



## **Metro South-West Joint Development Assessment Panel Minutes**

**Meeting Date and Time:** 7 February 2020; 9:00am  
**Meeting Number:** MSWJDAP/203  
**Meeting Venue:** City of Rockingham  
Civic Boulevard, Rockingham

### **Attendance**

#### **DAP Members**

Mr Tony Arias (Presiding Member)  
Ms Lee O'Donohue (Deputy Presiding Member)  
Mr Peter Keleman (A/Specialist Member)  
Cr Mark Jones (Local Government Member, City of Rockingham)  
Cr Matt Whitfield (Local Government Member, City of Rockingham)

#### **Officers in attendance**

Mr Greg Delahunty (City of Rockingham)  
Mr Mike Ross (City of Rockingham)  
Mr David Banovic (City of Rockingham)  
Mr Chris Parlane (City of Rockingham)

#### **Minute Secretary**

Ms Nicole D'Alessandro (City of Rockingham)

#### **Applicants and Submitters**

##### *Item 8.1*

Mr Peter Simpson (PTS Town Planning Pty Ltd)  
Mr Geoff Loxton (PDS Consult)  
Mr Alex McGlue (Lavan)  
Mr Adam Lisle (Arise Developments)  
Mr Derek Hays (Hames Sharley)  
Mr Jonathon Riley (Riley Consulting)

##### *Item 8.2*

Mr Samuel Klopper (Klopper & Davis Architects)  
Mr Mitchell Cook (Klopper & Davis Architects)

#### **Members of the Public / Media**

Nil



## 1. Declaration of Opening

The Presiding Member declared the meeting open at 9:03am on 7 February 2020 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the DAP Standing Orders 2017 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 Deb Hamblin (Local Government Member, City of Rockingham)

## 3. Members on Leave of Absence

Nil

## 4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

## 5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

## 6. Disclosure of Interests

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Cr Matt Whitfield and Cr Mark Jones, declared that he participated in a prior Council meeting in relation to the applications at item 8.1 and 8.2. However, under section 2.1.2 of the DAP Code of Conduct 2017, Cr Whitfield and Cr Jones acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2017, the Presiding Member determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in the discussion and voting on the items.

## 7. Deputations and Presentations

7.1 Mr Alex McGlue (Lavan) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.



7.2 Mr Derek Hays (Hames Sharley) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.3 Mr Peter Simpson (PTS Town Planning Pty Ltd) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

***The presentations at Item 7.1 – 7.3 were heard prior to the application at Item 8.1***

7.4 Mr Samuel Klopper (Klopper & Davis Architects) addressed the DAP in support of the application at Item 8.2 and responded to questions from the panel.

***The presentation at Item 7.4 was heard prior to the application at Item 8.2.***

## **8. Form 1 – Responsible Authority Reports – DAP Applications**

8.1 Property Location: Lot 301 (2-6) Council Avenue, Rockingham  
Development Description: Proposed Offices, Health Studio, Restaurant, Showrooms and Service Station  
Applicant: PTS Town Planning Pty Ltd  
Owner: Arise Rockingham Pty Ltd  
Responsible Authority: City of Rockingham  
DAP File No: DAP/19/01694

### **REPORT RECOMMENDATION**

**Moved by:** Cr Mark Jones

**Seconded by:** Ms Lee O'Donohue

The that Metro South-West Joint Development Assessment Panel resolves to:

**Approve** DAP Application reference DAP/19/01694 and accompanying plans:

- Cover Page, Revision A, Dated 04 November 2019;
- Perspectives, Revision A, Parts 1-3, Dated 04 November 2019;
- Site Survey, Revision A, Dated 04 November 2019;
- Ground Floor Plan, Revision A, Dated 04 November 2019;
- Level 1 Plan, Revision A, Dated 04 November 2019;
- Level 2 Plan, Revision A, Dated 04 November 2019;
- Roof Plan, Revision A, Dated 04 November 2019;
- Site Access and Activation, Revision A, Dated 04 November 2019;
- Elevation, Revision A, Parts 1-2, Dated 04 November 2019;
- Sections, Revision A, Dated 04 November 2019;
- Materials, Revision A, Parts 1-2, Dated 04 November 2019;
- Signage Location Plan, Revision A, Dated 04 November 2019;
- Signage Elevations, Revision A, Parts 1-2, Dated 04 November 2019; and
- Signage Schedule, Revision A, Dated 04 November 2019;

In accordance with the Metropolitan Region Scheme and Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of 68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No.2, subject to the following conditions:



## Conditions

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. Prior to applying for a Building Permit, the Council Avenue and Read Street building frontages of the development must be redesigned as per the requirements of Planning *Policy 3.3.12 Development Policy Plan - Southern Gateway and Rockingham Station Sectors* in order to improve visual interest, activation, legibility and accessibility to the development, to the satisfaction of the City of Rockingham and include the following changes:
  - Increase the awning depth to provide for practical cover along Read street frontage of development;
  - Incorporate entry points from Read Street to Tenancies 2, 3 and 4;
  - Provide 60% clear glazing of the ground floor of the Read Street frontage;
  - Incorporate architectural treatments to the Council Avenue crossover area to give a built form response to narrowing the break in the contiguous frontage.

