



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

**Meeting Date and Time:** Thursday 18th April 2013 at 3:00pm  
**Meeting Number:** MSWJDAP/18  
**Meeting Venue:** City of Rockingham, Civic Boulevard.

### Attendance

#### DAP Members

Ms Rachel Chapman (Alternate Presiding Member)  
Mr Robert Nicholson (Specialist Member)  
Cr Richard Smith (Local Government Member, City of Rockingham)  
Cr Joy Stewart (Local Government Member, City of Rockingham)

#### Officers in attendance

Mr Craig Shepherd (Department of Planning)  
Mr Riaan Stassen (City of Rockingham)  
Mr Mike Ross (City of Rockingham)

#### Local Government Minute Secretary

Ms Nicole D'Alessandro

#### Applicants, Submitters and Members of the Public

Mr Daniel Lees (TPG Town Planning, Urban Design & Heritage)  
Mr David Caddy (TPG Town Planning, Urban Design & Heritage)  
Mr Stephen Beer (Federation Centres)

### 1. Declaration of Opening

The Alternate Presiding Member, Ms Rachel Chapman declared the meeting open at 3:01pm on 18th April 2013 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The Alternate 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 Alternate Presiding Member advised that 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 meeting would not be recorded.



## 2. Apologies

Mr Neil Foley (Metro South-West JDAP Presiding Member)

## 3. Members on Leave of absence

Nil

## 4. Noting of minutes

Minutes of the Metro South-West Joint Development Assessment Panel meeting No.17 held on Friday, 22nd March 2013 were noted by DAP members.

## 5. Disclosure of interests

Nil

## 6. Declaration of Due Consideration

All members declared that they had duly considered the documents.

## 7. Deputations and presentations

Nil

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

8.2	Application Details:	Proposed Expansion of the Centro Warnbro District Shopping Centre
	Property Location:	Lots 909 and 915 Warnbro Sound Avenue and 913 and 914 Palm Springs Boulevard, Warnbro
	Applicant:	TPG Town Planning and Urban Design
	Owner:	CPT Custodian Pty Ltd Fabcot Pty Ltd
	Responsible authority:	City of Rockingham
	Report date:	11th April 2013
	DoP File No:	DP/13/00174

### REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Mr Robert Nicholson

**Seconded by:** Cr Joy Stewart

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

**Approve** DAP Application reference 20.2013.42.001 and accompanying plans DA01 to DA10 in accordance with Clause 6.7.1(a) of the City of Rockingham Town Planning Scheme No.2 and subclause 30(i) of the Metropolitan Region Scheme, subject to the following conditions:

1. Earthworks and batters must be stabilised to prevent sand blowing and dust nuisance, for the duration of development.



2. All stormwater must be contained and disposed of on-site at all times to the satisfaction of the City.
3. The car park must:
  - (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval;
  - (ii) include 22 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, marked as "DISABLED PARKING ONLY" and have an elevated sign which relates to the space and includes the international symbol for access for the disabled;
  - (iii) have signage and marking of car parking spaces to the satisfaction of the City of Rockingham for any restriction on the parking of classes of vehicles such as motorcycles, taxi zones, loading zones and parent parking and time limitations (such as 15 minute parking);
  - (iv) be constructed, sealed, kerbed, drained, floodlit and marked prior to the development being occupied and maintained thereafter.
4. Twenty seven (27) short-term bicycle parking spaces and fourteen (14) long-term bicycle parking spaces must be provided in accordance with Planning Policy 3.3.14, Bicycle Parking and End-of-Trip Facilities.

The bicycle parking spaces must be constructed prior to the occupation of the development, and must be retained and maintained in good condition at all times.

5. Two (2) male and two (2) female secure hot-water showers and change rooms and fourteen (14) clothing lockers must be provided in accordance with Planning Policy 3.3.14, Bicycle Parking and End-of-Trip Facilities.

The showers and change rooms and lockers must be constructed prior to the occupation of the development, and must be retained and maintained in good condition at all times.

6. A Waste Management Plan must be prepared and include the following details 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.

