noise levels as stated in the Environmental Protection (Noise) Regulations 1997, when the noise is received at the nearest 'noise sensitive premises' and surrounding residential area;
 - (ii) tonality, modulation and impulsiveness; and
 - (iii) confirm the implementation of noise attenuation measures.
- 23. Any further works must be carried out in accordance with the Acoustic Report, and implemented as such for the duration of the development.
- 24. 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 Oasis Drive, at all times.
- 25. 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 provided to the City of Rockingham's satisfaction prior to applying for a Building Permit.
- 26. The Pylon Sign must be reduced in height to a maximum overall height of 9.0m.
- 27. A Sign Strategy must be prepared and include the information required by Planning Policy 3.3.1, Control of Advertisements, to the satisfaction of the City, prior to the issue of a Building Permit and implemented as such for the duration of the development. The Pylon Sign is, however, approved as part of this application.





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 Planning Approval must be submitted to the City of Rockingham.
2. A separate approval from the City of Rockingham's Health Services is required under the Food Act 2008 and Food Safety Standards. This is required prior to the lodgement of an application for a Building Permit. The applicant should liaise with the City of Rockingham's Health Services in this regard.
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 Condition 14, the applicant and owner should liaise with the City of Rockingham's Parks 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 carparking 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.
6. An Outdoor Eating Area Licence from the City's Health Services is required under the Activities in Public Places and Thoroughfares and Trading Local Laws 2001. This is required prior to the lodgement of an application for a Building Permit. The applicant should liaise with the City's Health Services in this regard.
7. The development (awnings) must comply with the *Street Verandahs Local Law* 2000 relating to encroachments into the road reserve. The applicant and owner should liaise with the City's Building Services in this regard.
8. The applicant is advised that as there are overhead power lines and/or underground cables, adjacent to or traversing the property Western Power should be consulted prior to any works commencing at the above site/development/property or if any alignments, easements or clearances are encroached or breached.
9. With respect to Condition No.4, 6 and 7, the percentage shall be determined by an appointee from the institute of arbitration or the institute of engineers, in the event that the applicant and Council cannot agree on a percentage proportion of costs.
10. With respect to Condition No. 14 and 15, should staging of the development occur, the City is prepared to consider the staging of the landscaping and carparking accordingly.
11. With respect to Condition No. 20 the City of Rockingham will restrict access of service vehicles or operation of forklifts to the hours of 7:00am to 7:00pm Monday to Saturday and 9:00am to 7:00pm Sunday and public holidays unless the Loading and Service Management Plan demonstrates compliance with the Environmental Protection (Noise) Regulations 1997 outside of those hours.



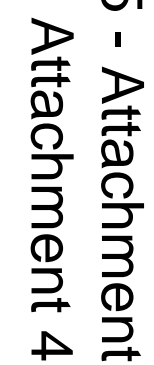


Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Development Assessment Panel Regulations 2011*.









MELBOURNE
SYDNEY
PERTH

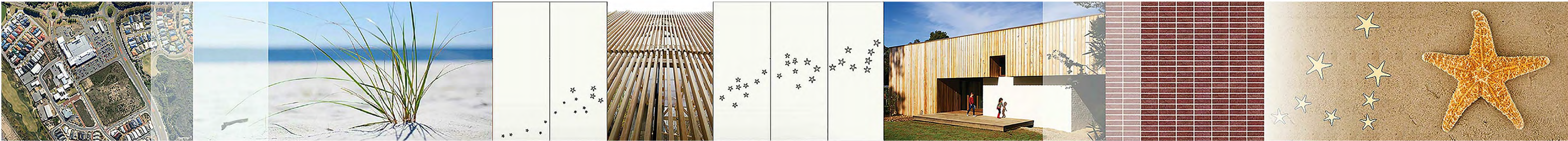
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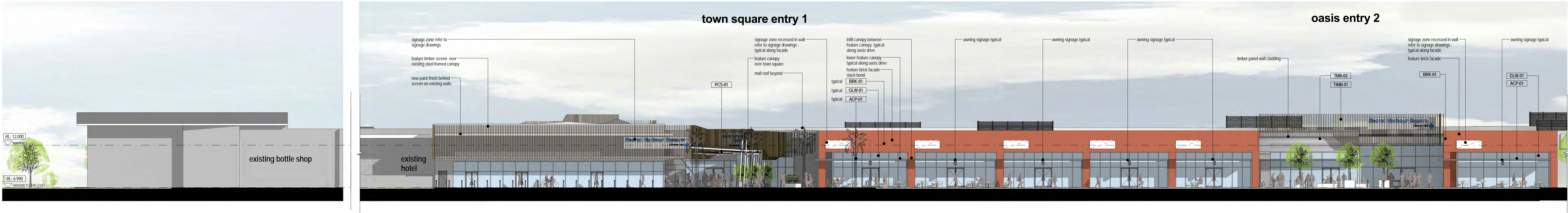
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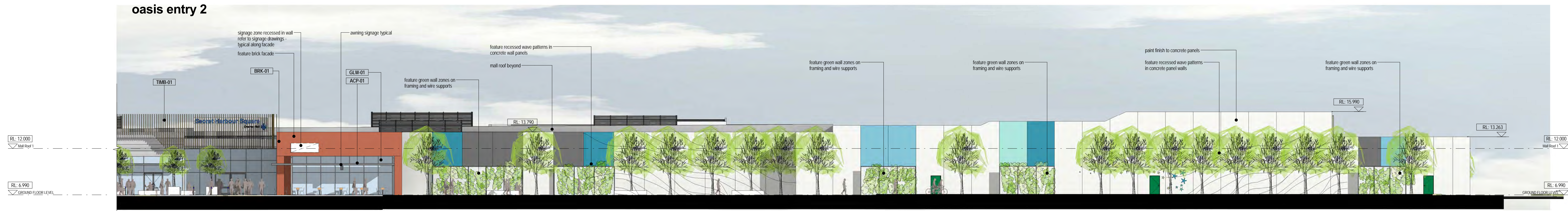




