



Metro North-West Joint Development Assessment Panel Agenda

Meeting Date and Time: 1 October 2015; 2pm
Meeting Number: MNWJDAP/102
Meeting Venue: City of Joondalup
90 Boas Avenue, Joondalup

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Liam Gobbert (Local Government Member, City of Joondalup)
Cr John Chester (Local Government Member, City of Joondalup)

Officers in attendance

Mr John Corbellini (City of Joondalup)

Local Government Minute Secretary

Mr John Byrne

Applicant and Submitters

Mr Eddy Krajcar
Mr Richard (Dick) Gray
Ms Rosemarie Iglesias
Mr Giles Harden Jones (Harden Jones Architects)

Members of the Public

Nil

1. Declaration of Opening

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

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Note the Minutes of the Metro North-West JDAP Meeting No.99 held on 17 September 2015 and meeting no.100 held on 18 September 2015.

The Minutes of the Metro North-West JDAP Meeting No.101 held on 24 September 2015 were not available at time of Agenda preparation.



5. Declarations of Due Consideration

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

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1** Mr Eddy Krajcar presenting against the application at Item 10.1. The presentation will oppose the proposed development, making reference to the Hillarys Structure Plan and the R-Codes.
- 7.2** Mr Richard (Dick) Gray presenting against the application at Item 10.1.
- 7.3** Ms Rosemarie Iglesias presenting against the application at Item 10.1. The presentation will oppose the proposed development, outlining issues of privacy.
- 7.4** Mr Giles Harden Jones (Harden Jones Architects) presenting for the application at Item 10.1. The presentation will speak for the application and make reference to the 8 points noted on the deferral dated 6 July 2015.

8. Form 1 - Responsible Authority Reports – DAP Application

- 8.1**

Property Location:	Lot 181 (20) St Marks Drive, Hillarys
Application Details:	Proposed three storey educational facility
Applicant:	Oakley Architects
Owner:	Anglican Schools Commission
Responsible authority:	City of Joondalup
DoP File No:	DAP/15/00867

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

Nil

10. Appeals to the State Administrative Tribunal

- 10.1**

Property Location:	Lot 28 (46) Angove Drive, Hillarys
Application Details:	Mixed Use Development with Basement Parking
Applicant:	Harden Jones Architects
Owner:	Paltara Pty Ltd
Responsible authority:	City of Joondalup
DoP File No:	DAP/15/00754

11. General Business / Meeting Closure



Metro North-West Joint Development Assessment Panel Minutes

Meeting Date and Time: 17 September 2015; 9.30am
Meeting Number: MNWJDAP/99
Meeting Venue: City of Stirling
25 Cedric Street, Stirling

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Clayton Higham (A/Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Mayor Giovanni Italiano (Local Government Member, City of Stirling)
Cr Rod Willox (Local Government Member, City of Stirling)
Cr Philippa Taylor (Local Government Member, City of Joondalup)
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)

Officers in attendance

Mr Chris Fudge (City of Stirling)
Mr Greg Bowering (City of Stirling) (from 10.02am)
Ms Linda Tynan (City of Stirling)
Mr Neil Maull (City of Stirling)
Mr John Corbellini (City of Joondalup)

Local Government Minute Secretary

Ms Regan Clyde (City of Stirling)
Ms Jaclyn Farrow (City of Stirling)

Applicants and Submitters

Mr Marc Re (Planning Solutions)
Mr Dan Lees (TPG)
Mr Shaun Bain (KBH Group)
Mr Denis Delany (Caltex)

Members of the Public

5

1. Declaration of Opening

The Presiding Member, Karen Hyde, declared the meeting open at 9.33am on Thursday, 17 September 2015, and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.

The Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the



Planning and Development (Development Assessment Panels) Regulations 2011.

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the Standing Orders 2012; No Recording of Meeting, which states: 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.' The Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Nil.

3. Members on Leave of Absence

Mr Paul Drechsler (Deputy Presiding Member)

4. Noting of Minutes

Note the Minutes of the Metro North-West JDAP meeting No.97 held on 2 September 2015 and meeting No.98 held on 7 September 2015.

5. Declarations of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil.

7. Deputations and Presentations

- 7.1** Mr Marc Re (Planning Solutions) presented for the application at Item 9.3.

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 929, House Number 1244, Marmion Avenue, Currambine |
| | Application Details: | Amendments to approved marketplace building |
| | Applicant: | TPG Town Planning, Urban Design and Heritage |
| | Owner: | Roman Catholic Archbishop and Davidson Pty Ltd |
| | Responsible authority: | City of Joondalup |
| | DoP File No: | DP/13/00791 |



REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Philippa Taylor **Seconded by:** Cr Christine Hamilton-Prime

That the Metro North-West JDAP resolves to:-

1. **ACCEPT** that the DAP Application reference DP/13/00791 as detailed on the DAP Form 2 dated 22 July 2015 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 DP/13/00791 as detailed on the DAP Form 2 dated 22 July 2015 and accompanying plans A02.01, A02.02, A02.03, A03.01 and A03.02 in accordance with the provisions of the *City of Joondalup District Planning Scheme No.2* and the *Metropolitan Region Scheme*, for the proposed minor amendment to the approved marketplace building at Lot 929, House Number 1244, Marmion Avenue, Currambine, subject to:-

Amended Condition

3. With the exception of the continuous footpath with an RL of 31.15 to 32.7 the continuous footpath to the northern and eastern elevation shall be a minimum width of three metres.

Advice Notes

1. All other conditions and requirements detailed on the previous approval dated 26 February 2014 shall remain unless altered by this application.
2. This approval does not include the tenant signage as indicated on the approved plans.
3. Detailed design plans shall be provided to the City for the disabled car parking bays located to the front of the eastern facade.

AMENDING MOTION

Moved by: Cr Philippa Taylor **Seconded by:** Cr Christine Hamilton-Prime

That a condition be added – *“the applicant lodging plans to indicate a pedestrian barrier to separate vehicles from pedestrians on the north east corner of the building and installing the approved barrier to the satisfaction of the City prior to occupation.”*

REASON: To ensure safe pedestrian movement along the 1.5m extent of the footpath and segregation between traffic and pedestrians.

The Amending Motion was put and CARRIED UNANIMOUSLY



PRIMARY MOTION AS AMENDED

Moved by: Cr Philippa Taylor

Seconded by: Cr Christine Hamilton-Prime

That the Metro North-West JDAP resolves to:-

1. **ACCEPT** that the DAP Application reference DP/13/00791 as detailed on the DAP Form 2 dated 22 July 2015 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 DP/13/00791 as detailed on the DAP Form 2 dated 22 July 2015 and accompanying plans A02.01, A02.02, A02.03, A03.01 and A03.02 in accordance with the provisions of the *City of Joondalup District Planning Scheme No.2* and the *Metropolitan Region Scheme*, for the proposed minor amendment to the approved marketplace building at Lot 929, House Number 1244, Marmion Avenue, Currambine, subject to:-

Amended Condition

3. With the exception of the continuous footpath with an RL of 31.15 to 32.7 the continuous footpath to the northern and eastern elevation shall be a minimum width of three metres.

Additional Condition

1. The applicant lodging plans to indicate a pedestrian barrier to separate vehicles from pedestrians on the north east corner of the building and installing the approved barrier to the satisfaction of the City prior to occupation.

Advice Notes

1. All other conditions and requirements detailed on the previous approval dated 26 February 2014 shall remain unless altered by this application.
2. This approval does not include the tenant signage as indicated on the approved plans.
3. Detailed design plans shall be provided to the City for the disabled car parking bays located to the front of the eastern facade.

The PRIMARY MOTION (AS AMENDED) was put and CARRIED UNANIMOUSLY



9.2	Property Location:	Lot 63, House Number 46, Ledger Road, Balcatta
	Application Details:	Warehouse (Self Storage Units)
	Applicant:	KBH Balcatta Pty Ltd
	Owner:	KBH Balcatta Pty Ltd
	Responsible authority:	City of Stirling
	DoP File No:	DAP/14/00544

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Rod Willox

Seconded by: Mayor Giovanni Italiano

That the Metro North-West JDAP resolves to:-

1. **ACCEPT** that the DAP Application reference DAP/14/00544 as detailed on the DAP Form 2 date stamped 18 August 2015 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/14/00544 as detailed on the DAP Form 2 date stamped 18 August 2015 in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No.3, for the proposed amendment to the approved warehouse (self-storage units) development at Lot 63, House Number 46, Ledger Road, Balcatta.

Amended Conditions

1. Condition (e) of the previous approval, which reads:-

"Signage shown on the submitted plans does not form part of this approval."

is deleted.

Advice Notes

- i. All other conditions and requirements detailed on the previous approval dated 18 March 2013 shall remain unless altered by this application.
- ii. If the development has not substantially commenced by 18 March 2017 this approval shall no longer be valid. Notwithstanding, if a further application is made under regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011, the responsible authority will assess any new application under the operative planning framework at that point in time.



AMENDING MOTION

Moved by: Mr Clayton Higham **Seconded by:** Mr Fred Zuideveld

Advice Note ii. – Alter the date from 18 March 2017 to 17 September 2017.

REASON: Correct an oversight and reflect the correct two year period.

The Amending Motion was put and CARRIED UNANIMOUSLY

PRIMARY MOTION AS AMENDED

Moved by: Councillor Willox **Seconded by:** Councillor Italiano

That the Metro North-West JDAP resolves to:-

1. **ACCEPT** that the DAP Application reference DAP/14/00544 as detailed on the DAP Form 2 date stamped 18 August 2015 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/14/00544 as detailed on the DAP Form 2 date stamped 18 August 2015 in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No.3, for the proposed amendment to the approved warehouse (self-storage units) development at Lot 63, House Number 46, Ledger Road, Balcatta.

