



Metro South-West Joint Development Assessment Panel Agenda

Meeting Date and Time: Friday, 7 March 2014; 10:30am
Meeting Number: MSWJDAP/38
Meeting Venue: Department of Planning
140 William Street, Perth – L2.39

Attendance

DAP Members

Mr David Gray (Presiding Member)
Mr Ian Birch (Deputy Presiding Member)
Mr Robert Nicholson (Specialist Member)
Cr Carol Reeve-Fowkes (Local Government Member, City of Cockburn)
Cr Bart Houwen (Local Government Member, City of Cockburn)
Cr Richard Smith (Local Government Member, City of Rockingham)
Cr Joy Stewart (Local Government Member, City of Rockingham)

Officers in attendance

Ms Ivin Lim (Development Assessment Panels)
Mr Troy Cappellucci (City of Cockburn)
Mr Mike Ross (City of Rockingham)
Mr David Waller (City of Rockingham)
Mr Jason Bouwhais (Department of Planning)
Mr Paul Sewell (Department of Planning)

Department of Planning Minute Secretary

Ms Dallas Downes (Development Assessment Panels)

Applicants and Submitters

Mr Daniel Sandbrook (Aztec Architects)
Mr Michael Kevill (TPG)

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

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

The Minutes of the Metro South-West JDAP Meeting No.37 held on 4 March 2014 were not available at time of Agenda preparation.

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:	13 (Lot 115) O`Connor Close NORTH COOGEE
	Application Details:	32 Multiple Dwellings
	Applicant:	Aztec Architects
	Owner:	South Metropolitan Youth Link
	Responsible authority:	City of Cockburn
	Report date:	28/02/2014
	DoP File No:	DP/13/00978

8.2	Property Location:	Multiple properties in private and public ownership
	Application Details:	Proposed South Baldivis to East Rockingham Wastewater Pressure Main with a length of 10.1 km within the City of Rockingham
	Applicant:	TPG
	Owner:	Various Landowners
	Responsible authority:	WAPC
	Report date:	28/02/2014
	DoP File No:	DP/14/00051

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

Nil



10. Appeals to the State Administrative Tribunal

Nil

11. Meeting Closure



Form 1 - Responsible Authority Report

(Regulation 12)

Application Details:	32 Multiple Dwellings
Property Location:	13 (Lot 115) O'Connor Close NORTH COOGEE
DAP Name:	Metro South-West JDAP
Applicant:	Aztec Architects
Owner:	South Metropolitan Youth Link
LG Reference:	2213444 & DAP13/015
Responsible Authority:	City of Cockburn
Authorising Officer:	Troy Cappellucci Acting Coordinator – Statutory Planning
Department of Planning File No:	DP/13/00978
Report Date:	28/02/2014
Application Receipt Date:	17/12/2013
Application Process Days:	65
Attachment(s):	<ol style="list-style-type: none">1. General Context Plans2. Floor Plans3. Elevations4. Unit Layouts5. Waste Management Plan6. Perspectives & Photo Montage

Recommendation:

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

Approve the Development Assessment Panel Application (DAP13/015) and accompanying amended plans (Plans 1 to 11 dated received 27 February 2014) for the development of 32 multiple dwellings over No. 13 O'Connor Close, North Coogee, 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. 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.
2. **Prior to the submission of a Building Permit application**, the submission of a revised detailed Landscape Plan for assessment and approval by the City is required. The Landscape Plan shall include the following:
 - a) The location, number and type of proposed planting;
 - b) The size of selected species at planting and maturity;
 - c) Those areas to be reticulated or irrigated;
 - d) Details of any common area lighting; and
 - e) Verge treatments.

3. Landscaping is to be established and reticulated in accordance with the approved detailed landscape plan prior to the occupation of the dwellings. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.
4. **Prior to the submission of a Building Permit application**, details of the selected intercom system which will allow visiting vehicles to contact units within the development in order to gain access to the secured visitor parking bays shall be provided to the satisfaction of the City.
5. Notification in the form of a memorial under Section 70A of the Transfer of Land Act 1893 as amended shall be lodged against the title and incorporated into the strata management plan advising of the potential impacts of noise and vibration associated with the proximity of the site to the freight rail line. The memorial(s) are to be lodged against the title prior to any subdivision or strata titling of the subject property.
6. When submitting the Building Permit application, the applicant is to provide a report from a recognised acoustic consultant confirming that all recommendations made in the Lloyd George Acoustics Noise Report dated received 24 January 2014 as well as those made by the report required by Condition 5 demonstrating compliance with Australian Standard 2670.2-1990 *"Evaluation of human exposure to whole-body vibration; Part 2: Continuous and shock induced vibration in buildings"* and the requirements of the South Beach Village Noise Management Strategy (and attachments) have been incorporated into the proposed development.
7. A final assessment of the completed development must be conducted by the acoustic consultant to certify that recommendations made in the amended Lloyd George Acoustic Report dated received 24 January 2014 and Noise Report required by condition 5 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.
8. 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.
9. Arrangements being made to the satisfaction of the Chief Executive Officer for the pro-rata developer contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for Development Contribution Area 13 – Community Infrastructure.
10. The 15m wide reserve identified as public open space adjacent to the railway reserve on the approved South Beach Village Structure Plan being shown on any future Diagram or Plan of Survey as a "Reserve for Recreation" and vested in the Crown under section 152 of the Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown to the satisfaction of the City.

11. **Prior to the submission of a Building Permit application**, a public open space development plan for the 15m wide open space reservation adjacent to the railway being submitted to and approved in writing by the City.
12. The works required by the public open space development plan required by Condition 11 shall be implemented by the applicant/owner prior to the occupation of the development to the satisfaction of the City. The cost of these works shall be fully borne by the applicant/owner.
13. **Prior to the submission of a Building Permit application**, plans are to be provided detailing fencing between the rear of the lot and the public open space. Suitable screening treatment that serves to generally conceal views of the at-grade parking area from the adjacent public open space are to be provided to the satisfaction of the City.
14. The surface finish of the boundary wall abutting the adjoining lot is to be either face brick or rendered the same colour as the external appearance of the development to the satisfaction of the City. In all instances, the work is to be of a high standard.
15. 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 14 bicycle bays (11 for residents, 3 for visitors). Details of the bicycle parking shall be submitted to the City for assessment and approval prior to lodgement of a Building Permit.
16. A minimum of 8 visitor parking bays must be provided for the development in accordance with the visitor parking requirements of Parts 5.3.3 C3.2 and 6.3.3 C3.1 of the R-Codes.
17. **Prior to the submission of a Building Permit application**, a detailed Dust Management Plan must be submitted to and approved by the City. 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).
18. 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 to the satisfaction of the City.
19. The proposed crossovers must be located and constructed in accordance with the City's requirements.
20. 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.
21. The allocation of car parking bays to specific dwellings is to be reflected on any strata plan for the subject property to the City's satisfaction.

22. The required on-site residential visitor parking bays shown on the approved plans shall be clearly delineated (marked, signed) on-site, available for use within the development free of cost for the bona fide visitors of the occupants of the dwellings the subject of this approval, for the life of the development, and reflected as such on any strata plan as part of the common property of the strata scheme. No by-law pursuant to the Strata Titles Act 1985 shall be made that assigns any exclusive use of the visitor parking bays to any strata lot.
23. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points, where a driveway and/or parking bay meets a public street or limited in height to 0.75.
24. All stormwater being contained and disposed of on-site to the satisfaction of the City.
25. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
26. The approved development must clearly display the street number/s.
27. **Prior to the submission of a Building Permit application**, a Construction Management Plan is to be submitted to and approved by the City and all measures identified in the plan are to be implemented during the construction phase to the satisfaction of the City.
28. 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).
29. Provisions identified in the Waste Management Plan dated and approved by the City, dated received 10 January 2014, which include recycling measures and management of residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.
30. **Prior to the submission of a Building Permit application**, details are to be submitted and approved by the City showing the modified two (2) on-street bays complying with the City's requirements.
31. **Prior to the submission of a Building Permit application**, revised plans are to be submitted and approved by the City detailing that the two (2) visitor bays located behind the proposed remote activated sliding gate, be modified to be allocated for the use of residents.
32. 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.

Footnotes

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, or the planning controls applicable to the land and/or location, the City's Statutory Planning Services team should be consulted.
4. The development is to comply with the requirements of the National Construction Code. In this regard, it is recommended the City's Building Services team should be consulted prior to the commencement of working drawings.
5. With regard to Condition 20, 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 24, 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. 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.
9. 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.
10. Appropriate separation must be provided between the laundry and kitchen facilities within the apartments, as required by the Health Act (Laundries and Bathrooms) Regulations 1971 and the City of Cockburn Health Local Laws 2000.

11. In regards to conditions 19 and 30, please liaise with the City's Engineering Department.
12. In regards to condition 17, 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.
13. With regards to Condition 5, the memorial should state as follows:

"This lot or dwelling is within 50m of an operating freight rail line servicing the Port of Fremantle and industrial areas and operates 24 hours a day, 7 days a week. Residential amenity may be affected by noise and vibration and other impacts from freight rail traffic using the rail line."
14. 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.

Background:

Insert Property Address:	13 (Lot 115) O'Connor Close NORTH COOGEE
Insert Zoning	MRS: Urban
	TPS: Development – R60/R100
Insert Use Class:	Multiple Dwellings
Insert Strategy Policy:	-
Insert Development Scheme:	City of Cockburn Town Planning Scheme No. 3
Insert Lot Size:	2252m ² (total)
Insert Existing Land Use:	Vacant
Value of Development:	\$9.2 million

The subject site incorporates a lot on the eastern side of O'Connor Close in North Coogee. The site abuts a railway reserve to the west, vacant grouped/multiple dwelling lots to the south and two-storey residential dwellings to the east across O'Connor Close. The site is located within an area of North Coogee referred to as the South Beach Village. A previous approval (DA08/0231, issued 6 June 2008) allowed the construction of 10 Multiple Dwellings on the site. This approval has since expired.

Details: outline of development application

The proposal can be described as follows:

- 32 Multiple Dwellings consisting of one seven-storey plus roof terrace building comprising a total of six (6) one bedroom units and twenty-six (26) two bedroom units;
- Two vehicle access points for the whole development;
- At grade parking provided at the front and southern boundaries of the subject site;
- Visitor parking provided on-site;
- External stores provided for all dwellings;
- Concrete construction and roofed in colorbond with stair and lift access;
- Rear 15m of the lot to be ceded for public open space.

Legislation & policy:

Legislation

The legislative framework and policy base providing for the assessment and determination of the subject application is as follows:

- City of Cockburn Town Planning Scheme No. 3 (TPS3). The application is to be determined in accordance with the provisions of Part 10 of the Scheme (Procedure for Dealing with Applications);
- The 'South Beach Village' Local Structure Plan (LSP) applicable to the land and location. The LSP details general planning considerations in the areas of: land use, density of development in the case of residential land use, and anticipated built forms. It is noted that the LSP requires that the rear 15m of the lots abutting the railway reserve be ceded to the Crown free of cost as public open space;
- The Residential Design Codes of Western Australia (R-Codes);
- State Planning Policy 5.4 (SPP5.4) 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning'. This policy addresses transport and freight impacts including noise and vibration on sensitive land uses.

Local Policies

Local Planning Policy APD70 'Waste Management in Multiple Unit Developments' is applicable to this application. The policy provides guidance on how larger developments should plan for waste management and minimisation.

Consultation:

Public Consultation

The proposal was the subject of public consultation to the adjoining properties due to the following elements of the R-Codes where discretion is sought:

- Plot ratio of 1.06 in lieu of the deemed to comply plot ratio of 1.0;
- Maximum wall and ridge heights of 24.7m and 25.2 respectively in lieu of the deemed to comply provision of 13m and 15m respectively for multiple dwellings zoned R80; and
- Boundary wall on southern boundary exceeds maximum deemed to comply provision of the R-Codes for buildings on boundary.

During the advertising period, five (5) objections were received. The variations and objections are explained in more detail below in the 'Planning Assessment' section.

Consultation with other Agencies or Consultants

The application has been referred to the Public Transport Authority of Western Australia (PTA) for comment given the site's interface with a railway reserve at the rear of the lot. Discussion with the PTA has indicated that the application is acceptable subject to a standard condition regarding 1.8 metre high fence abutting the rail/rear lot boundary is to be provided. A condition has been recommended ensuring these details are provided prior to submission of a Building Permit. It is noted however that the requirement for the recommendations of the noise and vibration report to be implemented and a Section 70A notification on any future Titles (regarding the impacts of the freight line) should be imposed as a condition of any approval.

Planning assessment:

Zoning and Use

The site is located within the 'Development' zone and is affected by the Development Area 16 provisions of the TPS3 which require the adoption of an LSP to guide subdivision, land use and development. The South Beach Village LSP (revised and approved by Council 14 October 2010) identifies the site as a 'Grouped/Multiple Dwelling' lots with a density coding of R60 – R80. The R80 coding has been utilised for this application. Multiple Dwellings are a 'D' or discretionary use within the Residential Zone pursuant to TPS3.

Development

The proposed development seeks approval of several elements of the R-Codes under the design principles of the R-Codes which are discretionary. The relevant provisions of the R-Codes are addressed below.

Plot Ratio – Clause 6.1.1 'Building Size'

The proposed multiple dwellings development doesn't comply with the deemed to comply provisions for plot ratio as set out in Table 4 of the R-Codes for an R80 zoned site. The subject lot area is 2252m²; therefore the maximum plot ratio area under deemed to comply provisions for an R80 zoned site, at a rate of 1:1, is 2252m². However, the development proposed has a total plot ratio area of 2387m², therefore proposing a plot ratio of 1.06. The site area includes the portion of land to be transferred as public open space. Given the development does not comply with the deemed to comply requirements of the R-Codes, the design principles needs to be assessed against the relevant design principles to determine whether the proposed development is deemed to be in compliance.

Design principal 6.1.1 P1 of the R-Codes for 'Building Size' is as follows:

'Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality'.

With regards to the subject proposal, there is no detailed area plan affecting the site and there are no plot ratio limitations in the South Beach Village Local Structure Plan. Therefore, the development needs to be assessed in conjunction with the existing and future developments within the area. To the south of the subject site, existing developments at No. 9 O'Connor Close (directly adjoining the subject site) and No. 52 Rollinson Road (on the corner of Rollinson Road and O'Connor Close) have been approved previously by the City. Both these existing developments are of 6 and 8 storeys respectively, and are both well-articulated through the provision of windows, varying setbacks, balconies and vertical detail. The subject proposal at No. 13 O'Connor Close for a 7 storey development with roof terrace is deemed to be consistent with the existing built form surrounding the site.

The subject proposal is a high quality design with appealing streetscape features and a bulk and mass consistent with the existing medium-rise developments to the south of the site as well as a development recently approved JDAP application to the north of the site at Nos. 25 & 29 O'Connor Close, North Coogee for 10 grouped dwellings and 42 multiple dwellings which is four storeys and of a similar bulk and scale.

In response to the objections received regarding the plot ratio proposed, the submissions received regarding this aspect don't go into much detail other than noting that the subject development should be made to comply with the deemed to comply plot ratio requirement of 1.0 from the R-Codes. It should be noted that deemed to comply is one of the two methods of compliance with the R-Codes.

While the objections received on this issue are noted, as per the design principles requirement of Clause 6.1.1 'Building Size' of the R-Codes, the subject proposal is consistent with the existing and recently approved developments on the eastern side of O'Connor close. Given the zoning of the eastern properties on O'Connor Close vary from R60-R80/R100, large scale multiple dwelling developments of a scale and nature currently seen in the streetscape are permissible and therefore this proposal is considered to be consistent and clearly compliant with the relevant design principle of the R-Codes.