MATERIAL/COLOUR PALETTE



OASIS DRIVE - SOUTH ELEVATION - A 1 : 200



OASIS DRIVE - SOUTH ELEVATION - B 1 : 200



ONEIDA ROAD - EAST ELEVATION 1 : 200



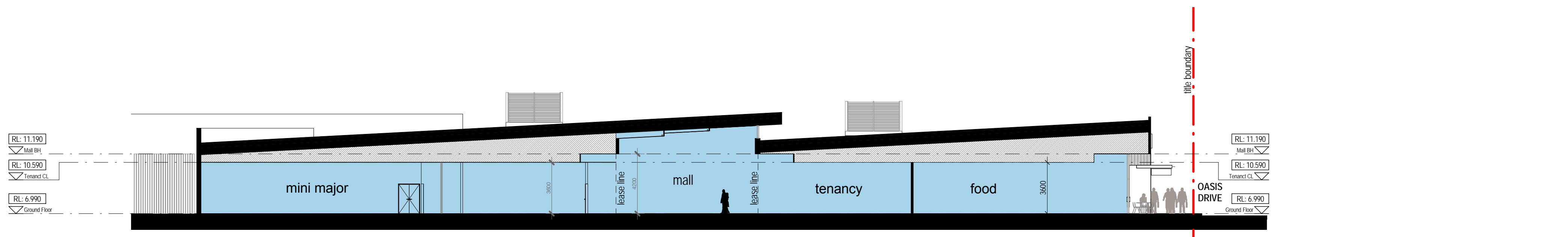
OASIS DRIVE- STREET VIEW



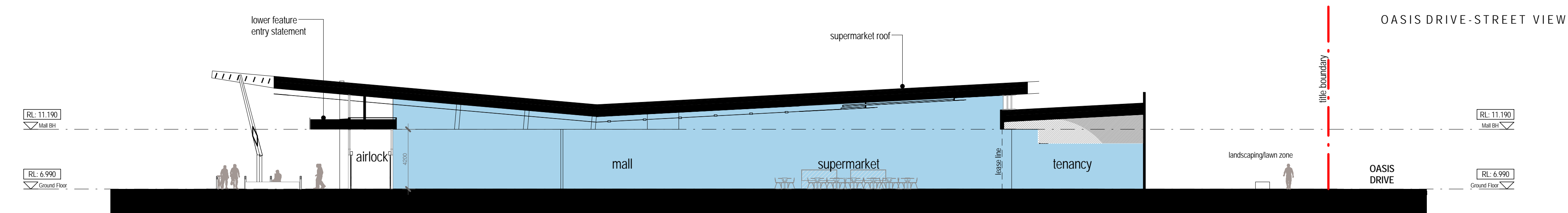
OASIS DRIVE-TOWN SQUARE



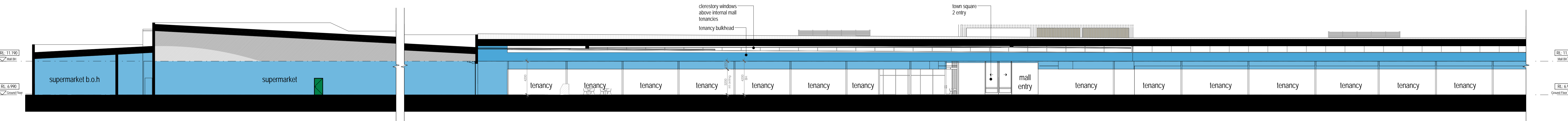
OASIS DRIVE-TOWN SQUARE



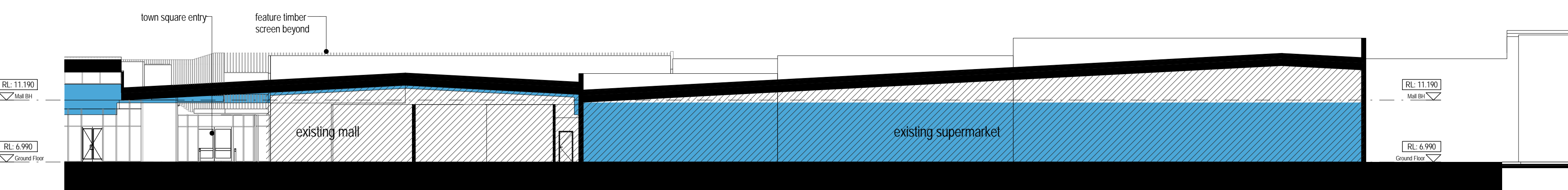
SECTION A-A 1:200



SECTION B-B 1:200



SECTION C-C 1:200



SECTION C-C cont 1:200




OASIS DRIVE-OASIS ENTRY2





DEVELOPMENT ASSESSMENT PANEL APPROVED 12 FEBRUARY 2015

PDS-008/15 - Attachment 10
NOTES:
1. ALL TRAFFIC POLES ARE 0.5m METRE OFFSET TO KERB

			PROJECT: Secret Harbour Shopping Centre Expansion	DRAWN BY:	Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052 PH: 08 9272 7770 WEB: www.kctt.com.au FTP: www.kctt.wetransfer.com	
B	11-12-2014	LOCATION OF TRAFFIC LIGHTS DETERMINED	TITLE: Proposed Signalised at the Oneida Road / Warnbro Sound Avenue Intersection	DJ.M.		
A	10-12-2014	ISSUED FOR REVIEW	DRAWING NUMBER: KC00258.000_S11			
NO	DATE	AMENDMENT				



LG Ref: 20.2014.411.2
DoP Ref: DAP/14/00649
Enquiries: Development Assessment Panels
Telephone: (08) 6551 9919

Mr Sean Fairfoul
Rowe Group
Level 3, 369 Newcastle Street
Northbridge WA 6003

Dear Mr Fairfoul

**Metro South-West JDAP – City of Rockingham – DAP Application 20.2014.411.2
Lot 2003 (420) Secret Harbour Boulevard and Lots 2010 (6) and 2013 Oneida
Road
Extension to mixed use development**

Thank you for your application and plans submitted to the City of Rockingham on 22 July 2015 for the above development at the abovementioned site.

This application was considered by the Metro South-West Joint Development Assessment Panel at its meeting held on 2 October 2015, where in accordance with the provisions of the City of Rockingham Town Planning Scheme No.2, it was resolved to approve the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, a DAP Form 2 application may be made to amend or cancel this planning approval in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Mr Greg Delahunty at the City of Rockingham on (08) 9258 0429.

Yours sincerely,

Sean O'Connor

DAP Secretariat

12/10/2015

Encl. DAP Determination Notice
Approved plans

Cc: Mr Greg Delahunty
City of Rockingham





Planning and Development Act 2005

City of Rockingham Town Planning Scheme No.2

Metro South-West Joint Development Assessment Panel

Determination on Development Assessment Panel Application for Planning Approval

Location: Lot 2003 (420) Secret Harbour Boulevard and Lots 2010 (6) and 2013 Oneida Road

Description of proposed Development: Extension to mixed use development

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 2 October 2015, subject to the following:

1. **Accept** that the DAP Application reference DAP/14/00649 as detailed on the DAP Form 2 dated 22 July 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/14/00649 as detailed on the DAP Form 2 date 22 July 2015 and accompanying plans in accordance with the provisions of the City of Rockingham Town Planning Scheme No.2 and Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

Amended Conditions

4. Prior to occupation of the proposed development, engineering drawings and specifications are to be prepared for the upgrading of the intersection of Oneida Road and Warnbro Sound Avenue to a signalised intersection, in accordance with Main Roads WA specifications and to the satisfaction of the City of Rockingham.
7. Prior to occupation of the proposed development, arrangements being made with the City of Rockingham for the full payment of the cost of the intersection works.
10. Unless otherwise agreed with the City of Rockingham on advice from the Department of Planning, the Access Street South on Warnbro Sound Avenue must only provide for left in traffic movements to the site.
15. The carpark must:-
 - (i) provide a minimum of 633 parking spaces;
 - (ii) be designed in accordance with Use Class 3A of the Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Offstreet car parking* unless otherwise specified by this approval, prior to issue of a Building Permit;



- (iii) include seventeen car parking space(s) dedicated to people with disabilities designed in accordance with Australia/New Zealand Standard AS/NZS 2890,6:2009, Parking facilities, Part 6: Off-street carparking 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;
- (v) have lighting installed, prior to the occupation of the development; and
- (vi) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282-1997, Control of the obtrusive effects of outdoor lighting, at all times.

