



Minutes of the Metro South-West Joint Development Assessment Panel

Meeting Date and Time: Friday, 4 July 2014; 10:00am
Meeting Number: MWJDAP/46
Meeting Venue: City of Rockingham
Civic Boulevard, Rockingham

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)

Officers in attendance

Mr Craig Shepherd (Development Assessment Panels)
Ms Erika Barton (City of Rockingham)
Mr Robert Jeans (City of Rockingham)
Mr Mike Ross (City of Rockingham)
Mr Scott Lambie (City of Rockingham)

Local Government Minute Secretary

Ms Nicole D'Alessandro (City of Rockingham)
Ms Melinda Wellburn (City of Rockingham)

Applicant and Submitters

Mr Justin Hansen (DPS)
Mr Chris Harman (TPG)

Members of the Public

13 in attendance

1. Declaration of Opening

The Presiding Member, Mr David Gray declared the meeting open at 10:01am on 4 July 2014 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

Cr Richard Smith (City of Rockingham)

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro South-West JDAP meeting no.45 held on 6 June 2014 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

7.1 Mr Justin Hansen (DPS) and Mr Chris Harman (TPG) addressed the DAP for the application at Item No.8.1. Mr Hansen and Mr Harman requested changes to the Responsible Authority Report recommendation and answered questions accordingly.

7.2 Mr Robert Jeans (City of Rockingham) addressed the DAP and objected to the additional information/changes presented by the Applicant through Item 7.1. Mr Jeans requested a deferral of the application so to consider the information.

8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 806 Mandurah Road, Karnup
Application Details:	Stage 1 Singleton Village Neighbourhood Centre (Supermarket, six specialty shops, medical centre, and three fast food outlets)
Applicant:	DPS (WA) Pty Ltd
Owner:	Gold Right Pty Ltd
Responsible authority:	City of Rockingham
Report date:	25 June 2013
DoP File No:	DP/13/00706



REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Joy Stewart

Seconded by: Mr Rob Nicholson

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP/13/00706 and accompanying plans SK02 to SK04 and SK06 to SK11 dated April 2014 (as amended in red) in accordance with Clause 6.7.1(a) of the City of Rockingham Town Planning Scheme No.2, subject to the following conditions as follows:

Conditions

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 does not authorise or approve the use of any of the Fast Food Outlet tenancies. A separate planning approval must be obtained for the occupation of any Fast Food Outlet tenancy, prior to the occupation of the tenancy.
3. Road 2 must be widened to provide a minimum trafficable width of 6m in accordance with the Public Road Design (P2.2) of the Western Australian Planning Commission's *Planning for Bush Fire Protection Guidelines*. The works must not encroach onto the Reserve for Conservation.
4. The development must be carried out in accordance with the Fire Management Plan, prepared by Bushfire Safety Consulting Pty Ltd, dated 30 April 2014, to the satisfaction of the City of Rockingham.
5. The land owner is responsible for the full cost of any works required to retrofit the local street network and site to facilitate the manoeuvring required for a 19m articulated vehicle to access the loading dock of the supermarket once the left in access from Mandurah Road is closed. Prior to any works commencing on the retrofitting works, the design for the retrofitting works shall be approved by the City of Rockingham, and all works completed to the satisfaction of the City prior to the left in access road being closed.
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, be consistent with the approved Urban Water Management Plan, and certified by a hydraulic engineer, prior to the application for 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 applying for a Building Permit.
 - (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - (ii) Any lawns to be established;
 - (iii) Any natural landscape areas to be retained;
 - (iv) Those areas to be reticulated or irrigated; and



(v) 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 of Rockingham.

9. The carpark must:

- (i) provide a minimum of 316 parking spaces;
- (ii) 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 including details on threshold treatments on the internal access way from Road 1 and Road 25, prior to applying for a Building Permit;
- (iii) include nine 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;
- (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; and
- (vii) provide for one tree per eight car bays.

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

10. Seventeen on-street car parking spaces must be provided for short term parking along Road 2 and Road 25 in the location shown on Drawing sk03. The parking must be designed in accordance with the Australian Standard AS 2890.5—1993, *Parking facilities, Part 5: On-street parking*, approved by the City of Rockingham prior to applying for a Building Permit, and constructed prior to occupancy of the development. Trees must be provided at a minimum rate of one per 14m where there is parking provided.
11. A 2.5m wide dual use path must be provided along the frontage of the site with Roads 1, 2, and 25. The path is to be designed in accordance with the City of Rockingham's specifications, and constructed prior to occupancy of the development.
12. Fifteen short-term bicycle parking spaces and nine 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 applying for 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.
13. Two secure hot-water shower, change room and clothing lockers must be provided for the development. They must be designed in accordance with Planning Policy 3.3.14, *Bicycle Parking and End-of-Trip Facilities*, approved by the City prior to applying for a Building Permit, and constructed prior to



occupancy of the development. The showers and change rooms and lockers must be retained and maintained in good condition at all times.