3. Prior to applying for a Building Permit, the applicant must demonstrate to the satisfaction of the City of Rockingham that ground floor glazing fronting Council Avenue and Read Street has a minimum visible light transmission rate of at least 79% and a maximum visible reflectivity rate of 9% in order ensure that a commercial, interactive frontage is available to the development from all streets

The glazing must thereafter be installed and maintained to the satisfaction of the City of Rockingham for the duration of the development.

4. In accordance with the requirements of Planning Policy 3.3.12 Development Policy Plan – Southern Gateway and Rockingham Station Sectors 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, shutters, curtains, blinds, roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Council Avenue and Read Street, for the duration of the development.

All doors facing the Council Avenue and Read Street frontage of the building must be kept unlocked during all hours when the subject premises is trading.

5. Prior to the issue of a Building Permit, exhaust facilities associated with the proposed restaurant must be designed in accordance with Australian Standard AS 1668.2-2002, The use of ventilation and air conditioning in buildings, Part 2: Ventilation design for indoor air containment control (excluding requirements for the health aspects to tobacco smoke exposure) and be fitted with filtration and odour suppression devices to the satisfaction of the City of Rockingham.

The exhaust facilities must be installed prior to the occupation of the development and must be thereafter maintained to the satisfaction of the City of Rockingham for the duration of the development.



6. Prior to applying for a Building Permit, a Landscaping Plan to the satisfaction of the City of Rockingham must be prepared and must include the following detail:
- (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) provision of additional trees along the southern boundary of the development;
  - (iv) inclusion of large specimen street trees along the Council Avenue, Read Street and Sepia Court verges that will provide for shading of the public realm;
  - (v) alternative solutions to reduce the amount of planting on Council Avenue and Read Street verges;
  - (vi) any natural landscape areas to be retained;
  - (vii) those areas to be reticulated or irrigated; and
  - (viii) proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas.

The landscaping, paving and reticulation 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 for the duration of the development.

7. Prior to applying for a Building Permit, all service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, must be designed to be located away from public view and/or screened, and this design must be provided to, and approved by, the City of Rockingham.
8. Prior to applying for a Building Permit, the proposed Council Avenue crossover and associated access-driveway shall be reduced in width from 6.3m to 6m in order to retain the existing Public Transport Authority of Western Australia bus stop.
9. The existing Public Transport Authority of Western Australia bus stop on Council Avenue must not be removed or relocated.
10. The proposed 'Service Station' directional sign within the Sepia Court road reserve is to be removed or relocated into the subject site.
11. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

All stormwater generated by the development must be managed in accordance with Planning Policy 3.4.3 - Urban Water Management to the satisfaction of the City of Rockingham.

The approved plans must be implemented and all works must be maintained for the duration of the development.

12. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must 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.

13. The carpark must:
- (i) provide a minimum of 117 car parking spaces;
  - (ii) be designed constructed, sealed, kerbed, drained and marked in accordance with User Class 3 in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval, prior to applying for a Building Permit;
  - (iii) provide 1 car parking space dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, *Parking facilities, Part 6: Off-street parking for people with disabilities* and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed 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; and
  - (v) comply with the above requirements for the duration of the development.
14. Prior to the occupation of the development, any damage to existing City infrastructure within the road reservation including kerb, road pavement, turf, irrigation, bollards and footpaths is to be repaired to the satisfaction of the City of Rockingham at the cost of the applicant.
15. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS/NZS 4282:2010 - *Control of the obtrusive effects of outdoor lighting* and Australian Standard AS/NZS 1158.3.1:2005 - *Lighting for Roads and Public Spaces*, at all times and, for the duration of development.
16. In accordance with City of Rockingham *Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities*, 13 short-term bicycle parking spaces and 10 long-term bicycle parking spaces must be provided for the development.
- The bicycle parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities* and must be 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 and safe condition for the duration of the development.
17. In accordance with City of Rockingham *Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities*, four (4) secure hot-water shower, change room and clothing lockers must be provided for the development which must be designed in accordance with that Policy and approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development.



The showers, change rooms and lockers must be retained and maintained in good and safe condition for the duration of the development.

18. Prior to applying for a Building Permit, the Waste Management Plan shall be revised as follows:
- Skip bins are serviced from a bin pad and stored within the complex, and
  - Use of 140L to 240L bins.

Collection and disposal of waste shall thereafter be managed in accordance with the Waste Management Plan submitted for the duration of the development.

19. The proposed bin storage areas must be 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 for the duration of the development.
20. The requirements of the Resonate Noise Management Plan contained within the Environmental Noise Assessment Ref: P180602RP1 dated 28 August 2018, are to be implemented for the duration of the development, except where varied by conditions of this approval.
21. Access of delivery vehicles and the operation of forklifts is only permitted between the hours of 7:00am and 7:00pm from Monday to Saturday (inclusive) and between 9:00am and 7:00pm on Sunday and public holidays, for the duration of the development.
22. Materials, sea containers, goods or bins must not be stored within the car park at any time.
23. The development must be finished in accordance with the schedule provided, prior to occupation of the development.
24. The proposed Read Street Pylon Sign must be a multi tenancy sign serving the whole development.

