



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 9 March 2021; 10:30am
Meeting Number: MOJDAP/72
Meeting Venue: City of Rockingham
Civic Boulevard, Rockingham

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Attendance

DAP Members

Ms Sheryl Chaffer (A/Presiding Member)
Mr Jason Hick (Third Specialist Member)
Cr Deb Hamblin (Local Government Member, City of Rockingham)
Cr Lorna Buchan (Local Government Member, City of Rockingham)

Officers in attendance

Mr Chris Parlane (City of Rockingham)
Mr Mike Ross (City of Rockingham)

Minute Secretary

Mrs Nicole Gardner (City of Rockingham)
Mrs Justine Archibald (City of Rockingham)

Applicants and Submitters

Mr Brad Quatermaine (Brad Quatermaine Architect)
Mr Trevor Darch (South Coast Baptist College)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

Due to the absence of the Presiding Member and in accordance with section 2.4.1 of the DAP Standing Orders 2020, the Deputy Presiding Member, Ms Sheryl Chaffer took the chair and declared the meeting open at 10:33am on 9 March 2021.

The A/Presiding Member acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The A/Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The A/Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The A/Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the DAP Standing Orders 2020 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

Mr Ian Birch (Presiding Member)
Cr Mark Jones (Local Government Member, City of Rockingham)

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

The A/Presiding Member noted that an addendum to the agenda was published to include a Location Plan and amended Site Plan provided by the City of Rockingham in relation to Item 8.1, received on 8 March 2021.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Cr Deb Hamblin and Cr Lorna Buchan, declared that they participated in a prior Council meeting in relation to the application at item 8.1. However, under section 2.1.2 of the DAP Code of Conduct 2017, Cr Hamblin and Cr Buchan acknowledged that they are not bound by any previous decision or resolution of the local government and undertake to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the A/Presiding Member determined that the members listed above, who had disclosed an Impartiality Interest, are permitted to participate in the discussion and voting on the item.

7. Deputations and Presentations

Nil.



8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 2000 (30) Gnangara Drive, Waikiki

Development Description:	Proposed extension to educational establishment
Applicant:	Brad Quatermaine Architect
Owner:	South Coast Baptist College (Inc)
Responsible Authority:	20.295.1
DAP File No:	DAP/20/01876

REPORT RECOMMENDATION

Moved by: Cr Deb Hamblin

Seconded by: Cr Lorna Buchan

That the Metro Outer Joint Development Assessment Panel resolves to:

Approve DAP Application reference DA/20/01876 and accompanying plans:

- Site Plan, SK07 Rev I, dated 8 December 2020;
- Ground Floor Plan, SK08 Rev E, dated 16 December 2020;
- First Floor Plan, SK09, Rev D, dated 9 October 2020;
- Elevations Plans, SK 10, Rev A, dated 13 September 2020;
- Landscape Master Plan, LD-MP-01, Rev D.2, dated 15 December 2020

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 68(2)(b) of the *City of Rockingham Town Planning Scheme No. 2*, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes development approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineering showing how stormwater will be contained on-site and those plans must be submitted to the City of Rockingham for its approval. All stormwater generated by the development must be managed in accordance with Planning Policy 3.4.3 - Urban Water Management to the satisfaction of the City of Rockingham. The approved plans must be implemented and all works must be maintained for the duration of the development.
4. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must 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. Prior to the occupation of the development, the existing crossover must be removed and the verge, footpath, kerbing and landscaping must be reinstated to the satisfaction of the City of Rockingham.
6. Prior to applying for a Building Permit, the submitted landscape Master Plan, LD-MP-01, Rev D.2 dated 15 December 2020 must be revised to the satisfaction of the City of Rockingham to include the following:
 - (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - (ii) Any lawns to be established;
 - (iii) Any natural landscape areas to be retained;
 - (iv) Those areas to be reticulated or irrigated;
 - (v) To offset the removal of the two Sheoaks (*Allocasuarina fraseriana*) and the two smaller Eucalypts, four Sheoaks and four Tuarts (*Eucalyptus gomphocephala*) must be planted elsewhere on the Lot. The locations of the new plantings must be shown on a revised Site Plan;
 - (vi) Verge treatments. 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.
7. Trees, shrubs taller than 2m and grasstree plants (XANTHORRHOEACEAE family) must be retained (unless specifically identified for removal on the approved plans) and, during the construction period, measures for their retention must be taken in accordance with Australian Standard AS 4970—2009, Protection of Trees on Development Sites. These measures are to be detailed in a vegetation retention management plan to the satisfaction of the City of Rockingham.
8. The on-site carpark must:
 - (i) provide a minimum of 19 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 3 of Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking prior to applying for a Building Permit;
 - (iii) provide 1 car parking space dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed 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; and
 - (v) comply with the above requirements for the duration of the development.
9. 18 on-street car parking spaces must be designed and constructed in accordance with detailed plans and specifications submitted and approved by the City of Rockingham for short-term parking along Oakwood Crescent and Fairview Drive,



in accordance with Australian Standard AS 2890.5:2020, Parking facilities, On-street parking. The five (5) on-street car parking spaces proposed on Fairview Drive opposite Halfmoon Place do not form part of this approval and must be deleted, as marked in red on the Approved Site Plan.

