



Minutes of the South-West Joint Development Assessment Panel

Meeting Date and Time: 29 September 2017; 9:30am
Meeting Number: MSWJDAP/143
Meeting Venue: City of Cockburn
9 Coleville Crescent
Spearwood

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Mr Tony Arias (Deputy Presiding Member)
Mr Robert Nicholson (A/Specialist Member)
Cr Carol Reeve-Fowkes (Local Government Member, City of Cockburn)
Cr Kevin Allen (Local Government Member, City of Cockburn)

Officers in attendance

Mr Richard Trinh (City of Cockburn)
Mr Andrew Lefort (City of Cockburn)
Mr Daniel Arndt (City of Cockburn)
Ms Lorraine Selby (City of Cockburn)

Local Government Minute Secretary

Ms Lynette Jakovcevic (City of Cockburn)

Applicants and Submitters

Mr Tayne Evershed (Planning Solutions)
Mr Behnam Bordbar (Transcore)
Mr Guido Giorgi (G&C Capital and Giorgi Group)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member, Mr Ian Birch declared the meeting open at 9:30am on 29 September 2017 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

Mr Ian Birch
Presiding Member, Metro South-West JDAP



The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2017 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 DAP Standing Orders 2017; 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

Mr Peter Addison (Specialist Member)
Cr Steven Portelli (Local Government Member, City of Cockburn)

3. Members on Leave of absence

Panel member, Mr Peter Addison has been granted leave of absence by the Director General for the period of 3 July 2017 to 1 November 2017 inclusive.

4. Noting of minutes

Minutes of the Metro South-West JDAP meeting no. 140 held on 13 September 2017 and meeting no.141 held on 15 September 2017 were noted by DAP members.

Minutes of the Metro South-West JDAP meeting no.142 held on 21 September 2017 were not available for noting at the time of meeting.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of interests

DAP member, Cr Steven Portelli, declared an Impartiality Interest in Item 9.1.

Cr Portelli participated in Council discussions on the structure plan covering this area. Cr Portelli has actively sought feedback from residents and community groups and feels this application is a further relaxation of the land use from an already relaxed position as approved previously. Cr Portelli has a predisposed position against approval of the 1250m² Liquor outlet in lieu of the 383m² original size.

On concurrence with the presiding member, Cr Portelli did not participate in the meeting.

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7. Deputations and presentations

- 7.1 Mr Tayne Evershed (Planning Solutions) addressed the DAP in support of the application at Item 9.1.
- 7.2 Mr Behnam Bordbar (Transcore) addressed the DAP in support of the application at Item 9.1.

Mr Guido Giorgi, Mr Evershed, Mr Bordbar and City of Cockburn officers answered questions from the panel.

8. Form 1 - Responsible Authority Reports – DAP Application

Nil

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

- 9.1 Property Location: Lot 500 (3) Armadale Road, Jandakot
Application Details: Amendment to DAP15/021 (Mixed Use Development)
Applicant: Mr Tayne Evershed, Planning Solutions
Owner: Cockburn Five Hundred Pty Ltd
Responsible authority: City of Cockburn
DAP File No: DAP/15/00948

REPORT RECOMMENDATION

Moved by: Mr Rob Nicholson

Seconded by: Cr Kevin Allen

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

1. **Accept** that the DAP Application reference DAP/15/00948 as detailed on the DAP Form 2 dated 01 August 2017 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/15/00948 as detailed on the DAP Form 2 date 01 August 2017 and accompanying plans (DA01, DA02, DA03, DA04, DA05, DA08, DA09 and DA10) dated 27/07/2017 for the proposed mixed business development comprising five (5) buildings at Lot 500 (3) Armadale Road, Jandakot, in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Cockburn Local Planning Scheme No. 3, for the proposed minor amendment to the approved, subject to the following conditions:

