



Metro South-West Joint Development Assessment Panel Agenda

Meeting Date and Time: Thursday 18 April 2013; 3pm
Meeting Number: 18
Meeting Venue: City of Rockingham
Civic Boulevard
Rockingham

Attendance

DAP Members

Ms Rachel Chapman (A/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 (DAP Secretariat)
Mr Riaan Stassen (City of Rockingham)
Mr Mike Ross (City of Rockingham)

Local Government Minute Secretary

Ms Sharon Peacock (City of Rockingham)

Applicants and Submitters

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

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member declares the meeting open and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.

2. Apologies

Mr Neil Foley (Presiding Member)

3. Members on Leave of Absence

Nil



4. Noting of Minutes

Note the minutes of the Metro South-West JDAP meeting No.18 held on the 22 March 2013.

5. Disclosure of Interests

Nil

6. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

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:	11 April 2013
	DoP File No:	DP/13/00174

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

Nil

10. Appeals to the State Administrative Tribunal

Nil

11. Meeting Closure



Minutes of the Metro South-West Joint Development Assessment Panel

Meeting Date and Time: Friday 22 March 2013; 10am
Meeting Number: MSWJDAP/17
Meeting Venue: Department of Planning
140 William Street Perth
Meeting Room L3.17

Attendance

DAP Members

Ms Rachel Chapman (Alternate Presiding Member)
Mr Rory O'Brien (Alternate Deputy Presiding Member)
Mr Rob Nicholson (Specialist Member)
Mayor Logan Howlett (Local Government Member, City of Cockburn)
Cr Carol Reeve-Fowkes (Local Government Member, City of Cockburn)

Officers in attendance

Mr Ian Patterson (DAP Secretariat)
Ms Frances Page-Croft (Department of Planning)
Mr Paul Sewell (Department of Planning)
Mr Greg Bowering (City of Cockburn)
Mr Andrew Lefort (City of Cockburn)

Applicants and Submitters

Mr Mark Scott-Jeffs (Campion Design)
Mr Murray Casselton (TPG)
Mr Mike Kevill (TPG)
Mr Andrew Byars (TPG)
Mr Graeme Glass (Perron Group)
Mr Alwin Bax (Perron Group)

Department of Planning Minute Secretary

Ms Fiona Sze (DAP Secretariat)

1. Declaration of Opening

The Alternate Presiding Member, Ms Rachel Chapman declared the meeting open at 10.01am on 22 March 2013 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*.

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



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 Kevin Allen (City of Cockburn)
Mr Neil Foley (Presiding Member)

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro South-West JDAP meeting no.16 held on 11 March 2013 were not available for noting at the time of meeting.

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 Applications

8.1	Application Details:	78 residential apartments over 6 levels with car parking at ground level.
	Property Location:	17 (Lot 894) Malata Crescent Success
	Applicant:	Campion Design Group
	Owner:	Jewel Horizon Pty Ltd
	Responsible authority:	City of Cockburn
	Report date:	14/03/2013
	DoP File No:	DP/13/00141

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Rory O'Brien

Seconded by: Cr Carol Reeve-Fowkes

That the Metro South-West JDAP resolves to:

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



Approve DAP Application (DAP13/003) and accompanying plans (1-01, 2-00, 2-01, 2-02, 2-03, 2-04, 3-01, 3-02, 3-03, 3-04, 4-01) in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3 and under the Metropolitan Region Scheme, subject to the following conditions and advice notes:

Conditions

1. The submission of a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction prior to the lodgement of a building permit application for the development. The details as agreed by the City are to be implemented in the development.
2. A landscape plan which generally reflects the landscaping theme adopted for the adjacent Buildings B21 & B25 (as approved by DA10/0346) and provides lighting details for the development shall be submitted to the City's satisfaction prior to the lodgement of a Building Permit application. The plan agreed to by the City shall be implemented in the development.
3. Landscaping is to be established and reticulated in accordance with the approved detailed landscape plan prior to the occupation of the dwellings. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.
4. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for the development.
5. Arrangements being made to the satisfaction of the Chief Executive Officer for the pro-rata developer contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for Development Contribution Area 13 – Community Infrastructure.
6. External stores as required by Part 7.4.7 of the R-Codes shall be provided on either the same floor level as the respective dwelling or in the car parking area in close proximity to the allocated car parking bay for that dwelling to the satisfaction of the City. Revised plans detailing the location and allocation of stores shall be provided and approved by the City prior to the lodgement of a Building Permit application and shall thereafter be implemented as per the approved plan.
7. Prior to the submission of a Building Permit application, floor plans revised to include a communal bin store at each residential level to the satisfaction of the City.
8. The submission and approval of a Waste Management Plan to the satisfaction of the City. Provisions identified in the Waste Management Plan, which shall include recycling measures and management of communal bin stores (the subject of Condition 17), are to be implemented and maintained thereafter to the satisfaction of the City.

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



9. The visitor car parking bays provided on-street in front of the approved building shall be constructed in accordance with the City's standard specifications for on-street bays, entirely at the applicant's cost. The applicant should contact the City's Engineering Department for further advice.
10. Prior to the initial occupation of the dwellings hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City.
11. The approved residential visitor car parking bays shall be clearly delineated (marked/signed), available for use free of cost to the bona fide visitors of the occupants of the dwellings the subject of this approval, in perpetuity and reflected as such on the strata plan for the development. No by-law pursuant to the Strata Titles Act 1985 shall be made that assigns any exclusive use of the visitor car parking bays to any strata lot. Parking within such bays may be time restricted.
12. The allocation of car parking bays to specific dwellings (at a rate of no more than one bay per dwelling) is to be reflected on any strata plan for the subject property to the City's satisfaction and shall only be occupied by vehicles of the occupants of the approved development.
13. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points, where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres.
14. All stormwater being contained and disposed of on-site to the satisfaction of the City.
15. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
16. The approved development must clearly display the street number/s.
17. Prior to the lodgement of a Building Permit application, the developer is to provide to the City's Health Service a report from a recognised acoustic consultant to demonstrate that the design and construction of the development meets the requirements of the *WAPC State Planning Policy 5.4 entitled "Road and Rail Transport Noise and Freight Considerations in Land Use Planning"*, for outdoor living areas and indoor noise levels. The noise assessment is to be conducted in accordance with the requirements of the Implementation Guidelines for State Planning Policy 5.4 (dated 15 May 2009). Any changes recommended by the Acoustic Report must be incorporated into the building design.
18. A final assessment of the completed development must be conducted by the acoustic consultant to certify that all recommendations made in the noise report(s) supporting the development application have been incorporated into the development. A report confirming compliance with the requirements must be provided prior to occupation of the development to the satisfaction of the City.



19. Earthworks over the site including batters shall 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 in the event that sand or dust is blown from the site.
20. A detailed dust management plan must be submitted to and approved by the City prior to the commencement of any works on site and all measures identified in the plan shall be implemented to the satisfaction of the City.
21. A Construction Management Plan is to be submitted to and approved by the City prior to the lodgement of a building permit and all measures identified in the plan are to be implemented during the construction phase to the satisfaction of the City.
22. No building or construction related activities associated with this approval causing noise and/or inconvenience to neighbours and visitors to the Town Centre between the hours 7.00pm and 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays (unless prior written approval of the City is issued).