### **Advice Notes**

1. The development must comply with the *Health (Public Building) Regulations 1992*; the applicant and owner should liaise with the City's Health Services in this regard.
2. The development must comply with the *Environmental Protection (Noise) Regulations 1997*; contact the City's Health Services for information on confirming requirements.
3. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.
4. All works in the road reserve, including construction of a crossover or footpath, and any works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham's Engineering Services in this regard.



5. All playground installations must be installed and maintained in accordance with all relevant Australian Standards AS 4685:2014 1-6, 11 and all relevant amendments including additional criteria outlined in the following; AS 4685.0:2017 Playground equipment and surfacing Part 0: Development, installation, inspection, maintenance and operation; and AS/NZS 4422:1996 - Playground Surfacing - Specifications, Requirements & Test Methods; Suitable impact absorbing surfacing, termed soft-fall must be installed, wherever falls from fixed or portable playground equipment is possible.
6. Existing retained street trees adjacent to the development site must be protected throughout the course of the project in accordance with Australian Standard AS 4970-2009 protection of trees on Development Sites.
7. 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.

#### **AMENDING MOTION 1**

**Moved by:** Cr Mark Jones

**Seconded by:** Nil

That condition 2 be deleted and the remaining conditions be renumbered accordingly.

**The Amending Motion LAPSED for want of a seconder.**

#### **AMENDING MOTION 2**

**Moved by:** Mr Peter Keleman

**Seconded by:** Ms Lee O'Donohue

That condition 2 be amended to read as follows:

*Prior to applying for a Building Permit, the Council Avenue and Read Street building frontages of the development must be redesigned as per the requirements of Planning Policy 3.3.12 Development Policy Plan – Southern Gateway and Rockingham Station Sectors in order to improve visual interest, activation, legibility and accessibility to the development, to the satisfaction of the City of Rockingham and include the following changes:*

- ~~• Increase the awning depth to provide for practical cover along Read street frontage of development;~~
- ~~• Incorporate entry points from Read Street to Tenancies 2, 3 and 4;~~
- Provide 650% clear glazing of the ground floor of the Read Street frontage;
- ~~• Incorporate architectural treatments to the Council Avenue crossover area to give a built form response to narrowing the break in the contiguous frontage.~~

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

For: Mr Peter Keleman  
Ms Lee O'Donohue  
Mr Tony Arias





Against: Cr Mark Jones  
Cr Matt Whitfield

**REASON:** The existing awning configuration and design complied with the relevant Council Scheme and policy requirements.

Given the function of Read Street and nature of the proposed Showroom uses along Read Street the requirement for two pedestrian entry points to showrooms tenancies was not warranted.

There were sufficient architectural treatments and articulation proposed for the proposed buildings in the area of the Council Avenue crossover area.

### **AMENDING MOTION 3**

**Moved by:** Cr Matt Whitfield

**Seconded by:** Mr Peter Keleman

That condition 6 be amended to remove point 4 to read as follows:

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

- (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) provision of additional trees along the southern boundary of the development;*
- ~~*(iv) inclusion of large specimen street trees along the Council Avenue, Read Street and Sepia Court verges that will provide for shading of the public realm;*~~
- (v) alternative solutions to reduce the amount of planting on Council Avenue and Read Street verges;*
- (vi) any natural landscape areas to be retained;*
- (vii) those area to be reticulated or irrigated; and*
- (viii) proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas.*

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

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

For: Cr Matt Whitfield  
Mr Peter Keleman

Against: Mr Tony Arias  
Ms Lee O'Donohue  
Cr Mark Jones



#### **AMENDING MOTION 4**

**Moved by:** Cr Matt Whitfield

**Seconded by:** Nil

That condition 9 be amended to read as follows:

*The existing Public Transport Authority of Western Australia bus stop on Council Avenue must not be removed or relocated **unless approved by the Public Transport Authority***

**The Amending Motion LAPSED for want of a seconder.**

#### **AMENDING MOTION 5**

**Moved by:** Cr Mark Jones

**Seconded by:** Ms Lee O'Donohue

That condition 9 be amended to read as follows:

*The existing Public Transport Authority of Western Australia (PTA) bus stop on Council Avenue must not be removed or relocated **unless approved by the PTA. Should the PTA support the relocation or removal of the bus stop, it must be relocated or removed to the satisfaction of the PTA at the cost of the applicant.***

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

**REASON:** To clarify that any costs associated with any relocation or removal of the bus stop on Council Avenue will be bound by the applicant.