Amended Conditions

Mr Ian Birch
Presiding Member, Metro South-West JDAP



1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan. **This includes the use of the land and/or tenancies.** The approved development is for one (1) Service Station, one (1) Motor Vehicle Repair, one (1) Medical Centre, six (6) offices, seven (7) Showrooms, five (5) Warehouses, one (1) Use Not Listed (Liquor Store), one (1) Restaurant and eleven (11) Fast Food Outlets.
2. **Prior to the lodgement of a Building Permit application for new buildings,** a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction. The details as agreed by the City are to be implemented in the development.
3. **Prior to the initial occupation of the buildings,** landscaping (including verge landscaping) shall be installed in accordance with the approved landscaping plan, reticulated/ irrigated, and maintained thereafter to the satisfaction of the City.
4. **Prior to the initial occupation of the buildings,** a Waste Management Plan shall be submitted to and approved by the City to its satisfaction. Provisions in the Waste Management Plan shall include recycling measures and management of commercial waste, and shall be implemented and maintained thereafter to the satisfaction of the City.
5. **Prior to the initial occupation of the buildings,** the following works shall be completed:
 - a) 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;
 - b) delivery and/or loading bays shall be marked, signed, easily accessible and available in perpetuity for deliveries as per the site plan (plan no. DA03);
 - c) give-way lines shall be marked as per the site plan (plan no. DA03);
 - d) raised plateaus along the northern section of the lot shall be installed for traffic calming purposes as per the site plan (plan no. DA.03);
 - e) raised pedestrian crossings shall be line marked as per the site plan (plan no. DA03); and
 - f) cycle connection to external footpath shall be created as per the site plan (plan no. DA03).
6. The lot being serviced by Armadale Road as presented being restricted to left in left out only from Armadale Road and any intersection treatment of Armadale Road to accommodate this shall be at the developer/owner's expense to the satisfaction of the City of Cockburn on advice from Main Roads Western Australia.
7. The driveways/roads providing vehicle access to the Service Station shall be designed and constructed to ensure that the turning path of heavy vehicles entering or exiting the site does not permit any portion of the vehicle to travel on, over, or to the right centre of the carriageway, where a carriageway is

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- designed to carry two-way (opposing) traffic to the satisfaction of the City of Cockburn in consultation with Main Roads Western Australia.
- a) Any modification to the existing vehicle crossover within the Armadale Road reservation shall be at the expense of the proponent to ensure that Condition 7 is satisfied to the requirement of Main Roads Western Australia.
 - b) Any modification to the Armadale Road reservation shall include technical drawings that demonstrate to Main Roads Western Australia that Condition 7 can be satisfied.
 - c) Condition 7 shall be considered to meet the requirements of the interim access and any future access which includes any future modifications to Armadale Road.
 - d) The design of the Armadale Road crossover should be flexible enough to integrate with future upgrading of Armadale Road to six lanes and in particular to allow for fuel tankers to turn left into Armadale Road lane correctly.
 - e) The driveway shall be designed to have an internal turn around facility or area that enables heavy vehicles to turn around and exit the driveway in a forward movement.
8. Building 2 and 3 on Site Plan (plan no. DA03) to be separated by a minimum distance of 15.0m.
 9. No earthworks shall encroach onto the Armadale Road reserve.
 10. **Prior to the initial occupation of the buildings**, the owner/developer shall at their expense construct a 3.0m wide asphalt shared path within the Armadale Road reserve, from the Kwinana Freeway to Solomon Road, to the satisfaction of the City of Cockburn on advice from Main Roads Western Australia.
 11. **Prior to the lodgement of a Building Permit application**, the 45 bicycle parking facilities that are required as part of stage 2 shall be included on the site and floor plans in accordance with the Australian Standards, to the satisfaction of the City.
 12. **Prior to the lodgement of a Building Permit application for new buildings**, details of the end of trip facilities (shower and change room facilities) as required in accordance with Local Planning Policy 3.9 (Industrial Development) shall be submitted to the City and installed to the satisfaction of the City.
 13. **Prior to the lodgement of a Building Permit application for new buildings**, the owner/applicant shall:
 - submit to the City for approval a preliminary proposal for an art work designed by a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be located within the subject site as an integral part of the development;
 - submit to the City for approval an 'Application for Art Work Design';

