



Minutes of the Metro South-West Joint Development Assessment Panel

Meeting Date and Time: Thursday, 6 October 2016; 9.00am
Meeting Number: MSWJDAP/115
Meeting Venue: Department of Planning
140 William Street, Perth

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Stacey Towne (Deputy Presiding Member)
Mr Rob Nicholson (Specialist Member)
Cr Chris Elliott (Local Government Member, City of Rockingham)
Cr Joy Stewart (Local Government Member, City of Rockingham)

Officers in attendance

Ms Donna Shaw (City of Rockingham)
Ms Keara Freeley (City of Rockingham)

Department of Planning Minute Secretary

Ms Dallas Downes (Department of Planning)
Mr Phil Goodwin (Department of Planning)

Applicants and Submitters

Mr Paul Cunningham (Rowe Group)
Ms Camille Clarke (Rowe Group)
Mr Sam Klopper (Klopper and Davis Architects)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Mr Ian Birch declared the meeting open at 9.00am on 6 October 2016 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The Presiding Member 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 Kelly McManus (Local Government Member, Rockingham)

3. Members on Leave of absence

Panel member, Cr Kelly McManus has been granted leave of absence by the Minister for the period of 26 September 2016 to 31 October 2016 inclusive.

4. Noting of minutes

Minutes of the Metro South-West JDAP meeting No.112 held on 19 September 2016 and meeting No.113 held on the 23 September 2016 were noted by DAP members. The minutes of the Metro South-West JDAP meeting No.114 were not available for noting at the time of the meeting.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of interests

Panel members, Cr Chris Elliott and Cr Joy Stewart, declared an impartiality interest in items 8.1, 8.2 and 8.3. Both Councillors participated in the prior Council decision of these applications in accordance with their functions as a member of local government.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Presiding Member determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in discussion and voting on the items.

7. Deputations and presentations

7.1 Ms Camille Clarke (Rowe Group) addressed the DAP for the application at Item 8.2. Mr Clarke answered questions from the panel.

The presentation at Item 7.1 was heard prior to the application at Item 8.2

7.2 Mr Sam Klopper (Klopper and Davis Architects) answered questions from the panel with regard to the application at Item 8.3.



8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 302 (No.1) Empress Corner, Rockingham
Application Details:	Mixed Use Development (Two Office Tenancies and 51 Multiple Dwellings)
Applicant:	Design Management Group Australia
Owner:	Flinders Rockingham Pty Ltd
Responsible authority:	City of Rockingham
DoP File No:	DAP/16/01097

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Chris Elliot **Seconded by:** Cr Joy Stewart

Officer Recommendation:

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP16/01097 and accompanying plans

- Site Plan, Drawing No.A01.02 Rev B, dated 09.08.2016;
- Overshadowing Plan, Drawing No.A01.03 Rev B, dated 09.08.2016;
- Ground Floor Plan, Drawing No.A02.01 Rev D, dated 13.09.2016;
- First Floor Plan, Drawing No.A02.02 Rev B, dated 09.08.2016;
- Second Floor Plan, Drawing No.A02.03 Rev B, dated 09.08.2016;
- Third Floor Plan, Drawing No.A02.04 Rev B, dated 09.08.2016;
- Fourth Floor Plan, Drawing No.A02.05 Rev B, dated 09.08.2016;
- Fifth Floor Plan, Drawing No.A02.06 Rev B, dated 09.08.2016;
- Sixth Floor Plan, Drawing No.A02.07 Rev B, dated 09.08.2016;
- Seventh Floor Plan, Drawing No.A02.08 Rev B, dated 09.08.2016;
- Roof Plan, Drawing No.A02.09 Rev B, dated 09.08.2016;
- Landscape Plan, Drawing No.A02.10 Rev B, dated 09.08.2016;
- South West Elevation and South East Elevation, Drawing No.A03.01 Rev C, dated 13.09.2016;
- North East Elevation and North West Elevation, Drawing No.A03.02 Rev C, dated 13.09.2016;
- Streetscape Perspectives, Drawing No.A03.03 Rev B, dated 09.08.2016; and
- Section AA and Section BB, Drawing No.A04.01 Rev B, dated 09.08.2016

in accordance with Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the proposed Mixed Use Development (Fifty-One Multiple Dwellings and Two Office Tenancies) at Lot 302 (No.1) Empress Corner, Rockingham, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.



2. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
3. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.
4. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:
 - (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 and areas to be mulched;
 - (iii) Any natural landscape areas to be retained;
 - (iv) Those areas to be reticulated or irrigated;
 - (v) The street setback area and all verge areas including landscaping, paving and reticulation; and
 - (vi) Vegetation to soften the ground floor blank facades fronting Lot 503 Kent Street and Lot 303 Empress Corner.

