



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

**Meeting Date and Time:** 8 July 2015; 9:30  
**Meeting Number:** MSWJDAP/74  
**Meeting Venue:** Department of Planning  
140 William Street, Perth

### Attendance

#### DAP Members

Mr David Gray (Presiding Member)  
Mr Ian Birch (Deputy Presiding Member)  
Mr Robert Nicholson (Specialist Member)  
Cr Joy Stewart (Local Government Member, City of Rockingham)  
Cr Richard Smith (Local Government Member, City of Rockingham)

#### Officers in attendance

Ms Erika Dawson (City of Rockingham)  
Ms Donna Shaw (City of Rockingham)

#### Department of Planning Minute Secretary

Mr Sean O'Connor

#### Applicant/s and Submitters

Mr Merv Williams (DMG Architecture)  
Mr Michael Jorgensen (DMG Architecture)  
Ms Alison Healey (TPG)  
Mr Duane Moroney (Access Housing)  
Mr Dusan Balbi (BGC Development)

#### Members of the Public

Nil

### 1. Declaration of Opening

The Presiding Member, Mr David Gray declared the meeting open at 9.30am on 8 July 2015 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 meeting No.72 held on 18 June 2015 and No.73 held on 22 June 2015 were noted by DAP members.

**5. Declaration of Due Consideration**

All members declared that they had duly considered the documents.

**6. Disclosure of interests**

Nil

**7. Deputations and presentations**

7.1 Mr Michael Jorgensen (DMG Architecture) advised the DAP for the application at Item 8.1. Lot 302 (No.1) Empress Corner, Rockingham (Cnr Flinders Lane), that a presentation would not be made regarding this item.

Mr Jorgensen advised that his client accepted the Council's recommendation without comment.

**8. Form 1 - Responsible Authority Reports – DAP Application/s**

8.1 Property Location:	Lot 302 (No.1) Empress Corner, Rockingham (Cnr Flinders Lane)
Application Details:	Proposed Mixed Use Development (90 Residential Apartments and 4 Commercial Tenancies)
Applicant:	Design Management Group Pty Ltd
Owner:	WA Land Authority
Responsible authority:	City of Rockingham
DoP File No:	DAP/15/00781



## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Councillor J Stewart

**Seconded by:** Councillor R Smith

That the Metro South-West JDAP resolves to:

**APPROVE** DAP Application reference DAP/15/00781 and accompanying plans:

- Site Plan, Drawing No.A01.02 REV C, dated 22.04.2015;
- Overshadowing Plan, Drawing No.A01.03 REV B, dated 22.04.2015;
- Ground Floor Plan, Drawing No.A02.01 REV E, dated 06.05.2015;
- First Floor Plan, Drawing No.A02.02 REV C, dated 22.04.2015;
- Podium Floor Plan, Drawing No.A02.03 REV C, dated 22.04.2015;
- Third Floor Plan, Drawing No.A02.04 REV C, dated 22.04.2015;
- Fourth Floor Plan, Drawing No.A02.05 REV C, dated 22.04.2015;
- Fifth Floor Plan, Drawing No.A02.06 REV C, dated 22.04.2015;
- Sixth Floor Plan, Drawing No.A02.207 REV C, dated 22.04.2015;
- Seventh Floor Plan, Drawing No.A02.08 REV C, dated 22.04.2015;
- Roof Plan, Drawing No.A02.09 REV C, dated 22.04.2015;
- Landscaping Plan, Drawing No.A02.10 REV A, dated 22.04.2015;
- Elevations Plan, Drawing No.A03.01 REV E, dated 06.05.2015;
- Elevations Plan, Drawing No.A03.02 REV C, dated 22.04.2015; and
- Sections Plan, Drawing No.A04.01 REV B, dated 22.04.2015

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. 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, prior to works commencing.
2. 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 access must be submitted to and be approved by the City of Rockingham prior to applying for a Building Permit.
3. 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.

4. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
5. All stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified hydraulic consultant, prior to the application for a Building Permit. The design shall be implemented and maintained for the duration of the development.
6. 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; and
  - (v) The street setback area and all verge areas including landscaping, paving and reticulation.

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

7. The carpark must:-
  - (i) provide a minimum of 87 parking spaces;
  - (ii) be designed in accordance with User Class 1 for Offices and 1A for Multiple Dwellings of Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval, prior to applying for a Building Permit;
  - (iii) include one car parking space dedicated to people with disabilities designed in accordance with User Class 4 of 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.