Amended Conditions

1. Condition (e) of the previous approval, which reads:-

“Signage shown on the submitted plans does not form part of this approval.”

is deleted.

Advice Notes

- i. All other conditions and requirements detailed on the previous approval dated 18 March 2013 shall remain unless altered by this application.
- ii. If the development has not substantially commenced by 17 September 2017 this approval shall no longer be valid. Notwithstanding, if a further application is made under regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the responsible authority will assess any new application under the operative planning framework at that point in time.

The PRIMARY MOTION (AS AMENDED) was put and CARRIED UNANIMOUSLY



9.3	Property Location:	Lot 90, House Number 812, Beaufort Street, Mount Lawley
	Application Details:	Redevelopment of existing Caltex Service Station
	Applicant:	Planning Solutions
	Owner:	Berta Frances Luita Cockburn Von Bibra
	Responsible authority:	City of Stirling
	DoP File No:	DAP/15/00747

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Clayton Higham **Seconded by:** Mr Fred Zuideveld

That the Metro North-West JDAP resolves to:-

1. **ACCEPT** that the DAP Application reference DP/15/00747 as detailed on the DAP Form 2 dated 16 July 2015 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 DP/15/00747 as detailed on the DAP Form 2 date 16 July 2015 and accompanying plans dated 16 July 2015 (Attachment 1) in accordance with the provisions of regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, for the proposed Amendment to DA15/0477 – Service Station at Lot 90, House Number 812, Beaufort Street, Mount Lawley subject to:

New Conditions

28. Any improvement works within the road widening area will have to be removed and made good at the owners expense within 60 days at the request of the Local Government or the WAPC.
29. All other conditions and requirements detailed on the previous approval dated 16 June 2015 (Attachment 2) shall remain unless altered by this application.

Amended conditions

4. No permanent or temporary structures are permitted in the easement area.
10. The crossover on Central Avenue closest to the traffic signals shall be reduced in width to 7.0m (refer the City's Sketch 04a). The modification to the existing crossover shall be at the applicant's expense and to the satisfaction of the City prior to the occupation of the development.
27. The applicant to submit amended plans and schedules of materials demonstrating a redesign of the façade and awning of the canopy, prior to commencement of development, to address the objectives of the City's Policy 3.1 Character Retention Guidelines Part 6, 6.1 Commercial & Mixed – Use Development.



Advice Notes

- i. If the development has not substantially commenced by 16 June 2017 this approval shall no longer be valid. Notwithstanding, if a further application is made under regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the responsible authority will assess any new application under the operative planning framework at that point in time.

AMENDING MOTION

Moved by: Ms Karen Hyde

Seconded by: Cr Rod Willox

Condition 1 as detailed in the 16 June 2015 Metro North-West Joint Development Assessment Panel Minutes (Meeting Number: MNWJDAP/87) – delete the condition in its entirety.

REASON: As it has support from the City's Officers and it is a condition on further approval, which is not statutorily correct.

The Amending Motion was put and CARRIED UNANIMOUSLY

AMENDING MOTION

Moved by: Mayor Giovanni Italiano

Seconded by: Mr Clayton Higham

New Condition 29 – delete and renumber as an advice note.

REASON: Consistent with other approval formats

The Amending Motion was put and CARRIED UNANIMOUSLY

AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Fred Zuideveld

Condition 6 as detailed in the 16 June 2015 Metro North-West Joint Development Assessment Panel Minutes (Meeting Number: MNWJDAP/87) – delete Part B and renumber Part C as Part B.

REASON: It was not considered that there is a nexus between the proposed development and the part of the condition requiring a new pedestrian path.

The Amending Motion was put and CARRIED UNANIMOUSLY



AMENDING MOTION

Moved by: Mr Clayton Higham **Seconded by:** Mr Fred Zuideveld

Amended condition 27 – delete the condition in its entirety.

REASON: The original approval did not include the canopy in terms of specific design requirements. The inclusion of the canopy to be redesigned in this amended proposal is considered unnecessary and an addition to the original approval.

The Amending Motion was put and CARRIED UNANIMOUSLY

AMENDING MOTION

Moved by: Mr Clayton Higham **Seconded by:** Mr Fred Zuideveld

Condition 16 as detailed in the 16 June 2015 Metro North-West Joint Development Assessment Panel Minutes (Meeting Number: MNWJDAP/87) – delete the condition in its entirety.

REASON: The extent of lighting and the CCTV system will discourage, and the company policy to remove graffiti immediately is sufficient.

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

For: Mr Clayton Higham and Mr Fred Zuideveld
Against: Mayor Giovanni Italiano, Cr Rod Willox and Ms Karen Hyde

AMENDING MOTION

Moved by: Councillor Italiano **Seconded by:** Councillor Willox

Condition 16 as detailed in the 16 June 2015 Metro North-West Joint Development Assessment Panel Minutes (Meeting Number: MNWJDAP/87) - Add the words "and maintained to the satisfaction of the City"

REASON: To clarify responsibility to remove graffiti.

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

For: Mayor Giovanni Italiano, Cr Rod Willox and Ms Karen Hyde
Against: Mr Clayton Higham and Mr Fred Zuideveld



PRIMARY MOTION (AS AMENDED)

Moved by: Mr Clayton Higham

Seconded by: Mr Fred Zuideveld

That the Metro North-West JDAP resolves to:-

1. **ACCEPT** that the DAP Application reference DP/15/00747 as detailed on the DAP Form 2 dated 16 July 2015 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 DP/15/00747 as detailed on the DAP Form 2 date 16 July 2015 and accompanying plans dated 16 July 2015 (Attachment 1) in accordance with the provisions of regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, for the proposed Amendment to DA15/0477 – Service Station at Lot 90, House Number 812, Beaufort Street, Mount Lawley subject to:

New Conditions

28. Any improvement works within the road widening area will have to be removed and made good at the owners expense within 60 days at the request of the Local Government or the WAPC.

Amended conditions

4. No permanent or temporary structures are permitted in the easement area.
6. The verge of Beaufort Street and Central Avenue to match the City's recent Beaufort Street upgrades and to the satisfaction of the City prior to the completion of the development, and shall include the following:-
 - a) A minimum 2.5m brick paved pedestrian path from back of kerb is to be re-instated along the frontage of Beaufort Street.
 - b) The newly installed brick paving colours and pattern as part of the bus lane works is to be re-instated along the Beaufort Street and Central Avenue frontage of the development site and to the satisfaction of the City (refer Advice Note 17).
10. The crossover on Central Avenue closest to the traffic signals shall be reduced in width to 7.0m (refer the City's Sketch 04a). The modification to the existing crossover shall be at the applicant's expense and to the satisfaction of the City prior to the occupation of the development.
16. The external wall facing the Right of Way is to be treated with an anti-graffiti coating prior to the occupation of the development and maintained to the satisfaction of the City.



Advice Notes

- i. If the development has not substantially commenced by 16 June 2017 this approval shall no longer be valid. Notwithstanding, if a further application is made under regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the responsible authority will assess any new application under the operative planning framework at that point in time.

Additional Advice Notes

1. All other conditions and requirements detailed on the previous approval dated 16 June 2015 (Attachment 2) shall remain unless altered by this application.

The PRIMARY MOTION (AS AMENDED) was put and CARRIED UNANIMOUSLY

10. Appeals to the State Administrative Tribunal

Lot 20 (99) Flora Terrace, North Beach;
Lot 26 (27) Prisk Street, Karrinyup;
Lot 300 (45) Alexander Drive, Menora; and
Lot 600 (967), Lot 14 (969) and Lot 13 (971) Beaufort Street, Inglewood.

11. General Business / Meeting Closure

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

There being no further business, the presiding member declared the meeting closed at 10.35am.



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: 18 September 2015; 10.30am
Meeting Number: MNWJDAP/100
Meeting Venue: City of Wanneroo, Wanneroo Library Cultural
Centre (WLCC), 3 Rocca Way, Wanneroo

Attendance

DAP Members

Mr Charles Johnson (Presiding Member)
Mr Ian Birch (A/Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Frank Cvitan (Local Government Member, City of Wanneroo)
Cr Russell Driver (Local Government Member, City of Wanneroo)

Officers in attendance

Ms Coralie Anderson (City of Wanneroo)
Mr Jay Naidoo (City of Wanneroo)

Local Government Minute Secretary

Ms Grace Babudri

Applicant and Submitters

Mr Aaron Lohman (Rowe Group)
Mr Nathan Stewart (Rowe Group)
Mr Tayne Evershed (Planning Solutions)
Mr Horatio Alvarez (Elements Property)
Mr Howard Mitchell (EPCAD)
Mr Grant Wilkins (EPCAD)
Mr Steve Carter (CLE Planners)
Mr John Young (Blackmont Property Group)
Mr David Trevan

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Mr Charles Johnson declared the meeting open at 10.30am on 18 September 2015 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.



2. Apologies

Ms Karen Hyde (Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)

3. Members on Leave of absence

Mr Paul Drechsler (Deputy Presiding Member)

4. Noting of minutes

Minutes of the Metro North-West JDAP Meeting no.99 held on 17 September 2015 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

Panel member, Ms Karen Hyde, declared an Indirect Pecuniary Interest in Item 8.1 (husband works for EPCAD who have been involved in the park design).

In accordance with section 6.3.1 of the Standing Orders 2012, the Presiding Member determined that the member listed above, who had disclosed a Pecuniary Interest, was not permitted to participate in the discussion or voting on the items. Ms Hyde was an apology for this meeting.

7. Deputations and presentations

7.1 Mr Grant Wilkins (Satterley Property Group) Mr Howard Mitchell (EPCAD), Mr Steve Carter (CLE Planners) addressed the DAP for the application at Item 8.1.