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

5. The street setback area between the proposed development and Empress Corner must be paved to the satisfaction of the City of Rockingham, and maintained for the duration of the development.
6. Arrangements being made to the satisfaction of the City of Rockingham for the payment of contributions towards the Administration and Community Infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, prior to works commencing.
7. The carpark must:
 - (i) provide a minimum of 54 parking spaces;
 - (ii) prior to applying for a Building Permit, be designed in accordance with User Class 1 for Offices and 1A for Multiple Dwellings of the Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval;
 - (iii) include one car parking space dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard



AS/NZS 2890.6:2009, *Parking facilities, Part 6: Off-street parking for people with disabilities*, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, *Design for access and mobility, Part 1: General Requirements for access—New building work*;

- (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
- (v) have lighting installed, prior to the occupation of the development; and
- (vi) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282—1997, *Control of the obtrusive effects of outdoor lighting*, at all times.

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

8. A cash contribution being provided for 16.85 car parking spaces in accordance with clause 4.15.2.1 of Town Planning Scheme No.2, with the calculation of the cash contribution being in accordance with clause 4.15.6.2 of Town Planning Scheme No.2, must be provided to the City, prior to applying for a Building Permit.
9. Six (6) short-term bicycle parking spaces must be provided for the development in the road reserve adjacent the proposed commercial tenancies. 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 space must be retained and maintained in good condition at all times.
10. Two (2) secure hot-water showers, change room and clothing lockers must be provided for the development in accordance with the plans submitted. It must be designed in accordance with *Planning Policy 3.3.14 - Bicycle Parking and End-of-Trip Facilities*, approved by the City prior to 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.
11. Clothes drying facilities (excluding electric clothes dryers) must be designed for each Multiple Dwelling, be screened from public view prior to applying for a Building Permit, and implemented as such for the duration of the development.
12. 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.
13. In accordance with the requirements of *Planning Policy 3.2.5 – Development Policy Plan - Waterfront Village Sector*, entries and window frontages facing the street of ground floor tenancies must not be covered, closed or



screened off (including by means of dark tinting, internal shelving, shutters, curtains, blinds or roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Flinders Lane and Empress Corner, at all times.

14. Public or customer access to the commercial tenancies must be from Flinders Lane or Empress Corner.
15. Above-ground meter boxes must not be located in a street setback area at any time.
16. 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.
17. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
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. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City:
 - (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.

20. It must be demonstrated to the City of Rockingham that the service vehicles required by the development can manoeuvre around the site (geometry and



height). Plans demonstrating this access must be submitted to and be approved by the City of Rockingham prior to applying for a Building Permit.

21. The standard of finish to the wall(s) built up to boundaries must be to the satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City.

Advice Notes

1. With respect to the landscaping plan, the applicant and owner should liaise with the City's Land and Development Infrastructure Services to confirm requirements for landscaping plans.
2. All works in the road reserve, including construction of a crossover or footpath, installation of on-street carparking spaces, 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 should liaise with the City's Engineering Services in this regard.
3. The installation of security cameras linked to the City of Rockingham's security camera surveillance system should be considered, to provide surveillance of the proposed facility and public areas adjacent to the development.
4. The development (awnings) must comply with the *Street Verandahs Local Law 2000* relating to encroachments into the road reserve. The applicant and owner should liaise with the City's Building Services in this regard.
5. 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.
6. Prior to applying for a Building Permit, approval for the pool must be granted from the Department of Health (WA).
7. The existing street tree in the road reserve must be retained at all times and protected from development works in accordance with *AS4970- 2009 - Protection of trees on development sites*.

REASON: In accordance with details contained in the Responsible Authority Report Recommendation.

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



8.2 Property Location:	Lots 35 (1), 51 (9), 52 (7), 53 (5), 54 (3) and 2002 (11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham
Application Details:	Industrial Development (Kitchen Manufacturing)
Applicant:	Rowe Group Pty Ltd
Owner:	Western Australian Land Authority
Responsible authority:	City of Rockingham
DoP File No:	DAP/16/01086

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Chris Elliott

Seconded by: Mr Rob Nicholson

Officer Recommendation:

That the Metro South-West JDAP to:

Approve DAP Application reference DAP/16/01086 and accompanying plans

- Site Plan, Drawing No.S01 Rev F, dated 27.04.2016
- Ground Level Floor Plan, Drawing No.S02 Rev B, dated 27.05.2016
- Level 1 Floor Plan, Drawing No.S03 Rev B, dated 27.05.2016
- Elevations Plan, Drawing No.S04 Rev B, dated 27.05.2016
- Sections Plan, Drawing No.S05 Rev B, dated 27.05.2016

in accordance with Clause 68(2)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, for the proposed Industry-Service at Lots 35 (1), 51 (9), 52 (7), 53 (5), 54 (3) and 2002 (11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham subject to the following conditions:

Conditions

1. The retail shopfront component of the development must be maintained for the duration of the development.
2. Only goods manufactured at the premises are permitted to be displayed and sold in the retail shopfront component of the premises.
3. The activities carried out within the development must at all times comply with the 'Industry – Service' interpretation of the City of Rockingham Town Planning Scheme No.2.
4. Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for the amalgamation of Lots 35 (1), 51 (9), 52 (7), 53 (5), 54 (3) and 2002 (11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham onto one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
5. Prior to applying for a Building Permit, a separate schedule of colour and texture of the building materials for the ground floor portion of the development, demonstrating the proposed concrete panels have an exposed aggregate or textured finish must be provided to the satisfaction of the City of Rockingham.



6. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.
7. 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.
8. Trees, shrubs taller than 2m and grasstree plants (XANTHORRHOEACEAE family) must be retained (unless specifically identified for removal on the approved plans) and, during the construction period, measures for their retention must be taken in accordance with Australian Standard AS 4970—2009, Protection of trees on development sites.

Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for grasstree plants that are specifically identified for removal to be relocated.

9. The carpark must:-
 - (i) provide a minimum of 121 parking spaces;
 - (ii) be designed in accordance with User Class 1 of Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval, prior to applying for a Building Permit;
 - (iii) include two car parking spaces 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) include a separate pedestrian path directly adjacent the 57 carparking bays on the southern boundary of the site.

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



10. Prior to applying for a Building Permit, engineering drawings and specifications are to be submitted to and approved by the City of Rockingham for a footpath connecting the subject site to the nearest public footpath.

The footpath must be constructed to the satisfaction of the City of Rockingham prior to the occupation of the development.

11. As per City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, three short-term bicycle parking spaces and 24 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.

12. As per City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, four secure hot-water shower, change room and clothing lockers must be provided for the development. It must be designed in accordance with Planning Policy 3.3.14, Bicycle Parking and End-of-Trip Facilities, approved by the City of Rockingham 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.

13. Prior to occupation, the development must be connected to a reticulated water supply in accordance with the specifications of the Water Corporation in accordance with the recommendations of the Bushfire Management Plan prepared by RUIC Fire, dated 11 August 2016.

At all times, the reticulated water supply must be maintained in accordance with those requirements and in working condition.

14. The development must be designed, constructed and maintained to BAL-29 as specified in Australian Standard AS3959-2009: Construction of Buildings in Bushfire-Prone Areas (AS3959).

Prior to issuing a Building Permit, amended plans must be submitted to the City of Rockingham demonstrating the building has been designed to the required BAL as specified in AS3959. The building must be maintained in accordance with the specified requirements of the BAL for the life of the development.

15. Prior to occupation of the development, the Asset Protection Zone (APZ), as depicted in Figure 4B of the Bushfire Management Plan prepared by RUIC Fire, dated 11 August 2016, must be installed on the site in accordance with the following requirements:

- (a) maximum fine fuel load of 2 tonnes per hectare;



- (b) Trees crowns a minimum of 10m apart, not located within 2 metres of a building or overhanging a building, and no dead material within the trees crown or on the bole;
- (c) Shrubs not located within 2 metres of a building;
- (d) Fences and sheds are to be constructed of non-combustible material; and
- (e) Sheds must not contain flammable materials

The APZ must be maintained in accordance with these requirements and in a good and safe condition at all times.

16. Prior to the occupation of the development, 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 of Rockingham:

- (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) The noise from the dust extraction plant complies with the Environmental Protection (Noise) Regulations 1997, and will not significantly contribute to noise in the area
- (iii) tonality, modulation and impulsiveness; and
- (iv) 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.

17. Prior to applying for a Building Permit, the development must be designed such that the roof is lined with 50mm thick, 10kg/m³ insulation with either no facing material or a perforated facing material, in accordance with the requirements of the Acoustic Environmental Noise Assessment prepared by Lloyd George Acoustics and dated 15 June 2016.

18. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:

- (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 and areas to be mulched;
- (iii) Any natural landscape areas to be retained;
- (iv) Those areas to be reticulated or irrigated;



- (v) A minimum of one tree per four carparking bays;
- (vi) Screening on the southern edge of the outdoor storage area; and
- (vii) The street setback area and all verge areas including landscaping, paving and reticulation.

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.

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 of Rockingham, prior to applying for a Building Permit and implemented as such for the duration of the development.
20. The Pylon sign does not form part of this approval. A separate application for development approval is required for the Pylon sign.
21. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:-
 - (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.

