



Metro South-West Joint Development Assessment Panel Agenda

Meeting Date and Time: Friday, 6 June 2014; 10:00am
Meeting Number: MSWJDAP/45
Meeting Venue: Department of Planning
140 William Street, Perth – L2.40

Attendance

DAP Members

Mr David Gray (Presiding Member)
Mr Ian Birch (Deputy Presiding Member)
Mr Lou D'Alessandro (Alternate Specialist Member)
Cr Joy Stewart (Local Government Member, City of Rockingham)
Cr Sherilyn Wood (Local Government Member, City of Kwinana)
Cr Dennis Wood (Local Government Member, City of Kwinana)

Officers in attendance

Mr Craig Shepherd (Development Assessment Panels)
Mr Patrick Leach (Department of Planning)
Mr Richard Reeve (Department of Planning)
Mr Brenton Scambler (City of Kwinana)
Ms Felicitas Dhliwayo (City of Kwinana)
Mr Jason Bouwhuis (Department of Planning)
Mr Paul Sewell (Department of Planning)
Mr Riaan Stassen (City of Rockingham)
Ms Erika Barton (City of Rockingham)

Department of Planning Minute Secretary

Ms Dallas Downes (Development Assessment Panels)

Applicant and Submitters

Mr Neil Teo (Dynamic Planning and Developments)
Mr Brian Adcroft (ADC Projects)
Ms Ellen Sherman (Landcorp)

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

Mr Rob Nicholson (Specialist Member)
Cr Richard Smith (Local Government Member, City of Rockingham)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Note the Minutes of the Metro South-West JDAP meeting no.44 held on the 21 May 2014.

5. Disclosure of Interests

Nil

6. 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.

7. Deputations and Presentations

Nil

8. Form 1 - Responsible Authority Reports – DAP Applications

- | | | |
|-------------|------------------------|--|
| 8.1 | Property Location: | Lot 61 (No.37) & Lot 62 (No.39) Council Avenue, Rockingham |
| | Application Details: | Mixed Use Development (99 Residential Apartments and 2 Ground Floor Retail Shops) |
| | Applicant: | Dynamic Planning and Developments Pty Ltd |
| | Owner: | Yokine Investments Pty Ltd & Sharose Pty Ltd |
| | Responsible authority: | City of Rockingham |
| | Report date: | 30 May 2014 |
| | DoP File No: | DAP/14/00523 |
| | | |
| 8.2a | Property Location: | Lot 14 Mason Road (Proposed Lot 100 Donaldson Road) Kwinana Beach |
| | Application Details: | Proposed general industry – Metal recycling facility, open air storage and associated office / administration building |
| | Applicant: | ADC Projects |
| | Owner: | WA Land Authority – LandCorp |
| | Responsible authority: | City of Kwinana |
| | Report date: | 28 May 2014 |
| | DoP File No: | DAP/14/00505 |



8.2b	Property Location:	Lot 14 Donaldson Road, Kwinana Beach
	Application Details:	Construction of Stage 2 of the Sims Metal Recovery (Recycling and Processing) Facility at Kwinana Beach
	Applicant:	ADC Projects Pty Ltd
	Owner:	W.A. Land Authority (LandCorp)
	Responsible authority:	Department of Planning
	Report date:	14 May 2014
	DoP File No:	DP/14/00505

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

Nil

10. Appeals to the State Administrative Tribunal

Nil

11. Meeting Closure



Minutes of the Metro South-West Joint Development Assessment Panel

Meeting Date and Time: Wednesday, 21 May 2014; 10:30am
Meeting Number: MSWJDAP/44
Meeting Venue: City of Cockburn
9 Coleville Crescent Spearwood

Attendance

DAP Members

Mr David Gray (Presiding Member)
Mr Ian Birch (Deputy Presiding Member)
Mr Rob Nicholson (Specialist Member)
Cr Carol Reeve-Fowkes (Local Government Member, City of Cockburn)
Cr Bart Houwen (Local Government Member, City of Cockburn)
Cr Andrew Sullivan (Local Government Member, City of Fremantle)
Cr Jon Strachan (Local Government Member, City of Fremantle)

Officers in attendance

Mr Jason Bouwhuis (Department of Planning)
Ms Lindsay Baxter (Department of Planning)
Mr Justin Lawrence (City of Fremantle)
Mr Troy Cappellucci (City of Cockburn)
Mr Daniel Arndt (City of Cockburn)
Mr Michael Littleton (City of Cockburn)
Mr Don Bothwell (City of Cockburn)

Local Government Minute Secretary

Ms Lynette Jakovich (City of Cockburn)

Applicants and Submitters

Mr Stephen Shircore (Meyer Shircore & Associates)
Mr Chris Parlane (Builton Property Holdings)
Mr Sean He (Builton Property Holdings)
Ms Susannah Kendal (TPG)
Mr Alex Gregg (Richard Noble)
Mr Behnam Bordbar (Trans Core)
Mr Matt Middleton (MJA Architects)

Members of the Public

Nil



1. Declaration of Opening

The Presiding Member, Mr David Gray declared the meeting open at 10:35am on 21 May 2014 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

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

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

2. Apologies

Nil

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro South-West JDAP meeting no.42 held on 29 April 2014 and meeting no.43 held on 8 May 2014 were noted by DAP members.

5. Disclosure of interests

Panel member, Mr David Gray, declared an impartiality interest in items 8.1 and 8.2.

Item 8.1 – In 2009 Mr Gray acted for the Public Transport Authority for the development of car parking on Lot 714 Knock Place, Jandakot, now lots 700 & 701.

Item 8.2 – In 2007/2008, Mr Gray acted for the Bulton Group (applicant for item 8.2) for two separate subdivisions. Since this time, Mr Gray has not had contact with the Bulton Group.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Deputy Presiding Member determined that the member listed above, who had disclosed impartiality interests, was permitted to participate in discussion and voting on the items.



6. Declaration of Due Consideration

All members declared that they had duly considered the documents.

7. Deputations and presentations

7.1 Mr Alex Gregg (Richard Noble) and Mr Benham Bordbar (Transcore) addressed the DAP for the application at Item 8.1. Mr Gregg and Mr Bordbar both answered questions from the panel.

7.2 Mr Chris Parlane (Builton Group) and Mr Matt Middleton (McDonald Jones Architects) addressed the DAP for the application at Item 8.2. Mr Parlane and Mr Middleton both answered questions from the panel.

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

8. Form 1 - Responsible Authority Reports – DAP Applications

8.1a Property Location:	Lot 500 Armadale Road, Jandakot
Application Details:	Mixed use development comprising three (3) buildings with one (1) 4 storey office building and two (2) single storey commercial buildings – Amended Report
Applicant:	Meyer Shircore & Associates
Owner:	Esveejay Pty Ltd
Responsible authority:	City of Cockburn
Report date:	12/5/2014
DoP File No:	DP/14/00036

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Bart Houwen

Seconded by: Mr Rob Nicholson

That the Metro South West JDAP resolves to:

Approve the Development Assessment Panel Application (DAP13/016) and accompanying plans (SK007-1 to SK007-17) for the development of a mixed use development comprising three (3) buildings with one (1) 4 storey office development and two (2) single storey commercial buildings at Lot 500 Armadale Road, Jandakot, in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3, subject to the following conditions and advice notes:

Conditions

1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan. **This includes the use of the land and/or a tenancy. The approved development, has been approved as follows:**

- **Building 1: 'Office';**



- **Building 2: Tenancy 1 – ‘Medical Centre’;
Tenancy 2 – ‘Health Studio’;
Tenancies 3 & 4 – ‘Showroom’; and**
- **Building 3: ‘Showroom’.**

In the event it is proposed to change the use of one (1) or all of the tenancies, a further application needs to be made to the City for determination.

2. The proposed ‘Medical Centre’ tenancy is limited to a maximum of nine (9) practitioners.
3. A schedule of the materials, finishes and colours shall be submitted to and approved by the City **prior to the lodgement of a Building Permit application**. The schedule shall include details of the type of materials proposed to be used, including their colour and texture. The development shall thereafter be maintained in accordance with the approved materials schedule.
4. An amended detailed landscaping plan, as part of this proposed staged development, shall be submitted and approved to the City’s satisfaction **prior to the lodgement of a Building Permit application**. The plan agreed to by the City shall be implemented in the development.
5. Landscaping, including the verge, is to be established and reticulated in accordance with an approved detailed landscape plan prior to the occupation of the building. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.
6. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City’s satisfaction **prior to the lodgement of a Building Permit application**.
7. The City has received and approved the updated Waste Management Plan (dated received 5 February 2014) to its satisfaction. Provisions identified in the Waste Management Plan, which shall include recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.
8. In accordance with the updated approved Waste Management Plan dated received 6 February 2014, **prior to the lodgement of a Building Permit application** with the City, the following changes are to be shown on the submitted plans for Building Permit:
 - a) Location of a drop gate to Building 1;
 - b) Provide truck turning path to plans as required;
 - c) Building 1 bin store to be increased in size, changed of proposed double gate door to a roller door and added ramp;
 - d) Additional driveway/turning area for trucks to the north west of Building 1; and
 - e) Door to rear of gym (Health Studio) for Building 2.
9. Bicycle parking bays are to be designed to comply with Australian Standard 2890.3 within the designated bicycle parking area marked on the site plan. The development requires a total of 36 bicycle bays. Details of the bicycle



parking shall be submitted to the City for assessment and approval prior to lodgement of a Building Permit.

10. Prior to the occupation of the development hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City.
11. All stormwater being contained and disposed of on-site to the satisfaction of the City.
12. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
13. The approved development must clearly display the street number/s.
14. Car parking and access driveways shall be designed and constructed to comply AS2890.1 and provide for safe pedestrian movement, to the satisfaction of the City.
15. Prior to commencement of the any development works hereby approved, a detailed Dust Management Plan shall be submitted to and approved by the City.
16. All waste and recycling materials must be contained within bins. These must be stored in an internal enclosure within the building(s) or within an external enclosure located and constructed to the satisfaction of the City. This information shall be submitted to and approved by the City **prior to the lodgement of a Building Permit application.**
17. A Construction Management Plan shall be submitted to and approved by the City **prior to the lodgement of a Building Permit application** and all measures identified in the plan are to be implemented during the construction phase to the satisfaction of the City.
18. No building or construction related activities associated with this approval causing noise and/or inconvenience between the hours of 7.00pm to 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays (unless written approval of the City is issued).
19. Fencing between Stage 1 as part of this application, and future Stage 2 is to be in the form of temporary fencing and to the satisfaction of the City. Details shall be provided **prior to the lodgement of a Building Permit application.**
20. **Prior to the lodgement of a Building Permit application**, one (1) delivery bay for Building 1 is to be provided for assessment and approval by the City.
21. **Prior to the lodgement of a Building Permit application**, a detailed footpath plan for the verge areas along Kwinana Freeway and Armadale Road abutting the subject site shall be submitted and approved by the City. Footpaths shall be installed to the satisfaction of the City.
22. **Prior to the lodgement of a Building Permit application**, details of upgrades to the bus stop on Armadale Road shall be submitted and approved



to the satisfaction of the City.

23. **Prior to the lodgement of a Building Permit application**, revised plans are to be provided showing the proposed 'left out' access for the site from Armadale Road to be removed to the satisfaction of the City.

Advice Notes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3. Prior to commencement of any works associated with the development, a building permit is required.
2. In the event there are any questions regarding the requirements of this approval, or the planning controls applicable to the land and/or location, the City's Statutory Planning Services team should be consulted.
3. This application is for Stage 1 only and other Stages, shown indicatively on the plans, do not form part of this approval and will be subject to separate development applications.
4. With regard to Condition 10, the parking bay/s, driveway/s and points of ingress and egress are to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890.1) and are to be constructed, drained and marked in accordance with the design and specifications certified by a suitably qualified practicing Engineer and are to be completed prior to the development being occupied and thereafter maintained to the satisfaction of the City.
5. With regards to condition 11, all stormwater drainage shall be designed in accordance with Australian Standard AS3500. In addition, it may be necessary for temporary drainage solutions to be provided in the interim until drainage areas are provided in public open space areas. It may be necessary for suitable arrangements to be provided which allow for the temporary solutions to be decommissioned in the future and connected to the ultimate drainage design.
6. With reference to condition 21, detailed footpath plans are required to ensure the following:
 - Continuation of the existing footpath adjacent to the site within the Armadale Road verge area to complete the network;
 - Details of connecting footpaths for the proposed future development staged lot part of this site; and
 - Footpath with direct access from the site to Cockburn Central train station.
7. Outdoor lighting if required, particularly illuminating ground floor entries must be in accordance with the requirements of Australian Standard AS 4282-1997: 'Control of the Obtrusive of Outdoor Lighting'.
8. The primary use of Building 1 is 'Office' defined under the City's Town Planning Scheme No. 3 as 'premises used for administration, clerical,



technical, professional or other like business activities’.

9. The primary use of Building 3 and two (2) units within Building 2 is ‘Showroom’ defined under the City’s Town Planning Scheme as ‘premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools or good of a bulky nature’.
10. The primary use of tenancy 2 (notated as Gym) within Building 2 is a ‘Health Studio’ defined under the City’s Town Planning Scheme No. 3 as ‘land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation’.
11. The primary use of tenancy 1 within Building 2 is a ‘Medical Centre’ defined under the City’s Town Planning Scheme No. 3 as ‘premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling)’.
12. The occupier of premises in which clinical waste is produced shall comply in all respects with the *Environmental Protection (Controlled Waste) Regulations 2004*. For further information please contact the Department of Environment.
13. The City is unable to permit bulk earthworks on Class 3 and 4 development sites between 1 October and 31 March the following year. Where it is proposed that major earthworks will be conducted during this time, prior approval must be sought from the City.
14. With regards to condition 16, the external enclosure must be and of an adequate size to contain all waste bins, at least 1.8 m high, fitted with a gate and graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. The minimum provisions for internal bin storage is a concrete wash-down pad of at least 1m² graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. This can be centrally located within the development.
15. Any liquid waste disposal via the sewer must be granted approval of the Water Corporation.
16. A plan and description of any signage and advertising not exempt under Town Planning Scheme Schedule 5 shall be submitted to and approved by the City prior to the erection of any signage on the site.
17. You are advised that the commercial tenancies, have been approved on the basis of the following car parking allocations:
 - Building 1 - Office: 94 car bays
 - Building 2 (Tenancy 1) – Medical Centre: 45 car bays
 - Building 2 (Tenancy 2) – Health Studio: 34 car bays
 - Building 2 (Tenancies 3 & 4) – Showroom: 7 & 8 car bays respectively



- Building 3 (Tenancy 5) – Showroom: 31 car bays

18. If the development the subject of this approval is not substantially commenced within a period of two (2) years, the approval shall lapse and be of no further effect.

19. Where an approval has so lapsed, no development shall be carried out without further approval having first being 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.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr David Gray

Delete Condition No. 23.

REASON: A preferred recommendation is contained in the WAPC report (8.1b).

The Amending Motion was put and CARRIED.

For: Mr David Gray, Mr Rob Nicholson and Mr Ian Birch.
Against: Cr Reeve-Fowkes and Cr Bart Houwen

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Reeve-Fowkes

To modify the resolution to read as follows:

“Approve the Development Assessment Panel Application (DAP13/016) and accompanying plans (SK007-1 to SK007-17) dated 19/12/2013 for the development of a mixed use development comprising three (3) buildings with one (1) 4 storey office development and two (2) single storey commercial buildings at Lot 500 Armadale Road, Jandakot, in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3, subject to the following conditions and advice notes.”

REASON: To reflect the date the plans were received.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Reeve-Fowkes

To modify the resolution to read as follows:

“Approve the Development Assessment Panel Application (DAP13/016) and



accompanying plans (SK007-1 to SK007-17) dated 19/12/2013 for the development of a mixed use development comprising three (3) buildings with one (1) 4 storey office development and two (2) single storey commercial buildings at Lot 500 Armadale Road, Jandakot, in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3, and the Metropolitan Regional Scheme subject to the following conditions and advice notes.”

REASON: To insert reference to the Metropolitan Regional Scheme.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Mr Rob Nicholson

To modify Conditions by inserting the words ‘for new buildings’ 3, 4, 6, 8, 9, 16, 19, 20, 21, 22 to read as follows:

3. A schedule of the materials, finishes and colours shall be submitted to and approved by the City **prior to the lodgement of a Building Permit application for new buildings**. The schedule shall include details of the type of materials proposed to be used, including their colour and texture. The development shall thereafter be maintained in accordance with the approved materials schedule.
4. An amended detailed landscaping plan, as part of this proposed staged development, shall be submitted and approved to the City’s satisfaction **prior to the lodgement of a Building Permit application for new buildings**. The plan agreed to by the City shall be implemented in the development.
6. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City’s satisfaction **prior to the lodgement of a Building Permit application for new buildings**.
8. In accordance with the updated approved Waste Management Plan dated received 6 February 2014, **prior to the lodgement of a Building Permit application for new buildings** with the City, the following changes are to be shown on the submitted plans for Building Permit:
 - a) Location of a drop gate to Building 1;
 - b) Provide truck turning path to plans as required;
 - c) Building 1 bin store to be increased in size, changed of proposed double gate door to a roller door and added ramp;
 - d) Additional driveway/turning area for trucks to the north west of Building 1; and
 - e) Door to rear of gym (Health Studio) for Building 2.
9. Bicycle parking bays are to be designed to comply with Australian



Standard 2890.3 within the designated bicycle parking area marked on the site plan. The development requires a total of 36 bicycle bays. Details of the bicycle parking shall be submitted to the City for assessment and approval prior to lodgement of a Building Permit for new buildings.

16. All waste and recycling materials must be contained within bins. These must be stored in an internal enclosure within the building(s) or within an external enclosure located and constructed to the satisfaction of the City. This information shall be submitted to and approved by the City **prior to the lodgement of a Building Permit application for new buildings.**
19. Fencing between Stage 1 as part of this application, and future Stage 2 is to be in the form of temporary fencing and to the satisfaction of the City. Details shall be provided **prior to the lodgement of a Building Permit application for new buildings.**
20. **Prior to the lodgement of a Building Permit application for new buildings**, one (1) delivery bay for Building 1 is to be provided for assessment and approval by the City.
21. **Prior to the lodgement of a Building Permit application for new buildings**, a detailed footpath plan for the verge areas along Kwinana Freeway and Armadale Road abutting the subject site shall be submitted and approved by the City. Footpaths shall be installed to the satisfaction of the City.
22. **Prior to the lodgement of a Building Permit application for new buildings**, details of upgrades to the bus stop on Armadale Road shall be submitted and approved to the satisfaction of the City.

REASON: To clarify and show that the building permit trigger for additional information applies to new buildings not site works.

The Amending Motions were put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify Condition No. 5 to read as follows:

“Landscaping is to be established and reticulated in accordance with an approved detailed landscape plan prior to the occupation of the building. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.”

REASON: To delete specific reference to landscaping in the Primary Regional Roads verges.

The Amending Motion was put and CARRIED UNANIMOUSLY.



AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify Condition 7 to read as follows:

Provisions identified in the Waste Management Plan (dated received 6 February 2014), as approved by the City which includes recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City."

REASON: For clarity and certainty.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To delete Condition 22.

REASON: PTA has recently upgraded this bus stop and it does not require further upgrading.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Cr Reeve-Fowkes

To add a new Condition 20 to read as follows:

"Prior to occupation, the applicants shall provide appropriate signage/traffic management measures for the left out access onto Armadale Road, to discourage motorists from crossing over to the right hand turning pocket and undertaking U turns at Freshwater Close."

To add a new Advice Note relating to the above new condition, to read as follows:

"The applicants are advised that when Armadale Road is upgraded to 6 lines and Freshwater Close is closed, the signage required by condition 20 may be removed."

REASON: For clarity and the safety of motorists.

The Amending Motion was put and CARRIED

For: Mr Ian Birch and Cr Carol Reeve-Fowkes and Mr David Gray

Against: Mr Rob Nicholson and Cr Bart Houwen

AMENDING MOTION



Moved by: Mr Rob Nicholson

Seconded by: Mr Birch

To delete Condition 14.

REASON: It is repeated at Condition 10 which has Advice Note 4 of the same standard.

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

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To delete Condition 16 and Advice Note 14 which refers to Condition 16 and renumber remaining Conditions and Advice Notes.

REASON: It is duplicated.

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

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To amend Condition 21 to read as follows:

“Prior to the lodgement of a Building Permit application for new buildings, a detailed footpath plan for the verge areas along Kwinana Freeway and Armadale Road abutting the subject site shall be submitted and approved by the City. Footpaths shall be installed at the applicant’s cost to the satisfaction of the City.”

REASON: For clarity that the works are to be at the applicant’s cost.

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

AMENDING MOTION

Moved by: Cr Reeve-Fowkes

Seconded by: Mr Ian Birch

To amend Advice Note 13 to read as follows:

“In most cases, the City is unable to permit bulk earthworks on Class 3 and 4 development sites between 1 October and 31 March the following year. Where it is proposed that major earthworks will be conducted during this time, prior approval must be sought from the City.”

REASON: For clarity.



The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To amalgamate Advice Notes 18 and 19 as one new condition with a substantial commencement of 3 years to read as follows:

"If the development the subject of this approval is not substantially commenced within a period of three (3) years, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without further approval having first being 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."

The Amending Motion was put and LOST.

For: Mr Ian Birch, Mr Rob Nicholson

Against: Cr Reeve-Fowkes, Cr Houwen, Mr David Gray

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Cr Reeve-Fowkes

To amalgamate Advice Notes 18 and 19 as one to read as one as follows:

"If the development the subject of this approval is not substantially commenced within a period of two (2) years, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without further approval having first being 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."

REASON: To clarify consequences if the approval lapses.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Metro South West JDAP resolves to:

Approve the Development Assessment Panel Application (DAP13/016) and accompanying plans (SK007-1 to SK007-17) dated 19/12/2013 for the development of a mixed use development comprising three (3) buildings with one (1) 4 storey office development and two (2) single storey commercial buildings at Lot 500 Armadale Road, Jandakot, in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3, and the Metropolitan Regional Scheme subject to the



following conditions and advice notes:

Conditions

1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan. **This includes the use of the land and/or a tenancy. The approved development, has been approved as follows:**

**Building 1: 'Office';
Building 2: Tenancy 1 – 'Medical Centre';
Tenancy 2 – 'Health Studio';
Tenancies 3 & 4 – 'Showroom'; and
Building 3: 'Showroom'.**

In the event it is proposed to change the use of one (1) or all of the tenancies, a further application needs to be made to the City for determination.

2. The proposed 'Medical Centre' tenancy is limited to a maximum of nine (9) practitioners.
3. A schedule of the materials, finishes and colours shall be submitted to and approved by the City **prior to the lodgement of a Building Permit application for new buildings**. The schedule shall include details of the type of materials proposed to be used, including their colour and texture. The development shall thereafter be maintained in accordance with the approved materials schedule.
4. An amended detailed landscaping plan, as part of this proposed staged development, shall be submitted and approved to the City's satisfaction **prior to the lodgement of a Building Permit application for new buildings**. The plan agreed to by the City shall be implemented in the development.
5. Landscaping is to be established and reticulated in accordance with an approved detailed landscape plan prior to the occupation of the building. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.
6. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City's satisfaction **prior to the lodgement of a Building Permit application for new buildings**.
7. Provisions identified in the Waste Management Plan (dated received 6 February 2014), as approved by the City which includes recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.
8. In accordance with the updated approved Waste Management Plan dated received 6 February 2014, **prior to the lodgement of a Building**



Permit application for new buildings with the City, the following changes are to be shown on the submitted plans for Building Permit:

- a) Location of a drop gate to Building 1;
 - b) Provide truck turning path to plans as required;
 - c) Building 1 bin store to be increased in size, changed of proposed double gate door to a roller door and added ramp;
 - d) Additional driveway/turning area for trucks to the north west of Building 1; and
 - e) Door to rear of gym (Health Studio) for Building 2.
9. Bicycle parking bays are to be designed to comply with Australian Standard 2890.3 within the designated bicycle parking area marked on the site plan. The development requires a total of 36 bicycle bays. Details of the bicycle parking shall be submitted to the City for assessment and approval prior to lodgement of a Building Permit for new buildings.
 10. Prior to the occupation of the development hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City.
 11. All stormwater being contained and disposed of on-site to the satisfaction of the City.
 12. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
 13. The approved development must clearly display the street number/s.
 14. Prior to commencement of the any development works hereby approved, a detailed Dust Management Plan shall be submitted to and approved by the City.
 15. A Construction Management Plan shall be submitted to and approved by the City prior to the lodgement of a Building Permit application and all measures identified in the plan are to be implemented during the construction phase to the satisfaction of the City.
 16. No building or construction related activities associated with this approval causing noise and/or inconvenience between the hours of 7.00pm to 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays (unless written approval of the City is issued).
 17. Fencing between Stage 1 as part of this application, and future Stage 2 is to be in the form of temporary fencing and to the satisfaction of the City. Details shall be provided **prior to the lodgement of a Building Permit application for new buildings**.
 18. Prior to the lodgement of a Building Permit application for new buildings, one (1) delivery bay for Building 1 is to be provided for assessment and approval by the City.



19. **Prior to the lodgement of a Building Permit application for new buildings**, a detailed footpath plan for the verge areas along Kwinana Freeway and Armadale Road abutting the subject site shall be submitted and approved by the City. Footpaths shall be installed at the applicant's cost to the satisfaction of the City.
20. Prior to occupation, the applicants shall provide appropriate signage/traffic management measures for the left out access onto Armadale Road, to discourage motorists from crossing over to the right hand turning pocket and undertaking U turns at Freshwater Close.

Advice Notes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3. Prior to commencement of any works associated with the development, a building permit is required.
2. In the event there are any questions regarding the requirements of this approval, or the planning controls applicable to the land and/or location, the City's Statutory Planning Services team should be consulted.
3. This application is for Stage 1 only and other Stages, shown indicatively on the plans, do not form part of this approval and will be subject to separate development applications.
4. With regard to Condition 10, the parking bay/s, driveway/s and points of ingress and egress are to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890.1) and are to be constructed, drained and marked in accordance with the design and specifications certified by a suitably qualified practicing Engineer and are to be completed prior to the development being occupied and thereafter maintained to the satisfaction of the City.
5. With regards to condition 11, all stormwater drainage shall be designed in accordance with Australian Standard AS3500. In addition, it may be necessary for temporary drainage solutions to be provided in the interim until drainage areas are provided in public open space areas. It may be necessary for suitable arrangements to be provided which allow for the temporary solutions to be decommissioned in the future and connected to the ultimate drainage design.
6. With reference to condition 19, detailed footpath plans are required to ensure the following:
 - Continuation of the existing footpath adjacent to the site within the Armadale Road verge area to complete the network;
 - Details of connecting footpaths for the proposed future development staged lot part of this site; and
 - Footpath with direct access from the site to Cockburn Central train station.
7. Outdoor lighting if required, particularly illuminating ground floor entries



must be in accordance with the requirements of Australian Standard AS 4282-1997: 'Control of the Obtrusive of Outdoor Lighting'.

8. The primary use of Building 1 is 'Office' defined under the City's Town Planning Scheme No. 3 as 'premises used for administration, clerical, technical, professional or other like business activities'.
9. The primary use of Building 3 and two (2) units within Building 2 is 'Showroom' defined under the City's Town Planning Scheme as 'premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools or good of a bulky nature'.
10. The primary use of tenancy 2 (notated as Gym) within Building 2 is a 'Health Studio' defined under the City's Town Planning Scheme No. 3 as 'land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation'.
11. The primary use of tenancy 1 within Building 2 is a 'Medical Centre' defined under the City's Town Planning Scheme No. 3 as 'premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling)'.
12. The occupier of premises in which clinical waste is produced shall comply in all respects with the *Environmental Protection (Controlled Waste) Regulations 2004*. For further information please contact the Department of Environment Regulation.
13. In most cases, the City is unable to permit bulk earthworks on Class 3 and 4 development sites between 1 October and 31 March the following year. Where it is proposed that major earthworks will be conducted during this time, prior approval must be sought from the City.
14. Any liquid waste disposal via the sewer must be granted approval of the Water Corporation.
15. A plan and description of any signage and advertising not exempt under Town Planning Scheme Schedule 5 shall be submitted to and approved by the City prior to the erection of any signage on the site.
16. You are advised that the commercial tenancies, have been approved on the basis of the following car parking allocations:
 - Building 1 - Office: 94 car bays
 - Building 2 (Tenancy 1) – Medical Centre: 45 car bays
 - Building 2 (Tenancy 2) – Health Studio: 34 car bays
 - Building 2 (Tenancies 3 & 4) – Showroom: 7 & 8 car bays respectively
 - Building 3 (Tenancy 5) – Showroom: 31 car bays
17. If the development the subject of this approval is not substantially commenced within a period of two (2) years, the approval shall lapse and



be of no further effect. Where an approval has so lapsed, no development shall be carried out without further approval having first being 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.

18. The applicants are advised that when Armadale Road is upgraded to 6 lines and Freshwater Close is closed, the signage required by condition 20 may be removed.

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

8.1b Property Location:	Lot 500 Armadale Road, Jandakot
Application Details:	Mixed Use development comprising three (3) buildings with a four (4) storey office building and two single storey commercial buildings
Applicant:	Meyer Shircore and Associates
Owner:	Esveejey Pty Ltd
Responsible authority:	Department of Planning
Report date:	14 May 2014
DoP File No:	DP/14/00036

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Bart Houwen

Seconded by: Mr Rob Nicholson

That the Metro South West JDAP resolves to:

Approve DAP Application reference DP/14/00036 and accompanying plans (SK007) dated 18 February 2014 for the development of a mixed use development comprising a four storey office and two single storey commercial buildings at Lot 500 Armadale Road, Jandakot in accordance with Clause 30(1) of the Metropolitan Region Scheme of the Western Australian Planning Commission, 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 landowner/applicant is to submit to Main Roads Western Australia:
 - (a) a detailed traffic management safety plan prior to the commencement of works;
 - (b) details for the closure of the median on Armadale Road extending to the intersection of Freshwater Drive and associated modifications to that intersection. The design for the closure of the median and associated modifications are to be at the applicants cost;
 - (c) satisfactory arrangements being made with Main Roads Western



- (d) Australia for a contribution of the cost to construct the closure of the median when Armadale Road is upgraded to six lanes; and details for the design and construction of a 30 metre extension to the right turning lane along Armadale Road into Solomon Road. The design and construction is to be undertaken at the applicants cost and is to be implemented prior to the completion of Stage 1 of the development.
3. No vehicular access is permitted from the subject land onto the southern off ramp for the Kwinana Freeway.
 4. No stormwater drainage shall be discharged onto the Kwinana Freeway and Armadale Road reserves.
 5. No earthworks shall encroach onto the Kwinana Freeway and Armadale Road reserves.
 6. The applicant shall make good any damage to the existing verge vegetation within the Kwinana Freeway and Armadale Road reservation.
 7. The existing ground levels on the Kwinana Freeway and Armadale Road boundaries are to be maintained.

Advice Note

1. In relation to Condition 2, at the time of upgrading Armadale Road to accommodate six lanes of traffic, the median opening to Freshwater Drive will be closed, reverting the existing full turning movement intersection to left in/left out only. Main Roads Western Australia will consider the provision of a U Turn facility east of Solomon Road when Armadale Road is upgraded to six lanes.
2. ATCO Gas Australia has high pressure gas mains in the vicinity of the property. ATCO Gas must be notified of any works within 15 metres of high pressure gas infrastructure before any works begin. Construction, excavation and other activities may be restricted where ATCO Gas infrastructure is located. No pavements (including crossovers) are to be across constructed ATCO Gas infrastructure without consent and various pipeline safety tests may apply. The applicant is advised to contact ATCO Gas on 9499 5272 in this regard.
3. The Water Corporation has advised that reticulated water and sewerage facilities are available on the subject land with a building services approval required prior to the commencement of works. A separate headworks financial contribution may also be required prior to approval being issued for connections to water, sewerage and drainage.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Cr Reeve-Fowkes

To renumber Condition 2(c) to become new Condition 3 and renumber all remaining Conditions with Condition 2(d) becoming the new 2(c) as follows:



"The landowner/applicant is to submit to Main Roads Western Australia:

- (a) a detailed traffic management safety audit plan prior to the commencement of works;*
- (b) details for the closure of the median on Armadale Road extending to the intersection of Freshwater Drive and associated modifications to that intersection. The design and construction for the closure of the median and associated modifications are to be at the applicants cost; and*
- (c) details for the design and construction of a 30 metre extension to the right turning lane along Armadale Road into Solomon Road. The design and construction is to be undertaken at the applicants cost and is to be implemented prior to the completion of Stage 1 of the development."*

- "3. Satisfactory arrangements being made with Main Roads Western Australia for a contribution of the cost to construct the closure of the median at Freshwater Close when Armadale Road is upgraded to six lanes."*

REASON: For clarity and certainty regarding relative responsibilities.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

Approve DAP Application reference DP/14/00036 and accompanying plans (SK007) dated 18 February 2014 for the development of a mixed use development comprising a four storey office and two single storey commercial buildings at Lot 500 Armadale Road, Jandakot in accordance with Clause 30(1) of the Metropolitan Region Scheme of the Western Australian Planning Commission, 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 landowner/applicant is to submit to Main Roads Western Australia:
 - (a) a detailed traffic management safety audit plan prior to the commencement of works;
 - (b) details for the closure of the median on Armadale Road extending to the intersection of Freshwater Drive and associated modifications to that intersection. The design for the closure of the median and associated modifications are to be at the applicants cost; and
 - (c) details for the design and construction of a 30 metre extension to the right turning lane along Armadale Road into Solomon Road. The design and construction is to be undertaken at the applicants cost and is to be implemented prior to the completion of Stage 1 of the development.



3. Satisfactory arrangements being made with Main Roads Western Australia for a contribution of the cost to construct the closure of the median at Freshwater Close when Armadale Road is upgraded to six lanes.
4. No vehicular access is permitted from the subject land onto the southern off ramp for the Kwinana Freeway.
5. No stormwater drainage shall be discharged onto the Kwinana Freeway and Armadale Road reserves.
6. No earthworks shall encroach onto the Kwinana Freeway and Armadale Road reserves.
7. The applicant shall make good any damage to the existing verge vegetation within the Kwinana Freeway and Armadale Road reservation.
8. The existing ground levels on the Kwinana Freeway and Armadale Road boundaries are to be maintained.

Advice Note

1. In relation to Condition 2, at the time of upgrading Armadale Road to accommodate six lanes of traffic, the median opening to Freshwater Drive will be closed, reverting the existing full turning movement intersection to left in/left out only. Main Roads Western Australia will consider the provision of a U Turn facility east of Solomon Road when Armadale Road is upgraded to six lanes.
2. ATCO Gas Australia has high pressure gas mains in the vicinity of the property. ATCO Gas must be notified of any works within 15 metres of high pressure gas infrastructure before any works begin. Construction, excavation and other activities may be restricted where ATCO Gas infrastructure is located. No pavements (including crossovers) are to be across constructed ATCO Gas infrastructure without consent and various pipeline safety tests may apply. The applicant is advised to contact ATCO Gas on 9499 5272 in this regard.
3. The Water Corporation has advised that reticulated water and sewerage facilities are available on the subject land with a building services approval required prior to the commencement of works. A separate headworks financial contribution may also be required prior to approval being issued for connections to water, sewerage and drainage.

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

8.2 Property Location: Lot 9000 (Proposed Lot 349) Hamilton Road, Spearwood "Eliza Ponds"
Application Details: Three Storey Mixed Use Residential and Commercial Development (44 Multiple Dwellings and 3 Commercial Tenancies)



Applicant: Bulton Property Holdings Pty Ltd
Owner: George Western Foods Limited
Responsible authority: City of Cockburn
Report date: 12/05/2014
DoP File No: DP/14/00516

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Carol Reeve-Fowkes

Seconded by: Cr Bart Houwen

That the Metro South West JDAP resolves to:

Approve the Development Assessment Panel Application (DAP14/005) and accompanying plans received 27 March 2014 for the development of a Three-Storey Mixed Use Development comprising of 3 ground floor commercial tenancies and 44 residential apartments on Lot 9000 (Proposed Lot 349) Hamilton Road, Spearwood, in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3, and the Metropolitan Region Scheme, subject to the following conditions and advice notes:

Conditions

1. Land uses approved for the commercial tenancies fronting Entrance Road (Tenancies 1-3) include 'Shop', 'Convenience Store', 'Restaurant' and 'Office'. Further planning application for changes to the above uses is not required.
2. The submission of a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for the development. The details as agreed by the City are to be implemented in the development.
3. A detailed landscaping plan shall be submitted to and approved by the City, prior to lodgement of a Building Permit Application and shall include the following:-
 - (i) the location, number, size and species type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - (ii) any lawns to be established;
 - (iii) any existing landscape areas to be retained;
 - (iv) any existing vegetation in the verge to be removed;
 - (v) those areas to be reticulated or irrigated; and
 - (vi) verge treatments.
3. Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with the/an approved plan and maintained thereafter to the satisfaction of the City.
4. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for the development.



5. Prior to the issue of a Building Permit, arrangements being made to the satisfaction of the Chief Executive Officer for the pro-rata development contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for:
 - Community Infrastructure (DCA 13).
6. Prior to the lodgement of a Building Permit, a Waste Management Plan shall be submitted to and approved by the City. Provisions identified in the Waste Management Plan, which shall include recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.
7. Bicycle parking bays are to be designed to comply with Australian Standard 2890.3 within the designated bicycle parking areas marked on the site plan. Details of the bicycle parking shall be submitted to the City for assessment and approval prior to lodgement of a Building Permit application.
8. Prior to the initial occupation of the dwellings hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City. Car parking and access driveways shall be designed and constructed to comply with AS2890.1 and provide for safe pedestrian movement, to the City's satisfaction.
9. The required 11 residential visitor car parking bays shall be clearly delineated (marked/signed), available for use free of cost to the bona fide visitors of the occupants of the dwellings the subject of this approval, in perpetuity and reflected as such on the strata plan for the development. No by-law pursuant to the Strata Titles Act 1985 shall be made that assigns any exclusive use of the visitor car parking bays to any strata lot. Parking within such bays may be time restricted.
10. Prior to the lodgement of a Building Permit, arrangements to be made for the existing bus stop on the eastern side of Hamilton Road to be relocated to a new location to be agreed with the City and the Public Transport Authority. The relocation and upgrade of the subject bus stop is to be at the applicants cost to the satisfaction of the City and the Public Transport Authority.
11. Prior to the lodgement of a Building Permit, a detailed plan is to be submitted to and approved by the City showing the type of verge treatment, verge trees, crossover design and the design of on-street car parking bays to the satisfaction of the City.
12. All stormwater being contained and disposed of on-site to the satisfaction of the City.
13. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
14. The approved development must clearly display the street number/s.
15. A detailed Dust Management Plan must be submitted to the City and



approval obtained, prior to any work commencing onsite.

16. When submitting the Building Permit application, the applicant is to provide to the City a report from a recognised acoustic consultant demonstrating that the design of the development and the location of plant within the development including air-conditioners, lifts, cool rooms and similar equipment with similar equipment will not result in noise emissions exceeding those set out in the *Environmental Protection (Noise) Regulations 1997* (as amended) and result in acceptable indoor noise levels that meet the recommended design sound levels in table 1 of AS/ANS 2107:2000 entitled "Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors". All mechanical plant and related hardware must be screened from view of adjoining properties and the public realm.
17. A final assessment of the completed development must be conducted by the acoustic consultant to certify that recommendations made in the Noise Assessment Report required by condition No. 16 above have been incorporated into the proposed development. A report confirming compliance with the requirements to the satisfaction of the City must be provided prior to occupation of the development.
18. Prior to commencement of the fit out of the commercial developments, a noise management plan is to be submitted to the satisfaction of the City. Where required by the City, this Noise Management Plan shall be prepared by a recognised Acoustic Consultant and shall detail measures that will be undertaken to ensure noise levels are kept within levels prescribed in the *Environmental Protection (Noise) Regulations 1997* and is to include:
 - a) Sound proofing measures used in the design and construction of the development;
 - b) Predictions of noise levels;
 - c) Control measures to be undertaken (including monitoring procedures); and
 - d) A compliant response procedure.All noise attenuation measures, identified by the plan or as additionally required by the City and the requirements of the plan are to be observed at all times.
19. A Construction Management Plan is to be submitted to and approved by the City prior to the lodgement of a Building Permit and all measures identified in the plan are to be implemented during the construction phase to the satisfaction of the City.
20. Prior to the lodgement of a Building Permit application, the proponent is to provide to the City the plans detailing the location of all plant & equipment such as but not limited to pool pumps and air conditioning units along with a report from a recognised acoustic consultant demonstrating that the design of the development and the location of plant within the development including but not limited to air-conditioners and pool pumps and similar equipment will not result in noise emissions exceeding those set out in the *Environmental*



Protection (Noise) Regulations 1997.

Advice Notes

1. The application has been determined by the JDAP on the basis of the plans and information provided to the City for assessment.
2. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3. Prior to commencement of any works associated with the development, a Building Permit is required.
3. In the event there are any questions regarding the requirements of this approval, and the further information that is required prior to the lodgement of a Building Permit, or the planning controls applicable to the land and/or location, the City's Statutory Planning Services team should be consulted.
4. With regards to Condition 1, to provide maximum flexibility for the ground floor commercial tenancies abutting Entrance Road, it is recommended that tenancies with appropriate back of house facilities (i.e. grease traps etc.) to accommodate food related uses are maximised.
5. With regard to Condition 9, the parking bay/s, driveway/s and points of ingress and egress are to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890.1) and are to be constructed, drained and marked in accordance with the design and specifications certified by a suitably qualified practicing Engineer and are to be completed prior to the development being occupied and thereafter maintained to the satisfaction of the City.
6. With regards to condition 12, all stormwater drainage shall be designed in accordance with Australian Standard AS3500. In addition, it may be necessary for temporary drainage solutions to be provided in the interim until drainage areas are provided in public open space areas. It may be necessary for suitable arrangements to be provided which allow for the temporary solutions to be decommissioned in the future and connected to the ultimate drainage design.
7. Outdoor lighting if required, particularly illuminating ground floor entries must be in accordance with the requirements of Australian Standard AS 4282-1997: 'Control of the Obtrusive of Outdoor Lighting'.
8. Advertising signs are to be in accordance with the requirements of the City of Cockburn Town Planning Scheme No. 3 and the City's local planning policy APD72 'Signs and Advertising'. Non-exempt signage will require separate planning approval.
9. An Application for Approval of a Dust Management Plan form may be obtained from the City of Cockburn website, and must identify the mitigation and contingency measures proposed by the developer. Appropriate mitigation and contingency measures are outlined in the Department of Environment Regulation publication "Land development sites and impacts on



air quality" (November 1996) The developer is further advised that the City's Health Service cannot approve bulk earthworks on Class 3 and 4 development sites between 1 October and 31 March the following year.

10. The proponent is to ensure compliance with the AS/NZS 2107:2000 "Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors".
11. A final assessment of the completed development must be conducted by the acoustic consultant to certify that the recommendations made in the Noise Report have been incorporated into the proposed development. A report confirming compliance with the requirements to the satisfaction of the Manager, Environmental Health must be provided prior to occupation of the development.
12. The development is to comply with the noise pollution provisions of the *Environmental Protection Act 1986*, and more particularly with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
13. If dust is detected at adjacent premises and is deemed to be a nuisance by the City, then any process, equipment and/or activities that are causing the dust nuisance shall be stopped until the process, equipment and or activity has been altered to prevent the dust to the satisfaction of the City.
14. All effluent disposal systems and stormwater soak wells currently located on the site must be appropriately decommissioned. A statutory declaration confirming that all onsite effluent disposal systems on the property have been decommissioned in accordance with Regulation 21 of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* is required. This must be accompanied by a copy of the liquid waste disposal docket confirming that the onsite effluent disposal system has been pumped out. Stormwater soak wells are to be decommissioned in the same manner as prescribed for effluent disposal soak wells in the Regulations.
15. All food handling operations must comply with the *Food Act 2008* and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). Under the *Food Act 2008* the applicant must complete and return the enclosed Food Business Notification/Registration Form to the City. Operation of this food business may be subject to the requirement to pay an Annual Assessment Fee under the *Act*.
16. All food businesses must comply with the *Food Act 2008* and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). Under the *Food Act 2008* the applicant must obtain prior approval for the construction or amendment of the food business premises. An Application to Construct or Alter a Food Premises must be accompanied by detailed plans and specifications of the kitchen, dry storerooms, coolrooms, bar and liquor facilities, staff change rooms, patron and staff sanitary conveniences and garbage room, demonstrating compliance with Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). The plans to are include details of:



- the structural finishes of all floors, walls and ceilings;
- the position, type and construction of all fixtures, fittings and equipment (including cross-sectional drawings of benches, shelving, cupboards, stoves, tables, cabinets, counters, display refrigeration, freezers etc.); and
- all kitchen exhaust hoods and mechanical ventilating systems over cooking ranges, sanitary conveniences, exhaust ventilation systems, mechanical services, hydraulic services, drains, grease traps and provisions for waste disposal.

These plans are to be separate to those submitted to obtain a Building Permit.

17. All toilets, ensuites and kitchen facilities in the development are to be provided with mechanical ventilation flued to the outside air, in accordance with the requirements of the Building Code of Australia, the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*, Australian Standard S1668.2-1991 "The use of mechanical ventilation for acceptable indoor air quality" and the *City of Cockburn Health Local Laws 2000*.
18. All bathrooms, laundry facilities and sanitary conveniences in the development are to be provided with an adequate lining of impervious material in accordance with the requirements of the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*, the *Health Act (Laundries and Bathrooms) Regulations 1971* and the *City of Cockburn Health Local Laws 2000*.
19. If the development the subject of this approval is not substantially commenced within a period of two (2) years, the approval shall lapse and be of no further effect.
20. Where an approval has so lapsed, no development shall be carried out without further approval having first being 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.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To renumber all conditions as two conditions have been listed as Condition 3, and to modify Condition 2 to read as follows:

"The submission of a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for new buildings. The details as agreed by the City are to be implemented in the development."

REASON: For clarity and to correct a numerical typo.



The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Mr Rob Nicholson

To delete Condition 10 and renumber all remaining conditions accordingly.

REASON: This Condition is properly dealt with as a Condition of subdivision, and not part of this application.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Reeve-Fowkes

To modify new number 3, 4, 5, 6, 7, 11 and 16 by inserting the words 'for new buildings' as follows:

- “3. *A detailed landscaping plan shall be submitted to and approved by the City, prior to lodgement of a Building Permit Application for new buildings and shall include the following:-*

 - (i) the location, number, size and species type of existing and proposed trees and shrubs, including calculations for the landscaping area;*
 - (ii) any lawns to be established;*
 - (iii) any existing landscape areas to be retained;*
 - (iv) any existing vegetation in the verge to be removed;*
 - (v) those areas to be reticulated or irrigated; and*
 - (vi) verge treatments.*
4. *All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for new buildings for the development.*
5. *Prior to the issue of a Building Permit for new buildings, arrangements being made to the satisfaction of the Chief Executive Officer for the pro-rata development contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for:*
– Community Infrastructure (DCA 13).
6. *Prior to the lodgement of a Building Permit for new buildings, a Waste Management Plan shall be submitted to and approved by the City. Provisions identified in the Waste Management Plan, which shall include recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.*



7. *Bicycle parking bays are to be designed to comply with Australian Standard 2890.3 within the designated bicycle parking areas marked on the site plan. Details of the bicycle parking shall be submitted to the City for assessment and approval prior to lodgement of a Building Permit application for new buildings.*
11. *Prior to the lodgement of a Building Permit for new buildings, a detailed plan is to be submitted to and approved by the City showing the type of verge treatment, verge trees, crossover design and the design of on-street car parking bays to the satisfaction of the City.*
16. *When submitting the Building Permit application for new buildings, the applicant is to provide to the City a report from a recognised acoustic consultant demonstrating that the design of the development and the location of plant within the development including air-conditioners, lifts, cool rooms and similar equipment with similar equipment will not result in noise emissions exceeding those set out in the Environmental Protection (Noise) Regulations 1997 (as amended) and result in acceptable indoor noise levels that meet the recommended design sound levels in table 1 of AS/ANS 2107:2000 entitled "Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors". All mechanical plant and related hardware must be screened from view of adjoining properties and the public realm."*

REASON: To clarify that the trigger for submission of additional information is the application for a building permit application for new building.