Advice Notes

1. The application has been determined by the JDAP on the basis of the plans and information provided to the City for assessment.
2. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3. Prior to the commencement of any works associated with the development, a building permit is required.
3. In the event there are any questions regarding the requirements of this approval, or the planning controls applicable to the land and/or location, the City's Statutory Planning Services team should be consulted.
4. The development is to comply with the requirements of the National Construction Code. In this regard, it is recommended the City's Building Services team should be consulted prior to the commencement of working drawings.
5. With regards to Condition 10, the parking bay/s, driveway/s and points of ingress and egress are to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890.1) and are to be constructed, drained and marked in accordance with the design and specifications certified by a suitably qualified practicing Engineer and are to be completed prior to the development being occupied and thereafter maintained to the satisfaction of the City.
6. With regards to Condition 14, all stormwater drainage shall be designed in accordance with Australian Standard AS3500.

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



7. With regards to Condition 20, the applicant is advised that an application for approval of a Dust Management Plan may be obtained from the City of Cockburn's website and must identify the mitigation and contingency measures proposed by the developer. Appropriate mitigation and contingency measures are outlined in the Department of Environment and Conservation publication "Land development sites and impacts on air quality" (November 1996).
8. Outdoor lighting if required, particularly illuminating ground floor entries must be in accordance with the requirements of Australian Standard AS 4282-1997: 'Control of the Obtrusive of Outdoor Lighting'.
9. With regards to the provision of laundry facilities, each dwelling must be provided with a wash trough having capacity of not less than 36litres, connected to an adequate supply of hot and cold water; adequate space for a washing machine provided with a power point; and either space for a drying cabinet provided with an electricity supply; and laundry areas must be graded to drain to sewer and be suitably ventilated. Further information regarding this matter can be obtained from the City's Health Services Team.
10. All toilets, ensuites and kitchen facilities in the development are to be provided with mechanical ventilation flued to the outside air, in accordance with the requirements of the Building Code of Australia, the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*, Australian Standard S1668.2-1991 "The use of mechanical ventilation for acceptable indoor air quality" and the *City of Cockburn Health Local Laws 2000*.
11. If the development the subject of this approval is not substantially commenced within a period of two (2) years, the approval shall lapse and be of no further effect.
12. Where an approval has so lapsed, no development shall be carried out without further approval having first being sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the Development Assessment Panel Regulations 2011.

AMENDING MOTION

Moved by: Mr Rory O'Brien

Seconded by: Mr Rob Nicholson

That Condition 7 be deleted and Condition 8 be modified to reflect the deletion to read as follows:

"The submission and approval of a Waste Management Plan to the satisfaction of the City. Provisions identified in the Waste Management Plan, which shall include recycling measures and management of the communal bin store, are to be implemented and maintained thereafter to the satisfaction of the City."

For: Mr Rory O'Brien
Mr Robert Nicholson
Ms Rachel Chapman
Mayor Logan Howlett

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



Against: Cr Carol Reeve-Fowkes

REASON: As the proposed development adhered with the City of Cockburn's policy for communal bin storage in the basement, the JDAP determined that a communal bin store at each residential level was not necessary.

The Amending Motion was put and CARRIED (4/1).



AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Carol Reeve-Fowkes

That Condition 3 be deleted and Condition 2 be amended to replace the words “in the development” with “and maintained” to read as follows:

“A landscape plan which generally reflects the landscaping theme adopted for the adjacent Buildings B21 & B25 (as approved by DA10/0346) and provides lighting details for the development shall be submitted to the City’s satisfaction prior to the lodgement of a Building Permit application. The plan agreed to by the City shall be implemented and maintained.”

For: Mr Robert Nicholson
Cr Carol Reeve-Fowkes
Mr Rory O’Brien

Against: Ms Rachel Chapman
Mayor Logan Howlett

REASON: With the addition of the words “and maintained” in Condition 2, the JDAP determined that Condition 3 was superfluous as the landscaping plan implementation and maintenance had been sufficiently addressed.

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

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mr Rory O’Brien

That Advice Note 6 be deleted and Condition 14 be amended to replace the words “to the satisfaction of the city” with “and designed in accordance with Australian Standard AS3500” to read as follows:

“All stormwater being contained and disposed of on-site and designed in accordance with Australian Standard AS3500.”

For: Mr Rob Nicholson
Mr Rory O’Brien
Ms Rachel Chapman
Mayor Logan Howlett

Against: Cr Carol Reeve-Fowkes

REASON: The JDAP determined that Advice Note 6 and Condition 14 could be amalgamated for ease of reference.

The motion was put and CARRIED (4/1).



AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mayor Logan Howlett

That Condition 19 be deleted.

REASON: The JDAP determined that Condition 19 was superfluous as the earthworks and dust management have been sufficiently addressed in Condition 20.

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

AMENDING MOTION

Moved by: Ms Rachel Chapman

Seconded by: Mayor Logan Howlett

That Condition 12 be amended to include the words “with the exception of the tandem bay shown on plan 2-01 as spaces 19 and 19a” to read as follows:

“The allocation of car parking bays to specific dwellings (at a rate of no more than one bay per dwelling), with the exception of the tandem bay shown on plan 2-01 as spaces 19 and 19a, is to be reflected on any strata plan for the subject property to the City’s satisfaction and shall only be occupied by vehicles of the occupants of the approved development.”

REASON: The amendments to Condition 12 were made to provide further clarity to the condition.

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

PRIMARY MOTION (AS AMENDED)

Moved by: Ms Rachel Chapman

Seconded by: Mayor Logan Howlett

With the approval of the mover and seconder, the JDAP undertook the following administrative changes to be incorporated as part of the Primary Motion (as amended):

- That the preamble include the words “dated 29 January 2013” after “accompanying plans”.
- That Condition 5 include the words “City of Cockburn” after “Chief Executive Officer”.
- That the Conditions and Advice Notes be renumbered accordingly.