22. Prior to applying for a Building Permit, 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 of Rockingham.

The bin storage area must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

23. A Dust Management Plan must be prepared in accordance with the Department of Environment and Conservation's DRAFT - A guideline for the development and implementation of a dust management program to the satisfaction of the City, prior to applying for a Building Permit.

All works must be carried out in accordance with the Dust Management Plan, for the duration of development



Advice Notes

1. This decision constitutes Development 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. All works in the road reserve, including construction of a crossover or footpath, planting of street trees, other streetscape works and works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham Land Infrastructure and Development Services in this regard.
3. With respect to Landscaping Plans, the applicant and owner should liaise with the City of Rockingham Land Infrastructure and Development Services.
4. The landscape theme for the East Rockingham Industrial Park is based predominantly on the use of hardy native trees, shrubs and ground covers. The applicant and owner should liaise with the City of Rockingham Land Infrastructure and Development Services for suitable species in this regard.
5. The development must comply with the Environmental Protection (Noise) Regulations 1997; contact the City of Rockingham Health Services for information on confirming requirements.
6. The car parking requirement for this development has been calculated as 365 car parking spaces. The proposed development provides a total 121 car parking spaces which has a shortfall of car parking spaces required for the development, which has been deemed acceptable.
7. 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 Development Approval must be submitted to the City of Rockingham

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Ms Stacey Towne

To amend condition 18 to include an additional point (viii) to read as follows:

“All landscaping shall be consistent with condition 15.”

REASON: To ensure that the bushfire management plans takes precedence when preparing the Landscaping Plan.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Ms Stacey Towne

Seconded by: Mr Rob Nicholson

To delete condition 8.



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

For: Ms Stacey Towne
Against: Mr Ian Birch
Mr Rob Nicholson
Cr Chris Elliott
Cr Joy Stewart

PRIMARY MOTION (AS AMENDED)

That the Metro South-West JDAP to:

Approve DAP Application reference DAP/16/01086 and accompanying plans

- Site Plan, Drawing No.S01 Rev F, dated 27.04.2016
- Ground Level Floor Plan, Drawing No.S02 Rev B, dated 27.05.2016
- Level 1 Floor Plan, Drawing No.S03 Rev B, dated 27.05.2016
- Elevations Plan, Drawing No.S04 Rev B, dated 27.05.2016
- Sections Plan, Drawing No.S05 Rev B, dated 27.05.2016

in accordance with Clause 68(2)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, for the proposed Industry-Service at Lots 35 (1), 51 (9), 52 (7), 53 (5), 54 (3) and 2002 (11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham subject to the following conditions:

Conditions

1. The retail shopfront component of the development must be maintained for the duration of the development.
2. Only goods manufactured at the premises are permitted to be displayed and sold in the retail shopfront component of the premises.
3. The activities carried out within the development must at all times comply with the 'Industry – Service' interpretation of the City of Rockingham Town Planning Scheme No.2.
4. Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for the amalgamation of Lots 35 (1), 51 (9), 52 (7), 53 (5), 54 (3) and 2002 (11) Merchant Drive and Lot 2000 Pedlar Circuit, Rockingham onto one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
5. Prior to applying for a Building Permit, a separate schedule of colour and texture of the building materials for the ground floor portion of the development, demonstrating the proposed concrete panels have an exposed aggregate or textured finish must be provided to the satisfaction of the City of Rockingham.
6. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.



7. 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.
8. Trees, shrubs taller than 2m and grasstree plants (XANTHORRHOEACEAE family) must be retained (unless specifically identified for removal on the approved plans) and, during the construction period, measures for their retention must be taken in accordance with Australian Standard AS 4970—2009, Protection of trees on development sites.

Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the City of Rockingham for grasstree plants that are specifically identified for removal to be relocated.

9. The carpark must:-
 - (i) provide a minimum of 121 parking spaces;
 - (ii) be designed in accordance with User Class 1 of Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval, prior to applying for a Building Permit;
 - (iii) include two car parking spaces 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) include a separate pedestrian path directly adjacent the 57 carparking bays on the southern boundary of the site.

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

10. Prior to applying for a Building Permit, engineering drawings and specifications are to be submitted to and approved by the City of Rockingham for a footpath connecting the subject site to the nearest public footpath.



The footpath must be constructed to the satisfaction of the City of Rockingham prior to the occupation of the development.

11. As per City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, three short-term bicycle parking spaces and 24 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.

12. As per City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, four secure hot-water shower, change room and clothing lockers must be provided for the development. It must be designed in accordance with Planning Policy 3.3.14, Bicycle Parking and End-of-Trip Facilities, approved by the City of Rockingham 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.

