



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

**Meeting Date and Time:** 2 April 2015; 12:30pm  
**Meeting Number:** MSWJDAP/65  
**Meeting Venue:** Department of Planning  
140 William Street, Perth

### Attendance

#### DAP Members

Mr David Gray (Presiding Member)  
Mr Ian Birch (Deputy Presiding Member)  
Mr Rob 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 Barton (City of Rockingham)  
Ms Donna Shaw (City of Rockingham)  
Ms Ivin Lim (Department of Planning)

#### Department of Planning Minute Secretary

Mr Sean O'Connor

#### Applicants and Submitters

Mr Tony Paduano (TPG)  
Ms Alison Healey (TPG)  
Mr Duane Moroney (Access Housing)  
Mr Dusan Balbi (BGC Development)  
Mr Ross Underwood (Planning Solutions)  
Ms Rebecca Travaglione (Planning Solutions)  
Mr Michael Dyrka (Dyrka & Partners Architects)  
Mr Ian Tucker (Dyrka & Partners Architects)  
Mr Eric Phillips (Phillips Engineering)

#### Members of the Public

Mr Ron Pease

### 1. Declaration of Opening

The Presiding Member, Mr David Gray declared the meeting open at 12:32pm on 2 April 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 JDAP meeting No.64 held on 19 March 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** Ms Alison Healey (TPG) presenting for the application at Item 8.1. The presentation will thank the Officers for their support and request the reconsideration of Conditions 1 and 10.

**7.2** Mr Ross Underwood (Planning Solutions) presenting for the application at Item 8.2. The presentation will seek approval of the development.

The presentation for item 8.2 was heard immediately prior to that item.



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

8.1 Property Location:	Lot 153 Nairn Drive, Baldivis
Application Details:	51 Multiple Dwellings
Applicant:	TPG Town Planning, Urban Design and Heritage
Owner:	Access Housing Australia Ltd
Responsible authority:	City of Rockingham
DoP File No:	DAP/15/00727

### REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr Stewart

**Seconded by:** Cr Smith

That the Metro South-West JDAP resolves to:

**Approve** DAP Application reference DAP/15/00727 and accompanying plans:

- Site and Ground Floor Plan, Drawing No. DA1.01, Rev A, dated 9.1.15;
- First Floor Plan, Drawing No. DA2.01, Rev A, dated 9.1.15;
- Second Floor Plan, Drawing No. DA2.02, Rev A, dated 9.1.15;
- Roof Plan, Drawing No. DA2.03, Rev A, dated 8.1.15;
- Elevations, Drawing No. DA3.01, Rev A, dated 9.1.15;
- Unit Types, Drawing No. DA6.01, Rev A, dated 2.12.14
- Perspective, Drawing No. DA11.01, Rev A, dated 30.1.15;
- Perspective, Drawing No. DA11.02, Rev A, dated 30.1.15;

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 facilities (excluding electric clothes dryers) must be designed for each Multiple Dwelling, to be screened from public view, 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.

Should the carpark include 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. 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:** Cr Smith

**Seconded by:** Mr Birch

That Condition 1 be amended to read:

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.

**REASON: For clarity.**

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

#### **AMENDING MOTION**

**Moved by:** Cr Smith

**Seconded by:** Cr Stewart

That Condition 10 be amended to read:

10. Nine (9) on-street car parking spaces are provided for visitor parking along the Nairn Drive slip road. The parking has been 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.

**REASON: The Condition has been reworded so the street parking is associated with the development, but does not to imply onus for the applicant to construct, as it has already been provided by the City of Rockingham.**

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

#### **AMENDING MOTION**

**Moved by:** Cr Smith

**Seconded by:** Mr Birch

That Condition 9 be amended to read:

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 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*, and 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.

**REASON: To clarify that accessible parking will be provided and developed in accordance with the Australian Standard.**

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

#### **AMENDING MOTION**

**Moved by:** Mr Nicholson

**Seconded by:** Cr Stewart

To amend Condition 11 to read:

- 11. The bicycle 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.