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- enter into a contract with a professional artist/s to design and install (if appropriate) the art work approved by the City; and
 - The art work shall then be installed prior to occupation of the building/development and maintained thereafter to the satisfaction of the City.
14. All stormwater shall be contained and disposed of on-site to the satisfaction of the City. No stormwater drainage shall be discharged onto the Armadale Road reserve.
 15. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
 16. **Prior to the initial occupation of the buildings**, the street number shall be clearly displayed on the façade of the building(s). The street number is to be displayed in perpetuity to the satisfaction of the City.
 17. Tenancies 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.24, 2.25, 2.26, 2.7 and 2.8 have been approved as a Medical Centre and shall be limited to the number of consultants at any one given time in accordance with the approved plan (plan no. DA03).
 18. Tenancy 2.7 has been approved as a Pharmacy that forms part of the Medical Centre and shall not operate independently from the Medical Centre. In this regard the Pharmacy shall not open outside of the operating hours of any of the Medical Consulting tenancies and pedestrian access shall be restricted to the internal foyer area.
 19. Tenancy 1.2 has been approved as a Restaurant and shall be limited to a maximum of 120 people at any given time. This maximum number of people that can be accommodated includes the associated alfresco area.
 20. Tenancy 3.2 has been approved for Motor Vehicle Repair and is restricted to a maximum of four (4) vehicle hoists.
 21. The wash down of plant, vehicles or equipment associated with the Motor Vehicle Repair use shall be carried out over a wash down pad with waste water treated to remove solids and hydrocarbons prior to discharge to the environment.
 22. All waste and recycling materials must be contained within bins, to the satisfaction of the City of Cockburn.
 23. Further Acoustic Report(s) shall be submitted to and approved by the City, prior to the issue of the Building Permits, and implemented thereafter, to the satisfaction of the City.
 24. Written confirmation from a recognised acoustic consultant that all recommendations made in the Acoustic Report prepared by Lloyd George Acoustic (Ref 16013469-01; dated 20 January 2016) and the further Acoustic

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- Report(s) required under Condition 23 have been incorporated into the proposed development, shall be submitted to the City at the time of the Building Permit Application.
25. The builder shall provide written confirmation that the requirements of the Acoustic Report(s) referred to in Condition 23 have been incorporated into the completed development with the Form BA7 Completion Form, prior to occupation of the development.
 26. No car-wash facilities, no vacuum facilities and no car servicing are permitted or approved in association with the Petrol Filling Station.
 27. Where blank facades are visible these walls must be appropriately painted, textured and articulated to provide strong visual interest. Blank facades shall be treated with anti-graffiti coatings and thereafter maintained to the satisfaction of the City of Cockburn. Details shall be submitted to the City for approval prior to the issue of a Building Permit.
 28. No bunting is to be erected on the site (bunting includes streamers, streamer strips, banner strips or decorations of similar kind).
 29. **Prior to the lodgement of a Building Permit application for new buildings,** a Construction Management Plan (CMP) shall be submitted to and approved by the City. The CMP is to detail how the following matters are proposed to be managed:
 - (a) access to and from the site;
 - (b) the delivery of materials and equipment to the site;
 - (c) the storage of materials and equipment on the site;
 - (d) other matters likely to impact on surrounding properties;
 - (e) the parking arrangements for contractors and subcontractors;
 - (f) management of construction waste;
 - (g) dust management.The approved CMP shall be implemented at all times during construction.
 30. All outdoor lighting shall be installed and maintained in accordance with Australian Standard AS 4282 - 1997 "*Control of the Obtrusive Effects of Outdoor Lighting*".
 31. **Prior to the lodgement of a Building Permit application,** submission of details of appropriate traffic management devices (such as kerbing, bollards and signs) for the Fast Food Outlet (tenancy 1.3) ensuring safe vehicular movements associated with the structure is to be provided.
 32. **Prior to the lodgement of a Building Permit application for new buildings,** the applicant shall demonstrate how tenancy 2.5 shall be designed and constructed to ensure that the structural integrity of the building will not be compromised to allow tenancies 2.1, 2.2, 2.3 and 2.4 to be removed to facilitate redevelopment of the western portion of the site to the satisfaction of the City of Cockburn.