8. A cash contribution being provided for 27.36 car parking spaces in accordance with clause 4.15.2.1 of Town Planning Scheme No.2, with the calculation of the cash contribution being in accordance with clause 4.15.6.2 of Town Planning Scheme No.2, must be provided to the City, prior to applying for a Building Permit.
9. Ten (10) short-term bicycle parking space must be provided for the development in the road reserve adjacent the proposed commercial tenancies. The parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities*, approved by the City of Rockingham prior to applying for a Building Permit, and constructed prior to occupancy of the development. The bicycle parking space must be retained and maintained in good condition at all times.
10. Four (4) secure hot-water shower, change room and clothing lockers must be provided for the development in accordance with the plans submitted. It must be designed in accordance with *Planning Policy 3.3.14 - Bicycle Parking and End-of-Trip Facilities*, approved by the City prior to applying for a Building Permit, and constructed prior to occupancy of the development. The showers and change rooms and lockers must be retained and maintained in good condition at all times.
11. Clothes drying facilities (excluding electric clothes dryers) shall be screened from view of Kent Street, Flinders Lane and Empress Corner.
12. 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.
13. In accordance with the requirements of *Planning Policy 3.2.5 – Development Policy Plan - Waterfront Village Sector*, entries and window frontages facing the street of ground floor tenancies must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds or roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Flinders Lane and Empress Corner, at all times.



14. Public or customer access to the commercial tenancies must be from Flinders Lane or Empress Corner.
15. Above-ground meter boxes must not be located in a street setback area at any time.
16. 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.
17. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
18. A Final Acoustic Assessment must be prepared which demonstrates that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*, and including the following information, to the satisfaction of the City, prior to the occupation of the development:
  - (i) noise sources compared with the assigned noise levels as stated in the *Environmental Protection (Noise) Regulations 1997*, when the noise is received at the nearest 'noise sensitive premises' and surrounding residential area;
  - (ii) tonality, modulation and impulsiveness; and
  - (iii) confirm the implementation of noise attenuation measures.

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

#### **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. 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.
3. 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.
4. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant should liaise with the City's Building Services in this regard.
5. With respect to Condition 6, the applicant and owner should liaise with the City of Rockingham's Parks Services to confirm requirements for landscaping plans.



6. All works in the road reserve, including construction of a crossover or footpath, installation of on-street carparking spaces and any works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham's Engineering Services in this regard.
7. The development (awnings) must comply with the *Street Verandahs Local Law 2000* relating to encroachments into the road reserve. The applicant and owner should liaise with the City's Building Services in this regard.

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

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

- 9.1** Property Location: Lot 153 Nairn Drive, Baldivis  
Application Details: Amendment to Planning Approval for 51 Multiple Dwellings  
Applicant: The Planning Group WA Pty Ltd  
Owner: Access Housing Australia Ltd  
Responsible authority: City of Rockingham  
DoP File No: DAP/15/00727

**REPORT RECOMMENDATION / PRIMARY MOTION**

**Moved by:** Mr R Nicholson

**Seconded by:** Councillor J Stewart

That the Metro South-West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/15/00727 as detailed on the DAP Form 2 dated 13 May 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/15/00727 as detailed on the DAP Form 2 dated 13 May 2015 and accompanying plans:
  - Site and Ground Floor Plan, Drawing No. DA1.01, Rev E, dated 11.5.15;
  - First Floor Plan, Drawing No. DA2.01, Rev D, dated 8.5.15;
  - Second Floor Plan, Drawing No. DA2.02, Rev D, dated 8.5.15;
  - Roof Plan, Drawing No. DA2.03, Rev C, dated 7.5.15;
  - Elevations, Drawing No. DA3.01, Rev D, dated 8.5.15;
  - Unit Types, Drawing No. DA6.01, Rev E, dated 8.5.15;
  - Perspective, Drawing No. DA11.02, Rev C, dated 7.5.15;

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:



1. Clothes drying areas (excluding electric clothes dryers) must be designated for each Multiple Dwelling, to be screened from public view in accordance with the R-Codes, prior to applying for a Building Permit, and implemented as such for the duration of the development.
2. An enclosed, lockable storage area of not less than 4m<sup>2</sup> in area, with a minimum dimension of 1.5m and located within the same building as their respective dwellings, being designed for each multiple dwelling, prior to applying for a Building Permit, and implemented as such for the duration the development.
3. Above-ground meter boxes must not be located in a street setback area at any time.
4. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
5. 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, prior to works commencing.
6. 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.
7. All stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified hydraulic consultant, prior to the issue of a Building Permit. The design shall be implemented and maintained for the duration of the development.
8. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to issue of a Building Permit.
  - a) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
  - b) Any lawns to be established;
  - c) Any natural landscape areas to be retained;
  - d) Those areas to be reticulated or irrigated; and
  - e) The street setback area and all verge areas.

