



Minutes of the Metro South-West Joint Development Assessment Panel

Meeting Date and Time: Thursday, 4 February 2016; 1:00pm
Meeting Number: MSWJDAP/92
Meeting Venue: City of Rockingham
Civic Boulevard
Rockingham

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Stacey Towne (Deputy Presiding Member) – *via teleconference*
Mr Rob Nicholson (Specialist Member)
Cr Chris Elliott (Local Government Member, City of Rockingham)
Cr Lee Downham (Local Government Member, City of Rockingham)

Officers in attendance

Mr Mike Ross (City of Rockingham)
Mr Greg Delahunty (City of Rockingham)

Local Government Minute Secretary

Ms Nicole D'Alessandro

Applicants and Submitters

Mr Ross Underwood (Planning Solutions)
Mr Arno Staub (Staub Family Pty Ltd)
Mr Jonas Staub (Staub Family Pty Ltd)
Mr Yoel Staub (Staub Family Pty Ltd)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Mr Ian Birch declared the meeting open at 1:00pm on 4 February 2015 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

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.91 held on 29 January 2016 were not available for noting at the time of meeting.

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 Arno Staub (Staub Family Pty Ltd) addressed the DAP for the application at Item 10.1. Mr Staub answered questions from the panel.

7.2 Mr Ross Underwood (Planning Solutions) addressed the DAP for the application at Item 10.1. Mr Underwood answered questions from the panel.

8. Form 1 - Responsible Authority Reports – DAP Application

Nil

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

Nil

10. Appeals to the State Administrative Tribunal

10.1 Property Location:	Lot 159 Minden Lane, Baldivis
Application Details:	Mixed Use Development (Showroom and Office)
Applicant:	Planning 4Site Pty Ltd (MW Urban)
Owner:	Staub Family Pty Ltd
Responsible authority:	City of Rockingham
DoP File No:	DAP/14/00631

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Chris Elliott

Seconded by: Cr Lee Downham



That the Metro South-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 375 of 2015, resolves to:

1. **Reconsider** its decision dated 2nd October 2015 and;
2. Affirm its decision to **Refuse** DAP Application reference DAP/14/00631 and accompanying plans:
 - Site and Ground Floor Plan, Drawing No.SK.12 Rev M, dated 11.12.15;
 - First Floor Plan, Drawing No.SK.13 Rev M, dated 11.12.15;
 - Second Floor Plan, Drawing No.SK.14 Rev M, dated 11.12.15; and
 - Elevation and Section Plans, Drawing No.SK.15 Rev J, dated 9.11.15in accordance with Clause 68(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the proposed mixed used commercial development at Lot 159 Minden Lane, Baldivis for the following reasons:
 - (a) The proposed development fails to provide an adequately designed car park, as it does not comply with the parking requirements of *AS/NZS 2890.1:2004 Parking facilities - Off-street car parking*.
 - (b) The proposed development is not considered to be compatible with its setting, as required by clause 67 (m) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Schedule 2 - Deemed Provisions)*.
 - (c) Adequate provision has not been made for the loading and unloading of service vehicles, as required by Clause 67(s) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Schedule 2 - Deemed Provisions)*.
 - (d) The proposed development does not provide sufficient variety and articulation of street front building facades as required by clause 7.4.3 (iv) of the City's Local Planning Policy 3.2.4 – Baldivis Town Centre.
 - (e) The configuration and use of ground floor buildings will not define an attractive sequence of outdoor spaces which the public will occupy. Consequently the proposal does not comply with the overall urban design objectives for the Town Centre as is required by clause 8.1.3 (i) of the City's Local Planning Policy 3.2.4 – Baldivis Town Centre.
 - (f) The building is not designed to achieve an appropriate use profile with an active, ground floor street frontage as is required by clause 8.1.3 (iii) of the City's Local Planning Policy 3.2.4 – Baldivis Town Centre.
 - (g) The street elevations are not articulated to include defined street front entries which are clearly identifiable from the street as is required by clause 8.1.3 (v) of the City's Local Planning Policy 3.2.4 – Baldivis Town Centre.