13. Prior to occupation, the development must be connected to a reticulated water supply in accordance with the specifications of the Water Corporation in accordance with the recommendations of the Bushfire Management Plan prepared by RUC Fire, dated 11 August 2016.

At all times, the reticulated water supply must be maintained in accordance with those requirements and in working condition.

14. The development must be designed, constructed and maintained to BAL-29 as specified in Australian Standard AS3959-2009: Construction of Buildings in Bushfire-Prone Areas (AS3959).

Prior to issuing a Building Permit, amended plans must be submitted to the City of Rockingham demonstrating the building has been designed to the required BAL as specified in AS3959. The building must be maintained in accordance with the specified requirements of the BAL for the life of the development.

15. Prior to occupation of the development, the Asset Protection Zone (APZ), as depicted in Figure 4B of the Bushfire Management Plan prepared by RUC Fire, dated 11 August 2016, must be installed on the site in accordance with the following requirements:

- (a) maximum fine fuel load of 2 tonnes per hectare;
- (b) Trees crowns a minimum of 10m apart, not located within 2 metres of a building or overhanging a building, and no dead material within the trees crown or on the bole;
- (c) Shrubs not located within 2 metres of a building;



- (d) Fences and sheds are to be constructed of non-combustible material;
and
- (e) Sheds must not contain flammable materials

The APZ must be maintained in accordance with these requirements and in a good and safe condition at all times.

16. Prior to the occupation of the development, 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 of Rockingham:

- (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) The noise from the dust extraction plant complies with the Environmental Protection (Noise) Regulations 1997, and will not significantly contribute to noise in the area
- (iii) tonality, modulation and impulsiveness; and
- (iv) 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.

17. Prior to applying for a Building Permit, the development must be designed such that the roof is lined with 50mm thick, 10kg/m³ insulation with either no facing material or a perforated facing material, in accordance with the requirements of the Acoustic Environmental Noise Assessment prepared by Lloyd George Acoustics and dated 15 June 2016.

18. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:

- (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 and areas to be mulched;
- (iii) Any natural landscape areas to be retained;
- (iv) Those areas to be reticulated or irrigated;
- (v) A minimum of one tree per four carparking bays;
- (vi) Screening on the southern edge of the outdoor storage area;



(vii) The street setback area and all verge areas including landscaping, paving and reticulation; and

(viii) All landscaping shall be consistent with condition 15.

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.

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 of Rockingham, prior to applying for a Building Permit and implemented as such for the duration of the development.

20. The Pylon sign does not form part of this approval. A separate application for development approval is required for the Pylon sign.

21. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:-

- (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.

22. Prior to applying for a Building Permit, 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 of Rockingham.

The bin storage area must be constructed prior to the occupation of the development and must be retained and maintained in good condition at all times.

23. A Dust Management Plan must be prepared in accordance with the Department of Environment and Conservation's DRAFT - A guideline for the development and implementation of a dust management program to the satisfaction of the City, prior to applying for a Building Permit.

All works must be carried out in accordance with the Dust Management Plan, for the duration of development

Advice Notes

1. This decision constitutes Development 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. All works in the road reserve, including construction of a crossover or footpath, planting of street trees, other streetscape works and works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham Land Infrastructure and Development Services in this regard.
3. With respect to Landscaping Plans, the applicant and owner should liaise with the City of Rockingham Land Infrastructure and Development Services.
4. The landscape theme for the East Rockingham Industrial Park is based predominantly on the use of hardy native trees, shrubs and ground covers. The applicant and owner should liaise with the City of Rockingham Land Infrastructure and Development Services for suitable species in this regard.
5. The development must comply with the Environmental Protection (Noise) Regulations 1997; contact the City of Rockingham Health Services for information on confirming requirements.
6. The car parking requirement for this development has been calculated as 365 car parking spaces. The proposed development provides a total 121 car parking spaces which has a shortfall of car parking spaces required for the development, which has been deemed acceptable.
7. 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 Development Approval must be submitted to the City of Rockingham

REASON: In accordance with details contained in the Responsible Authority Report Recommendation.