That the Metro South-West JDAP resolves to:

Approve DAP Application (DAP13/003) and accompanying plans dated 29 January 2013 (1-01, 2-00, 2-01, 2-02, 2-03, 2-04, 3-01, 3-02, 3-03, 3-04, 4-01) in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3 and under the Metropolitan Region Scheme, subject to the following conditions and advice notes:

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



Conditions

1. The submission of a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction prior to the lodgement of a building permit application for the development. The details as agreed by the City are to be implemented in the development.
2. A landscape plan which generally reflects the landscaping theme adopted for the adjacent Buildings B21 & B25 (as approved by DA10/0346) and provides lighting details for the development shall be submitted to the City's satisfaction prior to the lodgement of a Building Permit application. The plan agreed to by the City shall be implemented and maintained.
3. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened, the details of which are to be provided to the City's satisfaction prior to the lodgement of a Building Permit application for the development.
4. Arrangements being made to the satisfaction of the Chief Executive Officer, City of Cockburn for the pro-rata developer contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for Development Contribution Area 13 – Community Infrastructure.
5. External stores as required by Part 7.4.7 of the R-Codes shall be provided on either the same floor level as the respective dwelling or in the car parking area in close proximity to the allocated car parking bay for that dwelling to the satisfaction of the City. Revised plans detailing the location and allocation of stores shall be provided and approved by the City prior to the lodgement of a Building Permit application and shall thereafter be implemented as per the approved plan.
6. The submission and approval of a Waste Management Plan to the satisfaction of the City. Provisions identified in the Waste Management Plan, which shall include recycling measures and management of the communal bin store, are to be implemented and maintained thereafter to the satisfaction of the City.
7. The visitor car parking bays provided on-street in front of the approved building shall be constructed in accordance with the City's standard specifications for on-street bays, entirely at the applicant's cost. The applicant should contact the City's Engineering Department for further advice.
8. Prior to the initial occupation of the dwellings hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City.
9. The approved residential visitor car parking bays shall be clearly delineated (marked/signed), available for use free of cost to the bone fide visitors of the occupants of the dwellings the subject of this approval, in perpetuity and reflected as such on the strata plan for the development. No by-law pursuant to the Strata Titles Act 1985 shall be made that assigns any exclusive use of the visitor car parking bays to any strata lot. Parking within such bays may be time restricted.

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



10. The allocation of car parking bays to specific dwellings (at a rate of no more than one bay per dwelling) with the exception of the tandem bay shown on plan 2-01 as spaces 19 and 19a is to be reflected on any strata plan for the subject property to the City's satisfaction and shall only be occupied by vehicles of the occupants of the approved development.
11. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points, where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres.
12. All stormwater being contained and disposed of on-site and designed in accordance with Australian Standard AS3500.
13. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
14. The approved development must clearly display the street number/s.
15. Prior to the lodgement of a Building Permit application, the developer is to provide to the City's Health Service a report from a recognised acoustic consultant to demonstrate that the design and construction of the development meets the requirements of the *WAPC State Planning Policy 5.4 entitled "Road and Rail Transport Noise and Freight Considerations in Land Use Planning"*, for outdoor living areas and indoor noise levels. The noise assessment is to be conducted in accordance with the requirements of the Implementation Guidelines for State Planning Policy 5.4 (dated 15 May 2009). Any changes recommended by the Acoustic Report must be incorporated into the building design.
16. A final assessment of the completed development must be conducted by the acoustic consultant to certify that all recommendations made in the noise report(s) supporting the development application have been incorporated into the development. A report confirming compliance with the requirements must be provided prior to occupation of the development to the satisfaction of the City.
17. A detailed dust management plan must be submitted to and approved by the City prior to the commencement of any works on site and all measures identified in the plan shall be implemented to the satisfaction of the City.
18. A Construction Management Plan is to be submitted to and approved by the City prior to the lodgement of a building permit and all measures identified in the plan are to be implemented during the construction phase to the satisfaction of the City.
19. No building or construction related activities associated with this approval causing noise and/or inconvenience to neighbours and visitors to the Town Centre between the hours 7.00pm and 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays (unless prior written approval of the City is issued).



Advice Notes

1. The application has been determined by the JDAP on the basis of the plans and information provided to the City for assessment.
2. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3. Prior to the commencement of any works associated with the development, a building permit is required.
3. In the event there are any questions regarding the requirements of this approval, or the planning controls applicable to the land and/or location, the City's Statutory Planning Services team should be consulted.
4. The development is to comply with the requirements of the National Construction Code. In this regard, it is recommended the City's Building Services team should be consulted prior to the commencement of working drawings.
5. With regards to Condition 8, the parking bay/s, driveway/s and points of ingress and egress are to be designed in accordance with the Australian Standard for Offstreet Carparking (AS2890.1) and are to be constructed, drained and marked in accordance with the design and specifications certified by a suitably qualified practicing Engineer and are to be completed prior to the development being occupied and thereafter maintained to the satisfaction of the City.
6. With regards to Condition 17, the applicant is advised that an application for approval of a Dust Management Plan may be obtained from the City of Cockburn's website and must identify the mitigation and contingency measures proposed by the developer. Appropriate mitigation and contingency measures are outlined in the Department of Environment and Conservation publication "Land development sites and impacts on air quality" (November 1996).
7. Outdoor lighting if required, particularly illuminating ground floor entries must be in accordance with the requirements of Australian Standard AS 4282-1997: 'Control of the Obtrusive of Outdoor Lighting'.
8. With regards to the provision of laundry facilities, each dwelling must be provided with a wash trough having capacity of not less than 36litres, connected to an adequate supply of hot and cold water; adequate space for a washing machine provided with a power point; and either space for a drying cabinet provided with an electricity supply; and laundry areas must be graded to drain to sewer and be suitably ventilated. Further information regarding this matter can be obtained from the City's Health Services Team.
9. All toilets, ensuites and kitchen facilities in the development are to be provided with mechanical ventilation flued to the outside air, in accordance with the requirements of the Building Code of Australia, the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*, Australian Standard S1668.2-1991 "The use of mechanical ventilation for acceptable indoor air quality" and the *City of Cockburn Health Local Laws 2000*.



10. If the development the subject of this approval is not substantially commenced within a period of two (2) years, the approval shall lapse and be of no further effect.
11. Where an approval has so lapsed, no development shall be carried out without further approval having first being sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the Development Assessment Panel Regulations 2011.

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

8.2a	Application Details:	Shopping Centre Expansion (Coles Cockburn Gateway)
	Property Location:	816 (Lot 203) Beeliar Drive Success
	Applicant:	TPG Town Planning Urban Design and Heritage
	Owner:	Perron Investments Pty Ltd
	Responsible authority:	City of Cockburn
	Report date:	27/02/2013
	DoP File No:	DP/13/00079

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Rob Nicholson

Seconded by: Mayor Logan Howlett

With the approval of the mover and seconder, the JDAP made an administrative change to the preamble include the words “dated 19 October 2012” after “accompanying plans”.

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP13/002 and accompanying plans dated 19 October 2012 DA01, DA02, DA03 & DA04 in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3, subject to the following conditions as follows:

Conditions

1. All stormwater being contained and disposed of in accordance with an approved modified Urban Water Management Plan to the satisfaction of the City of Cockburn.
2. All off-street vehicle parking and access thereto complying with Australian Standard 2890.1 to the satisfaction of the City of Cockburn.
3. All off-street bicycle parking complying with Australian Standard 2890.3 and shall be installed prior to occupation of the development.
4. All external pedestrian access ways, footpaths, ramps, and pedestrian crossings, shall be designed and constructed in accordance with Australian Standard 1428.1 to the satisfaction of the City of Cockburn.