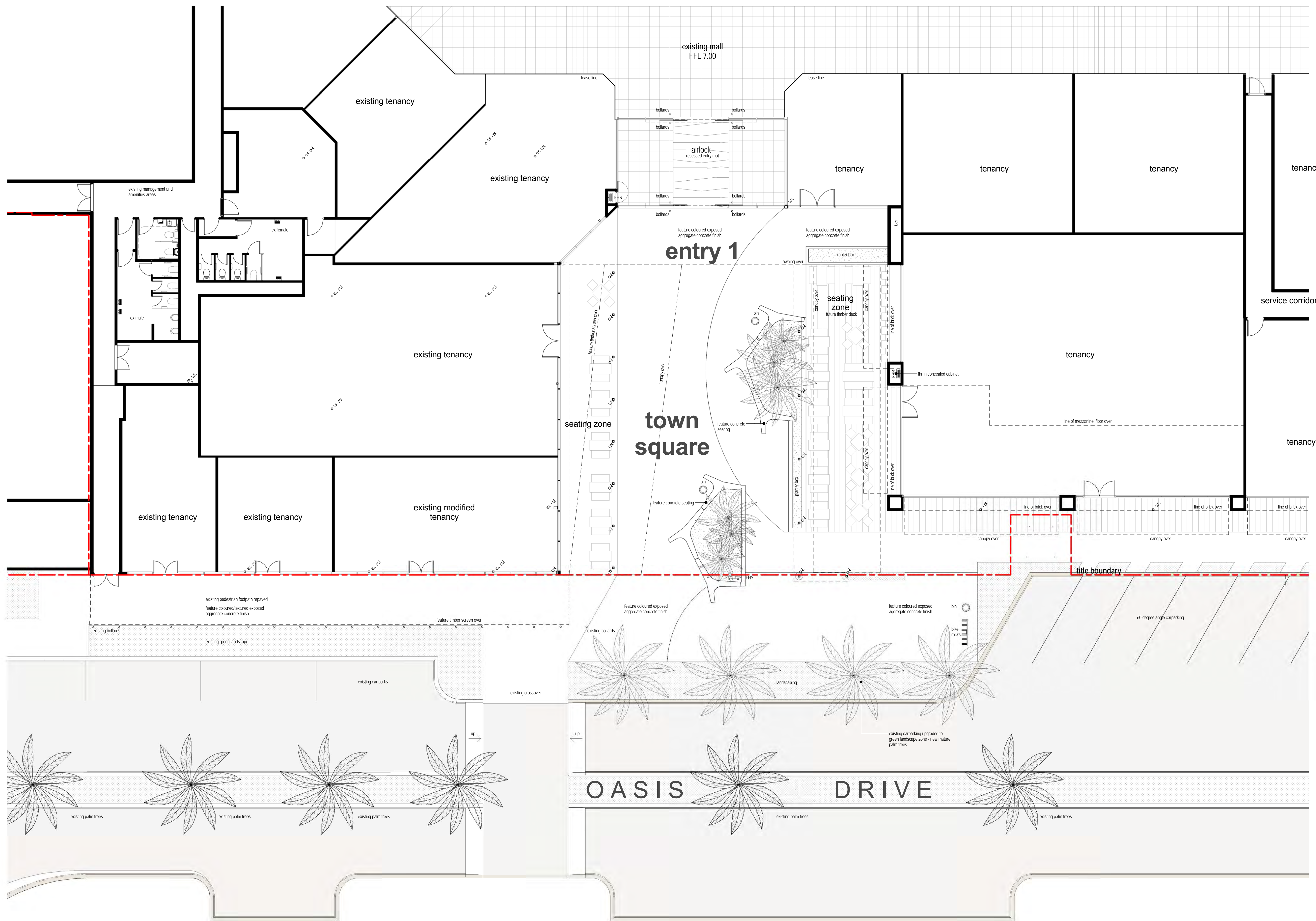
The car park must comply with the above requirements for the duration of the development.