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33. A separate application for signage (except for the two approved monolith signs) shall be submitted to, and approved by the City prior to the erection of any signage on site.
34. **Prior to the initial occupation of the new buildings**, the owner shall grant free of cost to the City of Cockburn (“the City”) an easement in gross for access over the 15m wide internal access way between the Armadale Road Crossover and Hutt Link (“the land”) for the use and benefit of the public at large in accordance with any specifications of and to the satisfaction of the City. The easement in gross shall be prepared by the City’s solicitors to the satisfaction of the City and shall be registered over the certificate of title to the land prior to the issue of a Building Permit for the proposed development. The owner shall be responsible to pay all costs of and incidental to the preparation of the easement in gross (including the drafts), the preparation of an easement only deposited plan and fees for the stamping and registration of the easement in gross. Once the Armadale Road deviation is constructed and should the easement across the rear (northern boundary) of the site connecting to Hutt Link be no longer required, the City shall agree to its removal.
35. An internal Traffic Management Plan (TMP) shall be submitted to and approved by 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 Council, or with any requirements of the City of Cockburn Local Planning Scheme No. 3. Prior to the commencement of any works associated with the development, a building permit is required.
2. Any additional consultants in the tenancies approved for Medical Centre purposes or any increase in numbers to the people accommodated in the Restaurant at any given time will require a further Development Approval due to the parking bay requirements as per the City’s Local Planning Scheme No 3.
3. With regard to Condition 5(a), 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.
4. The bicycle parking facilities shall consist of rails, stands, locker or any other type of equipment designed for this purpose in accordance with Australian Standard for Bicycle Parking Facilities.
5. With regards to Condition 14, all stormwater drainage shall be designed in accordance with Australian Standard.

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6. With regards to Condition 22, bins must be stored within the buildings or within an external enclosure located and constructed to the satisfaction of the City. The external enclosure must be and of an adequate size to contain all waste bins, at least 1.8 m high, fitted with a gate and graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. The minimum provisions for internal bin storage is a concrete wash-down pad of at least 1m² graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. This can be centrally located within the development.
7. With regards to Condition 29(e), an Application for Approval of a Dust Management Plan form may be obtained from www.cockburn.wa.gov.au, and shall identify the mitigation and contingency measures proposed by the developer. Appropriate mitigation and contingency measures are outlined in the Department of Environment Regulation publication "Land development sites and impacts on air quality" (November 1996). The developer is further advised that Council approval may be required for bulk earthworks on Class 3 and 4 development sites between 1 October and 31 March the following year.
8. With regards to Condition 33, you are advised that the indicative signage does not form part of this approval. A signage application will be required for each tenancy and shall be assessed against the City's Local Planning Policy 3.7 – Signs and Advertising.
9. All food businesses shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). Under the Food Act 2008 the applicant shall obtain prior approval for the construction or amendment of the food business premises.
10. An Application to Construct or Alter a Food Premises shall be accompanied by detailed plans and specifications of the kitchen, dry storerooms, coolrooms, bar and liquor facilities, staff change rooms, patron and staff sanitary conveniences and garbage room, demonstrating compliance with Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). The plans are to include details of:
 - (a) the structural finishes of all floors, walls and ceilings;
 - (b) the position, type and construction of all fixtures, fittings and equipment (including cross-sectional drawings of benches, shelving, cupboards, stoves, tables, cabinets, counters, display refrigeration, freezers etc); and
 - (c) all kitchen exhaust hoods and mechanical ventilating systems over cooking ranges, sanitary conveniences, exhaust ventilation systems, mechanical services, hydraulic services, drains, grease traps and provisions for waste disposal.These plans are to be separate to those submitted to obtain a Building Permit.
11. All food handling operations shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). Under the Food Act 2008 the applicant shall complete and return the enclosed Food Business Notification/Registration Form to the City of Cockburn's Health