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



5. A 1.5m truncation shall be provided at the junction of all internal vehicle access points, driveways, access ways, car parking spaces and the like. The heights of any structures, landscaping or similar feature shall not exceed 0.75m within the truncations. Internal truncations shall be provided to the satisfaction of the City of Cockburn.
6. All service areas and service related hardware and plant, including antennae, satellite dishes, air-conditioning units etc., shall be located out of public view and/or screened. Details shall be submitted for approval by the City prior to lodgement of a Building Permit application.
7. No construction activities associated with the development causing noise and/or inconvenience to nearby residential dwellings being carried out after 6:00pm or before 7:00am Monday to Saturday, and not at all on Sunday or Public Holidays.
8. During the construction phase, measures to the satisfaction of the City of Cockburn are to be undertaken to prevent sand and/or dust blowing onto adjoining properties in accordance with the Dust Management Plan approved as part of Stage 3 works.
9. A schedule of the colour and texture of the external building materials, colours and finishes shall be submitted to the City for approval prior to the lodgement of a Building Permit.
10. A detailed landscaping plan for the area around the New West Entry and adjoining parking area being submitted to the City for approval prior to the lodgement of a Building Permit. The detailed landscaping plan shall include:
 - a) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - b) Any landscaped areas to be retained;
 - c) Those areas to be reticulated or irrigated; and
 - d) Hard landscaping proposed for the site.
11. Landscaping (including verge planting) is to be installed, reticulated and/or irrigated in accordance with an approved landscaping plan and maintained thereafter to the satisfaction of the City of Cockburn. The landscaping shall be implemented prior to occupation of the development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.
12. A detailed lighting plan for the area around the new West Entry shall be submitted to and approved by the City prior to the lodgement of a Building Permit. The lighting plan shall demonstrate lighting to the relevant Australian Standard and shall be implemented in accordance with the approved plan prior to occupation of the development.
13. The two new 'specialty' west facing tenancies shall include:
 - a) A minimum of 75% of the linear frontage to contain unobscured,



- transparent glazing that is visually permeable unless otherwise approved by the City of Cockburn;
- b) Facade glazing that has a minimum height of three (3) metres measured from the adjacent footpath level and be finished to the underside of any proposed awning; and
 - c) Sill heights not exceeding 0.5 metres.
14. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
15. The existing Urban Water Management Plan submitted to and approved by the City as part of Stage 3 being updated to incorporate the building the subject of this application to the satisfaction of the City prior to lodgement of a Building Permit.
16. An addendum to the existing Stage 3 Transport Assessment Report (undertaken by Uloth and Associates dated 14 April 2011) shall be submitted to and approved by the City prior to lodgement of a Building Permit. The addendum shall detail the impact of the development the subject of this approval on internal traffic movements and car parking provision.
17. A detailed Construction Management Plan (CMP) being submitted to and approved by the City prior to the lodgement of a Building Permit. The CMP shall detail the following:
- a) Access to and from the site;
 - b) Delivery of materials and equipment to the site;
 - c) Storage of materials and equipment on site;
 - d) Parking arrangements for contractors and subcontractors; and
 - e) Any other issues that may occur during construction that may impact on the amenity of the area.
- The CMP shall be implemented during the construction phase to the satisfaction of the City.

Footnotes

- a. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Council, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency. Prior to the commencement of any works associated with the development, a Building Licence is required.
- b. This approval does not include signage. Any signage associated with the approved proposal that is not exempt under Schedule 5 of the City of Cockburn Town Planning Scheme No.3 shall be the subject of a separate planning application.

AMENDING MOTION

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



Moved by: Ms Rachel Chapman

Seconded by: Mr Robert Nicholson

The following changes were made en bloc:

1. That Condition 1 be deleted.
2. That Condition 7 be amended to include the words “(unless prior written approval by the City of Cockburn is issued)” after “Public Holidays” to read as follows:

“No construction activities associated with the development causing noise and/or inconvenience to nearby residential dwellings being carried out after 6:00pm or before 7:00am Monday to Saturday, and not at all on Sunday or Public Holidays (unless prior written approval by the City of Cockburn is issued).”

3. That Condition 9 be amended to include the words “application for the development. The details as agreed by the City of Cockburn shall be implemented in the development” after “Building Permit” to read as follows:

“A schedule of the colour and texture of the external building materials, colours and finishes shall be submitted to the City for approval prior to the lodgement of a Building Permit application for the development. The details as agreed by the City of Cockburn shall be implemented in the development.”

4. That Condition 12 be amended to replace the words “the relevant Australian Standard” with “AS4282-1997 *Control of the Intrusive Effects of Outdoor Lighting*” to read as follows:

“A detailed lighting plan for the area around the new West Entry shall be submitted to and approved by the City prior to the lodgement of a Building Permit. The lighting plan shall demonstrate lighting to AS4282-1997 control of the intrusive effects of outdoor lighting and shall be implemented in accordance with the approved plan prior to occupation of the development.”

5. That Condition 15 be amended to include the words “and implemented” after “City” to read as follows:

“The existing Urban Water Management Plan submitted to and approved by the City as part of Stage 3 being updated to incorporate the building the subject of this application to the satisfaction of the City and implemented prior to lodgement of a Building Permit.”

6. That Footnote a. be amended to replace the word “Council” with “City” to read as follows:

“This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or



with the requirements of any external agency. Prior to the commencement of any works associated with the development, a Building Licence is required.”

7. That the reference to “Footnotes” be renamed to “Advice notes” and “a” and “b” be renumbered to “1” and “2” accordingly.

REASONS:

1. **The JDAP found Condition 1 superfluous as the Urban Water Management Plan had been addressed at Condition 15.**
2. **Condition 7 was amended to provide consistency with previously approved applications.**
3. **Condition 9 was amended to provide further clarity to the condition.**
4. **Condition 12 was amended to comply with Australian Standard 4282-1997.**
5. **Condition 15 was amended to provide further clarity to the condition.**
6. **Footnote a. was amended to provide further clarity to the condition.**
7. **The reference to Footnotes was amended to provide consistency with previously approved applications.**

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP13/002 and accompanying plans dated 19 October 2012 DA01, DA02, DA03 & DA04 in accordance with Clause 10.3 of the City of Cockburn Town Planning Scheme No. 3, subject to the following conditions as follows:

Conditions

1. All off-street vehicle parking and access thereto complying with Australian Standard 2890.1 to the satisfaction of the City of Cockburn.
2. All off-street bicycle parking complying with Australian Standard 2890.3 and shall be installed prior to occupation of the development.
3. All external pedestrian access ways, footpaths, ramps, and pedestrian crossings, shall be designed and constructed in accordance with Australian Standard 1428.1 to the satisfaction of the City of Cockburn.
4. A 1.5m truncation shall be provided at the junction of all internal vehicle access points, driveways, access ways, car parking spaces and the like. The heights of any structures, landscaping or similar feature shall not exceed 0.75m within the truncations. Internal truncations shall be provided to the satisfaction of the City of Cockburn.
5. All service areas and service related hardware and plant, including antennae, satellite dishes, air-conditioning units etc., shall be located out of public view and/or screened. Details shall be submitted for approval by

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



the City prior to lodgement of a Building Permit application.