**REASON: To confirm that all bicycle parking spaces shown on the plans are to be provided.**

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



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

That the Metro South-West JDAP resolves to:

**Approve** DAP Application reference DAP/15/00727 and accompanying plans:

- Site and Ground Floor Plan, Drawing No. DA1.01, Rev A, dated 9.1.15;
- First Floor Plan, Drawing No. DA2.01, Rev A, dated 9.1.15;
- Second Floor Plan, Drawing No. DA2.02, Rev A, dated 9.1.15;
- Roof Plan, Drawing No. DA2.03, Rev A, dated 8.1.15;
- Elevations, Drawing No. DA3.01, Rev A, dated 9.1.15;
- Unit Types, Drawing No. DA6.01, Rev A, dated 2.12.14
- Perspective, Drawing No. DA11.01, Rev A, dated 30.1.15;
- Perspective, Drawing No. DA11.02, Rev A, dated 30.1.15;

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;
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Carpark spaces dedicated to people with disabilities 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*, and 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 are provided for visitor parking along the Nairn Drive slip road. The parking has been 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.
11. The bicycle 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.

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- the location of bin storage areas and bin collection areas;
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  - the expected volume of waste to be disposed of;
  - the number, volume and type of bins, and the type of waste to be placed in the bins;
  - management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas;
  - frequency of bin collections; and
  - 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**

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- 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.
- 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.
- 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.
- 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.

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



<b>8.2</b> Property Location:	Lot 101 (No.45) Rockingham Beach Road, Rockingham
Application Details:	Proposed Mixed Use Development (52 Residential Apartments, Restaurant, Shop & Office)
Applicant:	Planning Solutions (Aust) Pty Ltd
Owner:	Grand Edition Pty Ltd
Responsible authority:	City of Rockingham
DoP File No:	DAP/15/00707

## **REPORT RECOMMENDATION / PRIMARY MOTION**

**Moved by:** Cr Smith

**Seconded by:** Cr Stewart

That the Metro South-West JDAP resolves to:

**Refuse** DAP Application reference DAP/15/00707 and accompanying plans A100, A101, A102, A103, A104, A105, A111, A112, A113, A200, A201, A300, A301, A900 dated 7 December 2014 in accordance with Clause 6.7.1(b) of the City of Rockingham Local Town Planning Scheme No.2 the following reasons:

### **Reasons**

1. The proposed development is inconsistent with 4.3B.1(a) of Town Planning Scheme No.2, being the objective for the built form outcomes of the Primary Centre Waterfront Village Zone, as the proposed development is not in accordance with the Development Planning Policy for the Waterfront Village Sector.
2. The proposed development is inconsistent with Clause 4.3B.1(c) of Town Planning Scheme No.2, being the objective for the built form outcomes of the Primary Centre Waterfront Village Zone, as the proposed height of the development in conjunction with the reduced upper floor and side setbacks results in greater 'building bulk', which is considered to detract from the existing streetscape.
3. The proposed development is inconsistent with Provision 4.1.5(a) - Building Height of Planning Policy 3.2.5 - Development Policy Plan - Waterfront Village Zone, as the proposed development exceeds the maximum permitted building height and as such results in excessive building bulk which adversely affects the amenity of the streetscape in relation to urban form and loss of pedestrian scale of Rockingham Beach Road as intended by the Planning Policy.
4. The proposed development is inconsistent with Provision 4.1.5(b) Front Setbacks and 4.1.5(c) Side Setbacks of Planning Policy 3.2.5 - Development Policy Plan - Waterfront Village Zone, as the proposed development does not provide the required front and side setbacks, resulting in excessive building bulk which detrimentally impacts the amenity of the streetscape and street environment by virtue of preventing views of the sky, acting as a visual barrier to prospective views from inland development and creating a sense of built form over-crowding of Rockingham Beach Road.
5. The proposed development is inconsistent with Provision 4.1.5(e) - Site Dimensions of Planning Policy 3.2.5 - Development Policy Plan - Waterfront Village Zone, as the proposed development does not achieve the minimum site dimensions. As such, it creates a sense of overdevelopment of the subject site, which adds to the building bulk which adversely affects the pedestrian scale and amenity of Rockingham Beach Road.



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## PROCEDURAL MOTION

**Moved by:** Mr Gray

**Seconded by:** Cr Smith

That the JDAP receive legal advice from representatives from the DAP Secretariat and such advice is received behind closed doors, in accordance with Section 5.10.2g of the Standing Orders 2012.

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

*The meeting was closed to the public at 1.06pm.  
The meeting was opened to the public at 1.32pm*

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

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

Nil

**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 1:45pm.