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- Services. Operation of this food business may be subject to the requirement to pay an Annual Assessment Fee under the Act.
12. The development shall comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997. The installation of equipment within the development including air-conditioners, spas, pools and similar equipment shall not result in noise emissions to neighbouring properties exceeding those imposed by the Environmental Protection (Noise) Regulations 1997 (as amended).
 13. The materials of the awning to Building 1 shall be constructed according to Main Roads standards.
 14. With regards to Condition 34, it is noted that the rear access way easement across the northern boundary may be less than 15m in width.
 15. With regards to Condition 35, the Traffic Management Plan shall address the following:
 - (a) Overall operation of the site; and
 - (b) Internal access arrangements / swept paths for the service vehicles.

AMENDING MOTION

Moved by: Mr Robert Nicholson

Seconded by: Cr Kevin Allen

To reword Condition 3 to read as follows:

Prior to the initial occupation of the buildings, landscaping (including verge landscaping) shall be installed in accordance with **a revised detail landscaping plan**, reticulated/ irrigated, and maintained thereafter to the satisfaction of the City.

REASON: As raised in the RAR, the submitted landscape plan is considered insufficient and a revised plan is required to satisfy the City's requirements.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Robert Nicholson

Seconded by: Cr Kevin Allen

To reword Condition 22 to read as follows:

All waste and recycling materials must be contained within bins, **and screened** to the satisfaction of the City of Cockburn.

REASON: It is normal for rubbish bins to be screened from view.

The Amending Motion was put and CARRIED UNANIMOUSLY.

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AMENDING MOTION

Moved by: Mr Robert Nicholson

Seconded by: Cr Kevin Allen

To reword Condition 35 to read as follows:

An internal Traffic Management Plan (TMP) shall be submitted to and approved by the City, ***prior to lodgement of a building permit for new buildings.***

REASON: To set a finite time for the condition to be satisfied. As written the condition is open ended, lacking certainty

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

AMENDING MOTION

Moved by: Mr Robert Nicholson

Seconded by: Cr Kevin Allen

To reword Advice Note 14 to read as follows:

With regards to Condition 34, it is noted that the rear access way easement across the northern boundary may be less than 15m in width, ***but must include vehicular access, traffic both ways and pedestrians access.***

REASON: To make it clear to the applicant as to the access requirements.

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

REPORT RECOMMENDATION (AS AMENDED)

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

1. **Accept** that the DAP Application reference DAP/15/00948 as detailed on the DAP Form 2 dated 01 August 2017 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/15/00948 as detailed on the DAP Form 2 date 01 August 2017 and accompanying plans (DA01, DA02, DA03, DA04, DA05, DA08, DA09 and DA10) dated 27/07/2017 for the proposed mixed business development comprising five (5) buildings at Lot 500 (3) Armadale Road, Jandakot, in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Cockburn Local Planning Scheme No. 3, for the proposed minor amendment to the approved, subject to the following conditions:

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Amended Conditions

1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan. **This includes the use of the land and/or tenancies.** The approved development is for one (1) Service Station, one (1) Motor Vehicle Repair, one (1) Medical Centre, six (6) offices, seven (7) Showrooms, five (5) Warehouses, one (1) Use Not Listed (Liquor Store), one (1) Restaurant and eleven (11) Fast Food Outlets.
2. **Prior to the lodgement of a Building Permit application for new buildings,** a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction. The details as agreed by the City are to be implemented in the development.
3. **Prior to the initial occupation of the buildings,** landscaping (including verge landscaping) shall be installed in accordance with a revised detail landscaping plan, reticulated/ irrigated, and maintained thereafter to the satisfaction of the City.
4. **Prior to the initial occupation of the buildings,** a Waste Management Plan shall be submitted to and approved by the City to its satisfaction. Provisions in the Waste Management Plan shall include recycling measures and management of commercial waste, and shall be implemented and maintained thereafter to the satisfaction of the City.
5. **Prior to the initial occupation of the buildings,** the following works shall be completed:
 - a) 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;
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 - d) raised plateaus along the northern section of the lot shall be installed for traffic calming purposes as per the site plan (plan no. DA.03);
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 - f) cycle connection to external footpath shall be created as per the site plan (plan no. DA03).
6. The lot being serviced by Armadale Road as presented being restricted to left in left out only from Armadale Road and any intersection treatment of Armadale Road to accommodate this shall be at the developer/owner's expense to the satisfaction of the City of Cockburn on advice from Main Roads Western Australia.
7. The driveways/roads providing vehicle access to the Service Station shall be designed and constructed to ensure that the turning path of heavy vehicles entering or exiting the site does not permit any portion of the vehicle to travel