Building Height – Clause 6.1.2 'Building Height'

Under Table 4 of the R-Codes for multiple dwelling developments, the maximum wall and ridge heights for R80 zoned properties are 13m and 15m respectively. With regards to the subject proposal, the maximum wall height proposed is 24.7m while the maximum ridge height proposed is 25.2m for the proposed seven-storey plus roof terrace development.

Design principal 6.1.2 P2 of the R-Codes for 'Building Height' is as follows:

'Building Height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains;

- *adequate access to direct sun into buildings and appurtenant open spaces;*
- *adequate daylight to major openings into habitable rooms;*
- *access to views of significance;*
- *buildings present a human scale to pedestrians;*
- *building facades designed to reduce the perception of height through design measures; and*
- *podium style development is provided where appropriate.'*

The proposed development is near the prominent street corner of Rollinson Road and O'Connor Close and is close to one of the three entries to the South Beach estate. With regards to building height, the proposed building is consistent with the two adjoining developments to the south of the subject site as shown by the photo montage provided by the applicants as part of their submission (see Attachment 6). The height proposed is in context with the streetscape and the use of large setbacks from O'Connor Close ensures that there will be no adverse impacts on surrounding lots.

As discussed above, there are no building height limitations in the South Beach Structure Plan adopted by Council. However, with regards to the two adjoining properties to the south of the subject site, at the time of determination by Council, Statement of Planning Policy No. 2.6 – State Coastal Planning Policy (SPP 2.6) was considered in relation to height requirements. Under the SPP 2.6 at the time both applications were determined, there was a height limit of five (5) storey and 21m height limit that needed to be addressed. However, as both applications on the two adjoining southern sites did not comply with this requirement, there were five (5) performance criteria which required addressing in order to undertake construction of a maximum height of eight (8) storeys provided an overall height of 32m was not exceeded. Of the five criteria relevant, four were considered relevant to both adjoining southern lots.

In both instances, the sites were considered to comply with the performance criteria of SPP 2.6 as No. 52 Rollinson Road (Lot 113), was approved at eight (8) storeys at the City's Ordinary Meeting of Council on 15 February 2005. No. 9 (Lot 114) O'Connor Close was approved with final amendments by Council, under delegation, on 13 September 2007 as a six (6) storey development.

Therefore, when considering the building height requirements against the design principles of the R-Codes for multiple dwelling developments, the subject development is consistent with the bulk and scale of adjoining properties and does not impact on adjoining dwellings, the streetscape or amenity of the area.

With regards to the objections received on the building height proposed, the main concerns raised are that the height proposed is not complying with the R-Code requirements of 13m and 15m respectively as well as potentially causing amenity impacts. With regard to this, when considering the adjoining southern buildings having a height of 8 storeys and 6 storeys respectively, both adjacent properties have significant bulk at the street boundary, which the subject proposal has avoided in an effort to better address the ocean whilst affording inland views from the generously proportioned and well set back street facing balconies. The amenity of residents on the eastern side of O'Connor Close is not considered to be negatively impacted.

The proposal provides a consistent and high quality elevation to both the street and the oceanfront. The development is seen as providing a suitable relationship between the building and the public open space, and is in keeping with the adjacent developments and provides a consistent façade to the beachfront.

Side and Rear Setbacks - Clause 6.1.4 'Lot Boundary Setbacks'

The design principles of the R-Codes stipulates that for areas coded R80-R160, a wall built to one side boundary has a maximum height and average height as set out

in Table 4 and a maximum length of two-thirds the length of this boundary. For R80, the maximum height of boundary walls allowed is 7m, with an average height of 6m. The proposal provides a seven storey boundary wall (23.5m in height) on the southern boundary, which above the second storey, is 5.2m in length. The design principle therefore only relates to the height proposed as the length of boundary wall is in compliance with the R-Code requirements.

The height proposed is acceptable in this instance as it abuts the adjoining boundary wall of the development at No. 9 O'Connor Close, which is six storeys in height (20.3m). Therefore, while the height of the subject boundary wall is slightly higher than that of the existing boundary wall at No. 9 O'Connor Close, it is only for the balconies associated with the units.

However, in regards to the bulk and scale created by the proposed boundary wall (as seen in attachment 6 with the photo montage provided) the development proposed, in conjunction with the two developments to the direct south, does not provide relief between the adjoining southern development like that provided between Lots 113 and 114. Therefore, in order to provide a consistent development in regards to bulk and scale proposed, the applicant, in liaising with the City has modified the originally proposed boundary wall to be setback 4m from the southern boundary in lieu of the originally proposed six-storey boundary wall. This results in a consistent streetscape on the western side of O'Connor Close as well as not affecting the use and amenity of the proposed balconies which have been reduced in size as a result of this modification.

The modification to the boundary wall now being setback 4m from the southern boundary, in line with the remaining setbacks on the southern elevation, from the second floor upwards, is now deemed to create no undue adverse impacts on the neighbouring properties due to the wall providing relief to the southern property and the associated balconies being screened to comply with visual privacy requirements.

Therefore, given the above alteration to the southern setback proposed, Table 5 of the R-Codes needs to be addressed. Given the width of the lot is more than 16m, proposed 33.59m, a side setback of 4m is required. As such, the modified setback of 4m to the southern boundary is therefore compliant with the R-Codes requirements. So the modification resulting in the six-storey boundary wall being removed and the development being setback to comply with the R-Codes requirements results in a better design outcome than the originally proposed six-storey boundary wall abutting an adjoining boundary wall of comparable height.

Parking Provisions – Clause 6.3.3 'Parking' Design Principle P3.1

The R-Codes deemed to comply provisions of car parking for multiple dwellings is at the following rates due to the site not being located within a high frequency bus or rail route:

Size	Requirement	No. Dwellings	Required	Provided
<75sqm	1 space	12	12	12
75-110sqm	1.25 spaces	20	25	23
Visitors	0.25/dwelling	32	8	8 + 2 on street
TOTAL			45	45

It is noted that 43 parking bays are provided on-site and two (2) existing car bays are provided on-street. These two (2) on-street parking bays are for the use of the subject site and therefore can be utilised as visitor bays. Therefore, the application will comply with the minimum requirement for total car bays necessary of 45. However, a condition will be imposed that the existing on-street car bays on O'Connor Close will need to be modified and retained.

In addition, given the multiple dwellings require 37 car bays and only 35 have been allocated solely for the dwellings, a condition will also be imposed that the two (2) visitor bays located behind the proposed remote activated sliding gate, be modified to be allocated for the use of the residents of the development.

The R-Codes require the provision of bicycle parking at the following rates for the multiple dwellings proposed:

Type	Requirement	Required Spaces	Provided Spaces
Residents	1 per 3 dwellings	11	11
Visitors	1 per 10 dwellings	3	3
TOTAL		14	14

While the plans have marked the location of the bicycle parking and have sufficient room to accommodate 14 bicycles, condition No. 15 has been recommended ensuring that 14 bicycle parking bays are provided.

While objections have been raised regarding the amount of car parking provided not being adequate for such a development, the proposed 35 residential car bays and 10 visitor bays (including two on-street car bays) are in compliance with the R-Codes requirements for the total amount of car parking required for the development of 45 care bays.

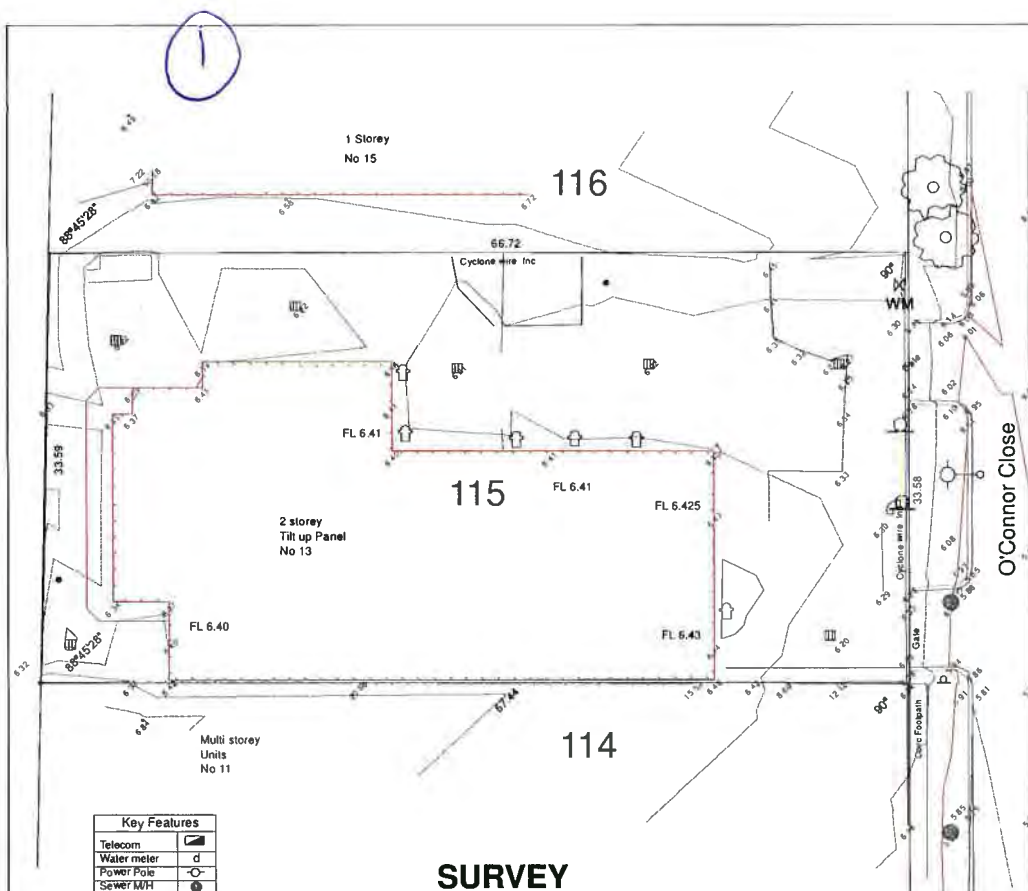
SPP 5.4 – Road, Rail and Freight Impacts

SPP 5.4 generally aims to minimising conflicts between transport and sensitive uses by ensuring that noise and vibration issues are addressed by new development. The application has been referred to the PTA for comment and no objection to the proposed development was received. It is noted however that the noise and vibration impacts of the railway on future development were addressed as part of the structure planning process for South Beach Village and a detailed Noise Management Plan forms an addendum to the LSP.

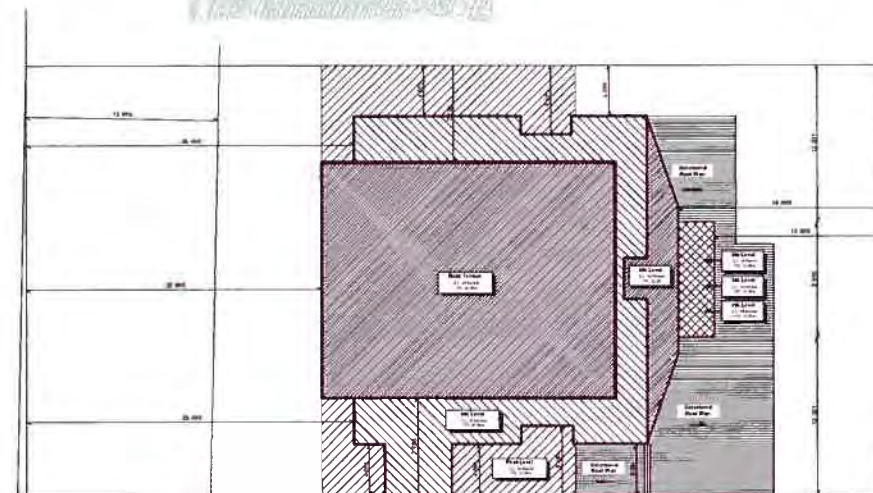
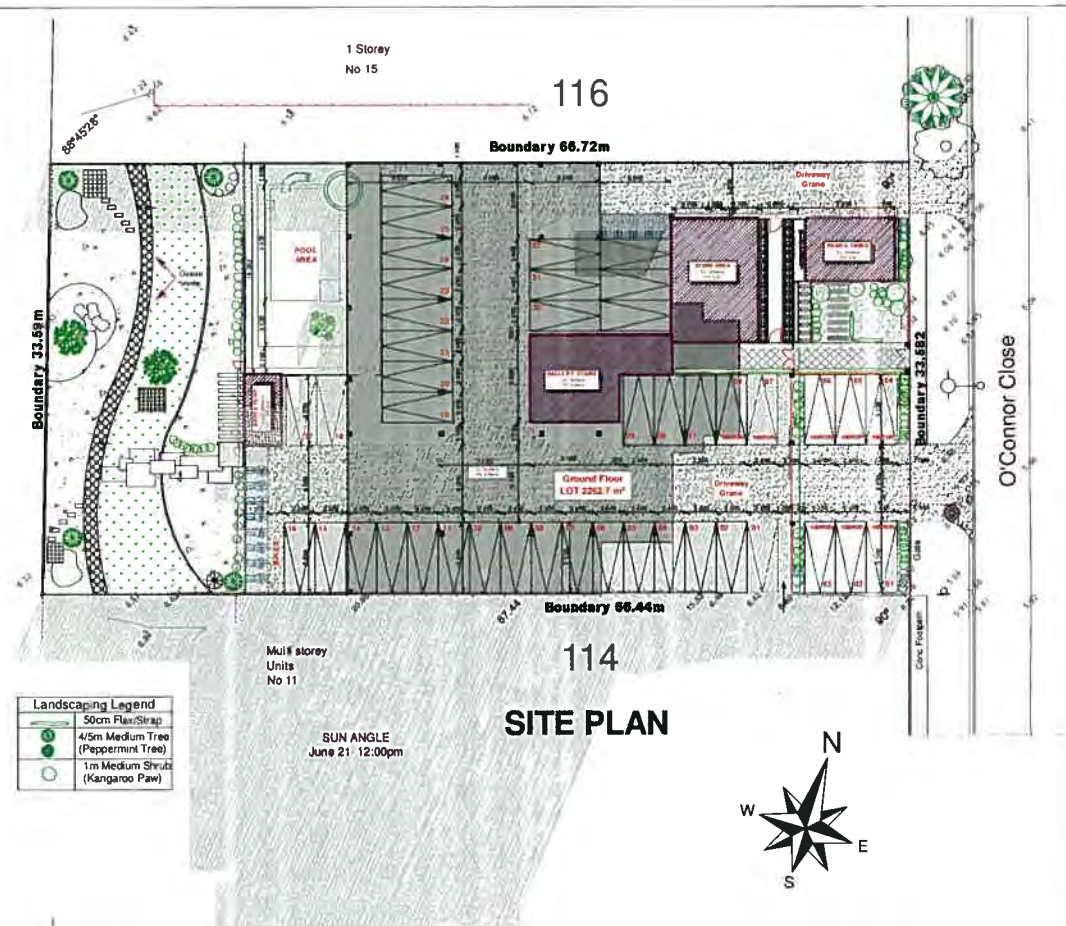
A requirement of the Noise Management Plan is that all lots within 50m of the railway provide a noise and vibration report as part of any submission. A report was provided by Lloyd George Acoustics (who dealt with the original noise management plan for the LSP) with the application for the subject site. This report has been reviewed by the City's Environmental Health Services who have indicated that it is satisfactory subject to conditions requiring compliance with the recommendations and a post-construction assessment to ensure all of the recommendations have been incorporated prior to occupation. Should the proposal be approved, a condition requiring a Section 70A notification to be lodged on the title regarding the proximity and impact of the freight rail to ensure prospective purchasers are aware of this issue.