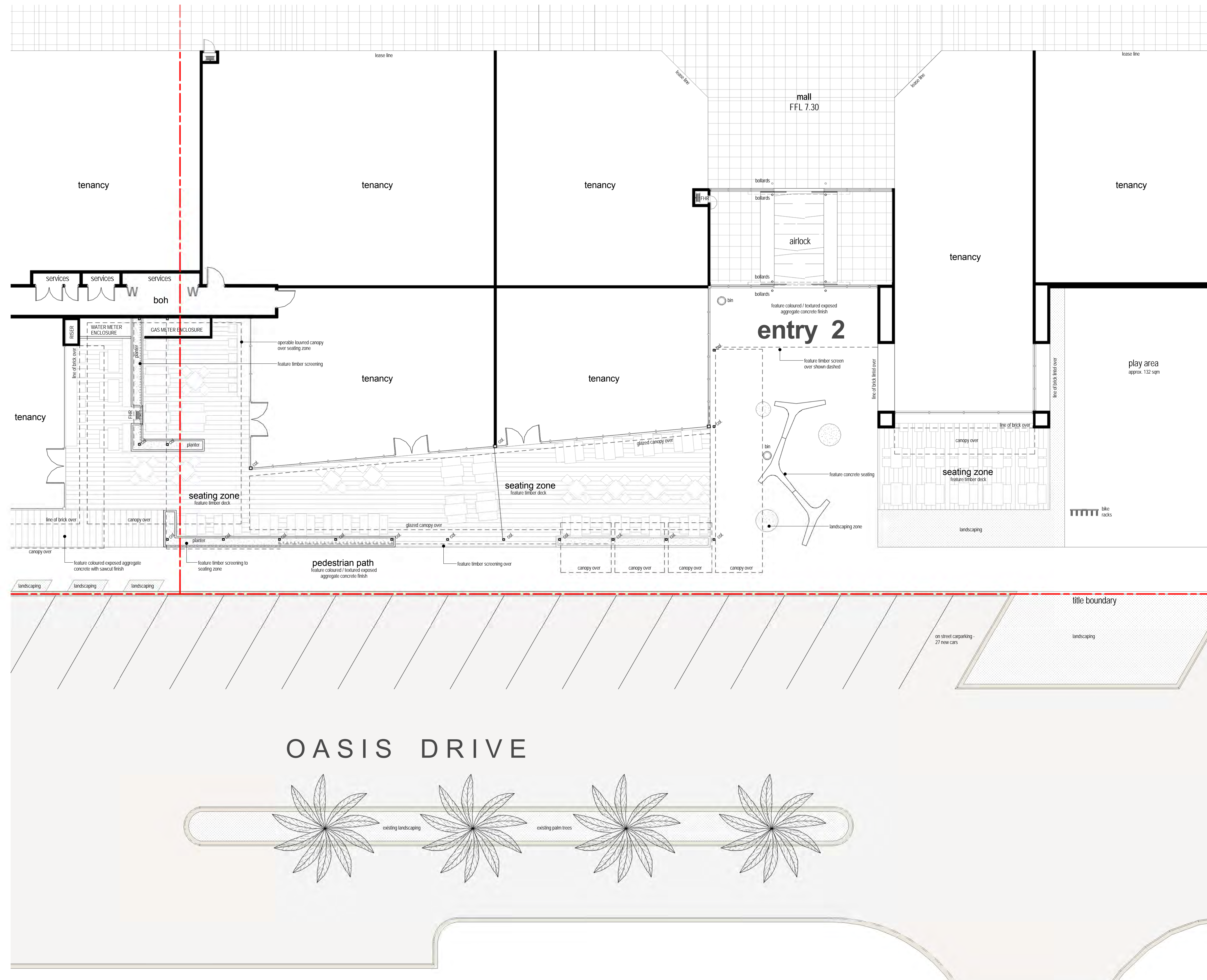
Deleted Condition

6. Prior to issue of a Building Permit, arrangements being made with the City of Rockingham for the partial payment of the cost to engage a suitably qualified Quantity Surveyor/Engineer, to the satisfaction of the City of Rockingham, to provide a cost estimate for the construction of the intersection, as illustrated in the approved plans referenced in Condition No. 4.

All other conditions, footnotes and advice notes remain as per the DAPs' original decision dated 18 May 2015.

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.





no. date			ISSUE / revision			by						client			project - address			drawing title			job no.			drawing no.			issue			MELBOURNE SYDNEY PERTH		
A	12/01/10	DA ISSUE						RM		Secret Harbour Expansion 420 Secret Harbour Boulevard, Secret Harbour, W.A 6173	ENTRY 2 PLAN	2013-074	DA04	F		scale @ B1 1 : 100	draw RM	<small>All dimensions in millimetres unless noted otherwise. Do not scale drawings. Always dimension lines perpendicular. The drawing and its contents are subject to copyright laws and practices. Do not reproduce in full or part without approval. © Copyright</small>	1800 422 533													
B	15/01/10	DA ISSUE REVIEW					RM																									
C	08/01/10	DA ISSUE REVIEW					RM																									
D	07/10/10	DA ISSUE					RM																									
E	15/01/10	DA REVIEW ISSUE					RM																									
F	12/01/10	DA ISSUE					RM																									



D.A. ISSUE

job no.	drawing no.	issue
2013-074	DA04.1	A
1:100	Author	

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Secret Harbour Expansion
420 Secret Harbour Boulevard,
Secret Harbour, W.A 6173

drawing title
ENTRY 3 PLAN

no.	date	ISSUE / revision	by
1	13/07/15	ISSUE	Author



D.A. ISSUE

job no.	drawing no.	issue
2013-074	DA05	F
	1:100	RM

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D	10/01/14	ISSUE	RM
E	10/01/14	ISSUE	RM
F	10/01/14	ISSUE	RM



Secret Harbour Expansion
420 Secret Harbour Boulevard,
Secret Harbour, W.A 6173

drawing title
ENTRY 4 PLAN



1 : 500

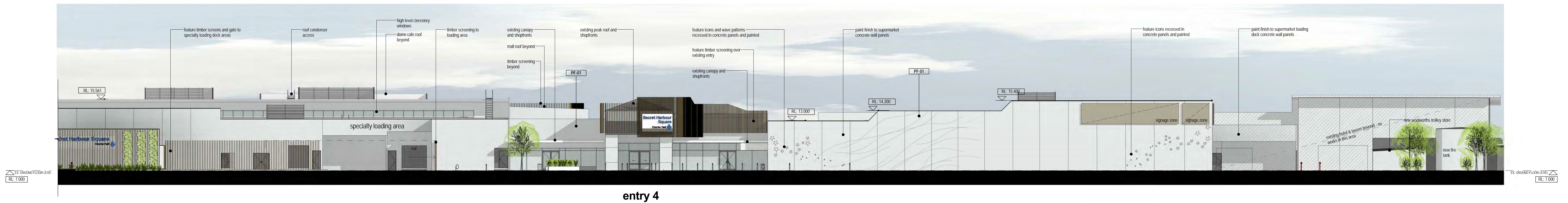
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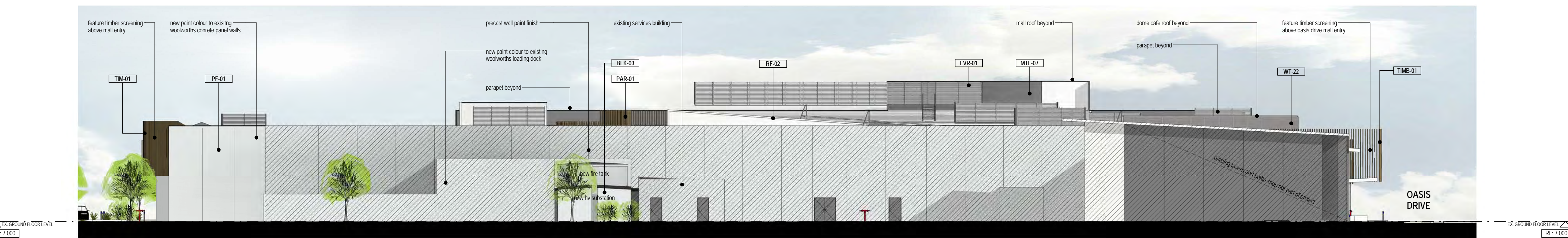
MATERIAL/COLOUR PALETTE



WARNBRO SOUND AVENUE - NORTH ELEVATION - A 1 : 200



WARNBRO SOUND AVENUE - NORTH ELEVATION - B 1 : 200



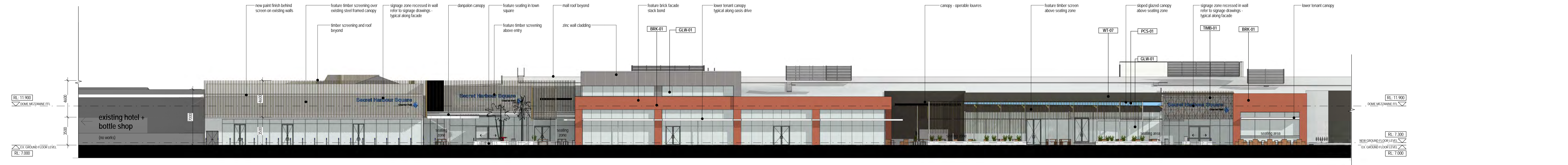
SECRET HARBOUR BOULEVARD - WEST ELEVATION 1 : 200