- (h) The proposal lacks variety and high design standards as required by clause 8.1.3 (ix) of the City's Local Planning Policy 3.2.4 – Baldivis Town Centre.
- (i) The design does not promote activation of the street as is required by clause 4 (a) of the approved Detailed Area Plan.
- (j) The ground level facades fronting the street provides for less than 60% transparency as required by clause 4 (g) of the approved Detailed Area Plan.
- (k) Primary entry to ground floor tenancies is accessed via the pedestrian corridors contrary to clause 5 (b) of the approved Detailed Area Plan.
- (l) Variety and high urban design standards have not been incorporated into the design contrary to clause 6 (a) of the approved Detailed Area Plan.
- (m) Delivery, loading and storage areas are visible from public view contrary to clause 7 (a) of the approved Detailed Area Plan.
- (n) A showroom is not identified as a preferred land use for the Core precinct under the Baldivis Activity Centre Structure Plan.

The Report Recommendation/Primary Motion was put and LOST (2/3).

For: Cr Chris Elliott
Cr Lee Downham

Against: Mr Ian Birch
Mr Rob Nicholson
Ms Stacey Towne

ALTERNATE RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Rob Nicholson

Seconded by: Ms Stacey Towne

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP/14/00631 and accompanying plans:

- Site and Ground Floor Plan, Drawing No.SK.12 Rev M, dated 11.12.15;
- First Floor Plan, Drawing No.SK.13 Rev M, dated 11.12.15;
- Second Floor Plan, Drawing No.SK.14 Rev M, dated 11.12.15; and
- Elevation and Section Plans, Drawing No.SK.15 Rev J, dated 9.11.15

in accordance with Clause 68(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:



Conditions

1. This Approval does not authorise or approve the use of any of the tenancies. A separate planning approval must be obtained for the occupation of any tenancy, prior to the occupation of the development.
2. 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.
3. 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.
4. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to the issue of 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

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.

5. The carpark must:-
 - (i) provide a minimum of 39 parking spaces;
 - (ii) be designed in accordance with User Class 3 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 the issue of a Building Permit;
 - (iii) include two (2) car parking space(s) dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, *Parking facilities, Part 6: Off-street parking for people with disabilities*, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, *Design for access and mobility, Part 1: General Requirements for access—New building work*;
 - (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
 - (v) have lighting installed, prior to the occupation of the development; and
 - (vi) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282—1997, *Control of the obtrusive effects of outdoor lighting*, at all times.

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

6. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
7. Five (5) short-term bicycle parking spaces and eleven (11) long-term bicycle parking spaces must be provided for the development.



The parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities*, approved by the City of Rockingham prior to the 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.

8. The development must provide four (4) secure hot-water showers (two male and two female), change rooms and clothing lockers must be provided for the development. 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 the issue of 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.
9. 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:
 - (i) the location of bin storage areas and bin collection areas;
 - (ii) details of screening of the bins from view from the street;
 - (iii) the expected volume of waste to be disposed of (including general waste, recycling and waste oil);
 - (iv) the number, volume and type of bins, and the type of waste to be placed in the bins;
 - (v) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas;
 - (vi) frequency of bin collections; and
 - (vii) 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.

10. No signage is approved as part of this approval.

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.

11. Street awnings must be provided to Nairn Drive and Safety Bay Road across the full width of the proposed building at a minimum 2.5m wide (or to 1m behind the kerb), with lighting being provided under the street awnings.
12. Public or customer access must be from the Nairn Drive and Safety Bay Road entrances or the main central lobby.
13. 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 the street, at all times.
14. Ground level facades fronting Nairn Drive and Safety Bay Road must be transparent for at least 60% of its area.
15. All doors facing the Nairn Drive and Safety Bay Road frontages of the building must be kept open and not locked during all hours when the subject premises is trading.
16. Above-ground meter boxes must not be located in a street setback area at any time.



17. 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.
18. A Final Acoustic Assessment must be prepared which demonstrates that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*, and includes 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.
19. It must be demonstrated to the City of Rockingham that the service vehicles required by the development can manoeuvre around the site (geometry). Plans demonstrating this access must be submitted to and be approved by the City of Rockingham 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. 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 of Rockingham's Building Services and the Department of Lands in this regard.
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 4, 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 and off-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. With respect to Condition 13, any security treatment to windows must be located on the inside of the windows and must ensure the windows remain transparent at all times. Additionally, any internal shelving located next to the external windows is to be of an open style so as not to obscure the windows.



AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To reword the resolution to Approve the DAP to read as follows:

Approve DAP Application reference DAP/14/00631 for offices and showroom or motor vehicle and marine sales and accompanying plans:

- Site and Ground Floor Plan, Drawing No.SK.12 Rev M, dated 11.12.15;
- First Floor Plan, Drawing No.SK.13 Rev M, dated 11.12.15;
- Second Floor Plan, Drawing No.SK.14 Rev M, dated 11.12.15; and
- Elevation and Section Plans, Drawing No.SK.15 Rev J, dated 9.11.15

And amend Condition No.1 by deleting the first sentence so that it reads:

1. *A separate planning approval must be obtained for any tenancy which varies from this approval, prior to the occupation of the development.*

REASON: To give the applicant greater certainty with regard to uses permitted under the approval.

The Amending Motion was put and CARRIED (3 / 2).

For: Mr Ian Birch
Mr Rob Nicholson
Ms Stacey Towne

Against: Cr Chris Elliot
Cr Lee Downham

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To include an additional Condition (No.20) to read as follows:

20. *Further details of the glass façade and colour to be submitted for approval to the City of Rockingham, prior to applying for a Building Permit.*

REASON: To clarify appearance of building facades

The Amending Motion was put and CARRIED (3 / 2).

For: Mr Ian Birch
Mr Rob Nicholson
Ms Stacey Towne

Against: Cr Chris Elliot
Cr Lee Downham

Mr Ian Birch
Presiding Member, Metro South-West JDAP



AMENDING MOTION

Moved by: Ms Stacey Towne

Seconded by: Mr Rob Nicholson

To include an additional Condition (No.21) to read as follows;

21. *A footpath must be designed and constructed by the owner along the lot frontages to Safety Bay Road and Nairn Drive in accordance with the City's specifications.*

REASON: To include a condition recommended by the Department of Planning for the construction of the northern path on Safety Bay Road to finalise the pedestrian network to the signalised pedestrian crossing at the Safety Bay Road/Settlers Avenue intersection. In addition, to continue the footpath along the Nairn Drive frontage.

The Amending Motion was put and CARRIED (3 / 2).

For: Mr Ian Birch
Mr Rob Nicholson
Ms Stacey Towne

Against: Cr Chris Elliot
Cr Lee Downham

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To include an additional Condition (No.22) to read as follows;

22. *Arrangements being made to the satisfaction of the City for the boundary realignment to the road reservation, on the bend in Minden Lane, prior to occupancy of the building.*

REASON: To rationalise the site area to ensure that circulation in the N/W leg of the carpark is accommodated within the property boundary.

The Amending Motion was put and CARRIED (3 / 2).

For: Mr Ian Birch
Mr Rob Nicholson
Ms Stacey Towne

Against: Cr Chris Elliot
Cr Lee Downham



AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Ian Birch

To amend Condition No.15 to read as follows;

“The main central lobby facing the Nairn Drive and Safety Bay Road frontages of the building must be kept open and not locked during all hours when the subject premise is trading.”

REASON: To reflect the single tenancy arrangement for the ground floor office and showroom and ensure general pedestrian access is always available through the centre of the building during trading hours.

The Amending Motion was put and CARRIED (3 / 2).

For: Mr Ian Birch
Mr Rob Nicholson
Ms Stacey Towne

Against: Cr Chris Elliot
Cr Lee Downham

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Mr Rob Nicholson

To amend Condition 5(ii) to reflect User Class 2 not 3, so as to read as follows:

(ii) *be designed in accordance with User **Class 2** 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 the issue of a Building Permit”*

REASON: To reflect the car park dimensions in the submitted plans.

The Amending Motion was put and CARRIED (3 / 2).

For: Mr Ian Birch
Mr Rob Nicholson
Ms Stacey Towne

Against: Cr Chris Elliot
Cr Lee Downham

Ms Stacey Towne left the meeting at 2:40pm and did not return.