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

8.3	Property Location:	Lot 636 Thundelarra Drive, Golden Bay
	Application Details:	Main Street Mixed Use Development (Two Commercial Units and 58 Multiple Dwellings)
	Applicant:	Klopper & Davis Architects
	Owner:	Department of Housing
	Responsible authority:	City of Rockingham
	DoP File No:	DAP/16/01098

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Chris Elliott

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP/16/01098 and accompanying plans:



- Concept Image 1, Drawing No. 1, received 10.08.2016;
- Concept Image 2, Drawing No. 4, received 10.08.2016;
- Accommodation Schedule, Drawing No. 5, received 02.09.2016;
- Materials, Drawing No. 6, received 10.08.2016;
- Concept Image 3, Drawing No. 7, received 10.08.2016;
- Location Plan, Drawing No. 8, received 10.08.2016;
- Site Plan, Drawing No.9; received 02.09.2016;
- Ground Floor Plan & Landscaping, Drawing No. 10, received 02.09.2016;
- First Floor Plan, Drawing No.11, received 01.09.2016;
- Second Floor Plan, Drawing No.12, received 01.09.2016;
- Third Floor Plan, Drawing No.13, received 01.09.2016;
- Typical Apartment Plans, Drawing No.14, received 10.08.2016; and
- Elevations, Drawing No.15, received 01.09.2016.

in accordance with Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the proposed Mixed Use Development (two Commercial tenancies and 58 Multiple Dwellings) at Lot 636 Thundelarra Drive, Golden Bay, subject to the following conditions:

Conditions

1. This approval does not authorise or approve the use of any of the ground floor commercial tenancies. A separate Development Approval must be obtained for the occupation of any ground floor commercial tenancy, prior to the occupation of any tenancy.
2. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
3. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained on-site and certified by a suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.
4. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:
 - (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 and areas to be mulched;
 - (iii) Any natural landscape areas to be retained;
 - (iv) Those areas to be reticulated or irrigated;
 - (v) The street setback and verge treatments;
 - (vi) Street trees to be provided at a minimum rate of 1 tree per 14m in the road reserve; and



- (vii) Shade trees to be provided to the carpark at a minimum rate of 1 tree per 8 car bays.

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

5. Arrangements being made to the satisfaction of the City of Rockingham for the payment of contributions towards the Administration and Community Infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, prior to works commencing.
6. The carpark must:
- (i) provide a minimum of 95 parking spaces;
 - (ii) prior to applying for a Building Permit, be designed in accordance with User Class 1 for Commercial tenancies and 1A for Multiple Dwellings of the Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval;
 - (iii) include one car parking space dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, *Parking facilities, Part 6: Off-street parking for people with disabilities*, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, *Design for access and mobility, Part 1: General Requirements for access—New building work*;
 - (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;
 - (v) have lighting installed prior to the occupation of the development; and
 - (vi) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282-1997, *Control of the obtrusive effects of outdoor lighting*, at all times.

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

7. Seven (7) short-term bicycle parking spaces must be provided for the development in the road reserve adjacent the proposed commercial tenancies. 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 space must be retained and maintained in good condition at all times.
8. Two (2) secure hot-water showers, change room and clothing lockers must be provided for the development in accordance with the plans submitted. 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.

9. Nine (9) on-street car parking spaces must be designed in accordance with the *Australian Standard AS 2890.5-1993, Parking facilities, Part 5: On-street parking*, prior to applying for a Building Permit.
10. Five visitor car parking spaces must be designed in accordance with the Australian/New Zealand Standard AA/NZS 2890.1:2004, *Parking facilities, Part 1:Off-street carparking*, prior to applying for a Building Permit.

The visitor car parking spaces must be constructed, clearly marked/signposted as visitor spaces and connected to the development, via a 1.2m wide continuous accessible path of travel prior to occupation of the development, and must be retained and maintained in good condition at all times.

11. Clothes drying facilities (excluding electric clothes dryers) must be designed for each Multiple Dwelling, be screened from public view prior to applying for a Building Permit, and implemented as such for the duration of the development.
12. 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.
13. Public or customer access to the commercial tenancies must be from Thundelarra Drive.
14. Above-ground meter boxes must not be located in a street setback area at any time.
15. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public views and/or screened, the details of which are to be provided to the City of Rockingham's satisfaction prior to applying for a Building Permit.
16. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
17. The standard of finish to the wall(s) built up to boundaries must be to the satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City.
18. Prior to applying for a Building Permit, where a nil setback has been provided to the street, a canopy(s) with continuous coverage to a minimum depth of 2.5m or to within 600mm of the back of the adjacent kerb where the verge is too narrow, must be provided across the entire street frontage.
19. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City:



- (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;
- (iv) frequency of bin collections;
- (v) details of screening bins from view of the street; and
- (vi) bin storage area drainage details.

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

20. 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 submitted to and 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.

21. Prior to applying for a Building Permit, the ground floor residential units must be designed in accordance with Australian Standard 1428.1-2009, *Design for access and mobility*.
22. Prior to applying for a Building Permit, the street frontage fencing must be no more than 1.8m high and must be at least 50% visually permeable from 0.9m above the ground level of the adjacent street with solid portions of fencing consisting of masonry construction. Colorbond fencing is not permitted within any street setback area.
23. Prior to applying for a Building Permit, the walls within 1.5m of where the vehicle accessway meets Jundee Lane must be truncated or reduced to no higher than 0.75m.