Conclusion:

The proposed development is generally consistent with the provisions of the City's Town Planning Scheme No. 3 and the R-Codes. While the proposal seeks assessment under several design principal provisions of the R-Codes, it represents an acceptable outcome in respect of design and amenity. The proposal incorporates a strong urban edge and provides a high level of activation and interaction with the adjacent streets and the future public open space at the rear of the site. The bulk and scale of the development is consistent with the existing developments to the south of the subject site as well as a recently approved proposal further north of the site at Nos. 25 & 29 O'Connor Close. It is therefore recommended the Metro South-West Joint Development Assessment Panel resolve to conditionally approve the development application in accordance with the Clause 10.3 of the City's Town Planning Scheme No.3.

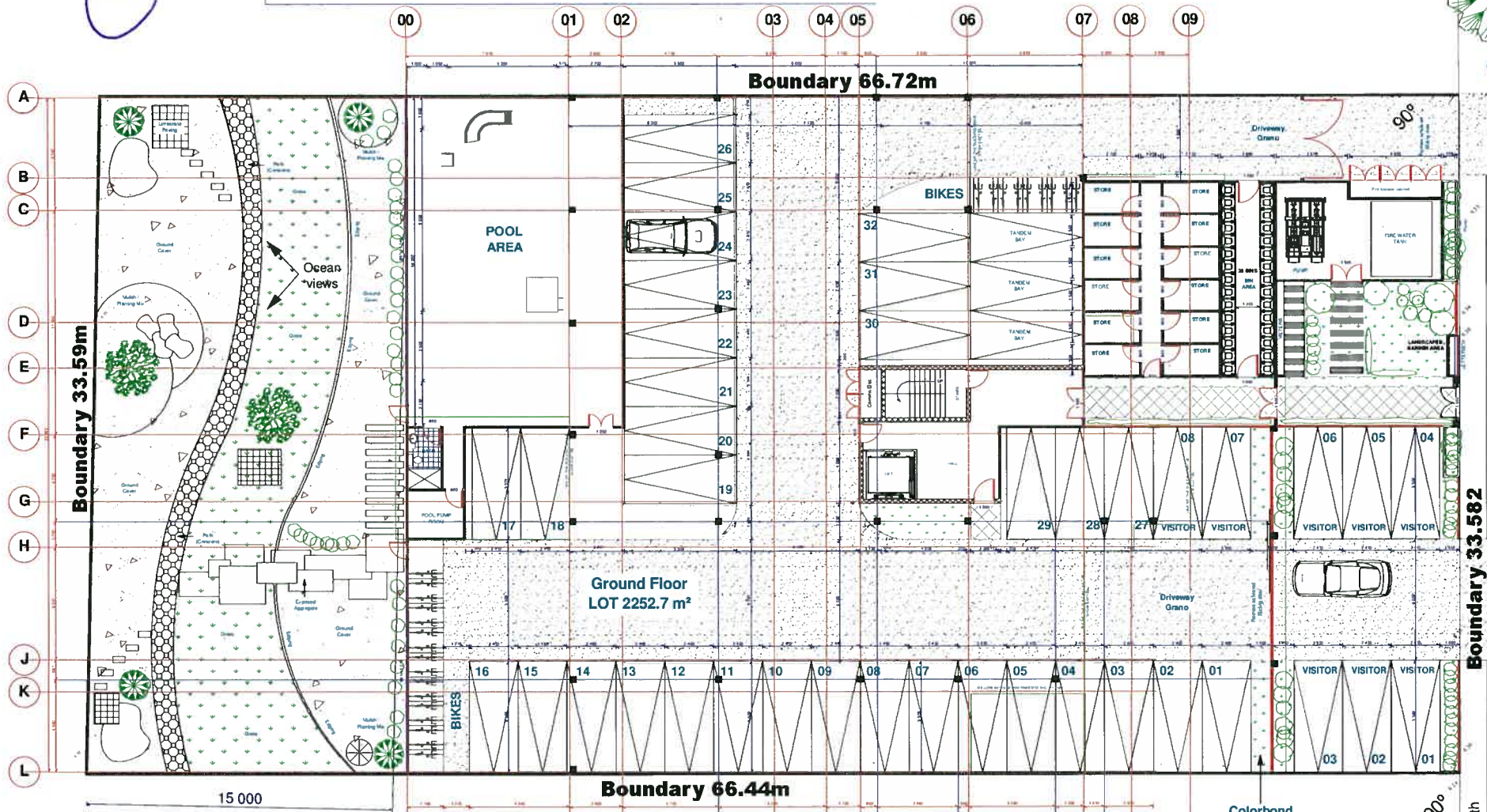


Level	UPH BOREHAM	UPH BOREHAM				UNITS
	A	B	C	D		
	18.38	61.28	18.81	62.37		
GROUND						
1st	1	1	2	1	0	9
2nd	4	1	1	7	2	5
3rd	4	1	1	7	7	5
4th	6	1	3	7	3	5
5th	6	6	3	5	2	4
6th	6	6	3	2	2	4
Total Bore						
	336.38 m ²	352.32 m ²	362.18 m ²	352.18 m ²	352.78 m ²	32
	336.38 m ²	352.32 m ²	362.18 m ²	352.18 m ²	352.78 m ²	
LOT AREA		2,562.78 m ²				
PROPOSED PLOT RATIO		2,387.78 m ²				



2

No 15
1 Storey



Level	ONE BEDROOM	TWO BEDROOM	UNITS
A	1	1	2
B	1	1	2
C	1	1	2
D	1	1	2
E	1	1	2
F	1	1	2
G	1	1	2
H	1	1	2
J	1	1	2
K	1	1	2
L	1	1	2

Level	ONE BEDROOM	TWO BEDROOM	UNITS
A	1	1	2
B	1	1	2
C	1	1	2
D	1	1	2
E	1	1	2
F	1	1	2
G	1	1	2
H	1	1	2
J	1	1	2
K	1	1	2
L	1	1	2



Landscaping Legend
50cm Flax/Strap
4.5m Medium Tree (Peppermint Tree)
1m Medium Shrub (Kangaroo Paw)

Key Features
Telecom
Water meter
Power Pole
Sewer MH

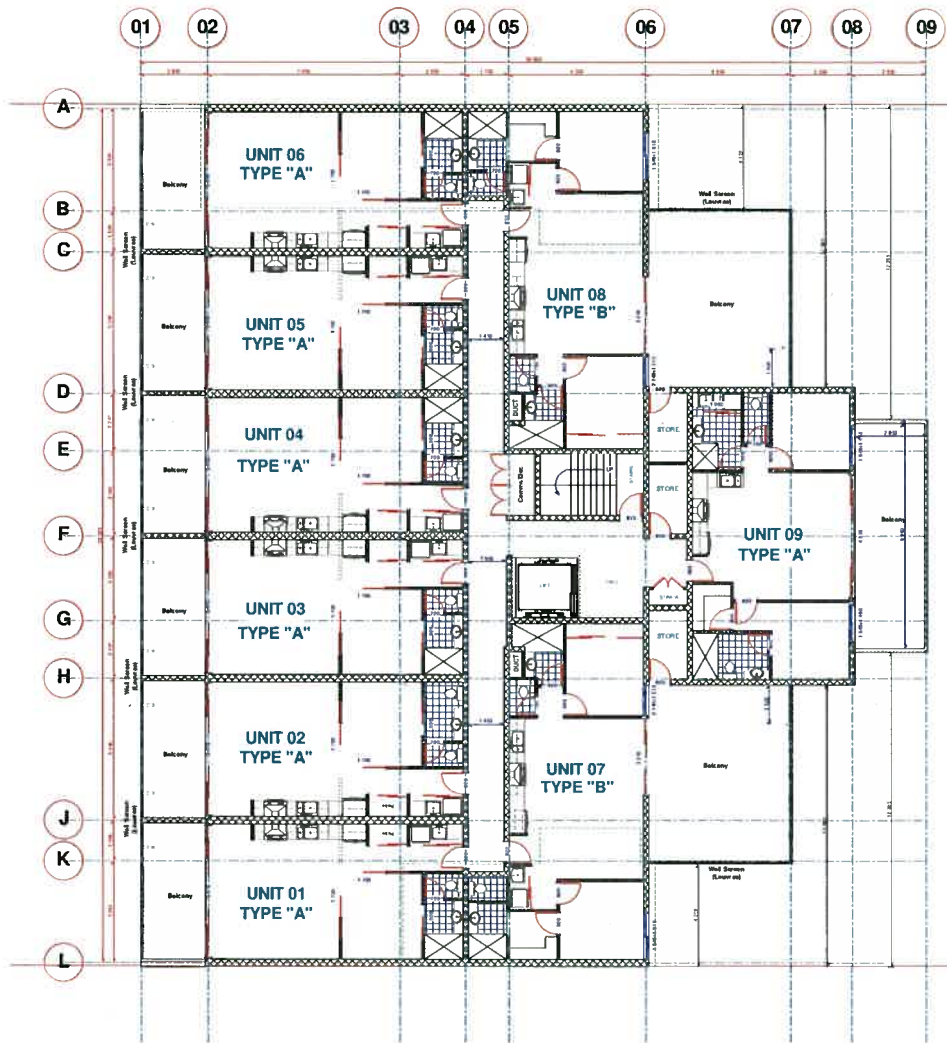
Multi storey
Units
No 11

114

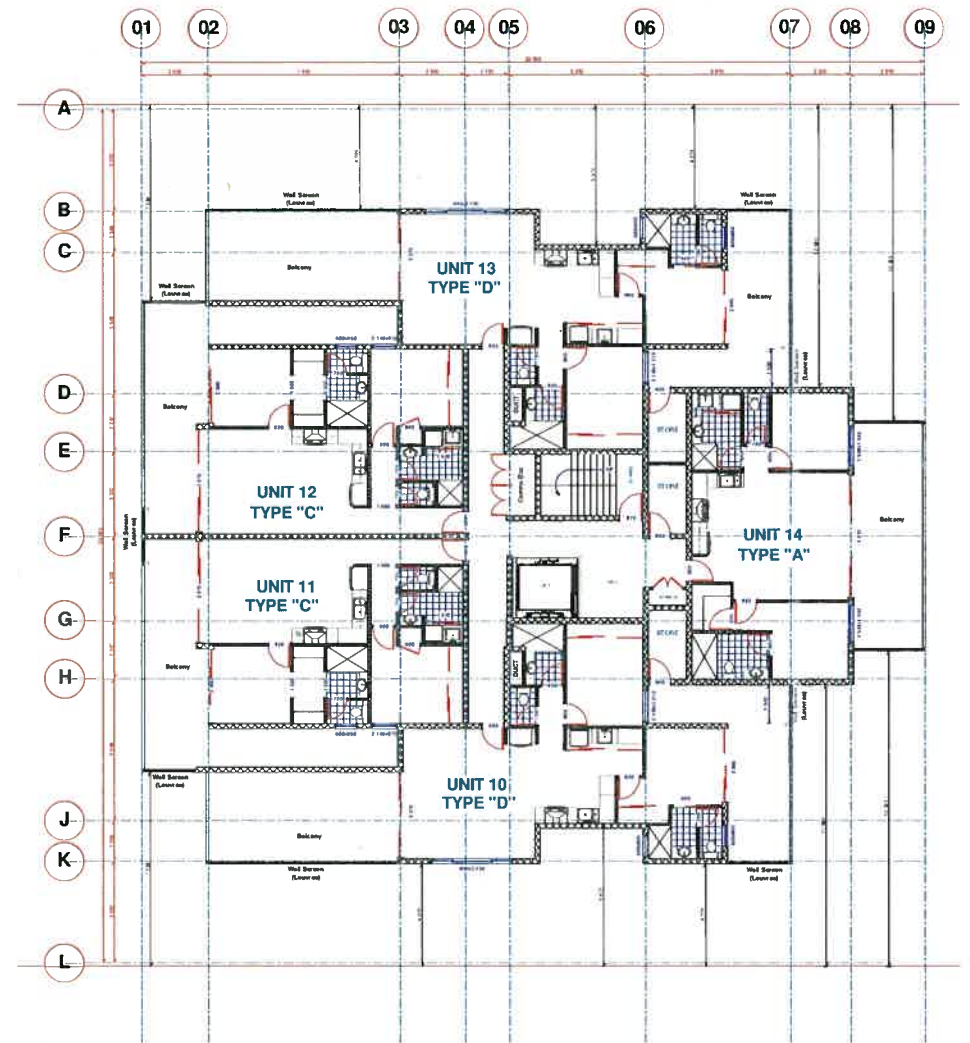
GROUND FLOOR			
SCALE: 1:100	DATE: 27/02/2014	NAME: TS	CLIENT: 13 O'Connor Close Pty Ltd
DESIGN: 27/02/2014	DATE: 27/02/2014	NAME: TS	ADDRESS: 13 O'Connor Close, North Coope
PLANNING DRAWINGS	27/02/2014	TS	