ALTERNATE RECOMMENDATION (AS AMENDED)

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP/14/00631 for offices and showroom or motor vehicle and marine sales and accompanying plans:

- Site and Ground Floor Plan, Drawing No.SK.12 Rev M, dated 11.12.15;
- First Floor Plan, Drawing No.SK.13 Rev M, dated 11.12.15;
- Second Floor Plan, Drawing No.SK14 Rev M, dated 11.12.15; and
- Elevation and Section Plans, Drawing No.SK.15 Rev J, dated 9.11.15

in accordance with Clause 68(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

Conditions

1. A separate planning approval must be obtained for any tenancy which varies from this approval, prior to the occupation of the development.
2. 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.
3. All stormwater generated by the development shall be designed to be contained of 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.
4. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to the issue of 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.

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.

5. The carpark must:-
 - (i) provide a minimum of 39 parking spaces;
 - (ii) be designed in accordance with User Class 2 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 the issue of a Building Permit;
 - (iii) include two (2) car parking space(s) dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS



2890.6:2009, *Parking facilities, Part 6: Off-street parking for people with disabilities*, linked to the main entrance of the development by a continuous 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 up 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.

- 6. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
- 7. Five (5) short-term bicycle parking spaces and eleven (11) long-term bicycle parking spaces must be provided for the development.

The parking spaces must be designed in accordance with AS2890.3-1993, *Parking facilities, Part 3: Bicycle parking facilities*, approved by the City of Rockingham prior to the 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.

- 8. The development must provide four (4) secure hot-water showers (two male and two female), change rooms and clothing lockers must be provided for the development. 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 the issue of 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.
- 9. 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:
 - (i) the located of bin storage areas and bin collection areas;
 - (ii) details of screening of bins from view from the street;
 - (iii) the expected volume of waste to be disposed of (including general waste, recycling and waste oil);
 - (iv) the number, volume and type of bins, and the type of waste to be placed in the bins;
 - (v) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas;
 - (vi) frequency of bin collections; and
 - (vii) 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.



10. No signage is approved as part of this approval.

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.

11. Street awnings must be provided to Nairn Drive and Safety Bay Road across the full width of the proposed building at a minimum of 2.5m wide (or to 1m behind the kerb), with lighting being provided under the street awnings.
12. Public or customer access must be from the Nairn Drive and Safety Bay Road entrances or the main central lobby.
13. 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 the street, at all times.
14. Ground level facades fronting Nairn Drive and Safety Bay Road must be transparent for at least 60% of its area.
15. The main central lobby facing the Nairn Drive and Safety Bay Road frontages of the building must be kept open and not locked during all hours when the subject premise is trading.
16. Above-ground meter boxes must not be located in a street setback area at any time.
17. 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.
18. A Final Acoustic Assessment must be prepared which demonstrated that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*, and includes 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.

19. It must be demonstrated to the City of Rockingham that the service vehicles required by the development can manoeuvre around the site (geometry). Plans demonstrating this access must be submitted to and be approved by the City of Rockingham prior to applying for a Building Permit.



20. Further details of the glass façade and colour to be submitted for approval to the City of Rockingham, prior to applying for a Building Permit.
21. A footpath must be designed and constructed by the owner along the lot frontages to Safety Bay Road and Nairn Drive in accordance with the City's specifications.
22. Arrangements being made to the satisfaction of the City for the boundary realignment to the road reservation, on the bend in Minden Lane, prior to occupancy of the building.

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 related 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. 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 of Rockingham's Building Services and the Department of Lands in this regard.
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 4, 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 and off-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. With respect to Condition 13, any security treatment to windows must be located on the inside of the windows and must ensure the windows remain transparent at all times. Additionally, any internal shelving located next to the external windows is to be of an open style so as not to obscure the windows.

The Alternate Recommendation (as amended) was put and CARRIED (2 / 2).

For: Mr Ian Birch,
Mr Rob Nicholson

Against: Cr Chris Elliot
Cr Lee Downham



Due to the equality of votes, the Presiding Member exercised a casting vote in accordance with Section 5.13.1 of the Standing Orders 2012.

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 2:44pm.

A handwritten signature in black ink, appearing to read 'Ian Birch', written in a cursive style.