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B	05/01/14	ISSUE RE VIEW	RM							All dimensions in millimetres unless noted otherwise. Do not scale these drawings. (If you do, dimensions may prove incorrect). This drawing and its contents are subject to copyright laws and provisions. Do not reproduce in whole or in part without approval. ©Copyright						
C	09/01/14	ISSUE RE VIEW	RM													
D	07/01/14	ISSUE	RM													
E	10/01/14	ISSUE	RM													
F	10/01/14	ISSUE	RM													
G	11/01/14	ISSUE	RM													



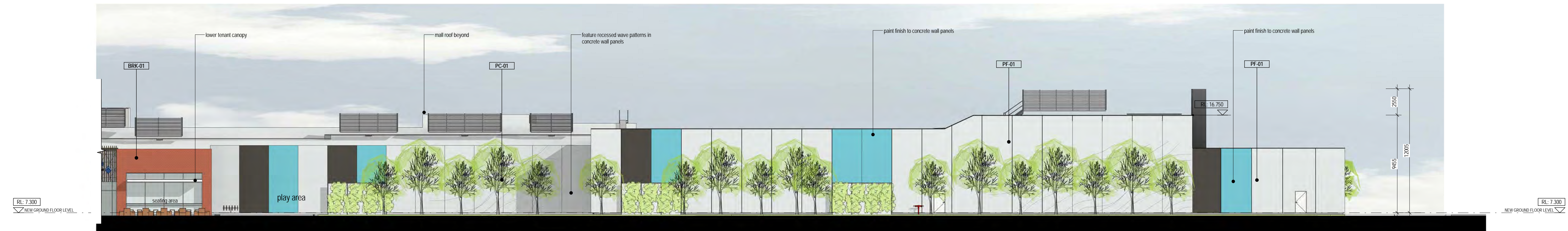


MATERIAL/COLOUR PALETTE

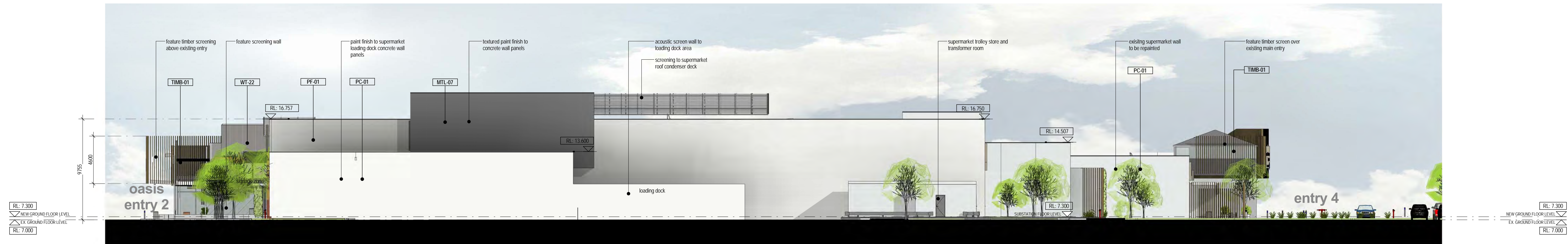


town square entry 1

OASIS DRIVE - SOUTH ELEVATION - A 1:200



OASIS DRIVE - SOUTH ELEVATION - B 1:200



ONEIDA ROAD - EAST ELEVATION 1:200



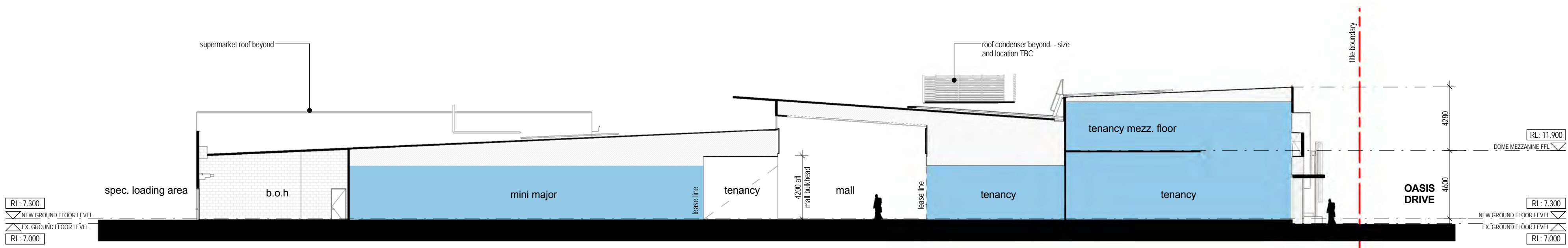
OASIS DRIVE - STREET VIEW



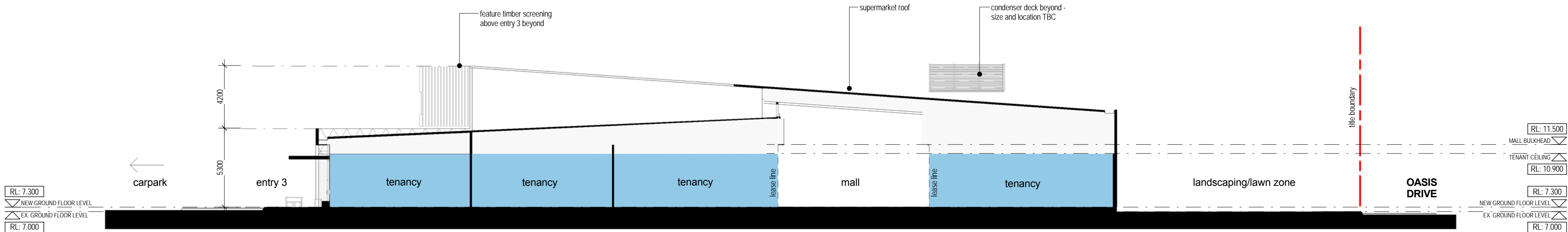
OASIS DRIVE - TOWN SQUARE



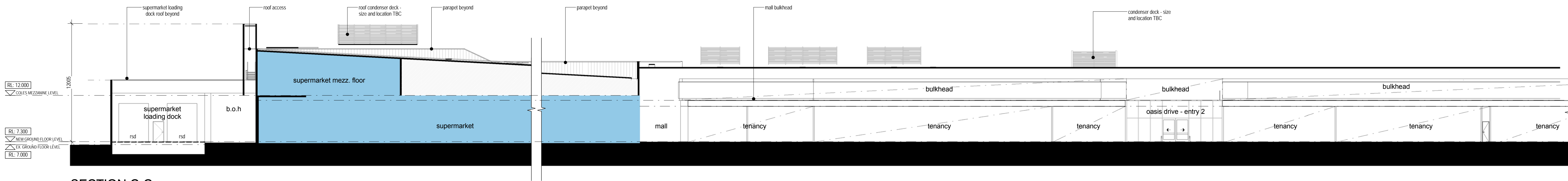
TOWN SQUARE - 12.30PM WINTER



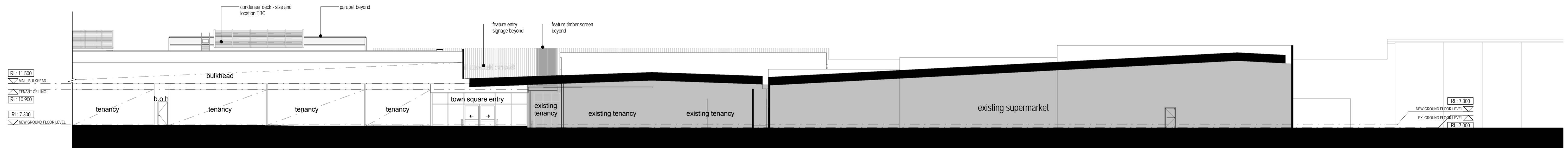
SECTION A-A



SECTION B-B



SECTION C-C



SECTION C-C cont



OASIS DRIVE - ENTRY 2



LG Ref: 20.2014.411.3
DoP Ref: DAP/14/00649
Enquiries: Development Assessment Panels
Telephone: (08) 6551 9919