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

AMENDING MOTION

Moved by: Cr Reeve-Fowkes

Seconded by: Mr Ian Birch

To modify Condition 5, to read as follows:

"Prior to the issue of a Building Permit, arrangements being made to the satisfaction of the City for the pro-rata development contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for:

- *Community Infrastructure (DCA 13)."*

REASON: To relate this to the City, not a position within the City.

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

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Cr Reeve-Fowkes

Delete Condition 20.

REASON: This information is covered in Condition 16.



The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Reeve-Fowkes

To modify Condition 2 as follows:

"The submission of a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for new buildings. The details as agreed by the City are to be implemented and maintained in the development."

REASON: For clarity and certainty.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify Condition 7, to read as follows:

"Bicycle parking bays are to be designed and installed to comply with Australian Standard 2890.3 within the designated bicycle parking areas marked on the site plan. Details of the bicycle parking shall be submitted to the City for assessment and approval prior to lodgement of a Building Permit application."

REASON: For clarity and certainty.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify condition 8 to read as follows:

"Prior to the initial occupation of the dwellings hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City. Car parking and access driveways shall be designed, constructed and maintained to comply with AS2890.1 and provide for safe pedestrian movement, to the City's satisfaction."

REASON: For clarity and certainty.

The Amending Motion was put and CARRIED UNANIMOUSLY.



AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To delete Condition 18 and renumber all remaining conditions.

REASON: The requirements are covered in Conditions 16 and 17.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Reeve-Fowkes

Delete Advice Note 1.

REASON: It duplicates the preamble.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Reeve-Fowkes

Delete Advice Note 5.

REASON: It is covered in Condition 9.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify Advice Note 6 to read as follows:

"With regards to condition 12, all stormwater drainage shall be designed in accordance with Australian Standard AS3500."

REASON: To remove reference to a situation that will not arise.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Birch

Seconded by: Mr Nicholson

To delete Advice Note 11.

REASON: This Advice Note is duplicated in Condition 17.



The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To delete Advice Note 15

REASON: This Advice Note is duplicated in Advice Note 16.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify Advice Note 16 as follows:

“All food businesses must comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). Under the Food Act 2008 the applicant must obtain prior approval for the construction or amendment of the food business premises. An Application to Construct or Alter a Food Premises must be accompanied by detailed plans and specifications of the kitchen, dry storerooms, cool rooms, bar and liquor facilities, staff change rooms, patron and staff sanitary conveniences and garbage room, demonstrating compliance with Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). The plans to are include details of:

- the structural finishes of all floors, walls and ceilings;*
- the position, type and construction of all fixtures, fittings and equipment (including cross-sectional drawings of benches, shelving, cupboards, stoves, tables, cabinets, counters, display refrigeration, freezers etc.); and*
- all kitchen exhaust hoods and mechanical ventilating systems over cooking ranges, sanitary conveniences, exhaust ventilation systems, mechanical services, hydraulic services, drains, grease traps and provisions for waste disposal.”*

REASON: To remove reference to submission of separate plans.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To consolidate Advice Note 19 and 20 as one to read as follows:

“If the development the subject of this approval is not substantially commenced



within a period of two (2) years, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without further approval having first being 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."

REASON: For clarity.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify Advice Note 18 as follows:

"All bathrooms, laundry facilities and sanitary conveniences in the development are to be provided with an adequate lining of impervious material in accordance with the requirements of the Building Code of Australia, Sewerage (Lighting, Ventilation and Construction) Regulations 1971, the Health Act (Laundries and Bathrooms) Regulations 1971 and the City of Cockburn Health Local Laws 2000."

REASON: To insert reference to the Building Code of Australia.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Reeve-Fowkes

To add a new Advice Note to read as follows:

"The applicant is reminded of the requirement to consult with the City and the Department of Lands for requirements regarding awnings overhanging into the road reserves."

REASON: For clarity that other approvals may be required.

PRIMARY MOTION (AS AMENDED)

Approve the Development Assessment Panel Application (DAP14/005) and accompanying plans received 27 March 2014 for the development of a Three-Storey Mixed Use Development comprising of 3 ground floor commercial tenancies and 44 residential apartments on Lot 9000 (Proposed Lot 349) Hamilton Road, Spearwood, in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3, and the Metropolitan Region Scheme, subject to the following conditions and advice notes:

Conditions



1. Land uses approved for the commercial tenancies fronting Entrance Road (Tenancies 1-3) include 'Shop', 'Convenience Store', 'Restaurant' and 'Office'. Further planning application for changes to the above uses is not required.
2. The submission of a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for new buildings. The details as agreed by the City are to be implemented and maintained in the development.
3. A detailed landscaping plan shall be submitted to and approved by the City, prior to lodgement of a Building Permit Application for new buildings and shall include the following:-
 - (i) the location, number, size and species type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - (ii) any lawns to be established;
 - (iii) any existing landscape areas to be retained;
 - (iv) any existing vegetation in the verge to be removed;
 - (v) those areas to be reticulated or irrigated; and
 - (vi) verge treatments.
4. Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with the/an approved plan and maintained thereafter to the satisfaction of the City.
5. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for new buildings.
6. Prior to the issue of a Building Permit for new buildings, arrangements being made to the satisfaction of the City for the pro-rata development contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for:
 - Community Infrastructure (DCA 13).
7. Prior to the lodgement of a Building Permit for new buildings, a Waste Management Plan shall be submitted to and approved by the City. Provisions identified in the Waste Management Plan, which shall include recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.
8. Bicycle parking bays are to be designed and installed to comply with Australian Standard 2890.3 within the designated bicycle parking areas marked on the site plan. Details of the bicycle parking shall be submitted to the City for assessment and approval prior to lodgement of a Building Permit application for new buildings.
9. Prior to the initial occupation of the dwellings hereby approved, the



parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City. Car parking and access driveways shall be designed, constructed and maintained to comply with AS2890.1 and provide for safe pedestrian movement, to the City's satisfaction.

10. The required 11 residential visitor car parking bays shall be clearly delineated (marked/signed), available for use free of cost to the bona fide visitors of the occupants of the dwellings the subject of this approval, in perpetuity and reflected as such on the strata plan for the development. No by-law pursuant to the Strata Titles Act 1985 shall be made that assigns any exclusive use of the visitor car parking bays to any strata lot. Parking within such bays may be time restricted.
11. Prior to the lodgement of a Building Permit for new buildings, a detailed plan is to be submitted to and approved by the City showing the type of verge treatment, verge trees, crossover design and the design of on-street car parking bays to the satisfaction of the City.
12. All stormwater being contained and disposed of on-site to the satisfaction of the City.
13. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
14. The approved development must clearly display the street number/s.
15. A detailed Dust Management Plan must be submitted to the City and approval obtained, prior to any work commencing onsite.
16. When submitting the Building Permit application for new buildings, the applicant is to provide to the City a report from a recognised acoustic consultant demonstrating that the design of the development and the location of plant within the development including air-conditioners, lifts, cool rooms and similar equipment with similar equipment will not result in noise emissions exceeding those set out in the *Environmental Protection (Noise) Regulations 1997* (as amended) and result in acceptable indoor noise levels that meet the recommended design sound levels in table 1 of AS/ANS 2107:2000 entitled "Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors". All mechanical plant and related hardware must be screened from view of adjoining properties and the public realm.
17. A final assessment of the completed development must be conducted by the acoustic consultant to certify that recommendations made in the Noise Assessment Report required by condition No. 16 above have been incorporated into the proposed development. A report confirming compliance with the requirements to the satisfaction of the City must be provided prior to occupation of the development.



18. A Construction Management Plan is to be submitted to and approved by the City prior to the lodgement of a Building Permit and all measures identified in the plan are to be implemented during the construction phase to the satisfaction of the City.

Advice Notes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3. Prior to commencement of any works associated with the development, a Building Permit is required.
2. In the event there are any questions regarding the requirements of this approval, and the further information that is required prior to the lodgement of a Building Permit, or the planning controls applicable to the land and/or location, the City's Statutory Planning Services team should be consulted.
3. With regards to Condition 1, to provide maximum flexibility for the ground floor commercial tenancies abutting Entrance Road, it is recommended that tenancies with appropriate back of house facilities (i.e. grease traps etc.) to accommodate food related uses are maximised.
4. With regards to condition 12, all stormwater drainage shall be designed in accordance with Australian Standard AS3500.
5. Outdoor lighting if required, particularly illuminating ground floor entries must be in accordance with the requirements of Australian Standard AS 4282-1997: 'Control of the Obtrusive of Outdoor Lighting'.
6. Advertising signs are to be in accordance with the requirements of the City of Cockburn Town Planning Scheme No. 3 and the City's local planning policy APD72 'Signs and Advertising'. Non-exempt signage will require separate planning approval.
7. An Application for Approval of a Dust Management Plan form may be obtained from the City of Cockburn website, and must identify the mitigation and contingency measures proposed by the developer. Appropriate mitigation and contingency measures are outlined in the Department of Environment Regulation publication "Land development sites and impacts on air quality" (November 1996) The developer is further advised that the City's Health Service cannot approve bulk earthworks on Class 3 and 4 development sites between 1 October and 31 March the following year.
8. The proponent is to ensure compliance with the AS/NZS 2107:2000 "Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors".
9. The development is to comply with the noise pollution provisions of the *Environmental Protection Act 1986*, and more particularly with the



requirements of the *Environmental Protection (Noise) Regulations 1997*.

10. If dust is detected at adjacent premises and is deemed to be a nuisance by the City, then any process, equipment and/or activities that are causing the dust nuisance shall be stopped until the process, equipment and or activity has been altered to prevent the dust to the satisfaction of the City.
11. All effluent disposal systems and stormwater soak wells currently located on the site must be appropriately decommissioned. A statutory declaration confirming that all onsite effluent disposal systems on the property have been decommissioned in accordance with Regulation 21 of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* is required. This must be accompanied by a copy of the liquid waste disposal docket confirming that the onsite effluent disposal system has been pumped out. Stormwater soak wells are to be decommissioned in the same manner as prescribed for effluent disposal soak wells in the Regulations.
12. All food businesses must comply with the *Food Act 2008* and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). Under the *Food Act 2008* the applicant must obtain prior approval for the construction or amendment of the food business premises. An Application to Construct or Alter a Food Premises must be accompanied by detailed plans and specifications of the kitchen, dry storerooms, cool rooms, bar and liquor facilities, staff change rooms, patron and staff sanitary conveniences and garbage room, demonstrating compliance with Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). The plans to are include details of:
 - the structural finishes of all floors, walls and ceilings;
 - the position, type and construction of all fixtures, fittings and equipment (including cross-sectional drawings of benches, shelving, cupboards, stoves, tables, cabinets, counters, display refrigeration, freezers etc.); and
 - all kitchen exhaust hoods and mechanical ventilating systems over cooking ranges, sanitary conveniences, exhaust ventilation systems, mechanical services, hydraulic services, drains, grease traps and provisions for waste disposal.
13. All toilets, ensuites and kitchen facilities in the development are to be provided with mechanical ventilation flued to the outside air, in accordance with the requirements of the Building Code of Australia, the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*, Australian Standard S1668.2-1991 "The use of mechanical ventilation for acceptable indoor air quality" and the *City of Cockburn Health Local Laws 2000*.
14. All bathrooms, laundry facilities and sanitary conveniences in the development are to be provided with an adequate lining of impervious material in accordance with the requirements of the Building Code of Australia, *Sewerage (Lighting, Ventilation and Construction) Regulations*



1971, the *Health Act (Laundries and Bathrooms) Regulations 1971* and the *City of Cockburn Health Local Laws 2000*.

- 15 If the development the subject of this approval is not substantially commenced within a period of two (2) years, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without further approval having first being 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.
- 16 The applicant is reminded of the requirement to consult with the City and the Department of Lands for requirements regarding awnings overhanging into the road reserves.

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: Harvest Road No.23 (Lots 7 & 427), North Fremantle
- Application Details: Variation Application to Previous Planning Approval for DAP0001/12 (Redevelopment of an Existing residential building (Nursing home))
- Applicant: TPG – Town Planning and Urban Design
- Owner: Retirement Care Australia (Hillcrest) Pty Ltd (Regis)
- Responsible authority: City of Fremantle
- Report date: 15 May 2014
- DoP File No: DP/12/00895

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Andrew Sullivan

Seconded by: Cr Jon Strachan

That the Metro South-West JDAP resolves to:

1. Accept that the DAP Application reference DP/12/00895 as detailed on the DAP Form 2, dated 27 March 2014, 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 DP/12/00895, as detailed on the DAP Form 2 date 27 March 2014 and accompanying plans dated 27 March 2014 marked Proposed Hillcrest Colour Scheme (SK01A), Heritage Building First Floor Plan (A9.001 Rev T5), Heritage Building Ground Floor Plan (A9.101 Rev T5), Heritage Building – Ground Floor Demolition Plan (A9.001 Rev T5), Heritage Building –First Floor Demolition Plan (A9.002 Rev T5), Wall Section – Heritage Building (A9.301 Rev T3), Heritage Building – Wall Section 2 (A9.302 Rev T4), Heritage Building – Wall Section 3 (A9.303 Rev T4),



Heritage Building – Wall Section 4 (A9.304 Rev T4), Heritage Building – Wall Section 5 (A9.305 Rev T4), Demolition Plan (TP2.003), Site Plan (TP2.101), Basement Floor Plan (TP2.102), Lower Ground Floor Plan (TP2.103), Ground Floor Plan (TP2.104), First Floor Plan (TP2.105), East and North Elevation (TP5.001), South and West Elevation (TP5.002) and Substation Kiosk and Main Vehicle Access Detail Along Turton Street Plan (TP5.301), in accordance with the provisions of the Local Planning Scheme No.4 and Metropolitan Region Scheme, for the proposed minor amendment to the approved Redevelopment of the Residential Building (Hillcrest Regis Aged Care Facility) at No.23 (Lot 7 and 427) Harvest Road, North Fremantle, subject to the following conditions:

Amended Conditions (complete):

1. The development hereby permitted must substantially commence within four years from the date of the decision letter.
2. All air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located to be not visible from the street, and where visible from other buildings or vantage points shall be suitably located, screened or housed, to the satisfaction of the Chief Executive Officer, City of Fremantle.
3. Air-conditioning units are not permitted to be located on the balconies.
4. The design and construction of the development is to meet the 4 star green star standard as per Local Planning Policy L.P.P2.13 or alternatively to an equivalent standard as agreed upon by the Chief Executive Officer, City of Fremantle. Any costs associated with generating, reviewing and/or modifying the alternative equivalent standard is to be incurred by the owner of the development site. Twelve (12) months after practical completion of the development, the owner shall submit either of the following to the City to the satisfaction of the Chief Executive Officer, City of Fremantle:
 - a) A copy of documentation from the Green Building Council of Australia certifying that the development achieves a Green Star Rating of at least 4 Stars, or
 - b) A copy of agreed equivalent documentation certifying that the development achieves a Green Star Rating of at least 4 Stars.
5. In accordance with clause 7.3 of the City of Fremantle Local Planning Scheme No. 4, prior to the occupation of the development the landowner is to enter into a legal agreement with the Heritage Council to ensure the ongoing maintenance of the place.
6. A Conservation Management Plan shall be prepared and submitted to the State Heritage Office no more than one year after the completion of works.
7. The works hereby approved shall be undertaken in a manner which does not irreparably damage any original or rare fabric of the building. Should the works subsequently be removed, any damage shall be rectified to the satisfaction of the Chief Executive Officer, City of Fremantle.



8. Prior to the occupation of the development, vehicle crossovers shall be constructed in either paving block, concrete, or bitumen and thereafter maintained to the satisfaction of the Chief Executive Officer, City of Fremantle.
9. Prior to occupation, the design and materials of the development shall be constructed in accordance with the requirements set out in the City of Fremantle policy *L.P.P.2.3: Fremantle Port Buffer Area Development Guidelines* for properties contained within Area 2. Specifically, the development shall include the following:
 - a. Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b. Air conditioners if provided, shall incorporate internal centrally located 'shut down' points and associated procedures for emergency use.
 - c. Roof insulation shall be provided in accordance with the Building Code of Australia.
10. Prior to the occupation of the development any redundant crossovers and kerbs shall be removed and the verge reinstated to the satisfaction of the Chief Executive Officer, City of Fremantle and at the expense of the owner. The design and materials of construction of any new crossover shall be submitted for approval by the Chief Executive Officer, City of Fremantle.
11. Prior to occupation of the development, the car parking area shown on the approved site plan shall be marked and provided in accordance with Clause 5.7.1(a) of the City of Fremantle Local Planning Scheme No. 4, to the satisfaction of the Chief Executive Officer, City of Fremantle.
12. Prior to commencement, an archival record is to be made of the building to be demolished and submitted to the City of Fremantle and State Heritage Office for approval, and shall include:
 - a. A site plan prepared at 1:200 scale, floor plan(s) of the building and four elevations prepared at 1:100 scale.
 - b. Digital photographs taken of the building (once vacated) to include:
 - i. a general/overall photo of the building to be demolished
 - ii. photos of each of the four elevations;
 - iii. internal photos of all rooms; and
 - iv. photos of any special architectural features.
13. Prior to the issuing of a Building Permit, detailed drainage plans shall be submitted and approved by the Chief Executive Officer, City of Fremantle.
14. Prior to occupation, the applicant shall plant a replacement *Araucaria heterophylla* Norfolk Island Pine tree at the owners' expense and maintain the replacement tree to the satisfaction of the Chief Executive Officer, City of Fremantle (unless otherwise approved by Council). The replacement tree shall be a minimum of 3m high and 100lt pot size.



AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify recommendation No. 2 to list the relevant drawing numbers and delete the title of the drawings to read as follows:

Approve the DAP Application reference DP/12/00895, as detailed on the DAP Form 2 date 27 March 2014 and accompanying plans dated 27 March 2014: (A9.001 Rev T5), (A9.101 Rev T5), (A9.001 Rev T5), (A9.002 Rev T5), (A9.301 Rev T3), (A9.302 Rev T4), (A9.303 Rev T4), (A9.304 Rev T4), (A9.305 Rev T4), (TP2.003), (TP2.101), (TP2.102), (TP2.103), (TP2.104), (TP2.105), (TP5.001), (TP5.002) (TP5.301), in accordance with the provisions of the Local Planning Scheme No.4 and Metropolitan Region Scheme, for the proposed minor amendment to the approved Redevelopment of the Residential Building (Hillcrest Regis Aged Care Facility) at No.23 (Lot 7 and 427) Harvest Road, North Fremantle, subject to the following conditions:

REASON: For clarity by removing references to drawing titles.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify Amended Conditions (complete) No. 1 to read as follows:

Amended Conditions (complete):

"The development hereby permitted must substantially commence within four years from the date of the decision letter. 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."

REASON: Part of this condition was included in the previous approval but omitted from the current RAR; it has been included to clarify the outcomes when an approval lapses.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To modify conditions 2 and 3 to read as one and renumber all remaining conditions as follows:



"Air-conditioning units are not to be located on the balconies. All air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located to be not visible from the street, and where visible from other buildings or vantage points shall be suitably located, screened or housed, to the satisfaction of the Chief Executive Officer, City of Fremantle."

REASON: To consolidate requirements regarding location of plant.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Cr Strachan

Seconded by: Cr Sullivan

To modify condition 12 (new condition 11) to read as follows:

"Prior to demolition, an archival record is to be made of the building to be demolished and submitted to the City of Fremantle and State Heritage Office for approval, and shall include:

- a) A site plan prepared at 1:200 scale, floor plan(s) of the building and four elevations prepared at 1:100 scale.*
- b) Digital photographs taken of the building (once vacated) to include:*
 - i. a general/overall photo of the building to be demolished*
 - ii. photos of each of the four elevations;*
 - iii. internal photos of all rooms; and*
 - iv. photos of any special architectural features."*

REASON: To clarify when archival record is to be made.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Mr Rob Nicholson

To modify amended condition 13 (new condition 12) to read as follows:

"Prior to the issuing of a Building Permit, for new buildings, building renovations and conservation works, detailed drainage plans shall be submitted and approved by the Chief Executive Officer, City of Fremantle."

REASON: To clarify that the requirement is to be satisfied prior to new works.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)



That the Metro South-West JDAP resolves to:

1. Accept that the DAP Application reference DP/12/00895 as detailed on the DAP Form 2, dated 27 March 2014, 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 DP/12/00895, as detailed on the DAP Form 2 date 27 March 2014 and accompanying plans dated 27 March 2014: (A9.001 Rev T5), (A9.101 Rev T5), (A9.001 Rev T5), (A9.002 Rev T5), (A9.301 Rev T3), (A9.302 Rev T4), (A9.303 Rev T4), (A9.304 Rev T4), (A9.305 Rev T4), (TP2.003), (TP2.101), (TP2.102), (TP2.103), (TP2.104), (TP2.105), (TP5.001), (TP5.002) (TP5.301), in accordance with the provisions of the Local Planning Scheme No.4 and Metropolitan Region Scheme, for the proposed minor amendment to the approved Redevelopment of the Residential Building (Hillcrest Regis Aged Care Facility) at No.23 (Lot 7 and 427) Harvest Road, North Fremantle, subject to the following conditions:

Amended Conditions (complete):

1. The development hereby permitted must substantially commence within four years from the date of the decision letter. 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
2. Air-conditioning units are not to be located on the balconies. All air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located to be not visible from the street, and where visible from other buildings or vantage points shall be suitably located, screened or housed, to the satisfaction of the Chief Executive Officer, City of Fremantle.
3. The design and construction of the development is to meet the 4 star green star standard as per Local Planning Policy L.P.P2.13 or alternatively to an equivalent standard as agreed upon by the Chief Executive Officer, City of Fremantle. Any costs associated with generating, reviewing and/or modifying the alternative equivalent standard is to be incurred by the owner of the development site. Twelve (12) months after practical completion of the development, the owner shall submit either of the following to the City to the satisfaction of the Chief Executive Officer, City of Fremantle:
 - a) A copy of documentation from the Green Building Council of Australia certifying that the development achieves a Green Star Rating of at least 4 Stars, or
 - b) A copy of agreed equivalent documentation certifying that the development achieves a Green Star Rating of at least 4 Stars.



4. In accordance with clause 7.3 of the City of Fremantle Local Planning Scheme No. 4, prior to the occupation of the development the landowner is to enter into a legal agreement with the Heritage Council to ensure the ongoing maintenance of the place.
5. A Conservation Management Plan shall be prepared and submitted to the State Heritage Office no more than one year after the completion of works.
6. The works hereby approved shall be undertaken in a manner which does not irreparably damage any original or rare fabric of the building. Should the works subsequently be removed, any damage shall be rectified to the satisfaction of the Chief Executive Officer, City of Fremantle.
7. Prior to the occupation of the development, vehicle crossovers shall be constructed in either paving block, concrete, or bitumen and thereafter maintained to the satisfaction of the Chief Executive Officer, City of Fremantle.
8. Prior to occupation, the design and materials of the development shall be constructed in accordance with the requirements set out in the City of Fremantle policy *L.P.P.2.3: Fremantle Port Buffer Area Development Guidelines* for properties contained within Area 2. Specifically, the development shall include the following:
 - a) Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b) Air conditioners if provided, shall incorporate internal centrally located 'shut down' points and associated procedures for emergency use.
 - c) Roof insulation shall be provided in accordance with the Building Code of Australia.
9. Prior to the occupation of the development any redundant crossovers and kerbs shall be removed and the verge reinstated to the satisfaction of the Chief Executive Officer, City of Fremantle and at the expense of the owner. The design and materials of construction of any new crossover shall be submitted for approval by the Chief Executive Officer, City of Fremantle.
10. Prior to occupation of the development, the car parking area shown on the approved site plan shall be marked and provided in accordance with Clause 5.7.1(a) of the City of Fremantle Local Planning Scheme No. 4, to the satisfaction of the Chief Executive Officer, City of Fremantle.
11. Prior to demolition, an archival record is to be made of the building to be demolished and submitted to the City of Fremantle and State Heritage Office for approval, and shall include:
 - a) A site plan prepared at 1:200 scale, floor plan(s) of the building and four elevations prepared at 1:100 scale.



- b) Digital photographs taken of the building (once vacated) to include:
 - v. a general/overall photo of the building to be demolished
 - vi. photos of each of the four elevations;
 - vii. internal photos of all rooms; and
 - viii. photos of any special architectural features.
- 12. Prior to the issuing of a Building Permit for new buildings, building renovations and conservation works detailed drainage plans shall be submitted and approved by the Chief Executive Officer, City of Fremantle.
- 13. Prior to occupation, the applicant shall plant a replacement *Araucaria heterophylla* Norfolk Island Pine tree at the owners' expense and maintain the replacement tree to the satisfaction of the Chief Executive Officer, City of Fremantle (unless otherwise approved by Council). The replacement tree shall be a minimum of 3m high and 100lt pot size.

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

10. Appeals to the State Administrative Tribunal

Nil

11. Meeting Close

There being no further business, the presiding member declared the meeting closed at 1:16pm.



Form 1 - Responsible Authority Report

(Regulation 12)

Property Location:	Lot 61 (No.37) & Lot 62 (No.39) Council Avenue, Rockingham
Application Details:	Mixed Use Development (99 Residential Apartments and 2 Ground Floor Retail Shops)
DAP Name:	Metro South-West JDAP
Applicant:	Dynamic Planning and Developments Pty Ltd
Owner:	Yokine Investments Pty Ltd & Sharose Pty Ltd
LG Reference:	DD020.2014.00000122.001 (D14/45307)
Responsible Authority:	City of Rockingham
Authorising Officer:	Mr Bob Jeans, Director Planning & Development Services
Department of Planning File No:	DAP/14/00523
Report Date:	30th May 2014
Application Receipt Date:	3rd April 2014
Application Process Days:	60 Days
Attachment(s):	<ol style="list-style-type: none">1. Site Survey and Easements2. DA01 Site and Location Plan3. DA02 Apartment Types Diagram4. DA03 Ground Floor Plan5. DA04 Level 1 & 2 Plan6. DA05 Level 3 & 4 Plan7. DA06 Level 5 & 6 Plan8. DA07 Apartment Types – 1 Bed Types9. DA08 Apartment Types – 2 Bed Types10. DA10 Elevations NW & SE11. DA11 Elevations SW & NE12. DA12 Perspectives13. DA13 Retail and Apartment Entry Perspectives14. DA14 Internal Courtyard Perspectives15. DA20 Section 116. DA21 Section 217. DA22 Section 3

Recommendation:

That the Metro South-West JDAP resolve to:

Approve DAP Application reference DAP/14/00523 and accompanying plans DA01 - DA08, DA10 - DA14 and DA20 - DA22 dated March 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. This Approval does not authorise or approve the use of any of the tenancies. A separate planning approval must be obtained for the occupation of any ground floor commercial tenancy, prior to the occupation of the tenancy.
3. Arrangements must be made for the amalgamation of the land onto one Certificate of Title prior to applying for a Building Permit.
4. It must be demonstrated to the City of Rockingham that the service vehicles required by the development can manoeuvre around the site (geometry and height). Plans demonstrating this must be submitted to and be approved by the City of Rockingham prior to applying for a Building Permit.
5. 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.
6. All stormwater generated by the development shall be designed to be contained on-site and certified by a hydraulic engineer, prior to the application for a Building Permit. The design shall be implemented and maintained for the duration of the development.
7. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to applying for 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.
 - (v) The street setback area and all verge areas including landscaping, paving and reticulation must be upgraded in accordance with the Rockingham City Centre Streetscape Study.

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

8. The car park must:
 - (i) provide a minimum of 108 parking spaces on-site;
 - (ii) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval, prior to applying for a Building Permit;
 - (iii) include two 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.

9. A cash contribution, in lieu of the shortfall of on-site car parking for the development of five (5) car parking spaces, with the calculation of the cash contribution being in accordance with clause 4.15.6.1 of Town Planning Scheme No.2, must be provided to the City of Rockingham, prior to applying for a Building Permit - Certified.
10. Twelve short-term bicycle parking spaces and 36 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 prior to applying for a Building Permit, and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good condition at all times.
11. Clothes drying facilities (excluding electric clothes dryers) shall be screened from view of any adjacent public road or internal access street.
12. A Waste Management Plan must be prepared and include the following detail to the satisfaction of the City, prior to applying for a Building Permit:
 - (i) the location of bin storage areas and bin collection areas;
 - (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
 - (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - (iv) frequency of bin collections.

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

13. An Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source will comply with the *Environmental Protection (Noise) Regulations 1997*, must be approved by the City prior to applying for a Building Permit.

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

14. 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 applying for a Building Permit and implemented as such for the duration of the development.
15. 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 Council Avenue, at all times.
16. Public or customer access must be from Council Avenue.
17. Above-ground meter boxes must not be located in a street setback area at any time.

18. 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.
19. Arrangements being made to the satisfaction of the City of Rockingham for the payment of contributions towards the Administration and Community Infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, upon commencement of any development.
20. Lighting must be provided at the main entrance area underneath the building overhang facing Council Avenue, prior to occupation of the development.

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. The installation of security cameras linked to the City of Rockingham's security camera surveillance system should be considered, to provide surveillance of the proposed facility and public areas adjacent to the development.
3. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant should liaise with the City's Building Services in this regard.
4. With respect to Conditions 7 and 8, 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 car parking spaces and any works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham's Engineering Services in this regard.
6. With respect to Condition 10, the applicant and owner should refer to Planning Policy 3.3.4, Cash-in-Lieu of Carparking, which provides guidance on the calculation of the cash contribution.

Background:

Site Details

Property Address:	Lot 61 (No.37) & Lot 62 (No.39) Council Avenue, Rockingham
Zoning	MRS: Central City Area
	TPS: Primary Centre City Centre
Use Class:	Multiple Dwellings, Shops
Strategy Policy:	Rockingham Strategic Regional Centre: Centre Plan Planning Policy 3.2.1 – Development Policy Plan City Centre Sector Planning Policy 3.3.14 – Bicycle Parking and End of Trip Facilities
Development Scheme:	City of Rockingham Town Planning Scheme No.2
Lot Size:	Lot 61 = 818.80m ² Lot 62 = 1,818.56m ² Total = 2,637.36m ²
Existing Land Use:	Vacant
Value of Development:	\$16,000,000.00

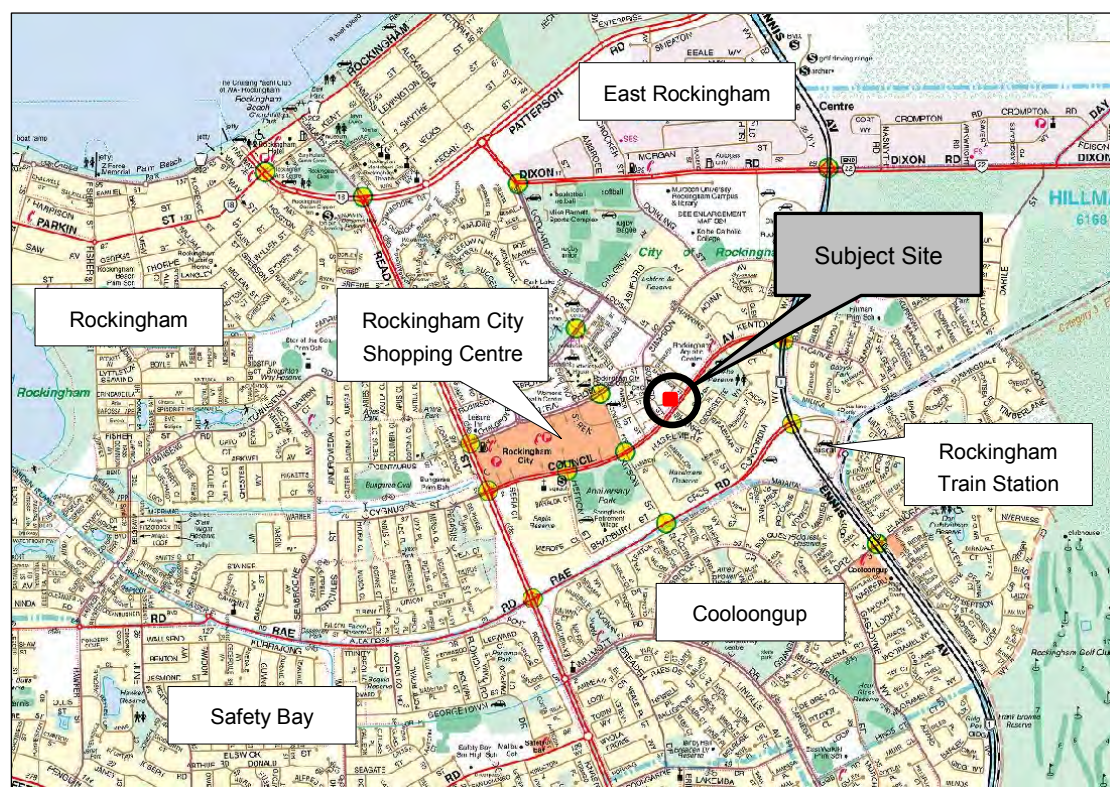


Figure 1 – Location Plan



Figure 2 – Aerial Photo

History

In February 1996, an Integrated Development Guide Plan (IDGP) was approved over the subject land.

The approved IDGP makes provision for 'Commercial' use and an internal public roads system including public parking.

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

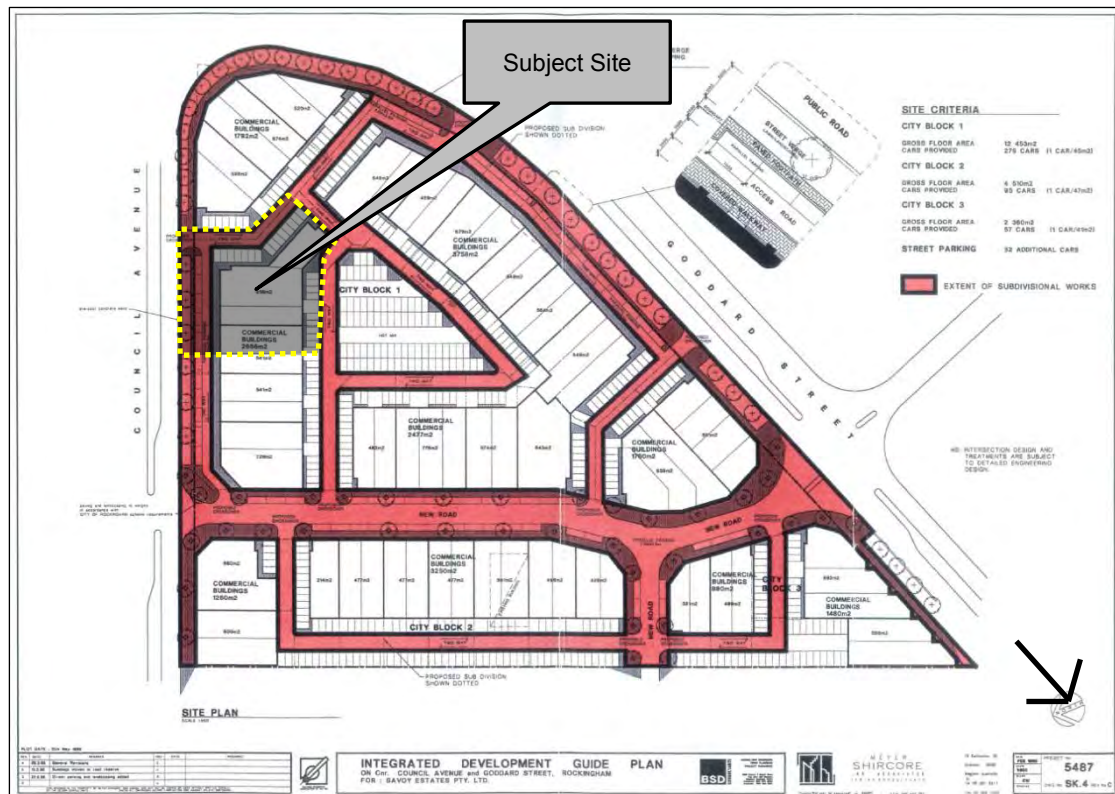


Figure 3 – Integrated Development Guide Plan

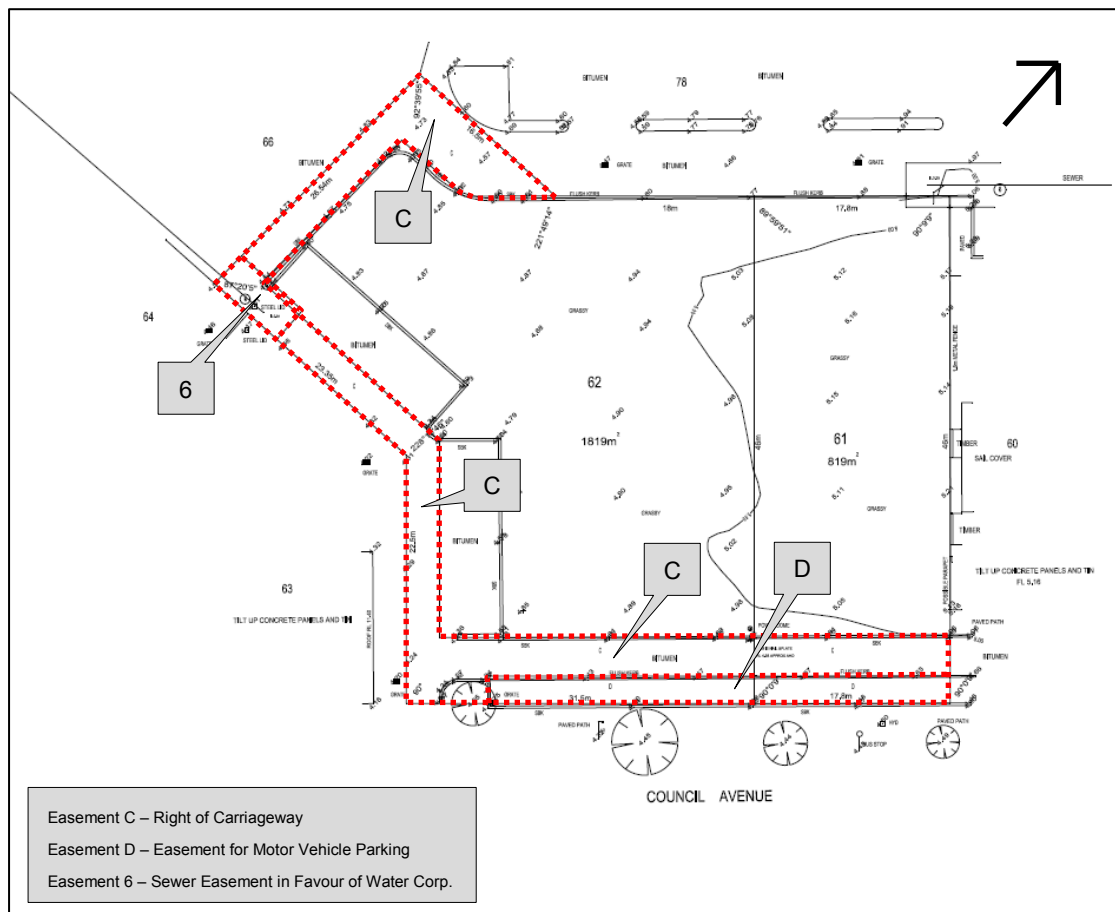


Figure 4 – Existing Access and Parking Easements

DETAILS: OUTLINE OF DEVELOPMENT APPLICATION

The applicant seeks approval for a six storey mixed use development comprising the following:

- Multiple Dwellings containing:
 - 1st Floor – 19 apartments comprising 5 single bedroom and 14 two bedroom units;
 - 2nd Floor – 19 apartments comprising 5 single bedroom and 14 two bedroom units;
 - 3rd Floor – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
 - 4th Floor – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
 - 5th Floor – 19 apartments comprising 10 single bedroom and 9 two bedroom units;
 - 6th Floor – 4 two bedroom units and a communal roof top terrace.
- Two retail shops (179.8m²) (ground floor); and
- 108 car parking spaces of which 90 bays will form part of an on-site parking garage over 3 levels. The parking garage is based on a “parking stacker” system.

The podium of the building along Council Avenue is proposed to extend over the access easement up to the Council Avenue street boundary of the subject site. The access easement will remain a public access way through the site.