6. No construction activities associated with the development causing noise and/or inconvenience to nearby residential dwellings being carried out after 6:00pm or before 7:00am Monday to Saturday, and not at all on Sunday or Public Holidays (unless prior written approval by the City of Cockburn is issued).
7. During the construction phase, measures to the satisfaction of the City of Cockburn are to be undertaken to prevent sand and/or dust blowing onto adjoining properties in accordance with the Dust Management Plan approved as part of Stage 3 works.
8. A schedule of the colour and texture of the external building materials, colours and finishes shall be submitted to the City for approval prior to the lodgement of a Building Permit application for the development. The details as agreed by the City of Cockburn shall be implemented in the development.
9. A detailed landscaping plan for the area around the New West Entry and adjoining parking area being submitted to the City for approval prior to the lodgement of a Building Permit. The detailed landscaping plan shall include:
 - e) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - f) Any landscaped areas to be retained;
 - g) Those areas to be reticulated or irrigated; and
 - h) Hard landscaping proposed for the site.
10. Landscaping (including verge planting) is to be installed, reticulated and/or irrigated in accordance with an approved landscaping plan and maintained thereafter to the satisfaction of the City of Cockburn. The landscaping shall be implemented prior to occupation of the development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.
11. A detailed lighting plan for the area around the new West Entry shall be submitted to and approved by the City prior to the lodgement of a Building Permit. The lighting plan shall demonstrate lighting to AS4282-1997 *Control of the Intrusive Effects of Outdoor Lighting* and shall be implemented in accordance with the approved plan prior to occupation of the development.
12. The two new 'specialty' west facing tenancies shall include:
 - d) A minimum of 75% of the linear frontage to contain unobscured, transparent glazing that is visually permeable unless otherwise approved by the City of Cockburn;
 - e) Facade glazing that has a minimum height of three (3) metres measured from the adjacent footpath level and be finished to the underside of any proposed awning; and
 - f) Sill heights not exceeding 0.5 metres.



13. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
14. The existing Urban Water Management Plan submitted to and approved by the City as part of Stage 3 being updated to incorporate the building the subject of this application to the satisfaction of the City and implemented prior to lodgement of a Building Permit
15. An addendum to the existing Stage 3 Transport Assessment Report (undertaken by Uloth and Associates dated 14 April 2011) shall be submitted to and approved by the City prior to lodgement of a Building Permit. The addendum shall detail the impact of the development the subject of this approval on internal traffic movements and car parking provision.
16. A detailed Construction Management Plan (CMP) being submitted to and approved by the City prior to the lodgement of a Building Permit. The CMP shall detail the following:
 - f) Access to and from the site;
 - g) Delivery of materials and equipment to the site;
 - h) Storage of materials and equipment on site;
 - i) Parking arrangements for contractors and subcontractors; and
 - j) Any other issues that may occur during construction that may impact on the amenity of the area.The CMP shall be implemented during the construction phase to the satisfaction of the City.

Advice Notes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency. Prior to the commencement of any works associated with the development, a Building Licence is required.
2. This approval does not include signage. Any signage associated with the approved proposal that is not exempt under Schedule 5 of the City of Cockburn Town Planning Scheme No.3 shall be the subject of a separate planning application.

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

8.2b	Application Details:	Expansion of Shopping Centre
	Property Location:	Lot 203 (816) Beeliar Drive Success (also known as Cockburn Gateway Shopping Centre)
	Applicant:	TPG Town Planning Urban Design and Heritage
	Owner:	Perron Investments Pty Ltd
	Responsible authority:	Western Australian Planning Commission
	Report date:	28/02/2013
	DoP File No:	DP/13/00079

Ms Rachel Chapman, Alternate Presiding Member, Metro South-West JDAP

Rachel



REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Ms Rachel Chapman

Seconded by: Mr Robert Nicholson

With the approval of the mover and seconder, the JDAP made an administrative change to the preamble include the words “dated 19 October 2012” after “accompanying plans”.

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

Approve DAP Application reference DP13/00079 and accompanying plans dated 19 October 2012 in accordance with the provisions of the Metropolitan Region Scheme, without conditions or advice notes.

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

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

Nil

9. Appeals to the State Administrative Tribunal

Nil

10. Meeting Close

There being no further business, the presiding member declared the meeting closed at 11:05am.



Form 1 - Responsible Authority Report (Regulation 12)

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
DAP Name:	Metro South West JDAP
Applicant:	TPG Town Planning and Urban Design
Owner:	CPT Custodian Pty Ltd Fabcot Pty Ltd
LG Reference:	20.2013.42.1
Responsible Authority:	City of Rockingham
Authorising Officers:	Mr Riaan Stassen, Senior Planning Officer Mr Mike Ross, A/Director Planning and Development Services
Department of Planning File No:	DP/13/00174
Report Date:	11th April 2013
Application Receipt Date:	27th February 2013
Application Process Days:	54 days
Attachment(s):	1. Existing Site Plan 2. Proposed Site Plan 3. Proposed Car Deck Plan 4. Proposed Ground Floor Plan 5. Proposed Elevations and Sections 6. Existing Tenancy Plan 7. Proposed Landscape Plan 8. Proposed Pedestrian / Cyclist Pathways 9. Proposed Site Plan - Car parking calculations 10. Proposed Site Plan - Bicycle Parking 11. Transport Assessment Report 12. NLA Calculation Drawings

RECOMMENDATION:

That the Metro South West JDAP 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 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 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 applying for a Building Permit:
- (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 Traffic Assessment Report 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 to 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 10(vi), 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.

BACKGROUND:

Site Details

Property Address:	206 Warnbro Sound Avenue and 6 Palm Springs Boulevard, Warnbro
Zoning	MRS: Urban TPS: Commercial
Use Class:	Shop (P), Office (D)
Strategy Policy:	Planning Policy 3.1.2 - Local Commercial Strategy Planning Policy 3.3.1 - Control of Advertisements Planning Policy 3.3.14 - Bicycle Parking and End of Trip Facilities Planning Policy 2.3 - Development Considerations for Disabled Persons.
Insert Development Scheme:	City of Rockingham Town Planning Scheme No.2
Insert Lot Size:	Lot 909 - (5,5002ha) Lot 913 - (0,9090ha) Lot 914 - (2219m ²) Lot 915 - (1030m ²)
Insert Existing Land Use:	Shopping Centre known as 'Centro Warnbro'
Value of Development:	\$21,5 million