Mr Sean Fairfoul
Rowe Group
Level 3, 369 Newcastle Street
Northbridge WA 6003

Dear Mr Fairfoul

**Metro South-West JDAP – City of Rockingham – DAP Application 20.2014.411.3
Lot 2003 (420) Secret Harbour Boulevard and Lots 2010 (6) and 2013 Oneida
Road, Secret Harbour
Mixed Used Development – Gates Service Area and Review of Condition**

Thank you for your application and plans submitted to the City of Rockingham on 3 December 2015 for the above development at the abovementioned site.

This application was considered by the Metro South-West Joint Development Assessment Panel at its meeting held on 18 January 2016, where in accordance with the provisions of the City of Rockingham Town Planning Scheme No.2, it was resolved to refuse the application as per the attached notice of determination.

Please be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the reasons for refusal, please contact Mr Greg Delahunty at the City of Rockingham on (08) 9528 0429.

Yours sincerely,

Dallas Downes

DAP Secretariat

21/01/2016

Encl. DAP Determination Notice
Refused Plans

Cc: Mr Greg Delahunty
City of Rockingham





Planning and Development Act 2005

City of Rockingham Town Planning Scheme No.2

Metro South-West Joint Development Assessment Panel

**Determination on Development Assessment Panel
Application for Planning Approval**

Location: Lot 2003 (420) Secret Harbour Boulevard and Lots 2010 (6) and 2013 Oneida Road, Secret Harbour

Description of proposed Development: Mixed Used Development – Gates Service Area and Review of Condition

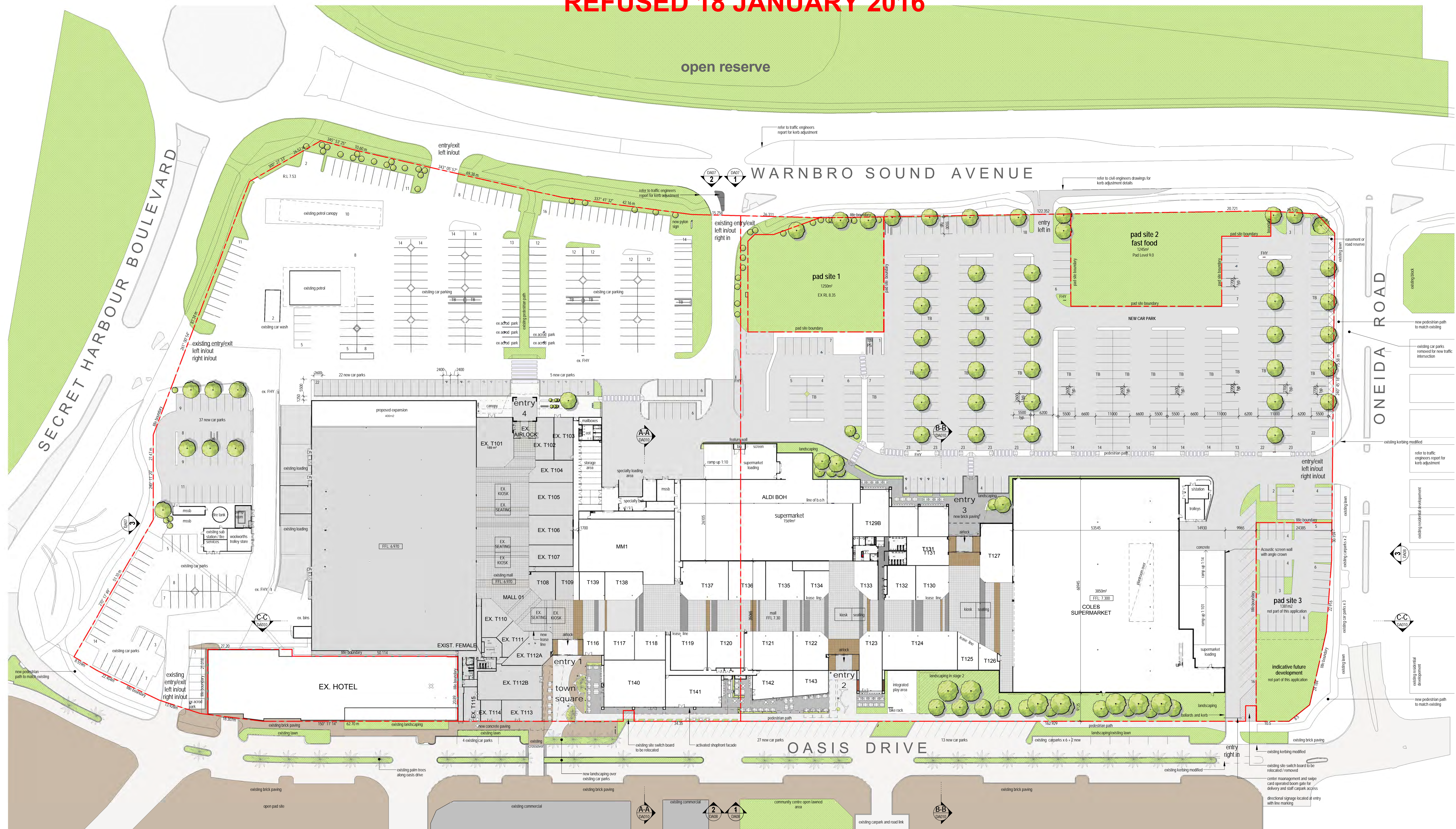
In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **refused** on 18 January 2016, subject to the following:

1. **Accept** that the DAP Application reference DAP/14/00649 as detailed on the DAP Form 2 dated 3rd December 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Refuse** the DAP Application reference DAP/14/00649 as detailed on the DAP Form 2 dated 3rd December 2015 and accompanying plans:
 - Ground Floor Plan, Drawing No. DA02 Issue M, dated 28.10.15
 - Elevation Plan, Drawing No. DA08 Issue H, dated 28.10.15

in accordance with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Metropolitan Region Scheme, for the proposed minor amendment to the approved mixed use commercial development for the following reason:

- (a) The proposed development, which is inconsistent with City of Rockingham *Town Planning Scheme Number 2* and *Local Planning Policy No. 3.2.3 - Secret Harbour Town Centre*, will have an adverse impact on the function and amenity of the Oasis Drive Main Street and will result in safety issues for users of the wider road network.