#### **REPORT RECOMMENDATION (AS AMENDED)**

The that Metro South-West Joint Development Assessment Panel resolves to:

**Approve** DAP Application reference DAP/19/01694 and accompanying plans:

- Cover Page, Revision A, Dated 04 November 2019;
- Perspectives, Revision A, Parts 1-3, Dated 04 November 2019;
- Site Survey, Revision A, Dated 04 November 2019;
- Ground Floor Plan, Revision A, Dated 04 November 2019;
- Level 1 Plan, Revision A, Dated 04 November 2019;
- Level 2 Plan, Revision A, Dated 04 November 2019;
- Roof Plan, Revision A, Dated 04 November 2019;
- Site Access and Activation, Revision A, Dated 04 November 2019;
- Elevation, Revision A, Parts 1-2, Dated 04 November 2019;
- Sections, Revision A, Dated 04 November 2019;
- Materials, Revision A, Parts 1-2, Dated 04 November 2019;
- Signage Location Plan, Revision A, Dated 04 November 2019;
- Signage Elevations, Revision A, Parts 1-2, Dated 04 November 2019; and
- Signage Schedule, Revision A, Dated 04 November 2019;

In accordance with the Metropolitan Region Scheme and Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of



68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No.2, subject to the following conditions:

### Conditions

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. Prior to applying for a Building Permit, the Council Avenue and Read Street building frontages of the development must be redesigned as per the requirements of *Planning Policy 3.3.12 Development Policy Plan - Southern Gateway and Rockingham Station Sectors* in order to improve visual interest, activation, legibility and accessibility to the development, to the satisfaction of the City of Rockingham and include the following change:

- Provide 50% clear glazing of the ground floor of the Read Street frontage;

3. Prior to applying for a Building Permit, the applicant must demonstrate to the satisfaction of the City of Rockingham that ground floor glazing fronting Council Avenue and Read Street has a minimum visible light transmission rate of at least 79% and a maximum visible reflectivity rate of 9% in order ensure that a commercial, interactive frontage is available to the development from all streets

The glazing must thereafter be installed and maintained to the satisfaction of the City of Rockingham for the duration of the development.

4. In accordance with the requirements of Planning Policy 3.3.12 Development Policy Plan – Southern Gateway and Rockingham Station Sectors 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, shutters, curtains, blinds, roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Council Avenue and Read Street, for the duration of the development.

All doors facing the Council Avenue and Read Street frontage of the building must be kept unlocked during all hours when the subject premises is trading.

5. Prior to the issue of a Building Permit, exhaust facilities associated with the proposed restaurant must be designed in accordance with Australian Standard AS 1668.2-2002, The use of ventilation and air conditioning in buildings, Part 2: Ventilation design for indoor air containment control (excluding requirements for the health aspects to tobacco smoke exposure) and be fitted with filtration and odour suppression devices to the satisfaction of the City of Rockingham.

The exhaust facilities must be installed prior to the occupation of the development and must be thereafter maintained to the satisfaction of the City of Rockingham for the duration of the development.

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



- (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) provision of additional trees along the southern boundary of the development;
- (iv) inclusion of large specimen street trees along the Council Avenue, Read Street and Sepia Court verges that will provide for shading of the public realm;
- (v) alternative solutions to reduce the amount of planting on Council Avenue and Read Street verges;
- (vi) any natural landscape areas to be retained;
- (vii) those areas to be reticulated or irrigated; and
- (viii) proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas.

The landscaping, paving and reticulation 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 for the duration of the development.

7. Prior to applying for a Building Permit, all service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, must be designed to be located away from public view and/or screened, and this design must be provided to, and approved by, the City of Rockingham.
8. Prior to applying for a Building Permit, the proposed Council Avenue crossover and associated access-driveway shall be reduced in width from 6.3m to 6m in order to retain the existing Public Transport Authority of Western Australia bus stop.
9. The existing Public Transport Authority of Western Australia (PTA) bus stop on Council Avenue must not be removed or relocated unless approved by the PTA. Should the PTA support the relocation or removal of the bus stop, it must be relocated or removed to the satisfaction of the PTA at the cost of the applicant.
10. The proposed 'Service Station' directional sign within the Sepia Court road reserve is to be removed or relocated into the subject site.
11. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

All stormwater generated by the development must be managed in accordance with Planning Policy 3.4.3 - Urban Water Management to the satisfaction of the City of Rockingham.

The approved plans must be implemented and all works must be maintained for the duration of the development.

12. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must 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.



13. The carpark must:
- (i) provide a minimum of 117 car parking spaces;
  - (ii) be designed constructed, sealed, kerbed, drained and marked in accordance with User Class 3 in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off- street car parking* unless otherwise specified by this approval, prior to applying for a Building Permit;
  - (iii) provide 1 car parking space dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, *Parking facilities, Part 6: Off-street parking for people with disabilities* and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed 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; and
  - (v) comply with the above requirements for the duration of the development.
14. Prior to the occupation of the development, any damage to existing City infrastructure within the road reservation including kerb, road pavement, turf, irrigation, bollards and footpaths is to be repaired to the satisfaction of the City of Rockingham at the cost of the applicant.
15. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS/NZS 4282:2010 - *Control of the obtrusive effects of outdoor lighting* and Australian Standard AS/NZS 1158.3.1:2005 - *Lighting for Roads and Public Spaces*, at all times and, for the duration of development.
16. In accordance with City of Rockingham *Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities*, 13 short-term bicycle parking spaces and 10 long-term bicycle parking spaces must be provided for the development.
- The bicycle parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities* and must be 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 and safe condition for the duration of the development.
17. In accordance with City of Rockingham *Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities*, four (4) secure hot-water shower, change room and clothing lockers must be provided for the development which must be designed in accordance with that Policy and approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development.
- The showers, change rooms and lockers must be retained and maintained in good and safe condition for the duration of the development.