O'Connor Close

Conc Footpath



FIRST LEVEL

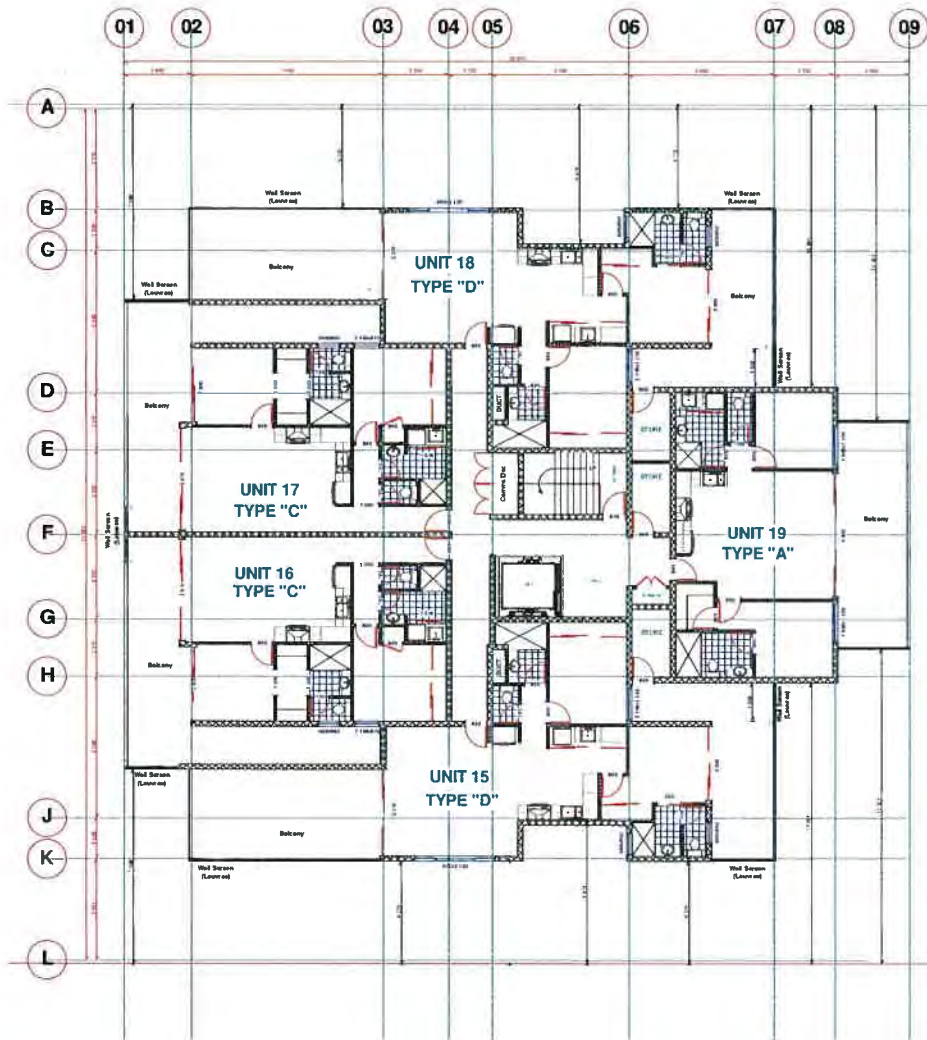


SECOND LEVEL

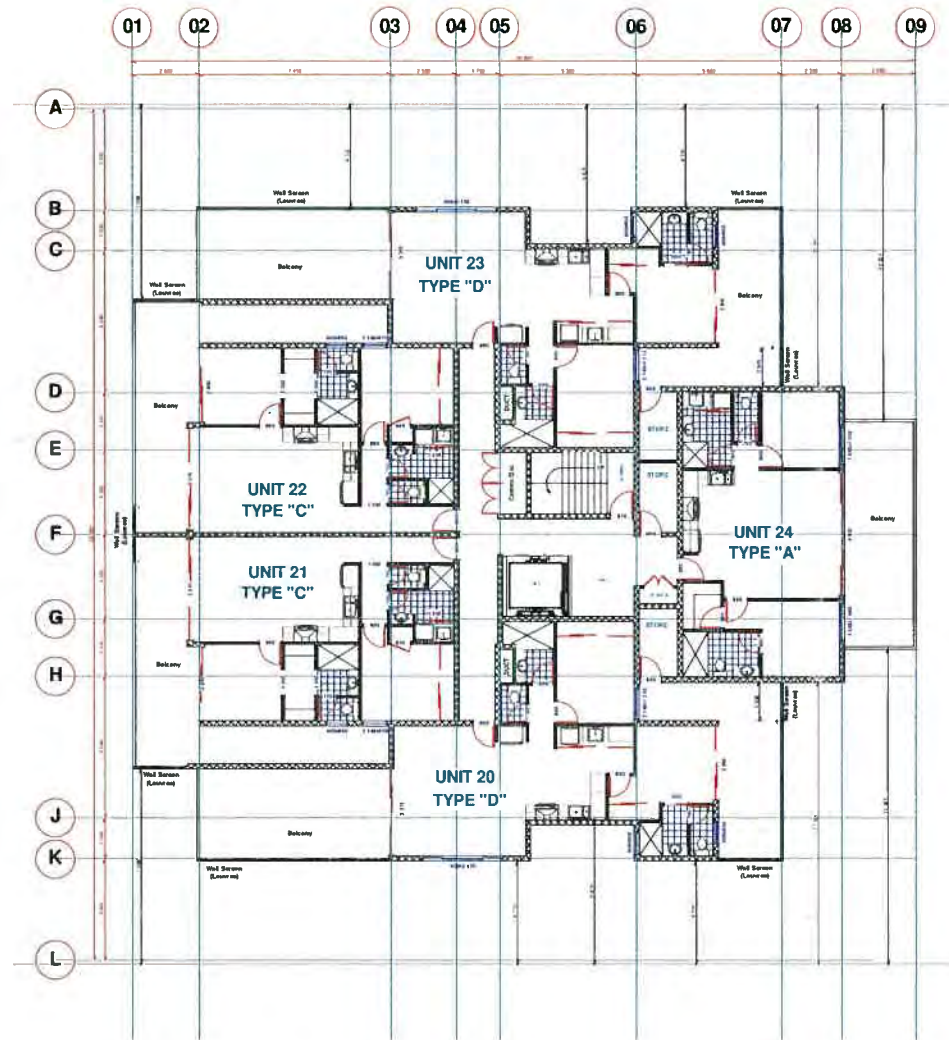
Level	ONE BEDROOM	TWO BEDROOM	UNITS
A	101.1	A B C D	
B	101.1	101.1 101.1 101.1	
C	101.1	101.1 101.1 101.1	
D	101.1	101.1 101.1 101.1	
E	101.1	101.1 101.1 101.1	
F	101.1	101.1 101.1 101.1	
G	101.1	101.1 101.1 101.1	
H	101.1	101.1 101.1 101.1	
J	101.1	101.1 101.1 101.1	
K	101.1	101.1 101.1 101.1	
L	101.1	101.1 101.1 101.1	
Total Area	3,362.79 m²	3,362.79 m²	
LOT AREA	3,362.79 m²		
PROPOSED PLOT RATIO	3,362.79 m²		



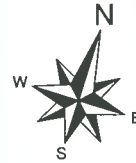
FIRST & SECOND LEVEL			
SCALE	1:100	DATE	27/09/2014
DESIGN	27/09/2014	DATE	27/09/2014
PLANNING DRAWINGS	27/09/2014	DATE	27/09/2014
CLIENT:	13 O'Connor Close Pty Ltd	ADDRESS:	13 O'Connor Close, North Coogee
ARCHITECT:	ATEC ARCHITECTS	DATE:	27/09/2014



3rd LEVEL




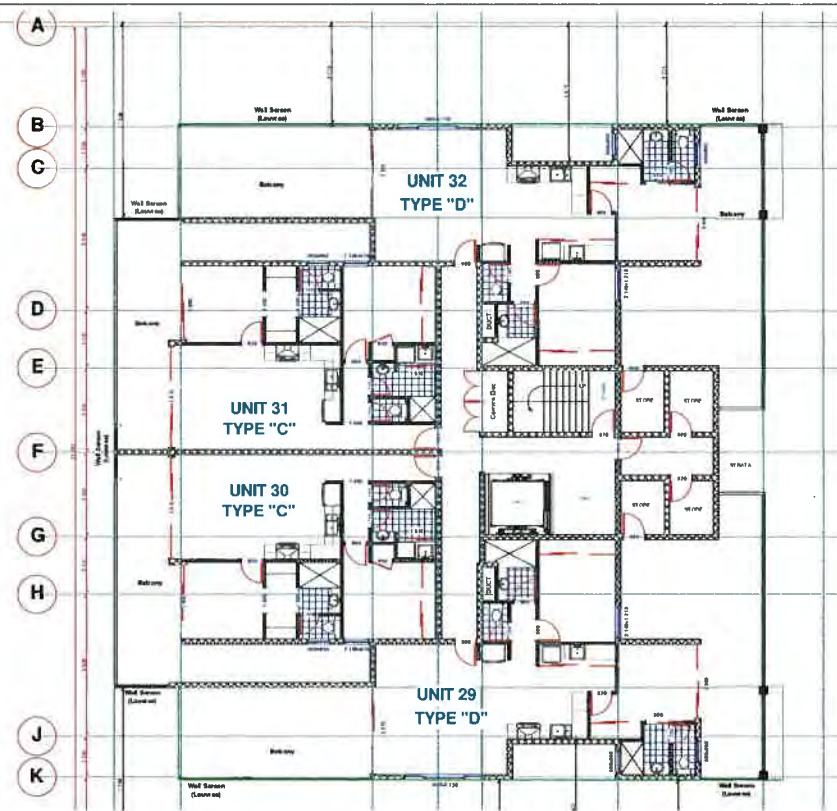
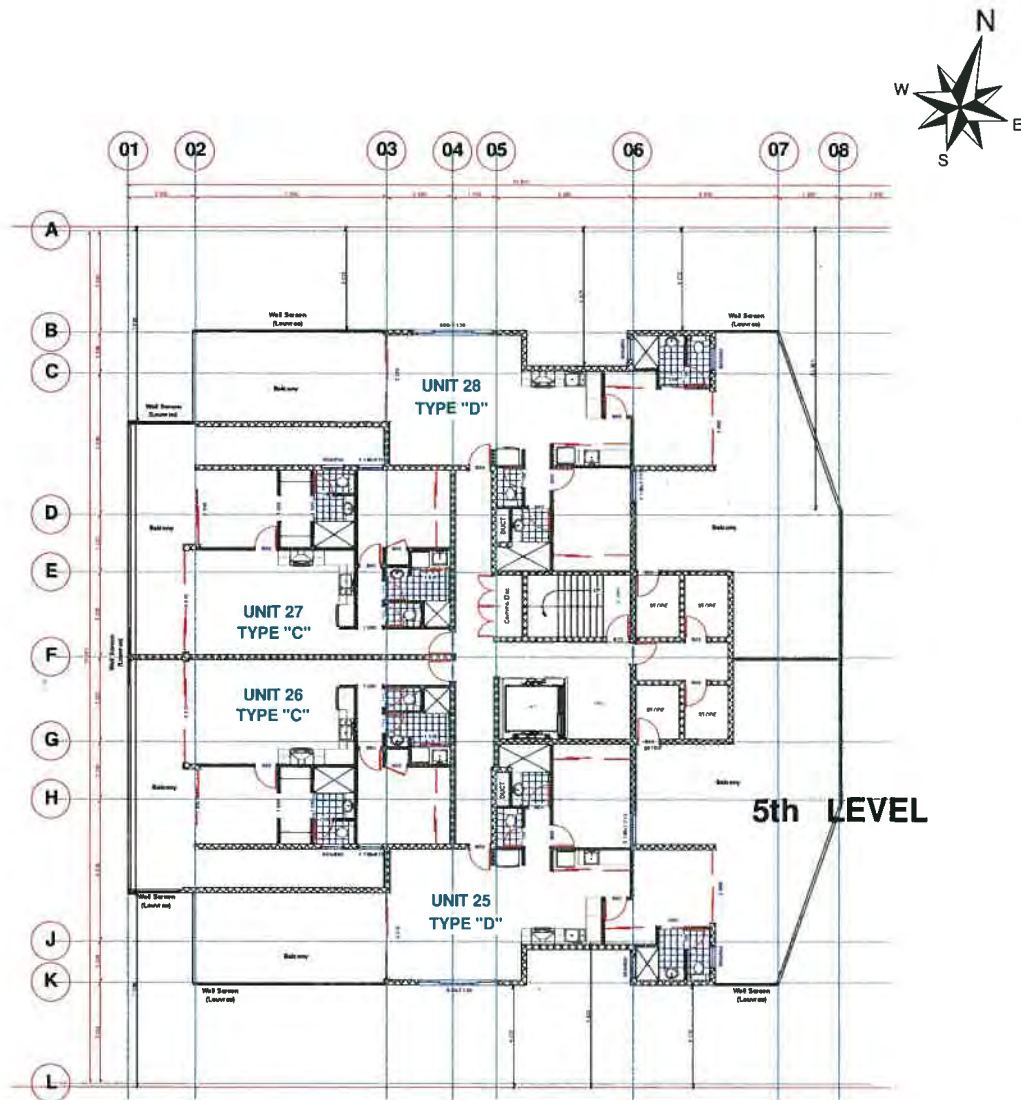
4th LEVEL

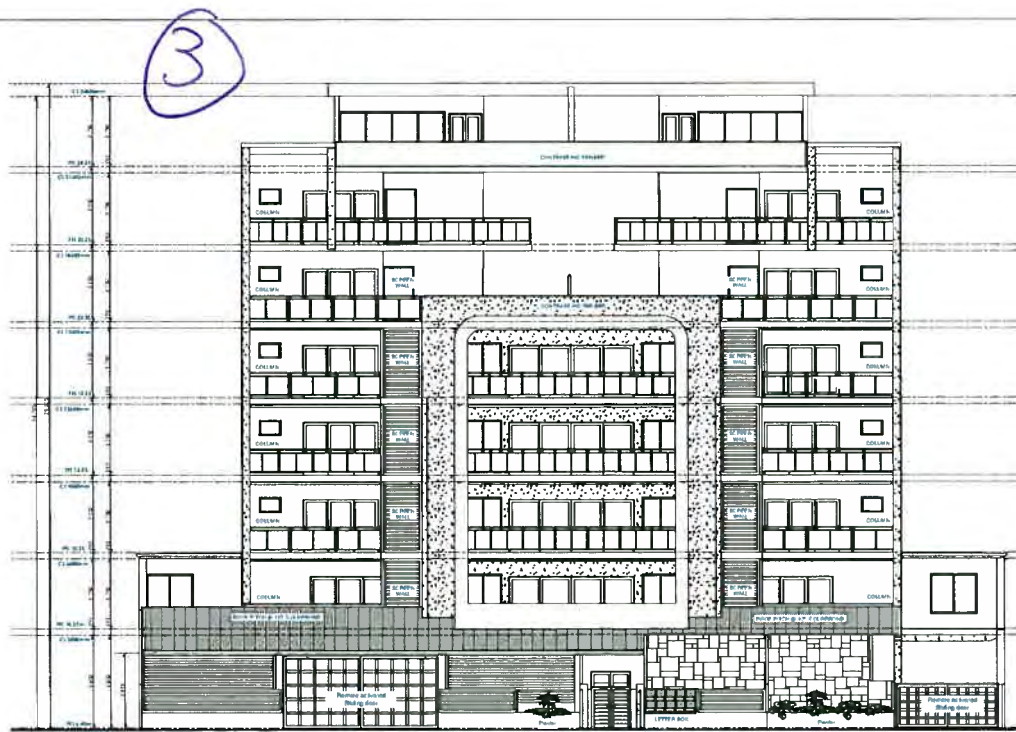


Level	ONE BEDROOM	TWO BEDROOM	UNITS
A	1	1	2
B	1	1	2
C	1	1	2
D	1	1	2
E	1	1	2
F	1	1	2
G	1	1	2
H	1	1	2
J	1	1	2
K	1	1	2
L	1	1	2
Total Units	10	10	20
LOT AREA	3,352.79 sq'		
PROPOSED PLOT RATIO	2,587.79 sq'		

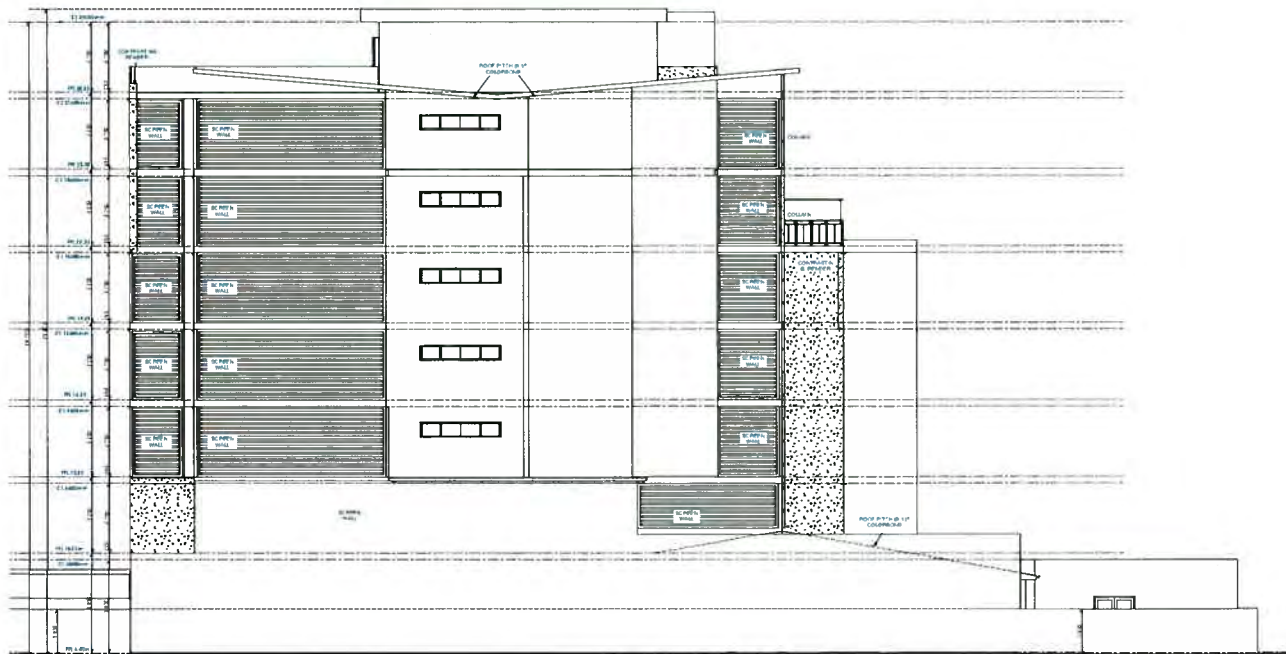


 <p>AFEC ARCHITECTS Unit 1 & 10 20 Skarpsund Beach Street, Scarborough, N.S.W. 1585, Australia. © 2014 AFEC Architects. All rights reserved.</p>					<p>3rd & 4th LEVEL</p>					<p>1376</p>	
<p>SCALE: 1:100</p>		<p>DATE: 27-02-2014</p>		<p>NAME: 06/04</p>		<p>CLIENT: 13 O'Connor Close Pty Ltd</p>					
<p>PLANNING DRAWINGS</p>		<p>27-02-2014</p>		<p>TB</p>		<p>ADDRESS: 13 O'Connor Close, North Coogee</p>					
<p>Unit 1 & 10 20 Skarpsund Beach Street, Scarborough, N.S.W. 1585, Australia. © 2014 AFEC Architects. All rights reserved.</p>										<p>4 of 11</p>	