DEVELOPMENT ASSESSMENT PANELS
REFUSED 18 JANUARY 2016



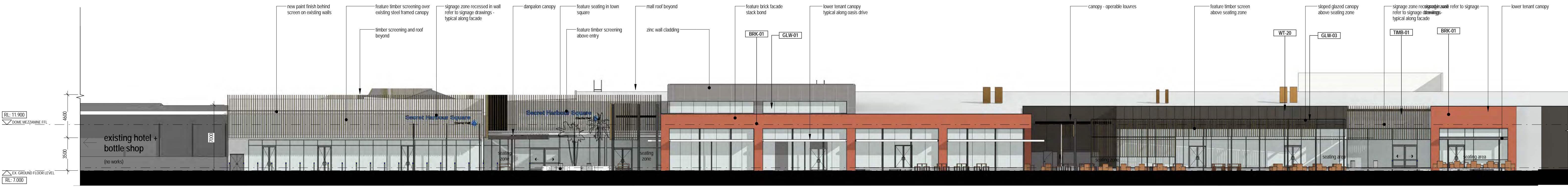
hatch denotes no works in existing area

Ground Floor 1:500

DEVELOPMENT ASSESSMENT PANELS
REFUSED 18 JANUARY 2016

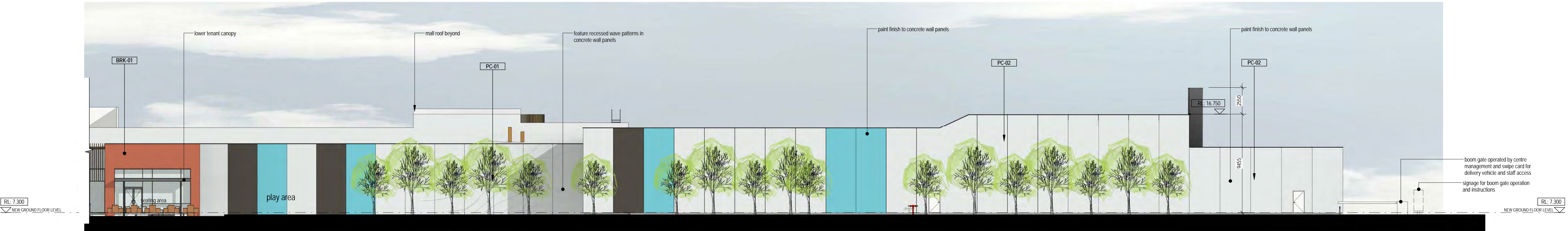


MATERIAL/COLOUR PALETTE



town square entry 1

OASIS DRIVE - SOUTH ELEVATION - A 1:200



OASIS DRIVE - SOUTH ELEVATION - B 1:200



ONEIDA ROAD - EAST ELEVATION 1:200



ROWEGROUP

Job Ref: 8056
2 November 2015

Chief Executive Officer
City of Rockingham
PO Box 2142
ROCKINGHAM DC WA 6967

Attention: Erika Dawson – Projects Officer

Perth Office
L3, 369 Newcastle Street
Northbridge 6003
Western Australia

p: +618 9221 1991
f: +618 9221 1919
info@rowegroup.com.au
rowegroup.com.au

Dear Erika

**DAP Form 2 Application – Secret Harbour Square Shopping Centre
Lot 2003 (No. 420) Secret Harbour Boulevard and Lots 2010 (No. 6) and
2013 Oneida Road, Secret Harbour**

Rowe Group acts on behalf of Perpetual Limited of Care of Charter Hall Retail Management Limited, the landowners of Lot 2003 (No. 420) Secret Harbour Boulevard and Lots 2010 (No. 6) and 2013 Oneida Road, Secret Harbour ('the subject site'). This application proposes to amend Condition 21 of the 18 February 2015 Planning Approval.

To assist in processing this application, please find enclosed the following:

- A signed DAP Form 2, City of Rockingham Application for Development Approval Form and Metropolitan Region Scheme Form 1;
- A check for the sum of \$450.00, being the applicable DAP Form 2 application fee and the City's fee for a reconsideration of a condition of planning approval; and
- Current copies of the relevant Certificates of Title.

Subject Site

The subject site comprises three (3) land parcels, being:

- Lot 2003 on Certificate of Title Volume 2693 Folio 555;
- Lot 2010 on Certificate of Title Volume 2723 Folio 23; and
- Lot 2013 on Certificate of Title Volume 2758 Folio 266.

The subject site has a total land area of approximately 6.16ha, with frontages of approximately 223.46m to Secret Harbour Boulevard, 169.86m

to Oneida Road, 341.75m to Warnbro Sound Avenue and 317.51m to Oasis Drive. Refer Attachment One – Certificates of Title.

Background

At its 12 February 2015 the Metropolitan South-West Joint Development Assessment Panel ('JDAP') resolved to approve the redevelopment of the Secret Harbour Square Shopping Centre. At its 2 October 2015 JDAP resolved to approve an amended plan to the previously approved plans for the redevelopment of the Centre.

Proposed Review of Condition

As the City is aware Condition 21 of the 18 February 2015 Planning Approval prevents trucks from entering the loading dock from Oasis Drive. Condition 21 reads:

21. Heavy vehicles are not permitted to gain access to or from the site via the southern access driveway on Oasis Drive.

Refer Attachment Two – 18 February 2015 Planning Approval.

We understand that this condition was included to ensure that the amenity of the main street not be affected by the small number of heavy vehicles that might have travelled along the main street to access the loading dock.

The proposed expansion of the Secret Harbour Square Shopping Centre includes a significant component that fronts and relies on the main street.

The main street is important to the Centre, with Charter Hall investing a lot to ensure that it works operationally and financially. Charter Hall will not allow for the Centre's operations to adversely impact on the main street. Equally important, however, is the inclusion of a major supermarket (Coles) as a tenant to the Centre.

By imposing Condition 21, the internal (resultant) truck manoeuvre is far from ideal and represents a safety risk. Therefore, we proposed Condition 21 of the 18 February 2015 Planning Approval be removed.

The perspective tenant (Coles) has confirmed that they will not locate at the site if they are forced to undertake the proposed reversing manoeuvre. The perspective tenant expects one (1) to two (2) trucks per day on average and up to a maximum of three (3) per day. It is proposed to bring these trucks down Oneida Road, turning right onto Oasis Drive and then right again into the loading dock. Whilst this does result in a minor modification to the median island and the removal of one (1) small street tree, the integrity of the resultant intersection is maintained. It is also important to note that the resultant

intersection is similar to a number of intersections within this area and does not represent an unnecessary safety risk.