7.2 Mr Tayne Evershed (Planning Solutions) addressed the DAP for the application at Item 8.2.

7.3 Mr John Young (Blackmont Property Group) addressed the DAP for the application at Item 9.1.

8. Form 1 - Responsible Authority Reports – DAP Application/s

- 8.1 Property Location: Lot 9017 (999k) Ranella Street, Jindalee
(formerly Lot 9014 (1K) Vitrinella Avenue,
Jindalee)
- Application Details: Park/Drainage/Paths/Seating/Playground/BBQ's
and Landscaping
- Applicant: Satterley Property Group
- Owner: Ocean Springs Pty Ltd
- Responsible authority: City of Wanneroo
- DoP File No: DAP/15/00749



REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Russell Driver

Seconded by: Cr Frank Cvitan

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DAP/15/00749 and accompanying plans (Attachment 2) in accordance with the provisions of the MRS and District Planning Scheme No.2 of the City of Wanneroo, subject to the following conditions:

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. Revised plans shall be submitted and approved to the satisfaction of the City of Wanneroo to demonstrate modifications as follows:
 - a) Play equipment is only depicted where it has been demonstrated that the equipment is capable of being maintained on an ongoing basis and replaced with comparable equipment within the City's budget.
 - b) Proposed paving to be deleted where a dual use path is required in accordance with the Lot 9 Jindalee Foreshore Management Plan. The dual use path shall be depicted as 3m wide, sealed in red asphalt and clearly delineated from paved areas.
 - c) Deletion of turf mounds and replacement with planted and mulched landscaping and/or other appropriate low maintenance treatment.
 - d) Inclusion of toilet facilities.
 - e) Inclusion of beach showers and feet washer.
 - f) Inclusion of fire hydrants.
3. Toilet facilities shall be constructed and shall be available for public use upon completion of the grassed drainage basin/public open space area to the satisfaction of the City of Wanneroo.
4. Development shall be implemented in accordance with recommendations of the Water Safety Assessment dated 6 August 2015 prepared by Royal Life Saving Society of WA Inc.
5. Stormwater up to and including a one in one-year average recurrence interval shall not be accommodated within the application area. An on-site stormwater drainage system, sufficient to contain stormwater above a one in one-year recurrence interval up to and including a 1:100 year storm event (over 24 hours) must be provided. Detailed plans illustrating the system proposed shall be submitted to and approved by the City of Wanneroo, and the system shall be installed during the construction of the development.



6. Detailed engineering drawings for the proposed works shall be submitted for approval to the specification of the City of Wanneroo. All works shall be carried out in accordance with the City of Wanneroo's Design Guidelines for the Development and Subdivision of Land.
7. Detailed landscaping and irrigation plans for the subject site shall be submitted for approval to the specification of the City of Wanneroo. Planting and installation shall be in accordance with the approved landscaping and irrigation plans.
8. The proposed development being maintained by the developer in accordance with a maintenance schedule approved by the City for a period of not less than 5 years following completion of all works.
9. Landscaping associated with parking areas shall include one shade tree for every four parking bays. These shade trees shall be planted and maintained in tree wells which are protected from damage by vehicles.
10. A lighting plan showing lighting to pathways, car parking, and landscaped area shall be submitted for approval to the Specification of the City of Wanneroo.
11. Earthworks and construction shall be limited to 0700 – 1700 hours Monday to Friday and 0730 – 1700 hours on Saturday. No works shall be carried out on Sundays or public holidays without the written permission of the City of Wanneroo.
12. The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site.
13. Implementation of beach safety signage as per the recommendations of the Coastal Aquatic Risk Assessment undertaken by Surf Life Saving WA for Eden Beach.

Advice Notes

1. The City does not undertake to ascertain the validity of signatures nor the authority of the persons nominated as owners.
2. This is a planning approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
3. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
4. Adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's 'A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities'.



AMENDING MOTION

Moved by: Mr Fred Zuideveld

Seconded By: Mr Ian Birch

That condition 2 be deleted in its entirety and the remaining conditions be renumbered.

REASON: The Metro North-West JDAP opinion is that the conditions as drafted were potentially unsound and that the normal practices of handing over the equipment of 5 years apply.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Fred Zuideveld

Seconded By: Mr Ian Birch

That condition 3 be replaced with the applicant's alternative condition to read as follows;-

'The applicant will install and maintain suitable temporary toilet facilities in a safe location in close proximity to the park until such time as the permanent facilities are commissioned.'

REASON: The Metro North-West JDAP opinion is that the permanent toilet was not appropriate in future to build it in the locality however, support given for a temporary facility.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Mr Fred Zuideveld

That condition 9 & 13 be deleted in its entirety and the remaining conditions be renumbered.

REASONS: Condition 9 does not relate directly to the proposed application. Condition 13 – Current signage being installed and not required.

The Amending Motion was put and CARRIED UNANIMOUSLY.



PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DAP/15/00749 and accompanying plans (Attachment 2) in accordance with the provisions of the MRS and District Planning Scheme No.2 of the City of Wanneroo, subject to the following conditions:

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. The applicant will install and maintain suitable temporary toilet facilities in a safe location in close proximity to the park until such time as the permanent facilities are commissioned.
3. Development shall be implemented in accordance with recommendations of the Water Safety Assessment dated 6 August 2015 prepared by Royal Life Saving Society of WA Inc.
4. Stormwater up to and including a one in one-year average recurrence interval shall not be accommodated within the application area. An on-site stormwater drainage system, sufficient to contain stormwater above a one in one-year recurrence interval up to and including a 1:100 year storm event (over 24 hours) must be provided. Detailed plans illustrating the system proposed shall be submitted to and approved by the City of Wanneroo, and the system shall be installed during the construction of the development.
5. Detailed engineering drawings for the proposed works shall be submitted for approval to the specification of the City of Wanneroo. All works shall be carried out in accordance with the City of Wanneroo's Design Guidelines for the Development and Subdivision of Land.
6. Detailed landscaping and irrigation plans for the subject site shall be submitted for approval to the specification of the City of Wanneroo. Planting and installation shall be in accordance with the approved landscaping and irrigation plans.
7. The proposed development being maintained by the developer in accordance with a maintenance schedule approved by the City for a period of not less than 5 years following completion of all works.
8. A lighting plan showing lighting to pathways, car parking, and landscaped area shall be submitted for approval to the Specification of the City of Wanneroo.
9. Earthworks and construction shall be limited to 0700 – 1700 hours Monday to Friday and 0730 – 1700 hours on Saturday. No works shall be carried out on Sundays or public holidays without the written permission of the City of Wanneroo.



10. The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site.

Advice Notes

1. The City does not undertake to ascertain the validity of signatures nor the authority of the persons nominated as owners.
2. This is a planning approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
3. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
4. Adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's 'A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities'.

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

8.2 Property Location:	Lot 335 (79) Gnangara Road, Wangara
Application Details:	Showroom, Warehouse, Recreation Centre and Convenience Store
Applicant:	Planning Solutions
Owner:	Crestwood Holdings Pty Ltd
Responsible authority:	City of Wanneroo
DoP File No:	DAP/15/00813

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Russell Driver

Seconded by: Cr Frank Cvitan

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DA2015/997 and accompanying plans DWG 1 - 14 in accordance with the provisions of the City of Wanneroo's District Planning Scheme No. 2, subject to the following conditions:

- a) The proposed '**Showroom**', '**Warehouse**', '**Recreation Centre**' and '**Convenience Store**', as depicted on the approved plans, shall accord with the following definitions contained within District Planning Scheme No. 2:

*"**Showroom** means premises wherein goods are displayed and may be offered for sale or hire excluding the sale of foodstuffs, liquor or beverages, items of clothing or apparel (except as hereinafter stipulated in this definition) or personal adornment, magazines, books, newspapers or paper products, and medicinal or pharmaceutical products unless assembled or manufactured*



on the premises. The term includes the sale of secondhand clothing or apparel by welfare and charitable agencies with the approval of Council."

***"Warehouse** means premises used for storage of goods and may include the carrying out of commercial transactions involving the sale of such goods by wholesale."*

***"Recreation Centre** means any premises used for physical exercise or sports including swimming, ice skating, ten pin bowling, cricket, tennis, squash, soccer, billiards and similar activities."*

***"Convenience Store** means any land and or buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and petroleum products and motor vehicle accessories and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 300m² gross leasable area."*

- b) This approval is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
- c) Floodlighting being designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be internally directed to not overspill into nearby lots. All floodlights shall be oriented and hooded to eliminate disturbance to occupants on the surrounding properties.
- d) All refuse shall be stored within the designated bin enclosure/s and shall be collected from the site by a private contractor at the cost of the applicant/owner.
- e) Detailed landscaping and reticulation plans for the subject site and adjacent road verge shall be lodged prior to the occupation of the development, for approval by the City. Planting and installation shall be in accordance with the approved landscaping and reticulation plans and completed prior to the occupation of the development and thereafter maintained to the City's satisfaction.
- f) Parking areas, driveway and points of ingress and egress shall be designed in accordance with the Australian Standard for Off-Street Car parking (AS2890) and shall be drained, sealed, marked and thereafter maintained to the City of Wanneroo's satisfaction.
- g) All proposed crossovers are to be constructed in concrete to the City of Wanneroo's commercial specifications.
- h) The parking areas and associated access depicted on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior written approval of the City of Wanneroo.