14. A Waste Management Plan must be prepared and include the following detail to the satisfaction of the City, prior to applying for a Building Permit:
- (i) the location of bin storage areas and bin collection areas;
 - (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
 - (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - (iv) frequency of bin collections.

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

15. A bin storage area must be designed with a size suitable to service the development and screened from view of the street, to the satisfaction of the City, prior to applying for a Building Permit. It must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.
16. Further details on the screening of the loading dock must be submitted to the City of Rockingham for approval, prior to applying for a Building Permit. These treatments must be constructed prior to occupation of the development and be retained and maintained in good condition at all times.
17. An Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source, will comply with the *Environmental Protection (Noise) Regulations 1997*, must be approved by the City of Rockingham prior to applying for a Building Permit.

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

18. A Final Acoustic Assessment must be prepared which demonstrates that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*, and including the following information, to the satisfaction of the City, prior to the occupation of the development:
- (i) noise sources compared with the assigned noise levels as stated in the *Environmental Protection (Noise) Regulations 1997*, when the noise is received at the nearest 'noise sensitive premises' and surrounding residential area;
 - (ii) tonality, modulation and impulsiveness; and
 - (iii) confirm the implementation of noise attenuation measures.

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

19. 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.
20. Entries and window frontages facing the street of ground floor tenancies must not be covered, closed or screened off (including by means of signage, dark tinting, shutters, curtains, blinds or roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Road 1, Road 25 and the internal access way, at all times.



21. Public or customer access for the Medical Centre building must be provided from Road 1 or Road 25.
22. 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.
23. The proposed access from Mandurah Road into the southern area of the development is restricted to left-in only. All road works required to implement this left-in turn shall be constructed by the applicant at its expense. This includes signing, road markings, relocation of services, street lighting and Main Roads costs involved in the checking of the design and construction drawings, including site inspections.
24. Prior to the occupation of the development, the owner must lodge a Section 70A Notification on Lot 806, pursuant to the *Transfer of Land Act 1893* (as amended), advising of a factor or hazard affecting the enjoyment of the land. This notification shall read as follows:

"The proposed access from Mandurah Road into the southern area of the development will be left-in only and this will be subject to review by Main Roads if and when the Mandurah Road or Singleton Beach Road intersection is upgraded to 6 lanes. Please contact Main Roads for further information regarding timing of any upgrade."
25. A barrier/fence must be constructed on the boundary of Lot 806, fronting the Mandurah Road reservation, to prevent unprotected pedestrian movements across Mandurah Road. This barrier must be constructed prior to occupation of the development and designed to City of Rockingham specifications for fencing.
26. No footpath is approved south of the proposed bus stop on Mandurah Road.
27. Earthworks must not encroach onto the Mandurah Road reservation.
28. Any damage done to the existing verge and its vegetation within the Mandurah Road reservation must be made good.

Advice Notes

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Planning Approval must be submitted to the City of Rockingham.
2. A separate approval from the City of Rockingham's Health Services is required under the Food Act 2008 and Food Safety Standards. This is required prior to the lodgement of an application for a Building Permit. The applicant should liaise with the City of Rockingham's Health Services in this regard.
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 (apart from Mandurah Road), 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.



6. The left in access from Mandurah Road will be subject to review by Main Roads if and when the Mandurah Road or Singleton Beach Road intersection is upgraded to 6 lanes.

The project for the widening of Mandurah Road is not in Main Roads 4-year forward estimated construction program and any project not listed is considered long term. Please be aware that timing information is subject to change and Main Roads assumes no liability whatsoever for the information provided.

7. The applicant shall be required to complete an application for working with the Mandurah Road reservation, this application can be found by following the below link:

<https://www.mainroads.wa.gov.au/OurRoads/Pages/WorksOnMainRoads.aspx>

8. The applicant is advised that a Traffic Management Plan is required whilst working within the Mandurah Road reservation. This plan shall be submitted to Main Roads Traffic Services Branch for approval prior to construction commencing.
9. The site is within the Stakehill Groundwater Area, and any abstraction other than for domestic or stock purposes is prohibited unless licensed by the Department of Water. The Department also notes that the Stakehill Groundwater Area has reached its allocation limit and as such there is no guarantee that a request for allocation will be provided.
10. The development must comply with the *Environmental Protection (Noise) Regulations 1997*; contact the City's Health Services for information on confirming requirements.

PROCEDURAL MOTION

Moved by: Cr Joy Stewart

Seconded by: Mr Ian Birch

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

DAP Application Reference DAP/13/00706 and accompanying plans SK02 to SK04 and SK06 to SK11 dated April 2014 (as amended in red) in accordance with Clause 6.7.1(a) of the City of Rockingham Town Planning Scheme No.2, until 5 September 2014.

REASON: To allow the City of Rockingham to consider additional information provided by the applicant which requires further assessment prior to the application being determined.

The motion was put and CARRIED (3/1).

For: Mr David Gray, Mr Ian Birch, Cr Joy Stewart

Against: Mr Rob Nicholson

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

Nil



10. Appeals to the State Administrative Tribunal

Nil

11. Meeting Close

There being no further business, the presiding member declared the meeting closed at 10:19am.