The landscaping must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham.
9. The carpark must:-
  - a) provide a minimum of 55 parking spaces;
  - b) be designed in accordance with User Class 1A of the Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval, prior to issue of a Building Permit;





- c) include Four (4) visitor carparking spaces clearly marked/signposted as visitor spaces and connected to the development via a 1.2m wide continuous accessible path of travel prior to occupation of the development, and must be retained and maintained in good condition at all times.
- d) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
- e) have lighting installed, prior to the occupation of the development; and
- f) 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.

Carpark spaces dedicated to people with disabilities, the spaces must be 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*.

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

10. Nine (9) on-street car parking spaces must be provided for visitor parking along the Nairn Drive slip road. The parking must be designed in accordance with the High Turnover Use Category of the Australian Standard AS 2890.5—1993, *Parking facilities, Part 5: On-street parking*, approved by the City of Rockingham prior to issue of a Building Permit, and constructed prior to occupation of the develop

Prior to the occupation of the development a footpath must be constructed linking the visitor bays on the Nairn Drive slip road to the vehicular access point on Sherry Street to the specifications and satisfaction of the City of Rockingham.

11. Six (6) short-term bicycle parking spaces must be provided for the development. The parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities*, approved by the City of Rockingham prior to issue of a Building Permit, and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good condition at all times.
12. Fencing nominated on the approved plan must be 50% visually permeable above 1.2 metres prior to applying for a Building Permit, and must be retained and maintained in good condition at all times.
13. Prior to applying for a Building Permit the applicant must submit details of the eastern boundary wall for approval to the satisfaction of the City of Rockingham.
14. A Waste Management Plan must be prepared and include the following detail to the satisfaction of the City, prior to issue of a Building Permit:-
  - a) the location of bin storage areas and bin collection areas;
  - b) details of screening of the bins from view from the street;
  - c) the expected volume of waste to be disposed of;



- d) the number, volume and type of bins, and the type of waste to be placed in the bins;
- e) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas;
- f) frequency of bin collections; and
- g) the bin storage area drainage details.

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

15. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public views and/or screened, the details of which are to be provided to the City of Rockingham's satisfaction prior to applying for a Building Permit.

#### Advice Notes

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Planning Approval must be submitted to the City of Rockingham.
3. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant should liaise with the City's Building Services in this regard.
4. With respect to Condition 8, the applicant and owner should liaise with the City of Rockingham's Parks Services to confirm requirements for landscaping plans.
5. With regard to condition 10, the footpath is required in order to provide a continuous path of travel from the on street visitor bays to the units fronting Sherry Street. In accordance with Clause 8.3.3 (x) of Planning Policy 3.2.4 - Baldivis Town Centre, developers are required to contribute the full cost of streetscape works in the public streets immediate adjoining their development site.
6. All works in the road reserve, including construction of a crossover or footpath, installation of on-street carparking spaces and any works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham's Engineering Services in this regard.



## AMENDING MOTION

**Moved by:** Mr R Nicholson

**Seconded by:** Councillor J Stewart

That reference be made to the previous Form 1 approved at the Metro South-West JDAP meeting held on 22 April 2015 and, Conditions 1 to 15 and Advice Notes 1 to 6 be deleted, and that the last sentence to paragraph 2 be amended to read as follows:

*in accordance with Clause 6.7.1(a) of the City of Rockingham Town Planning Scheme No.2 and Clause 30(1) of the Metropolitan Region Scheme, subject to the approval dated 22 April 2015.*

**REASON:** To remove the Conditions and Advice Notes that were already approved in the Form 1 application and to clarify which Conditions were being approved as a part of the Form 2 application.

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 DAP/15/00727 as detailed on the DAP Form 2 dated 13 May 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/15/00727 as detailed on the DAP Form 2 dated 13 May 2015 and accompanying plans:
  - Site and Ground Floor Plan, Drawing No. DA1.01, Rev E, dated 11.5.15;
  - First Floor Plan, Drawing No. DA2.01, Rev D, dated 8.5.15;
  - Second Floor Plan, Drawing No. DA2.02, Rev D, dated 8.5.15;
  - Roof Plan, Drawing No. DA2.03, Rev C, dated 7.5.15;
  - Elevations, Drawing No. DA3.01, Rev D, dated 8.5.15;
  - Unit Types, Drawing No. DA6.01, Rev E, dated 8.5.15;

*Perspective, Drawing No. DA11.02, Rev C, dated 7.5.15; in accordance with Clause 6.7.1(a) of the City of Rockingham Town Planning Scheme No.2 and Clause 30(1) of the Metropolitan Region Scheme, subject to the approval dated 22 April 2015.*

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

## 10. Appeals to the State Administrative Tribunal

Nil



## 11. General Business / Meeting Close

The Presiding Member reminded the meeting that in accordance with Standing Order 7.3 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the presiding member declared the meeting closed at 10.02AM.