7. Access of service vehicles or operation of forklifts must be restricted to the hours of 7:00am to 7:00pm Monday to Saturday and 9:00am to 7:00pm Sunday and Public Holidays.
8. 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.
9. Arrangements must be made for the amalgamation of Lots 909 and 915 Warnbro Sound Avenue and 913 and 914 Palm Springs Boulevard, Warnbro onto one Certificate of Title prior to applying for a Building Permit or, alternatively, a Deed of Agreement being entered into between the landowner and the City of Rockingham requiring the amalgamation of all lots onto one Certificate of Title prior to the occupation of the development.
10. Pedestrian facilities, including footpaths, crosswalks and pram ramps must be designed and constructed to facilitate movement and safety and is to include the following:
  - (i) A minimum 1.2m wide footpath must be constructed between the southern side of the Coles tenancy and Prussian Lane.
  - (ii) A pram ramp must be constructed on Halliburton Avenue opposite Prussian Lane.
  - (iii) A pedestrian crossing and footpath with a minimum width of 1.2m must be constructed between the Coles tenancy and Lot 606 Halliburton Avenue.
  - (iv) Crosswalks must be designed and constructed to facilitate movement across the internal roundabout between the main entry to the shopping centre and Warnbro Sound Avenue and the main entry to the shopping centre and Lot 910 Warnbro Sound Avenue.
  - (v) The main pedestrian crosswalks must be constructed as wombat crossings in accordance with clause 7.2.4 of AustRoads Guide to Traffic Management Part 8 - Local area traffic management.
  - (vi) A footpath must be provided along the southern side of Palm Springs Boulevard to connect the footpath along Royal Palm Drive and Warnbro Sound Avenue.

All works must be carried out prior to occupation of the development.

11. Arrangements must be made for a new Deed of Easement for the purposes of public access over the vehicle access ways, vehicle parking spaces and footpaths, prior to applying for a Building Permit.
12. The intersection of Palm Springs Boulevard and Warnbro Sound Avenue must be modified to include a right-turn lane plus a shared left/right-turn lane



on the westbound approach to the intersection, prior to the occupation of the development.

13. The intersection of Halliburton Avenue to Warnbro Sound Avenue must be modified to include two right-turn lanes plus a left-turn lane on the westbound approach to the intersection, prior to the occupation of the development.
14. A Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City, prior to the issue of a Building Licence:
  - (i) The landscaping of all existing and proposed landscaped areas, including all verges adjacent to the site;
  - (ii) Semi-mature trees in all existing and proposed car parks at a rate of 1 tree per 6 car parking spaces;
  - (iii) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
  - (iv) Any lawns to be established;
  - (v) Any natural landscape areas to be retained;
  - (vi) Those areas to be reticulated or irrigated; and
  - (vii) Verge treatments.

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

15. Shade sails being installed to provide shade to car parking on the first floor decked car park.
16. The existing bund along the eastern boundary of Lots 909 and 913 is to remain as a noise and visual buffer between the Warnbro District Centre and the residential properties to the east of Royal Palm Drive.
17. All service vehicles have to access the Warnbro Shopping Centre via driveway 8 and exit via the restricted access crossover to Palm Springs Boulevard, as proposed in the TAR which accompanied this application.
18. The 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 a 2 year period, the approval shall lapse and be of no further effect.

#### FOOTNOTES TO APPROVAL

This approval is issued by the Metro Southwest JDAP subject to the following Footnotes:-



- (a) A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant and owner should liaise with the City's Building Services in this regard.
- (b) With respect to Condition (10vi), the requirement for a footpath along the southern side of Palm Springs Boulevard was recommended by the Department of Planning.
- (c) With respect to conditions 12 and 13, the modifications to the intersections must be approved by the Commissioner of Main Roads; the proponent and owner should liaise with Main Roads Western Australia in this regard.
- (d) With respect to Condition 14, the proponent and owner should liaise with the City's Parks Services to confirm requirements for Landscaping Plans.
- (e) All works in the road reserve, including construction of a crossover or footpath, installation, planting of street trees, bicycle parking devices, street furniture and other streetscape works and works to the road carriageway must be to the specifications of the City; the applicant and owner should liaise with the City's Engineering Services in this regard.
- (f) The development must comply with the Health (Public Building) Regulations (1992). The applicant should liaise with the City's Health Services in this regard.
- (g) Exhaust facilities associated with any proposed food premises must be provided in accordance with Australian Standard AS 1668.2-2002, The use of ventilation and air conditioning in buildings, Part 2: Ventilation design for indoor air containment control (excluding requirements for the health aspects of tobacco smoke exposure) and be fitted with "state of the art" filtration and odour suppression devices to the satisfaction of the City prior to the occupation of the development, and must be maintained at all times.
- (h) The proponent is advised that the development must comply with the provisions of the Building Code of Australia.

### **AMENDING MOTION**

**Moved by:** Ms Rachel Chapman

**Seconded by:** Mr Robert Nicholson

That the following amendments be made to the Primary Motion

1. Condition No.3(ii) be reworded to read:
  3. (ii) include 22 car parking spaces dedicated to people with a disability designed, constructed, space identified and shared space delineated in accordance with Australian/New Zealand Standard AS/NZS 2890.6.2009, Parking facilities, Part 6: Off-street parking for people with disabilities and have an elevated sign which relates to the space and includes the international symbol for people with a disability and the words "PERMIT MUST BE DISPLAYED".