18. Prior to applying for a Building Permit, the Waste Management Plan shall be revised as follows:
  - Skip bins are serviced from a bin pad and stored within the complex, and
  - Use of 140L to 240L bins.

Collection and disposal of waste shall thereafter be managed in accordance with the Waste Management Plan submitted for the duration of the development.
19. The proposed bin storage areas must be 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 for the duration of the development.
20. The requirements of the Resonate Noise Management Plan contained within the Environmental Noise Assessment Ref: P180602RP1 dated 28 August 2018, are to be implemented for the duration of the development, except where varied by conditions of this approval.
21. Access of delivery vehicles and the operation of forklifts is only permitted between the hours of 7:00am and 7:00pm from Monday to Saturday (inclusive) and between 9:00am and 7:00pm on Sunday and public holidays, for the duration of the development.
22. Materials, sea containers, goods or bins must not be stored within the car park at any time.
23. The development must be finished in accordance with the schedule provided, prior to occupation of the development.
24. The proposed Read Street Pylon Sign must be a multi tenancy sign serving the whole development.

### **Advice Notes**

1. The development must comply with the *Health (Public Building) Regulations 1992*; the applicant and owner should liaise with the City's Health Services in this regard.
2. The development must comply with the *Environmental Protection (Noise) Regulations 1997*; contact the City's Health Services for information on confirming requirements.
3. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.
4. All works in the road reserve, including construction of a crossover or footpath, and any works to the road carriageway must be to the specifications of the City of Rockingham; the applicant should liaise with the City of Rockingham's Engineering Services in this regard.
5. All playground installations must be installed and maintained in accordance with all relevant Australian Standards AS 4685:2014 1-6, 11 and all relevant



amendments including additional criteria outlined in the following; AS 4685.0:2017 Playground equipment and surfacing Part 0: Development, installation, inspection, maintenance and operation; and AS/NZS 4422:1996 - Playground Surfacing - Specifications, Requirements & Test Methods; Suitable impact absorbing surfacing, termed soft-fall must be installed, wherever falls from fixed or portable playground equipment is possible.

6. Existing retained street trees adjacent to the development site must be protected throughout the course of the project in accordance with Australian Standard AS 4970-2009 protection of trees on Development Sites.
7. 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.

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

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

<b>8.2</b> Property Location:	Lot 636 Thundelarra Drive, Golden Bay
Development Description:	Mixed Use Development comprising 89 Independent Living Apartments, Café, Retail Community Shared Spaces, Residential Amenities and associated Car Parking
Applicant:	The Klopper Family Trust & The Davis Family Trust
Owner:	636 Golden Bay Pty Ltd
Responsible Authority:	City of Rockingham
DAP File No:	DAP/19/01646

## REPORT RECOMMENDATION

**Moved by:** Ms Lee O'Donohue

**Seconded by:** Cr Matt Whitfield

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

**Approve** DAP Application reference DAP/19/01646 as detailed on the DAP Form 1 dated 11 June 2019 and accompanying revised plans received on 27 November 2019:

- Location Plan, Drawing No.A102, Rev N dated 27/11/19;
- Site Plan, Drawing No.A103, Rev N dated 27/11/19;
- Basement Floor Plan, Drawing No.A104, Rev N dated 27/11/19;
- Ground Floor Plan, Drawing No.A105, Rev N dated 27/11/19;
- First Floor Plan, Drawing No.A106, Rev N dated 27/11/19;
- Second Floor Plan, Drawing No.A107, Rev N dated 27/11/19;
- Third Floor Plan, Drawing No.A108, Rev N dated 27/11/19;
- Fourth Floor Plan, Drawing No.A109, Rev N dated 27/11/19;
- Roof Plan, Drawing No.A110, Rev N dated 27/11/19;
- Apartment Plans (1 Bed), Drawing No.A111, Rev N dated 27/11/19;
- Apartment Plans (2 Bed), Drawing No.A112, Rev N dated 27/11/19;



- Apartment Plans (2 Bed) Drawing No.A113, Rev N dated 27/11/19;
- Elevations, Drawing No.A201, Rev N dated 27/11/19;
- Elevations, Drawing No.A202, Rev N dated 27/11/19;
- Sections, Drawing No.A301 Rev N dated 27/11/19;
- Sections, Drawing No.A302 Rev N dated 27/11/19; and
- "Sustainability Design Assessment Report - Development Approval" prepared by Sustainability WA (dated 19th June 2019 ref:19-1115)

In accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the provisions of clause 68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No. 2, subject to the following conditions as follows:

### Conditions

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. Prior to development commencing, arrangements must be made to the satisfaction of the City of Rockingham for the landowner/applicant to contribute towards the costs of providing the Administration and Community Infrastructure items pursuant to clause 5.5.14 of the City of Rockingham *Town Planning Scheme No.2*.
3. Prior to applying for a Building Permit, a Restrictive Covenant must be registered on the Certificate of Title for the land, pursuant to section 70A of the *Transfer of Land Act 1893* or section 6(1) of the *Strata Titles Act 1985*. This Covenant must include the following detail:  
  

*"At least one occupant of each dwelling must be aged 55 or over, or the surviving spouse of that person"*
4. 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.
5. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineer showing how stormwater will be contained on-site and those plans must be submitted to the City of Rockingham for its approval.