- i) An on-site stormwater drainage system, capable of containing a 1:100 year storm event of 24 hours duration shall be provided. Plans illustrating the system shall be submitted to the City for its approval prior to the commencement of development.
- j) A non-sacrificial anti graffiti coating shall be applied to the external surfaces of the development prior to its practical completion. In the event of any graffiti being applied to these areas, the proponent shall take steps to remove the graffiti as soon as reasonably practical to the satisfaction of the City of Wanneroo.
- k) The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site.
- l) The applicant/landowner shall ensure compliance with the Environmental Protection (Noise) Regulations 1997 as outlined within the Environmental Acoustic Assessment dated 21 May 2015 completed by Lloyd George Acoustics Pty Ltd.
- m) The pylon signs ('Bulkyplex' and '7-Eleven') are approved for the locations marked "A" on the approved plans. By this condition, the landowner agrees to the relocation of these pylon signs at their own cost to the locations marked "B" on the approved plans when the land identified as 'Other Regional Road' under the Metropolitan Region Scheme is acquired for road widening purposes. No further planning approval will be required for the relocation of the signs referred to in this condition.
- n) The proposed 'Bulkyplex' pylon sign as indicated in the red on the approved plan shall be reduced in height to 8.0 metres and width of 2.5 metres so as to comply with the City of Wanneroo Signs Local Planning Policy.
- o) The proposed '7-Eleven' pylon sign as indicated in the red on the approved plan shall be reduced in height to 6.0 metres so as to comply with the City of Wanneroo Signs Local Planning Policy.
- p) The applicant shall adhere to the recommendations contained within the road safety audit report prepared by Transcore dated 15 April 2015, submitted with this application. The recommendations are to be carried out at the full cost of the applicant to the specification and satisfaction of the City of Wanneroo.
- q) The landowner shall make a contribution to the City of Wanneroo for the provision of arterial roads and associated facilities (including administrative costs) to service the East Wanneroo Structure Planning Cell No. 7, prior to the issue of a building license and in accordance with Part 10 of the City of Wanneroo District Planning Scheme No. 2.

Advice to Applicant/Landowners:

1. The City does not undertake to ascertain the validity of signatures nor the authority of the persons nominated as owners.



2. This is a planning approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
3. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
4. In relation to condition k, adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's 'A guide for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities'.
5. In relation to condition q, the applicant is advised to contact the City of Wanneroo to obtain a quotation for the payment of developer contribution in accordance with Part 10 of District Planning Scheme No. 2.
6. In relation to condition m, failure to relocate the signs to location 'B' to the satisfaction of the City at the reasonable time will be considered a non-compliance with this approval.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: NIL

To delete Condition n) & o) and the remaining conditions be renumbered.

The Amending Motion LAPSED for want of a seconder.

The Report Recommendation/Primary Motion was put and CARRIED (4 /1).

For: Cr Frank Cvitan
Cr Russell Driver
Mr Ian Birch
Mr Charles Johnson

Against: Mr Fred Zuideveld

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

- 9.1** Property Location: Lots 9111 (156) and 9112 (170) Gnangara Road, Landsdale
- Application Details: Reconsideration of Conditions to DA2015/510 (Convenience Store, Lunch Bar and Carwash)
- Applicant: Rowe Group
- Owner: Hydrox Nominees Pty Ltd
- Responsible authority: City of Wanneroo
- DoP File No: DAP/15/00767



REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Russell Driver

Seconded by: Cr Frank Cvitan

Accept that the DAP Application reference DAP/15/00767 as detailed on DAP Form 2 dated 7 July 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panel) Regulations 2011*.

Approve DAP Application reference DAP/15/00767 as detailed on DAP Form 2 dated 7 July 2015 in accordance with the provisions of the City of Wanneroo's District Planning Scheme No. 2 for the proposed reconsideration of conditions to the Convenience Store, Lunch Bar and Carwash at Lots 9111 (156) and 9112 (170) Gnaragara Road, Landsdale, subject to :

- 1) The modification of conditions l) and m) as follows:
 - l) A 1.8m high noise barrier shall be constructed in accordance with figure 3 of the Environmental Acoustic Assessment dated 18 March 2015 completed by Wood and Grieve Engineering, and as indicated on the attached site plan (no. 2969 002), prior to the commencement of the car wash use, to the satisfaction of the Manager, Planning Implementation.
 - m) The hours of operation of the Automated Tunnel component of the Carwash shall be between 07:00 and 22:00 on Monday to Saturday, and 09:00 to 22:00 on Sundays and public holidays.

Advice Notes

- 1) All other conditions, requirements and advice notes detailed on the existing approval (LG ref. DA2015/510, dated 2 July 2015) shall remain unless altered by this approval.

The Report Recommendation/Primary Motion 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 Standing Order 7.3 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the presiding member declared the meeting closed at 11.38am.



Form 1 - Responsible Authority Report (Regulation 12)

Property Location:	Lot 181 (20) St Marks Drive, Hillarys
Application Details:	Proposed three storey educational facility
DAP Name:	Metro North- West Joint Development Assessment Panel
Applicant:	Oakley Architects
Owner:	Anglican Schools Commission
LG Reference:	DA15/0842
Responsible Authority:	City of Joondalup
Authorising Officer:	Dale Page Director Planning and Community Development
Department of Planning File No:	DAP/15/00867
Report Date:	24 September 2015
Application Receipt Date:	30 July 2015
Application Process Days:	60 days
Attachment(s):	1. Location plan 2. Development plans 3. Building perspectives 4. City of Joondalup Environmentally Sustainable Design checklist

Officer Recommendation:

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

Approve DAP Application reference DAP/15/00867 and accompanying plans A1.01, A1.02, A1.04, A2.01, A2.03, A3.01, A3.02 and A4.01 in accordance with Clause 6.9 of the City of Joondalup *District Planning Scheme No.2*, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of the decision letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;
2. This approval relates to the Senior Academic Centre, adjoining car park and access only as indicated on the approved plans. It does not relate to the 'proposed new 'standalone' classroom block', 'alterations to end of block', or proposed new addition to existing classroom block' on plan A1.01 or the 'new standalone classrooms' or 'new classroom' on plan A1.02.
3. The eight temporary classrooms approved under DA15/0289 are to be removed and the land made good to the satisfaction of the City, prior to occupation of the Senior Academic Centre.

4. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - Provide all details relating to paving, treatment of verges and tree planting in the car park;
 - Show spot levels and/or contours of the site;
 - Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;
 - Be based on water sensitive urban design principles to the satisfaction of the City;
 - Be based on Designing out Crime principles to the satisfaction of the City; and
 - Show all irrigation design details.
5. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
6. A Construction Management Plan being submitted and approved by the City prior to the commencement of development. The management plan shall detail how it is proposed to manage:
 - i. all forward works for the site;
 - ii. the delivery of materials and equipment to the site;
 - iii. the storage of materials and equipment on the site;
 - iv. the parking arrangements for the contractors and subcontractors;
 - v. other matters likely to impact on the surrounding properties;
7. An on-site stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval prior to the commencement of development;
8. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard including being free of vandalism, to the satisfaction of the City;
9. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development;
10. The external surface of the additions, including roofing, shall be finished in materials and colours that have low reflective characteristics, to the satisfaction of the City. The external surfaces shall be treated to the

satisfaction of the City if it is determined by the City that glare from the completed development has a significant adverse effect on the amenity of adjoining or nearby neighbours.

11. Any bicycle parking facilities provided should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of development.
12. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
13. Detailed traffic management and car park plans shall be submitted and approved by the City prior to commencement of development. This plan shall detail:
 - i. Compliance with AS2890;
 - ii. Directional signage and pavement markings;
 - iii. Demonstrate circulation for a B99 vehicle from entry to exit via the proposed roundabout within the new staff car park; and
 - iv. Give consideration to the installation and provision of boom gates or similar to enable restricted access.

Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the City having first been sought and obtained.
2. A certificate of electrical compliance, completed by a suitably qualified person, is required prior to the occupation of the building and in accordance with the *Health (Public Building) Regulations 1992*.
3. Food Notification/Registration under the *Food Act 2008* may be required where food ingredients are being provided to students, or where any person is able to purchase food from the café.

Background:

Property Address:	Lot 181 (20) St Marks Drive, Hillarys
Zoning	MRS: Urban
	TPS: Private Clubs/ Recreation
Use Class:	Educational Establishment
Development Scheme:	City of Joondalup <i>District Planning Scheme No. 2</i> (DPS2)
Lot Size:	107,179m ²
Existing Land Use:	Educational Establishment
Value of Development:	\$11 million

The subject site is bounded by Whitfords Avenue to the north, residential properties to the west and south, and commercial development to the east, with vehicle access provided from Endeavour Road and St Marks Drive (Attachment 1 refers).

The site is zoned 'Urban' under the *Metropolitan Region Scheme* and 'Private Clubs/Recreation' under the *City of Joondalup District Planning Scheme No. 2* (DPS2). Under DPS2 'Educational Establishment' is a Discretionary ("D") land use. In addition to the development provisions of DPS2, Council at its meeting held on 15 September 2015 determined that the *Draft Whitfords Activity Centre Structure Plan* (WACSP) was satisfactory subject to modifications and resolved to forward it to the Western Australian Planning Commission for consideration. The subject site is located within the proposed 'Educational and Civic' district as identified in the WACSP.

The school was initially approved in 1985 with the most recent significant application at the site approved in July 2015 for three classroom additions. The location of the classroom additions are shown on plan A1.01 and A1.02 of Attachment 2. There are a total of 76 classrooms approved on site including eight recently approved temporary classrooms. This application will increase the total number of classrooms on site to 91.

Details: outline of development application

The applicant seeks approval for a multipurpose educational facility on the subject site. The proposed development consists of:

- Demolition of an existing single storey, eleven classroom facility.
- Construction of a three storey educational facility including 23 classrooms, offices, student services, and cafe (school use only), in addition to other ancillary educational facilities.
- Additional car parking.
- A pedestrian bridge connecting the first floor of the new building to the existing two storey library.

The applicant proposes the development to be commensurate with the educational facilities on site constructed after 2007. This includes construction using limestone blocks, compressed sheet cladding, large glazed windows, with Colourbond fascia panels and roof.

Development plans and building perspectives are provided as Attachment 2 and 3.