Figure 5 – View from Council Avenue

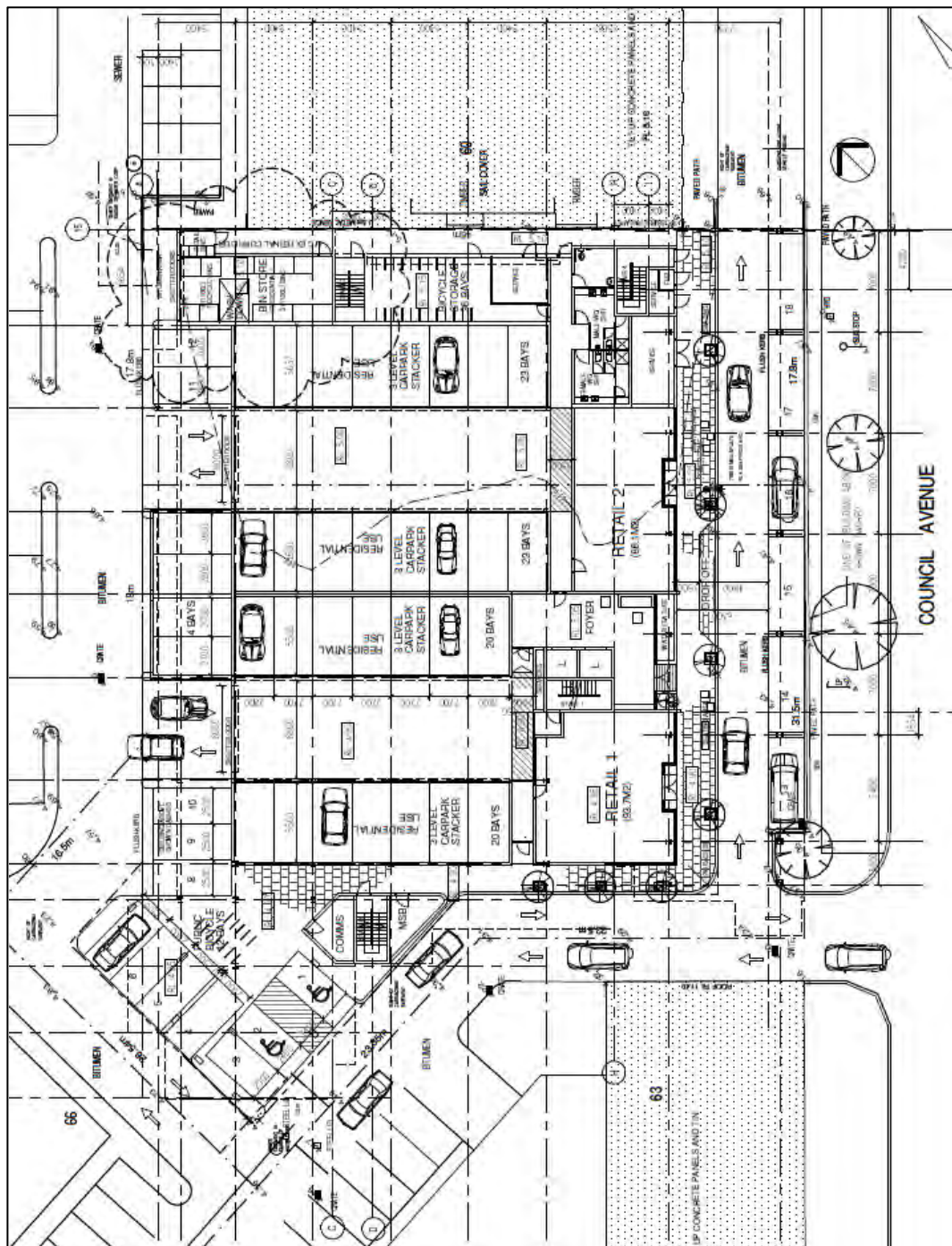


Figure 6 – Site/Ground Floor Plan

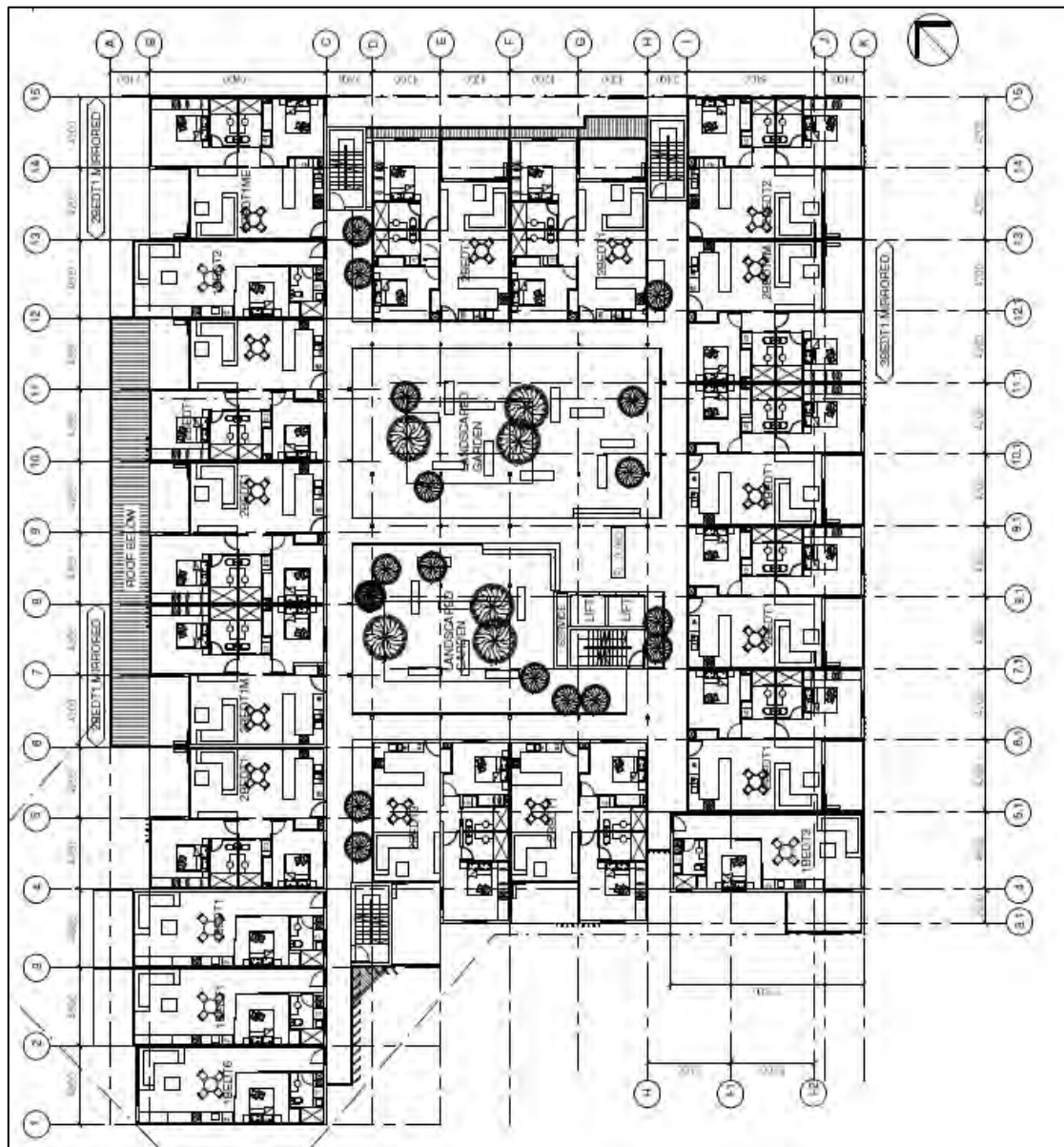


Figure 7 – First Floor Plan

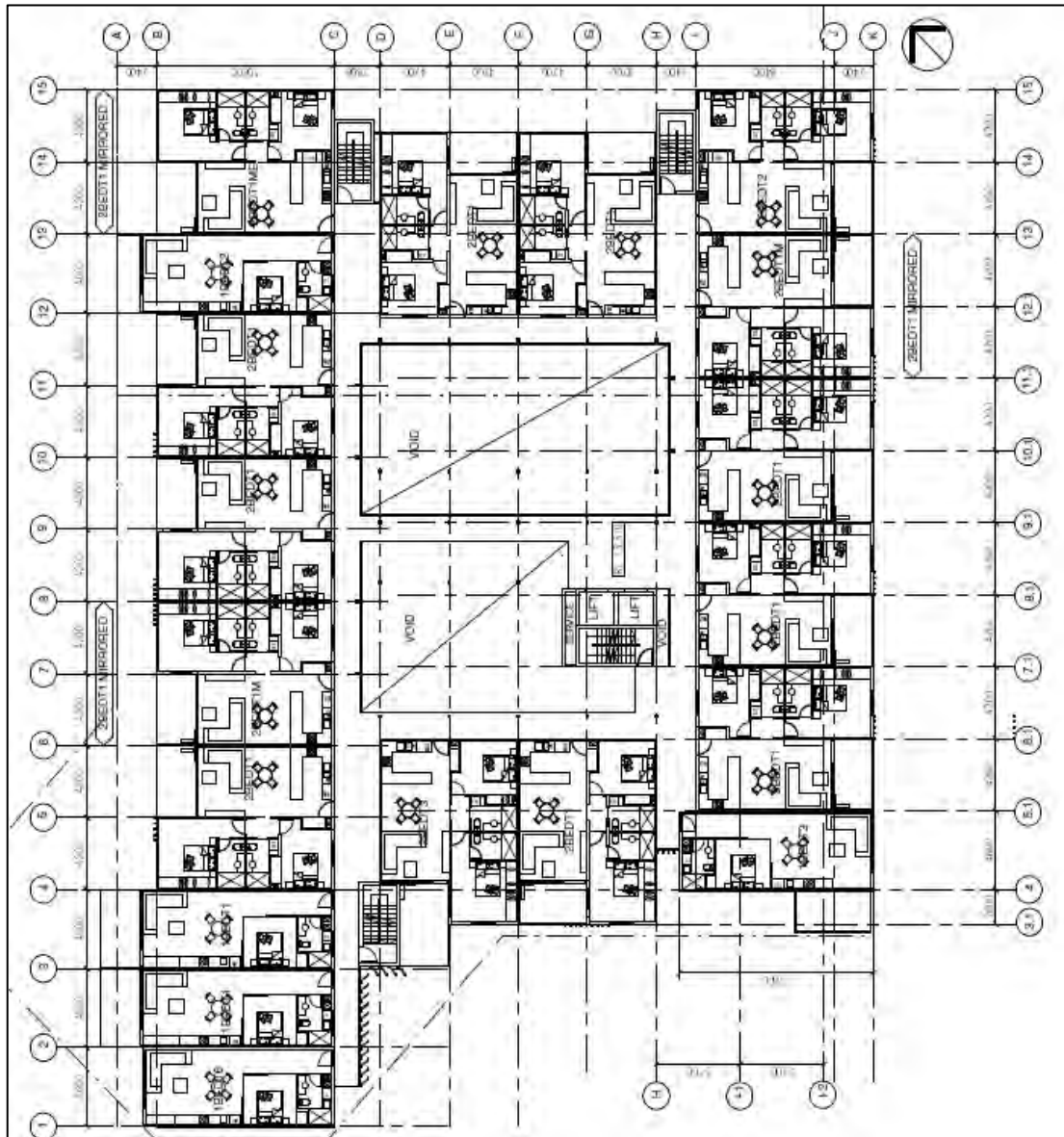


Figure 8 – Second Floor Plan

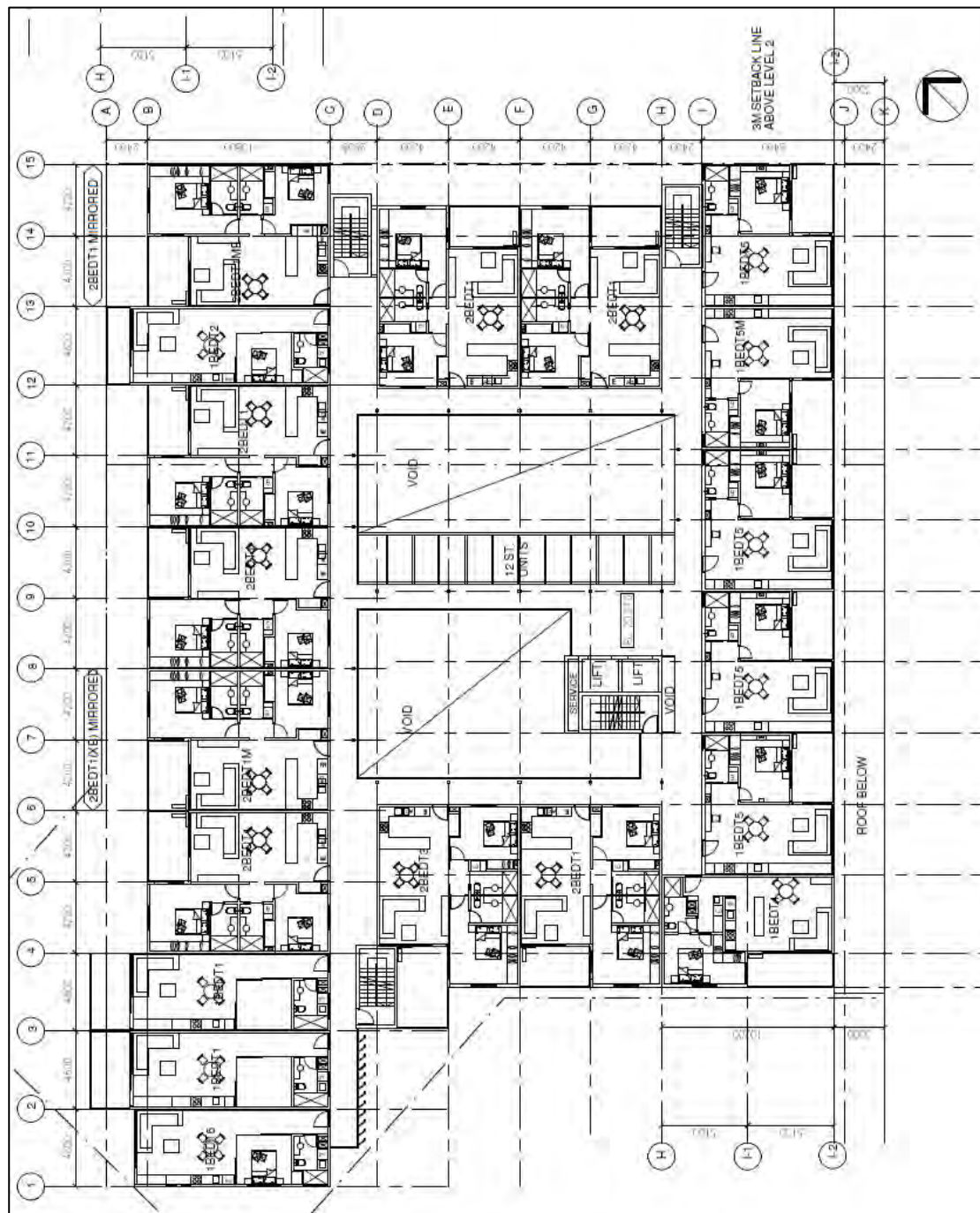


Figure 9 – Third Floor Plan

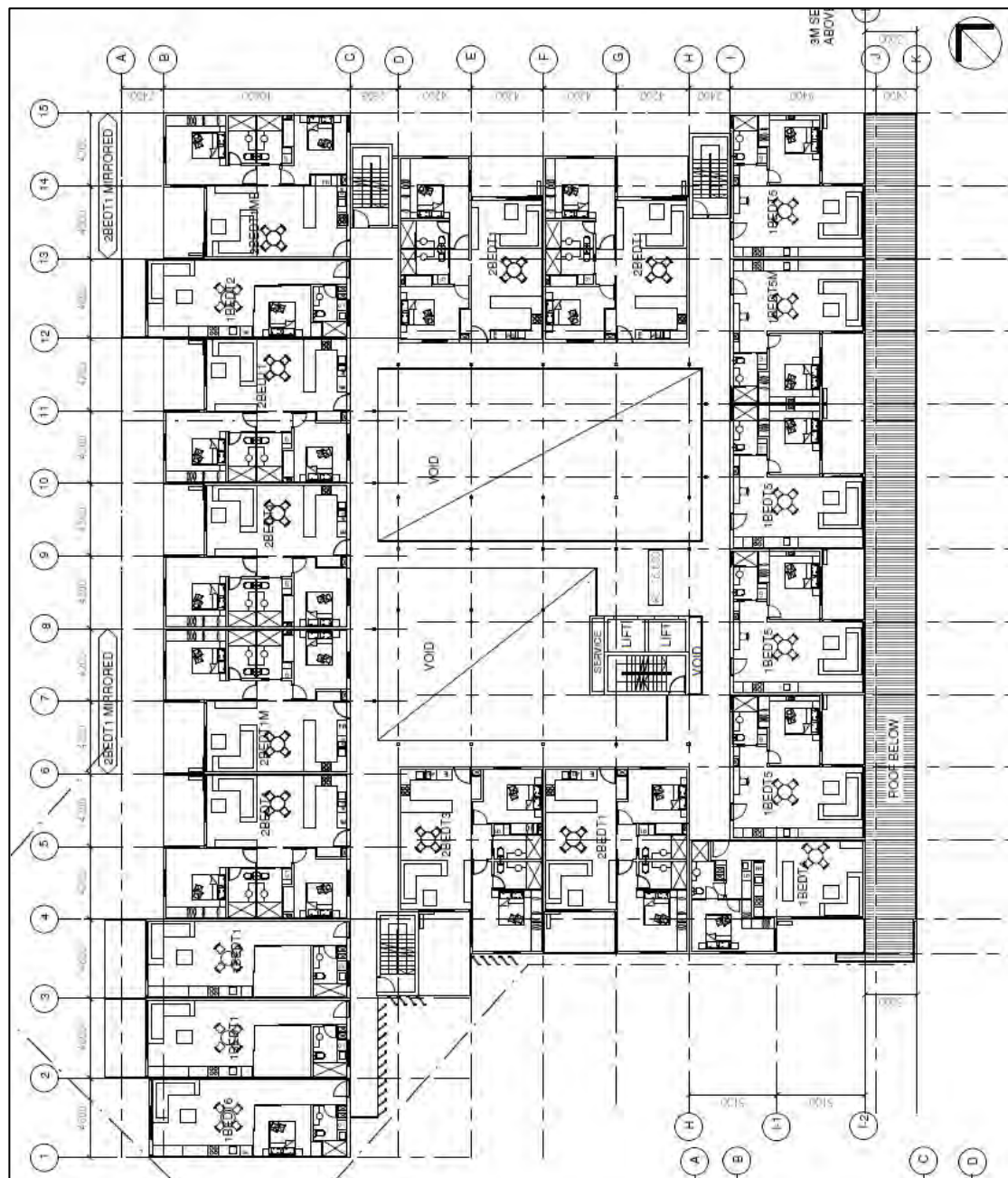


Figure 10 – Fourth Floor Plan

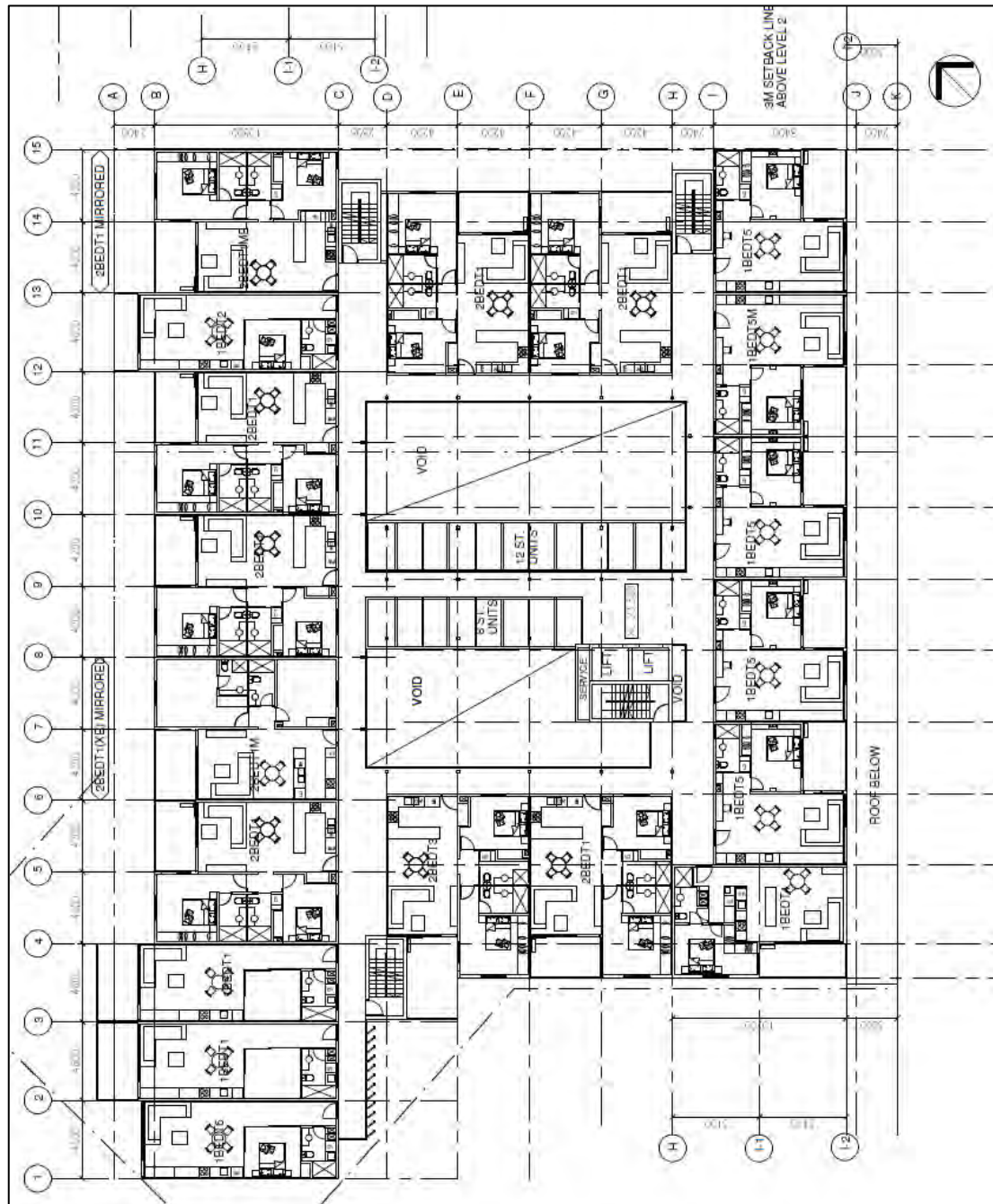


Figure 11 – Fifth Floor Plan

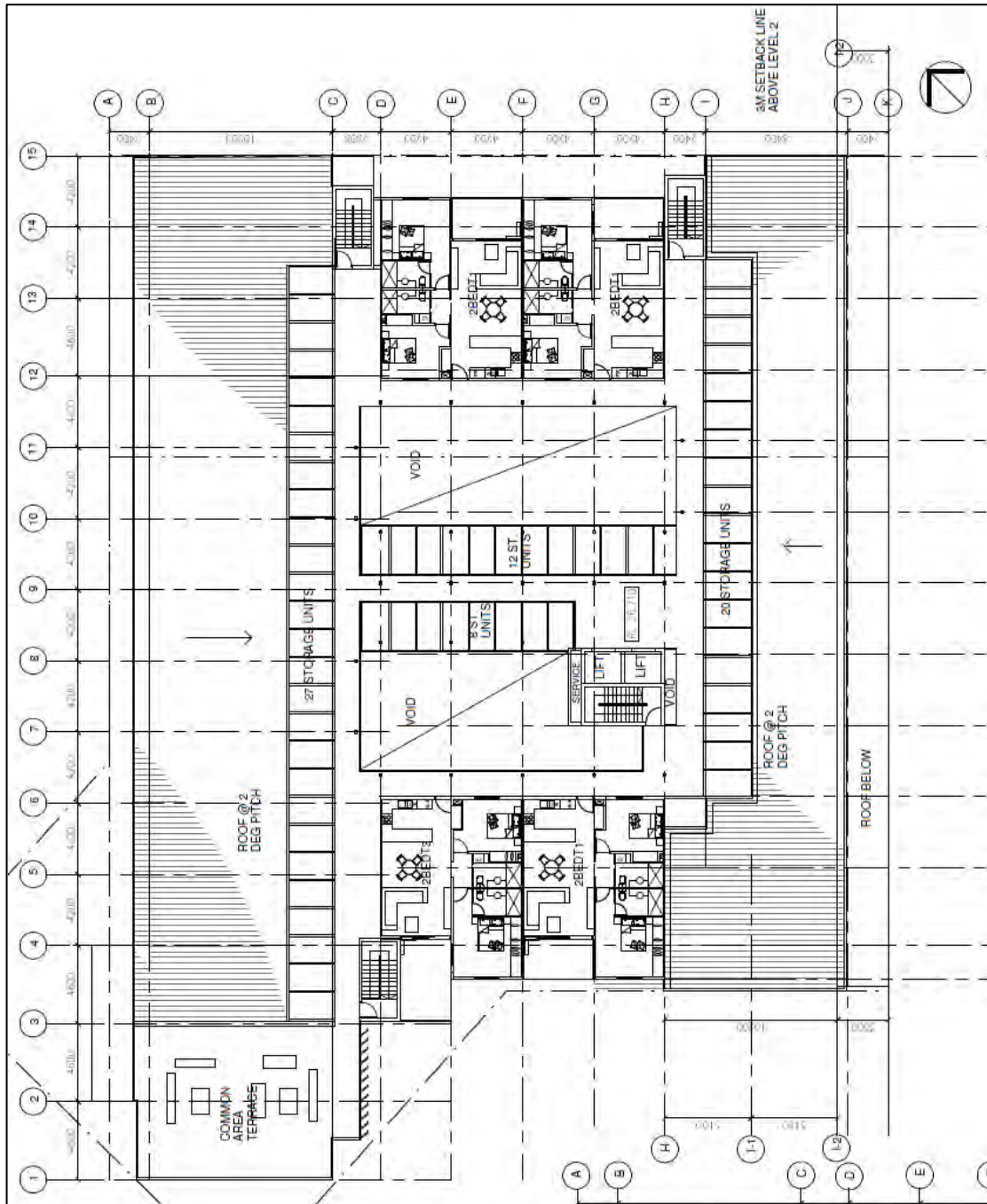


Figure 12 – Sixth Floor Plan



Figure 13 – Council Avenue Elevation (south-east)



Figure 14 – Goddard Street Elevation (south-west)



Figure 15 – McKinnon Street Elevation (north-east)



Figure 16 – Lot 78 Parking Area Elevation (north-west)

LEGISLATION & POLICY:

Legislation

Rockingham Town Planning Scheme No. 2 (TPS2)

Clause 4.3A.1 – Objectives of the Zone

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

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

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

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

Clause 4.3A.3 – Minimum Residential Density

A minimum density of 1 dwelling per 125m² of land area is required in the Primary Centre City Centre Zone. Based on a site area of 2,637.36m², a minimum of 21 dwellings is required. The development provides for a total of 99 apartment style dwellings. This is considered to meet the minimum density requirements.

Clause 4.15 – Car parking

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

Use	Minimum Required		Provided
	Rate	Number	
Multiple Dwellings			
40 x 1 Bedrooms	0.75 / bedroom *	30	
59 x 2 Bedrooms	1 / bedroom *	59	
Shops			
2 x shops (179.8m²)	1 / 22 (17)m² NLA	9(11)	
Total		98(100)	90
Visitor parking			
	0.25 / dwelling *	25	18
Total		123(125)	108^
Notes:			
- Maximum in brackets			
* As per the R-codes, Location A. ^Includes two AS2890.6 spaces.			

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

Building Class	Requirement		
	Rate	Calculations	Spaces
Class 6 - Shops	1 space/50 car parking spaces	2 spaces	2
Class 2 – Residential Building	Nil	Nil	Nil

Further discussion on parking requirements and provision is provided in the Planning Assessment section of this report.

Clause 5.3 – Control of Advertisements

Clause 5.3.1 of TPS2 requires planning approval to be obtained for the erection of advertisements. In considering an application for an advertisement, the Council is required to consider the objectives of TPS2. There is no signage currently proposed as part of this development application.

Subsequent approval from the City would be required for any signage on the building.

Clause 6.6 – Matters to be Considered by the Council

Clause 6.6 outlines the matters to which Council is to have due regard when considered relevant to an application. Where relevant, these are discussed in the Planning Assessment section of this report.

State Government Policies

State Planning Policy 3.1 – Residential Design Codes

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

Local Policies

Rockingham Strategic Regional Centre: Centre Plan

The City Centre Sector forms part of the Rockingham Strategic Metropolitan Centre. In accordance with State Planning Policy 4.2 - Metropolitan Centres Policy, the City is required to prepare and maintain an endorsed Centre Plan to guide the development of public and private property within the Rockingham Strategic Metropolitan Centre.

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

“The vision is for a modern, distinctly coastal centre offering a wide range of mixed uses including retail, commercial, office, civic, residential, education and recreation

within an accessible and highly inter-connected, urban-scaled townscape, comprising a major activity centre and related urban villages based on 'Main Street' principles."

The Centre Plan makes the local transit system the focus of an intensified corridor of mixed use development between the City Centre, education campuses and the beachfront, and it identifies a Central Transit Route, from which a 600m wide transit-oriented catchment area is applied. The Centre Plan could triple the population within the Rockingham Metropolitan Centre to 36,000 people; this scenario could achieve the light rail transit threshold density of 50 persons per hectare.

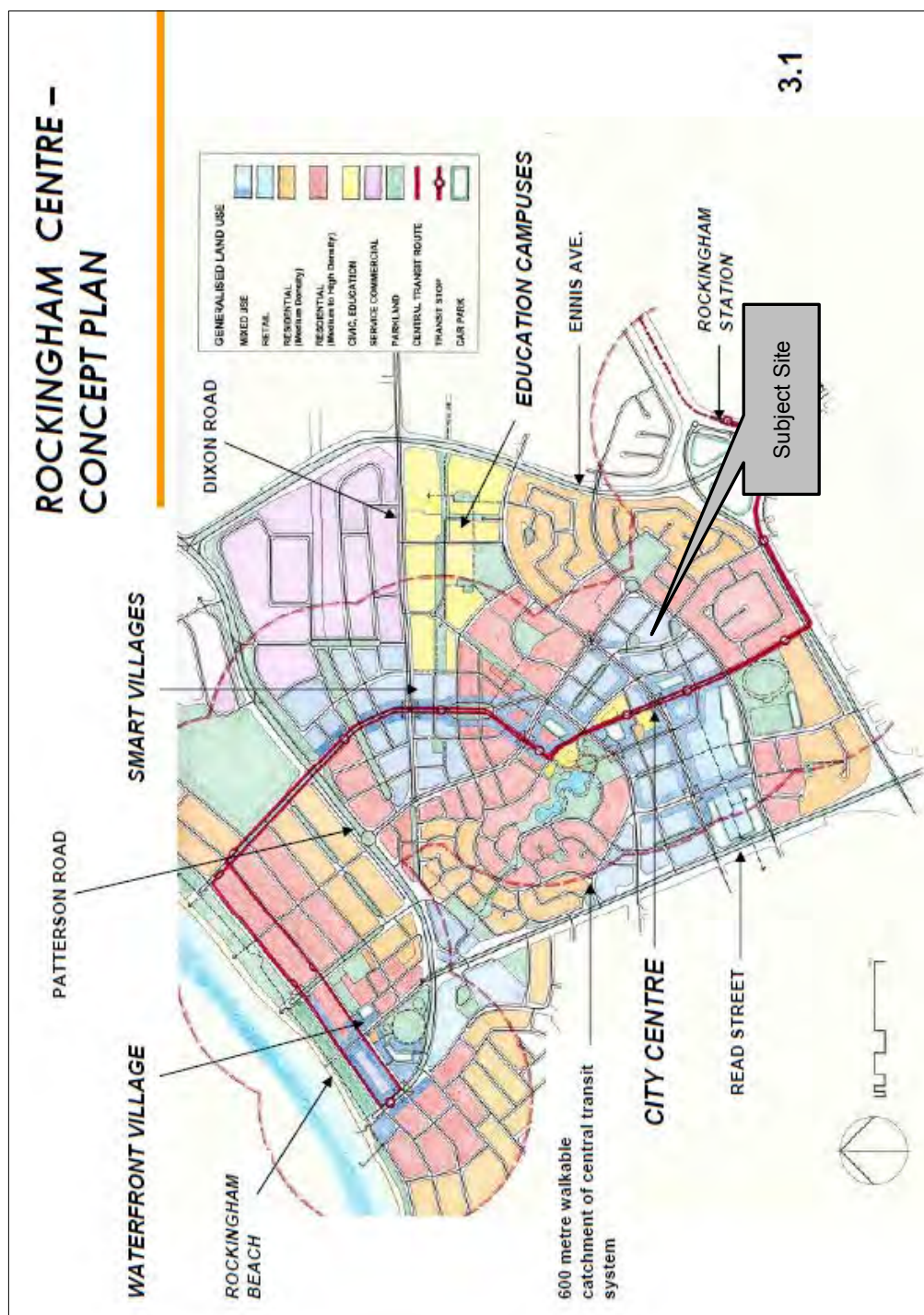


Figure 17 – Rockingham Centre Concept Plan

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

The overall Centre Plan is divided into 11 Sectors. The City Centre Sector is one of these and PP3.2.1 has been established to guide development within the sector.

Eastside Precinct

Within the City Centre Sector there are seven precincts. Each of the precincts has a detailed explanation of desired future character, preferred uses and required elements. The subject site is located within the Eastern Precinct.

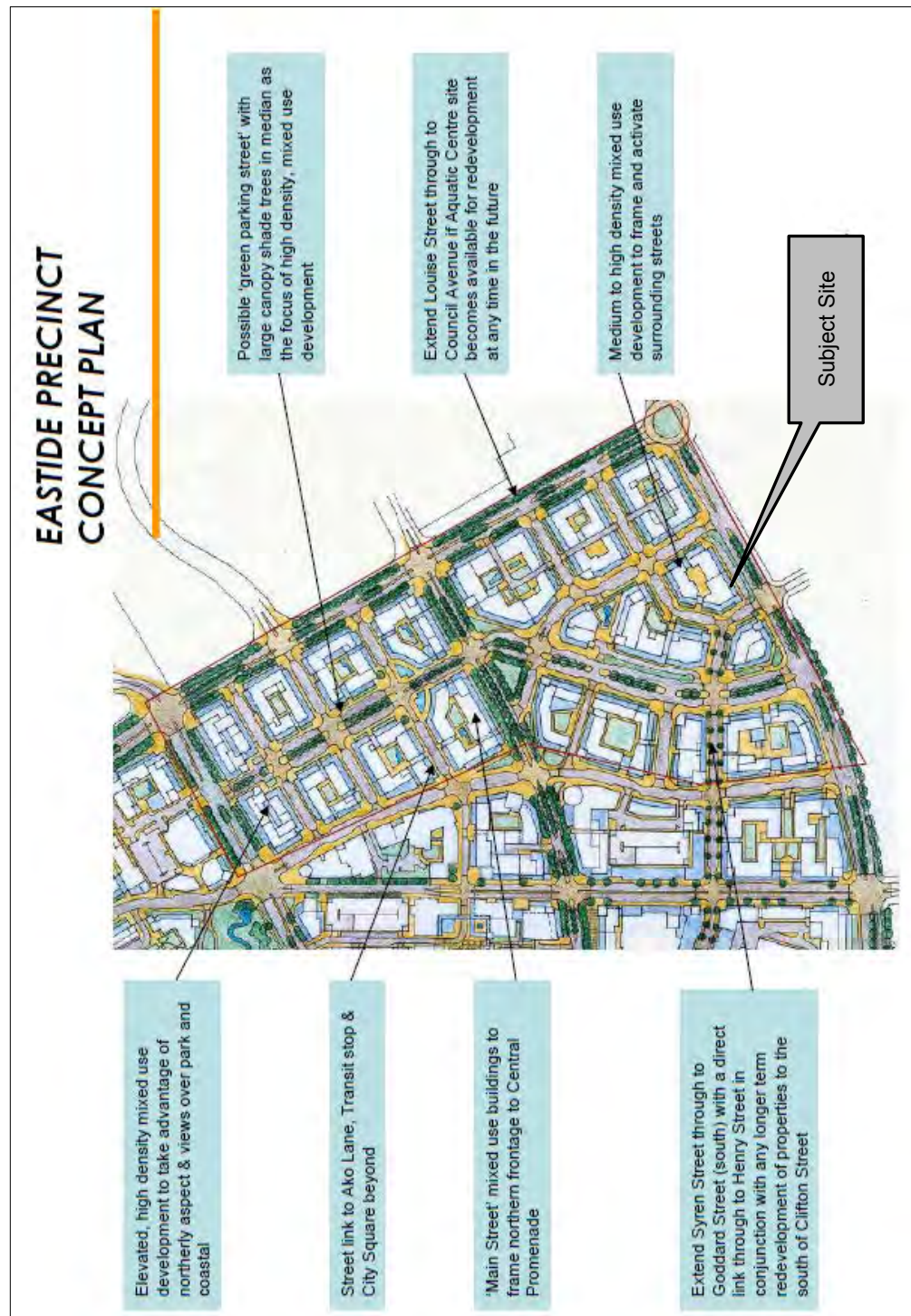


Figure 18 – Eastside Precinct Concept Plan

The proposed development is consistent with the desired future character for this precinct, having a higher density mixed use development fronting Council Avenue. It is consistent with the preferred land uses, being residential and retail on ground level.

The following provides an assessment of the development against the required elements of the Eastside Precinct.

Policy Requirements	Planning Comments	Compliance
The Precinct is to be developed as a mixed use area conforming to an urban townscape discipline.	The proposed development provides for a mix of residential and commercial land uses.	Yes
<p>Buildings are to be located, configured and activated to frame and address street frontages and laneways in a way that is consistent with the Precinct Concept Plan, relevant 'Frontage Types' as indicated in Section 4.4.</p> <p><u>Frontage 2 – Medium Level of Activation, Nil Setback</u></p> <p>A medium level of frontage activation with secondary retail, customer oriented offices, inner-city commercial tenancies and residential lobbies at ground level and a 2 to 3 storey façade positioned at the street front boundary. At the ground level, buildings should address the street with a primary business entrance and a commercial façade that is transparent over at least 60% of the area of the facade.</p>	<p>The development provides for a six storey building that provides for appropriate activation through commercial ground floor uses and transparent facades.</p> <p>The building's 3 storey podium extends up to the Council Avenue street boundary with the ground floor main entrance and commercial component recessed to accommodate the vehicular access easement along the Council Avenue street boundary.</p> <p>The commercial façade and main entrance to the building provides for a 71% transparency over the area of the façade.</p>	Yes
Side and rear building setbacks are to be determined by reference to the example of the Eastside Precinct Concept Plan, subject to review by Council of individual land use and siting proposals and compliance with relevant health, building and safety regulations.	Side and rear building setbacks comply with the intent of the Eastside Concept Precinct Plan. Provision has been made for an access / service laneway along the eastern boundary.	Yes
Consistent with Figure 4.2 'Density and Height' in Section 4.2, residential development within the Precinct is to be designed to accommodate a balanced mix of dwelling types and sizes at preferred densities ranging between 80 and 200	The development provides for the equivalent density of 375 dwellings per hectare.	No

Policy Requirements	Planning Comments	Compliance
dwelling per hectare with a minimum density of 80 dwellings per hectare in any development which includes a residential component.		
Consistent with Section 4.3, buildings are to present a minimum 2 storey or equivalent parapet height to the street or relevant public space subject to the maintenance of a 10.5 metre height limit along street frontages, with any additional height to be setback a minimum of 3 metres. The scale and massing of buildings is to be designed to minimise any overshadowing of adjoining properties and public spaces to the satisfaction of the City.	<p>Section 4.3 requires a height range of 2 to 6 storeys. The development proposes six storeys.</p> <p>The proposal makes provision for an 11.6m podium along the street frontages. The minor variation of 1.1m is considered acceptable and consistent with the general objectives of the Policy.</p> <p>The development provides for appropriate massing and scale given its location and provides for suitable stepping of the building to avoid any adverse overshadowing.</p>	Yes
Car parking is to be provided in accordance with Table 3 of Town Planning Scheme No.2. A copy of which is set out in Appendix 1.	The proposed development provides for sufficient parking as outlined in the Planning Assessment Section of this report.	Yes
Car parking is not permitted between the road reserve boundary and building frontages.	<p>The IDGP makes provision for on-site public parking within the registered access and parking easements along the boundaries of the subject site.</p> <p>The development fronts onto Council Avenue as per the Concept Precinct Plan. This requirement is therefore not deemed applicable in this instance.</p>	Yes
Off-street car parking is to be located behind, under or over ground floor, street front buildings or alternatively, no closer than 20 metres to the street front boundary in the case of land identified in the IDP for future building development.	Off-street parking is provided at grade and on the first two floor levels within the building.	Yes
In lieu of the normal landscaping requirements of the Scheme, developers are required to contribute to the cost of streetscape and landscape works within the public domain in the vicinity of their	<p>The streetscape works on Council Avenue would need to be provided as part of the development.</p> <p>Appropriate conditions should be included on any approval requiring such.</p>	Yes

Policy Requirements	Planning Comments	Compliance
development site. The particular streetscape treatment applicable to any site is to be determined by reference to the recommendations of the relevant City Centre Streetscape Study.		
Any landscaping of ancillary areas is to be undertaken in accordance with an approved landscape plan and in a manner consistent with the desired urban character of the Precinct and any townscape improvement plans which Council may adopt from time to time.	It is recommended that a Landscaping Plan be submitted to the City for approval as a condition of the Planning Approval.	Yes
Podium level courtyard gardens may provide private open space over car parks located behind street front buildings. Relevant examples of this form of development are located at Rockingham Beach, Mandurah Marina, Joondalup City Centre, Subi-Centro Subiaco and in Northbridge over the Graham Farmer Freeway.	The proposal includes a central landscaped courtyard area over the proposed internal car park, which need to be included in the Landscaping Plan to be prepared.	Yes

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

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

Bicycling Parking

Land Use	Required			
	Short Term		Long Term	
	Rate	Amount	Rate	Amount
Shop = 179.8m ²	1/150m ² NLA	2	1/250m ² NLA	0
Multiple Dwellings = 99 apartments	1/10 dwellings	10	1/3 dwellings	33
Total		12		33

Provision has been made for 36 long-term and 12 short-term bicycle parking bays on site which complies with PP3.3.14.

End-of-Trip Facilities

Multiple Dwellings - With the required 33 long term parking spaces, 6 showers (3 male / 3 female) are required to be provided in accordance with PP3.3.14. It can

however be expected that residents will make use of their private facilities within the residential units, thus no additional facilities are required.

Shops – Although no End-of-Trip facilities are required for the proposed commercial tenancies, two showers (1 male / 1 female) are proposed in two separate change rooms on ground level.

CONSULTATION:

Public Consultation

The proposed land uses are defined as “D” uses under TPS2 which means that the use is not permitted unless the local government has exercised its discretion by granting planning approval. Where a development which involves a “D” use the Council may give notice of the application to nearby owners and occupiers, if in the opinion of Council, they are likely to be affected by the development.

The proposed development is not likely to adversely affect nearby land owners and occupiers and this was not deemed to require notifications.

Consultation with other Agencies or Consultants

Consultation with other agencies is not required pursuant to TPS2.

PLANNING ASSESSMENT:

Design

The proposal seeks an 11.6m podium which is a 1.1m variation to the maximum podium height provision of 10.5m.

The podium height requirement of the Policy is applied to manage the presentation of a building with respect to human scale. The minor variation of 1.1m is considered acceptable considering that the proposed building presents appropriate human scale with the incorporation of awnings, façade articulation, open balconies, soft and hard landscaping and there will be no impact on overshadowing of adjoining properties.

Residential Density

PP3.2.1 recommends a residential density of minimum 80 and maximum 200 dwellings per hectare. In this instance, a residential density of 375 dwellings per hectare is proposed.

Density in the context of development control is considered to be one of a number of factors to be assessed when determining the potential impact of the bulk and scale of a building. The assessment of density is therefore done in conjunction with other development controls e.g. building height, setbacks, open space provision and treatment etc. On the basis that the proposal satisfies all of the development provisions linked with the Eastside Precinct Concept Plan and the applicable provisions of PP3.2.1, the variation to residential density in the context of its location within the Primary Centre City Centre area is deemed acceptable.

Density also directly impacts traffic generation. The adopted access and movement network for the Rockingham City Centre as depicted in PP3.2.1 includes a wide range of street types and has been modelled around the street based public transport system.

Key aspects of the network include:

- Well-connected linkages between the City Centre and the Rockingham foreshore;
- A fine grained and highly connected street network providing a high degree of robustness and flexibility for future planning;
- A direct and legible street network.

Traffic modelling has been undertaken by Uloth and Associates. One of the key findings from the traffic modelling was that traffic volumes on the fine grained street network within the Regional Centre are low.

In conjunction with a street based public transport system and anticipated varying residential density within the City Centre, the higher residential density as proposed is considered acceptable with no adverse impact on the functioning of the local transport network.

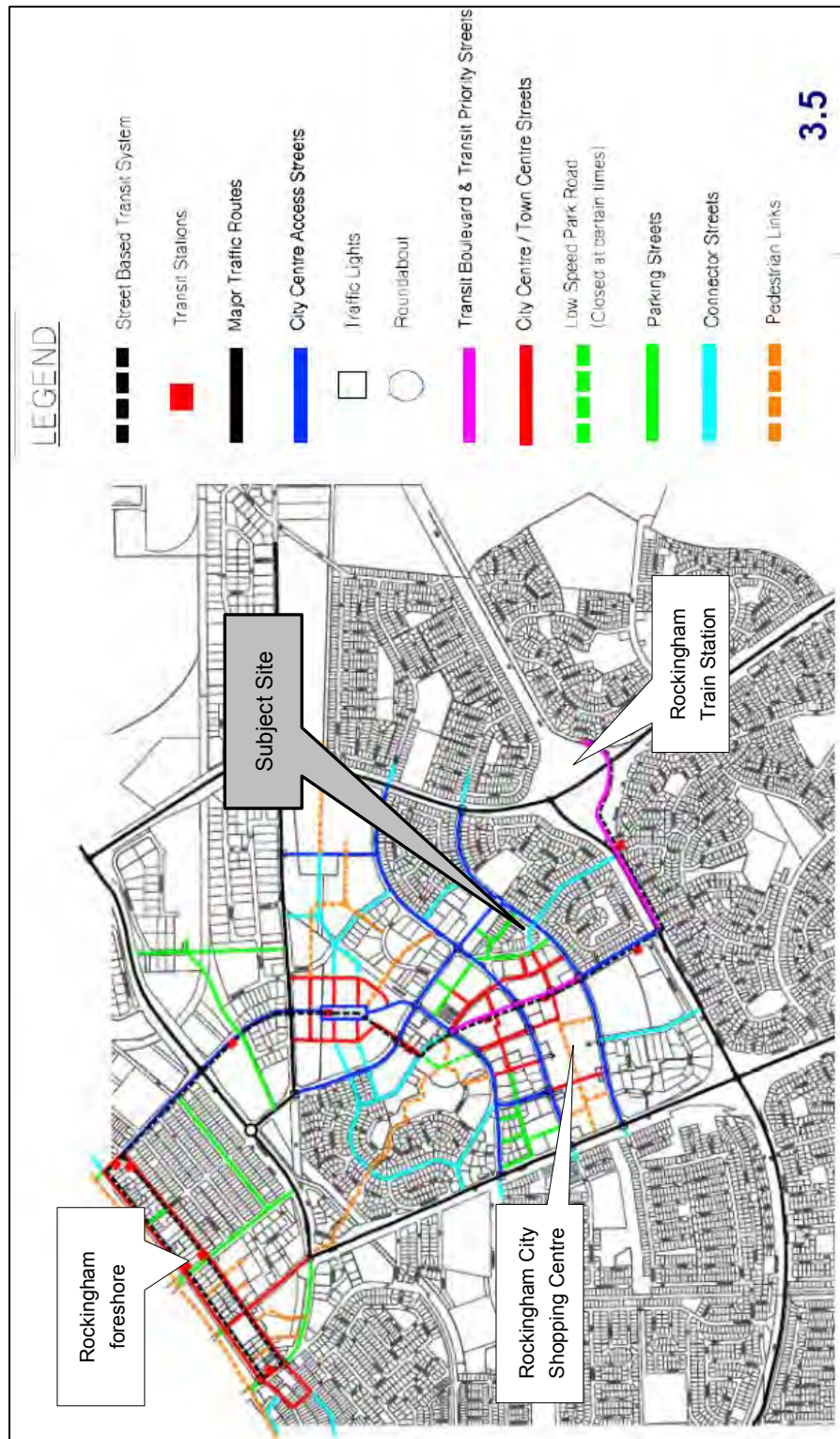


Figure 19 – City Centre Road Network

Structures within Parking Area Easements

The Deed of Agreement which forms part of the Certificate of Title for the subject site contains the operative details of the easements. With regard to the Right-of Way / Parking Area Easements, it is noted that Condition 2.3 of the Deed of Agreement stipulates:

'The Proprietors nor the Users shall not without the prior written consent of the City, which consent shall not be unreasonably withheld, obstruct or fence off the Access Ways or Parking Areas in whole or in part from any adjacent area or dig any holes or trenches or in any way disturb the surface of the Access Ways or Parking Areas or build thereon any structures of any kind.'

There are eight structural columns proposed to be placed within the easement area. The columns are considered to be acceptable in this instance given the location and number of columns does not obstruct the safe movement of vehicles through the subject site or the ability of vehicles to park within the parking area easement. The proposed parking bays comply with AS 2890.1 – *Parking facilities off-street car parking*.

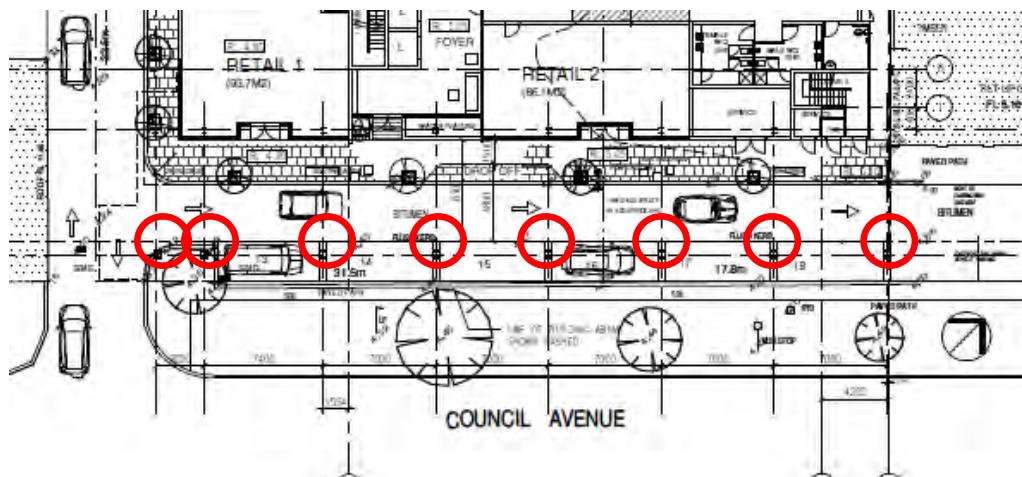


Figure 20 – Proposed columns within Easement

Car Parking

Under TPS2, the proposed development requires the provision of a minimum of 123 parking spaces and 125 maximum parking spaces.

Clause 4.15.4 of TPS2 allows for reciprocal parking of separate uses that operate at different times. The commercial uses are considered to operate at a different time to the visitor parking demand. In this regard the commercial parking requirements (9 spaces) can be considered to form part of the visitor parking requirements (25 space) This equates to a reduction of 9 parking spaces, bringing the total parking requirement for the proposed development to 114 (minimum) and 116 (maximum).

The development proposal provides for a total of 108 parking spaces on-site, of which 2 are designed in accordance with AS 2890.6 (parking for people with a disability).

Lot 78, abutting the subject site to the north, currently contains 78 parking spaces which are available for use by occupiers of lots surrounding Lot 78 within "Block 1" in accordance with the IDGP.

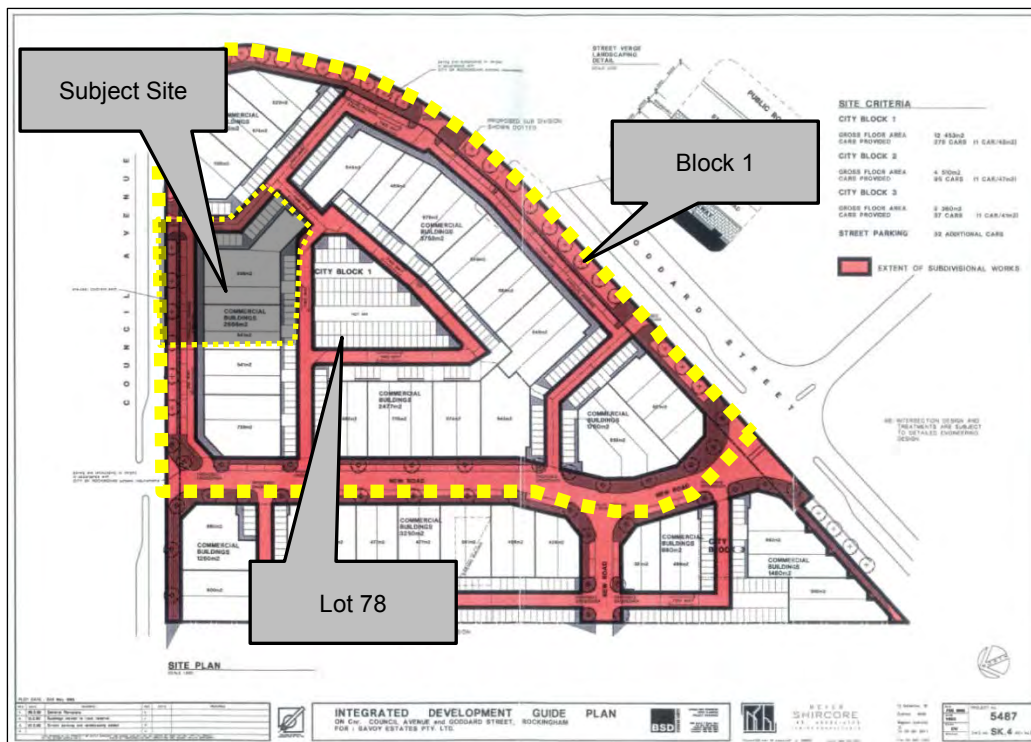


Figure 21 – Lot 78

For Block 1, the IDGP makes provision for an allocation of parking calculated at 1 parking space per 45m² Gross Floor Area (GFA). The GFA for the subject site has been estimated on the IDGP as ±1,499m², which means that a total of 33 parking spaces have been allocated to the subject site. Thirty two spaces are indicated on the subject site (IDGP) which means that an additional 1 space can be occupied on Lot 78.