All stormwater generated by the development must be managed in accordance with Planning Policy 3.4.3 – Urban Water Management to the satisfaction of the City of Rockingham.

The approved plans must be implemented and all works must be maintained for the duration of the development.





6. Prior to applying for a Building Permit, an updated Landscaping Plan to the satisfaction of the City of Rockingham must be prepared and include the following detail:
- (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, including retention of all existing street trees adjoining the site;
  - (iv) those areas to be reticulated or irrigated;
  - (v) proposed upgrading to landscaping, paving and reticulation of all verge areas including street trees at a minimum rate of 1 tree per 14m; and
  - (vi) maintenance measures to ensure that all landscaping for the development, including landscaping on the building structure is effectively retained and managed in perpetuity.

The landscaping, paving and reticulation must be completed prior to the occupation of the development, and the Approved Landscaping Plan must be maintained at all times to the satisfaction of the City of Rockingham for the duration of the development.

7. The on-site car park area shall:
- (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval, prior to applying for a Building Permit;
  - (ii) the car parking bays below the West Wing building shall be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.5:2004, unless otherwise specified by this approval, prior to applying for a Building Permit;
  - (iii) include two car parking spaces dedicated to people with disability 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, to the satisfaction of the City of Rockingham; and
  - (vi) include provision for power sockets for charging mobility scooters in the basement car park.



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

8. Prior to applying for a Building Permit, a revised Parking Control and Management Plan must be prepared to the satisfaction of the City of Rockingham and include the following details:
  - (i) Showing the location, number and type of car parking bays allocated for the residential occupants, residential visitors and commercial use parking within the basement car park;
  - (ii) Providing a clear description of how the use of the car parking bays will be effectively managed to provide convenient, legible and practical parking options for the residents, residential visitors, commercial tenants and commercial customers utilising the development;
  - (iii) Specifying the wording of a by-law that shall be registered on the Strata Management Statement in the event the development is subject to an application for Strata Title. The by-law shall describe the basis upon which car parking within the development is to be managed, and shall not be amended without the approval of the City of Rockingham.

The Parking Control and Management Plan must be implemented for the duration of the development.

9. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities and must be 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 and safe condition for the duration of the development.

10. The Waste Management Plan prepared by Talis (Ref: TW19043, Rev 1e) provided with the amended plans shall be implemented for the duration of development and maintained at all times.
11. Prior to applying for a Building Permit, an Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source, including noise emanating from vehicles entering and exiting the secure gate area of the premises, will comply with the Environmental Protection (Noise) Regulations 1997, must be submitted to and approved by the City of Rockingham.
12. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to the City's satisfaction, that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*.

The Final Acoustic Assessment must include the following information:

- (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 of noise sources; and
- (iii) confirmation of 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.

13. Prior to applying for a Building Permit the ground floor commercial tenancies (including the adaptable residential units) must be designed in accordance with *Australian Standard AS1428 Design for Access & Mobility*.
14. The "*Sustainable Design Assessment Report - Development Approval*" prepared by Sustainability WA (dated 19th June 2019 ref:19-1115) submitted with the development application shall be implemented to the satisfaction of the City of Rockingham for the duration of the development.
15. Prior to applying for a Building Permit, a schedule of the colour and texture of the building materials must be provided to the satisfaction of the City of Rockingham, demonstrating consistency with the plans the subject of this development approval. The development must be finished in accordance with the schedule provided and approved by the City of Rockingham, prior to occupation of the development.
16. Prior to applying for a Building Permit, a Sign Strategy must be prepared (which must include the information required by Planning Policy 3.3.1, Control of Advertisements) to the satisfaction of the City of Rockingham and it must thereafter be implemented for the duration of the development.
17. All doors to commercial units facing the Thundelarra Drive frontage of the building must be kept unlocked during all hours when the subject premises are trading.
18. Public or customer access to the commercial tenancies must be from Thundelarra Drive.
19. Prior to applying for a Building Permit, the applicant must demonstrate to the satisfaction of the City of Rockingham that ground floor glazing of commercial tenancies (including the adaptable residential units) fronting Thundelarra Drive and Carlinde Parkway have a minimum visible light transmission rate of at least 79% and a maximum visible reflectivity rate of 9% in order ensure that a commercial, interactive frontage is available to the development from all streets.

The glazing must be thereafter be installed and maintained to the satisfaction of the City of Rockingham for the duration of the development.

20. Entries and window frontages facing the street of ground floor commercial tenancies must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds, roller doors or similar), to ensure that a



commercial, interactive frontage is available to the development from Thundelarra Drive, for the duration of the development.

21. Prior to applying for a Building Permit, fencing nominated on the approved plans for the adaptable units must be no more than 1.8m high, be at least 50% visually permeable above 0.9 metres and must thereafter be constructed, retained and maintained in good condition to the satisfaction of the City of Rockingham for the duration of the development.
22. 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.
23. Above-ground meter boxes must not be located in a street setback area at any time.
24. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
25. Prior to applying for a Building Permit, all service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, must be designed to be located away from public view and/or screened, and this design must be provided to, and approved by, the City of Rockingham.