Advice Notes

1. This decision constitutes development approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. With reference to Condition No. 3, the City is supportive of urban water sensitive design solutions e.g. flush kerbing, rain gardens etc. There is potential to incorporate a bio filtration area, to treat the immediate surface run off from the carpark within the proposed planted area. The applicant and owner should liaise with the City's Urban Water Assessment Officer in this regard.



3. With reference to Condition No. 4, the applicant and owner should liaise with the City's Land and Development Infrastructure Services to confirm requirements for landscaping plans.
4. With reference to Condition No. 4, the proposed landscape treatment should be appropriate for a 'main street' town centre environment that enhances the streetscape, is robust, visually rich and reinforces the coastal townscape character. Full streetscape works shall be provided by the Developer to the public street immediately adjoining their development site. These shall generally include pavements, kerbside parking, street trees, lighting and furniture.
5. All works in the road reserve, including construction of a crossover or footpath, installation of on-street carparking spaces, 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 should liaise with the City's Engineering Services in this regard.
6. Embayment parking must be designed in accordance with *AS Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1:Off-street car parking*, prior to applying for a Building Permit
7. The development (awnings) must comply with the *Street Verandahs Local Law 2000* relating to encroachments into the road reserve. The applicant and owner should liaise with the City's Building Services in this regard.
8. 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.
9. With reference to Condition No. 19, a separate bin store is required for the residential and commercial development.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Ms Stacey Towne

To amend condition 1 so as to read as follows:

*“A separate Development Approval must be obtained for the occupation of any ground floor commercial tenancy **for any use other than a shop or office**, prior to the occupation of any tenancy.”*

REASON: To provide certainty to the use permitted for the development.

The Amending Motion was put and CARRIED UNANIMOUSLY.



AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Ms Stacey Towne

To amend condition 4 (vii) to change “carbays” to read “car rows” so as to read as follows:

“Shade trees to be provided to the carpark at a minimum rate of 1 tree per 8 car rows.”

REASON: To provide clarity to the condition due to the tandem parking arrangement.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Metro South-West JDAP resolves to:

Approve DAP Application reference DAP/16/01098 and accompanying plans:

- Concept Image 1, Drawing No. 1, received 10.08.2016;
- Concept Image 2, Drawing No. 4, received 10.08.2016;
- Accommodation Schedule, Drawing No. 5, received 02.09.2016;
- Materials, Drawing No. 6, received 10.08.2016;
- Concept Image 3, Drawing No. 7, received 10.08.2016;
- Location Plan, Drawing No. 8, received 10.08.2016;
- Site Plan, Drawing No.9; received 02.09.2016;
- Ground Floor Plan & Landscaping, Drawing No. 10, received 02.09.2016;
- First Floor Plan, Drawing No.11, received 01.09.2016;
- Second Floor Plan, Drawing No.12, received 01.09.2016;
- Third Floor Plan, Drawing No.13, received 01.09.2016;
- Typical Apartment Plans, Drawing No.14, received 10.08.2016; and
- Elevations, Drawing No.15, received 01.09.2016.

in accordance with Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the proposed Mixed Use Development (two Commercial tenancies and 58 Multiple Dwellings) at Lot 636 Thundelarra Drive, Golden Bay, subject to the following conditions:

Conditions

1. A separate Development Approval must be obtained for the occupation of any ground floor commercial tenancy for any use other than a shop or office, prior to the occupation of any tenancy.
2. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures shall be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
3. Prior to applying for a Building Permit, all stormwater generated by the development shall be designed to be contained of on-site and certified by a



suitably qualified engineer. The design shall be implemented and maintained for the duration of the development.

4. Prior to applying for a Building Permit, a Landscaping Plan must be prepared and include the following detail, to the satisfaction of the City of Rockingham:
 - (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 and areas to be mulched;
 - (iii) Any natural landscape areas to be retained;
 - (iv) Those areas to be reticulated or irrigated;
 - (v) The street setback and verge treatments;
 - (vi) Street trees to be provided at a minimum rate of 1 tree per 14m in the road reserve; and
 - (vii) Shade trees to be provided to the carpark at a minimum rate of 1 tree per 8 car rows.

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

5. Arrangements being made to the satisfaction of the City of Rockingham for the payment of contributions towards the Administration and Community Infrastructure items pursuant to Clause 5.6.14 of the City of Rockingham Town Planning Scheme No.2, prior to works commencing.
6. The carpark must:
 - (i) provide a minimum of 95 parking spaces;
 - (ii) prior to applying for a Building Permit, be designed in accordance with User Class 1 for Commercial tenancies and 1A for Multiple Dwellings of the Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval;
 - (iii) include one car parking space dedicated to people with disabilities designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, *Parking facilities, Part 6: Off-street parking for people with disabilities*, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, *Design for access and mobility, Part 1: General Requirements for access—New building work*;
 - (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;



- (v) have lighting installed prior to the occupation of the development; and
- (vi) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282-1997, *Control of the obtrusive effects of outdoor lighting*, at all times.