It should be noted that the classroom additions shown on plans A1.01 and A1.02 of Attachment 2 are not part of this application and were approved by Council at its meeting held on 23 June 2015 (CJ088-06/15 refers).

Legislation & policy:

Legislation

- *Planning and Development Act 2005;*
- *Metropolitan Region Scheme; and*
- *City of Joondalup District Planning Scheme No. 2 (DPS2)*
 - *Draft Whitford Activity Centre Structure Plan (WACSP)*

State Government Policies

Nil

Local Policies

Council Policy - Environmentally Sustainable Buildings within the City of Joondalup

This policy applies to the construction of major residential, commercial and mixed use buildings. The purpose of the policy is to encourage development to incorporate environmentally sustainable principles into the building design. The policy also requires applicants to complete the City's Environmentally Sustainable Design checklist.

The checklist for the proposed development is provided as Attachment 4.

Consultation:

Public Consultation

Clause 6.7.2 of DPS2 enables public consultation to be undertaken prior to the consideration of an application for planning approval where this is considered necessary and/or appropriate. In this instance, it is considered that the proposal is consistent with the objectives of the 'Private Clubs/Recreation' zone and the draft WACSP. It is not anticipated that the development will have a detrimental impact on surrounding developments, or the locality. As such, public comment has not been sought.

Consultation with other Agencies or Consultants

Nil

Planning assessment:

The proposal is for the construction of a multipurpose education facility on the site of the existing 'Educational Establishment' at Lot 181 (20) St Marks Drive, Hillarys.

This facility is proposed to replace the existing eleven classrooms contained within 'A Block' in this current location.

The application is generally compliant with the requirements of DPS2, with the exception of:

- Provision of one shade tree per 4.16 car parking bays in lieu of one shade tree per four car parking bays.
- A car parking shortfall of one bay.

Land Use

The land use 'Educational Establishment' is a discretionary ("D") land use within the 'Private Clubs/Recreation' zone under DPS2.

The objective of the 'Private Clubs/Recreation' zone is to:

- Accommodate uses such as private golf clubs, private educational, institutional and recreational facilities.

As the application is for a facility that complements and forms part of the existing 'Educational Establishment' already approved on site, the educational facility addition to the development is considered to align with the above objective.

WACSP

Council determined that the draft WACSP was satisfactory subject to modifications in September 2015. The proposed development is considered to meet the development requirements of the 'Educational and Civic' district.

Landscaping

The applicant proposes a combination of new hard and soft landscaping, which is considered to improve and complement the existing landscaping. Selected shade trees will be provided around the building and in the existing quadrangle.

In accordance with DPS2, shade trees are to be provided at a rate of one tree for every four bays. The applicant has proposed a total of six trees across 25 car bays, thus providing one tree for every 4.16 bays. Due to the orientation and height of the development, it is considered that the remaining bays will be shaded by the building and associated awnings. In addition, the height and location of shade trees to these car parking areas are constrained and could conflict with pedestrian movement. The location of the shade trees provided ensures that the appearance of the car park from the internal access road is softened, and is considered to be appropriate.

Car parking

The applicant seeks to increase the number of classrooms on site from 76 to 91, and provide for an additional six car parking bays, exclusive of motorcycle bays. The car parking under DPS2 for 'High School' requires two car parking bays per classroom, resulting in a total of 183 car parking bays required to be provided on site. The site currently provides for 182 car parking bays, resulting in a shortfall of one car parking bay.

In support of the development, the applicant has advised the City that upon the completion of the Senior Academic Centre, the eight transportable classrooms approved under DA15/0289 are to be removed, which will result in a surplus of 15 bays. Given this, a condition requiring removal of the temporary classrooms and has been recommended.

Environmentally Sustainable Design

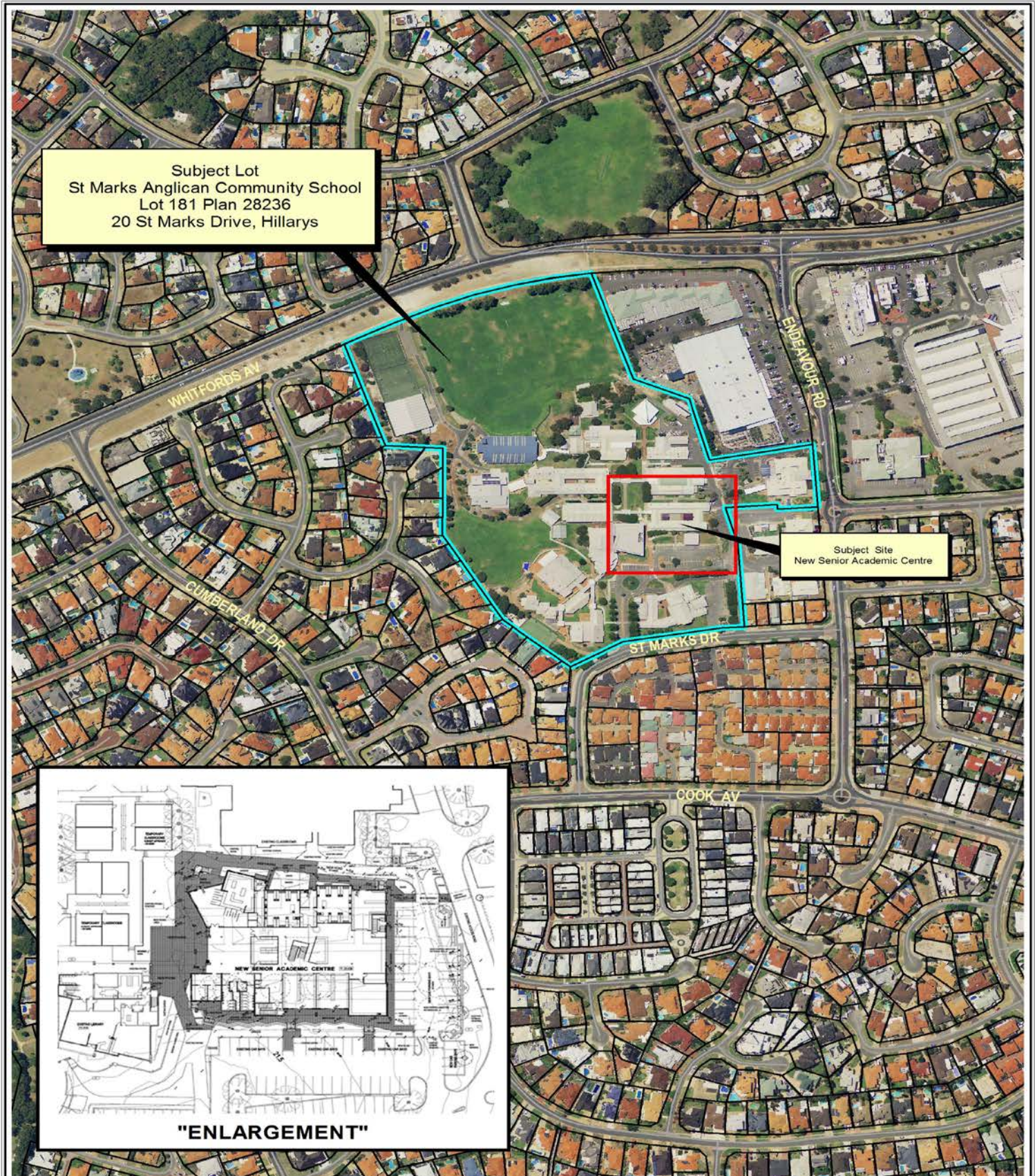
The applicant has completed the City's Environmentally Sustainable Design checklist (Attachment 4 refers) demonstrating the inclusion of environmentally sustainable design elements. The checklist indicates that the development has been designed to make use of recycled/recyclable/natural materials; aims to reduce water use and incorporate water efficient technologies; passive shading of glass with the inclusion of canopies over glazing; and proposes to include low energy technologies and natural/fan forced ventilation. The development application also seeks to significantly increase soft landscaping whilst retaining existing vegetation.

Council Recommendation:

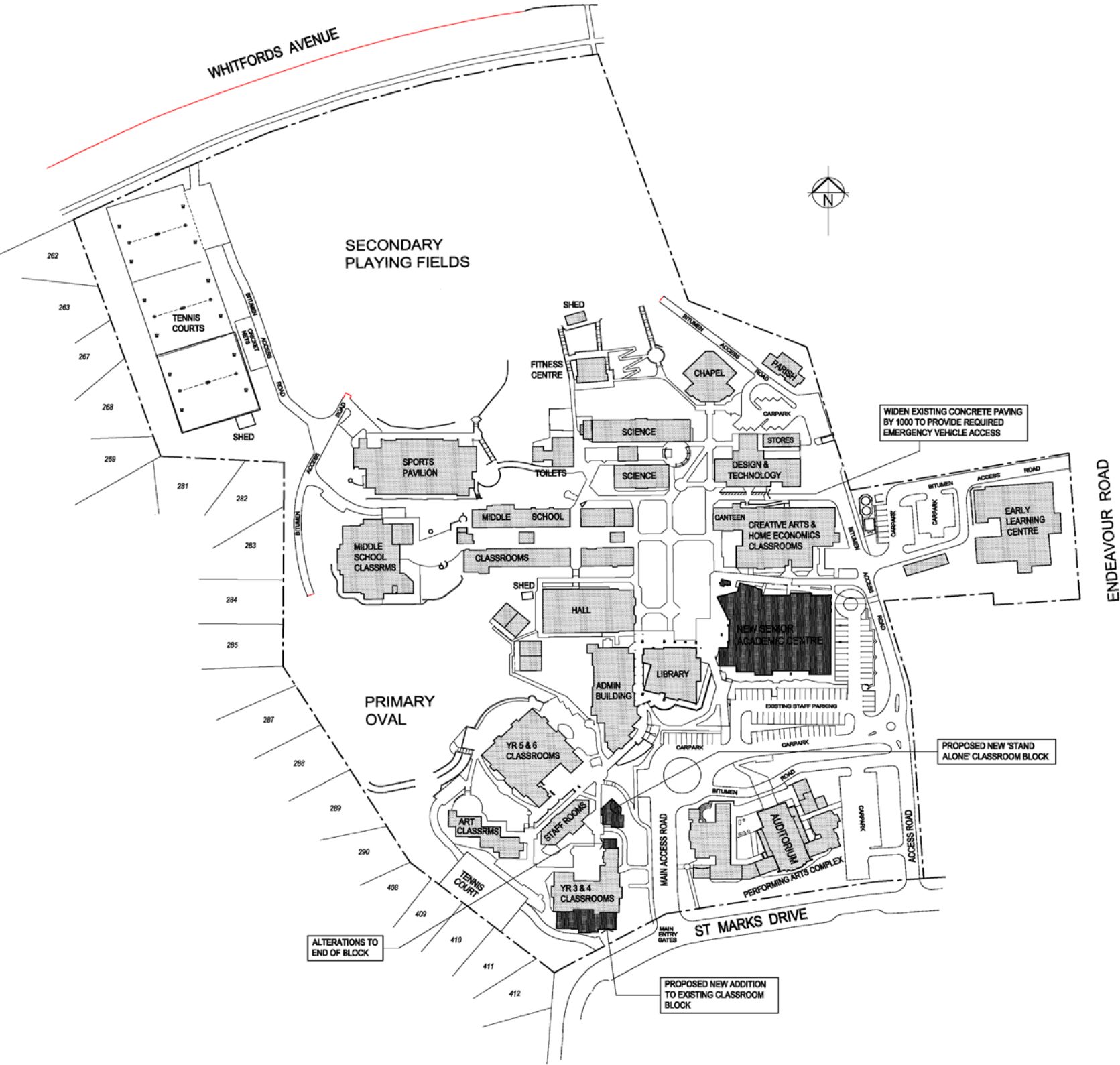
Nil

Conclusion:

The proposed development is generally compliant with the provisions of DPS2. Given that the proposal ties in with the existing development and will not result in any adverse impact on amenity, that the application be approved, subject to conditions.



AMENDED
DATE: 3/9/15



2.09.2015 DEVELOPMENT APPLICATION RE-ISSUE
30.7.2015 DEVELOPMENT APPLICATION ISSUE

OAKLEY ARCHITECTURE

**O
A**

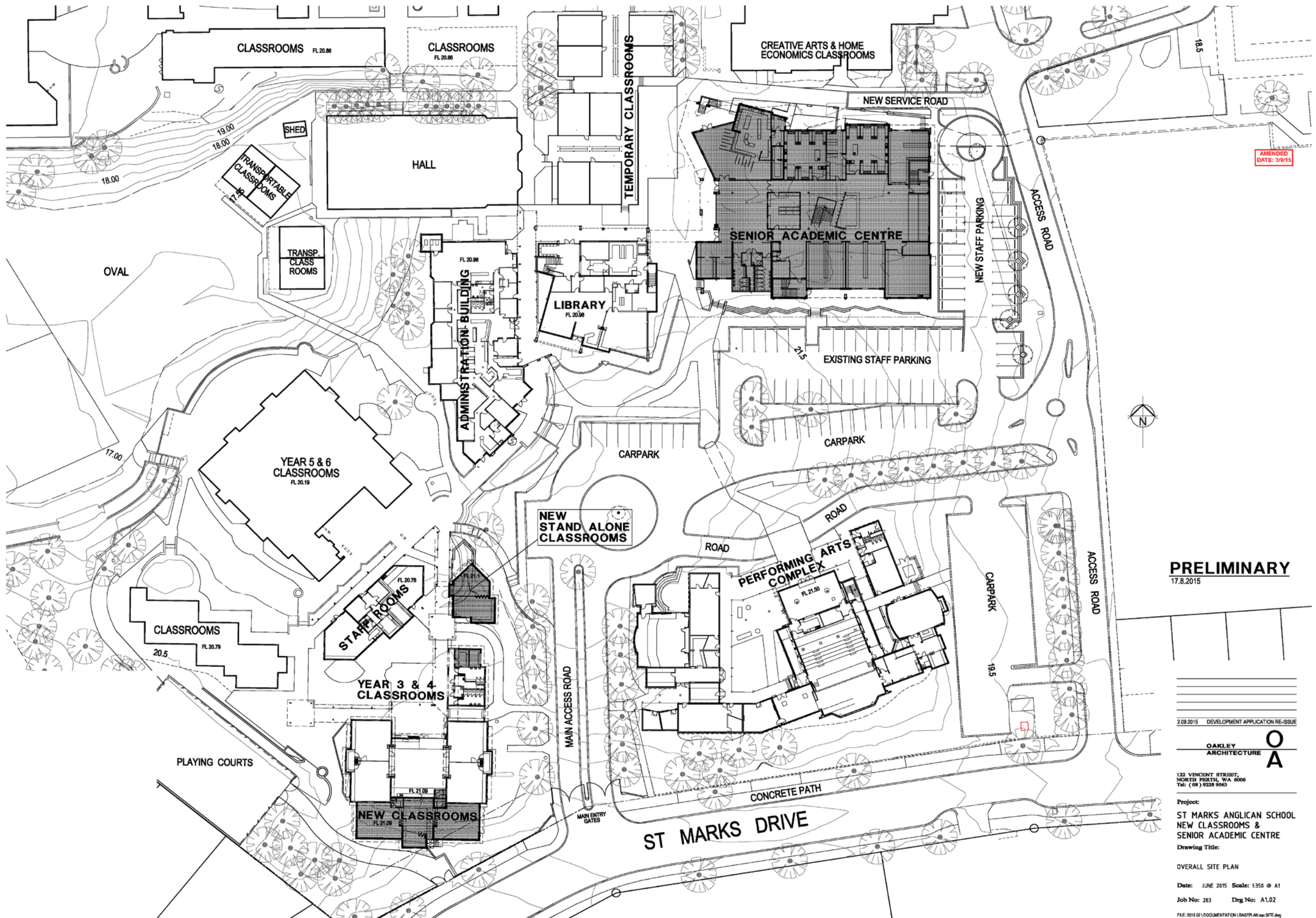
122 VINCENT STREET,
NORTH PERTH, WA 6006
Tel: (08) 9228 9563

Project:
**ST MARKS ANGLICAN SCHOOL
NEW CLASSROOMS &
SENIOR ACADEMIC CENTRE**
Drawing Title:

LOCATION PLAN

Date: JULY 2015 Scale: NTS
Job No: 283 Drg No: A1.01

FILE: 2015 01 DOCUMENTATION \LOCATION PLAN.dwg



PRELIMINARY

17.8.2015

2.09.2015 DEVELOPMENT APPLICATION RE-ISSUE

OAKLEY ARCHITECTURE

**O
A**

122 VINCENT STREET,
NORTH PERTH, WA 6006
Tel: (08) 9228 9563

Project:

ST MARKS ANGLICAN SCHOOL
NEW CLASSROOMS &
SENIOR ACADEMIC CENTRE

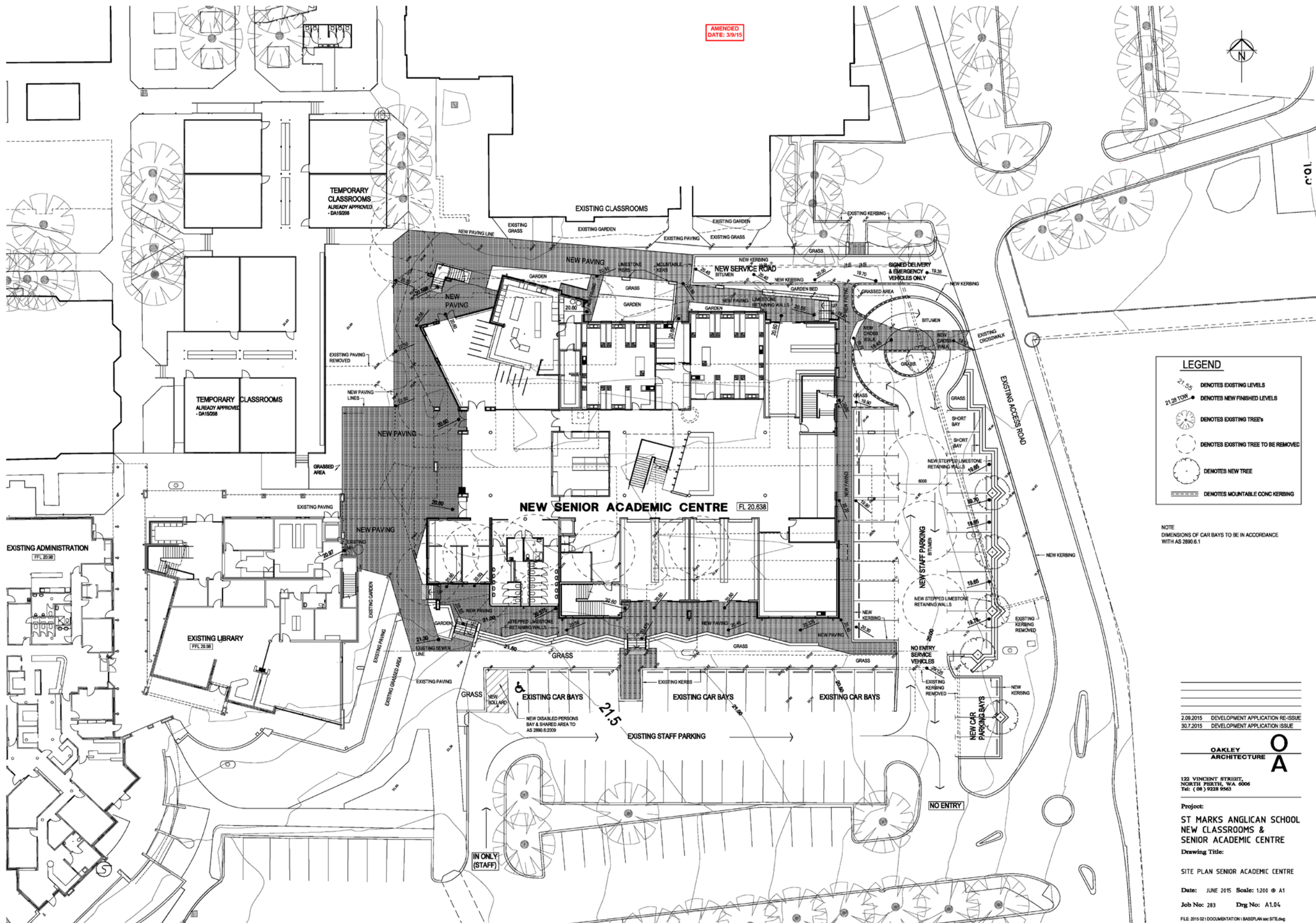
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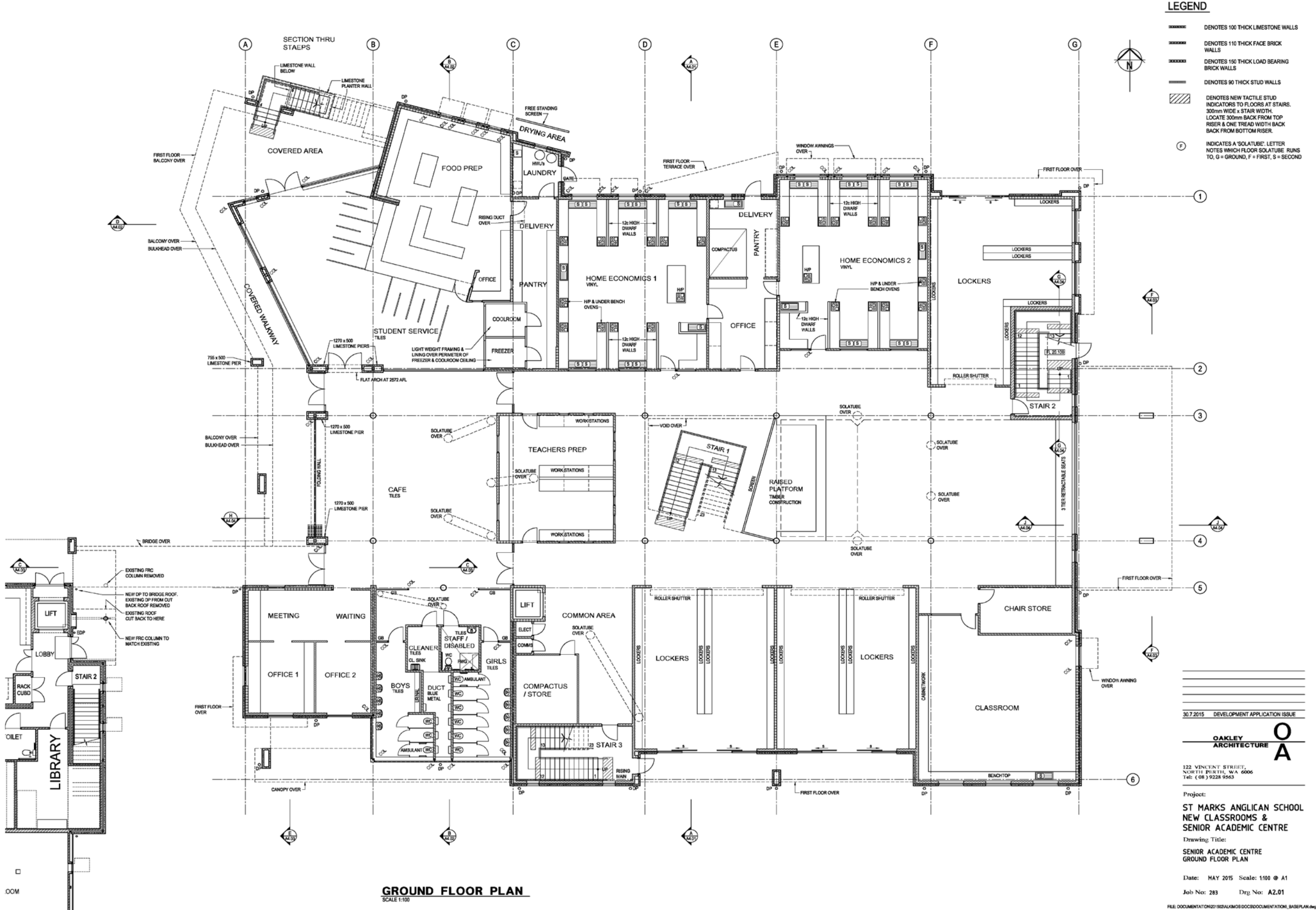
OVERALL SITE PLAN