#### **Advice Notes**

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Development Approval must be submitted to the City of Rockingham.
2. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.
3. The development must comply with the *Environmental Protection (Noise) Regulations 1997*; contact the City's Health Services for information on confirming requirements.
4. 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.
5. With respect to the landscaping plan, the applicant and owner should liaise with the City of Rockingham's Land Development and Infrastructure Services to confirm requirements for the landscaping plan.
6. All works in the road reserve, including construction of a crossover or footpath and any works to the road carriageway must be to the specifications of the City of Rockingham. The applicant should liaise with the City of Rockingham's Engineering Services in this regard.



7. The applicant is responsible for protecting any existing City streetscape assets during the course of the project. This includes any existing streetscape lighting, kerbing, footpaths, trees, irrigation etc. If any damage is caused to the existing assets (identified to be retained), they must be rectified to the satisfaction of the Manager Land and Development Infrastructure. It is recommended that a dilapidation report is undertaken by the applicant, to record the current condition of these assets.
8. The applicant is advised that the swimming pool is deemed to be a public pool, and as such requires approval from the Department of Health WA prior to lodgement of a Certified Building Permit application.
9. The development must comply with the Food Act 2008, the Food Safety Standards and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only); the applicant and owner should liaise with the City's Health Services in this regard.
10. As per the definition in *State Planning Policy 7.3 – Residential Design Codes Volume 1*, an Aged person is a person who is aged 55 years or over.
11. The applicant is advised that the proposal to relocate street lighting in Jundee Lane in order to accommodate the development requires the approval of Western Power.
12. In regards to Condition No.25, the applicant is advised that all Fire Hydrants and Electrical Access must be integrated seamlessly into the development.

Where an development approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

#### **AMENDING MOTION**

**Moved by:** Mr Peter Keleman

**Seconded by:** Cr Mark Jones

That a new condition 26 be added to read as follows:

*All dwellings shall satisfy the Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia).*

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

For: Mr Tony Arias  
Ms Lee O'Donohue  
Mr Peter Keleman  
Cr Mark Jones

Against: Cr Matt Whitfield

**REASON:** To ensure that the proponent delivers 100% compliance of the Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia).



## REPORT RECOMMENDATION (AS AMENDED)

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

**Approve** DAP Application reference DAP/19/01646 as detailed on the DAP Form 1 dated 11 June 2019 and accompanying revised plans received on 27 November 2019:

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In accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the provisions of clause 68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No. 2, subject to the following conditions as follows:

### Conditions

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.
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*"At least one occupant of each dwelling must be aged 55 or over, or the surviving spouse of that person"*



4. 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.
5. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineer showing how stormwater will be contained on-site and those plans must be submitted to the City of Rockingham for its approval.

All stormwater generated by the development must be managed in accordance with Planning Policy 3.4.3 – Urban Water Management to the satisfaction of the City of Rockingham.

The approved plans must be implemented and all works must be maintained for the duration of the development.

6. Prior to applying for a Building Permit, an updated Landscaping Plan to the satisfaction of the City of Rockingham must be prepared and include the following detail:
  - (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, including retention of all existing street trees adjoining the site;
  - (iv) those areas to be reticulated or irrigated;
  - (v) proposed upgrading to landscaping, paving and reticulation of all verge areas including street trees at a minimum rate of 1 tree per 14m; and
  - (vi) maintenance measures to ensure that all landscaping for the development, including landscaping on the building structure is effectively retained and managed in perpetuity.

The landscaping, paving and reticulation must be completed prior to the occupation of the development, and the Approved Landscaping Plan must be maintained at all times to the satisfaction of the City of Rockingham for the duration of the development.

7. The on-site car park area shall:
  - (i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* unless otherwise specified by this approval, prior to applying for a Building Permit;
  - (ii) the car parking bays below the West Wing building shall be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.5: 2004, unless otherwise specified by this approval, prior to applying for a Building Permit;



- (iii) include two car parking spaces dedicated to people with disability 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, to the satisfaction of the City of Rockingham; and
- (vi) include provision for power sockets for charging mobility scooters in the basement car park.

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

8. Prior to applying for a Building Permit, a revised Parking Control and Management Plan must be prepared to the satisfaction of the City of Rockingham and include the following details:
- (i) Showing the location, number and type of car parking bays allocated for the residential occupants, residential visitors and commercial use parking within the basement car park;
  - (ii) Providing a clear description of how the use of the car parking bays will be effectively managed to provide convenient, legible and practical parking options for the residents, residential visitors, commercial tenants and commercial customers utilising the development;
  - (iii) Specifying the wording of a by-law that shall be registered on the Strata Management Statement in the event the development is subject to an application for Strata Title. The by-law shall describe the basis upon which car parking within the development is to be managed, and shall not be amended without the approval of the City of Rockingham.

The Parking Control and Management Plan must be implemented for the duration of the development.

9. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, *Parking facilities, Part 3: Bicycle parking facilities* and must be 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 and safe condition for the duration of the development.