Elevation 01
(EAST)



Elevation 02
(SOUTH)

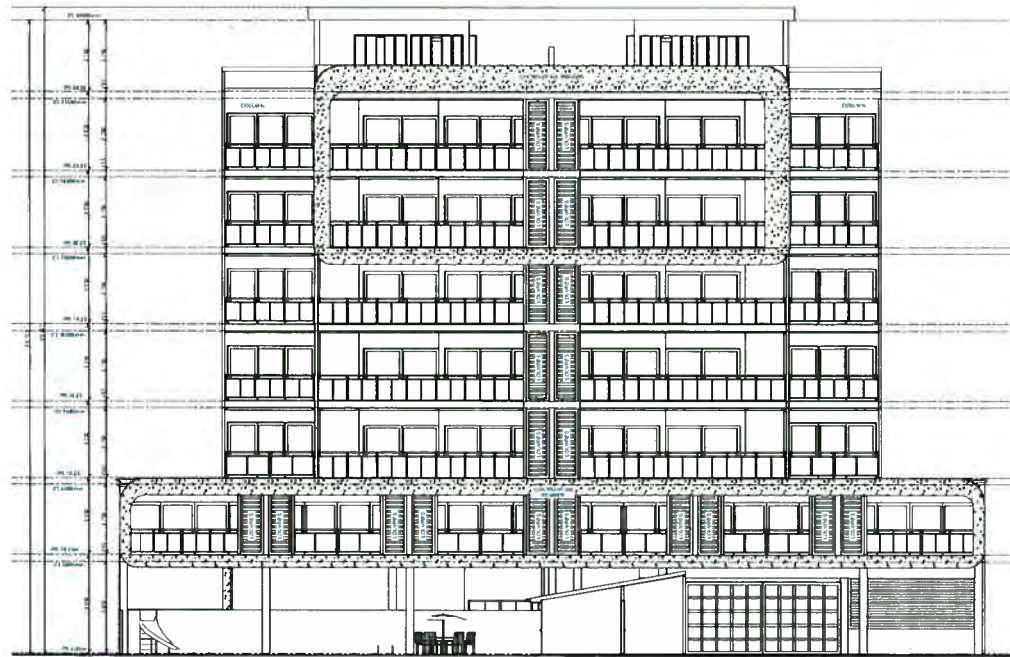


ARTIST'S IMPRESSION ONLY



ARTIST'S IMPRESSION ONLY

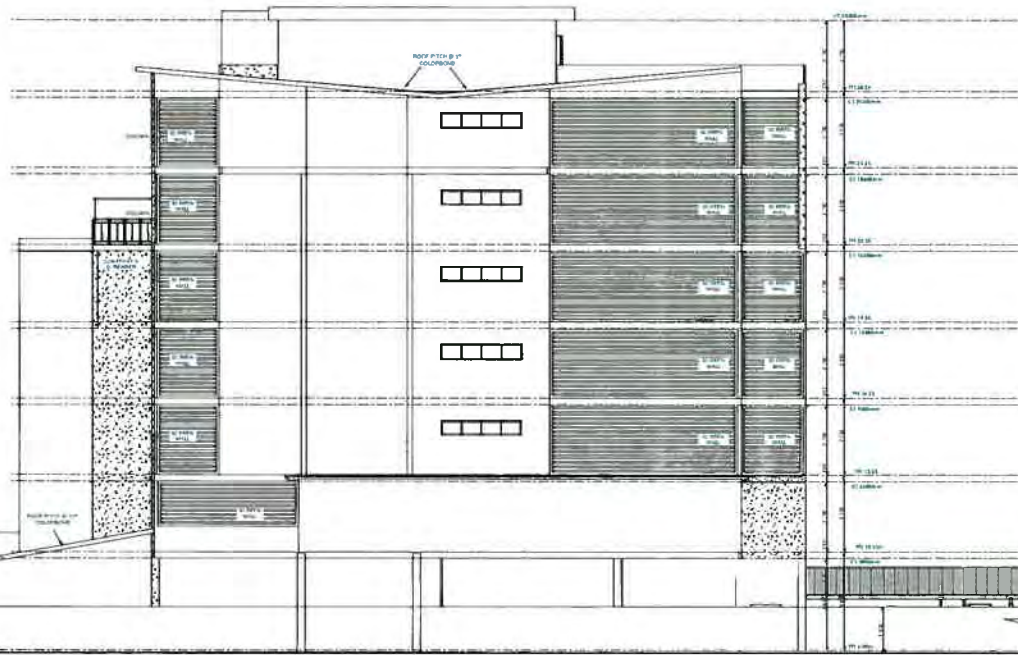
ELEVATIONS					
SCALE	1:100	DATE	NAME	CLIENT	13 O'Connor Close Pty Ltd
DRAWN	27 DEC 2014	DATE	NAME	ADDRESS	13 O'Connor Close North Coogee
PLANNING DRAWINGS	27 DEC 2014	DATE	NAME		
<small> ALL DRAWINGS ARE TO BE USED IN ACCORDANCE WITH THE CONDITIONS OF SALE AND THE GENERAL CONDITIONS OF SALE. THE CLIENT ACCEPTS THAT THE DRAWINGS ARE NOT TO BE USED FOR ANY OTHER PURPOSES. THE CLIENT ACCEPTS THAT THE DRAWINGS ARE NOT TO BE USED FOR ANY OTHER PURPOSES. THE CLIENT ACCEPTS THAT THE DRAWINGS ARE NOT TO BE USED FOR ANY OTHER PURPOSES. </small>					1/1 1376 2/1 11



Elevation 03



ARTIST'S IMPRESSION ONLY



Elevation 04
(NORTH)

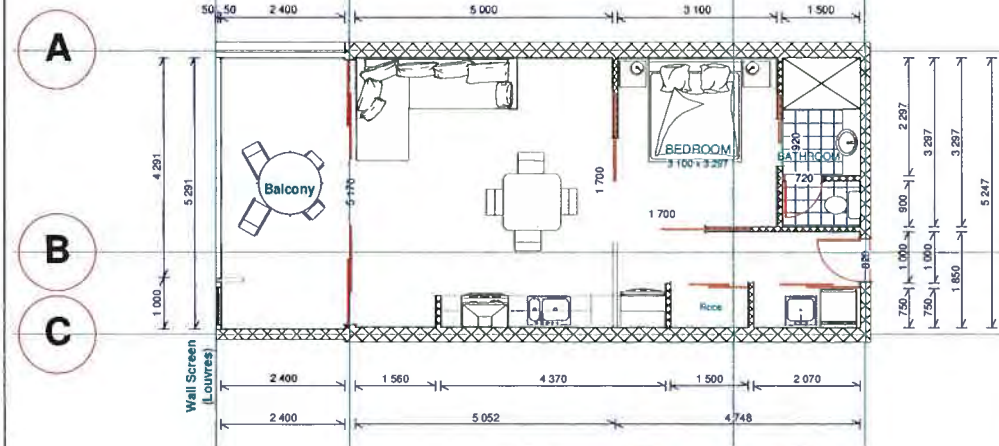


ARTIST'S IMPRESSION ONLY

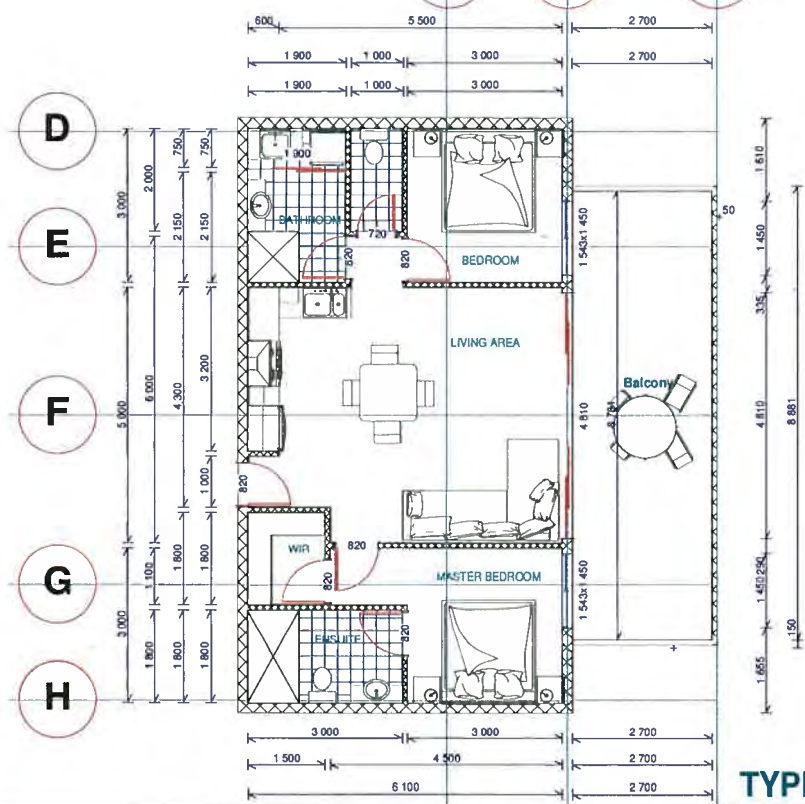
ELEVATIONS					
SCALE	1:100	DATE	18/08/2019	CLIENT	13 O'Connor Close Pty Ltd
DESIGN	27/02/2019	BY	TS	ADDRESS	13 O'Connor Close, Heron Coode
PLANNING SERVICES	27/02/2019	TS			
<small>13 O'Connor Close Pty Ltd is a private company and is not a public company. AXTEC ARCHITECTS <small>we are an architectural firm and are not a public company. 13 O'Connor Close, Heron Coode, Victoria 3200 Tel: 03 9400 1111 Fax: 03 9400 1112 Email: info@axtecarchitects.com.au Unit 14, 10-20 Seabrook Beach Road, Seabrook VIC 3220 Tel: 03 9400 1111 Fax: 03 9400 1112 Email: info@axtecarchitects.com.au</small> </small>					

04

TYPE "A"