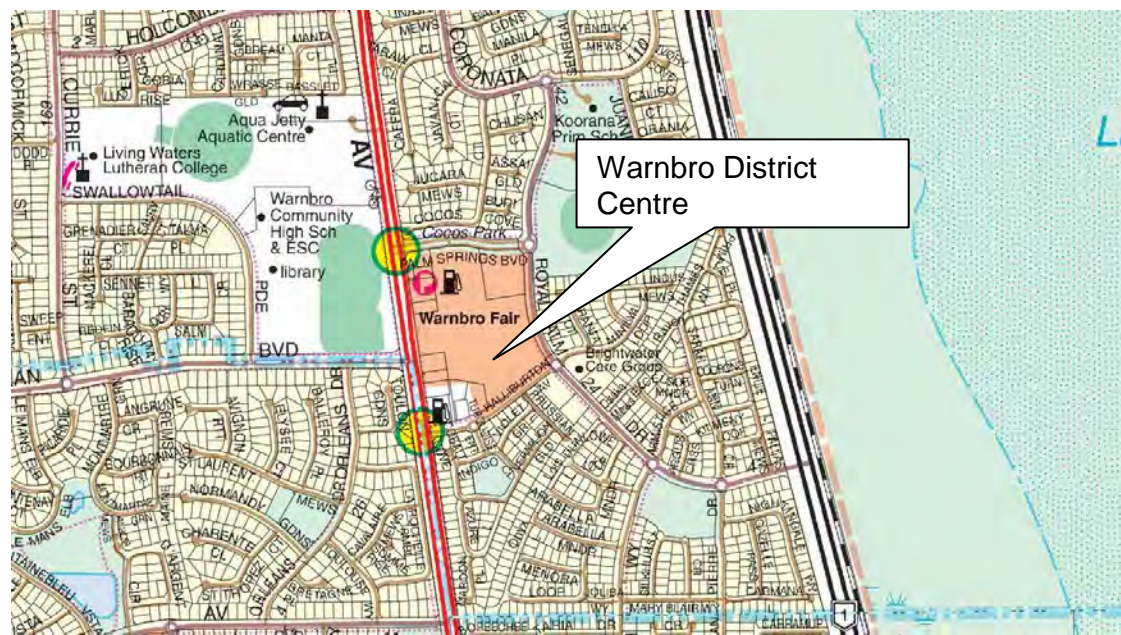


Figure 1: Location Plan

The following outlines the history of previous planning approvals on the site:

- July 1997 - District Shopping Centre and four tenancies - conditional Planning Approval issued.
- September 2009 - Liquor Store extension to the Woolworths supermarket - conditional Planning Approval issued.
- October 2009 - New Entry, Signage and Awning - conditional Planning Approval issued.

- December 2009 - Alterations to the McDonalds Restaurant - conditional Planning Approval issued.
- July 2010 - Planning Approval for Signage.
- August 2011, conditional Planning Approval for Stage 2 of the Shopping Centre (Warnbro Cento) extension. The 2011 Planning Approval included an extension to the northern (Palm Springs Boulevard) side of the shopping centre, for an additional 7,096m² Net Lettable Area (NLA) of retail floorspace, including a 5,130m² NLA discount department store.

The proponent decided not to commence this Planning Approval and instead has lodged the subject application to extend the retail floor space.



Figure 2: Aerial View

Lot	Street Address	Ownership	Area
909	206 Warnbro Sound Avenue	CPT Custodian Pty Ltd	5.5002ha
913	6 Palm Springs Boulevard	CPT Custodian Pty Ltd	0.9090ha
914	2 Palm Springs Boulevard	Fabcot Pty Ltd	2219m ²
915	200 Warnbro Sound Avenue	Fabcot Pty Ltd	1030m ²

Table 1: Ownership

DETAILS: OUTLINE OF DEVELOPMENT APPLICATION

The proposed development involves additions and alterations to the existing Warnbro Shopping Centre, providing for an additional 9,111m² NLA of retail floorspace, towards the northern (Palm Springs Boulevard) side of the centre. Specifically, the application proposes the following:

(i) Additions and alterations to the existing shopping centre to include:

- The construction of a discount department store (6,639m² NLA);
- New speciality retail shops (1,078m² NLA); and
- Additional non-shop/retail floor space (1,394m² NLA).

being a total of 9,111m² NLA (shop retail and non-shop/retail).

(ii) Additions and alterations to the existing car park to provide a total of 1,053 car parking spaces, including:

- Extension to the existing at grade car park (863 bays); and
- A new roof top car park (190 bays).

The proposal includes the removal of 151 existing car parking bay to accommodate the proposed expansion and replacement with 526 bays, providing a net addition of 375 bays.

The proponent has submitted the following information in support of the application:

- Plans DA01 to DA10 illustrating existing site plans, proposed site plans, amended and new car parking areas, proposed elevations, proposed landscaping and pedestrian and cyclist pathways;
- Transport Assessment Report; and
- Net Leasable Calculation Drawings

The proponent contends that the proposal complies with the City's Planning Policy 3.1.2 - Local Commercial Strategy (LCS) by achieving a total of 19,954m² (NLA) for the Warnbro District Centre. The LCS currently prescribes 19,962m² as the recommended size of the District Centre and 17,840m² is recommended for the Warnbro Shopping Centre alone.

A separate application has been made to amend the City's LCS to, in future, utilise some of the currently proposed non-shop/retail floor space shown in this current Development Application for shop/retail (NLA) purposes.