10. The Waste Management Plan prepared by Talis (Ref: TW19043, Rev 1e) provided with the amended plans shall be implemented for the duration of development and maintained at all times.





11. Prior to applying for a Building Permit, an Acoustic Report which demonstrates that all mechanical services associated with the proposed development and any other noise source, including noise emanating from vehicles entering and exiting the secure gate area of the premises, will comply with the Environmental Protection (Noise) Regulations 1997, must be submitted to and approved by the City of Rockingham.
12. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the City of Rockingham which demonstrates to the City's satisfaction, that the completed development complies with the *Environmental Protection (Noise) Regulations 1997*.

The Final Acoustic Assessment must include the following information:

- (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 of noise sources; and
- (iii) confirmation of 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.

13. Prior to applying for a Building Permit the ground floor commercial tenancies (including the adaptable residential units) must be designed in accordance with *Australian Standard AS1428 Design for Access & Mobility*.
14. The "*Sustainable Design Assessment Report - Development Approval*" prepared by Sustainability WA (dated 19th June 2019 ref:19-1115) submitted with the development application shall be implemented to the satisfaction of the City of Rockingham for the duration of the development.
15. Prior to applying for a Building Permit, a schedule of the colour and texture of the building materials must be provided to the satisfaction of the City of Rockingham, demonstrating consistency with the plans the subject of this development approval. The development must be finished in accordance with the schedule provided and approved by the City of Rockingham, prior to occupation of the development.
16. Prior to applying for a Building Permit, a Sign Strategy must be prepared (which must include the information required by Planning Policy 3.3.1, Control of Advertisements) to the satisfaction of the City of Rockingham and it must thereafter be implemented for the duration of the development.
17. All doors to commercial units facing the Thundelarra Drive frontage of the building must be kept unlocked during all hours when the subject premises are trading.



18. Public or customer access to the commercial tenancies must be from Thundelarra Drive.
19. Prior to applying for a Building Permit, the applicant must demonstrate to the satisfaction of the City of Rockingham that ground floor glazing of commercial tenancies (including the adaptable residential units) fronting Thundelarra Drive and Carlinde Parkway have a minimum visible light transmission rate of at least 79% and a maximum visible reflectivity rate of 9% in order ensure that a commercial, interactive frontage is available to the development from all streets.

The glazing must be thereafter be installed and maintained to the satisfaction of the City of Rockingham for the duration of the development.

20. Entries and window frontages facing the street of ground floor commercial tenancies must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds, roller doors or similar), to ensure that a commercial, interactive frontage is available to the development from Thundelarra Drive, for the duration of the development.
21. Prior to applying for a Building Permit, fencing nominated on the approved plans for the adaptable units must be no more than 1.8m high, be at least 50% visually permeable above 0.9 metres and must thereafter be constructed, retained and maintained in good condition to the satisfaction of the City of Rockingham for the duration of the development.
22. 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.
23. Above-ground meter boxes must not be located in a street setback area at any time.
24. Materials, sea containers, goods or bins must not be stored within the carpark at any time.
25. Prior to applying for a Building Permit, all service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, must be designed to be located away from public view and/or screened, and this design must be provided to, and approved by, the City of Rockingham.
26. All dwellings shall satisfy the Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia).

#### **Advice Notes**

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Development Approval must be submitted to the City of Rockingham.



2. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard.
3. The development must comply with the *Environmental Protection (Noise) Regulations 1997*; contact the City's Health Services for information on confirming requirements.
4. 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.
5. With respect to the landscaping plan, the applicant and owner should liaise with the City of Rockingham's Land Development and Infrastructure Services to confirm requirements for the landscaping plan.
6. All works in the road reserve, including construction of a crossover or footpath and any works to the road carriageway must be to the specifications of the City of Rockingham. The applicant should liaise with the City of Rockingham's Engineering Services in this regard.
7. The applicant is responsible for protecting any existing City streetscape assets during the course of the project. This includes any existing streetscape lighting, kerbing, footpaths, trees, irrigation etc. If any damage is caused to the existing assets (identified to be retained), they must be rectified to the satisfaction of the Manager Land and Development Infrastructure. It is recommended that a dilapidation report is undertaken by the applicant, to record the current condition of these assets.
8. The applicant is advised that the swimming pool is deemed to be a public pool, and as such requires approval from the Department of Health WA prior to lodgement of a Certified Building Permit application.
9. The development must comply with the Food Act 2008, the Food Safety Standards and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only); the applicant and owner should liaise with the City's Health Services in this regard.
10. As per the definition in *State Planning Policy 7.3 – Residential Design Codes Volume 1*, an Aged person is a person who is aged 55 years or over.
11. The applicant is advised that the proposal to relocate street lighting in Jundee Lane in order to accommodate the development requires the approval of Western Power.
12. In regards to Condition No.25, the applicant is advised that all Fire Hydrants and Electrical Access must be integrated seamlessly into the development.

Where an development approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.



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

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

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

Nil

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

The Presiding Member noted the following State Administrative Tribunal Application-

<b>Current SAT Applications</b>		
<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>
City of Cockburn	Lot 2 (45) Pinnacle Road, Coogee	Childcare Centre

**11. General Business / Meeting Close**

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 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 10:50am.