We understand that the City's Engineering Department have concerns that customers and/or general traffic could access the loading area (heading west) and cut across the intersection, which would be unsafe. In order to maintain the safety of the intersection it is proposed to include the following measures:

1. The loading area to be on-way only. The loading area will include appropriate signage to direct traffic that access is only to be from the west, heading east.
2. The loading area to be only available for staff and service vehicles. The loading area will include linemarking that indicates staff and service vehicles only.
3. The loading area to be gated from Oasis Drive (refer Attachment Three – Proposed Gate). The gate can only be raised by staff with a swipe key or from within the supermarket when the drivers of the service vehicle call ahead of arrival.

These operational procedures will remove any possible conflict between trucks and cars at this intersection and will ensure that no vehicles access Oasis drive from the east.

It is also important to note that the crossover have been modified to ensure that trucks are able to access the subject site from the northern portion of Oasis Drive.

It is proposed that Condition 21 be modified as follows:

- 21. Heavy vehicles may only access the southern driveway on Oasis Drive from south of the site and are not to travel along Oasis Drive between the northern driveway and the southern driveway.*

Given the above, we are of the view that truck access to the loading dock via Oasis Drive should be supported as the proposed truck movement and operational procedures will result in a much safer outcome overall.

Should you require any further information or clarification in relation to this matter, please contact Sean Fairfoul or the undersigned on 9221 1991.

Yours faithfully,

Nathan Stewart

Rowe Group

Attachment One

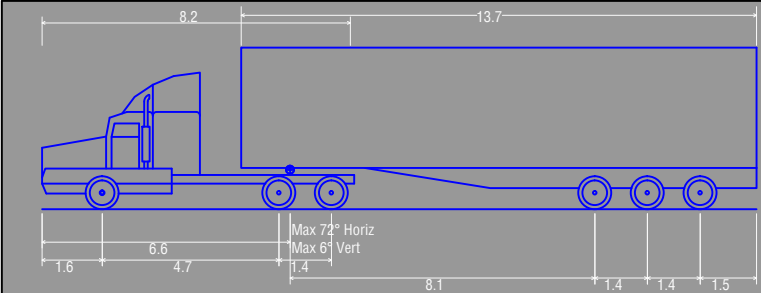
Certificates of Title

Attachment Two

18 February 2015 Planning Approval

Attachment Three

Proposed Gate

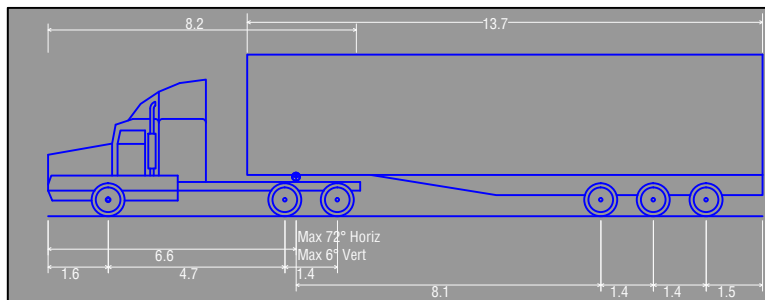


AV - Articulated Vehicle
Overall Length 19.000m
Overall Width 2.500m
Overall Body Height 4.301m
Min Body Ground Clearance 0.418m
Track Width 2.500m
Lock to Lock Time 6.00s
Kerb to Kerb Turning Radius 12.500m

- Wheel Path
- Body Path
- Reverse Path
- 300mm Body Clearance Offset
- 500mm Body Clearance Offset

LEGEND

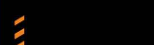
			PROJECT: Secret Harbour Shopping Centre Expansion	DRAWN BY:	Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052
			TITLE: Vehicle Turning Circle Plan - Semi-Trailer 19m at 10kmp/h	N.M.	
0	23-03-2016	SWEPT PATHS AMENDED	DRAWING NUMBER: KC00258.000_S30a		PH: 08 9272 7770 WEB: www.kctt.com.au FTP: www.kctt.wetransfer.com
NO	DATE	AMENDMENT			kctt




AV - Articulated Vehicle	
Overall Length	19.000m
Overall Width	2.500m
Overall Body Height	4.301m
Min Body Ground Clearance	0.418m
Track Width	2.500m
Lock to Lock Time	6.00s
Kerb to Kerb Turning Radius	12.500m

- Wheel Path
- Body Path
- Reverse Path
- 300mm Body Clearance Offset
- 500mm Body Clearance Offset

LEGEND

			PROJECT: Secret Harbour Shopping Centre Expansion	DRAWN BY:	Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052 PH: 08 9272 7770 WEB: www.kctt.com.au FTP: www.kctt.wetransfer.com	
			TITLE: Vehicle Turning Circle Plan - Semi-Trailer 19m at 10kmp/h	N.M.		
0	24-03-2016	SWEPT PATHS AMENDED	DRAWING NUMBER: KC00258.000_S40b			
NO	DATE	AMENDMENT				

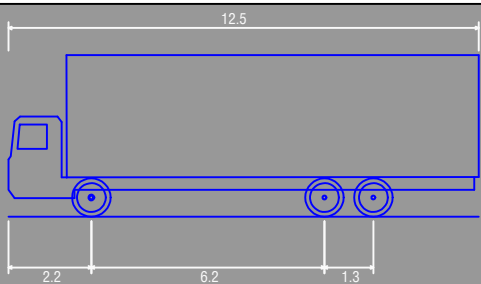


			PROJECT: Secret Harbour Shopping Centre Expansion	DRAWN BY:	Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052 PH: 08 9272 7770 WEB: www.kctt.com.au FTP: www.kctt.wetransfer.com	
			TITLE: Vehicle Turning Circle Plan - Single Unit Truck/Bus 12.5m at 10kmp/h	N.M.		
0	23-03-2016	SWEPT PATHS AMENDED	DRAWING NUMBER: KC00258.000_S50b			
NO	DATE	AMENDMENT				






			PROJECT: Secret Harbour Shopping Centre Expansion	DRAWN BY:	Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052 PH: 08 9272 7770 WEB: www.kctt.com.au FTP: www.kctt.wetransfer.com
			TITLE: Vehicle Turning Circle Plan - Single Unit Truck/Bus 12.5m at 10kmp/h	N.M.	
			DRAWING NUMBER: KC00258.000_S51a		
0	24-03-2016	SWEPT PATHS AMENDED			
NO	DATE	AMENDMENT			



Single Unit Truck/Bus (12.5 m)	
Overall Length	12.500m
Overall Width	2.500m
Overall Body Height	4.300m
Min Body Ground Clearance	0.490m
Track Width	2.500m
Lock-to-lock time	6.00s
Curb to Curb Turning Radius	12.500m

- Wheel Path
- Body Path
- Reverse Path
- 300mm Body Clearance Offset
- 500mm Body Clearance Offset

LEGEND

			PROJECT: Secret Harbour Shopping Centre Expansion	DRAWN BY:	Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052 PH: 08 9272 7770 WEB: www.kctt.com.au FTP: www.kctt.wetransfer.com	
			TITLE: Vehicle Turning Circle Plan - Single Unit Truck/Bus 12.5m at 10kmp/h	N.M.		
0	24-03-2016	SWEPT PATHS AMENDED	DRAWING NUMBER: KC00258.000_S51b			
NO	DATE	AMENDMENT				