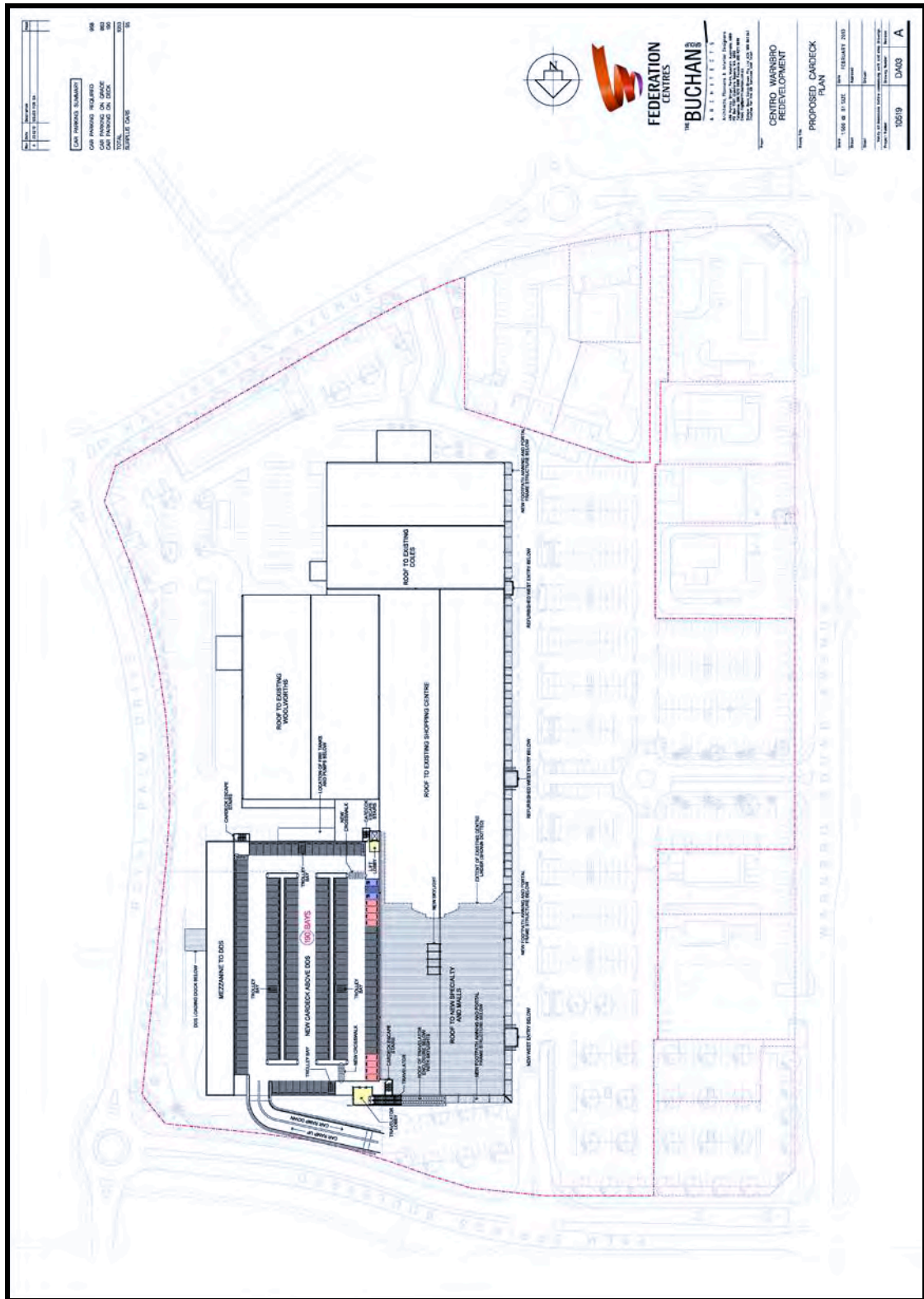


Figure 5: Proposed roof top parking

LEGISLATION AND POLICY

Legislation

Rockingham Town Planning Scheme No.2 (TPS2)

Clause 3.2 - Zoning Table

The subject land is zoned 'Commercial' under TPS2. The objective of the Commercial zone is to provide for the development of District, Neighbourhood and Local shopping facilities to cater for the present and future residents of the City consistent with the City's LCS.

Clause 4.15 - Car Parking

Parking Requirements & Provisions

Pursuant to clause 4.15.1.1, car parking is required to be provided in accordance with Table No.3 of TPS2. The current proposal includes a total of 1053 car parking bays, which equates to 5.28 bays per 100m² NLA floor space. Although this is less than what the TPS2 prescribes, being 6 bays per 100m², it is consistent with the car parking variation previously approved for the expansion of the Shopping Centre (August 2011), which is 4.8 bays per 100m² NLA (1 bay per 20.83m²).

A 2013 Transport Assessment Report was submitted to the City which is substantially based upon the earlier 2011 a Transport Assessment Report (Transport Report) prepared on behalf of the proponent.

The 2013 Traffic Report identified and assessed the various traffic, parking, pedestrian/cyclist facilities and public transport issues associated with the previous proposal (current approval) and recommended necessary modifications to the proposed plans and existing surrounding roads infrastructure. The Transport Report also included a Car Parking Study which assessed the existing demand and identified a recommended car parking requirement of 4.8 spaces per 100m² NLA. Table 6 summarises the parking provision.

Type of Parking	Required Parking TPS2		Proposed Parking		Comparison
	Rate	Amount	Rate	Amount	
Car Parking+	6 bays / 100m ² NLA	1,198	1 bay / 18.95m ²	1053	TPS2 car parking variation but is consistent with 2011 Planning Approval Concession Rate (1 bay / 20.83m ²)
Parking for Disabled Persons#	1-2% of the total	21(2%)	1-2% of the total	22(2%)	Complies
Bicycle long term (LPP 3.3.14)*	1 space / 1500m ² NLA (min 10)	14	1 space / 1500m ² NLA (min 10)	14	Complies
Bicycle short term (LPP 3.3.14)*	1 space / 750m ² NLA (min 16)	27	1 space / 750m ² NLA (min 16)	27	Complies

Table 2: Summary of Parking Requirements

- + Town Planning Scheme No.2
- # Planning Policy 2.3 - Development Considerations for Disabled Persons (PP2.3) and the Australian/New Zealand Standard AS/NZS 2890.6:2009 - Parking Facilities, Part 6: *Off-street parking for people with disabilities*
- * Local Planning Policy 3.3.14 - Bicycle Parking & End of Trip Facilities

This 2011 Transport Report was previously referred by the City to an independent Traffic Consultant to review the proposed reduced car parking ratio. The City's Traffic Consultant concluded that the methodology used by the proponent's Traffic Consultant is common practice and therefore acceptable. The same conclusions have been taken by the City to reasonably apply to the proposed development.

The proposal also complies with the recommended car parking standards in SPP4.2 Activity Centres for Perth and Peel (Section 5.3.2.4), which prescribes 4 to 5 bays per 100m² for shops.

Higher car parking demands can be expected during peak operation hours and during peak season (i.e. Christmas). The 1053 bays proposed could therefore service the peak periods. There are currently 678 bays provided on-site as part of the existing Stage 1 of the Shopping Centre. Another 375 new car parking bays will be constructed.

On balance of the car parking considerations raised by the proposal, being consistent with the previously approved car parking ratio for the 2011 Planning Approval, the City supports the car parking variation to TPS2 of 145 car parking bays, on the basis of a total of 1053 bays being provided.

Clause 6.6 - Matters to be considered by the Council

Clause 6.6 outlines the matters to which Council is to give due regard when considered relevant to an application. Where relevant, these have been discussed in the Planning Assessment.

State Government Policies

State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP4.2)

The purpose of SPP4.2 *inter alia* is to specify broad planning requirements for the planning and development of new activity centres in Perth and Peel.

Warnbro is identified as a 'District Centre' under the Activity Centres Hierarchy in SPP4.2.

The proposed development is Stage 2 of the Warnbro Shopping Centre. The staging of the Warnbro Shopping Centre is consistent with Clause 6.6.1(3) of SPP4.2, which requires the shopping component of an Activity Centre to be provided in a staged manner reflecting population growth.

Clause 6.6.1(5) of SPP4.2 requires the responsible authority to consider the region planning scheme, town planning scheme or strategy, state planning policy, and any relevant endorsed policy, strategy or plan. These have all been considered in this assessment. The following table outlines the typical characteristics of district centres as described in SPP4.2 and how the proposed centre performs against the criteria.