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

7. Seven (7) short-term bicycle parking spaces must be provided for the development in the road reserve adjacent the proposed commercial tenancies. 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 space must be retained and maintained in good condition at all times.
8. Two (2) secure hot-water showers, change room and clothing lockers must be provided for the development in accordance with the plans submitted. 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.
9. Nine (9) on-street car parking spaces must be designed in accordance with the *Australian Standard AS 2890.5-1993, Parking facilities, Part 5: On-street parking*, prior to applying for a Building Permit.
10. Five visitor car parking spaces must be designed in accordance with the Australian/New Zealand Standard AA/NZS 2890.1:2004, *Parking facilities, Part 1:Off-street carparking*, prior to applying for a Building Permit.

The visitor car parking spaces must be constructed, clearly marked/signposted as visitor spaces and connected to the development, via a 1.2m wide continuous accessible path of travel prior to occupation of the development, and must be retained and maintained in good condition at all times.

11. Clothes drying facilities (excluding electric clothes dryers) must be designed for each Multiple Dwelling, be screened from public view prior to applying for a Building Permit, and implemented as such for the duration of the development.
12. 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.
13. Public or customer access to the commercial tenancies must be from Thundelarra Drive.



14. Above-ground meter boxes must not be located in a street setback area at any time.
15. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public views and/or screened, the details of which are to be provided to the City of Rockingham's satisfaction prior to applying for a Building Permit.
16. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
17. The standard of finish to the wall(s) built up to boundaries must be to the satisfaction of the adjoining owner(s) or, in the case of a dispute, to the satisfaction of the City.
18. Prior to applying for a Building Permit, where a nil setback has been provided to the street, a canopy(s) with continuous coverage to a minimum depth of 2.5m or to within 600mm of the back of the adjacent kerb where the verge is too narrow, must be provided across the entire street frontage.
19. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City:
 - (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;
 - (iv) frequency of bin collections;
 - (v) details of screening bins from view of the street; and
 - (vi) bin storage area drainage details.

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

20. 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 submitted to and 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.

21. Prior to applying for a Building Permit, the ground floor residential units must be designed in accordance with Australian Standard 1428.1-2009, *Design for access and mobility*.



22. Prior to applying for a Building Permit, the street frontage fencing must be no more than 1.8m high and must be at least 50% visually permeable from 0.9m above the ground level of the adjacent street with solid portions of fencing consisting of masonry construction. Colorbond fencing is not permitted within any street setback area.
23. Prior to applying for a Building Permit, the walls within 1.5m of where the vehicle accessway meets Jundee Lane must be truncated or reduced to no higher than 0.75m.

Advice Notes

1. This decision constitutes development approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. With reference to Condition No. 3, the City is supportive of urban water sensitive design solutions e.g. flush kerbing, rain gardens etc. There is potential to incorporate a bio filtration area, to treat the immediate surface run off from the carpark within the proposed planted area. The applicant and owner should liaise with the City's Urban Water Assessment Officer in this regard.
3. With reference to Condition No. 4, the applicant and owner should liaise with the City's Land and Development Infrastructure Services to confirm requirements for landscaping plans.
4. With reference to Condition No. 4, the proposed landscape treatment should be appropriate for a 'main street' town centre environment that enhances the streetscape, is robust, visually rich and reinforces the coastal townscape character. Full streetscape works shall be provided by the Developer to the public street immediately adjoining their development site. These shall generally include pavements, kerbside parking, street trees, lighting and furniture.
5. All works in the road reserve, including construction of a crossover or footpath, installation of on-street carparking spaces, 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 should liaise with the City's Engineering Services in this regard.
6. Embayment parking must be designed in accordance with *AS Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1:Off-street car parking*, prior to applying for a Building Permit
7. The development (awnings) must comply with the *Street Verandahs Local Law 2000* relating to encroachments into the road reserve. The applicant and owner should liaise with the City's Building Services in this regard.
8. 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.



9. With reference to Condition No. 19, a separate bin store is required for the residential and commercial development.

REASON: In accordance with details contained in the Responsible Authority Report Recommendation.

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

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

Nil

10. **Appeals to the State Administrative Tribunal**

Nil

11. **General Business / Meeting Close**

The Presiding Member reminded the meeting that in accordance with Standing Order 7.3 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the Presiding Member declared the meeting closed at 9.59am.