The development therefore provides for a total of 109 parking spaces, being 108 parking spaces on site and 1 space off-site (Lot 78). Based on a minimum requirement of 114 parking spaces, the development has a shortfall of 5 parking spaces.

Clause 4.15.6 of the City's TPS2 makes provision for a "*Cash-In-Lieu of Parking*" provision. The City will accept the shortfall of 5 parking spaces to be dealt with under this provision.

It is therefore considered to comply with TPS2 parking requirements.

Access

The City's Engineering Services raised concerns over safe vehicle and pedestrian movement along the northern section of the proposed development. It is recommended that a condition be imposed to require further information be provided to the City to demonstrate how vehicles will be able to safely access and egress the on-site car park, manoeuvre around the site and the safe movement of pedestrians within this area.

Lot Amalgamation

Given the development is proposed over two lots, they will need to be amalgamated. In this regard it is recommended a condition be imposed addressing this.

Waste Disposal

A bin store has been provided for the proposed development and a preliminary Waste Management Plan was attached to the application.

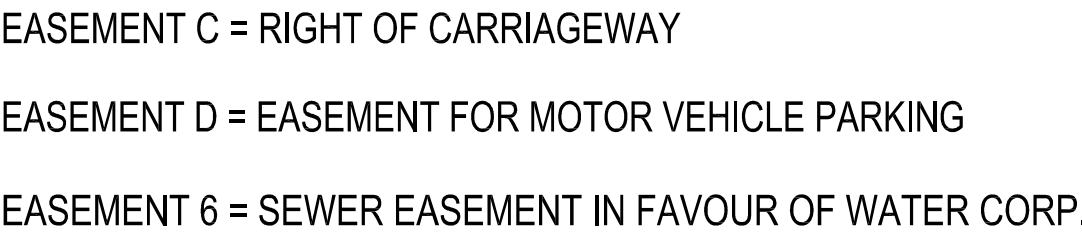
Should the application be approved, it is recommended a condition be imposed requiring the preparation and implementation of a Waste Management Plan.

Conclusion:

The proposed mixed-use development is compliant with TPS2 and Policy requirements.

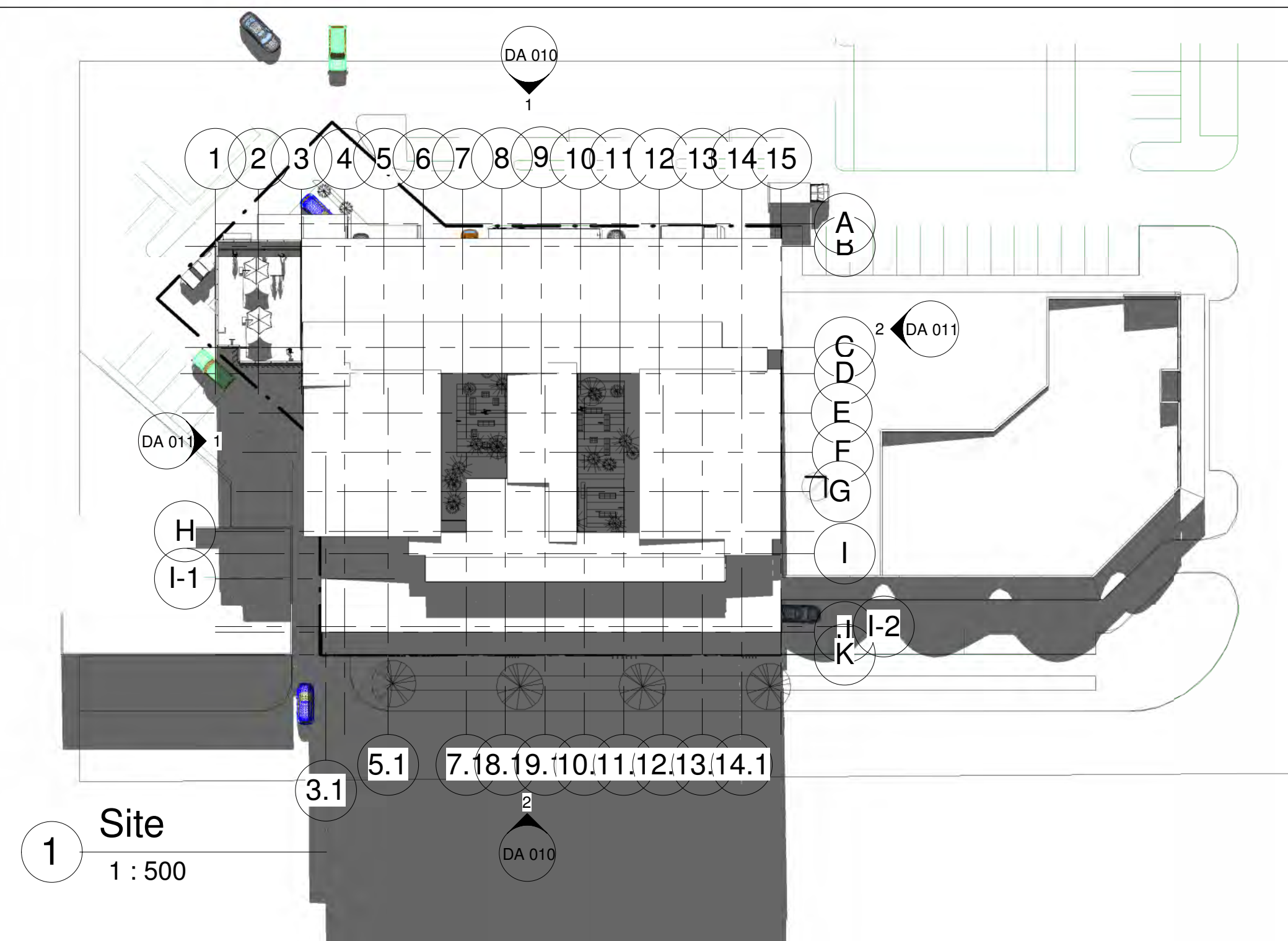
The proposed development complies with the intent and objectives of the Eastside Precinct and the Rockingham City Centre Sector and is considered to be suitable for its site and the locality.

It is recommended that the application for the mixed-use development be conditionally approved.



This survey does not guarantee the location of boundary
pegs or fences in relation to the boundaries. It is a site
survey only. For easements check Certificate of Title.
Total Survey Solutions Pty Ltd accepts no responsibility for any
changes to the parcel or portion thereof, shown on this survey including,
but not limited to, any adjoining property levels or features that may have
occurred since the date of this survey.

REFERENCE DRAWINGS				REVISION				TOTAL SURVEY SOLUTIONS PTY LTD												COPYRIGHT © This drawing is copyright and the property of Total Survey Solutions Pty Ltd. It must not be retained, copied or used without the permission of Total Survey Solutions Pty Ltd.				CLIENT				PROJECT			
								10 GARROW COURT KINGSLEY WA 6026 P 0411 588 277 F 9409 5882 E leotss@tpg.com.au												ARKITEK 10				SITE SURVEY 37-39 COUNCIL AVENUE ROCKINGHAM							
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Rockingham No.
1 Pty Ltd

Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

[illegible]DEVELOPMENT
APPLICATION
SUBMISSION

SITE AND LOCATION PLAN

Project number	201305
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Date	Mar 2014
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Drawn by	MH
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Checked by	BC/MH
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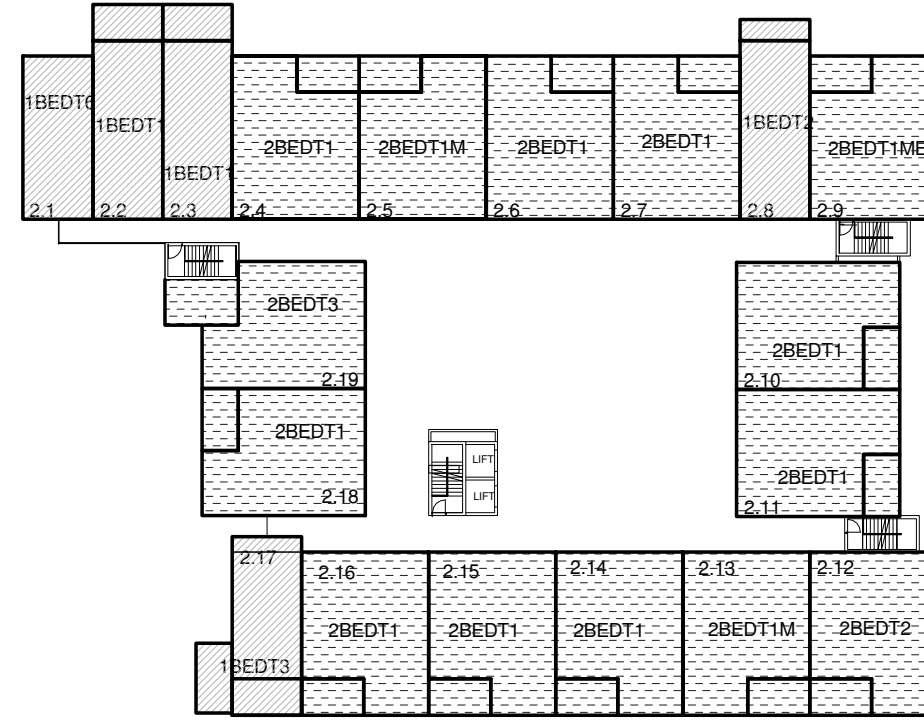
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7 APARTMENT TYPES AREA
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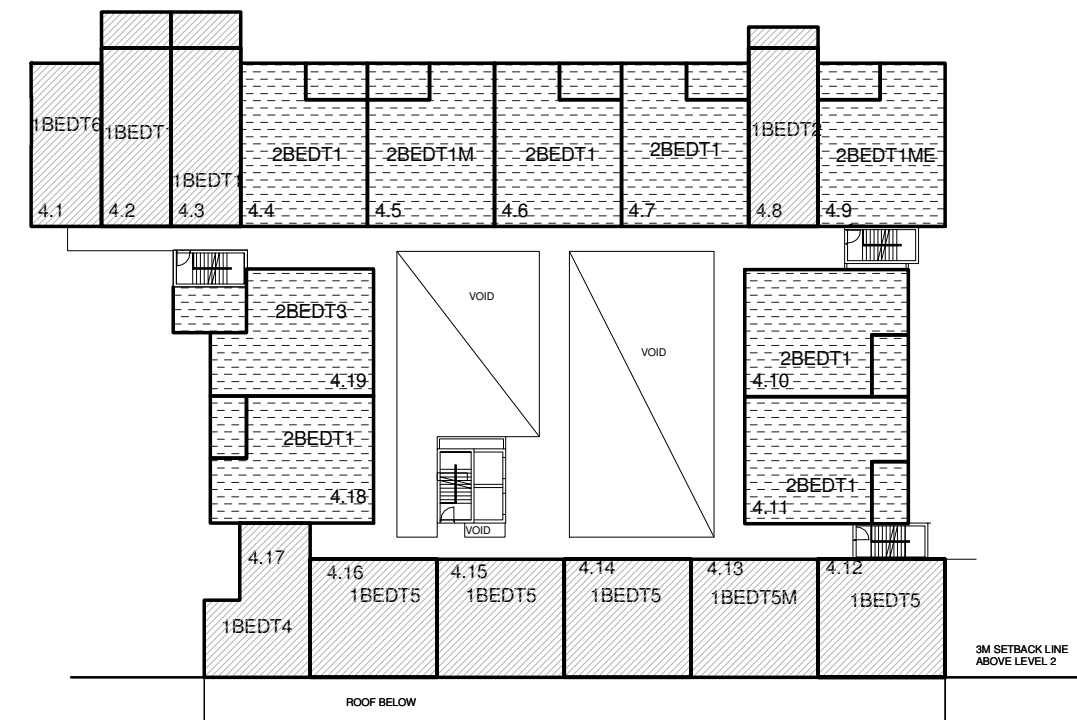
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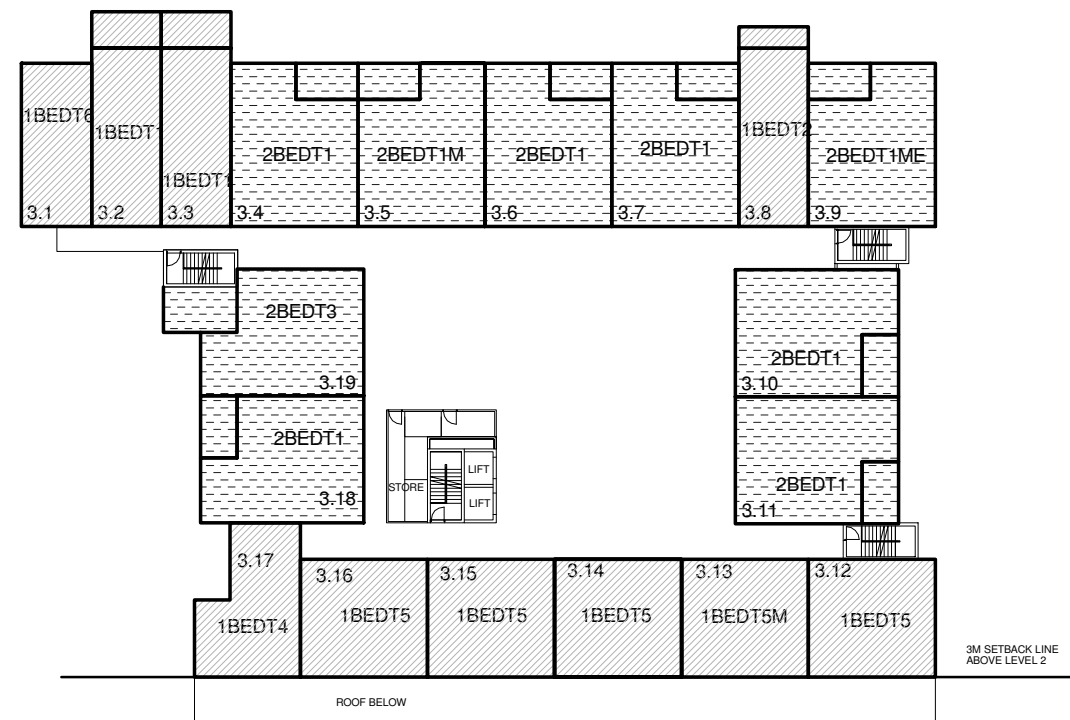
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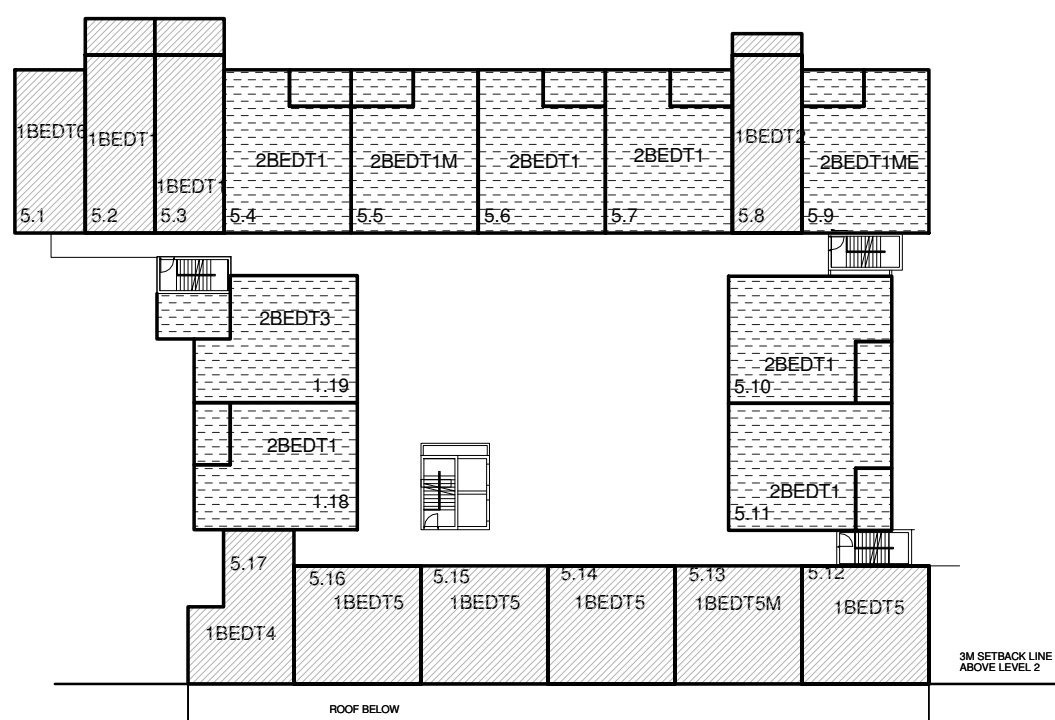
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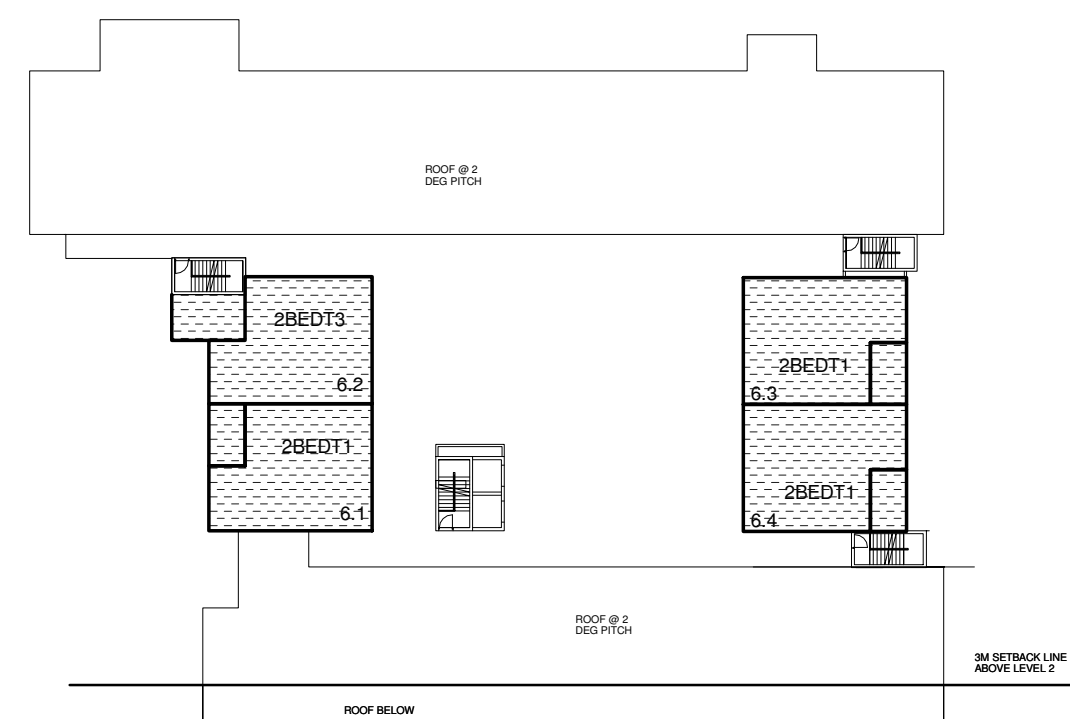
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DEVELOPMENT
APPLICATION
SUBMISSION

APARTMENT TYPES DIAGRAMS

Project number	201305
Date	Mar 2014
Drawn by	MH
Checked by	BC/MH

DA 02

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GROUND FLOOR COMMERCIAL AREAS		
ITEM	NLA	TOTAL
RETAIL1	93.7M2	179.8M2
RETAIL 2	86.1M2	

LEVELS		APARTMENT TYPES (REFER TO APARTMENT TYPE SCHEDULE FOR AREAS)		
		1BED	2BED	TOTAL
GROUND	0	0		0
L1	5	14		19
L2	5	14		19
L3	10	9		19
L4	10	9		19
L5	10	9		19
L6		4		
TOTAL	40	59		99
			STORAGE	TOTAL
		L4	12	99
		L5	20	
		L6	67	
STORAGE BAYS PROVIDED				

CARPARK BAYS			TOTAL
RETAIL CARPARK	1B/22 (17)/M2	8.17	9
RESIDENTIAL	1B=0.75/ APT	30	
	2B= 1/ APT	59	89
VISITORS	1/ 4APT	24.75	25
R CODES REDUCTION FOR NON RESIDENTIAL PARKING 15%			-5
TOTAL REQUIRED		118	

PROVIDED PARKING	
PARKING ALLOWANCE ON LOT 78	10
EXTERNAL BAYS (ON SITE)	18
SECURE BAYS (STACKERS)	90
	118

BICYCLE SPACES REQUIRED (1 PER 3 DWELLINGS)	33	36
BICYCLE SPACES REQUIRED (1 PER 10 VISTORS)	3	
BICYCLE SPACES PUBLIC PROVIDED	10	

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**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

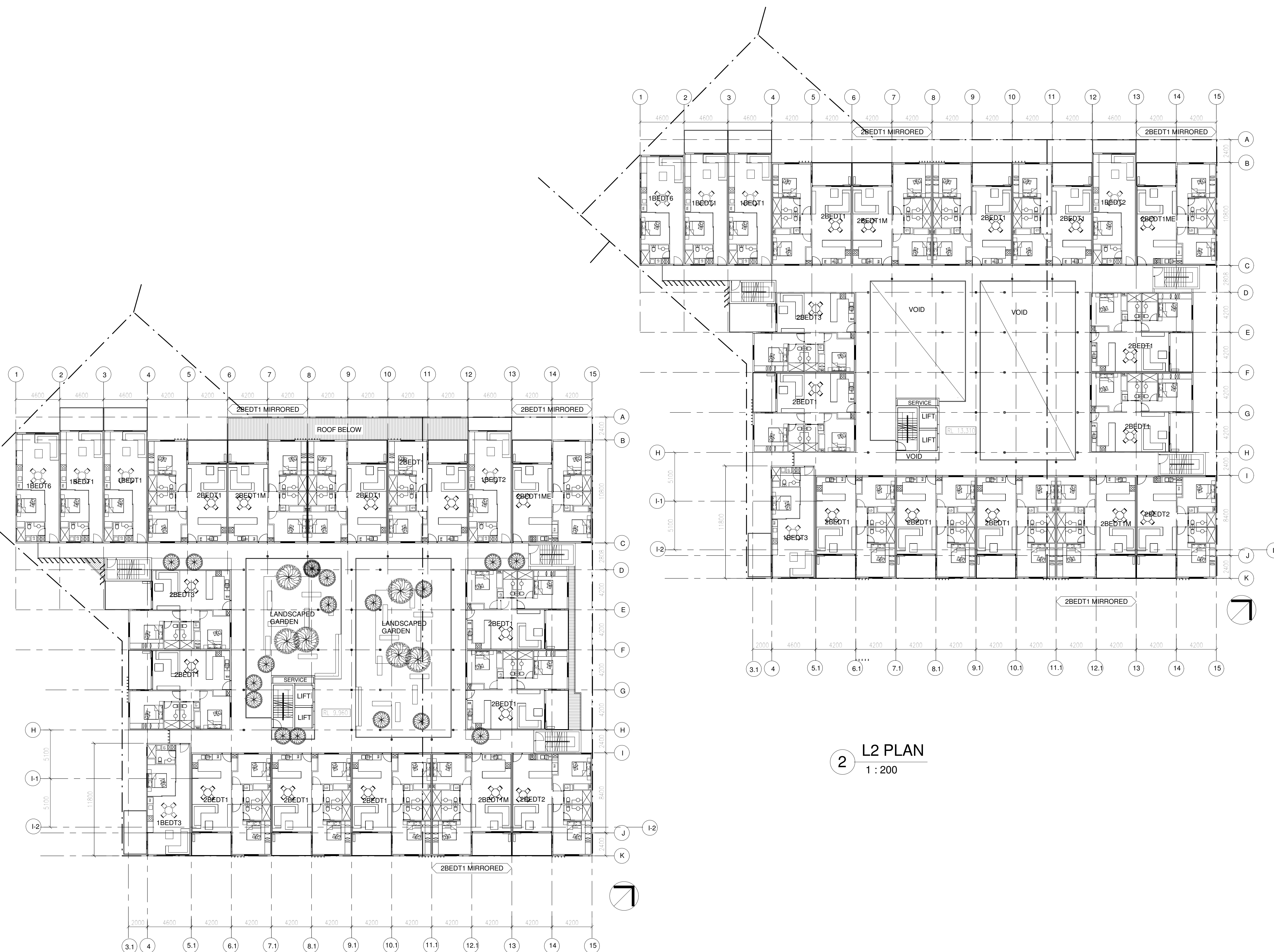
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L1, L2 PLAN

Project number	201305
Date	Mar 2014
Drawn by	Author
Checked by	Checker

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2 L2 PLAN
1 : 200

1 L1 PLAN
1 : 200

Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

[illegible]DEVELOPMENT
APPLICATION
SUBMISSION

L3, L4 PLAN

Project number	201305
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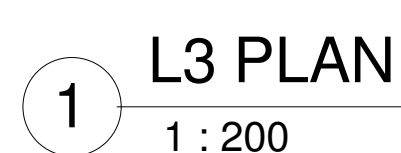
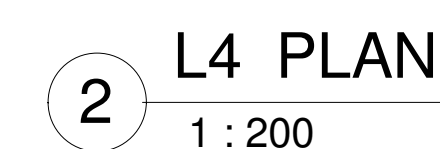
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Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

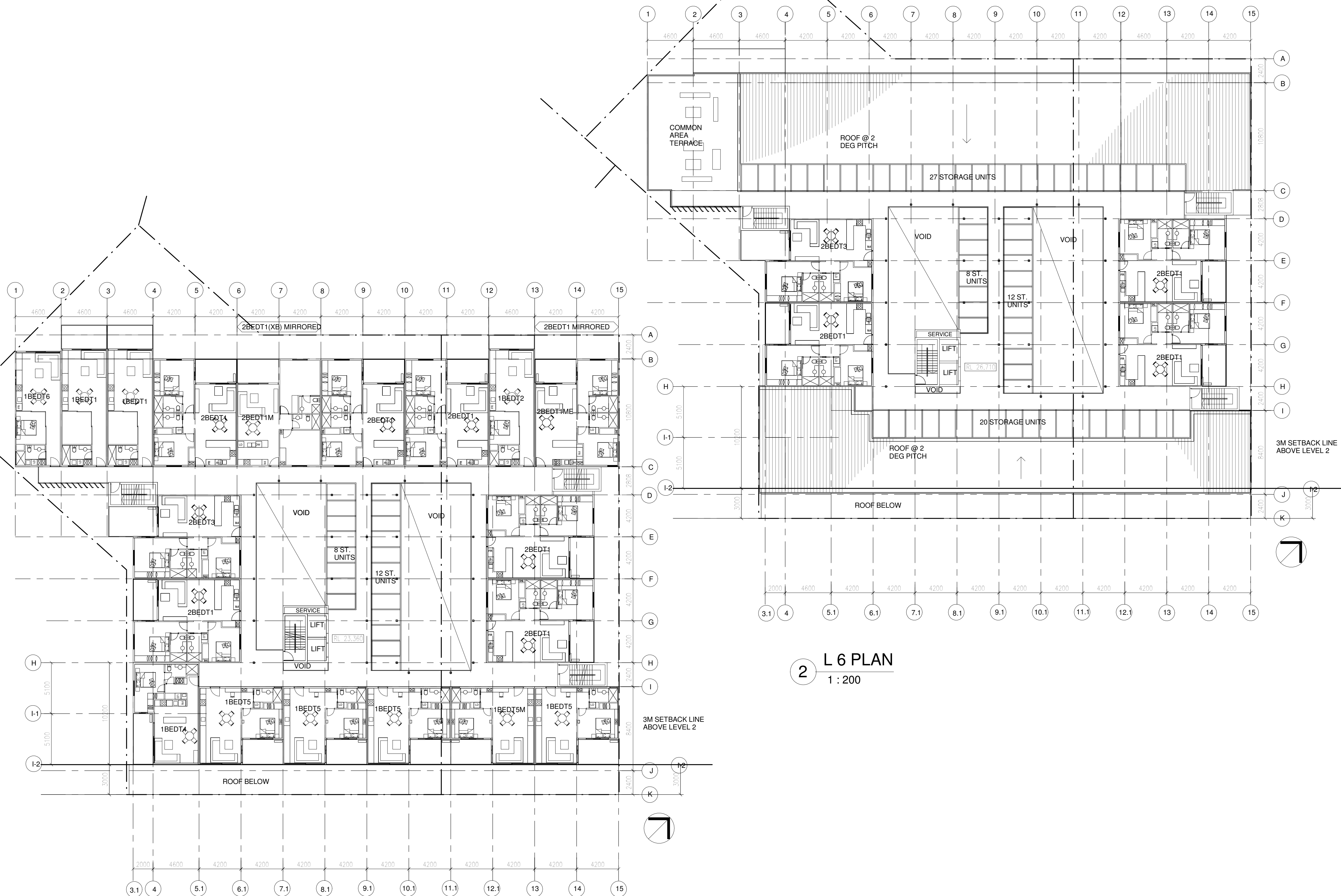
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APPLICATION
SUBMISSION

L5, L6 PLANS

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Date	Mar 2014
Drawn by	MH
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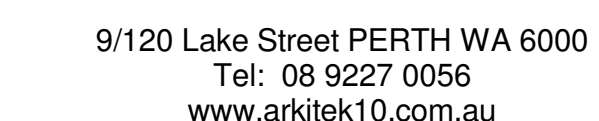
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2 L 6 PLAN
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1 L5 PLAN
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Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

[illegible]DEVELOPMENT
APPLICATION
SUBMISSION

APARTMENT TYPES - 1 BED TYPES

Project number	201305
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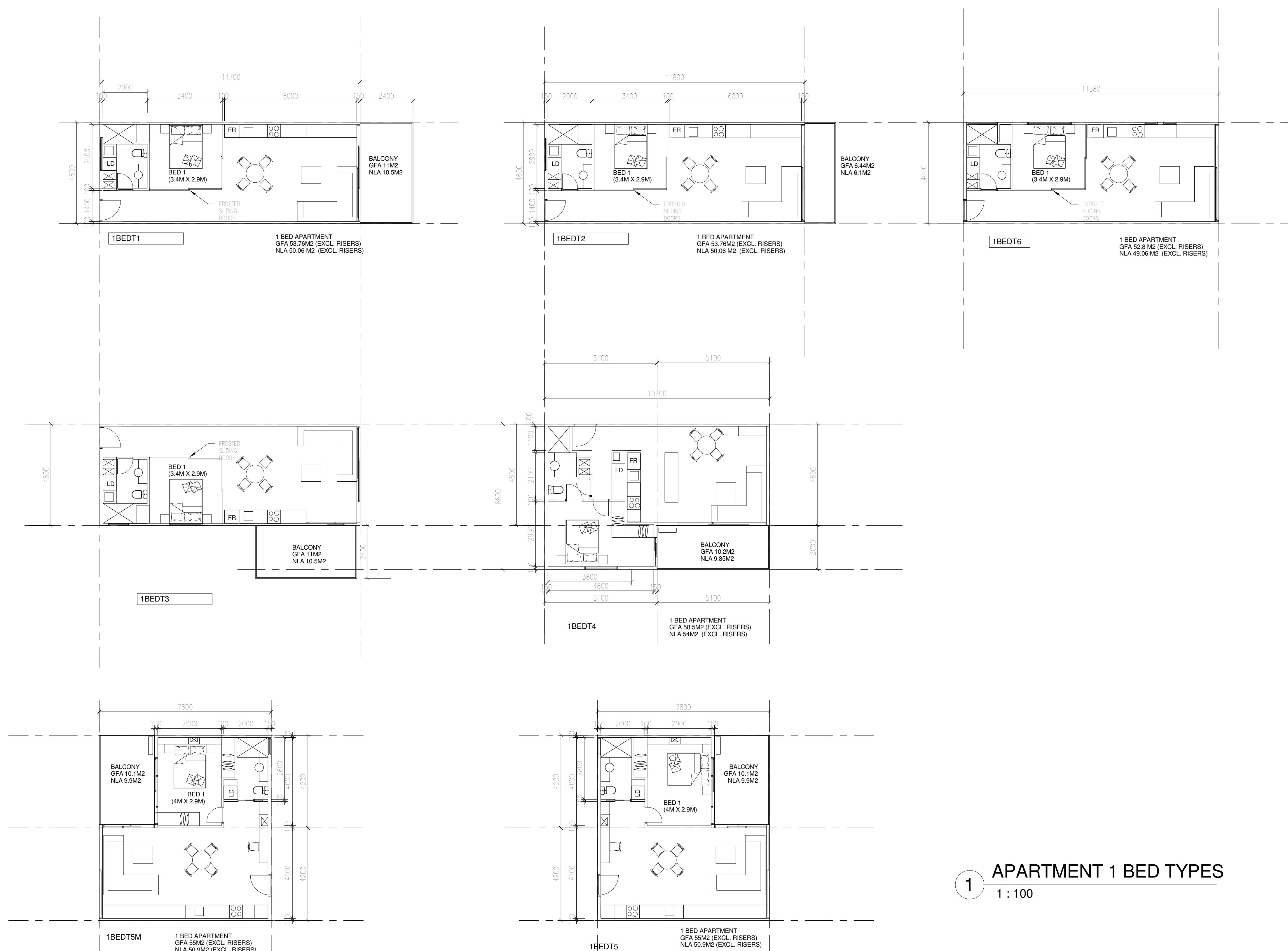
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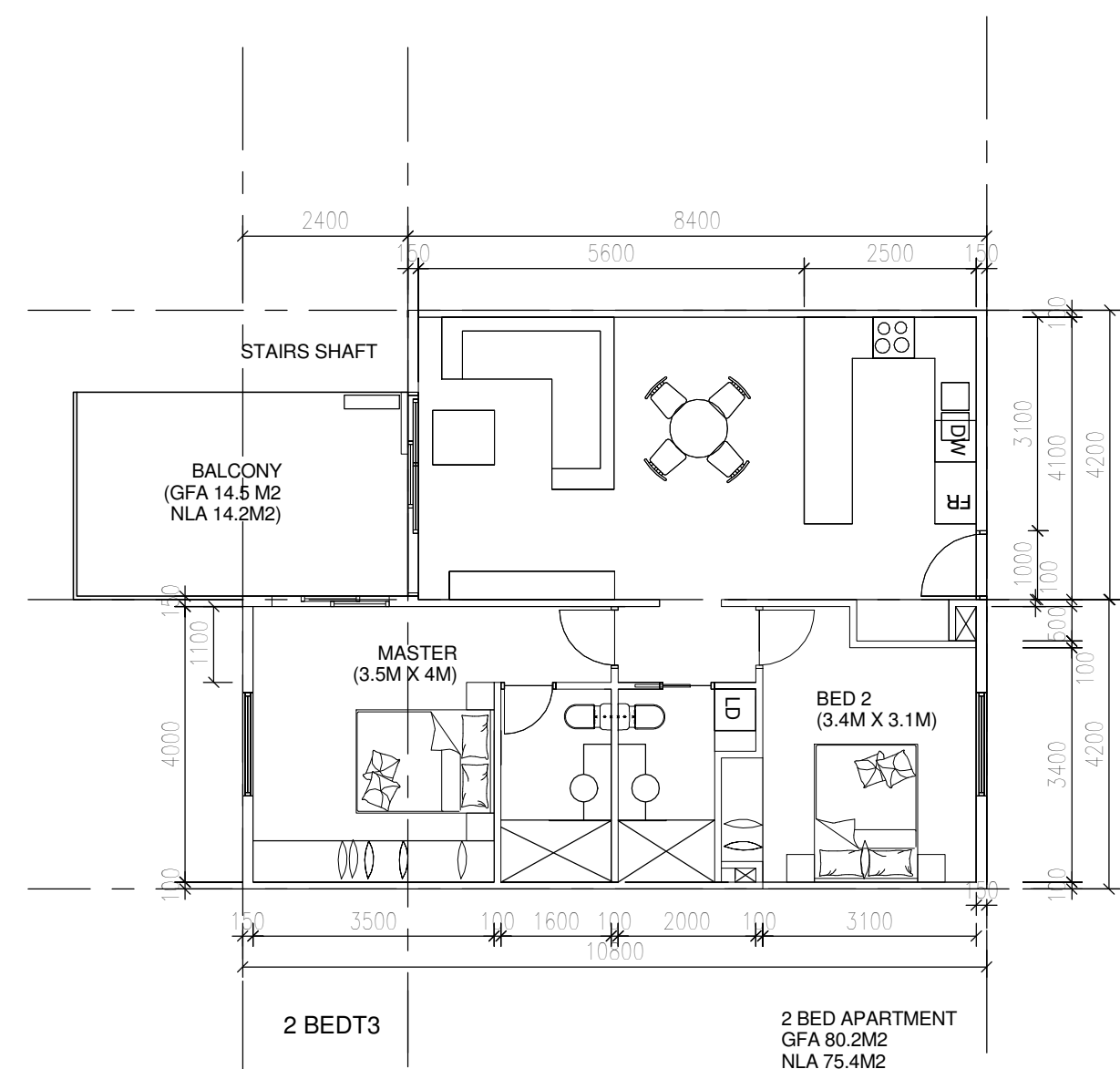
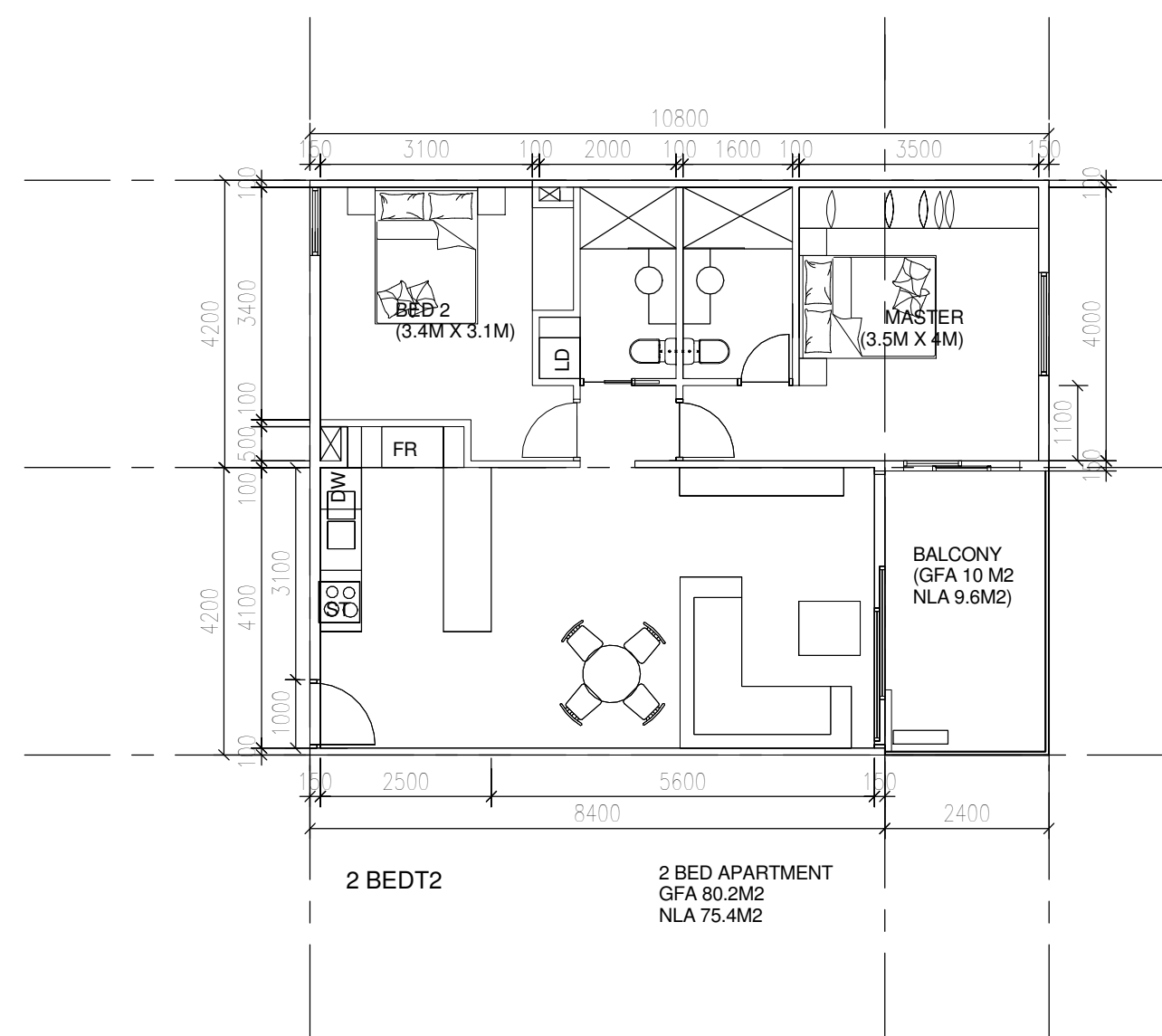
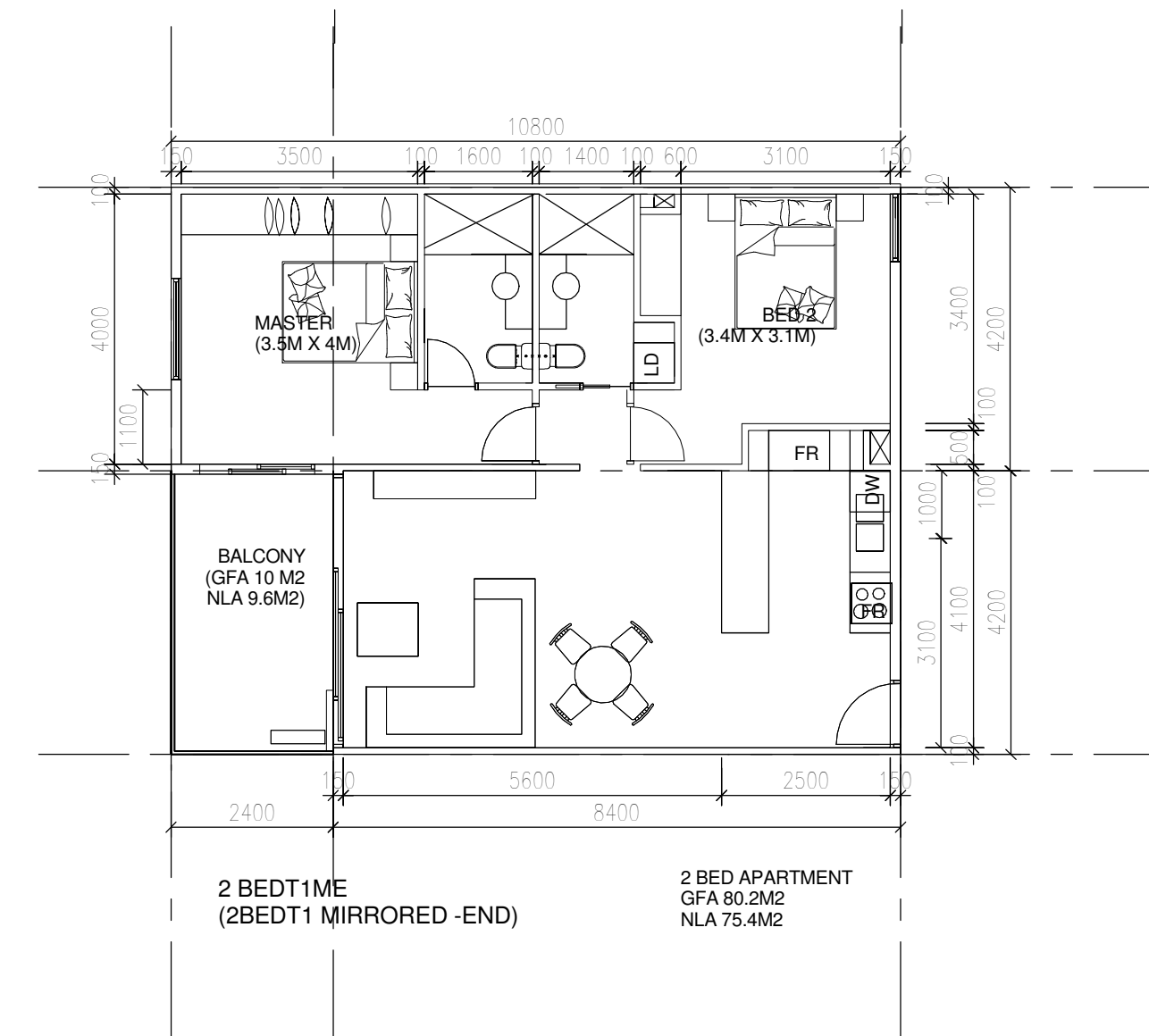
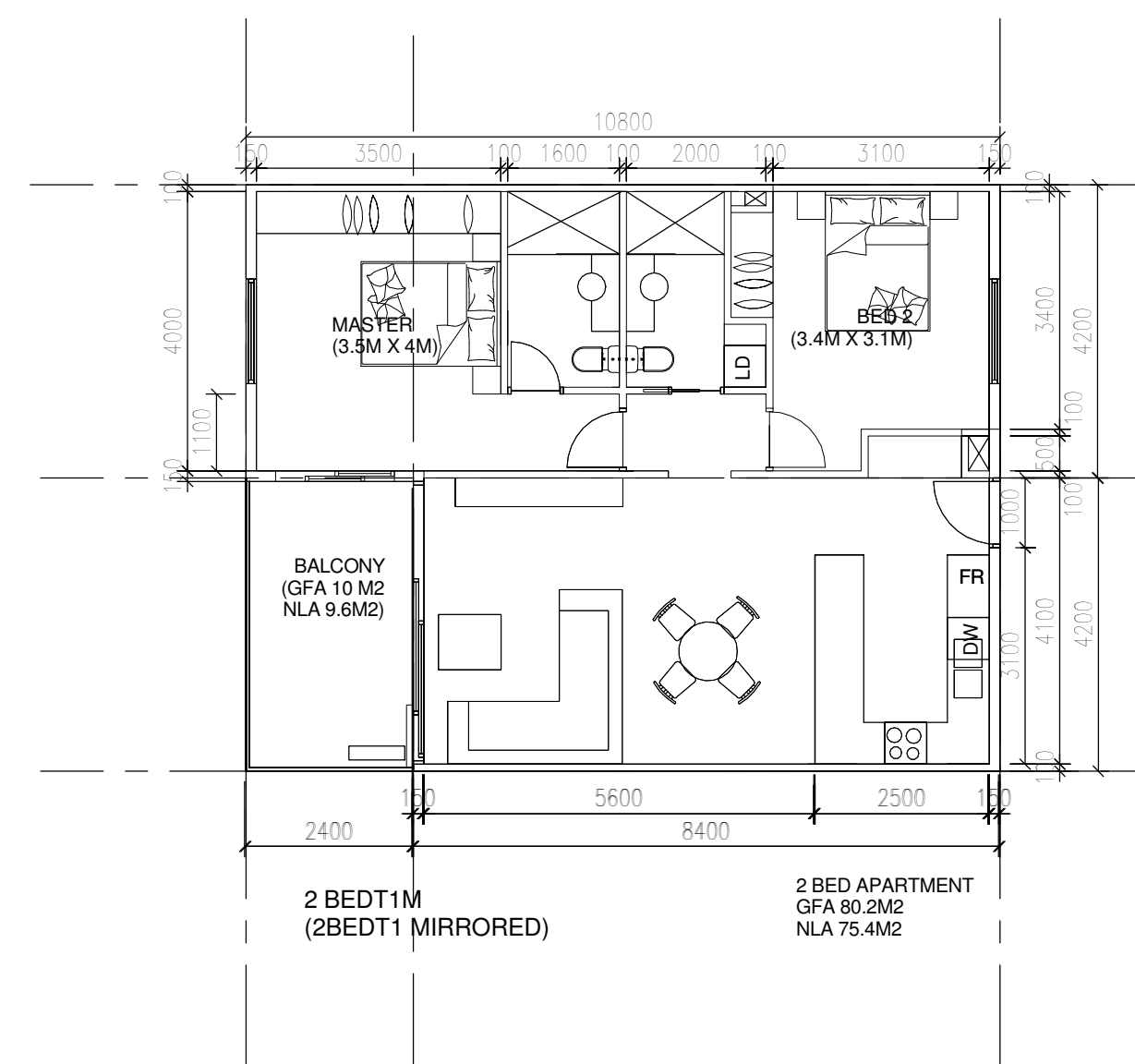
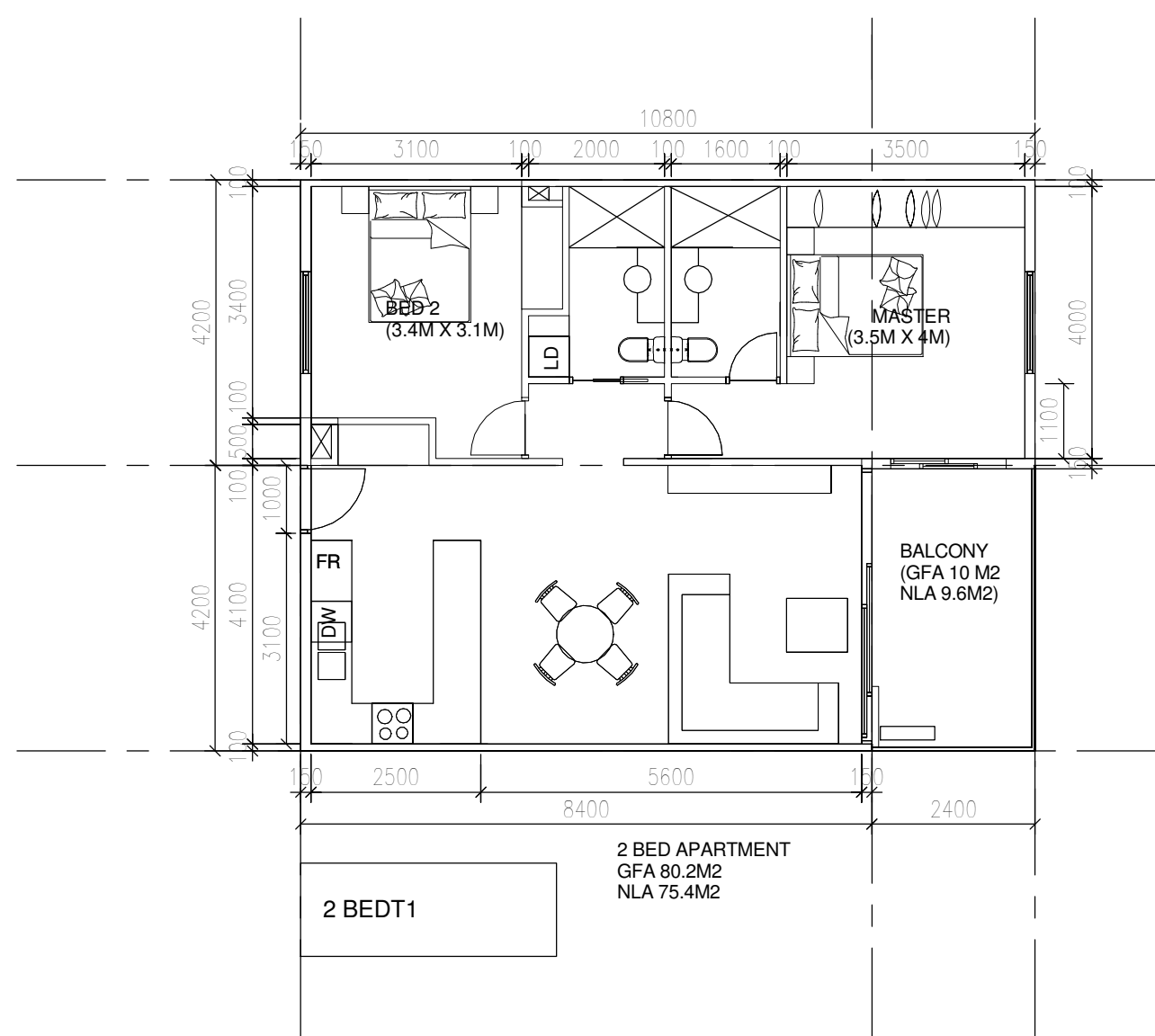
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1 APARTMENT 1 BED TYPES