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on, over, or to the right centre of the carriageway, where a carriageway is designed to carry two-way (opposing) traffic to the satisfaction of the City of Cockburn in consultation with Main Roads Western Australia.

- a) Any modification to the existing vehicle crossover within the Armadale Road reservation shall be at the expense of the proponent to ensure that Condition 7 is satisfied to the requirement of Main Roads Western Australia.
 - b) Any modification to the Armadale Road reservation shall include technical drawings that demonstrate to Main Roads Western Australia that Condition 7 can be satisfied.
 - c) Condition 7 shall be considered to meet the requirements of the interim access and any future access which includes any future modifications to Armadale Road.
 - d) The design of the Armadale Road crossover should be flexible enough to integrate with future upgrading of Armadale Road to six lanes and in particular to allow for fuel tankers to turn left into Armadale Road lane correctly.
 - e) The driveway shall be designed to have an internal turn around facility or area that enables heavy vehicles to turn around and exit the driveway in a forward movement.
8. Building 2 and 3 on Site Plan (plan no. DA03) to be separated by a minimum distance of 15.0m.
 9. No earthworks shall encroach onto the Armadale Road reserve.
 10. **Prior to the initial occupation of the buildings**, the owner/developer shall at their expense construct a 3.0m wide asphalt shared path within the Armadale Road reserve, from the Kwinana Freeway to Solomon Road, to the satisfaction of the City of Cockburn on advice from Main Roads Western Australia.
 11. **Prior to the lodgement of a Building Permit application**, the 45 bicycle parking facilities that are required as part of stage 2 shall be included on the site and floor plans in accordance with the Australian Standards, to the satisfaction of the City.
 12. **Prior to the lodgement of a Building Permit application for new buildings**, details of the end of trip facilities (shower and change room facilities) as required in accordance with Local Planning Policy 3.9 (Industrial Development) shall be submitted to the City and installed to the satisfaction of the City.
 13. **Prior to the lodgement of a Building Permit application for new buildings**, the owner/applicant shall:
 - submit to the City for approval a preliminary proposal for an art work designed by a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be located within the subject site as an integral part of the development;
 - submit to the City for approval an 'Application for Art Work Design';

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- enter into a contract with a professional artist/s to design and install (if appropriate) the art work approved by the City; and
 - The art work shall then be installed prior to occupation of the building/development and maintained thereafter to the satisfaction of the City.
14. All stormwater shall be contained and disposed of on-site to the satisfaction of the City. No stormwater drainage shall be discharged onto the Armadale Road reserve.
 15. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
 16. **Prior to the initial occupation of the buildings**, the street number shall be clearly displayed on the façade of the building(s). The street number is to be displayed in perpetuity to the satisfaction of the City.
 17. Tenancies 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.24, 2.25, 2.26, 2.7 and 2.8 have been approved as a Medical Centre and shall be limited to the number of consultants at any one given time in accordance with the approved plan (plan no. DA03).
 18. Tenancy 2.7 has been approved as a Pharmacy that forms part of the Medical Centre and shall not operate independently from the Medical Centre. In this regard the Pharmacy shall not open outside of the operating hours of any of the Medical Consulting tenancies and pedestrian access shall be restricted to the internal foyer area.
 19. Tenancy 1.2 has been approved as a Restaurant and shall be limited to a maximum of 120 people at any given time. This maximum number of people that can be accommodated includes the associated alfresco area.
 20. Tenancy 3.2 has been approved for Motor Vehicle Repair and is restricted to a maximum of four (4) vehicle hoists.
 21. The wash down of plant, vehicles or equipment associated with the Motor Vehicle Repair use shall be carried out over a wash down pad with waste water treated to remove solids and hydrocarbons prior to discharge to the environment.
 22. All waste and recycling materials must be contained within bins, and screened to the satisfaction of the City of Cockburn.
 23. Further Acoustic Report(s) shall be submitted to and approved by the City, prior to the issue of the Building Permits, and implemented thereafter, to the satisfaction of the City.
 24. Written confirmation from a recognised acoustic consultant that all recommendations made in the Acoustic Report prepared by Lloyd George Acoustic (Ref 16013469-01; dated 20 January 2016) and the further Acoustic