The car parking spaces must:

- (i) be designed, constructed, sealed, kerbed, drained and marked in accordance with Australian Standard AS 2890.5—1993, Parking facilities, Part 5: On-street parking;
 - (ii) be approved by the City of Rockingham prior to applying for a Building Permit;
 - (iii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; and comply with the above requirements for the duration of the development.
10. The proposed bus parking bay in the verge of Oakwood Crescent does not form part of this approval and must be deleted, as marked in red on the Approved Site Plan.
 11. In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, 26 long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities and must be approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.
 12. Existing street trees adjacent to the development site must be protected throughout construction in accordance with *Australian Standard AS 4970-2009 Protection of Trees on Development Sites*.
 13. Prior to applying for a Building Permit, an Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source, including noise emanating from the development, will comply with the Environmental Protection (Noise) Regulations 1997, must be submitted to and approved by the City of Rockingham.
 14. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to City's satisfaction, that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*. The Final Acoustic Assessment must include the following information:
 - (a) 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;
 - (b) tonality, modulation and impulsiveness of noise sources; and
 - (c) confirmation of 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.



15. Prior to the occupation of the development, an illumination report must be prepared which demonstrates to the satisfaction of the City of Rockingham, that the completed development complies with the requirements of *Australian Standard AS 4282-2019, 'Control of the obtrusive effects of outdoor lighting'*.
16. Prior to applying for a Building Permit, all service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, must be designed to be located away from public view and/or screened, and this design must be provided to, and approved by, the City of Rockingham.
17. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
18. Prior to the lodgement of a building permit, a Waste Management Plan must be submitted for the approval of the City, and thereafter implemented for the duration of the development.
19. Prior to commencement of development, a Construction Management Plan must be prepared and approved to ensure the appropriate management of construction related impacts. The approved plan must be implemented for the duration of construction works, to the satisfaction of the City of Rockingham.

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 Development Approval must be submitted to the City of Rockingham.
2. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.
3. The development must comply with the *Environmental Protection (Noise) Regulations 1997*; contact the City's Health Services for information on confirming requirements.
4. The development must comply with the Food Act 2008, the Food Safety Standards and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only); the applicant and owner should liaise with the City of Rockingham's Health Services in this regard.
5. The development must comply with the Health (Public Building) Regulations 1992; the applicant and owner should liaise with the City of Rockingham's Health Services in this regard.
6. With respect to the landscaping plan, the applicant and owner should liaise with the City of Rockingham's Land Development and Infrastructure Services to confirm requirements for the landscaping plan, including the requirements for developing and maintaining of the street verges abutting the development site.
7. All works in the road reserve, including construction of a crossover or footpath 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.

8. The applicant is advised that in respect of Condition 3, a Stormwater Management Plan will require compliance with Planning Policy 3.4.3 – Urban Water Management. The applicant is encouraged to discuss the specific policy requirements with the City prior to the submission of the plan.
9. 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.
10. The applicant is responsible for protecting any existing City streetscape assets along Gnangara Drive, Oakwood Crescent and Fairview Drive during the course of the project. This includes any existing streetscape lighting, grated gully pits, side entry pits, kerb, footpaths, trees, turf etc. If any damage is caused to the existing assets (identified to be retained), they must be rectified to the satisfaction of the City of Rockingham. It is recommended that a photographic dilapidation report is undertaken by the applicant, to record the current condition of these assets.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposal is consistent with the planning framework for the locality. The panel supported the school sporting facilities upgrade that would also be available for community use. The parking shortfall of one space was considered minor and overall parking provided on site was adequate for the development. Kerbside bus parking, external to the site is excluded from the approval and will be subject to a separate negotiation process with the City, applicant and Public Transport Authority.

Relevant conditions on parking management, access, noise and potential light spill were applied in accordance with the RAR recommendations to mitigate adverse amenity impacts on surrounding residential properties.

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil.

10. State Administrative Tribunal Applications and Supreme Court Appeals

The A/Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01708 DR 138/2020	City of Kwinana	Lot 108 Kwinana Beach Road, Kwinana	Proposed Bulk Liquid Storage for GrainCorp Liquid Terminals	01/07/2020
DAP/01729 DR 176/2020	City of Kalamunda	Lot 130 (74) Warlingham Drive, Lesmurdie	Aged Residential Care Facility	28/8/2020



Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/20/01764 DR 204/2020	City of Swan	Lot 780 (46) Gaston Road, Bullsbrook	Proposed Stock Feed Grain Mill	8/09/2020
DAP/20/01829 DR 001/2021	City of Swan	Lot 1 (42) Dale Road & Lot 4 (43) Yukich Close, Middle Swan	Aged care and community purpose	08/01/2021

11. General Business

The A/Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 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.

12. Meeting Closure

There being no further business, the A/Presiding Member declared the meeting closed at 10:45am.