Rockingham No.
1 Pty Ltd

Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

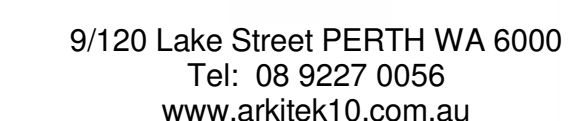
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APPLICATION
SUBMISSION

APARTMENT TYPES- 2 BED TYPES

Project number	201305
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Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
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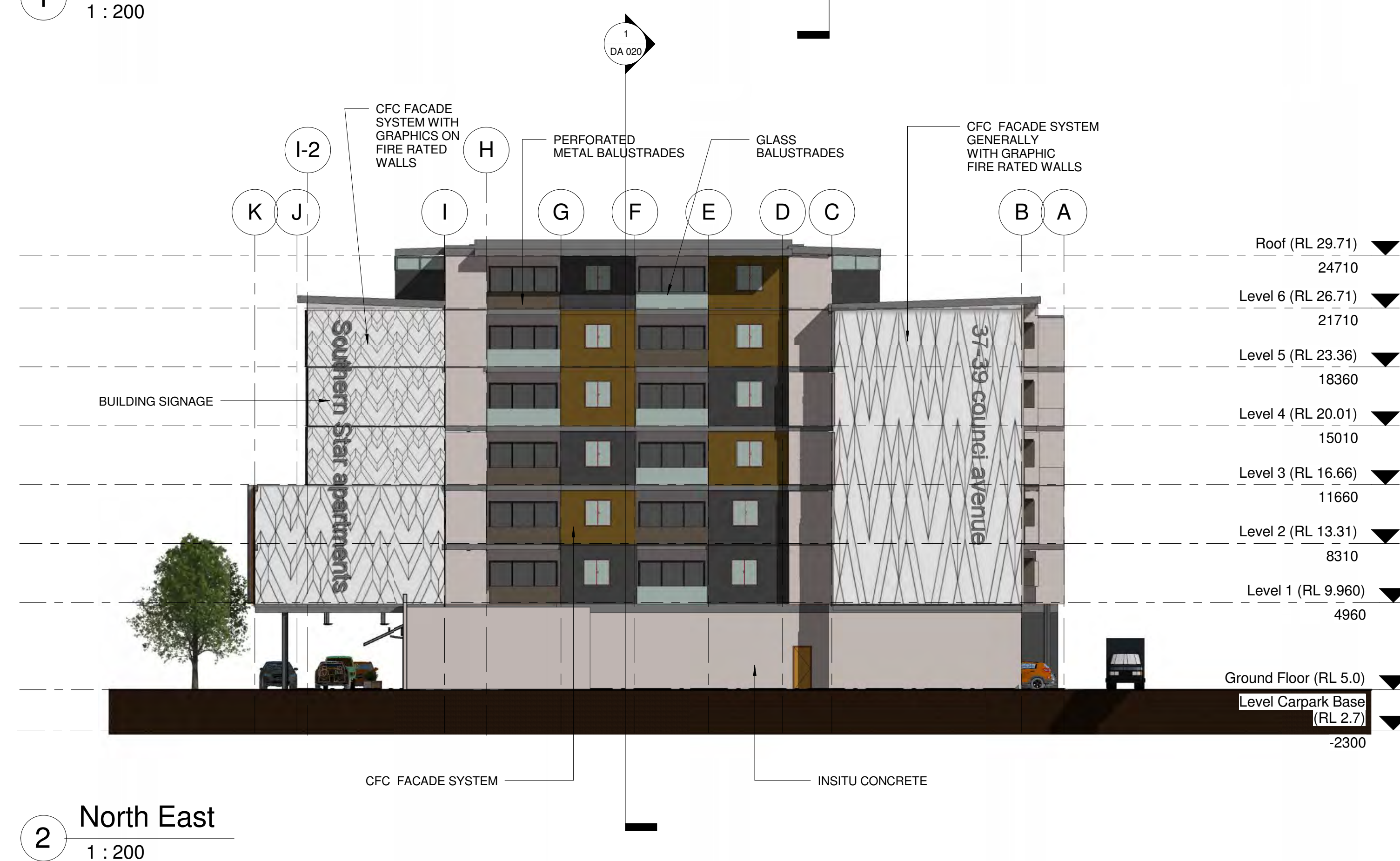
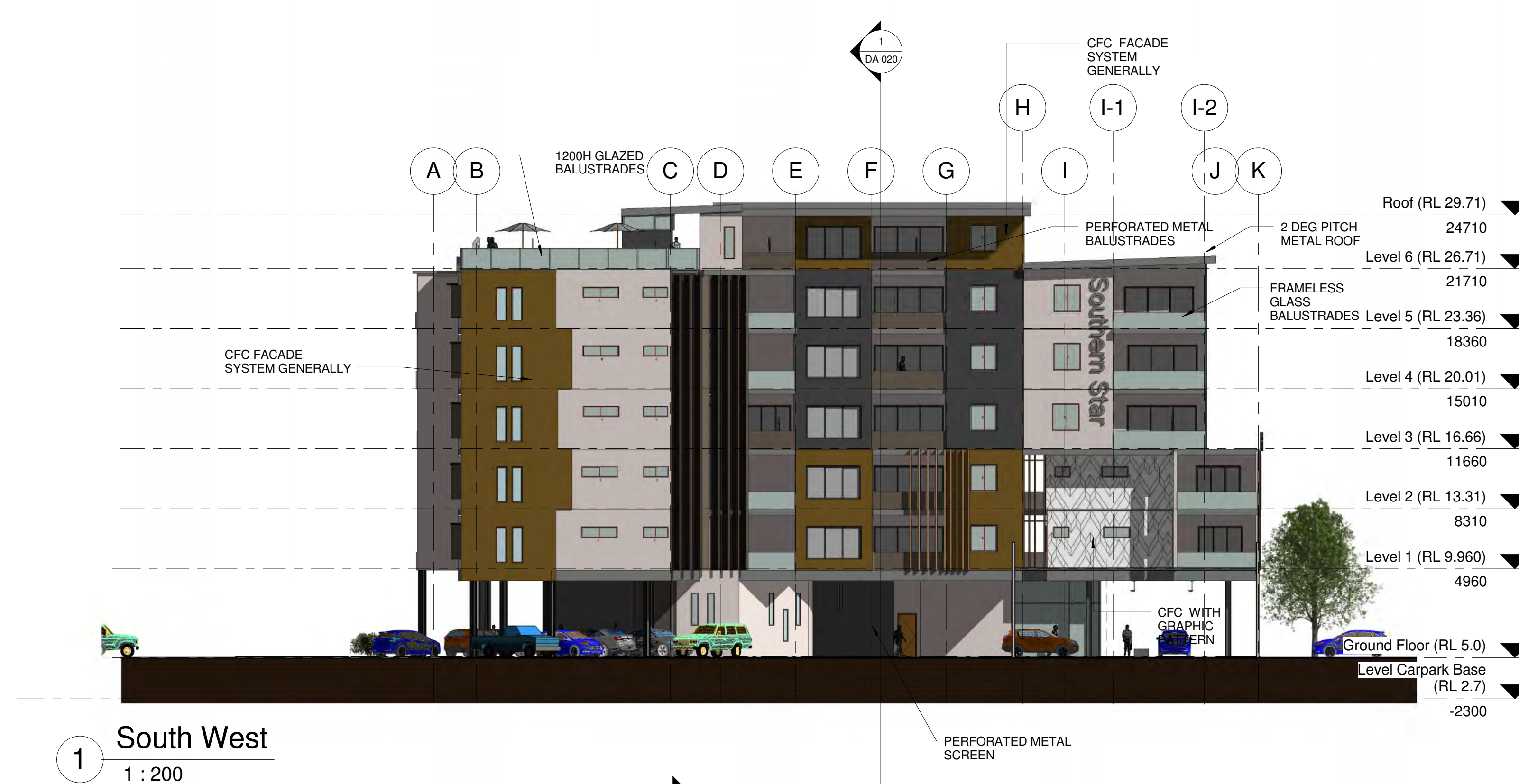
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APPLICATION
SUBMISSION

ELEVATIONS SW AND NE

Project number	201305
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Rockingham No.
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Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

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PERSPECTIVES

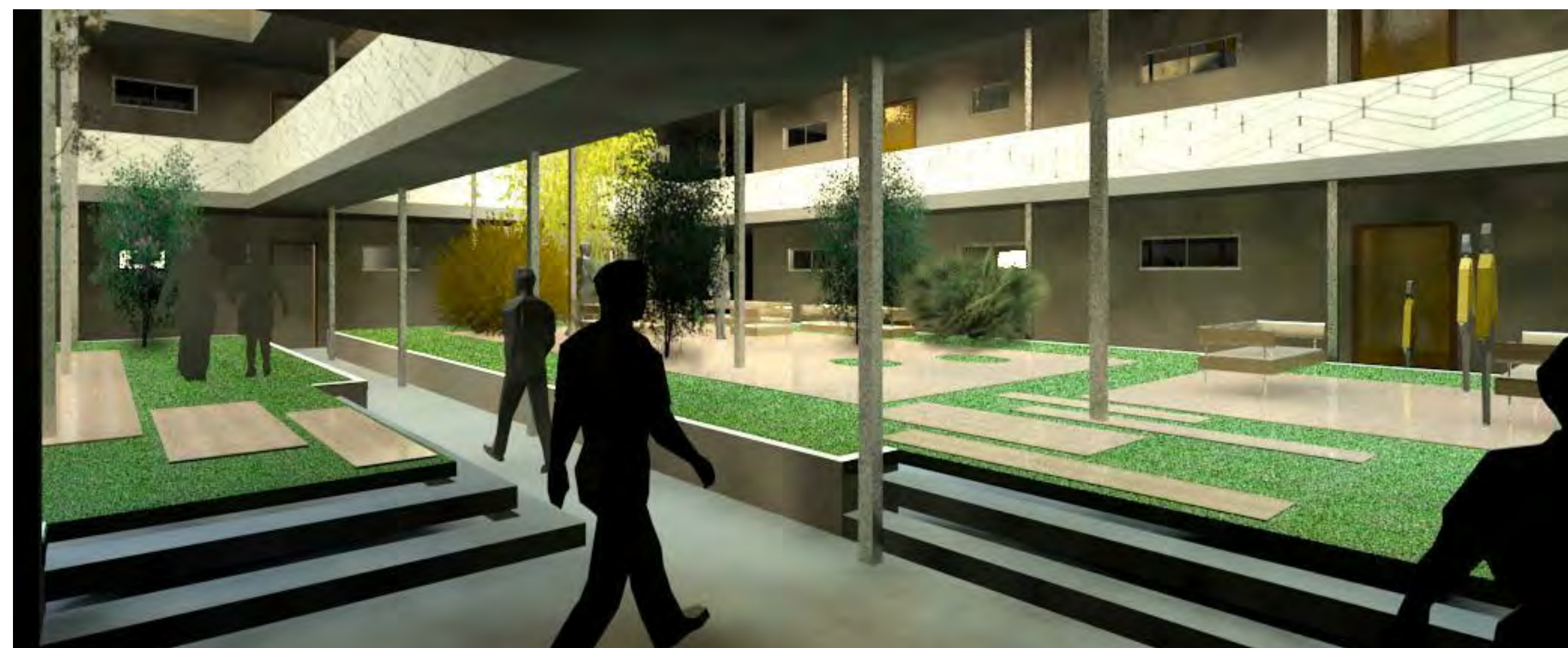
Project number	201305
Date	Mar 2014
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DA 012

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4 Internal View of Courtyard_1
1 : 1



1 View from Lift_1
1 : 1



6 Internal view of Foyer
courtyard_1
1:1



9/120 Lake Street PERTH WA 6000
Tel: 08 9227 0056
www.arkitek10.com.au

Rockingham No.
1 Pty Ltd

Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

[illegible]DEVELOPMENT
APPLICATION
SUBMISSION

INTERNAL COURTYARD PERSPECTIVES

Project number	201305
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Date	Mar 2014
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DA 014

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[illegible]DEVELOPMENT
APPLICATION
SUBMISSION

SECTION 1

Project number	201305
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Date	Mar 2014
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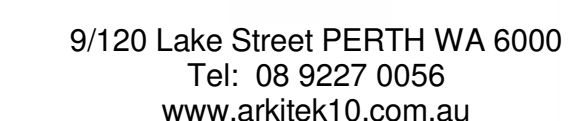
DEVELOPMENT
APPLICATION
SUBMISSION

SECTION 2

Project number	201305
Date	Mar 2014
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DA 021

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Residential and Commercial Mixed Use Development

**37-39 (Lot 61 and 62)
Council Avenue
Rockingham WA 6168**

[illegible]DEVELOPMENT
APPLICATION
SUBMISSION

SECTION 3

Project number	201305
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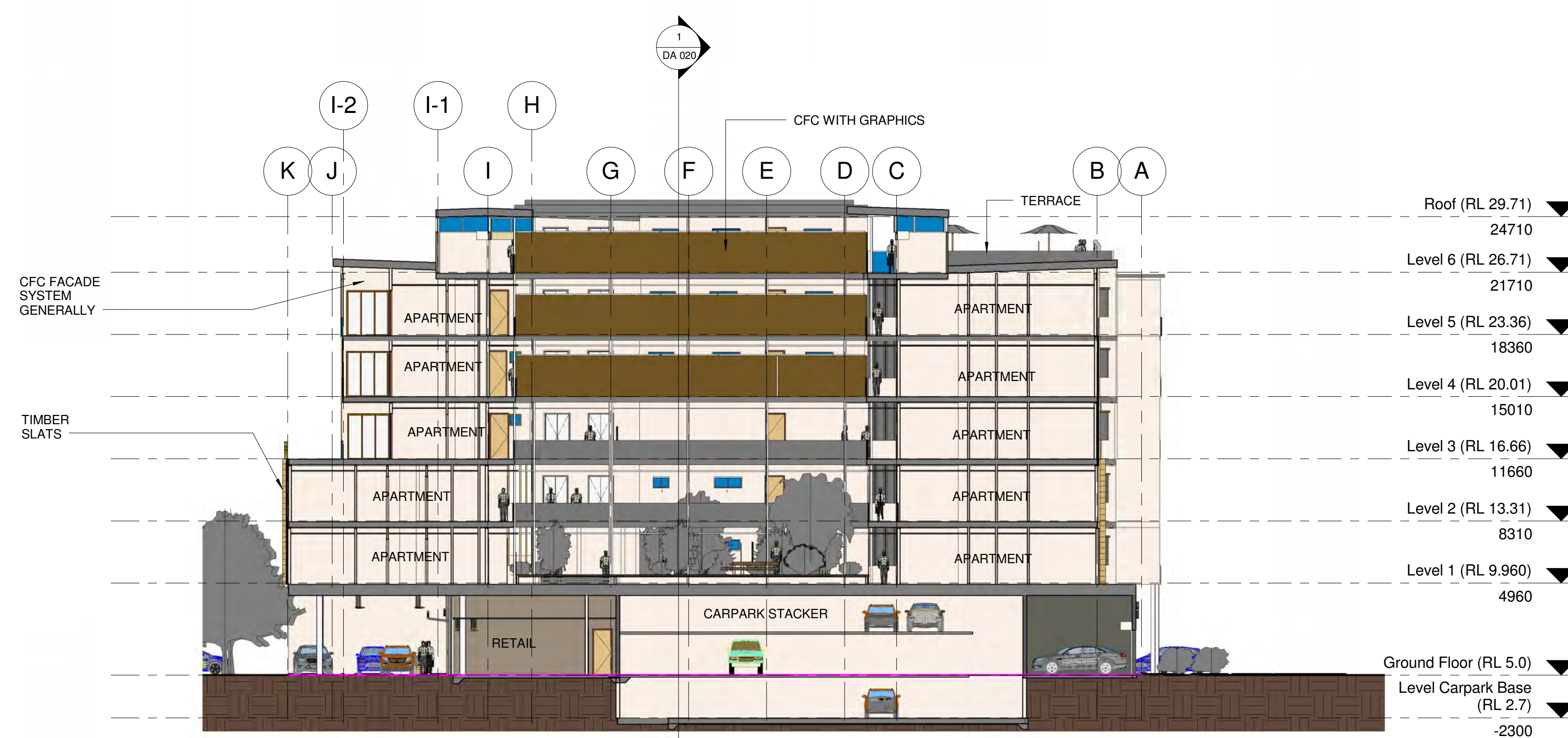
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1 Section 3
1 : 200



2 Sectional 3D 3



Responsible Authority Report (Regulation 12)

Property Location:	Lot 14 Mason Road (Proposed Lot 100 Donaldson Road) Kwinana Beach
Application Details:	Proposed general industry – Metal recycling facility, open air storage and associated office / administration building
Applicant:	ADC Projects
Owner:	WA Land Authority – LandCorp
LG Reference:	DA7988
Reporting Agency:	CITY OF KWINANA
Authorising Officer:	Felicitas Dhliwayo – Senior Planning Officer – City of Kwinana Brenton Scambler – Coordinator Statutory Planning Paul Neilson Manager - Planning and Development – City of Kwinana
Department of Planning File No:	DAP/14/00505
Report Date:	3 April 2014
Application Receipt Date:	26 March 2014
Application Process Days:	72 DAYS
Attachment(s):	1 – Development Plan - Location Plan 2 – Development Plan – Staging Plan 3 – Development Plan – Site Plan 4 – Development Plan – Site Plan – Site Area A 5 – Development Plan - Site Plan – Site Area B 6 – Development Plan - Site Plan – Site Area C 7 – Development Plan - Site Plan – Boundary Fence 8 – Development Plan - Workshop – Floor & Elevation Plan 9 – Development Plan - Floor Plan – Non-Ferrous Shed 10 – Development Plan - Elevation Plan – Non-Ferrous Shed 11 – Development Plan – Floor & Elevation Plan – Yard Manager, Training & Amenities 12 – Development Plan – Floor Plan – Administration/Weighbridge Offices 13 – Development Plan – Elevation Plan – Administration/Weighbridge Offices 14 – Development Plan – Shredder 15 – Development Plan – Floor Plan – Offline Recovery Plant 16 – Development Plan – Elevations – Offline Recovery Plant 17 – Development Plan – Floor & Elevation

	Plan – Offline Recovery Plant, Office & Amenities 18 – Development Plan – Floor & Elevation Plan – Electrical Switchroom 19 – Development Plan – Floor Plan – Temporary Buildings
Tables and Figures	Table 1 – Local Planning Scheme Summary

Recommendation:

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP/14/00505 and accompanying plans WKB-1-00-01DA, WKB-1-00-04DA, WKB-1-00-02DA, WKB-3-01-01DA, WKB-3-02-01DA, WKB-3-03-01DA, WKB 337, WKB-3-07-01DA, WKB-3-10-01DA, WKB-3-10-02DA, WKB-3-09-01DA, WKB-3-08-01DA, WKB-3-08-02DA, WKB-3-05-01DA, WKB-3-06-01DA, WKB-3-06-02DA, WKB-3-06-03DA, WKB-3-15-01-DA, and WKB 311 in accordance with Clause 6.1 of the City of Kwinana Town Planning Scheme No.2, subject to the following conditions and advice notes:

Conditions

- 1.1 The premises being kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City of Kwinana.
- 1.2 Stormwater drainage from roofed and paved areas being disposed of on-site or as may otherwise be approved under Environmental Protection Authority (EPA) Licence conditions or approved Stormwater Management Plan.
- 1.3 The applicant shall implement dust control measures for the duration of the Site and Construction Works and for the ongoing operation of the site as directed by the City of Kwinana to the satisfaction of the City of Kwinana to contain all dust within the property boundaries.
- 1.4 A schedule of colours, materials and finishes for the building shall be submitted at the building licence stage.
- 1.5 The boundary fence shall be setback 1.5m from the front boundary with Donaldson Road and landscaping that includes mature/advanced species provided between the boundary and the fence.
- 1.6 The external finishes of the boundary/acoustic wall shall be graffiti treated to the satisfaction of the City of Kwinana.
- 1.7 Vehicle crossovers shall be constructed to the specifications and satisfaction of the City of Kwinana.
- 1.8 The provision of 80 car parking bays of the dimensions 5.5 x 2.5 metres, to be clearly marked on the ground and constructed of bitumen, brick or concrete and drained to the satisfaction of the City of Kwinana.

- 1.9 All vehicle parking to be accommodated within the boundaries of the subject lot.
- 1.10 All trafficable areas are to be sealed and drained as per the City of Kwinana 'Trafficable Areas' Specifications to the satisfaction of the City of Kwinana.
- 1.11 All non-trafficable and lay-down areas within the subject lot being sealed and drained to comply with the City of Kwinana non-trafficable and lay-down area specifications.
- 1.12 5000 square metres (5%) of the subject site is to be landscaped and maintained to a high standard thereafter to the satisfaction of the City of Kwinana.
- 1.13 A Landscape Plan being submitted and approved by the City of Kwinana prior to lodgement of a building permit. The Landscape Plan must outline the proposed species, spacing of each species and location of vegetation, including mature/advanced species between the fence and the road boundary/verge and proposed reticulation layout. The Plan shall also specify number of plants to be used at the time of planting together with the anticipated height of each plant at maturity.
- 1.14 Landscaping being provided within parking areas at a rate of one (1) tree per 4 bays to provide shade for parked cars and to soften the impact of paved carparking viewed from adjacent sites and roads.
- 1.15 Landscaping areas, vehicle parking spaces, accessways, and all details as shown on the approved plans are to be installed prior to occupying the proposed development and maintained thereafter by the owner / occupier to the satisfaction of the City of Kwinana.
- 1.16 All vegetation cleared as part of the development shall be mulched, not burnt, and re-used throughout the landscaped areas of the development to the satisfaction of the City of Kwinana.
- 1.17 The provision of an adequate water supply for fire fighting purposes to the satisfaction of the City of Kwinana.
- 1.18 On-site effluent disposal systems shall be nutrient retentive. Use of conventional septic systems is not permitted.
- 1.19 All plant and vehicle wash down facilities shall be connected to an appropriate wastewater treatment system to the satisfaction of the City of Kwinana.
- 1.20 The development shall be connected to an adequate potable water supply in accordance with the standards required by the National Health and Medical Research Council Australian Drinking Water Guidelines, 2004.
- 1.21 The development shall comply with the requirements of the current Western Australian Government Sewerage Policy.

- 1.22 The development shall comply with the ventilation requirements of the Australian Standard 1668 & Health (Sewerage & ventilation) Regulation requirements for the classifications of building use.
- 1.23 Storage of chemicals and liquids shall be within bunded impervious areas capable of containing any spillages and be connected to an appropriate disposal system.
- 1.24 A notification pursuant to Section 165 of the Planning and Development Act being placed on the Certificate of Title of the proposed lot advising of a hazard or other factor. Notice of this notification is to be included on any new Deposited Plans. The notification is to state as follows:

“This lot is adjacent or in relatively close proximity to the Dampier to Bunbury Natural Gas Pipeline (DPNGP) corridor established under the Dampier to Bunbury Pipeline Act 1997. Approval from the DPNGP Land Access Minister (LAM) through the Department for Regional Development and Lands may be required for any registration of new interests that may affect the LAM rights, construction work, access or fencing within the DBNGP corridor. As such some development restrictions consistent with the advice contained in Planning Bulletin 87 should be strictly adhered to”.

- 1.25 A Noise Management Plan prepared by EcoAcoustics Pty Ltd and dated 29 November 2013 confirming compliance with Environmental Protection (Noise) Regulations 1997 for all noise emissions from the site relative to the nearest noise sensitive receptors has been approved by the City of Kwinana’s Environmental Health Department. When the metal recycling facility commences operations, the acoustic consultant shall confirm the modelling by testing the equipment and operations (within 28 days of commencement) to validate the levels contained in the model to ensure all noise emissions comply with the Environmental Protection Act (EPA) and Regulations. In the event that the development does not comply with the EPA Act and Regulation the applicant shall undertake the necessary measures to ensure compliance to the satisfaction of the City of Kwinana. The proponent shall submit the acoustic consultant’s report to the City of Kwinana within 60 days of commencement of operations to confirm noise compliance.
- 1.26 No groundwater may be abstracted from the site without carrying out analysis in accordance with Department of Health guidelines to determine its suitability for use to the satisfaction of the City of Kwinana.
- 1.27 The proponent shall provide an updated traffic management report detailing the following:
- Assessment of the adequacy of the turning pocket and slip lane capacities and lengths at the Beard Street and Mason Road / Rockingham Road intersections, including stacking distance to the Brown Avenue / Beard Street intersection.
 - Revised traffic modelling which excludes the James Point Port facility as it is no longer intended that this port will be proceeded with.
 - The traffic report shall be referred to Main Roads for its consideration and for the inclusion of any requirements on the impacts to signalised intersections and Rockingham Road.

The updated traffic report shall be submitted to the City of Kwinana and Main Roads and the proponent shall ensure that any potential modifications to intersections are completed prior to occupation of the development.

- 1.28 The level rail crossing at the western end of Donaldson Road is to be upgraded so that it has standard audible and visual warning signals and a physical barrier installed to warn users and prevent crossing of the rail line when a train is crossing Donaldson Road. These works shall be completed prior to occupation of the development.
- 1.29 The approval of the Stage One temporary "Site Offices and Amenities" building is valid for 2 years from the date of this approval. Prior to the expiry of this timeframe, the proponent shall either remove the buildings or obtain a new approval to replace the buildings with permanent buildings.
- 1.30 This approval is valid for 24 months only. If development is not substantially commenced or completed within this period a fresh approval must be obtained before commencing or continuing with the development.

2. Note that the following advice will be provided to the applicant as footnotes on the approval.

- 2.1 The applicant is advised that all future development must be submitted to the City of Kwinana prior to the commencement of works or alteration of land use.
- 2.2 Should the applicant be aggrieved by the decision or any condition imposed, then a right of review should be lodged with the State Administrative Tribunal within 28 days of the date of this decision.
- 2.3 Construction shall not be commenced until the applicant has paid the appropriate fees, submitted the appropriate supporting documentation and has been issued with a building permit in accordance with the Building Act 2011 and Building Regulations 2012.
- 2.4 The applicant is further advised that this is not a building permit to enable construction to commence. A building permit is a separate City of Kwinana requirement and construction cannot be commenced until a building permit is obtained.
- 2.5 The applicant should ensure that the proposed development complies with all other relevant legislation, including but not limited to, the Environmental Protection Act 1986 and Regulations, Dangerous Goods Safety Act 2004 and Regulations, Contaminated Sites Act 2003 and the National Construction Code.
- 2.6 Any development proposals outside the DBNGP Corridor should take into account the restrictions relating to setback distances under Planning Bulletin 87 and proponents should seek comments from pipeline operators at the earliest opportunity.
- 2.7 The applicant is advised that prior to any ground disturbing works being carried out in or near the vicinity of the Dampier-Bunbury Natural Gas Pipeline to contact "**1100 Dial Before You Dig**" and a Section 41 application should be submitted and approval obtained from the Department of Regional Development and Lands.

- 2.8 The proponent is advised to liaise with the Kwinana Industries Council (KIC) to include the noise emissions from the development into the KIC cumulative noise model.
- 2.9 The proponent is advised to contact the APA Group regarding activities that may impact the lateral gas pipeline for an AS2885 Risk Assessment.

Background:

Property Address:	Lot 14 Mason Road (Proposed Lot 100 Donaldson Road), Kwinana Beach
Zoning	MRS: Industry
	TPS: General Industry
Use Class:	General Industry – Metal Recycling Facility - Open Air Storage - Vehicle Wrecking - Office
Strategy Policy:	City of Kwinana Local Planning Policy (LPP) - Development within Industrial Zones
Development Scheme:	City of Kwinana Town Planning Scheme No.2
Lot Size:	10 hectares
Existing Land Use:	General Industry / Vacant
Value of Development:	\$15 million

Previous Development Application Approval

An application for a metal recycling facility, open air storage, vehicle wrecking and office building on Lot 14 Mason Road (proposed Lot 100 Donaldson Road) was approved by the Metro South-West Joint Development Assessment Panel on 11 December 2013. The development was to be carried out in two stages, and approval was granted for stage one works only.

The Noise Management Plan that was submitted with the previous application indicated that material stockpiles were to be used as noise barriers if the development was to comply with the requirements of the Environmental Protection Act (EP Act). It was considered unacceptable for the development to rely solely on material stockpiles to mitigate noise emissions from the development. A condition was imposed requiring the proponent to submit an updated Noise Management Plan as there was no certainty that the stockpiles would remain in place. The proponent rearranged facilities and operations on site and now proposes a 3.6 metre high timber fence to act as a noise barrier. Facilities and operations on site were also rearranged to address stormwater disposal and treatment within the site.

The following changes were made to the previously approved development application;

1. The stockpile storage area and the non-ferrous processing areas were swapped from the original application. This change was necessitated by the following;
 - a) Stormwater run-off from stockpiles was rated as needing a higher level of treatment than non-ferrous activities, therefore it was preferable to locate storage stockpiles with the shredder stormwater run-off area as this required a similar level of treatment.

- b) Noise emanating from stockpile loading/unloading activities was considered to be greater than that generated from non-ferrous activities and it was therefore preferable to locate stockpiles with screening to the most sensitive residential noise receptors at Bingfield Road, Medina.
 - c) Dust emanating from stockpile loading and unloading activities was considered to be greater than that generated from the non-ferrous activities and it was therefore preferable to locate stockpiles with screening to the most sensitive residential dust receptors at Bingfield Road, Medina.
2. The shredder and non-ferrous recovery plant building (now referred to as 'Off-line' Recovery Plant) locations were swapped from the original application. The change was required for the following reasons;
 - a) The 'Off-line' Recovery Plant building (previously noted as Non-ferrous Recovery Plant) would act as a screen to noise and dust emanating from the shredder and stockpile area.
 - b) The shredder and stockpile area stormwater drainage would be able to be treated together.
 3. The size of the south-west soakage swale was increased to cater for actual 100 year stormwater run-off.
 4. The perimeter fencing and landscaping was amended from a 2 metre high landscaped mound with 1.8 metre link mesh fence above to a solid 3.6 metre high timber panel acoustic barrier fence with landscaping at ground level. The perimeter fencing was amended to a solid fence so as to improve dust and noise emission from the site. The proponents also noted that the 3.6 metre high solid fence would improve site security both visually and physically.

Given the extent of the changes required on site, the application was not considered as an amendment to the original approval. A new development application was also required as the proponents now wish to include stage two works under the current development application. The proponents advised that works had commenced on site under the existing development approval. These works include the construction of a Western Power switch room and substation. Preliminary works involving site clearing, in-ground drainage, associated civil works and construction of the haulage road will also be undertaken as part of the previous approval.

Current Application

The current application is for stage one and two works for a metal recycling facility at Lot 14 Mason Road (proposed Lot 100 Donaldson Road). The following works will be carried out in stage one;

- Off line recovery plant (115m x 35m);
- Wash down bay (20m x 30m);
- Weighbridges (x2);
- Shredder and concrete pad to shredder;
- Temporary site offices and amenities;
- Car bodies pre process area;
- Pump house;
- Recycle water tanks;
- Fence and landscaping;
- Ferrous bays; and
- Staff carpark.

The following works will be carried out in stage two;

- Workshop (60m x 30m);
- Non ferrous shed (75m x 35m);
- Amenities/Yard manager training building;
- Future Admin/Weighbridge building;
- Future non-ferrous bays;
- Staff car park; and
- Baler.

Proposal

Sims Metal Management proposes to construct and operate a new metal recycling facility on a portion of current Lot 14 Mason Road (proposed Lot 100 Donaldson Road, under WAPC subdivision 144462). The company currently operates five metal recycling yards across the State, three in the metropolitan area and four in regional Western Australia. The continued growth of the energy resource and mining sectors in this State, together with ongoing infrastructure development and population growth has enabled Sims Metal's recycling capacity to grow rapidly. This has been reinforced by the company's intended development of new recycling facilities at Newman, Esperance and Geraldton to compliment existing regional facilities at Kalgoorlie, Karratha, Port Hedland and Bunbury. As a result of this expansion there will be increased inflows of scrap metal for secondary processing at Sims Metal's main Metropolitan facility.

The proposed metal recycling facility will comprise both ferrous and non-ferrous metals recycling. Ferrous metal will be stockpiled on site according to grade. Heavy gauge premium stock will be cut up into standard size pieces for shipment. Lighter gauge stock will be sheared into smaller pieces for shredding or shredded directly from stock as appropriate.

Car bodies will be crushed on or off site prior to shredding. Shredded ferrous material will be shipped out in bulk as pelletised material. Bulk non-ferrous metals will be sorted on site, compress baled and containerised for shipment.

By-products from ferrous metal processing will also include non-ferrous metals which will be binned and containerised in bulk for shipment. Waste products from all processing will be stockpiled and taken off site for disposal. Non-recyclable items such as batteries, catalytic converters, gas bottles and tyres collected as incidental to the recycling process will be separately stored and removed from the site in bulk.

It is proposed that the overall facility will operate six days per week from 7.00am to 11.00pm, Monday to Friday and 7.00am to 7.00pm Saturday. Recycling operations will take place from 7.00am to 7.00pm Monday to Friday and 7.00am to 1.00pm Saturday. Maintenance operations will take place in the intervening times. Emergency maintenance may need to be undertaken outside of these hours, however, in general there will be no work on Sundays and public holidays.

It is expected that there will be a core staff of 60 persons based on site. At shipment time, this will increase to 80 persons with the engagement of casual labour.

Legislation & Policy:

Legislation

The proposed General Industry – Metal Recycling Facility is subject to a range of licences and regulations applying to industry in Western Australia. A summary of the key legislation, regulations or local laws relevant to the application is listed below:

- *Aboriginal Heritage Act 1972*
- *Australian Heritage Commission Act 1975*
- *Conservation and Land Management Act 1984*
- *Contaminated Sites Act 2003*
- *Dangerous Goods Safety Act 2004* and Regulations
- *Environmental Protection Act 1986* and relevant Regulations
- *Health Act 1911*
- Kwinana Environmental Protection (Atmospheric Waste) Policy 1992 including 1999 amendment Regulations
- *Local Government Act 1995*
- *Main Roads Act 1930*
- *Occupational Health and Safety Act 1984* and Regulations
- *Rights in Water and Irrigation Act 1914*
- State Environmental (Cockburn Sound) Policy 2005
- *Planning and Development Act 2005*
- City of Kwinana, Local Planning Scheme No. 2 and Local Planning Policies
- *Water and Rivers Commission Act 1995*
- *Wildlife Conservation Act 1950.*

State Government Policies

State Planning Policy 4.1 – State Industrial Buffer Policy

State Planning Policy 2.6 – State Coastal Planning Policy and associated Position Statement

State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning

Local Policies

Local Planning Policy – Development within the Cockburn Sound Catchment

Local Planning Policy – Development within Industrial Zones.

The proposed development complies with the requirements of both the abovementioned local planning policies.

With respect to Local Planning Policy (LPP) – Development within the Cockburn Sound Catchment, the proposal is unlikely to generate large volumes of waste water from the processes carried out within the facility. In this regard however, the proponent is required to capture all stormwater and dispose of within the boundaries of the site, and all wastewater from ablution and plant / vehicle wash down facilities will be required to be connected to an appropriate treatment system.

With regard to the provisions of LPP – Development within the Industrial Zones, the proposed development complies with all relevant requirements of this policy. The development is required to be connected to a nutrient retentive effluent disposal system which limits the amount of nutrient run-off from effluent disposal.

Temporary buildings are proposed to be used as amenities and offices to be constructed in stage one. The Development within the Industrial zones LPP requires that transportable or non-permanent type structures (offices, amenities etc) be approved for a maximum period of no longer than 2 years. The proponent is required to remove the structures at the expiry of this period or submit an application for a permanent building. A condition has been recommended limiting the approval of the temporary buildings to two years. In this regard, the above requirement ensures that the development meets the objectives of the policy.

Consultation:

Consultation with other Agencies or Consultants

The proposal largely represents a “P” and ‘AA’ use within the context of the requirements of the City Planning Scheme No.2 (TPS 2) and therefore is not required to be advertised within the context of the Scheme. The application was however referred to the Department for Regional Development and Lands (DRDL), Department of Environment Regulation (Contaminated Sites and Native Vegetation Branch), APA Group (Parmelia Pipeline Operator) and DBP (Dampier Bunbury Natural Gas Pipeline Operator) for their comments.

Given the location of the development in respect to the DBNGP, the application was referred to both the DRDL and the pipeline operator the DBP. The DRDL supported the application subject to recommended conditions. The main condition sought was the placement of a Section 165 Notification under the Planning and Development Act being placed on the certificate of title advising of the hazard from the pipeline. The DRDL also sought to include conditions regarding the need to obtain a Section 41 (Dampier – Bunbury Pipeline Act) permit to carry out works within the vicinity of the pipeline.

The referral response from the DBP recommended that a condition be placed on the approval requiring the applicant to contact the group prior to commencing ground disturbing activities to obtain a risk assessment from the group.

As part of the previous development approval process, the applicant also approached the Department of Environment Regulation in regards to obtaining a clearing permit for the vegetation clearing works required as part of the development.

As the development is within a Clause 32 resolution area, under the provisions of the Metropolitan Region Scheme (MRS), the application was also forwarded to the Western Australian Planning Commission for its consideration and recommendation to the DAP.

Planning assessment:

Town Planning Scheme No. 2 Implications

The proposal largely represents a General Industry use in the context of TPS 2 which is described under Appendix 4 (Interpretations) as: *“an industry other than a hazardous, light, noxious, rural, extractive or service industry.”* In the context of the General Industrial Zone, a General Industry represents a “P” (Permitted) use, provided it complies with the relevant standards and requirements laid down in the

Scheme and all conditions (if any) imposed by the Council in granting planning consent.

The City's draft Industrial Strategy has been prepared as a supporting document to the City's draft Local Planning Strategy. The draft Local Planning Strategy was advertised for comment in 2005 and the draft Industrial Strategy in 2006 with both documents now subject to further review for likely re-advertising. The draft Industrial Strategy proposed a series of industrial classes according to the intensity and nature of the industrial use. It is useful as a guiding document for proposals of this type. Under this draft strategy, the proposal represents a Class III - IV Industry. Class III - IV industry under the draft strategy requires a 300 - 500 metre separation distance from the nearest residential areas. The land holding is approximately 1.6 km from the nearest residential zone. The development therefore meets the separation objectives of the draft Industrial Strategy.

It is worth noting that the proposal is located within an area suitable for Class I (High impact industries) under the draft strategy and represents a lower industry class for the area.

Development Requirements under Town Planning Scheme No.2

The following Table lists the relevant provisions under TPS 2 which apply to this application. Other elements of the application relevant to the determination of applications under Part 2.4 of the Scheme are also detailed following.

Table 1 – Town Planning Scheme Summary

City Planning Scheme No.2 Clause	Requirements	Planning Comment
6.8.1 – Outline Development Plans	Not Applicable	The Development is not subject to an outline development plan.
6.8.2, 6.8.3 – Minor Works not requiring planning approval	Not Applicable	The works proposed are substantial and do not fall within the works not requiring approval clauses of the Scheme.
6.8.4 – Plot Ratio and Site Coverage	0.8 Plot Ratio 65% Site Cover	The plot ratio and site coverage of the lot is well within the scheme requirements with approximately 25% site cover in total.
6.8.5 – Minimum Setbacks from Boundaries	Side – 6 metres Rear – 9 metres Front - 15 metres	Setbacks to the proposed development comply with the scheme requirements with a minimum of 9 metres from the front boundary for the Amenities/Yard Manager Training building. This building is considered to be an office hence is permitted to be setback 9 metres from the front boundary. All other development on site is well setback from all other boundaries.

6.8.6 – Appearance of Buildings	Buildings located, constructed and finished so as to not cause detriment to the locality	The proposed development is considered appropriate for the industrial zone and should not detrimentally affect the amenity of the locality.
6.8.7 – Landscaping Areas	5% of site area to be landscaped and maintained	The current nature of landscaping on the site is largely native vegetation. The proponent intends to construct a solid 3.6m high timber panel boundary/acoustic fence with landscaping at ground level. A condition is recommended that a landscaping plan outlining the proposed species including mature/advanced species be submitted to the City of Kwinana for approval and be implemented to the satisfaction of the City.
6.8.8 – Car Parking and Crossovers	Car Parking Spaces to be provided in accordance with Table III of the Scheme	The development requires the provision of 80 vehicle parking bays in accordance with the requirements of Table III of the Scheme. The proponent has indicated that a total of approximately 128 parking bays will be provided. Conditions have been recommended requiring trafficable and non-trafficable areas to be sealed and drained in accordance with the City of Kwinana's specifications.
6.8.9 – Loading and Unloading	Loading / Unloading areas to be maintained in good order	The proposed loading / unloading areas of the development are proposed to be provided in an appropriate location and manner.
6.8.10 – Waste Water and Effluent Disposal	Waste water to be managed appropriately to preserve the environment and groundwater	Waste effluent water generated on site is proposed and required to be disposed of through a nutrient retentive effluent disposal system. Stormwater collected on site is proposed to be piped to drainage sumps on the site.
6.8.11 – Recycled Water	Council shall have regard to the ability to recycle water in industrial processes	The proponent has indicated that stormwater from the building will be collected and re-used in the building for toilet flushing and landscape irrigation if possible.
6.8.12 – Fencing	A security fence proposed on a front lot boundary shall be setback 1.5 metres from the front lot boundary and landscaping shall be established and maintained between these	A 3.6m high timber panel boundary fence is proposed. The fence would act as an acoustic and dust barrier and also for site security. Landscaping is proposed along the fence. A condition is recommended requiring that the fence be setback

	lines to the satisfaction of Council.	1.5 metres from the front lot boundary to allow for additional landscaping between the boundary and the fence. A condition is also recommended requiring that the external finishes of the fence be graffiti treated to the satisfaction of the City of Kwinana.
6.8.13 – Private Utility	Not Applicable	Not applicable.