Exert from Table 3 Activity Centre Functions, Typical Characteristics and Performance Targets (State Planning Policy 4.2 - Activity Centres for Perth and Peel)		
Typical Characteristics	District Centres	Proposed Centre
Main role/function	District Centres have a greater focus on servicing the daily and weekly needs of residents. Their relatively smaller scale catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchments.	Centre size of 19,954m ² NLA consistent in size to provide retail and service needs of the local population.
Transport connectivity and accessibility	Focal point for bus network	Various existing bus stops at the centre.
Typical retail types	<ul style="list-style-type: none"> - Discount department stores - Supermarkets - Convenience goods - Small scale comparison shopping - Personal Services - Some speciality shops 	<ul style="list-style-type: none"> - Discount department store - 2 full sized Supermarkets - Speciality Shops - Personal services - Convenience goods
Typical Office Development	<ul style="list-style-type: none"> - District level office development - Local professional services 	- Medical Centre
Future indicative service population (trade area)	20, 000 - 50,000 persons	<ul style="list-style-type: none"> - Currently 66,700 people - Projected 92,100 by 2026.
Walkable catchment for residential density target	400m	400m nominated on the Local Structure Plan
Residential density target per gross hectare	Minimum	Desirable
	20	30

Table 3: SPP4.2 - District Centre characteristics

SPP4.2 focuses strongly on the function and urban form of a centre, with reduced emphasis on maximum shop/retail floor space of a centre. Expansion of centres is dealt with by requiring proponents to prepare a Retail Sustainability Assessment (RSA) prior to major development (a building more than 10,000m² or extension more than 5,000m²). A RSA assesses the potential economic and related effects of a significant retail expansion on the network of activity centres in a locality.

The increase in NLA floor space does not warrant the preparation of an RSA, because the proposal is consistent with the City's LCS NLA allocation for the Warnbro District Centre.

Local Policies

Planning Policy 3.1.2. - Local Commercial Strategy (LCS)

The subject site forms part of the Warnbro District Centre in the City's LCS.

The LCS allocates maximum retail floor space recommendations for the various Commercial Centres within the City.

The LCS recommends the Rockingham City Centre as the Strategic Regional Centre serving the whole City; four District Shopping Centres located at Rockingham Beach, Warnbro, Secret Harbour and Baldivis; and a network of smaller neighbourhood and local centres serving their perspective local catchments.

Within the District Centre precinct Federation Centres (former Centro Group) have a total retail floor space allocation of 17,840m² NLA for the core shopping centre area under the LCS. The total retail floor space allocated for the designated Warnbro District Centre is 19,962m² under the LCS, which compares favourably with the 19,954m² NLA proposed. The proposed development is therefore compliant with the retail floor space allocation of the LCS.

To enable the consideration of this application for the extension of the shopping centre without necessitating the amendment of the LCS, the Proponent argues the allocation of non-shop/retail floor space to be able to adhere to the NLA retail floor space allocated under the LCS.

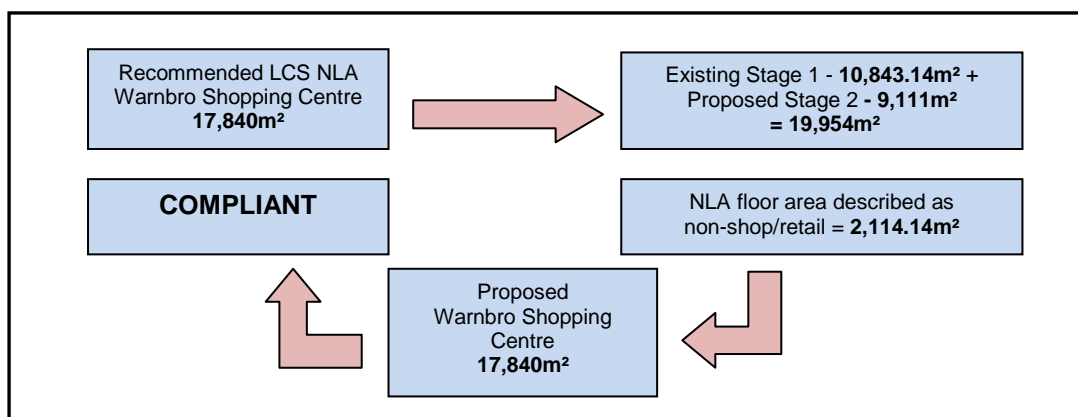


Figure 6: NLA floor area calculation

Planning Policy 3.3.14 - Bicycle Parking and End-of-Trip Facilities (PP3.3.14)

The application includes an enclosure capable of parking 14 bicycles in the central section of the Centro Warnbro shopping centre, along with two male and two female showers.

Provision of Bicycle Parking Devices

Under PP 3.3.14, District Commercial Centres require the provision of bicycle parking at the following rates:

Long Term Parking = one (1) space per 1,500m² NLA (min 10 spaces); and

Short Term Parking = one (1) space per 750m² NLA.

Based on a total NLA of 19954m², the development requires 13 long term bicycle spaces (14 provided) and 27 short term bicycle parking spaces (27 provided).

Should the application be approved, a condition is recommended requiring the provision of 14 long term bicycling parking spaces and 27 short term bicycle parking facilities in accordance with PP3.3.14.

Planning Policy 2.3 - Development Considerations for Disabled Persons (PP2.3)

Parking Provision

PP2.3 outlines the requirements for the provision of parking spaces for people with a disability. For retail/commercial developments, a provision of 1-2% of the total spaces is required to be provided for people with a disability. A total requirement of 1198 parking spaces for the Warnbro shopping centre is required under the TPS2. This would require 24 spaces to be provided for people with a disability. A total of 22 spaces for people with a disability have been provided. Although not compliant to the TPS2, the 22 car parking spaces provided is consistent with the parking concession of the 2011 Planning Approval.

Parking Design

The PP2.3 requires spaces for people with a disability to be a minimum of 3.2m wide. PP2.3 is currently being reviewed for consistency with the *Australian Standard 2890.6:2009 - Parking Facilities - Part 6: Off-Street Parking for People with Disabilities* (AS2890.6). In this regard, it is recommended that the dimensions used in AS2890.6 be applied to this proposal, rather than the standards in PP2.3. The proposal complies with the AS2890.6 requirements.

CONSULTATION

Public Consultation

The subject land is currently zoned 'Commercial' and the proposal is similar to the current Planning Approval for the extension of the Warnbro Shopping Centre (2011). Public consultation is therefore not required to be advertised in accordance with clause 6.3 of TPS2.

Consultation with other Agencies or Consultants

Centro Warnbro is located on the eastern side of the Warnbro Sound Avenue which is classified as an 'Other Regional' (Blue) Road reserved under the Metropolitan Regional Scheme (MRS). Given its classification and the fact that the proposed development has the potential to increase traffic flows by more than 100 vehicles per hour in the peak period (Transport Report), the application was referred to the Department of Planning: Infrastructure Planning Co-ordination for comment. The Department's comments have not yet been received.

As the proposal is similar to the 2011 Planning Approval the City considers the Department's previous comments (2011) are relevant to this application. The Department considered the 2011 application and Transport Report as acceptable.

"The Department reviewed the Transport Assessment Report prepared by Uloth and Associates (dated 28 Feb 2011) for the proposed shopping centre (Centro Warnbro). The Department agrees with the recommendations proposed in the report."

The Department's letter also recommended the following:

- *"Footpath on the south side of Palm Springs Boulevard, and*
- *A review of the verge width around Driveway 1."*

Both of these matters can be addressed as conditions of Planning Approval.