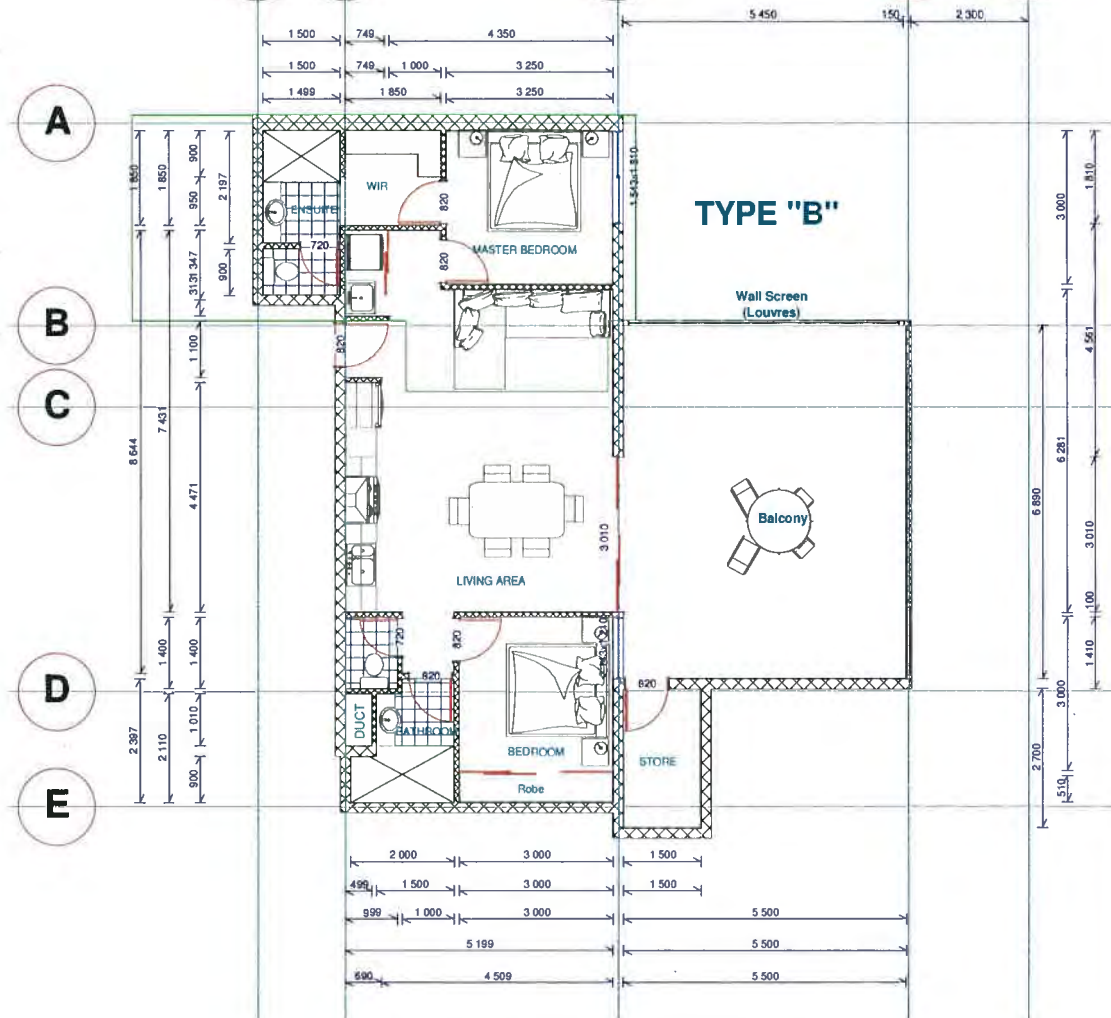
09

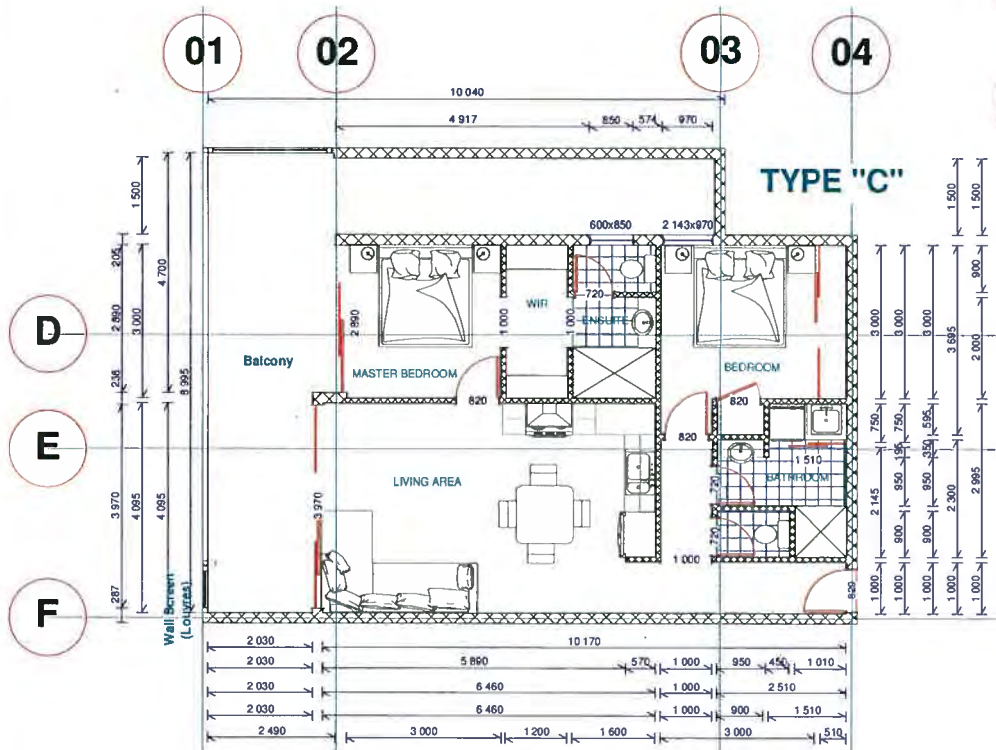
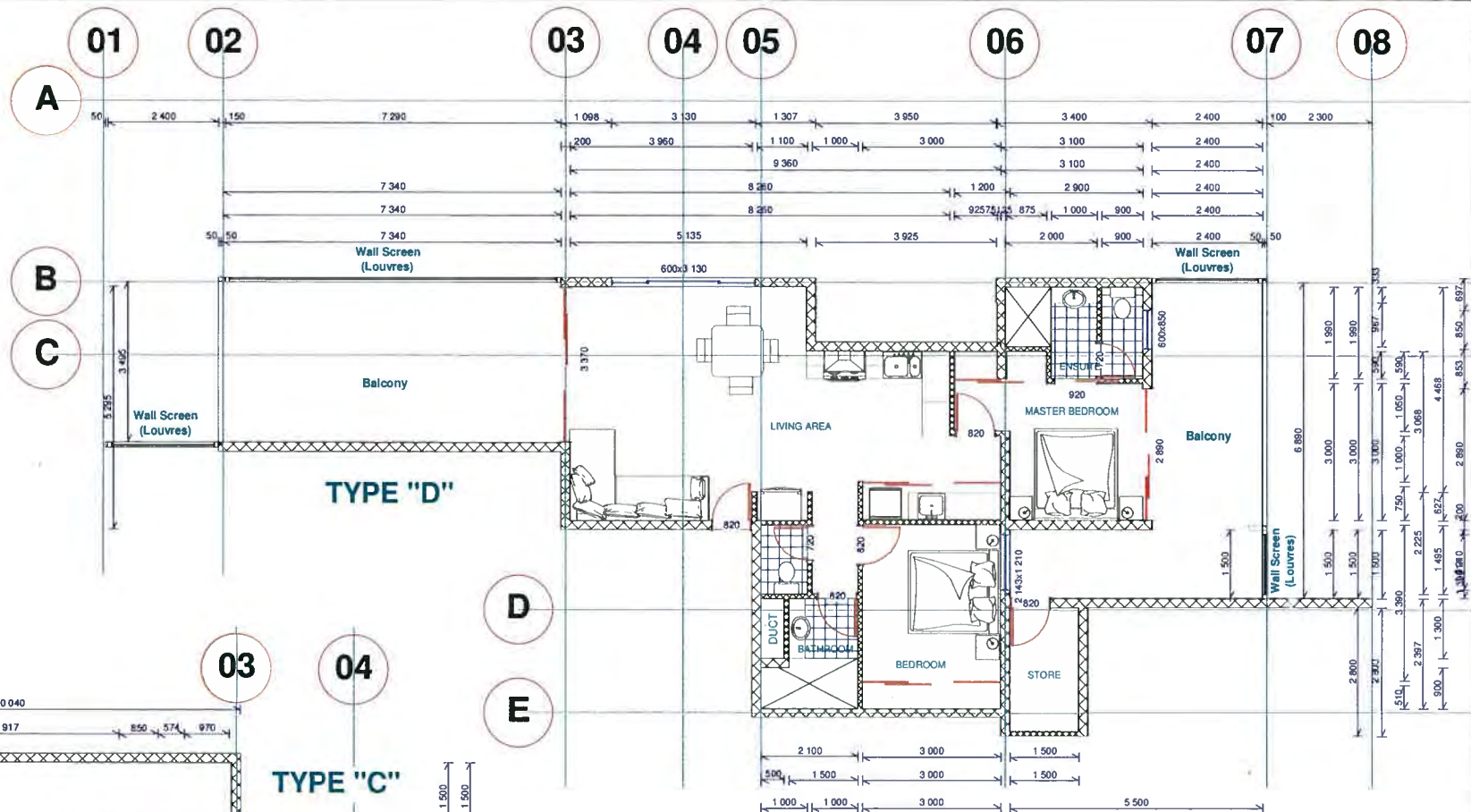


TYPE "A"

08

TYPE "B"







CITY OF COCKBURN

Aztec Architects

13 O'Connor Close

North Coogee

Waste Management Plan

Contents

1.0 Objective and Background	3
1.1 Objective	3
1.2 Background.....	3
2.0 Communication	3
2.1 Construction	3
2.2 Occupation	4
3.0 Waste Disposal	4
3.1 Construction	4
3.2 Occupation	5
3.2.1 Waste Flow	5
3.2.2 Bin Storage.....	5
4.0 Waste Management Plan.....	6
4.1 City Requirements	6
4.2 Waste Sources and Volumes Generated.....	6
4.2.1 Residential Waste	6
4.3 Storage Area Required	7
4.3.1 Residential waste	7
4.4 Movement of Waste within the Development.....	7
5.0 Waste Management Plan Summary – Residential Waste.....	8
6.0 Demolition of Existing.....	8

1.0 Objective and Background

1.1 Objective

The City of Cockburn require a Waste Management Plan (WMP) to be included as part of a development application. This WMP has been prepared to fulfill this condition.

The objective of this plan is to ensure that waste management is undertaken effectively, efficiently, and sustainably. Its purpose is to minimize the effects on the community and the environment during both construction and operation of the development. The WMP has also been prepared to meet minimum legislative and Company requirements.

The plan addresses both design features and operational controls required to ensure that the plan can be implemented effectively.

1.2 Background

The Developer at 13 O'Connor Close, North Coogee has requested Aztec Architects to prepare a Waste Management Plan for the proposed residential multiple dwellings development. The proposed development is located in the City of Cockburn. The building has been designed by Aztec Architects.

At the time of preparing this plan, the proposed development consists of 32 residential units. Of the residential units, 26 are two-bedroom units with the remainder being one bedroom units.

The subject site is 2252m² and is Zoned Residential R30.

2.0 Communication

2.1 Construction

As part of the construction phase, a waste management consultant will be appointed. All site and company waste management policies will be explained to subcontractors during contract negotiation. Details on how compliance with these policies will be achieved, will accompany the building license application. The tendering of the construction of the building and the Tender assessment scoring will be weighted in favour of contractors with waste minimisation strategies.

Compliance will be managed by the Project Manager and the Developer during construction to ensure contractual obligations are met.

2.2 Occupation

The occupants of the development will be made aware of the Waste Management Plan and their responsibilities under the Plan. This document will be included in the handover pack given to the owners at time of purchase/lease.

The key objectives of the WMP will be incorporated into the Strata Management Statement to ensure waste management within the development functions effectively in perpetuity. The Body Corporate will therefore be informed of the obligations under the Strata Management Statement and ensure the waste management practices described upon approval are conveyed to successive owners in the units. This information will be included in their contract and the contracts of successive tenants. The Body Corporate's role will be to continue to inform occupants of their obligations or any modifications to the system that were approved by the City of Cockburn.

3.0 Waste Disposal

3.1 Construction

During construction, a skip bin will be provided on site for waste produced during the course of construction and serviced as required. Some waste management contractors provide off site sorting and recycling to minimise landfill waste. These waste contractors will be selected to service during the construction phase where practical. Sub contractors will be responsible for presorting waste products into the appropriate bins where possible as this will reduce overall construction costs. This will be supervised by site management. Subcontractors are encouraged to use products that can be reused or easily sorted prior to landfill.

Waste water generated during wash down and clean-up of equipment used for brickwork and plastering has the potential to be high in PH and to be toxic to aquatic flora and fauna. To minimize the impacts associated with the cleanup of such equipment, the developer shall ensure that wastewaters are disposed of in accordance with DEC guidelines. This shall be communicated to all personnel during induction.

Used solvents and paints are to be stored in the site sea container and removed by a licensed contractor as required. All excess lime or cement is to be removed by the person who brought it on to site.

All subcontractors will be notified of their responsibility to maintain site cleanliness and adhere to waste management policies during construction. These obligations will be included in all subcontractor contracts.

3.2 Occupation

3.2.1 Waste Flow

Waste is generated by the apartment occupiers. This waste is separated in to different waste types by the occupier and transported by hand to the bin store, where it is placed in the relevant bin. The caretaker will manage the bins in the bin area to ensure one bin is full before the next one is used by the apartment occupiers. The caretaker will present all full bins on collection day outside the bin store along the 4m wide driveway for servicing. The Caretaker will also be responsible for retuning these bins once they have been serviced

The City of Cockburn collection service empties bins in to the waste and recycling disposal truck where it is removed from site for processing.

3.2.2 Bin Storage

The bin storage area is located on the ground floor, see drawing (site plan) and (ground floor plan), set back sufficiently from the entrance to ensure it is not in public view. It is behind the proposed location of the Pump and Tanks and is easily accessible for residents and waste removal personnel alike..

Following conversation with the City of Cockburn's Waste Management Services Department, a bin storage compound has been ideally located near to but set back from the Street Boundary. We have provided additional vehicle access and it is acknowledged that the City's objective is to plan the service so that waste trucks can engage in forward gear for the collection process and never have to reverse.

This has been achieved via the additional access. The truck can easily service all bins from within the site.

The bin store area will have concrete slab floor with a graded floor to a waste drain that is connected to sewer. A hose cock will also be included to facilitate washout of bins and washout of the area. The walls of the bin store will be sealed and painted in a light colour to facilitate washout. The caretaker will be responsible for washing waste and recycling the bins. The bin storage and wash down area will be constructed from masonry / concrete. It will be constructed using brickwork / blockwork for the walls with steel framed gates. The bin store can be accessed from the pedestrian access and car park area as well as the vehicle access on the other side. It will be lit when in use.

Signage will be installed at entry/egress points stating "DANGER" and "NO STANDNG". The bin store and wash down area will be open to the air and therefore ventilated.

4.0 Waste Management Plan

4.1 City Requirements

The City's waste minimisation storage and collection in Multi Unit Developments Policy have been provided by the City of Cockburn.

A summary of the City's minimum requirements relating to waste storage and collection in multi unit residential buildings are:

1. A Waste Management Plan detailing the waste movement through development
2. If residents share bins, then details on how and who presents these bins on collection day
3. Details on the estimated waste and recycling volumes generated / Unit
4. A **minimum** bin storage area of to 1M²/unit
5. A bin storage area that is convenient for residents and internal site collection.

All relevant conditions are to be addressed in order to comply with the City's Waste, Planning and Health Department requirements.

4.2 Waste Sources and Volumes Generated

This section shows how the development will deal with the following requirements specified by the City of Cockburn;

Adequate storage shall be provided to contain all waste and recycled material generated on the premises for at least 1 week

The minimum area shall be 1 square meter per residential unit

In addition to a detailed floor plan showing the size and location of the bin storage area,

4.2.1 Residential Waste

Waste audit data shows that multi-unit dwellings (MUDs) produce between 4 Kg and 7 Kg of garbage per week, and about 3 Kg per week or recyclables. This is around one third that produced from single dwellings (free-standing houses.) The City of Cockburn provides **weekly** MSW and Recycling services in 240-litres of garbage capacity and 240-litres of recyclables capacity per single dwelling. As the figures above show, this capacity is well in excess of that required for MUDs. The residential bin capacity required for this development would be one 240-litre garbage bin and one 240-litre recycling bin per three units. Other councils typically provide this capacity for households in MUD developments and it will be enough for the likely quantities produced per residential unit in this

case, however we intend to provide a total of thirty Bins, twenty 240-litre garbage bins and ten 240-litre recycling bins. This equates to one 240-litre garbage bin per 1.5 Units and one 240-litre recycling bin per three units.

Residential waste in this instance will be separated into general and recyclable products and stored in the associated receptacles.

4.3 Storage Area Required

The City of Cockburn has indicated that the bin storage areas at this development must be adequate 'to contain all waste and recycled material generated on the premises for at least 1 week.' The following calculations have been made with this condition in mind.

4.3.1 Residential waste

The current plans show 32 units in the development. If the City provided one 240-litre garbage bin and one 240-litre recycling bin per three units, this would amount to 10 garbage bins and 10 recycling bins. One 240-litre bin occupies a footprint of 0.45m². The total space occupied by 20 bins would be 9m². Allowing as much area again for access and manoeuvring bins means approximately 18m² of bins storage area would be required which equates to much less than 1m² per unit.

To comply with the policy, the residential bin areas have been separated to provide for easy access for residents as a priority. Accordingly, the attached plans illustrate a pedestrian access point from the Pedestrian Entry leading into a communal bin storage area for all 32 units. The bins will be emptied directly from this area.

A bulky goods storage area can be located adjacent to the bins within the bin storage area if we work with a total number of bins as 20 – being 10 of each type. (There are currently 30 bins shown which is in excess of requirements.)

4.4 Movement of Waste within the Development

The plans illustrate that a clear pathway can be made from the point of egress from the Building into the Bin Store Area. The location of the bin storage areas are out of view to the street as required by the residential Design Codes, and are located in a convenient location for future residents.

The location of the bin storage area is in a location in one larger area near the front driveway entrance. This is for the ease of the waste collection personnel and to facilitate a forward gear 'round trip' within the site confines. The location is within reasonable distance for all residents to dispose of waste utilising external access.

The volumes created by residential dwellings in a multiple dwelling format are considered to be 1/3 of a single dwelling or between 4-7Kg week per unit and 3 Kg per week for recycling. The City of Cockburn

- Processes all comingled recyclable product,
- Implements community education programs that has increased recyclable recovery and

- Understands that this 3kg average occupies a significantly greater volume than MSW,

there is, therefore, a greater demand for yellow top recycle bins. The final ratio of MSW to recycle bins can be amended if the residents generate greater recyclable volumes than the Australian estimates and require more recycle and less MSW bins.

The plans demonstrate a bin storage of 1m² per unit with the option of a bulky goods area besides the bin storage for larger item storage.

5.0 Waste management Plan Summary – Residential Waste

As there are 32 residential units, the bin storage area is designed to be approximately 34m² of total storage space. There is adequate bin collection area allocated.

The proposed Strata Management Statement will form part of the Strata Title for this development. It will incorporate this Waste Management Plan and any changes to this plan must be approved by the City of Cockburn.

6.0 Demolition of Existing Building

Please refer to the attached Site Map showing on site materials storage areas, collection points and vehicular access / egress arrangements.

The existing building is a two storey tilt up concrete building with steel roof frame and roof sheets. There are elements of brickwork and the overall condition of the building is fair to good with some portions looking to be relatively recently constructed.

