



## **Minutes of the Metro South-West Joint Development Assessment Panel**

**Meeting Date and Time:** 5 November 2015; 1pm  
**Meeting Number:** MSWJDAP/83  
**Meeting Venue:** City of Mandurah  
3 Peel Street,  
Mandurah

### **Attendance**

#### **DAP Members**

Mr Ian Birch (Presiding Member)  
Mr Chris Antill (A/Deputy Presiding Member)  
Cr Caroline Knight (Local Government Member, City of Mandurah)  
Cr Darren Lee (Local Government Member, City of Mandurah)  
Cr Joy Stewart (Local Government Member, City of Rockingham)

#### **Officers in attendance**

Mr Ben Dreckow (City of Mandurah)  
Mr Aaron Lucas (City of Mandurah)  
Ms Erika Dawson (City of Rockingham)  
Mr Greg Delahunty (City of Rockingham)  
Mr Sean O'Connor (Department of Planning)

#### **Local Government Minute Secretary**

Mr Bethany Baker (City of Mandurah)

#### **Applicants and Submitters**

Mr Sean Fairfoul (Rowe Group)  
Mr Andrew Highet (Vicinity Centres)  
Ms Megan Gammon (Urbis)

#### **Members of the Public**

Nil

### **1. Declaration of Opening**

The Presiding Member, Mr Ian Birch declared the meeting open at 1pm on 5 November 2015 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

**Mr Ian Birch**  
Presiding Member, Metro South-West



## 2. Apologies

Mr Rob Nicholson (Specialist Member)

## 3. Members on Leave of absence

Nil

## 4. Noting of minutes

Minutes of the Metro South-West JDAP meeting No. 82 held on 2 November 2015 were not available for noting at the time of meeting.

## 5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

## 6. Disclosure of interests

Panel member, Mr Robert Nicholson, declared a direct pecuniary interest in items 8.1 and 8.2. Mr Nicholson has shares in Wesfarmers, which is the owner of Coles, who appear to be the future tenant of Item 8.1, in addition to shares in Woolworths, which is the owner of Dan Murphy's, who are the tenant of Item 8.2.

In accordance with section 6.3.1 of the Standing Orders 2012, the Presiding Member determined that the member listed above, who had disclosed a Pecuniary Interest, was not permitted to participate in the discussion or voting on the items.

## 7. Deputations and presentations

7.1 Mr Sean Fairfoul (Rowe Group) and Mr Andrew Highet (Vicinity Centres) addressed the DAP for the application at Item 8.1.

***The presentation at Item 7.1 was heard prior to the application at Item 8.1.***

7.2 Mr Sean Fairfoul (Rowe Group) addressed the DAP for the application at Item 8.2.

***The presentation at Item 7.2 was heard prior to the application at Item 8.2.***

7.3 Ms Megan Gammon (Urbis) addressed the DAP for the application at Item 9.1.

***The presentation at Item 7.1 was heard prior to the application at Item 9.1.***



## 8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 504 (No. 14) Guava Way, Halls Head
Application Details:	Service Station and Hand Car Wash
Applicant:	Rowe Group Pty Ltd
Owner:	Federation Custodian Pty Ltd
Responsible authority:	City of Mandurah
DoP File No:	DAP/15/00920

### REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr Darren Lee      **Seconded by:** Cr Caroline Knight

*With the agreement of the Mover and Seconder, the DAP amended:*

- i. Condition 2a to read as follows:
  - a. The Pylon Sign shall be modified such that no point is higher than 6 metres above the natural ground level immediately below in accordance with the City of Mandurah Local Planning Policy 9.

**REASON: To allow for the pylon sign to be appropriately branded with the tenant's logo and for its height to be consistent with local planning policy.**

- ii. Condition 4 to read as follows:
  4. Prior to the commencement of the use, a masonry dividing fence, to a minimum height of 1.8 metres, shall be constructed on the boundary separating the rear of the service station and the adjacent site as marked in red on the stamped approved plans.

**REASON: The plans, as presented to the DAP, were unclear in the location of the boundary wall. The plans were clarified at the meeting and the Condition was reworded to include the clarification on the stamped approved plans.**

**Approve** DAP Application reference DAP/15/00920 and accompanying plans; **513 SK01 Rev H, DA04 Rev B, SDC553 A01, SDC553 A02, and SDC553 A07** in accordance with section 68(2) of the Deemed Provisions of the Planning and Development Regulations 2015, 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. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise approved subject to the following modifications:



- a. The Pylon Sign shall be modified such that no point is higher than 6 metres above the natural ground level immediately below in accordance with the City of Mandurah Local Planning Policy 9.
3. Prior to the commencement of the use, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading and disabled bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.
4. Prior to the commencement of the use, a masonry dividing fence, to a minimum height of 1.8 metres, shall be constructed on the boundary separating the rear of the service station and the adjacent site as marked in red on the stamped approved plans.
5. All uncovered car parking bays to comply with the relevant requirements of the Australian Standards.
6. Window signage, glazing and imagery are limited to 50% of the total glass area of the elevation for the entire development unless otherwise approved.
7. Security, building, signage and carpark lighting must be located, designed and installed to prevent excess light spillage from the development. Reference should be made to AS4282 *Control of the obtrusive effects of outdoor lighting* and other relevant lighting standards.
8. Prior to the commencement of site works, a construction management plan shall be prepared and approved in writing by the City of Mandurah in order to manage and reduce the impacts of potential construction noise, vibration, dust, traffic and other construction related issues. During construction the approved construction management plan is to be implemented at all times to the satisfaction of the City of Mandurah.
9. Prior to the commencement of site works, a detailed landscape management plan shall be prepared and approved by the City of Mandurah and thereafter implemented to the satisfaction of the City of Mandurah.
10. Prior to the commencement of site works, a waste management plan, including detail on the car wash waste water, shall be submitted to and approved in writing by the City of Mandurah. The approved details shall be implemented prior to the commencement of use.
11. Prior to the commencement of site works, a detailed stormwater plan must be submitted to and approved in writing by the City of Mandurah showing all stormwater from roofed and paved areas being collected and disposed of onsite in accordance with water sensitive design principles to the specification and satisfaction of the City of Mandurah. The approved plan shall be fully implemented and completed to the satisfaction of the City of Mandurah.

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

*Cr Caroline Knight left the panel at 1:37pm*  
*Cr Darren Lee left the panel at 1:37pm*

  
**Mr Ian Birch**  
Presiding Member, Metro South-West



**8.2** Property Location: Lot 2003 (No. 420) Secret Harbour Boulevard  
and Lots 2010 (No. 6) & 2013 (No. 2) Oneida  
Road, Secret Harbour  
Application Details: Shop (Liquor Store)  
Applicant: Rowe Group Pty Ltd  
Owner: Perpetual Limited  
Responsible authority: City of Rockingham  
DoP File No: DAP/15/00795

## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr Joy Stewart

**Seconded by:** Mr Chris Antill

That the Metro South-West JDAP resolves to:

**Approve** DAP Application reference DAP/15/00795 and accompanying plans:

- Proposed Carpark Allocation; No.DA10 Rev. B; dated 23.06.15;
- Proposed Ground Floor Plan, No. DA03, dated 10.03.15;
- Proposed Roof Plan No. DA04, dated 10.03.15;
- Proposed West and South Elevations, No. DA05, dated 16.03.15;
- Proposed North and East Elevations, No. DA06, dated 16.03.15;
- Proposed Sections A-A + B-B, No. DA07, dated 16.03.15;
- Proposed Sections C-C + Concept Perspectives, No. DA08, dated 16.03.15;
- Proposed Signage Schedule; No. DA09, dated 10.03.15;
- Sealhurst Acoustic Design and Engineering Operational Noise Emissions Assessment dated April 2015; and
- Final acoustic assessment submitted to satisfy condition 13

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. 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.
2. All stormwater generated by the development shall be designed to be contained 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.
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.

**Mr Ian Birch**  
Presiding Member, Metro South-West



4. The proposed access street intersection with Oneida Road (including the service vehicle route through the site) 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 intersection (including the service vehicle route through the site) must be constructed in accordance with the approved plans prior to occupation of the development.
5. 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.

6. The carpark must:
  - (i) provide a minimum of forty-eight (48) 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 one (1) 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.

7. Eight (8) short-term bicycle parking spaces and five (5) 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 issue 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.



8. Two (2) secure hot-water showers, change rooms and clothing lockers must be provided for the development. They 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.
9. 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
  - (v) 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.

10. Access of service vehicles or operation of forklifts must be restricted to the hours of 7:00am to 7:00pm Monday to Saturday and 9:00am to 7:00pm Sunday and public holidays, for the duration of the development.
11. Prior to the occupation of the development, the recommendations of the Sealhurst Acoustic Design and Engineering Operational Noise Emissions Assessment dated April 2015, must be implemented.
12. A Final 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.

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

13. 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.



### Advice Notes

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. 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.
3. 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.
4. 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.
5. With respect to Condition 5, the applicant and owner should liaise with the City of Rockingham's Parks Services to confirm requirements for landscaping plans.
6. 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.
7. 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.
8. The applicant is advised that a liquor store licence under section 47 of the *Liquor Control Act 1988* is required for the sale and supply of liquor for consumption off the licensed premises (i.e. packaged liquor). Please contact the Department of Racing, Gaming and Liquor for further information.
9. With respect to Condition No. 10 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.