The proposed development complies with the requirements of Town Planning Scheme No.2 and its Policies.

ADC Projects on behalf of Sims Metal Management have submitted full plans of proposed development (Refer Attachments 1 – 19) and it is considered that the proposed development will add value to the operation of the Kwinana Industrial Area (KIA).

Traffic and Transport Considerations

A Transport Assessment report was submitted with the previously approved development application. This report provided a transport statement for the proposed development in terms of how the development would cater for the traffic generated and how the traffic would integrate with the existing transport network. A condition of approval was imposed on the previous development application requiring the proponent to provide an updated traffic management report detailing;

- The proportion of estimated traffic volumes of heavy vehicles and passenger vehicles;
- An intersection assessment to include Mason Road/Rockingham Road intersection vehicular traffic movements proposed by the development;
- Assessment of the adequacy of the turn pocket and slip lane capacities and lengths at the Beard Street and Mason Road/Rockingham Road intersections, including stacking distance to the Brown Avenue/Beard Street intersection;

The updated report was also required to be referred to Main Roads Western Australia for comments and recommendations on the impacts of signalised intersections and Rockingham Road.

An updated Traffic Management Plan titled, 'Revised Transport Statement Sims Metal Kwinana Depot', prepared by Shawmac Consulting Civic and Traffic Engineers Pty Ltd and dated 20 March 2013 was submitted with the current development application. This report assessed how the proposed development caters for the traffic generated and how this traffic would integrate with the existing transport network.

The transport statement made the following conclusions;

- During normal operation, traffic generated by the operations is expected to be approximately 550 vehicles per day (vpd) with peak hour movements of 85 vehicles per hour.
- During times when ferrous metals are being shipped out of Fremantle Port, traffic movements are expected to increase to 650 vpd and 95 vph during peak periods.

- During times when ferrous metals are being shipped out of James Point, traffic movements are expected to increase to 850 vpd and 99 vph during peak periods
- It is expected that the majority of traffic will travel to the north along Canteen Road, Leath Road, Beard Street and Rockingham Road when shipping out of Fremantle. When shipping out of James Point, traffic will be split between the Canteen Road, Leath Road, Beard Street and Rockingham Road route and Canteen Road and the new connection proposed to James Point.
- Road segments and intersections along the largest affected traffic route are predicted to perform satisfactorily with the signalised intersection of Beard Street and Rockingham Road experiencing a slight increase in delay. It is considered that this slight delay is acceptable. It is also considered that the addition of site-generated traffic will not have an impact on overall traffic operations with regard to capacity and queuing.

It is intended to construct a private haulage road to the north of the site with licence to traverse land outside of the site area. The alignment of this road will be adjacent to the site boundary north of the Donaldson Road extension and then along a 30 metre offset to the railway reserve. The road will turn west 850 to 1000 metres north of the site to link into Leath Road. The east-west alignment of this road is still to be determined and is subject to other lease negotiations by Landcorp.

The haulage road will provide a link to Rockingham Road via Leath Road and Beard Street without rail crossings at grade and will avoid congestion on the public road system. If new port facilities are established at Kwinana/Naval Base, this road will provide access to those facilities without utilising regional roads. The haulage road will also provide sealed, north-south emergency egress and access in the event of emergencies within the Kwinana Industrial Area. Subject to agreement with the land owner and other State government agencies, the haulage road also has the potential to be converted into a public road providing an all purpose north-south link between the current Mason Road and Leath Road cul-de-sacs.

It is expected that the majority of traffic will enter the site via the Mason / Rockingham Road – Donaldson Road entry point then leave the site heading north along the proposed private haulage road and onto Leath Road / Beard Street alleviating any possible pressure from the development on the already congested intersection of Mason Road and Rockingham Road.

The traffic report was peer reviewed by the City's Development Engineer who was satisfied that the report addresses the estimated traffic volumes of heavy vehicles and passenger vehicles. It was also noted that the amended traffic report had adequately updated the intersection assessment to include Mason Road/Rockingham Road intersection vehicular traffic movements proposed by the development. However, the report did not sufficiently address the adequacy of the turn pocket and slip lane capacities and lengths at the Beard Street and Mason Road/Rockingham intersections, including stacking distance to the Brown Avenue/Beard Street intersection. As such, an updated traffic report is required that addresses the above. The updated report is also required to be submitted to the City of Kwinana and Main Roads Western Australia for comment and recommendations on the impacts to signalised intersections and Rockingham Road. In addition, a condition is recommended requiring that the level rail crossing at the western end of Donaldson Road be upgraded with audible visual warning signals and a physical

barrier to warn road users and prevent crossing of the rail line when a train is crossing Donaldson Road. The updated report must also now take into account the fact that the James Point Port is no longer to be pursued.

Given the above assessment and review, it is acknowledged that the proposed development will generate additional vehicular traffic, however, this would not adversely affect or require modification to the overall existing transport network. It is considered that the recommended conditions of approval will mitigate against adverse impacts on the existing road network.

Vegetation Clearing

As part of the previous development application, the proponent indicated that an area of approximately 5,650 square metres was required to be cleared. The proponent has had discussions with the Department of Environment Regulation (DER) regarding the vegetation to be removed. The proponent undertook a flora and fauna survey which indicated that it was unlikely that there are any threatened or priority flora within the area proposed to be cleared.

The area of clearing proposed is considered acceptable however a condition has been placed on the approval that the cleared vegetation be mulched and re-used within landscaped areas throughout the site. It is noted that some of the vegetation has been cleared as part of the preliminary works.

Noise

With respect to noise emissions associated with the proposal, a noise report was prepared and submitted with the previous development application. The report indicated that without the use of material stockpiles on the property, the development would marginally exceed the assigned day and night time noise levels at the nearest noise sensitive location as prescribed under the requirements of the Environmental Protection Act (EP Act).

It was previously assessed that with respect to the noise levels proposed to be generated in this development, it was unacceptable for the development to solely rely on material stockpiles to mitigate noise emissions from the development. This was because there was no certainty that the stockpiles would remain in place to ensure that noise emissions from the development complied with the assigned EPA noise levels. A condition was placed on the previous approval requiring that a revised noise report be submitted showing compliance with the assigned noise levels without the use of material stockpiles. It was considered that noise exceeding the assigned levels within the development would need to be mitigated through the use of acoustic barriers around the site or within the development itself. For example, by further acoustically treating the shredder building.

The arrangements of noise creating activities on site were altered to shield these from sensitive residential areas. This was done through switching the locations of the shredder and off-line recovery plant building (formerly entitled non-ferrous recovery plant) and the non-ferrous yard with stockpile storage. The non-ferrous recovery plant building is now being proposed to be located closer to the southern boundary to act as a barrier for noise and dust emanating from the shredder. A 3.6 metre high solid timber fence is also now being proposed to act as a noise barrier.

The proponents commissioned EcoAcoustics Pty Ltd to prepare a Noise Management Plan and Environmental Noise Assessment based on the above site layout and boundary/acoustic fence. The Noise Management Plan and Environmental Noise Assessment dated 29 November 2013 and 28 November 2013 respectively were submitted with the current application. The reports concluded that the predicted noise levels from the different noise sources would comply with the regulatory levels and do not significantly contribute to the noise levels at all nearby residential premises. However, the Noise Management Plan recommended that once the development is operational, noise levels should be measured at the nearest noise sensitive receptors to determine actual noise levels associated with the site. To that effect, it is recommended that a condition be imposed requiring that at the commencement of operations, the proponent appoint an acoustic consultant to confirm the modelling by testing the equipment and operational areas to validate the levels contained in the Noise Management Plan to ensure all noise emissions from the development comply with the EP Act and Regulations.

Noise levels generated from the KIA have reached levels where they are impacting on the surrounding residential areas within Medina and Calista. In this regard the City of Kwinana and the Kwinana Industries Council (KIC) have an agreement that noise levels generated from the KIA will continue to be improved upon redevelopment and upgrade to existing industry and new industry will be encouraged to reduce noise levels as far as possible. This is being monitored by the City in assessing new applications for development and by the KIC through their cumulative noise model for the industrial area.

It has also been advised that the proponent liaise with the KIC for inclusion of their noise report into the KIA cumulative noise model.

Waste Disposal

The effluent generated on the site is required to be treated via a nutrient retentive effluent disposal system. It has been proposed and also required via a condition of approval that the development be connected to such a system.

It is intended that all stormwater collected from the building and on site will be collected and piped to a number of drainage sumps across the site.

Climate Change and Sea Level Rise

The objectives of the WAPC State Planning Policy 2.6 State Coastal Planning and associated Position Statement requires that the location of coastal facilities and development takes into account coastal processes including erosion and sea level change and biophysical criteria.

The Department of Transport's Sea Level Change in Western Australia – Application to Coastal Planning Report (February 2010) recommends for planning timeframes beyond 100 years that a vertical sea level rise of 0.01 m/year be added to 0.9m for every year beyond 2110. Under the WAPC Position Statement, for new development on a sandy coast the impact of this increase in vertical sea level rise value from 0.38 to 0.9m will result in an increased horizontal setback of 52m, increasing the total setback for the general guide from 100m to 150m.

The proposed development has a horizontal separation from the water mark of approximately 2.5 kilometres and an indicated Floor Level of 3.5 metres. Given the height of the finished floor level and the significant separation distance from the high water mark it is not considered that sea level rise will impact on this proposal.

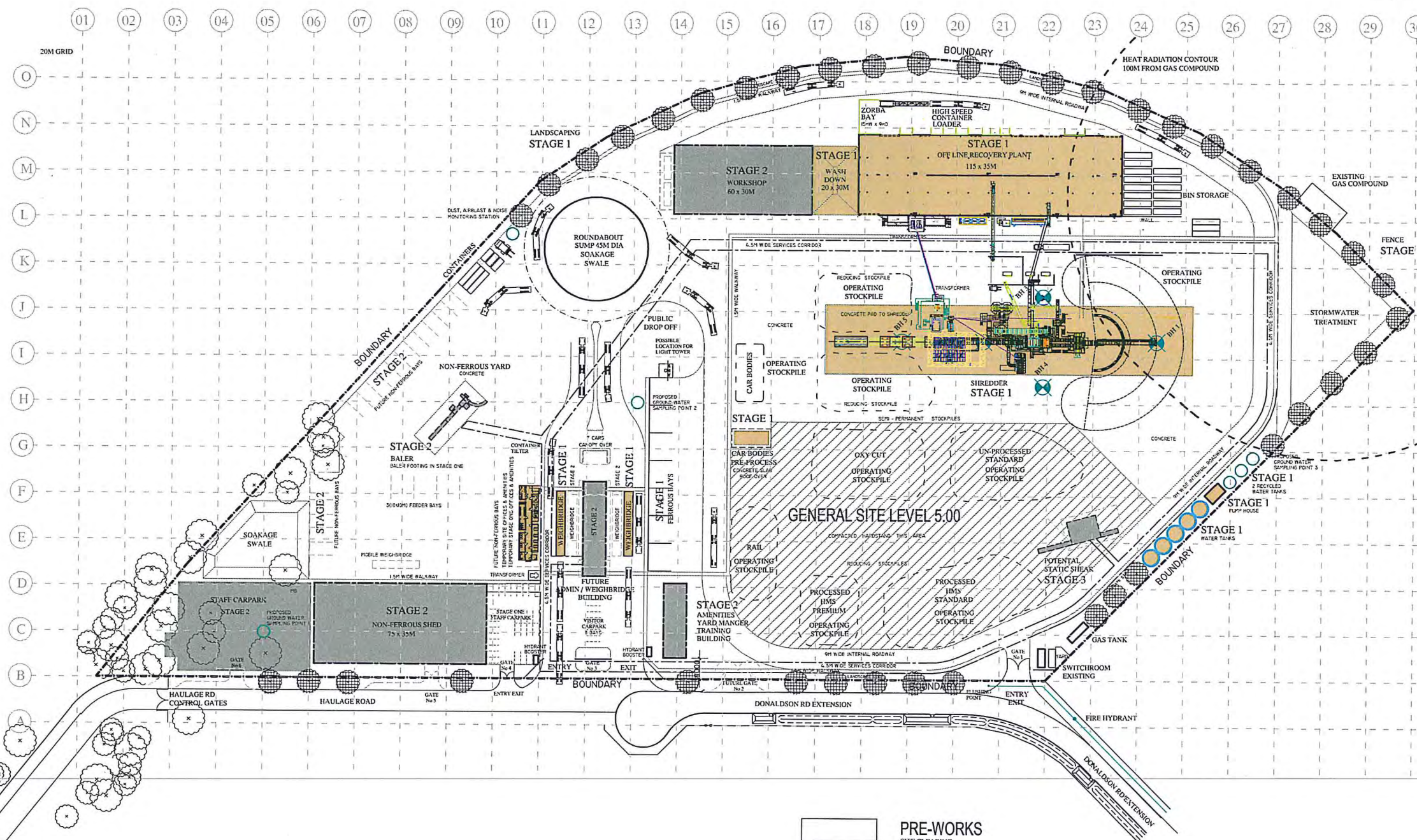
Contamination

The subject site is a listed contaminated site under the provisions of the Contaminated Sites Act 2003, and has a memorial placed on the title advising of such. Previous uses across the site have identified soil contamination consisting of industrial slag, demolition wastes, and mixed and putrescibles wastes. Soil investigations carried out between 2000 – 2007 have identified widespread industrial slag that had been used as fill material across the site. Soils were found to contain slightly elevated concentrations of heavy metals exceeding ecological investigation levels but below health investigation levels for industrial and commercial uses. Soil sampling investigation carried out for the development revealed that there is soil contamination on the site. Further investigations have identified petroleum hydrocarbon contamination in surface soils within a drainage sump on the site. The contamination found on the site was contained largely to the north western portion of Lot 14 Mason Road and not the area which is proposed to be subdivided off as Lot 100 Donaldson Road.

Soil sampling was undertaken within the vicinity of the development in the area proposed to be subdivided off as Lot 100 Donaldson Road which found no present contaminants. As part of the requirements under the Contaminated Sites Act, the proposal was referred to the Department of Environment Regulation – Contaminated Sites Branch for its comments and recommendations. The Department has no objection to the proposal subject to a condition being placed on the approval restricting groundwater abstraction due to the presence of elevated nitrate levels exceeding the marine ecosystems criteria within the groundwater in the area.

Conclusion:

Upon assessment of the development against the objectives and requirements of Town Planning Scheme No.2, it is considered that the application can be approved subject to conditions. The development complies with the requirements of Town Planning Scheme No.2 and represents effective use of currently underutilised industrial land within KIA. The updated noise report submitted with this application concluded that the proposed works would not significantly contribute to the noise levels at all nearby residential premises. The report recommends that once operations commence on site, noise levels be measured at the nearest noise sensitive receptors to determine actual noise levels associated with the site. A condition has been recommended requiring that when the metal recycling facility commences operations, the acoustic consultant confirm the actual noise being generated by the development and compliance with EP Act and Regulations.



SITE PLAN 1:1000 on A1 sheet



PRE-WORKS
SITE CLEARING
IN-GROUND SERVICES
CONCRETE & HARDSTAND
PAVING & FOUNDATIONS

STAGE ONE WORKS

STAGE TWO WORKS

ATTACHMENT 2

4	AMENDMENTS BLD SETBACK, TEMP BLDG IN STAGE ONE	APR 2017
3	STAGED WORKS NOTED & HIGHLIGHTED	MAR 2017
2	REVISED FOR CLARIFICATION OF STAGED WORKS	MAR 2017
1	ISSUE FOR AMENDED DEVELOPMENT APPROVAL	OCT 2017
	REVISION	DATE
PROJECT : PROPOSED DEVELOPMENT SIMSMETAL HOLDINGS PTY LTD PT LOT.14, DONALDSON RD EXT (PROPOSED LOT 100) KWINANA BEACH WA		

ARCHITECT:

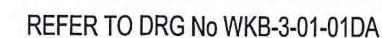


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DRAWN DATE MAR 2013 SCALE A.S. SHOWN	JK	PROJECT NO <div style="font-size: 2em; font-weight: bold;">09/127</div>	DRAWING NO <div style="font-size: 1.5em; font-weight: bold;">WKBK-1-00-04DA</div>
REY <u>04</u>		SHEET <u>A</u>	

RECEIVED 9/04/2014



REFER TO DRG No WKB-3-03-01DA

REFER TO DRG No WKB-3-02-01DA

SITE PLAN 1:1000 on A1 sheet

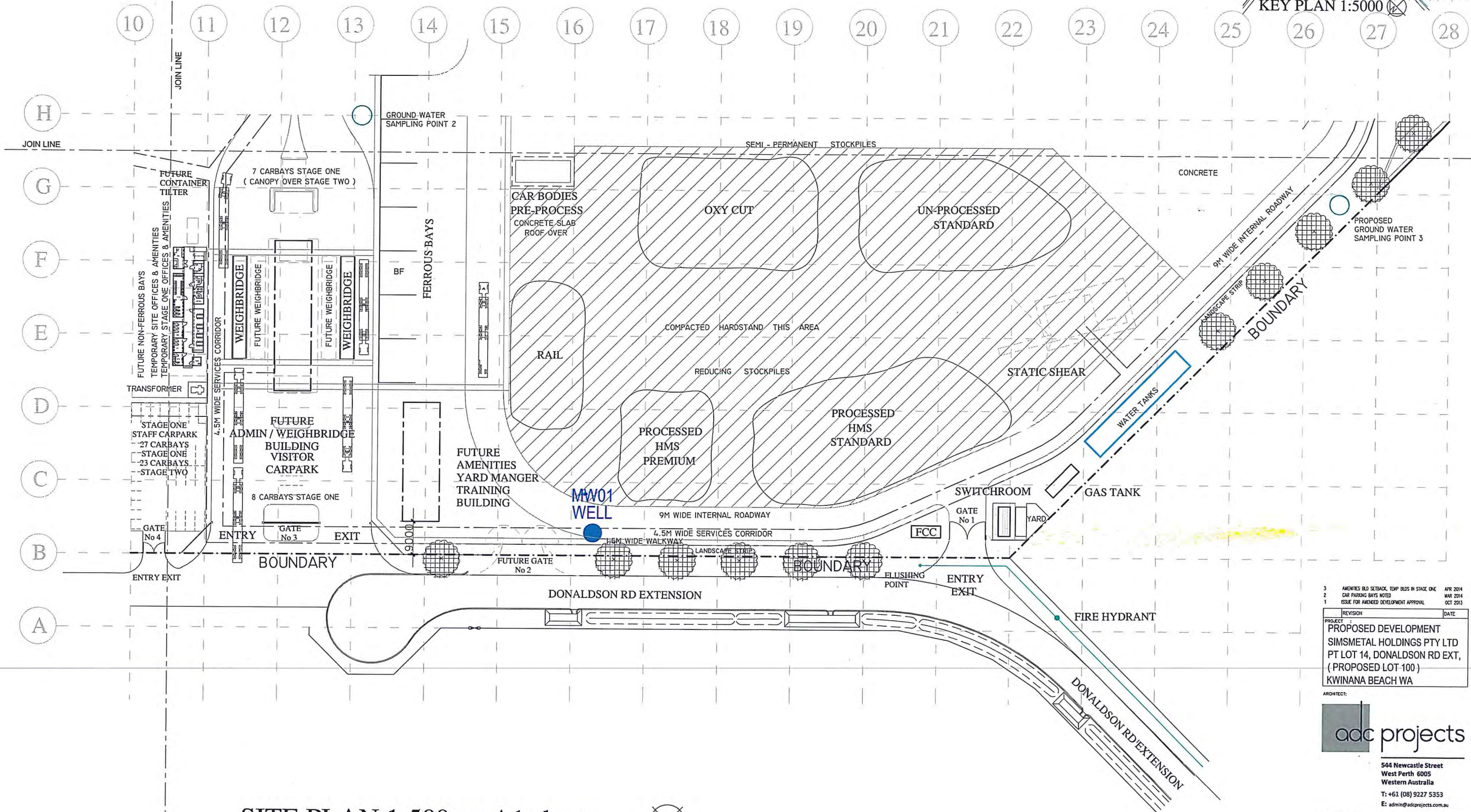
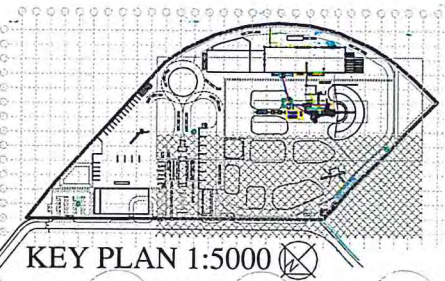


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DRAWN DATE SCALE	PROJECT NO 09/127
JK MAR 2013 A.C. SHARIN	DRAWING NO WKBK-1-00-02DA REV 03 SHEET 11

AMENDED PLAN
RECEIVED 9/04/2014

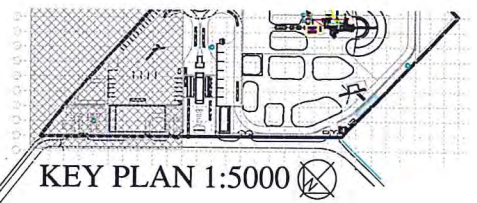
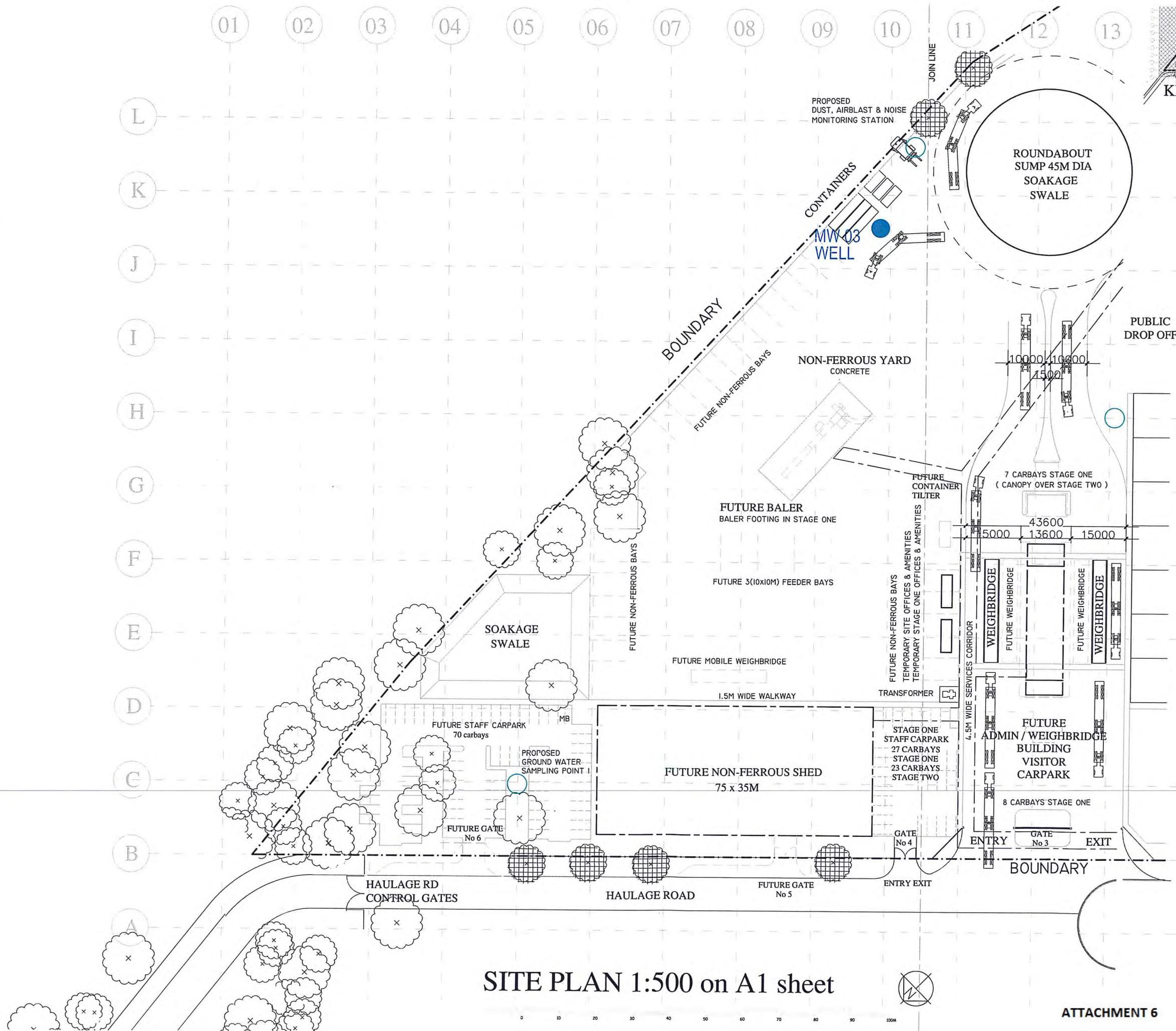


SITE PLAN 1:500 on A1 sheet

3	AMENITIES BLD SETBACK, TEMP BLDG IN STAGE ONE	APR 2014
2	CAR PARKING BAYS NOTED	MAR 2014
1	ISSUE FOR AMENDED DEVELOPMENT APPROVAL	OCT 2013
REVISION	DATE	
PROJECT	PROPOSED DEVELOPMENT SIMSMETAL HOLDINGS PTY LTD PT LOT 14, DONALDSON RD EXT, (PROPOSED LOT 100) KWINANA BEACH WA	
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DATE	09/127	WKB-3-02-01DA	
SCALE	AS SHOWN	REV 03	SHEET A1



SITE PLAN 1:500 on A1 sheet

ATTACHMENT 6

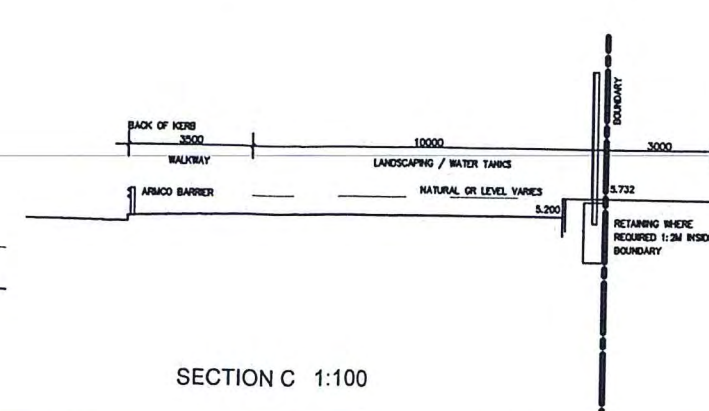
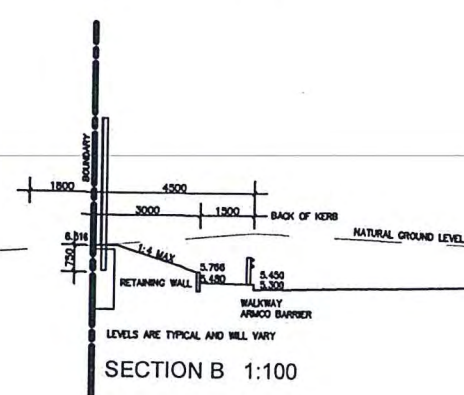
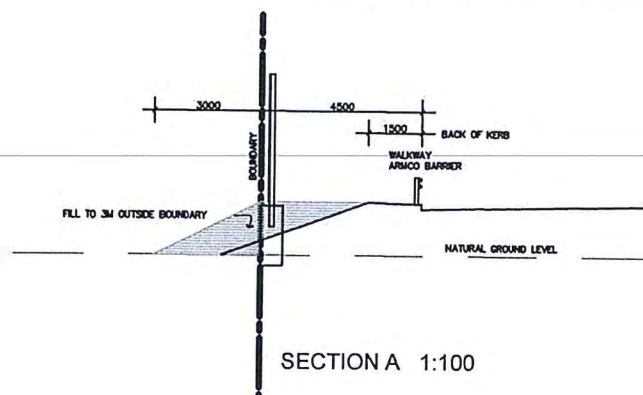
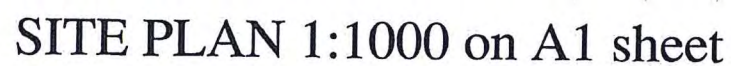
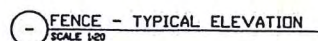
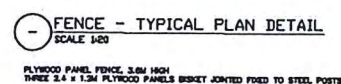
2	CAR PARKING BAYS NOTED	MAR 2014
1	ISSUE FOR AMENDED DEVELOPMENT APPROVAL	OCT 2013
REVISION	DATE	
PROJECT 2		
PROPOSED DEVELOPMENT		
SIMSMETAL HOLDINGS PTY LTD		
PT LOT 14, DONALDSON RD EXT,		
(PROPOSED LOT 100)		
KWINANA BEACH WA		

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DATE	MAR 2013	09/127	WKB-3-03-01DA
SCALE	AS SHOWN	REV	02 SHEET A1

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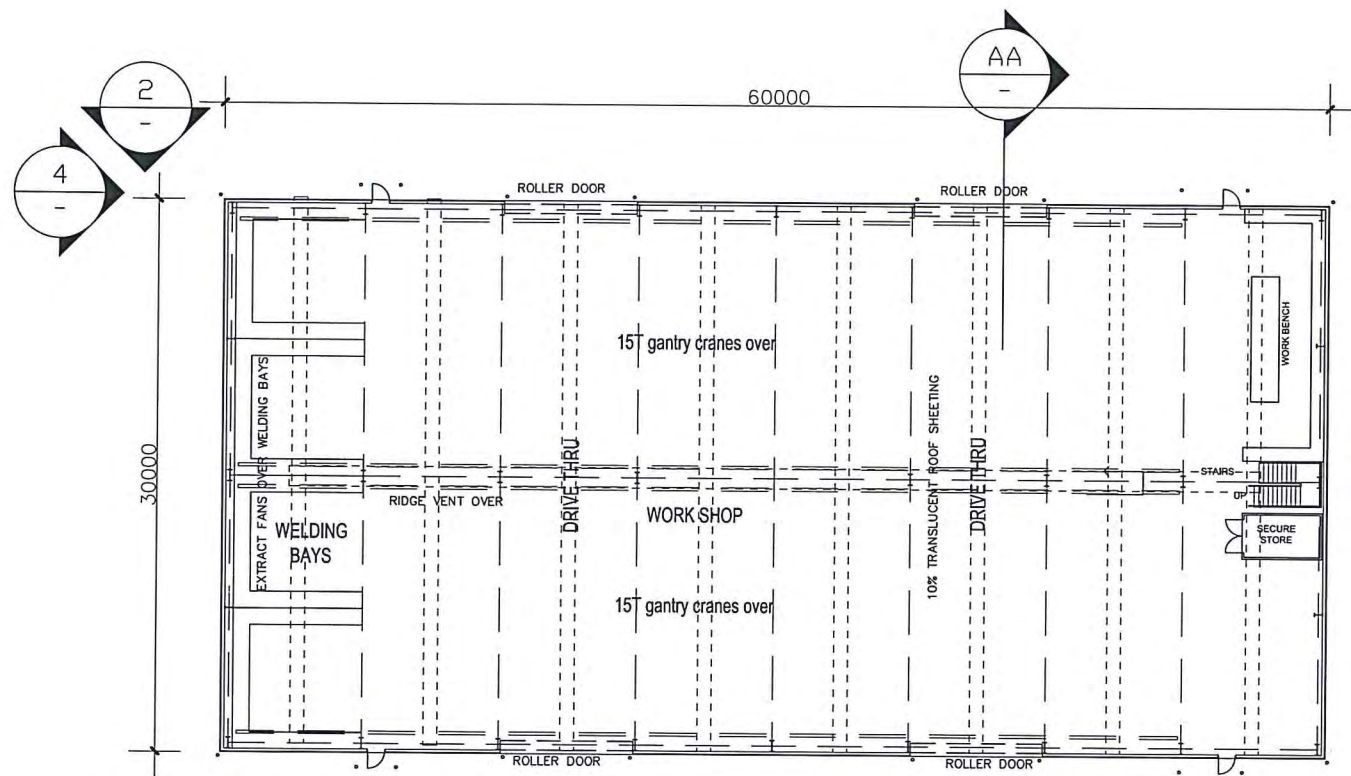
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DRAWN	JK
DATE	OCT 2013
SCALE	1:1000
SHEET SIZE	

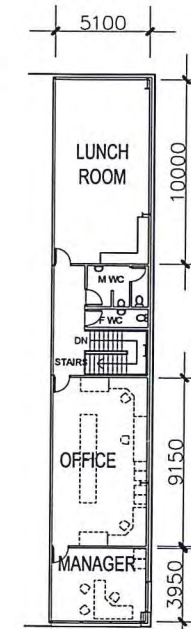
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TITLE	BOUNDARY FENCE

**PROPOSED LOT 100
DONALDSON RD EXT
KWINANA BEACH WA**

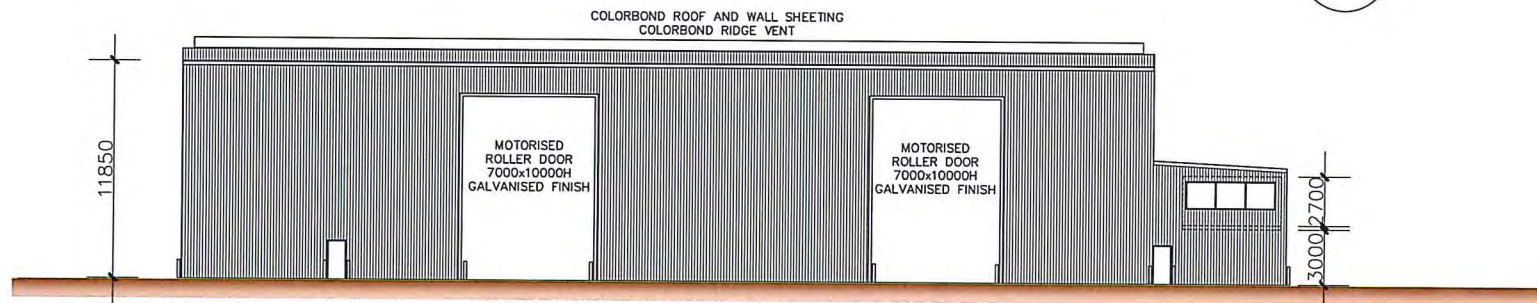
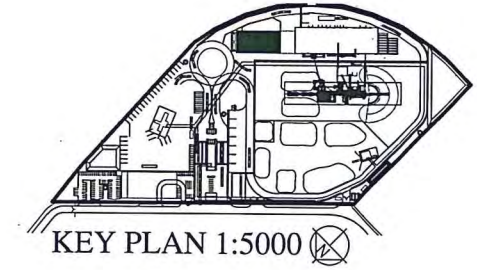
DRAWING No.	REV
WKB 337	1
PROJECT No	09/127



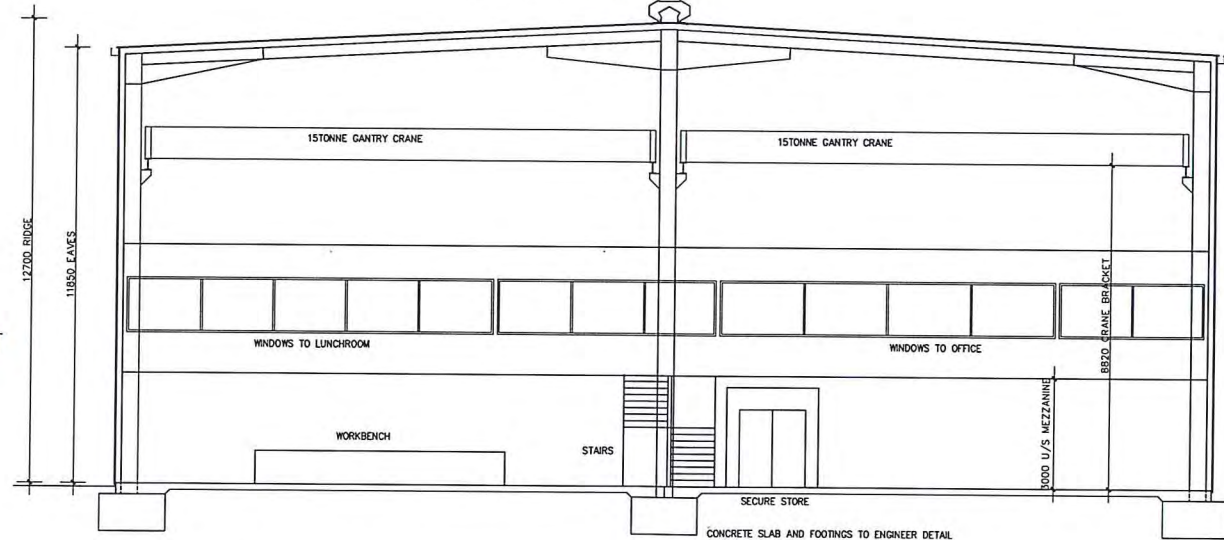
1 FLOOR PLAN
SCALE 1:200 mm



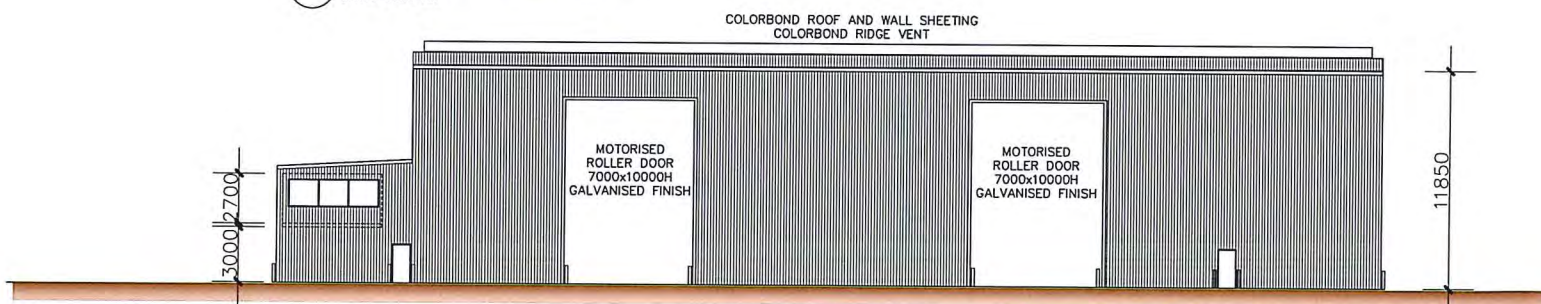
2 MEZZANINE PLAN
SCALE 1:200 mm



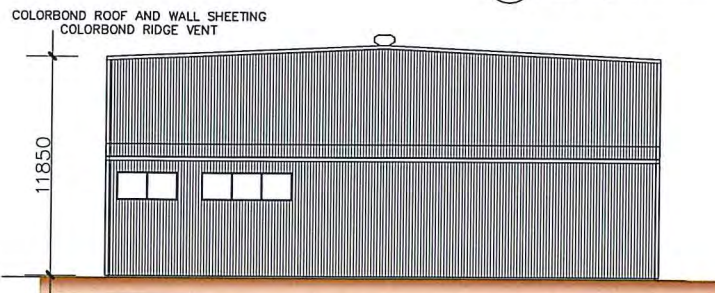
1 NORTH WEST ELEVATION
SCALE 1:200 mm



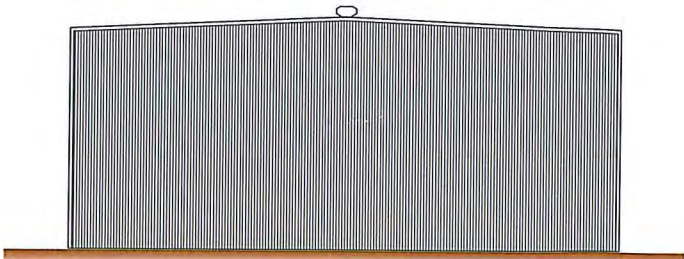
3 TYPICAL SECTION AA
SCALE 1:100 mm



2 SOUTH EAST ELEVATION
SCALE 1:200 mm



3 SOUTH WEST ELEVATION
SCALE 1:200 mm



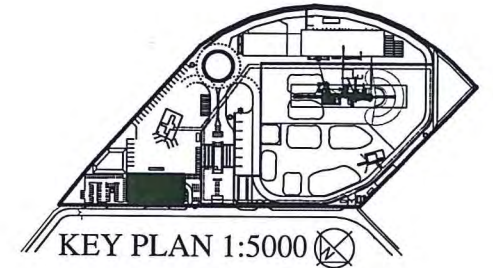
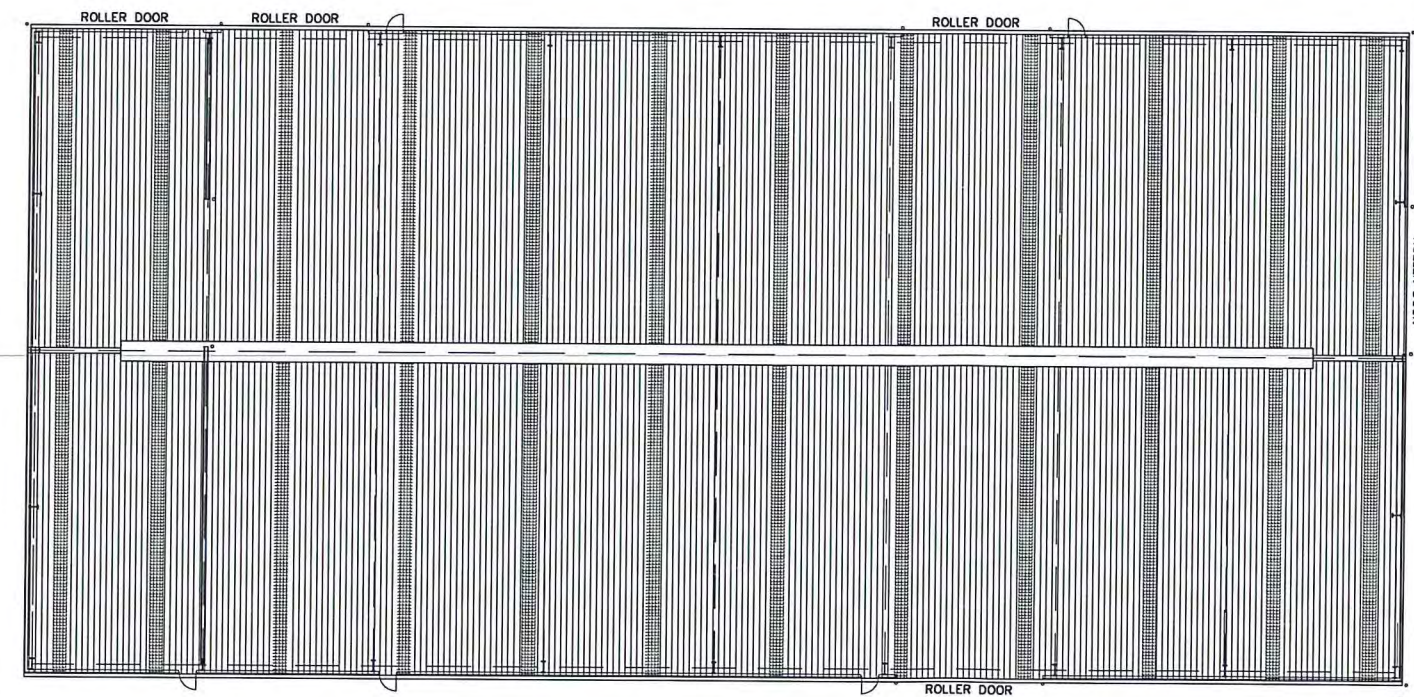
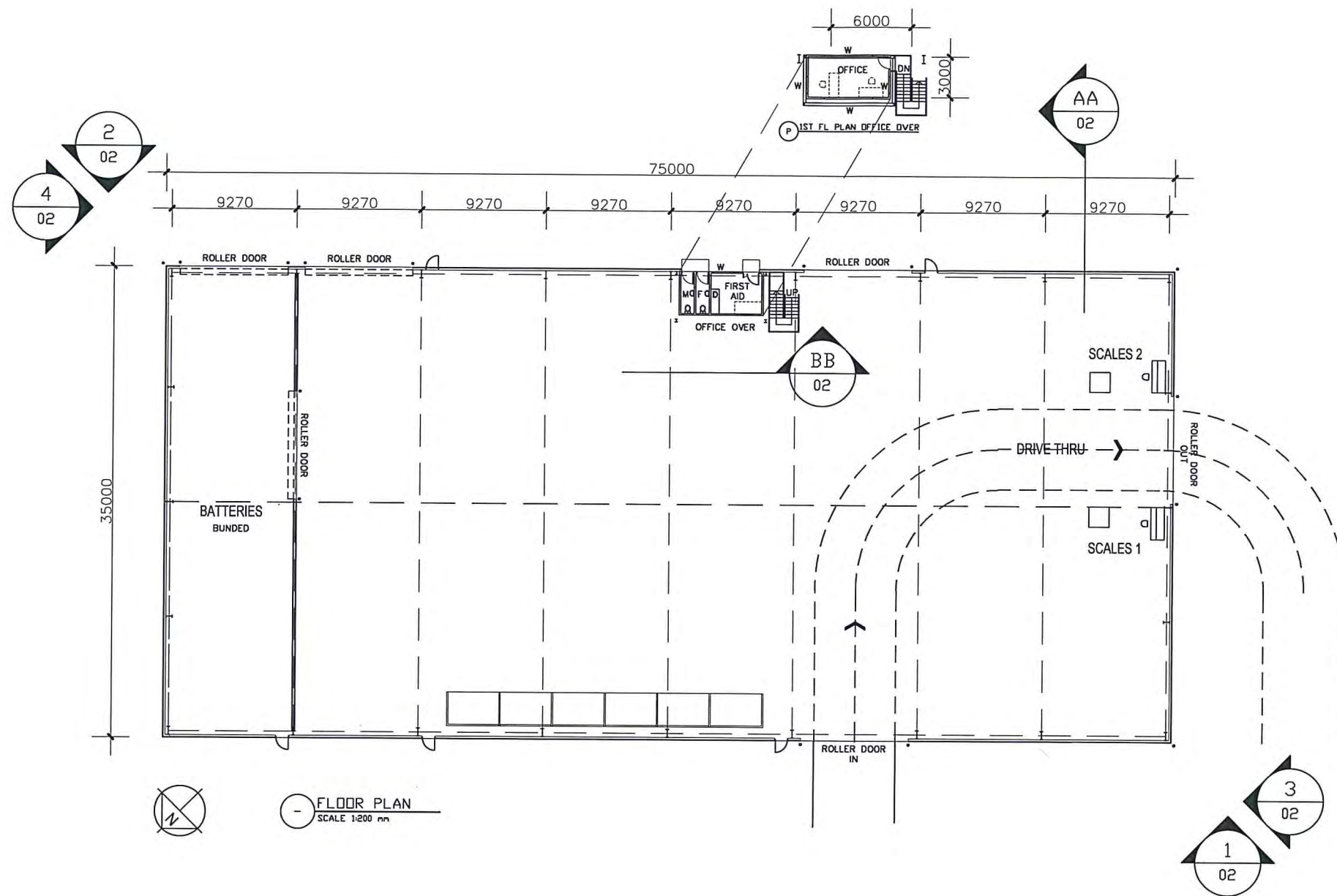
4 NORTH EAST ELEVATION
SCALE 1:200 mm