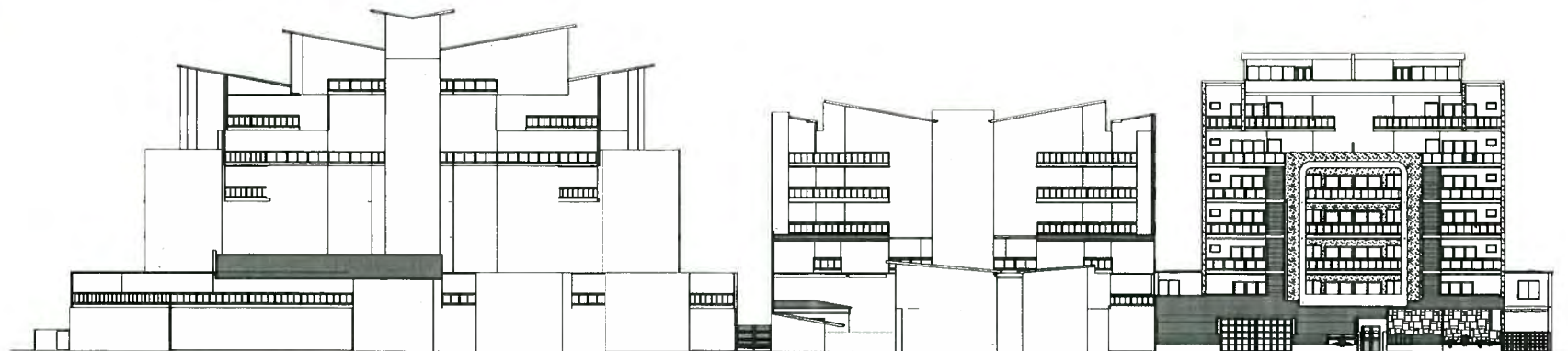
Interior fitout is standard framework and gyprock lining. There are toilet facilities and tea prep / cabinetry areas that could be salvaged.

Where possible Demolition will involve the breakdown, sorting and storage of re-usable / sellable components in locations as noted on the Site Map prior to removal. This will reduce the amount of waste sent to landfill.

During demolition, a skip bin will be provided on site for generic waste produced during the course of demolition and serviced as required. Many waste management contractors / Demolition contractors provide off site sorting and recycling to minimise landfill waste. These waste contractors will be selected to service during the demolition phase where practical. Sub contractors will be responsible for presorting waste products into the appropriate bins and / or storage areas. This will be supervised by site management.


All subcontractors will be notified of their responsibility to maintain site cleanliness and adhere to waste management policies during demolition. These obligations will be included in all subcontractor contracts.

6



PROPOSED STREETSCAPE 1:200 A1




PROPOSED STREETSCAPE					
 <small>ALL RIGHTS RESERVED. THIS DRAWING IS THE PROPERTY OF AZTEC ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN.</small>	SCALE	DATE	NAME	CLIENT	1376
	DESIGN	27/02/2014	GB	13 O'Connor Close Pty Ltd	
	PLANNING DRAWINGS	27/02/2014	TR	ADDRESS: 13 O'Connor Close, North Coogee	1 of 11
<small>Unit 18, 28-30 Sandhurst Road, Sandhurst, VIC 3088. P: 03 9461 2215. E: info@aztecarchitects.com.au. www.aztecarchitects.com.au</small>					



PROPOSED STREETSCAPE



EXISTING STREETSCAPE

PROPOSED STREETSCAPE					
 <small> AZTEC ARCHITECTS 10/14-16/20 Scarborough Beach Road, Scarborough P 08 9461 2315 F email: info@aztec-architects.com.au aztec@aztec-architects.com.au </small>	SCALE	DATE	NAME	CLIENT: 13 O'Connor Close Pty Ltd	1x 1376
	DESIGN	27 oct 2014	DS/TS	ADDRESS: 13 O'Connor Close, North Coogee	2x 1 of 11
<small> PLANNING DRAWINGS 27 oct 2014 TS </small>					



Form 1 - Responsible Authority Report

(Regulation 12)

Property Location:	Multiple properties in private and public ownership
Application Details:	Proposed South Baldivis to East Rockingham Wastewater Pressure Main with a length of 10.1 kilometres within the City of Rockingham
DAP Name:	Metro South-West Joint Development Assessment Panel
Applicant:	The Planning Group
Owner:	Various Landowners
LG Reference:	City of Rockingham
Responsible Authority:	Department of Planning
Authorising Officer:	Executive Director, Perth and Peel Planning
Department of Planning File No:	DAP Ref DP/14/00051; DoP Ref 28-50166-1
Report Date:	7 March 2014
Application Receipt Date:	20 January 2014
Application Process Days:	39 days
Attachment(s):	Attachment 1 - MRS Locality and Annotations Attachment 2 - Acid Sulfate Soil Map Attachment 3 - Extent of Contamination

Recommendation:

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

Approve DAP Application reference DP/14/00051 and accompanying plans date stamped 15 January 2014 by the Department of Planning in accordance with the Metropolitan Region Scheme, subject to the following conditions and advice notes:

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. (a) Investigation for soil and groundwater contamination is to be carried out in accordance with the Department of Environment Regulation's Contaminated Sites Management Series Guidelines.
(b) Remediation, including validation of remediation, of any contamination identified shall be completed in areas requiring remediation to the satisfaction of the Western Australian Planning Commission on advice from the Department of Environment Regulation.

Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Environment Regulation Contaminated Sites Guidelines.

3. An acid sulfate soils self-assessment form and, if required as a result of the self-assessment, an acid sulfate soils report and an acid sulfate soils management plan shall be submitted to and approved by the Department of Environment Regulation. Where an acid sulfate soils management plan is required to be submitted, all development works shall be carried out in accordance with the approved management plan.
4. Prior to the commencement of development works for land that is within 45 metres of the APA Group high pressure gas pipeline an AS 2885 qualitative risk assessment is to be undertaken and if required, a Pipeline Protection Plan to the satisfaction of the Western Australian Planning Commission on the advice of the APA Group.
5. The preparation and approval of a Construction Management Plan to address dust, noise, dewatering, the removal of surplus material and the areas designated for the laydown of storage of equipment and machinery outside the pipeline corridor during construction, to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham.
6. All excavation works to install the proposed pipeline are to be fenced and securely fastened.
7. The preparation and approval of a traffic management plan for constructed roads affected by the proposed pipeline, to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham.
8. The reinstatement of footpaths, grass, trees and irrigation infrastructure that is removed or destroyed to a standard commensurate to what existed prior to the development works, to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham. (Local Government)
9. The preparation and approval of an environmental offsets regimen approved by the Department of Environment Regulation in accordance with Environmental Protection Authority Position Statement Number 9: Environmental Offsets and guidance provided from Appendix 4 within State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region.

Advice Notes

1. In relation to Condition 2, the investigation is required for Lot 9009 Fifty Road Baldivis, classified as remediated for restricted use and Lots 5, 6 and 288 Kerosene Lane and Lot 283 Millar Road, Baldivis, classified as contaminated - remediation required under the Contaminated Sites Act 2003.

In accordance with regulation 31(1)(c) of the *Contaminated Sites Regulations 2006*, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Environment Regulation as evidence of compliance with Condition 2. A current list of accredited auditors is available from www.dec.wa.gov.au.

2. Condition 3 makes reference to an “acid sulfate soils self-assessment form”. This form can be downloaded from the Western Australian Planning Commission’s website at: www.planning.wa.gov.au.

The “acid sulphate soils self-assessment form” makes reference to the Department of Environment Regulation’s “Identification and Investigation of Acid Sulfate Soils” guideline. This guideline can be obtained from the Department of Environment Regulation’s website at: www.dec.wa.gov.au.
3. ATCO Gas Australia should be notified of any works within 15 metres of High Pressure gas infrastructure before those works begin. Construction, excavation and other activities may be restricted in this zone. No pavements (including crossovers) are to be constructed over the pipeline without consent from ATCO Gas Australia. Various pipeline safety tests may apply. The applicant is advised to contact ATCO Gas on 9499 5272 in this regard. Anyone proposing to carry out construction or excavation works must contact 'Dial Before You Dig' (Ph 1100) to determine the location of buried gas infrastructure.
4. Mains Roads Western Australia advises that at the intersection of Dixon Road and Gilmore Avenue with Mandurah Road, a grade separated traffic intersection is likely to be required in future. The Water Corporation is recommended to liaise with Main Roads Western Australia in relation to ensuring the proposed pipeline is buried a sufficient distance underground to prevent this pipeline being relocated when earthworks commence.
5. The Water Corporation is advised to liaise with the Public Transport Authority's Corridor and Heritage Coordinator (Shelley Brindal on 9326 2510) in relation to the installation of the proposed pipeline under any railway reservations.

Background:

Insert Property Address:	Crosses numerous lot boundaries
Insert Zones/Reservations MRS:	Urban, Parks and Recreation, Other Regional Road, Primary Regional Road
TPS:	Residential, Parks and Recreation, Other Regional Road, Primary Regional Road
Insert Use Class:	Public Utility
Insert Strategy Policy:	Directions 2031
Insert Development Scheme:	Metropolitan Region Scheme
Insert Lot Size:	Various lot sizes
Insert Existing Land Use:	Various
Value of Development:	\$8.8 million

In October 2013, the Water Corporation (WC) informed the Western Australian Planning Commission (WAPC) that the WC is supportive of 1350 hectares of land in the East Baldivis locality being transferred from the Urban Deferred zone to the Urban zone in the Metropolitan Region Scheme (MRS) (**Attachment 1** - MRS Locality and Annotations). If the WAPC agrees to transfer the land to the Urban zone, it is anticipated that the MRS Amendment could be gazetted by October 2015, followed by urban development.

To accommodate this future urban growth area, the WC is proposing to install an underground wastewater pressure main (the proposed pipeline) with an approximate length of 10.6 kilometres (10.1 kilometres within the City of Rockingham [CoR] and the other 0.5 kilometres within the City of Kwinana [CoK]) from the existing Magenta Crescent Wastewater Pump Station (WWPS) in Baldivis to the intersection of Chesterfield Road and Mandurah Road (See **Attachment 1**). The proposed pipeline is aligned, generally in a north westerly direction and is anticipated to take 20 months to install.

The planned termination point for the proposed pipeline is approximately 400 metres east of the yet to be constructed East Rockingham Wastewater Treatment Plant (ERWWTP). The first stage of the ERWWTP, inclusive of the 400 metre section of additional pipeline, is earmarked to be constructed by December 2015, under a future development application. The future ERWWTP, when fully operational, will accommodate wastewater for approximately 800,000 people.

The existing Magenta Crescent WWPS currently pumps wastewater to the Warnbro WWPS further south. The WC intends to divert all this wastewater via the installation of the proposed pipeline as existing wastewater infrastructure is nearing its capacity.

Without the proposed pipeline, additional urban development will be constrained by insufficient wastewater capacity.

Details: outline of development application

Requirement for Approval

The development application relates to the portion of the proposed pipeline located within the CoR (the proposed pipeline within the CoK is only \$400,000, to be duly determined by the WAPC under the MRS via a separate development application).

The proposed pipeline is to be located underground at a minimum depth of 1.55 metres with excavated soil to be backfilled once the pipeline is installed. The location for the proposed pipeline has been placed, where possible, within existing road reserves or infrastructure corridors to minimise the extent of easements that will be required. Once the pipeline has been installed, the WC will require permanent access to all portions with regular inspections occurring to complete any maintenance works required.

No regionally significant bushland is proposed to be removed within Bush Forever Site 356 - Lake Cooloongup, Lake Walyungup and Adjacent Bushland, Hillman to Port Kennedy (Site 356) to accommodate the proposed pipeline. The proposed pipeline traverses land that is classified with a low to moderate and moderate or high risk of acid sulfate soils (**Attachment 2** - Acid Sulfate Soil Map).

Mundijong Road Extension

Mundijong Road currently terminates at Baldivis Road and the Mundijong Road Extension (the Road Extension), an Other Regional Road in the MRS is currently being constructed. The Road Extension will provide greater accessibility between Baldivis Road and East Rockingham.

In March 2013, Parliamentary approval was granted to the CoR to excise the alignment for the Road Extension from Site 356. On 26 April 2013, the Western

Australian Planning Commission (WAPC) provided approval for the CoR to undertake land clearing and roadworks for the alignment of the Road Extension. The proposed pipeline is currently aligned to the south of the Road Extension, but ultimately will be located within the future final road widening corridor and traverses the northern portion of Kerosene Lane Swamp (the Swamp), zoned Urban in the MRS (See **Attachment 1**).

Flora and Fauna Study

Prior to the WC lodging its application for approval, a flora and fauna assessment study was completed. Within the Swamp, it was revealed that impacted vegetation from the proposed pipeline is consistent with a threatened ecological community (TEC).

Legislation & policy:

Legislation

Metropolitan Region Scheme

Approval under clause 30(1) of the MRS is required for the proposed pipeline in respect of zoned land but is not required for the land that is reserved under the MRS as no regionally significant bushland is proposed to be cleared.

Water Services Act 2012

Section 137 of the Water Services Act 2012 permits the WC, in providing works to facilitate the proposed pipeline, to be treated as a public agency of the Crown. This has relevance to Section 6 of the Planning and Development Act 2005 where the Crown has the right to undertake the required works without obtaining local planning approval from the CoR or the CoK.

Contaminated Sites Act 2003

Pursuant to clause 58(6)(b) of the Contaminated Site Act 2003, a responsible authority is not to grant approval for a proposed development where the land is subject to a memorial without seeking, and taking into account the advice of the Department of Environment Regulation.

State Government Policies

State Planning Policy 2.9 – Water Resources (SPP 2.9).

Planning Bulletin No. 87 - High Pressure Gas Transmission Pipelines in the Perth Metropolitan Region (PB 87).

Consultation:

The WC consulted with all the affected landowners prior to lodging the application and no objections were received.

Department of Mines and Petroleum and Department of Lands

The Department of Mines and Petroleum and Department of Lands have no objection to the proposed pipeline.

City of Rockingham

The CoR supports the proposed pipeline, subject to a series of conditions requested below:

- all works to install the proposed pipeline are to be fenced and securely fastened;
- the reinstatement of footpaths, grass, trees and irrigation infrastructure;
- the preparation and approval of a construction management plan prior to the commencement of works, detailing how dust, noise, dewatering, the removal of surplus material and the laydown and storage of machinery outside the pipeline corridor will be managed during construction;
- the preparation and approval of a traffic management plan for roads affected by the proposed pipeline; and
- all roads affected by the construction works shall be reinstated.

All the above conditions have a planning purpose and are recommended to be imposed.

Department of Parks and Wildlife

The Department of Parks and Wildlife (DPaW) commented that the proposed pipeline traverses the northern portion of the Swamp, a Conservation Category Wetland (CCW) that supports a high level of ecological attributes and functions. The Swamp is also protected under the *State Government's Environmental Protection (Swan Coastal Plain Lakes) Policy (EPP) 1992*.

The DPaW also advised that within Site 356, the vegetation proposed to be removed is contained within a buffer for numerous threatened and priority ecological communities and the TEC within the Swamp. The WC is proposing to provide an environmental offset as recommended by condition 9.

Department of Environment Regulation

The Department of Environment Regulation's (DER) Contaminated Sites Branch advised that the proposed pipeline traverses four lots within the Baldivis Tailings Storage Facility, classified as 'Restricted use - remediation required'. Further to the south, Lot 9009 Fifty Road is also classified as 'Remediated for restricted use'. (**Attachment 3** - Extent of Contamination). One condition has been recommended by the DER Contaminated Sites Branch to require an appropriate soil investigation for the extent of the contaminated sites and another condition to mitigate against the occurrence of acid sulfate soils.