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- Report(s) required under Condition 23 have been incorporated into the proposed development, shall be submitted to the City at the time of the Building Permit Application.
25. The builder shall provide written confirmation that the requirements of the Acoustic Report(s) referred to in Condition 23 have been incorporated into the completed development with the Form BA7 Completion Form, prior to occupation of the development.
 26. No car-wash facilities, no vacuum facilities and no car servicing are permitted or approved in association with the Petrol Filling Station.
 27. Where blank facades are visible these walls must be appropriately painted, textured and articulated to provide strong visual interest. Blank facades shall be treated with anti-graffiti coatings and thereafter maintained to the satisfaction of the City of Cockburn. Details shall be submitted to the City for approval prior to the issue of a Building Permit.
 28. No bunting is to be erected on the site (bunting includes streamers, streamer strips, banner strips or decorations of similar kind).
 29. **Prior to the lodgement of a Building Permit application for new buildings,** a Construction Management Plan (CMP) shall be submitted to and approved by the City. The CMP is to detail how the following matters are proposed to be managed:
 - (a) access to and from the site;
 - (b) the delivery of materials and equipment to the site;
 - (c) the storage of materials and equipment on the site;
 - (d) other matters likely to impact on surrounding properties;
 - (e) the parking arrangements for contractors and subcontractors;
 - (f) management of construction waste;
 - (g) dust management.The approved CMP shall be implemented at all times during construction.
 30. All outdoor lighting shall be installed and maintained in accordance with Australian Standard AS 4282 - 1997 "*Control of the Obtrusive Effects of Outdoor Lighting*".
 31. **Prior to the lodgement of a Building Permit application,** submission of details of appropriate traffic management devices (such as kerbing, bollards and signs) for the Fast Food Outlet (tenancy 1.3) ensuring safe vehicular movements associated with the structure is to be provided.
 32. **Prior to the lodgement of a Building Permit application for new buildings,** the applicant shall demonstrate how tenancy 2.5 shall be designed and constructed to ensure that the structural integrity of the building will not be compromised to allow tenancies 2.1, 2.2, 2.3 and 2.4 to be removed to facilitate redevelopment of the western portion of the site to the satisfaction of the City of Cockburn.

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33. A separate application for signage (except for the two approved monolith signs) shall be submitted to, and approved by the City prior to the erection of any signage on site.
34. **Prior to the initial occupation of the new buildings**, the owner shall grant free of cost to the City of Cockburn (“the City”) an easement in gross for access over the 15m wide internal access way between the Armadale Road Crossover and Hutt Link (“the land”) for the use and benefit of the public at large in accordance with any specifications of and to the satisfaction of the City. The easement in gross shall be prepared by the City’s solicitors to the satisfaction of the City and shall be registered over the certificate of title to the land prior to the issue of a Building Permit for the proposed development. The owner shall be responsible to pay all costs of and incidental to the preparation of the easement in gross (including the drafts), the preparation of an easement only deposited plan and fees for the stamping and registration of the easement in gross. Once the Armadale Road deviation is constructed and should the easement across the rear (northern boundary) of the site connecting to Hutt Link be no longer required, the City shall agree to its removal.
35. An internal Traffic Management Plan (TMP) shall be submitted to and approved by the City, prior to lodgement of a building permit for new buildings.