COLORBOND TRIMDEK HI-TEN ROOF SHEETING @ 3° PITCH
ON PURLINS AND STEEL PORTAL TO SE DETAIL
ANTICON INSULATION AS SPECIFIED
INSULATION STOPPED & TAPED AT RIDGE VENT & TRANSLUCENT SHEETING
MESH LINING UNDER
TRANSLUCENT SHEETING 10% ROOF AREA

1 ISSUE FOR DEVELOPMENT APPROVAL			JULY 2013
No.	REVISION	DATE	
PROJECT : PROPOSED DEVELOPMENT SIMSMETAL HOLDINGS PTY LTD PT LOT 14, DONALDSON RD EXT, (PROPOSED LOT 100) KWINANA BEACH WA			
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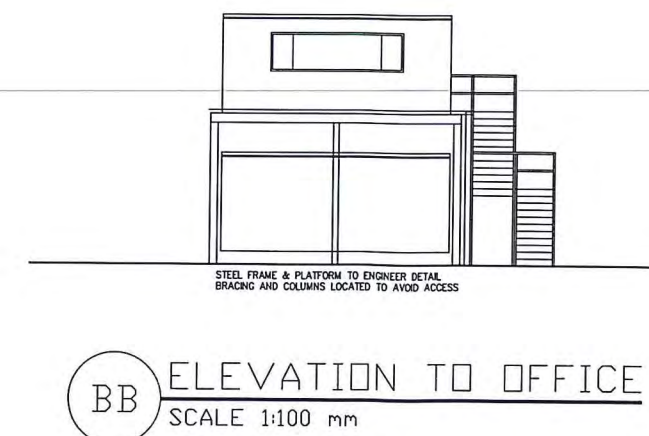
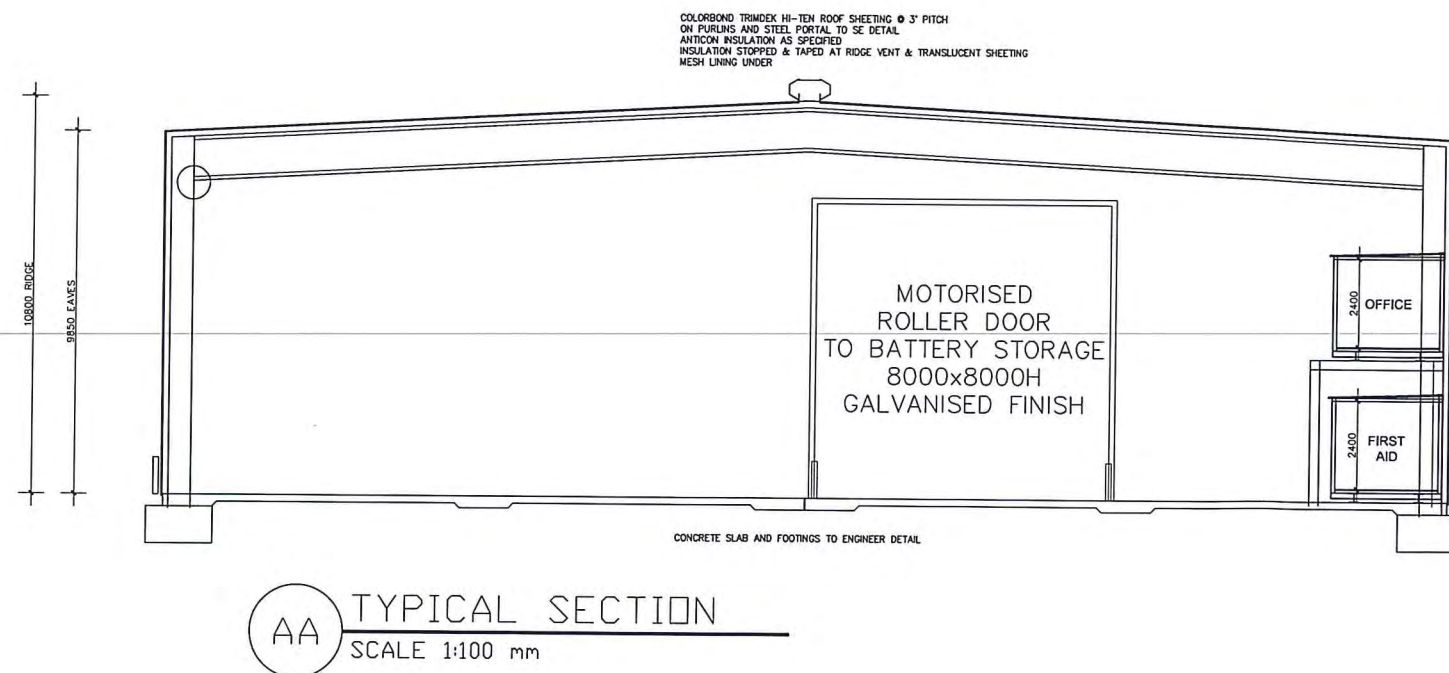
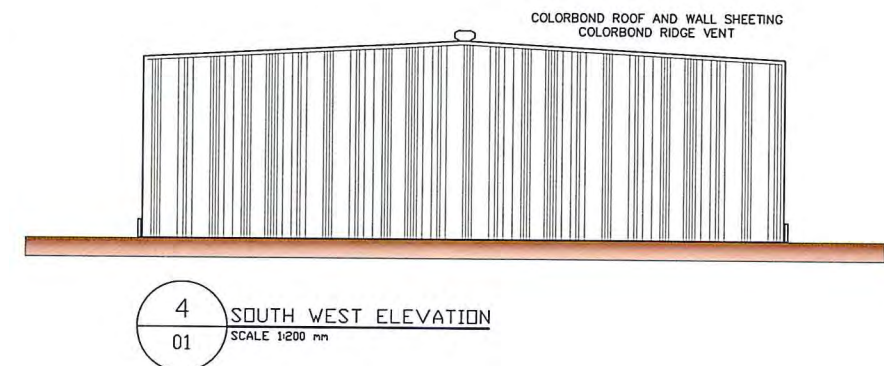
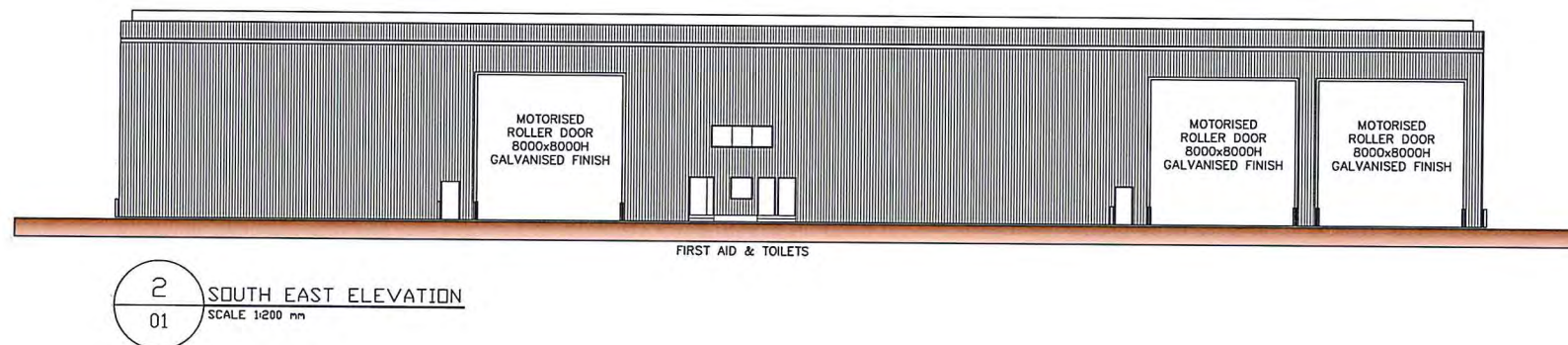
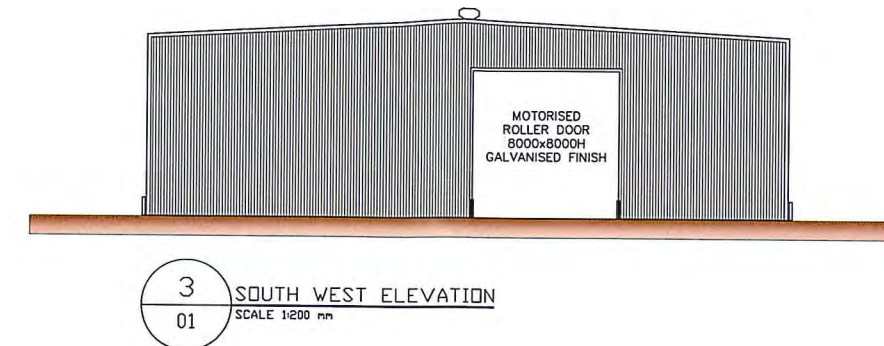
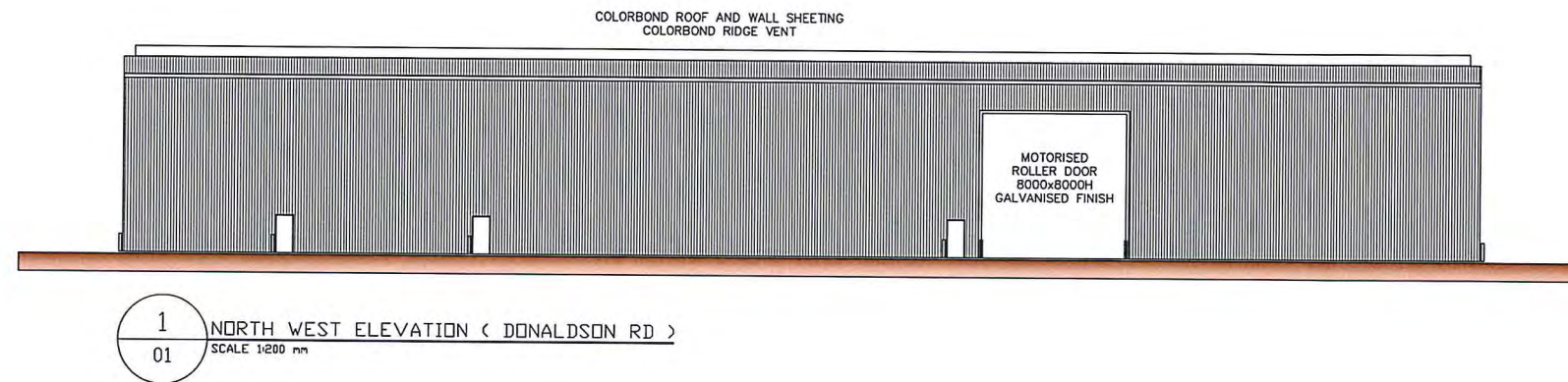
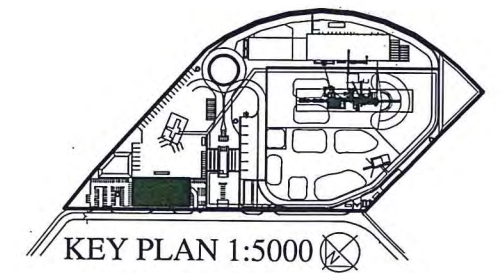
1 ISSUE FOR DEVELOPMENT APPROVAL		JULY 2013
No	REVISION	DATE
1	PROPOSED DEVELOPMENT	
SIMSMETAL HOLDINGS PTY LTD		
PT LOT 14, DONALDSON RD EXT,		
(PROPOSED LOT 100)		
KWINANA BEACH WA		

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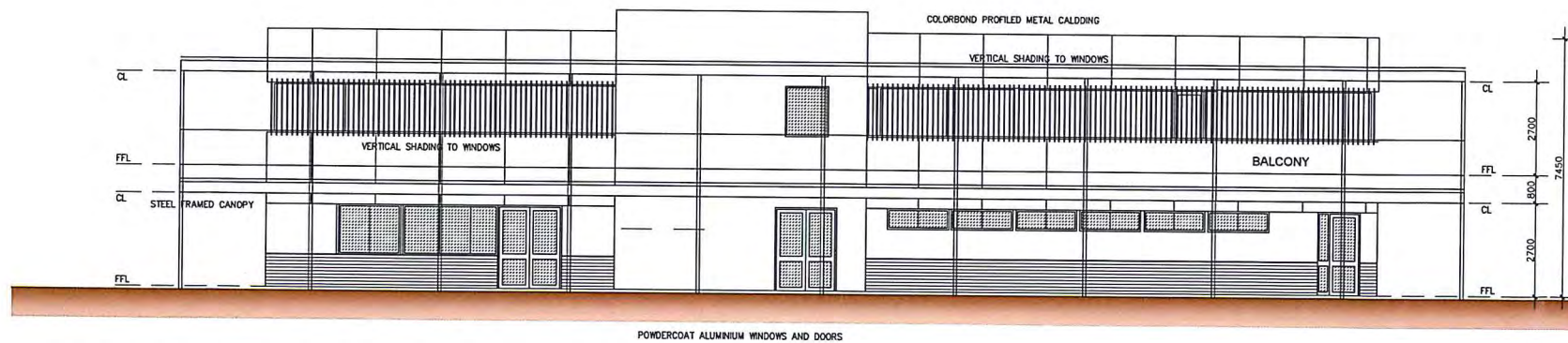
1 ISSUE FOR DEVELOPMENT APPROVAL		JULY 2013
No	REVISION	DATE
PROJECT : PROPOSED DEVELOPMENT SIMSMETAL HOLDINGS PTY LTD PT LOT 14, DONALDSON RD EXT, (PROPOSED LOT 100) KWINANA BEACH WA		

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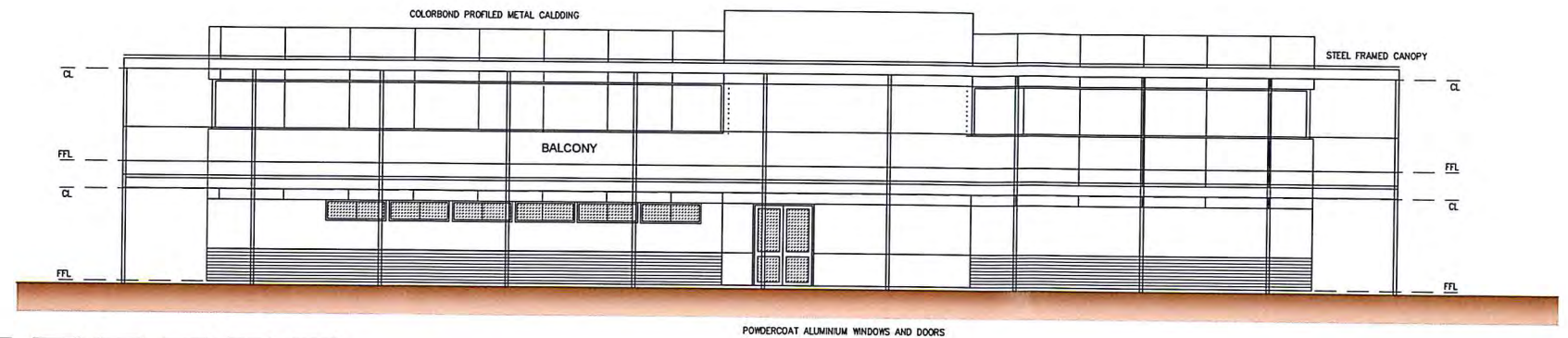
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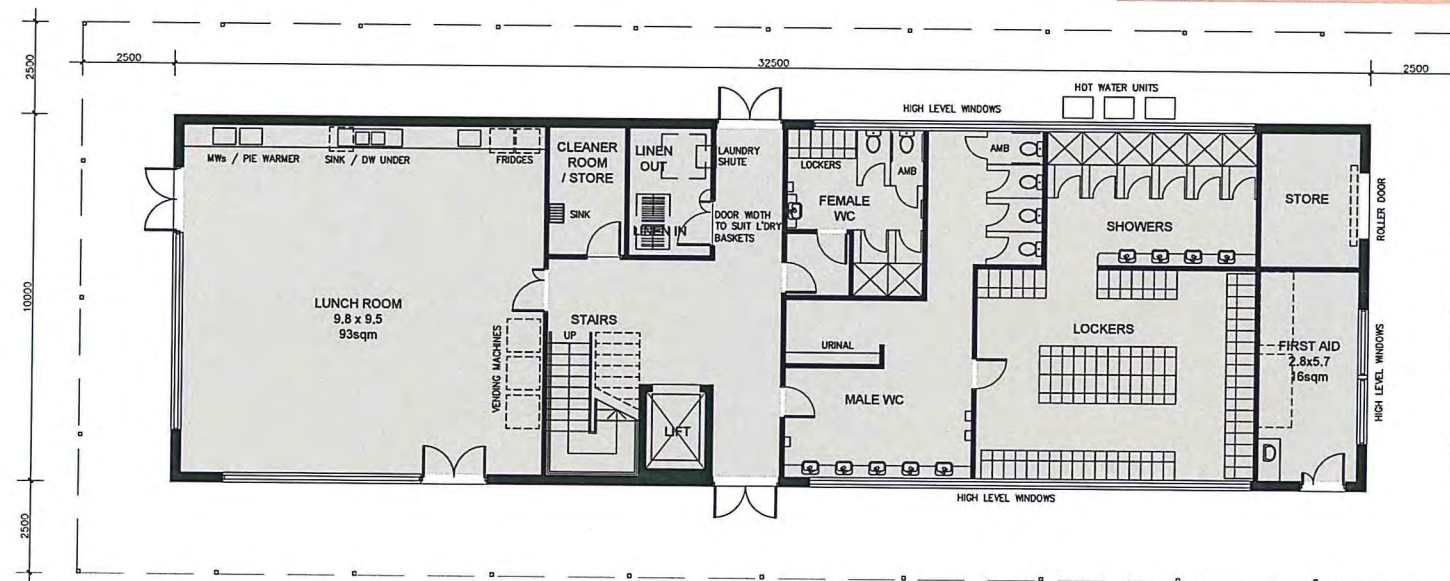
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DATE	REV	REV	SHEET
SCALE	AS SHOWN	09/127	VKB-3-10-02DA
		01	A1



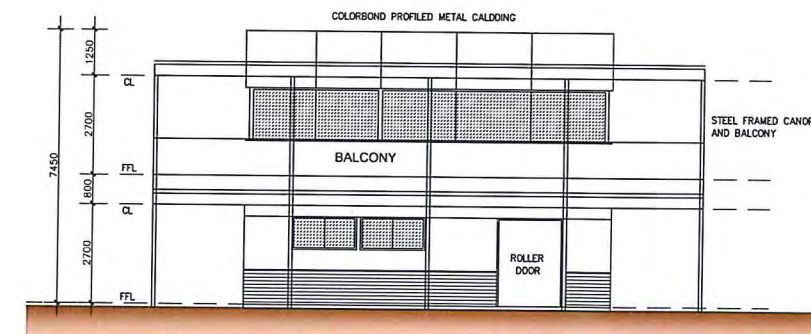
E1 AMENITIES / YARD MANAGER - SOUTH WEST ELEVATION
SCALE 1:100mm on A1 sheet



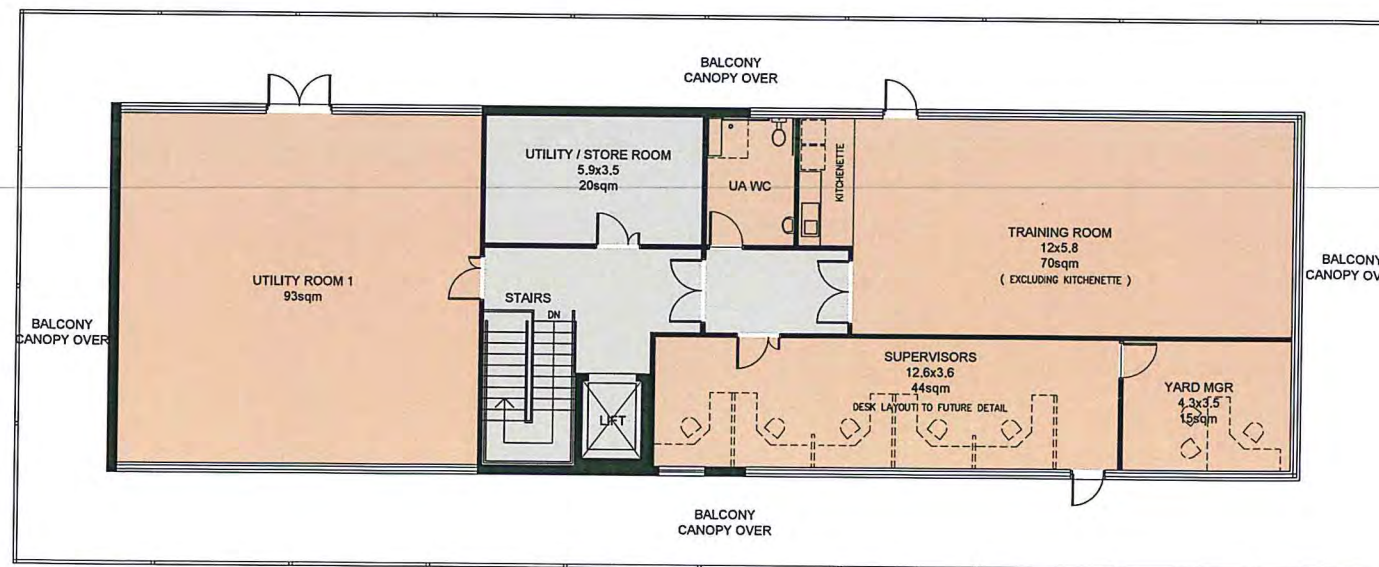
E2 AMENITIES / YARD MANAGER - NORTH EAST ELEVATION
SCALE 1:100mm on A1 sheet



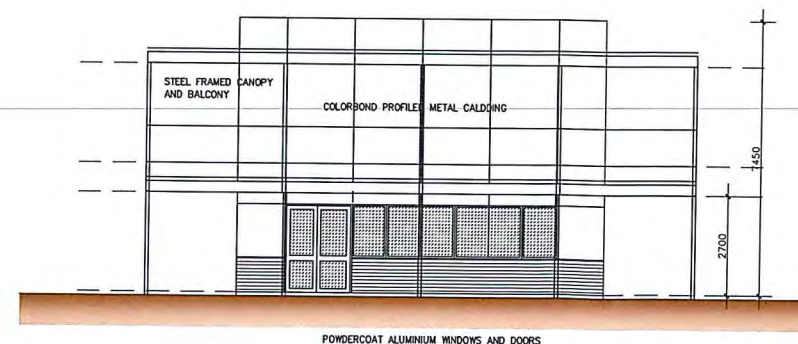
P GROUND FLOOR PLAN - AMENITIES (320 sqm)
SCALE 1:100mm on A1 sheet



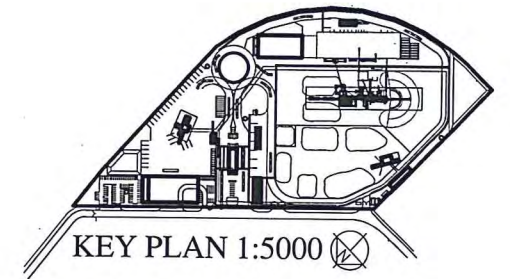
E3 SOUTH EAST ELEVATION
SCALE 1:100mm on A1 sheet



P UPPER FLOOR PLAN - YARD MANAGER / TRAINING (320 sqm)
SCALE 1:100mm on A1 sheet



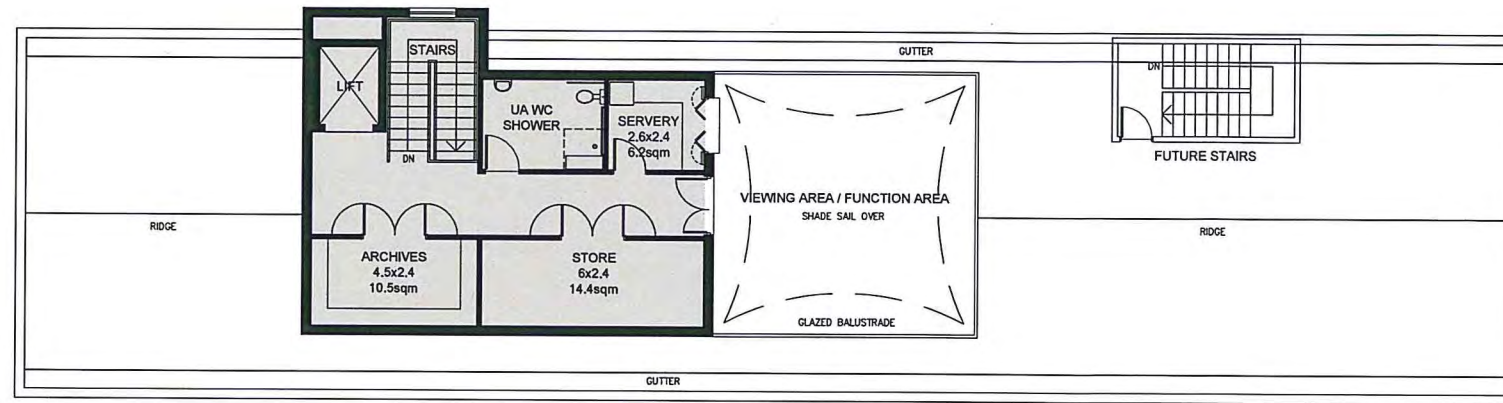
E4 NORTH WEST ELEVATION
SCALE 1:100mm on A1 sheet



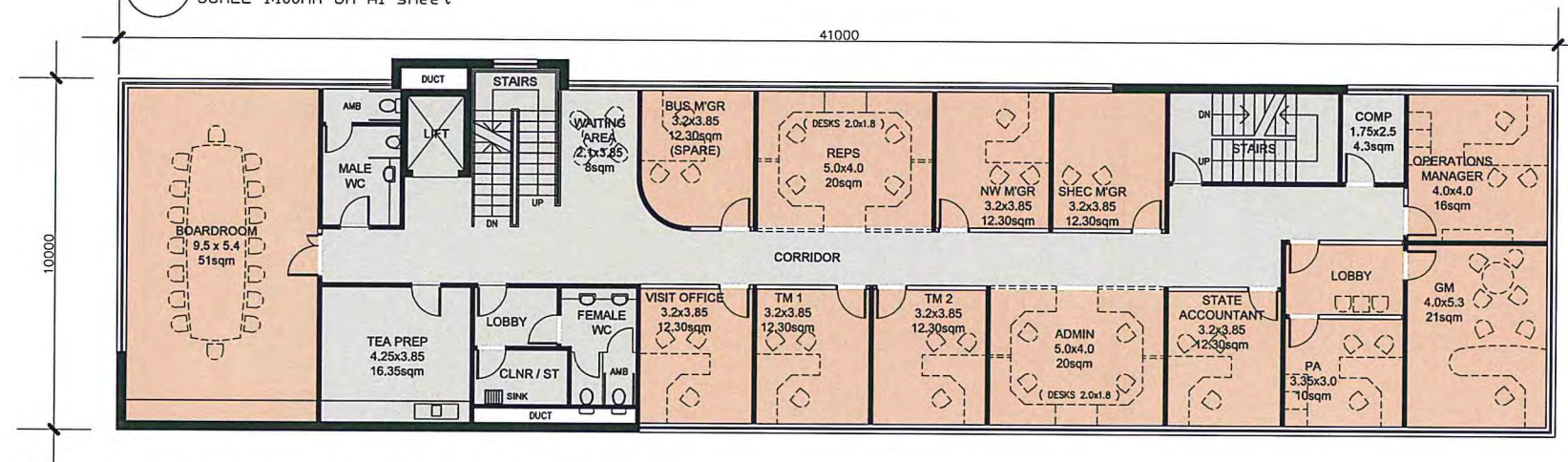
1	ISSUE FOR DEVELOPMENT APPROVAL	JULY 2013
REVISION	DATE	
PROJECT:	PROPOSED DEVELOPMENT SIMSMETAL HOLDINGS PTY LTD PT LOT 14, DONALDSON RD EXT, (PROPOSED LOT 100) KWINANA BEACH WA	
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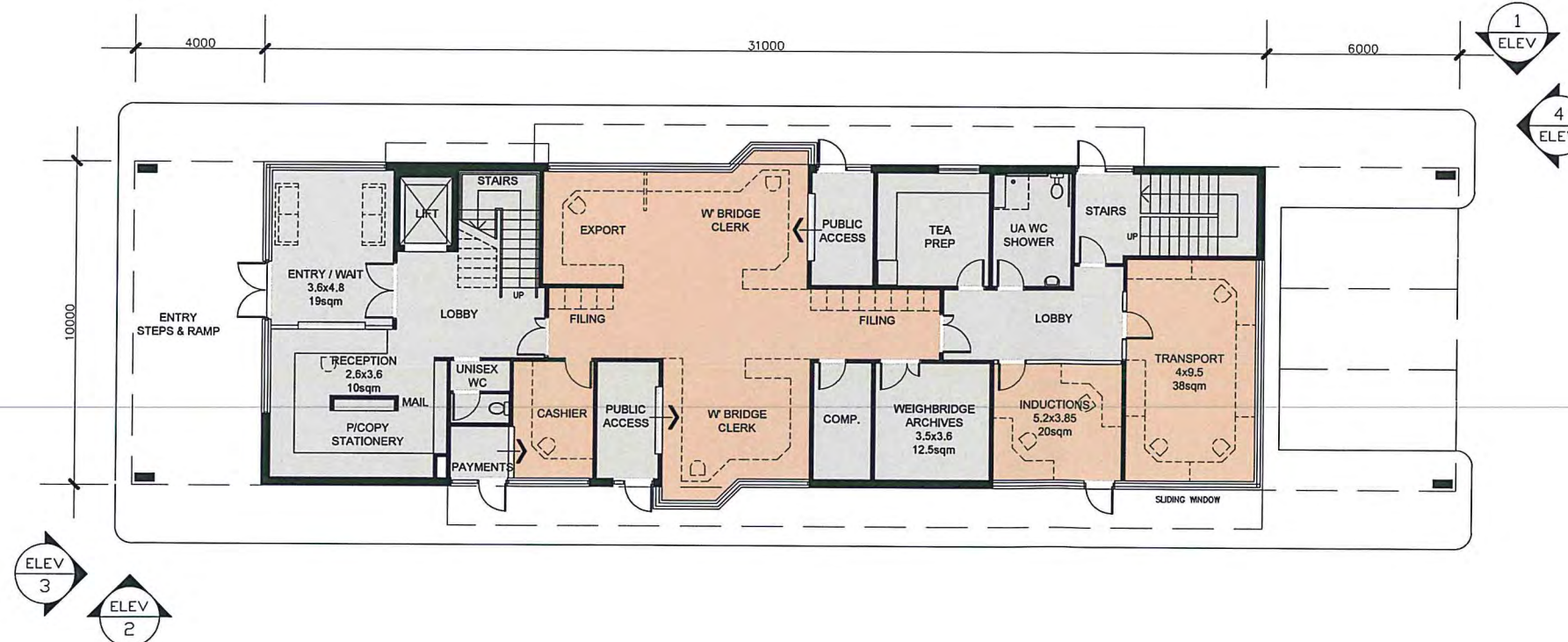
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YARD MANAGER, TRAINING AMENITIES		
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DRAWN	PROJECT NO	DRAWING NO
DATE	09/127	WKB-3-09-01DA
SCALE	AS SHOWN	REV 01 SHEET 11



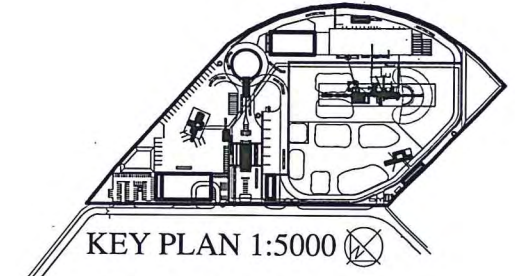
P ROOF PLAN (81sqm ENCLOSED AREA)
SCALE 1:100mm on A1 sheet



UPPER FLOOR PLAN (410 sqm)
SCALE 1:100 mm on A1 sheet



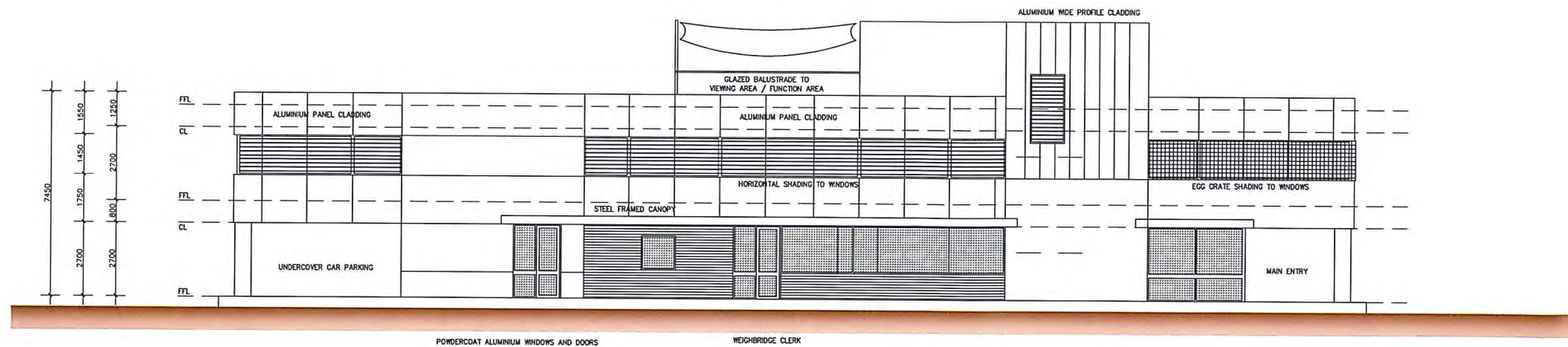
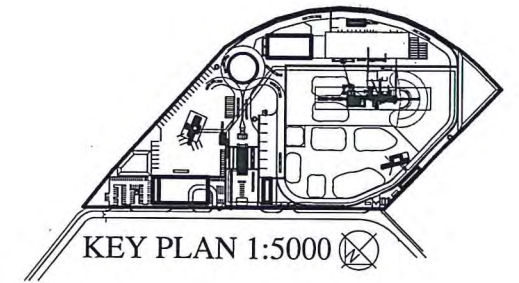
P GROUND FLOOR PLAN - WEIGHBRIDGE OFFICES (310sqm)
SCALE 1:100mm on A1 sheet



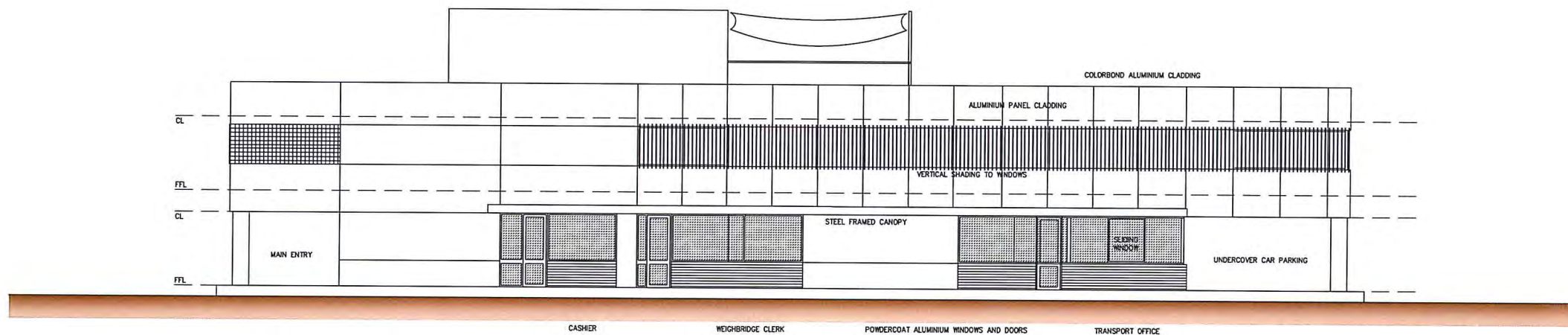
1 ISSUE FOR DEVELOPMENT APPROVAL JULY 2013
REVISION DATE
PROJECT 2
PROPOSED DEVELOPMENT
SIMSMETAL HOLDINGS PTY LTD
PT LOT 14, DONALDSON RD EXT,
(PROPOSED LOT 100)
KWINANA BEACH WA

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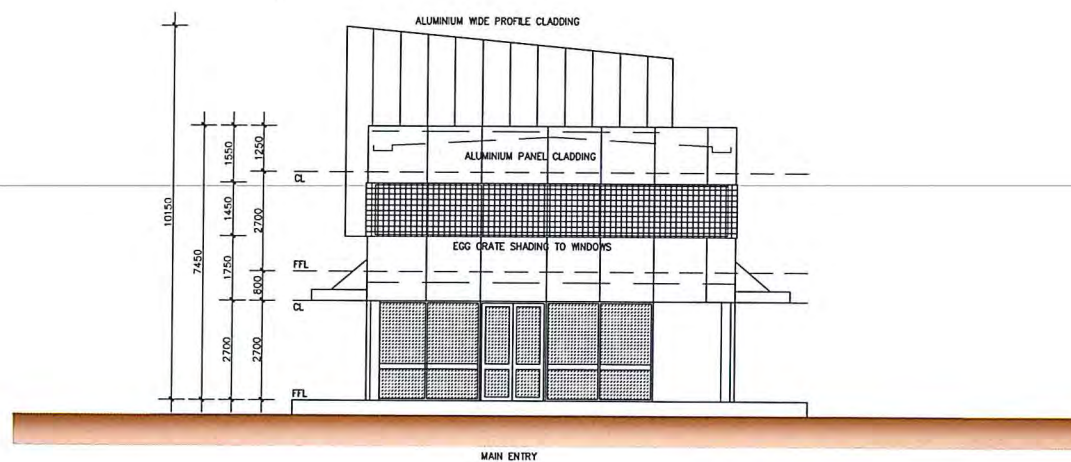
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DATE MAR 2013 09/127 WKB-3-08-01DA
SCALE REV 01 SHEET A1



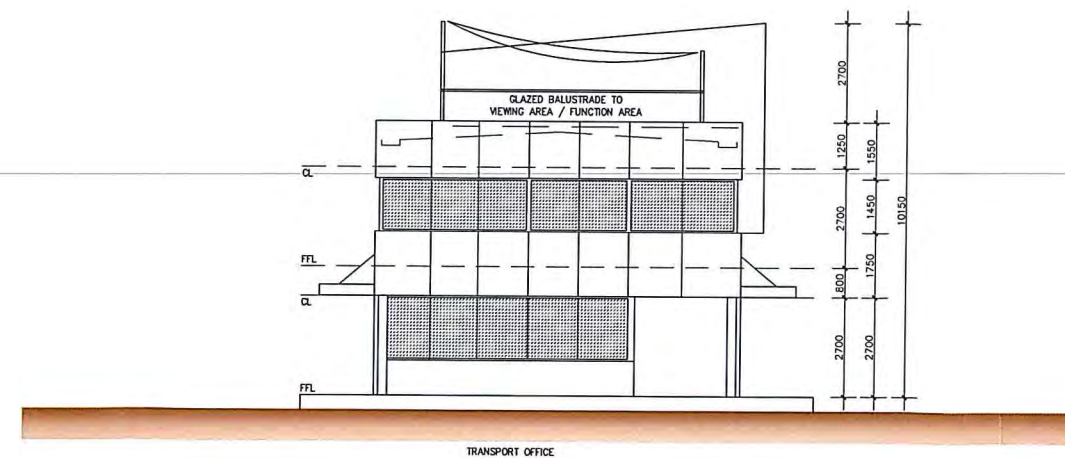
E1 ADMIN / WEIGHBRIDGE OFFICES - NORTH EAST ELEVATION
SCALE 1:100mm on A1 sheet



E2 ADMIN / WEIGHBRIDGE OFFICES - SOUTH WEST ELEVATION
SCALE 1:100mm on A1 sheet

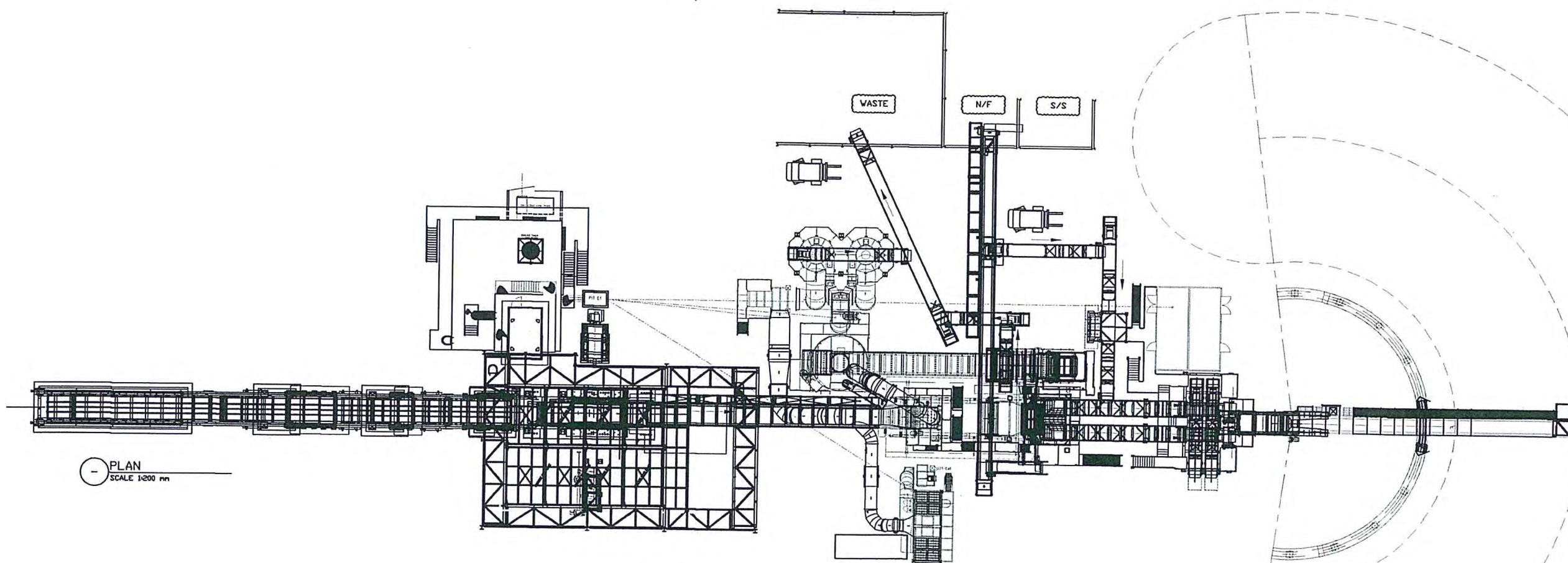
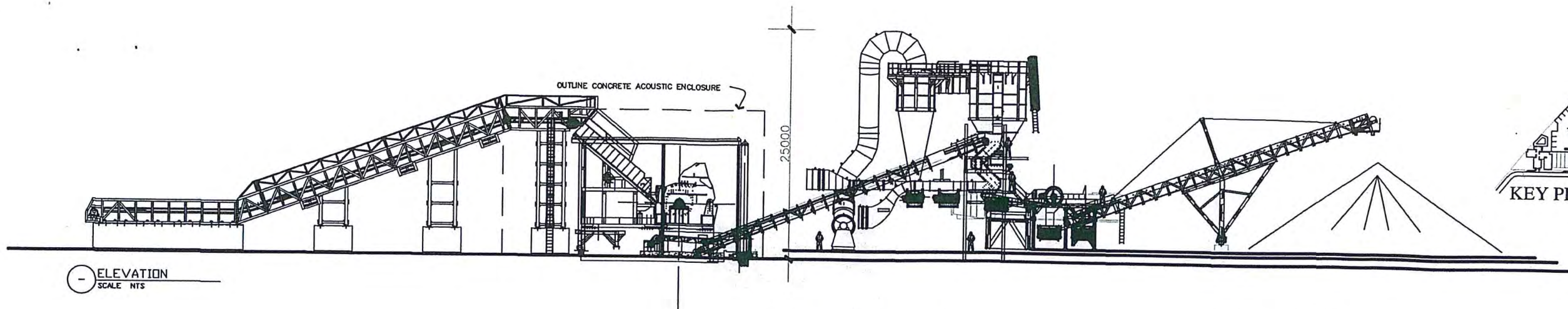


E3 NORTH WEST ELEVATION
SCALE 1:100mm on A1 sheet



E4 SOUTH EAST ELEVATION
SCALE 1:100mm on A1 sheet

1		ISSUE FOR DEVELOPMENT APPROVAL	JULY 2013
PROJECT	REVISION	DATE	
PROPOSED DEVELOPMENT			
SIMSMETAL HOLDINGS PTY LTD			
PT LOT 14, DONALDSON RD EXT,			
(PROPOSED LOT 100)			
KWINANA BEACH WA			
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09/127	MAR 2013		WKB-3-08-02DA
SCALE AS SHOWN	REV	01	SHEET A1



SHREDDER

1 ISSUE FOR ANDROID DEVELOPMENT APPROVAL OCT 2013

No	REVISION	DATE
1	PROPOSED DEVELOPMENT	
2	SIMSMETAL HOLDINGS PTY LTD	
3	PT LOT 14, DONALDSON RD EXT,	
4	(PROPOSED LOT 100)	
5	KWINANA BEACH WA	

ARCHITECT:

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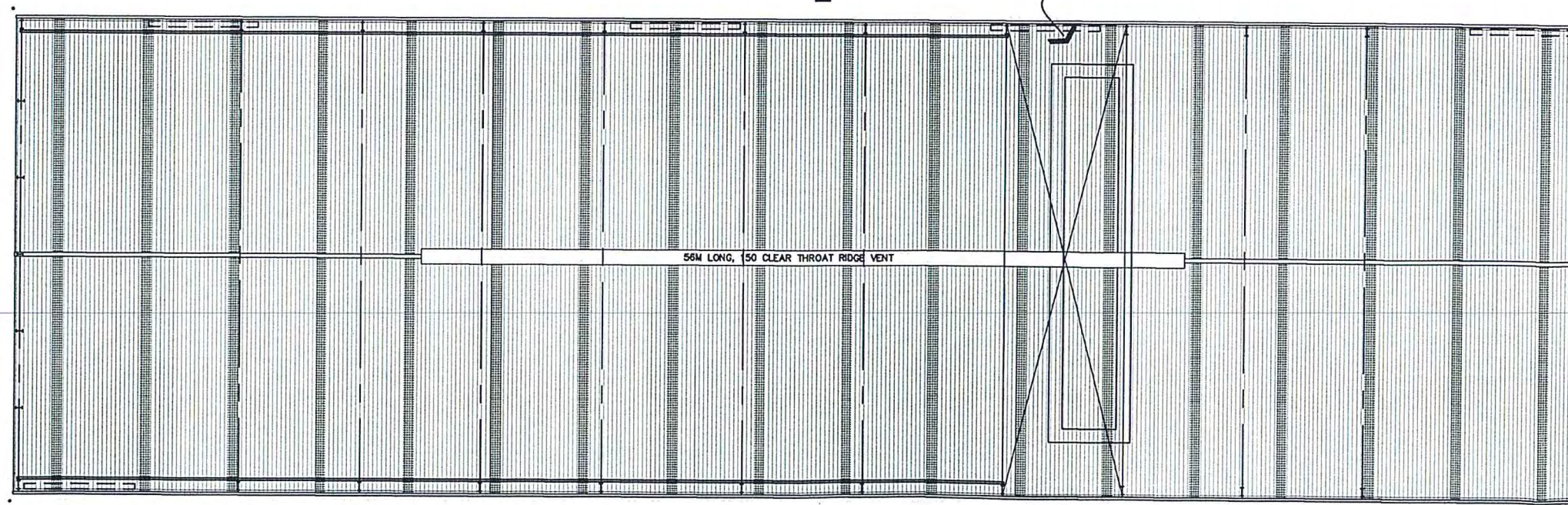
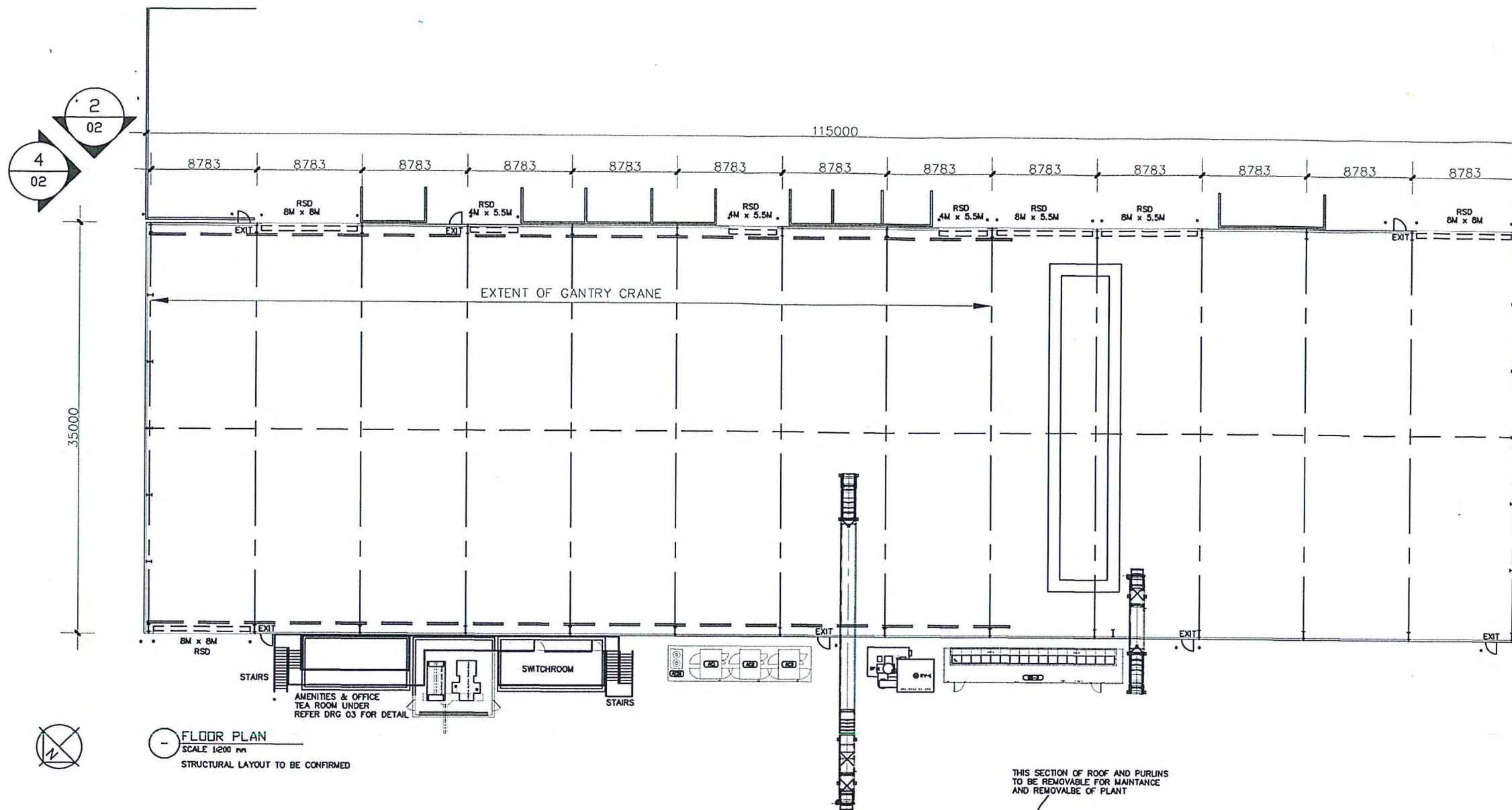
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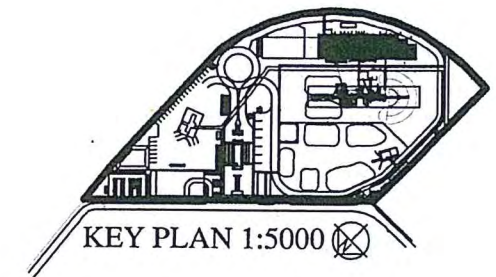
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DATE	PROJECT NO	DRAWING NO
09/127	WK8-3-05-01DA	
SCALE AS SHOWN	REV 01	SHEET A1



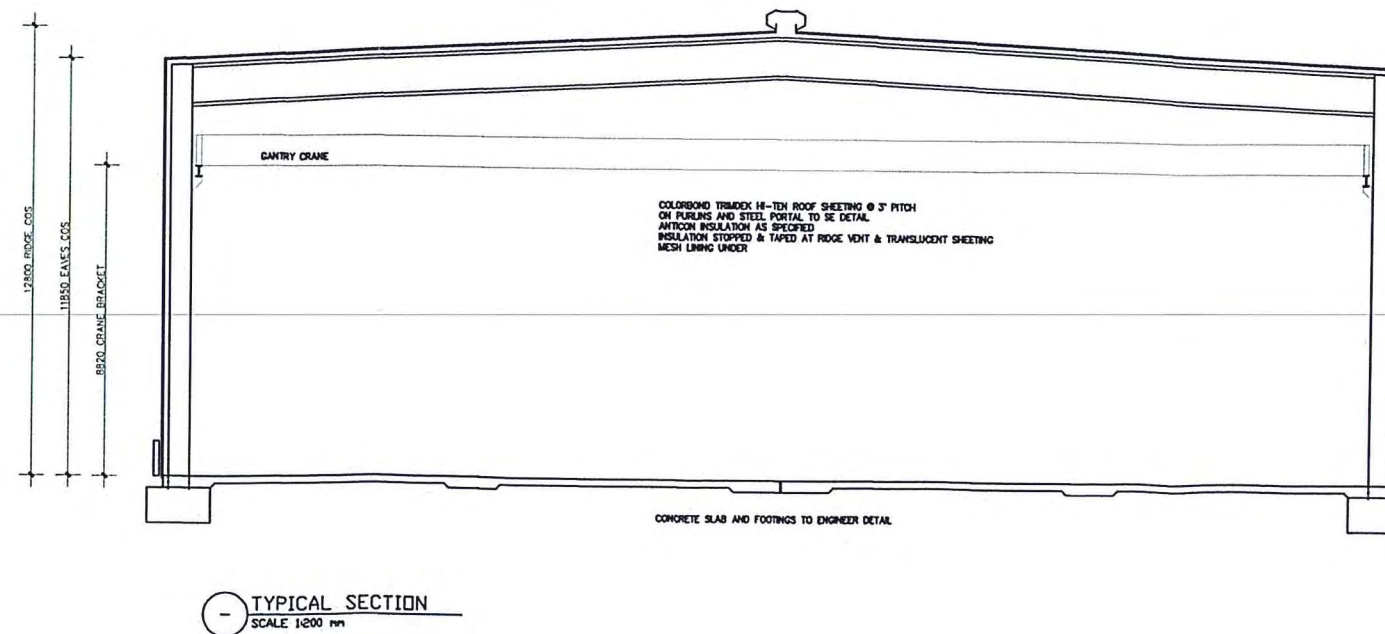
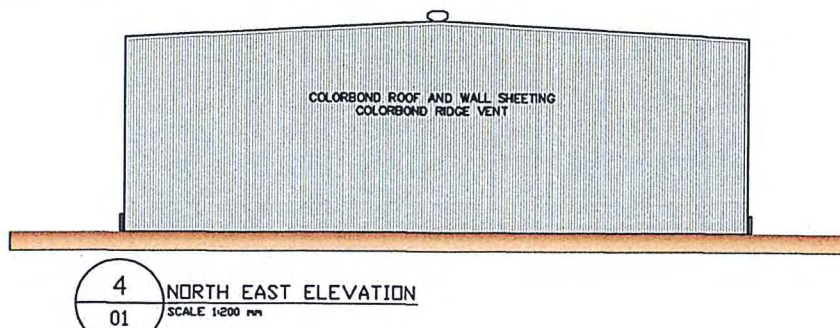
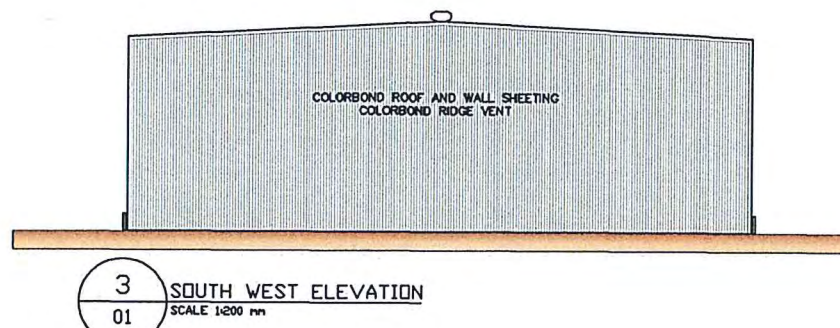
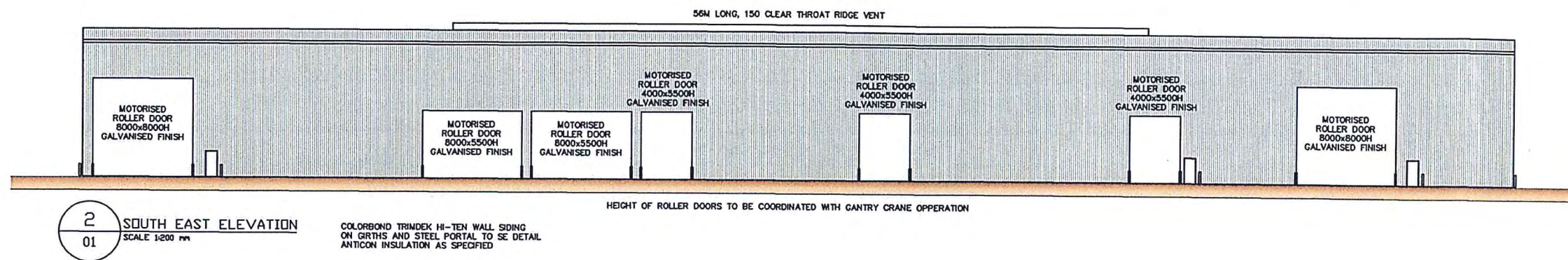
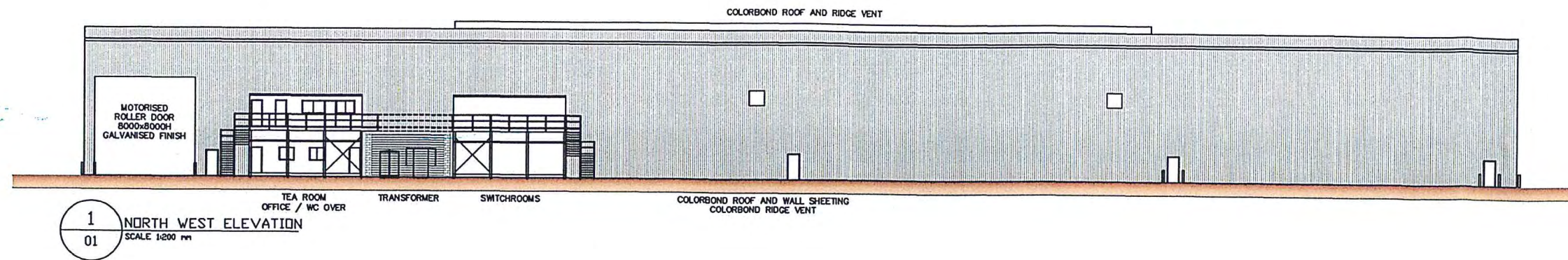
COLORBOND TRIMDEK HI-TEN ROOF SHEETING @ 3° PITCH
ON PURLINS AND STEEL PORTAL TO SE DETAIL
ANTICON INSULATION AS SPECIFIED
INSULATION STOPPED & TAPED AT RIDGE VENT & TRANSLUCENT SHEETING
MESH LINING UNDER
TRANSLUCENT ROOF SHEETING PANELS NOM 10% OF ROOF AREA - PROFILE TO MATCH ROOF SHEETING
ROOF ACCESS WALKWAYS TO STANDARD - LOCATIONS TO BE AGREED



1	ISSUE FOR ARCHITECT DEVELOPMENT APPROVAL	OCT 2013
No	REVISION	DATE
1	PROPOSED DEVELOPMENT SIMSMETAL HOLDINGS PTY LTD PT LOT 14, DONALDSON RD EXT, (PROPOSED LOT 100) KWINANA BEACH WA	

ARCHITECT:
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DRAWN DATE SCALE	PROJECT NO 09/127 APR 2013 AS SHOWN	DRAWING NO WKB-3-06-01DA REV 01 SHEET A1	



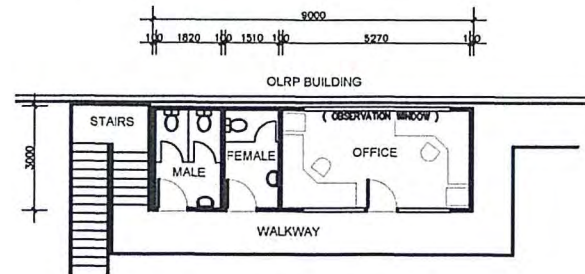
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REVISION	DATE	
PROJECT 1		
PROPOSED DEVELOPMENT		
SIMSMETAL HOLDINGS PTY LTD		
PT LOT 14, DONALDSON RD EXT,		
(PROPOSED LOT 100)		
KWINANA BEACH WA		

ARCHITECTS

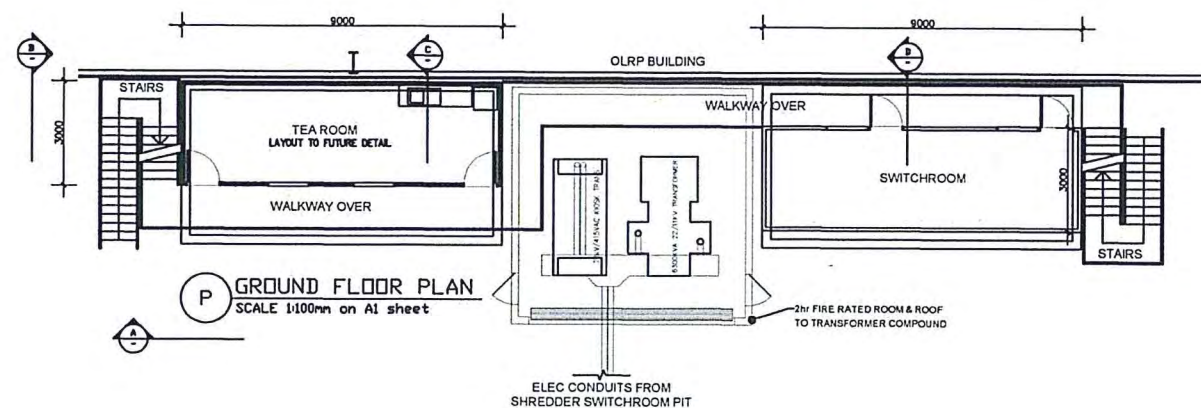
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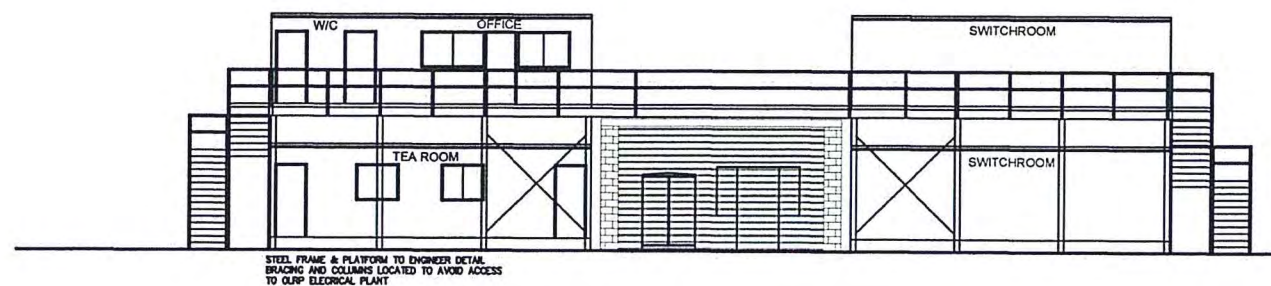
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ELEVATIONS			
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SCALE	AS SHOWN	REV	01 SHEET 41



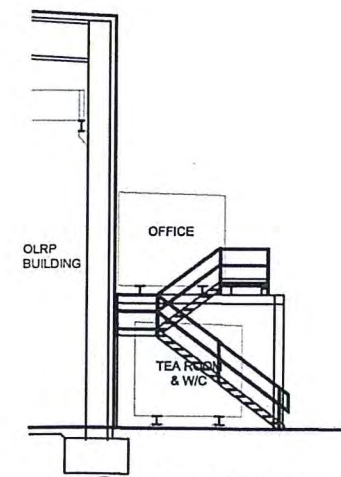
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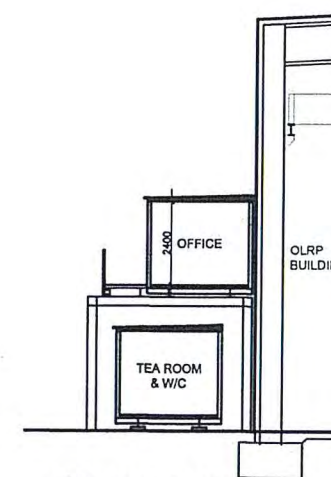
P GROUND FLOOR PLAN
SCALE 1:100mm on A1 sheet



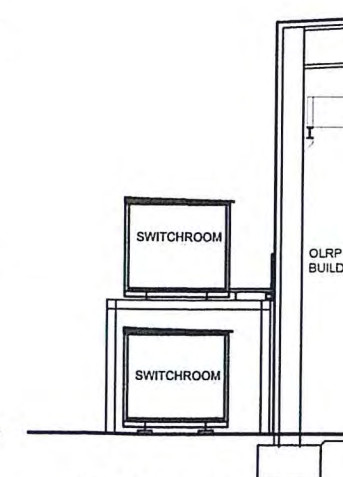
A FRONT ELEVATION
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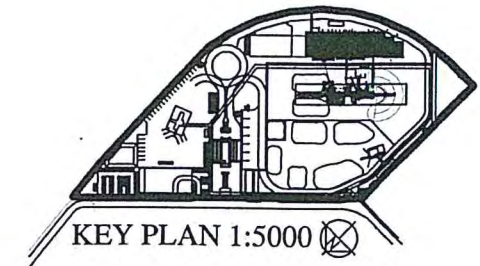
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SCALE 1:100mm on A1 sheet



C SIDE SECTION
SCALE 1:100mm on A1 sheet



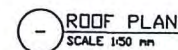
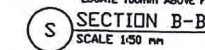
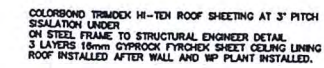
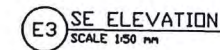
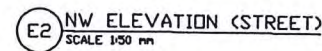
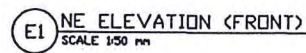
D SIDE SECTION
SCALE 1:100mm on A1 sheet



1 ISSUE FOR AMENDED DEVELOPMENT APPROVAL OCT 2013		
NO	REVISION	DATE
1	PROPOSED DEVELOPMENT SIMSMETAL HOLDINGS PTY LTD PT LOT 14, DONALDSON RD EXT, (PROPOSED LOT 100) KWINANA BEACH WA	

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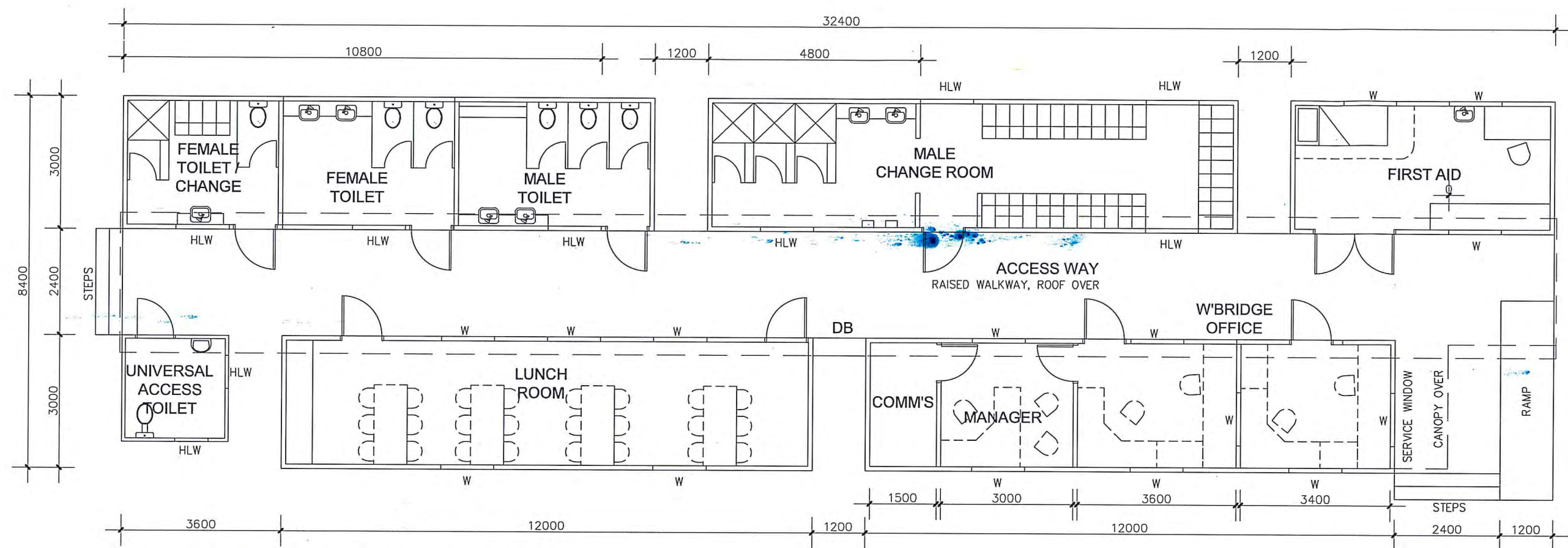
DOOR & WINDOW SCHEDULE

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REFER TO PLAN FOR DOOR SIZES

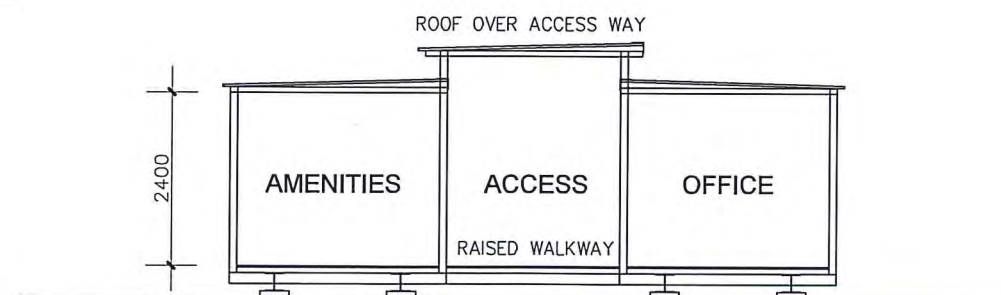
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ATTACHMENT 18

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DATE	DEC 2012	09/127	WKB3-15-01-DA
SCALE	AS SHOWN	REV	01 SHEET A1



P FLOOR PLANS - TEMPORARY OFFICES
 SCALE 1:50mm on A1 sheet
 REFER TO DRAWING WKB 304 FOR LOCATION ON SITE



S TYPICAL SECTION THRU OFFICES & AMENITIES
 SCALE 1:50mm on A1 sheet

ATTACHMENT 19

<div> <div> <div>ooc projects</div> <div> 544 Newcastle Street West Perth 6005 Western Australia T: +61 (08) 9227 3353 E: info@oocprojects.com.au </div> </div> </div>				DRAWN JK DATE OCT 2013 SCALE 1:50 SHEET SIZE A1	PROJECT TITLE TEMPORARY BUILDINGS	PROPOSED LOT 100 DONALDSON RD EXT KWINANA BEACH WA	DRAWING No. WKB 311 PROJECT No 09/127	REV. 1
1	06.04.2014	ISSUE FOR DEVELOPMENT APPROVAL	JK					
No.	DATE	REVISION	BY	APP'D				



Form 1 - Responsible Authority Report (Regulation 12)

Application Details:	Construction of Stage 2 of the Sims Metal Recovery (Recycling and Processing) Facility at Kwinana Beach
Property Location:	Lot 14 Donaldson Road, Kwinana Beach
DAP Name:	Metropolitan South-West Joint Development Assessment Panel
Applicant:	ADC Projects Pty Ltd
Owner:	W.A. Land Authority (LandCorp)
LG Reference:	City of Kwinana DA7610
Responsible Authority:	Department of Planning
Authorising Officer:	Sue Burrows, Executive Director Perth and Peel Planning
Application No. and File No:	DoP Ref 26-50180-2/1, DAP Ref DP/14/00505
Report Date:	14 May 2014
Application Receipt Date:	1 April 2014
Application Process Days:	44 days
Attachment(s):	1 - MRS Location Plan 2 - Stage 1 and Stage 2 Plan 3 - Subdivision Approval Plan of Proposed Lot 100 Donaldson Road

Recommendation:

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

Approve DAP Application reference DP/14/00505 and accompanying plans date stamped 4 March 2014 by the Department of Planning in accordance with the provisions of the Metropolitan Region Scheme (MRS), subject to the following conditions and advice notes:

Conditions

1. Drainage systems are to be designed and constructed consistent with the Stormwater Management Manual for Western Australia.

Advice notes

- a) The Public Transport Authority advises the applicant/developer of the following:
 - i) No access is permitted into the rail reserve;
 - ii) Drainage/water run-off is to be directed away from the rail reserve and/or contained within the subject site; and
 - iii) No debris is to be thrown/blown onto the rail corridor as it may be a safety hazard.

- b) The Department of Water's Water Quality Protection Note (WQPN) 52, 'Stormwater management at industrial sites' should be referred to for further advice regarding drainage system designs within industrial areas. An electronic version can be found at www.water.wa.gov.au.
- c) The applicant/developer is advised that pursuant to Section 41 of the *Dampier to Bunbury Pipeline Act 1997*, restrictions will apply to the area of land contained within the Dampier to Bunbury Natural Gas Pipeline (DBNGP) corridor. The proponent will be required to apply for a Section 41 approval specifically for:
 - i) Any possible encroachment by construction personnel, equipment, excess building materials and spoils during construction;
 - ii) Access road construction and movements of heavy machinery across the DBNGP corridor; and
 - iii) Any proposal to register on the land title any new interest within the DBNGP corridor.

Background:

Property Address:	Lot 14 Donaldson Road, Kwinana Beach
Zoning	MRS: Industrial
	TPS: General Industry
Use Class:	TPS: Open air storage yard (AA use), Vehicle wrecking (AA use), Office (IP use)
Lot Size:	Subject site (proposed Lot 100) approximately 10 hectares in size via subdivision proposal WAPC Ref: 144462 (approved 22 September 2011)
Existing Land Use:	Stage 1 of construction completed
Value of Development:	\$15 million

On 28 November 2012, development approval was issued by the Metropolitan South West Joint Development Assessment Panel (MSWJDAP) for the construction of a new Sims Metal facility at Lot 14 Donaldson Road, Kwinana Beach (**Attachment 1** - MRS Location Plan). Sims Metal has completed construction works for Stage 1 of their approved metal recycling facility and internally reorganised the location for various land uses at the south eastern corner of Lot 14 (the subject land). (**Attachment 2** - Stage 1 and Stage 2 Plan)

The November 2012 MSWJDAP approval acknowledged that the former Department of Environment and Conservation (now Department of Environment Regulation - DER) would defer issuing a clearing permit until all the leases, licencing and planning approvals had been finalised. These approvals have now been issued, inclusive of the DER's Works Approval and licence conditions as confirmed by the applicant.

Details: Outline of Development Application

Stage 1 Completed Works

1. all in ground Stage 1 drainage services for proposed Lot 10 Donaldson Road including site drainage and soakage basins (**Attachment 3** - Subdivision Approval Plan of Proposed Lot 100 Donaldson Road);
2. all surface treatments and finishes to the Stage 1 area;
3. full perimeter fencing and landscaping; and
4. construction of the following:
 - shredder;
 - off-line recovery plant (formerly named non-ferrous recovery plant);
 - weighbridge;
 - wash down bay; and
 - car bodies pre-process (formerly named Shed in public drop-off area).

Stage 2 Proposed Works

Stage 2 includes:

1. all in ground services proposed for Stage 2;
2. all surface treatments and finishes for Stage 2; and
3. the construction of the following:
 - staff car park;
 - offices and amenities buildings;
 - workshop;
 - non-ferrous shed;
 - baler;
 - static shear; and
 - container loader.

The proposed Stage 2 works will locate higher noise and dust generating activities further to the west, placing the material stockpiles (to be recycled) closer to the constructed shredder and double the capacity of the sumps to accommodate stormwater. Larger stormwater sumps will accommodate stormwater retention for a 1 in 100 year flood event.

Legislation & Policy:

Legislation

Planning and Development Act 2005.

Metropolitan Region Scheme (MRS) 1963.

Planning Guidelines and Manuals

WAPC and Department of Water's Better Urban Water Management (October 2008).

WAPC's Planning Bulletin 87 *High Pressure Gas Transmission Pipelines in the Perth Metropolitan Region* (October 2007).

Consultation:

The proposed development for Stage 2 was referred to the Water Corporation (WC), Western Power (WP), APA Group, ATCO Gas, Department of Parks and Wildlife (DPaW), Department of Mines and Petroleum (DMP), Dampier to Bunbury Natural Gas Pipeline Nominees (DBP), Department of Health (DoH) Department of Water (DoW), Landgate, Department of Environment Regulation (DER), Department of Lands (DoL), and the Public Transport Authority of WA (PTA).

All the above have no objection to Stage 2 of the proposed development.

The DER has advised that Lot 14 Donaldson Road is a contaminated site. Groundwater testing has uncovered the widespread presence of nitrate contamination at concentrations exceeding Marine Water Ecosystem criteria as published in "Assessment Levels for Soil, Sediment and Water". However, no groundwater abstraction is proposed for the Sims Metal recycling facility.

The PTA, DBP and DoW advice has not altered from the previous (approved) development application. Suitable advice notes are recommended.

The DoH's advice acknowledges the need for the proponent to comply with the DER's Works Approval and licence conditions. This does not require a response by way of a condition or advice note.

Planning assessment:

Clause 30 (1) of the MRS sets out the following factors when determining a development application:-

1. the purpose for which the land is zoned or reserved under the Scheme;
2. the orderly and proper planning of the locality; and
3. the preservation of amenities of the locality.

Assessment against Clause 30 (1) is informed by the following:

The applicant has outlined that the relocation of the off line recovery plant to the west of the already constructed shredder will reduce the level of noise and dust that emanates from this machine, acting as a screen wall.

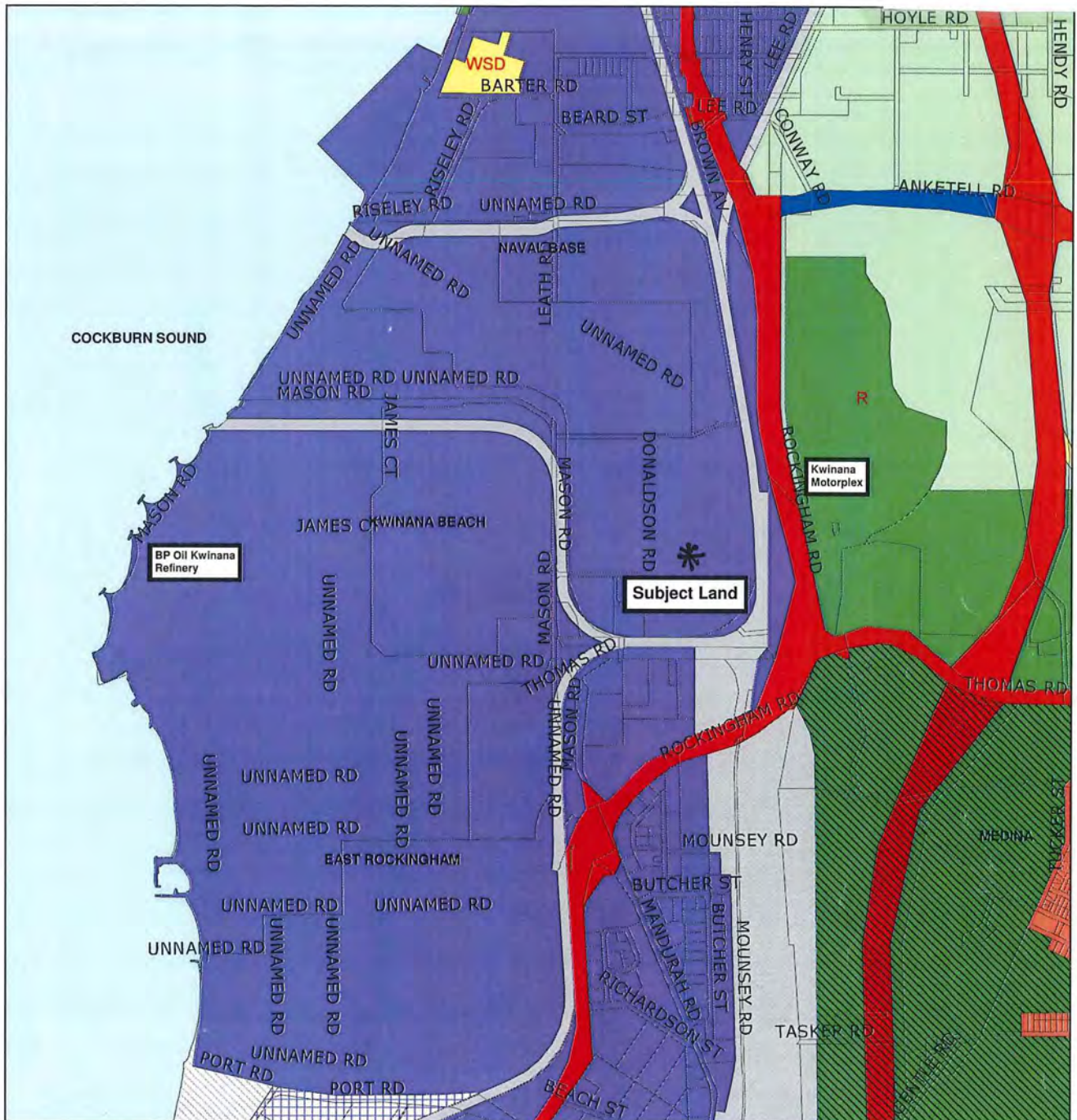
The size of the soakage swale has been increased in size to accommodate a 1 in 100 year stormwater event. These stormwater basins are required to be appropriately fenced in accordance with the Stormwater Management Manual.

The proposal is consistent with the site's General Industry zoning under the MRS.

The Stage 2 development works will respond to the need to accommodate necessary stormwater requirements and manage more effectively noise and dust impacts from site activities.

Conclusion:

The proposed development is consistent with the planning framework for the area. Conditional approval is recommended.



	Cadastre with Lot Numbers		RURAL		RAILWAYS
	Bushforever Area		PRIMARY REGIONAL ROADS		PORT INSTALLATIONS
	Redevelopment and Act Areas		OTHER REGIONAL ROADS		PP - SPECIAL USES
	URBAN		WATERWAYS		PP - WATER AUTHORITY OF W A
	INDUSTRIAL		PARKS & RECREATION		
	SPECIAL INDUSTRIAL		PARKS & RECREATION RESTRICTED		

Scale 1:25,259
0 500 m

Prepared by: achhabra
Prepared for: AChhabra
Date: Wednesday, November 28, 2012 16:58
Plot identifier: P20121128_1658

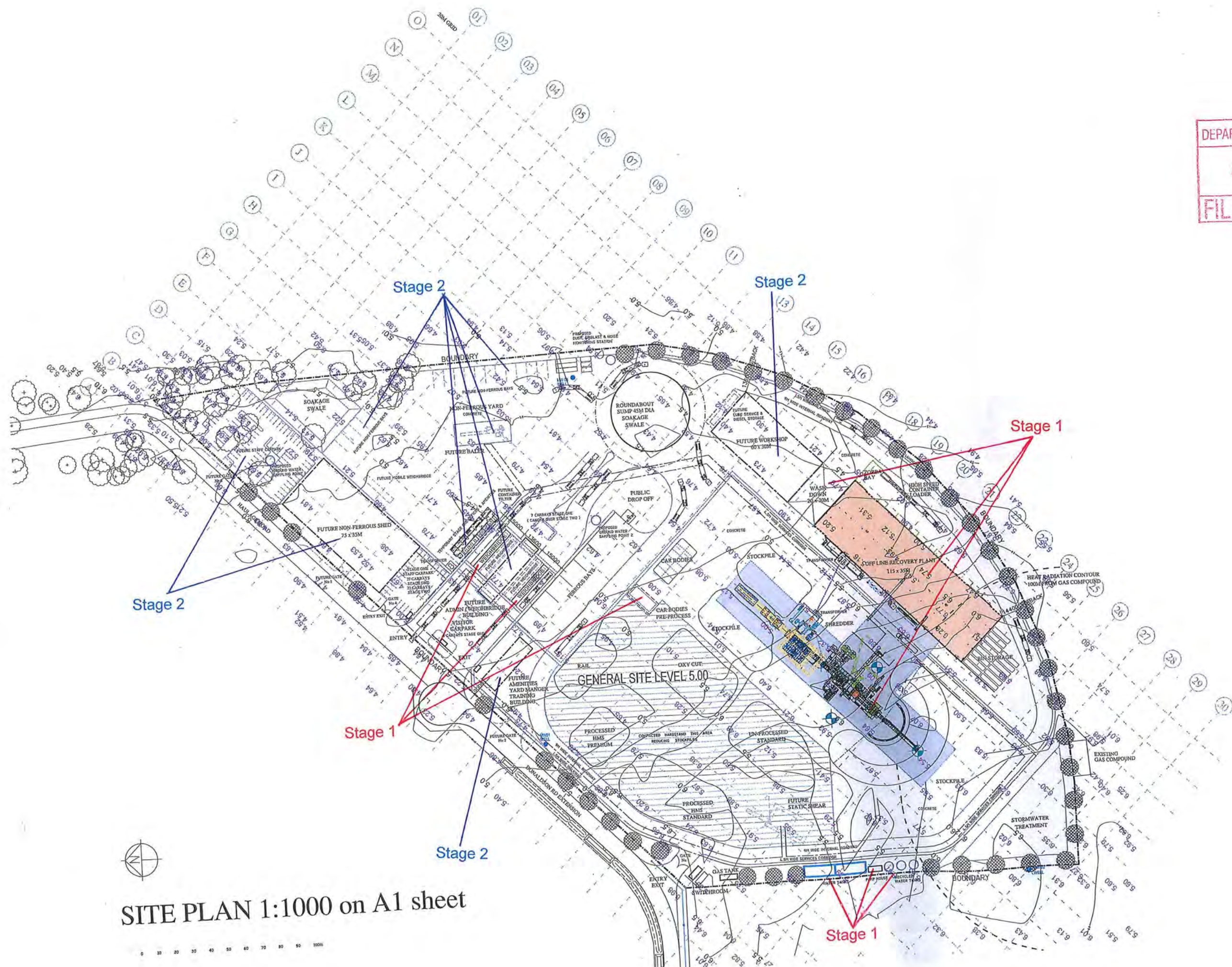
DP INTERNAL USE ONLY



Government of Western Australia
Department of Planning

Location Plan MRS
Proposed Metals Processing Facility
Kwinana Beach

DEPARTMENT OF PLANNING
4 MAR 2014
FILE 26-50180-2



SITE PLAN 1:1000 on A1 sheet

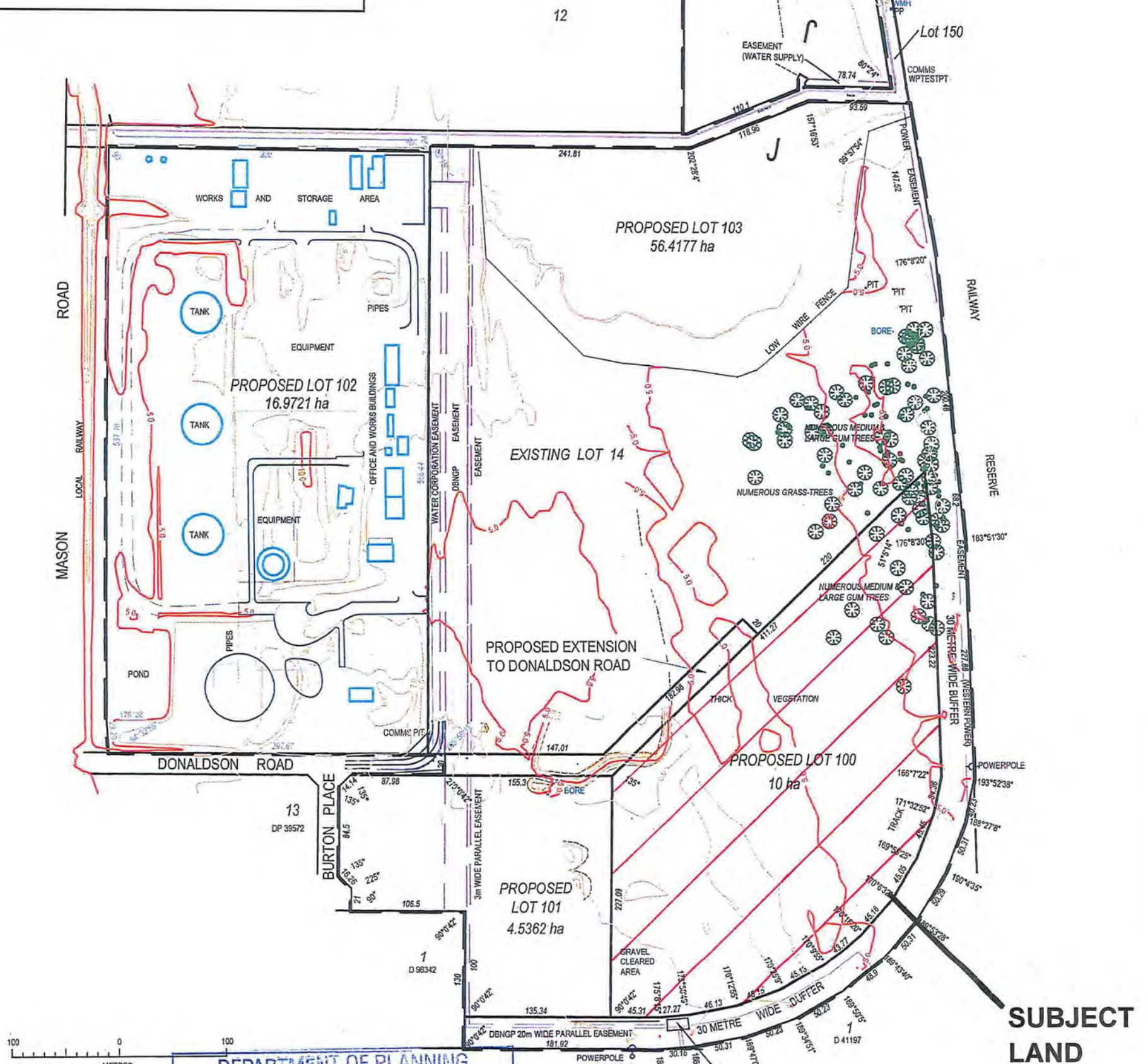
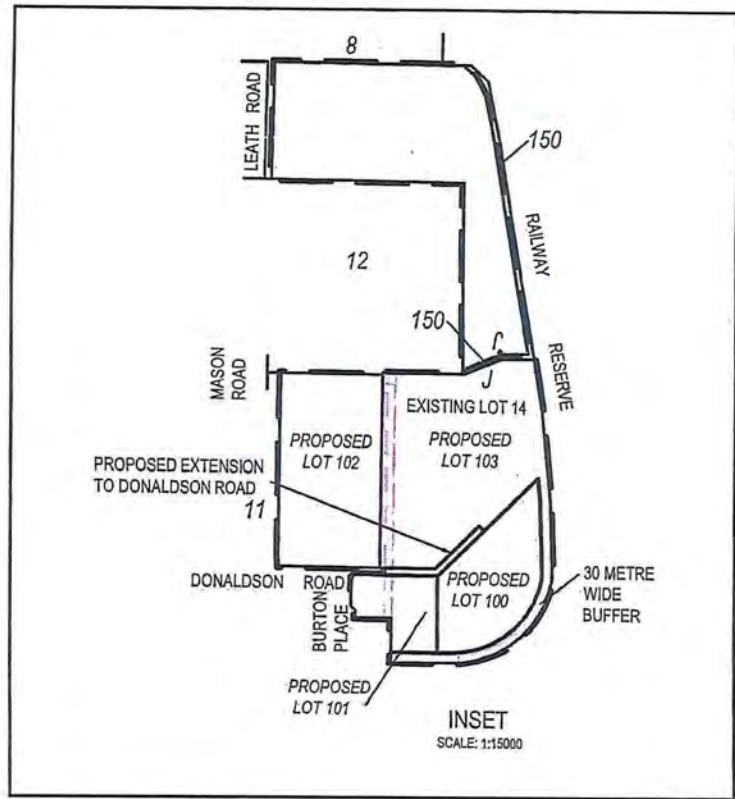
3 ADVERTISES BID SETBACK, TEMP BLDG IN STAGE ONE APR 2014
2 CAR PARKING BAYS NOTED MAR 2014
1 ISSUE FOR AMENDED DEVELOPMENT APPROVAL OCT 2013

REVISION	DATE
1	

PROJECT
PROPOSED DEVELOPMENT
SIMSMETAL HOLDINGS PTY LTD
PT LOT 14, DONALDSON RD EXT,
(PROPOSED LOT 100)
KWINANA BEACH WA

ARCHITECT:
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SCALE	AS SHOWN	REV 03	SHEET A1



DEPARTMENT OF PLANNING

DATE

27 JUN 2011

FILE

144462

NO. OF ORIGINAL LOTS: 1
NO. OF PROPOSED LOTS: 4 PLUS ROAD
TOTAL AREA: 88.6027 ha
LOT NO: 14 ON DP 39572
CT VOL. 2230 FOL. 47
LOCALITY: KWINANA NAVAL BASE
LOCAL AUTHORITY: TOWN OF KWINANA

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JOB No: LASS110111FEATURE SURVEY	SURVEYOR: CARLTON SURVEYS & S.B.	SITE: KWINANA BEACH KWINANA / NAVAL BASE LOT 14 LEATH ROAD / DONALDSON ROAD	SCALE 1:3000 AT A
COAD FILE: FS 28-2-2011 COMBINED MS.ccx	DRAWN: M.S.	TITLE: PROPOSED SUBDIVISION	DWG NO. SB11011
DATUM: AHD	DATE: 21.6.2011	CLIENT: LANDCORP	
GRID: PCG 94	CHECKED: N.P.		

Cardno
Spectrum Survey
ADN 75 009 210 331
2 BAGOT ROAD, SUBIACO W.A. 6008
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email: perth@cardno.com.au

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