## **AMENDING MOTION**

**Moved by:** Mr Chris Antill      **Seconded by:** Mr Ian Birch

To Conditions 7 and 8 to read as follows:

7. Eight (8) short-term bicycle parking spaces and two (2) 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 issue 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.
  
8. One (1) secure change room containing a hot-water shower and three (3) clothing lockers must be provided for the development. They 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 shower, change room and lockers must be retained and maintained in good condition at all times.

**REASON: The Conditions were amended at the request of the applicant as in this instance, they were deemed reasonable by the DAP upon advice from the City of Rockingham Officers.**

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



## **PRIMARY MOTION (AS AMENDED)**

That the Metro South-West JDAP resolves to:

**Approve** DAP Application reference DAP/15/00795 and accompanying plans:

- Proposed Carpark Allocation; No.DA10 Rev. B; dated 23.06.15;
- Proposed Ground Floor Plan, No. DA03, dated 10.03.15;
- Proposed Roof Plan No. DA04, dated 10.03.15;
- Proposed West and South Elevations, No. DA05, dated 16.03.15;
- Proposed North and East Elevations, No. DA06, dated 16.03.15;
- Proposed Sections A-A + B-B, No. DA07, dated 16.03.15;
- Proposed Sections C-C + Concept Perspectives, No. DA08, dated 16.03.15;
- Proposed Signage Schedule; No. DA09, dated 10.03.15;
- Sealhurst Acoustic Design and Engineering Operational Noise Emissions Assessment dated April 2015; and
- Final acoustic assessment submitted to satisfy condition 13

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. 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.
2. All stormwater generated by the development shall be designed to be contained 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.
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. The proposed access street intersection with Oneida Road (including the service vehicle route through the site) 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 intersection (including the service vehicle route through the site) must be constructed in accordance with the approved plans prior to occupation of the development.
5. 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.

6. The carpark must:

- (i) provide a minimum of forty-eight (48) 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 one (1) 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.

7. Eight (8) short-term bicycle parking spaces and two (2) 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 issue 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.
8. One (1) secure change room containing a hot-water shower and three (3) clothing lockers must be provided for the development. They 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 shower, change room and lockers must be retained and maintained in good condition at all times.

  
**Mr Ian Birch**  
Presiding Member, Metro South-West



9. 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
  - (v) 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.

10. Access of service vehicles or operation of forklifts must be restricted to the hours of 7:00am to 7:00pm Monday to Saturday and 9:00am to 7:00pm Sunday and public holidays, for the duration of the development.
11. Prior to the occupation of the development, the recommendations of the Sealhurst Acoustic Design and Engineering Operational Noise Emissions Assessment dated April 2015, must be implemented.
12. A Final 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.

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

13. 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.

#### **Advice Notes**

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. 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.
3. 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.
4. 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.
5. With respect to Condition 5, the applicant and owner should liaise with the City of Rockingham's Parks Services to confirm requirements for landscaping plans.
6. 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.
7. 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.
8. The applicant is advised that a liquor store licence under section 47 of the *Liquor Control Act 1988* is required for the sale and supply of liquor for consumption off the licensed premises (i.e. packaged liquor). Please contact the Department of Racing, Gaming and Liquor for further information.
9. With respect to Condition No. 10 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.

**The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.**



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

- 9.1 Property Location: Lot 2003 (No. 420) Secret Harbour Boulevard and Lots 2010 (No. 19) & 2013 (No. 2) Oneida Road, Secret Harbour
- Application Details: Amendment to Planning Approval for Fast Food Outlet and Signage
- Applicant: Urbis Pty Ltd
- Owner: Perpetual Limited
- Responsible authority: City of Rockingham
- DoP File No: DAP/14/00748

### REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr Joy Stewart

**Seconded by:** Cr Chris Antill

*With the agreement of the Mover and Seconder the DAP amended the recommendation to include a revised Condition 6 to read as follows:*

6. 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.

**REASON: The amendment was requested by the applicant as they were deemed reasonable by the DAP upon advice from the City of Rockingham Officers.**

That the Metro South-West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/14/00748 as detailed on the DAP Form 2 dated 28 May 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/14/00748 as detailed on the DAP Form 2 dated 28 May 2015 and accompanying plans:
  - Floor Plan, No. DA04 Rev A; and
  - Terrace Screening Elevations, No. DA09

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 approval dated 7 May 2015 and the following amended conditions:

4. The proposed Warnbro Sound Avenue and Oneida Road crossovers 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 crossovers must be constructed in accordance with the approved plans prior to occupation of the development.



6. 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.

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

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

Nil

**11. General Business / Meeting Close**

As invited by the State Administrative Tribunal under section 31 of the *State Administrative Tribunal Act 2004*, the Metro South-West JDAP will reconsider Lot 8 (2) Garston Way, North Coogee on 17 November 2015.

There being no further business, the presiding member declared the meeting closed at 1:56pm.