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 Council, or with any requirements of the City of Cockburn Local Planning Scheme No. 3. Prior to the commencement of any works associated with the development, a building permit is required.
2. Any additional consultants in the tenancies approved for Medical Centre purposes or any increase in numbers to the people accommodated in the Restaurant at any given time will require a further Development Approval due to the parking bay requirements as per the City’s Local Planning Scheme No 3.
3. With regard to Condition 5(a), 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.
4. The bicycle parking facilities shall consist of rails, stands, locker or any other type of equipment designed for this purpose in accordance with Australian Standard for Bicycle Parking Facilities.

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5. With regards to Condition 14, all stormwater drainage shall be designed in accordance with Australian Standard.
6. With regards to Condition 22, bins must be stored within the buildings or within an external enclosure located and constructed to the satisfaction of the City. The external enclosure must be and of an adequate size to contain all waste bins, at least 1.8 m high, fitted with a gate and graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. The minimum provisions for internal bin storage is a concrete wash-down pad of at least 1m² graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. This can be centrally located within the development.
7. With regards to Condition 29(e), an Application for Approval of a Dust Management Plan form may be obtained from www.cockburn.wa.gov.au, and shall identify the mitigation and contingency measures proposed by the developer. Appropriate mitigation and contingency measures are outlined in the Department of Environment Regulation publication "Land development sites and impacts on air quality" (November 1996). The developer is further advised that Council approval may be required for bulk earthworks on Class 3 and 4 development sites between 1 October and 31 March the following year.
8. With regards to Condition 33, you are advised that the indicative signage does not form part of this approval. A signage application will be required for each tenancy and shall be assessed against the City's Local Planning Policy 3.7 – Signs and Advertising.
9. All food businesses shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). Under the Food Act 2008 the applicant shall obtain prior approval for the construction or amendment of the food business premises.
10. An Application to Construct or Alter a Food Premises shall be accompanied by detailed plans and specifications of the kitchen, dry storerooms, coolrooms, bar and liquor facilities, staff change rooms, patron and staff sanitary conveniences and garbage room, demonstrating compliance with Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). The plans are to include details of:
 - (a) the structural finishes of all floors, walls and ceilings;
 - (b) the position, type and construction of all fixtures, fittings and equipment (including cross-sectional drawings of benches, shelving, cupboards, stoves, tables, cabinets, counters, display refrigeration, freezers etc); and
 - (c) all kitchen exhaust hoods and mechanical ventilating systems over cooking ranges, sanitary conveniences, exhaust ventilation systems, mechanical services, hydraulic services, drains, grease traps and provisions for waste disposal.These plans are to be separate to those submitted to obtain a Building Permit.
11. All food handling operations shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only). Under

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- the Food Act 2008 the applicant shall complete and return the enclosed Food Business Notification/Registration Form to the City of Cockburn's Health Services. Operation of this food business may be subject to the requirement to pay an Annual Assessment Fee under the Act.
12. The development shall comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997. The installation of equipment within the development including air-conditioners, spas, pools and similar equipment shall not result in noise emissions to neighbouring properties exceeding those imposed by the Environmental Protection (Noise) Regulations 1997 (as amended).
 13. The materials of the awning to Building 1 shall be constructed according to Main Roads standards.
 14. With regards to Condition 34, it is noted that the rear access way easement across the northern boundary may be less than 15m in width, but must include vehicular access, traffic both ways and pedestrians access.
 15. With regards to Condition 35, the Traffic Management Plan shall address the following:
 - (c) Overall operation of the site; and
 - (d) Internal access arrangements / swept paths for the service vehicles.

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motions.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Close

The Presiding Member reminded the meeting that in accordance with Section 7.3 of DAP Standing Order 2017 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 10:24am.

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