APA Group

The APA Group's Parmelia high-pressure natural gas pipeline (PGP) is located within a 12 metre wide easement just north of Safety Bay Road to the beginning of the Nairn Drive road reserve and within an infrastructure corridor along Mandurah Road (See **Attachment 1**). As the proposed pipeline is within 45 metres of the PGP, APA has advised that the WC will need to undertake an AS 2895 qualitative risk assessment as specified in proposed condition 4.

ATCO Gas

The proposed pipeline crosses various ATCO Gas Australia high pressure gas infrastructure. A suitable advice note is recommended to alert the WC that ATCO Gas should be notified of any works within 15 metres of its infrastructure.

Planning Assessment

Metropolitan Region Scheme

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.

WAPC State Planning Policy 2.9 - Water Resources

SPP 2.9, published in December 2006, provides the scope for the WAPC to protect water resources. One of the objectives of SPP 2.9 is to promote the management and sustainable use of water resources. This encompasses a total water cycle management regimen. One such management regimen is the promotion of the urban water cycle as a single system in which all water flows, including wastewater, are recognised such as the proposed pipeline.

Land zoned urban in the MRS accommodates residential development along with a combination of other land uses, all requiring the adequate provision of wastewater services. The proposed pipeline is consistent with orderly and proper planning and the preservation of the amenity of the locality to secure an appropriate response to anticipated future urban development. The reinstatement works, recommended under proposed condition 8, will also preserve the amenity of the locality.

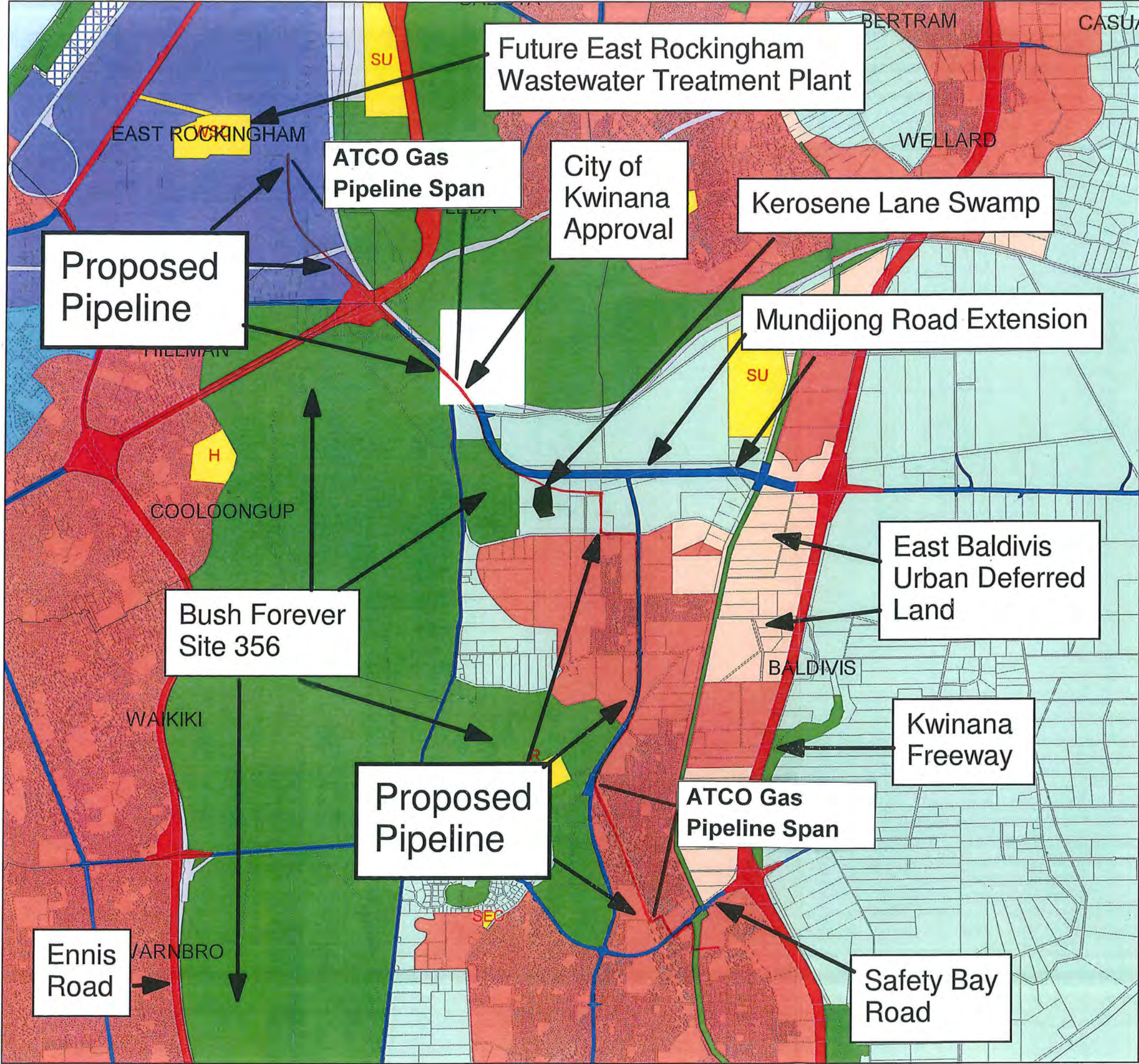
Environmental offsets are proposed to respond to the environmental impacts of the pipeline.

WAPC Planning Bulletin 87 - High Pressure Gas Transmission Pipelines in the Perth Metropolitan Region

PB 87 provides guidance on the matters to be taken into account in the vicinity of the Dampier to Bunbury Natural Gas Pipeline and the PGP within the Perth Metropolitan Region. The proposed pipeline only encroaches into the setback distance for the PGP with Table 1 of PB 87 specifying that a risk management plan is required when proposed development is located within 45 metres of the PGP. The proposed pipeline is earmarked to be placed in a 12 metre wide infrastructure corridor north of Safety Bay Road to the beginning of the Nairn Drive road reserve and within an infrastructure corridor along Mandurah Road (See **Attachment 1**). Condition 4 has been recommended accordingly.

Conclusion:

The installation of the proposed pipeline is a critical infrastructure item to (re)distribute wastewater to nearby the ERWWTP and is recommended for conditional development approval.



Government of Western Australia
Department of Planning

MRS Locality and Annotations

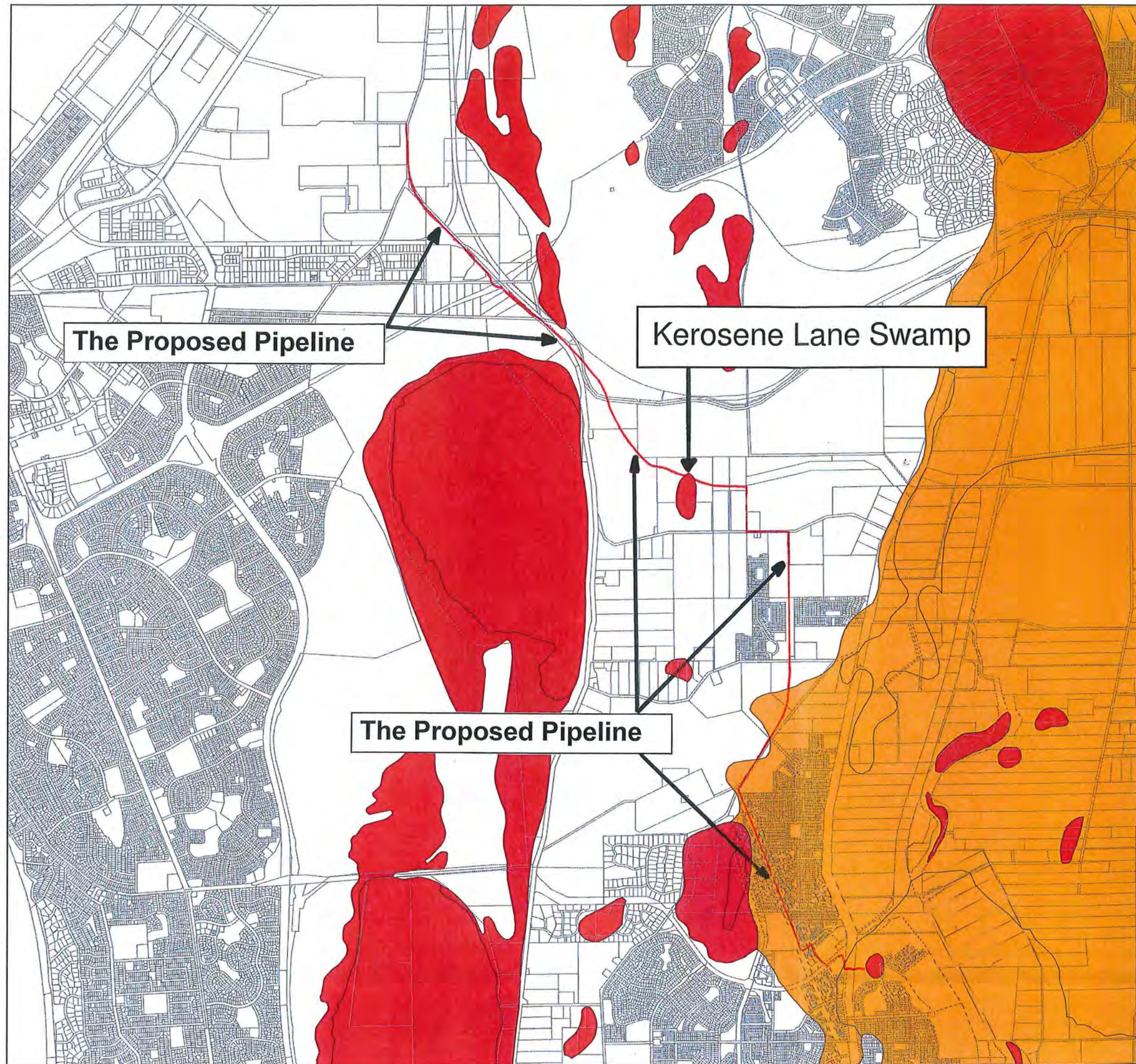
- Suburbs
- Cadastre with Lot Numbers
- URBAN
- URBAN DEFERRED
- CENTRAL CITY AREA
- INDUSTRIAL
- SPECIAL INDUSTRIAL
- RURAL
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- WATERWAYS
- PARKS & RECREATION
- PARKS & RECREATION RESTRICTED
- RAILWAYS
- PP - HOSPITAL
- PP - HIGH SCHOOL
- PP - STATE ENERGY COMMISSION
- PP - SPECIAL USES
- PP - WATER AUTHORITY OF W A



Prepared by: jbouwhuis
Prepared for: Development Assessment Panel
Date: Thursday, February 27, 2014 23:07
Plot identifier: P20140227_2307






DP INTERNAL USE ONLY



Government of **Western Australia**
Department of **Planning**

Acid Sulfate Soil Map

-  Cadastre with Lot Numbers
-  High to moderate ASS disturbance risk (<3m from surface)
-  Moderate to low ASS disturbance risk (<3m from surface)

Scale 1:51,413
0 1.25 km

Prepared by: jbouwhuis

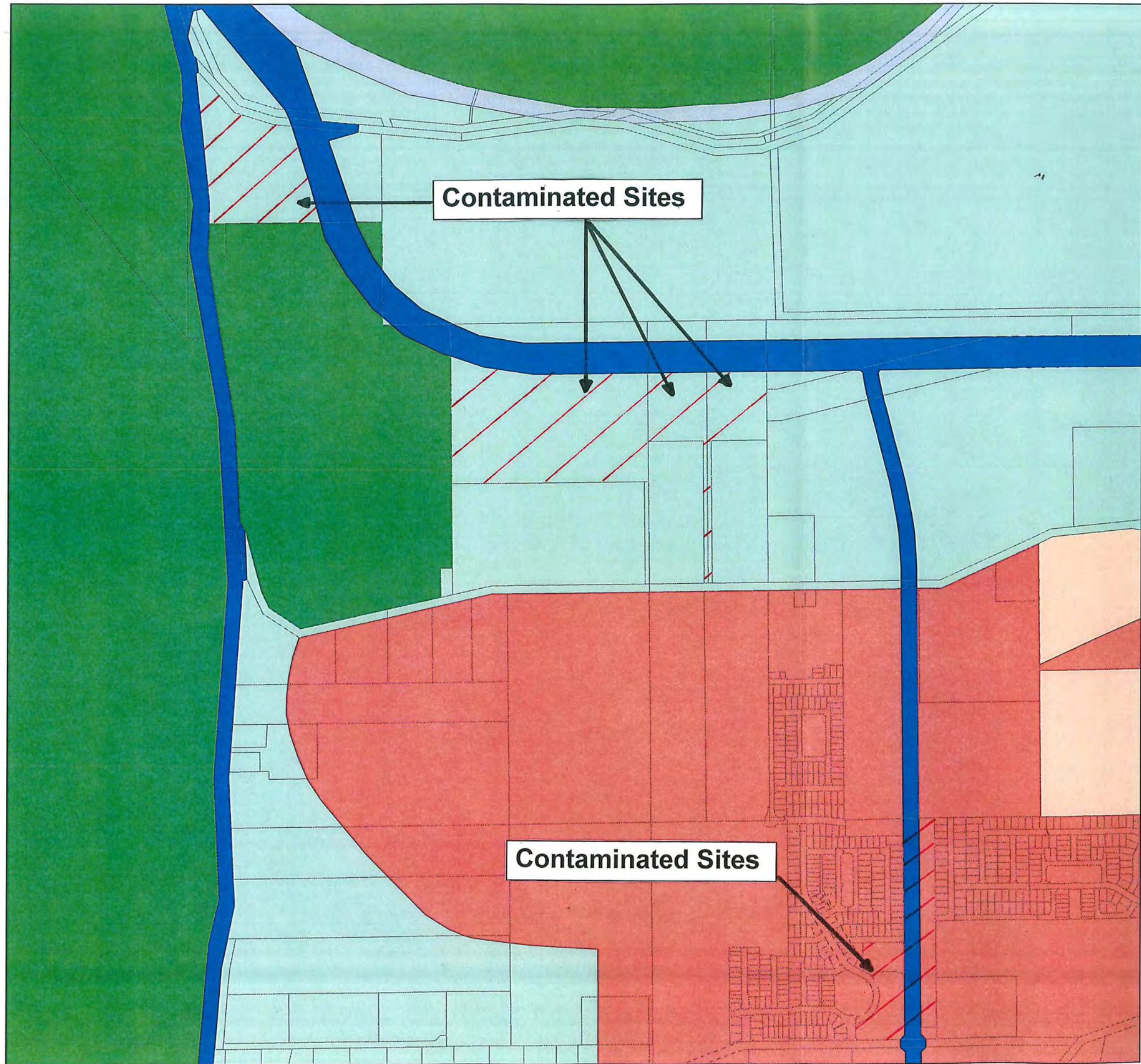
Prepared for: Development Assessment Panel

Date: Wednesday, February 26, 2014 14:33

Plot identifier: P20140226_1433



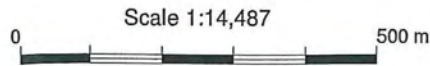
DP INTERNAL USE ONLY



Government of Western Australia
Department of Planning

Extent of Contamination

- Cadastre with Lot Numbers
- URBAN
- URBAN DEFERRED
- RURAL
- OTHER REGIONAL ROADS
- PARKS & RECREATION
- RAILWAYS



Prepared by: jbouwhuis
Prepared for: Development Assessment Panel
Date: Wednesday, February 26, 2014 14:57
Plot identifier: P20140226_1457



DP INTERNAL USE ONLY