2. That Condition No.16 be reworded to read:
  16. The existing landscaped bund along the eastern boundary of Lots 909 and 913 is to remain or may be modified as a noise and visual buffer between the Warnbro District Centre and the residential properties to the east of Royal Palm Drive which includes a reconfiguration of car parking proposed within the existing bund, to the satisfaction of the City”.
3. That Condition No.10 (vi) be deleted.
4. Insert Conditions after condition 13 to read as follows:
  14. The alignment of the parking aisle in the new northern car park to provide a better intersection layout and improve visibility between the car parking deck ramp and the road leading to the additional parking spaces in the northern car park as shown in figure 5 of the Transport Assessment Report dated the 20th February 2013.
  15. The corner treatment being amended adjacent to the truck only exit onto Palm Springs Boulevard to provide a better movement for vehicles accessing parking spaces in the new northern car park as shown on figure 5 of the Transport Assessment Report dated the 20th February 2013.
  16. One car space at the south east corner of the proposed discount department store being removed to improve service vehicle access to the adjacent loading areas as shown on figure 5 of the Transport Assessment Report dated the 20th February 2013.
5. Delete Footnote (b).
6. That footnote (g) be reworded to read:
  - (g.) The proponent is advised that the development must comply with the provisions of the Building Code of Australia and AS3500.
7. That the preamble paragraph be amended to read:

“**Approve** DAP Application reference (DP13/00174) and accompanying plans DA01 to DA10, dated February 2013, in accordance.....”
8. Renumber all Conditions and Footnotes accordingly based on the above amendments.

**The motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The JDAP considered that the above amendments would provide greater clarity to the applicant over its expectations for the development. It also took the opportunity to correct references to various standards and legislation. The JDAP



**also determined that existing Condition 10(iv) was superfluous as the footpath has been sufficiently addressed.**

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

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

**Approve** DAP Application reference DP/13/00174 and accompanying plans DA01 to DA10, dated February 2013, in accordance with Clause 6.7.1(a) of the City of Rockingham Town Planning Scheme No.2 and subclause 30(i) of the Metropolitan Region Scheme, subject to the following conditions:

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  - (iv) be constructed, sealed, kerbed, drained, floodlit and marked prior to the development being occupied and maintained thereafter.
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All works must be carried out in accordance with the Waste Management Plan, for the duration of development.

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13. The intersection of Halliburton Avenue to Warnbro Sound Avenue must be modified to include two right-turn lanes plus a left-turn land on the westbound approach to the intersection, prior to the occupation of the development.
14. The alignment of the parking aisle in the new northern car park to provide a better intersection layout and improve visibility between the car parking deck ramp and the road leading to the additional parking spaced in the northern car park as shown in figure 5 of the Transport Assessment Report dated the 20th February 2013.
15. The corner treatment being amended adjacent to the truck only exit onto Palm Springs Boulevard to provide a better movement for vehicles accessing parking spaces in the new northern car park as shown in figure 5 of the Transport Assessment Report dated the 20th February 2013.
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19. The existing landscaped bund along the eastern boundary of Lots 909 and 913 is to remain or may be modified as a noise and visual buffer between the Warnbro District Centre and the residential properties to the east of Royal Palm Drive which includes a reconfigurations of car parking proposed within the existing bund, to the satisfaction of the City.
20. All service vehicles have access to the Warnbro Shopping Centre via driveway 8 and exit via the restricted access crossover to Palm Springs Boulevard, as proposed in the TAR which accompanied this application.
21. The 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 a 2 year period, this approval shall lapse and to be of no further effect.

#### FOOTNOTES TO THIS APPROVAL

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- (b) With respect to conditions 12 and 13, the modifications to the intersections must be approved by the Commission of Main Roads; the proponent and owner should liaise with Main Roads Western Australia in this regard.
- (c) With respect to Condition 17, the proponent and owner should liaise with the City's Parks Services to confirm requirements for Landscaping Plans.
- (d) All works in the road reserve, including construction of a crossover or footpath, installation, planting of street trees, bicycle parking devices, street furniture and other streetscape works and works to the road carriageway must be to the specifications of the City; the applicant and owner should liaise with the City's Engineering Services in this regard.
- (e) The development must comply with the Health (Public Building) Regulations (1992). The applicant should liaise with the City's Health Services in this regard.
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odour suppression devices to the satisfaction of the City prior to the occupation of the development, and must be maintained at all times.

- (g) The proponent is advised that the development must comply with the provisions of the Building Code of Australia and AS3500.

**The 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. 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 3:34pm.