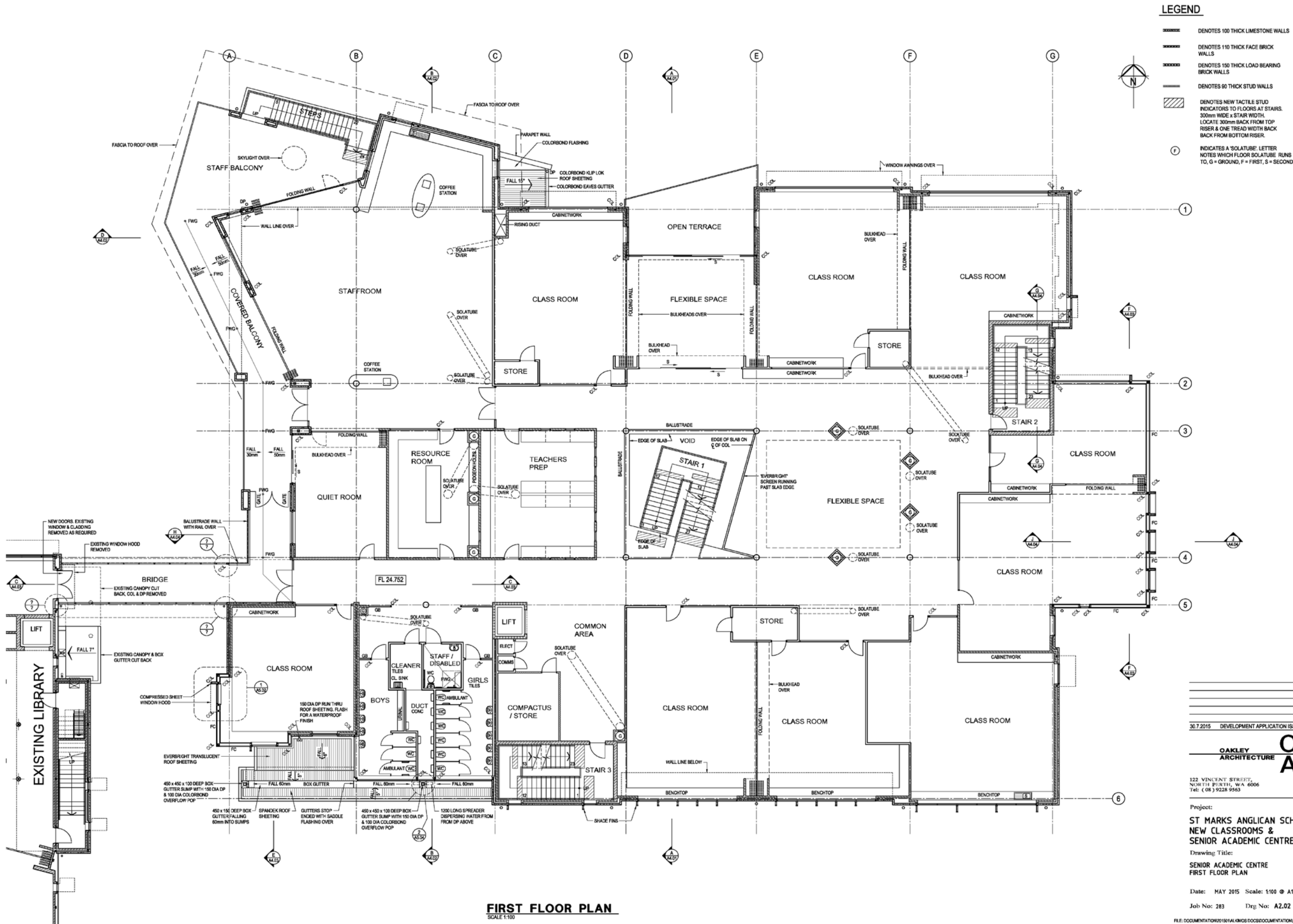
Date: JUNE 2015 Scale: 1:350 @ A1

Job No: 283 Drg No: A1.02

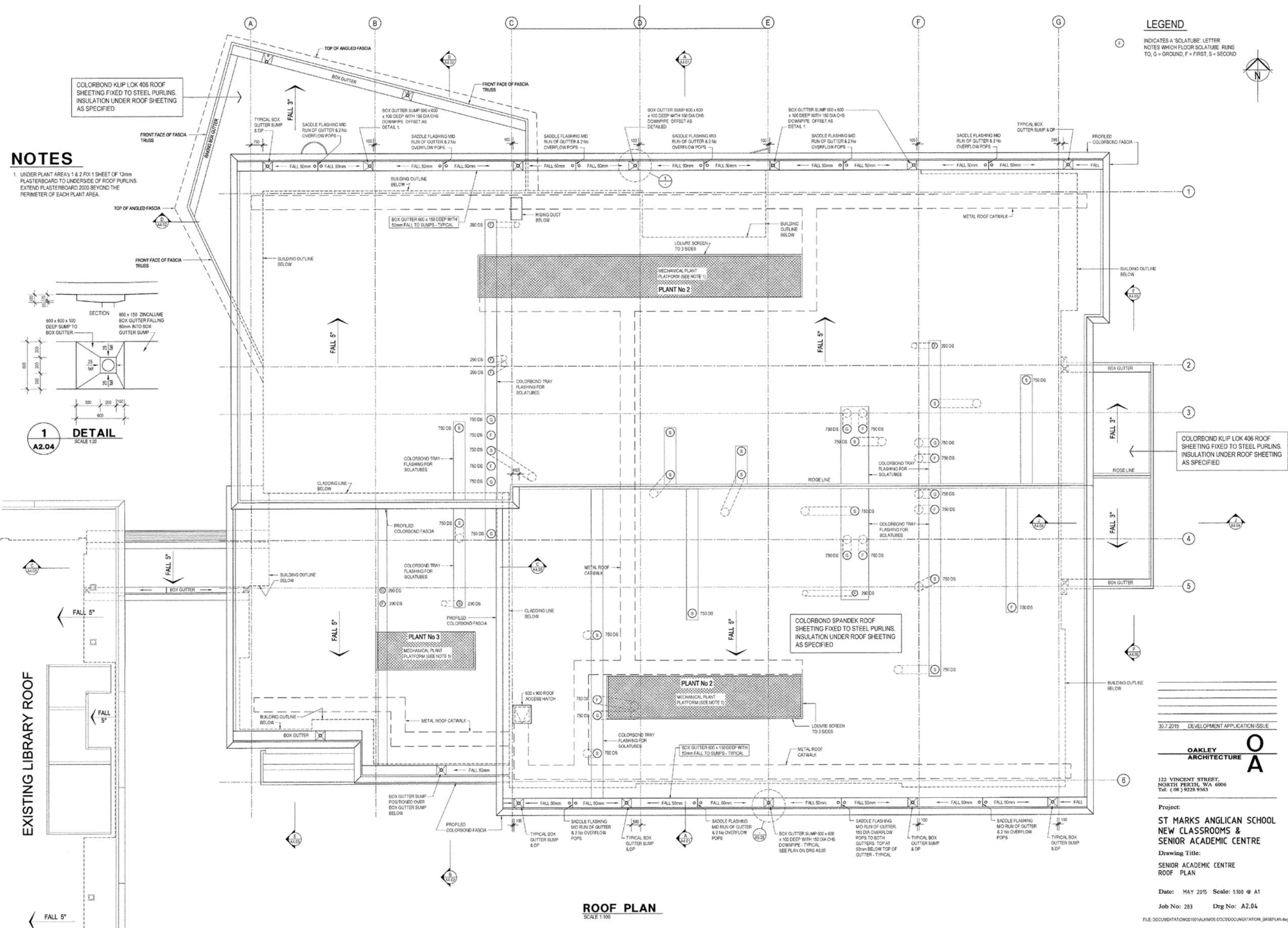
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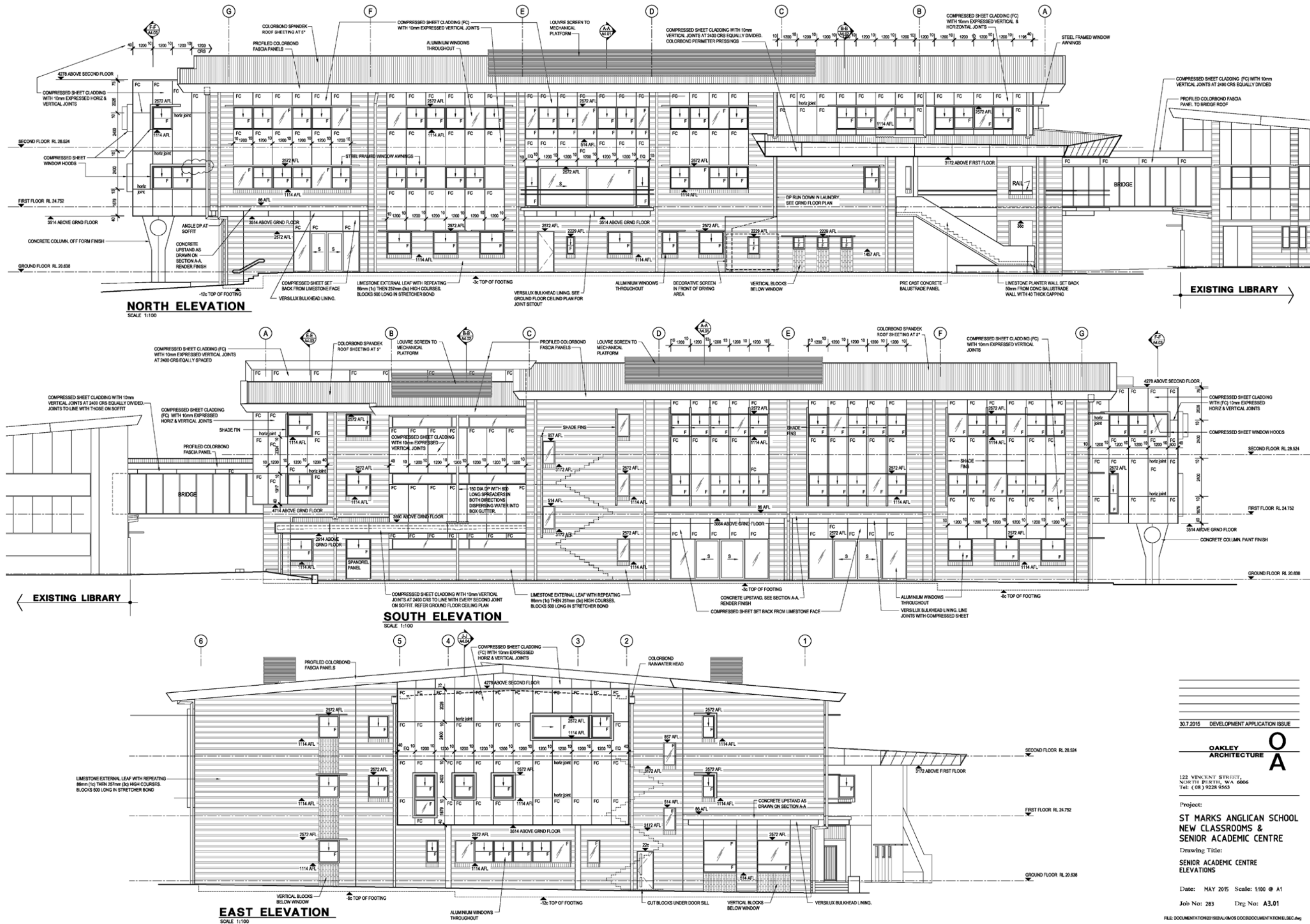












30.7.2015 DEVELOPMENT APPLICATION ISSUE

OAKLEY ARCHITECTURE

122 VINCENT STREET
NORTH BRIDGE, WA 6006
Tel: (08) 9228 9563

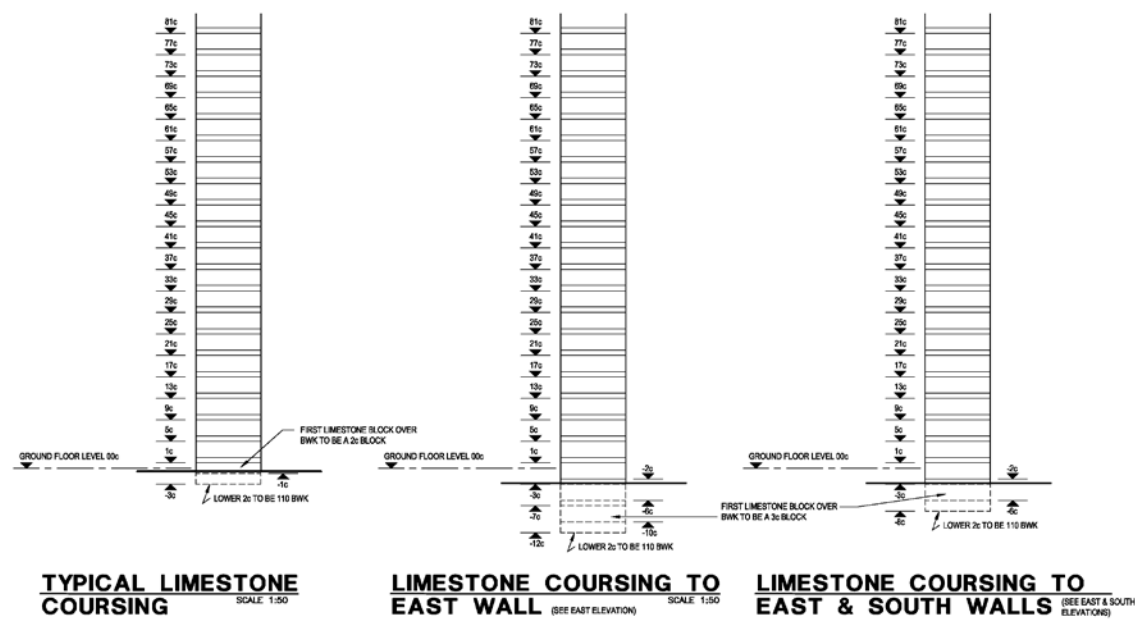
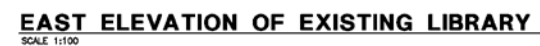
Project:
**ST MARKS ANGLICAN SCHOOL
NEW CLASSROOMS &
SENIOR ACADEMIC CENTRE**

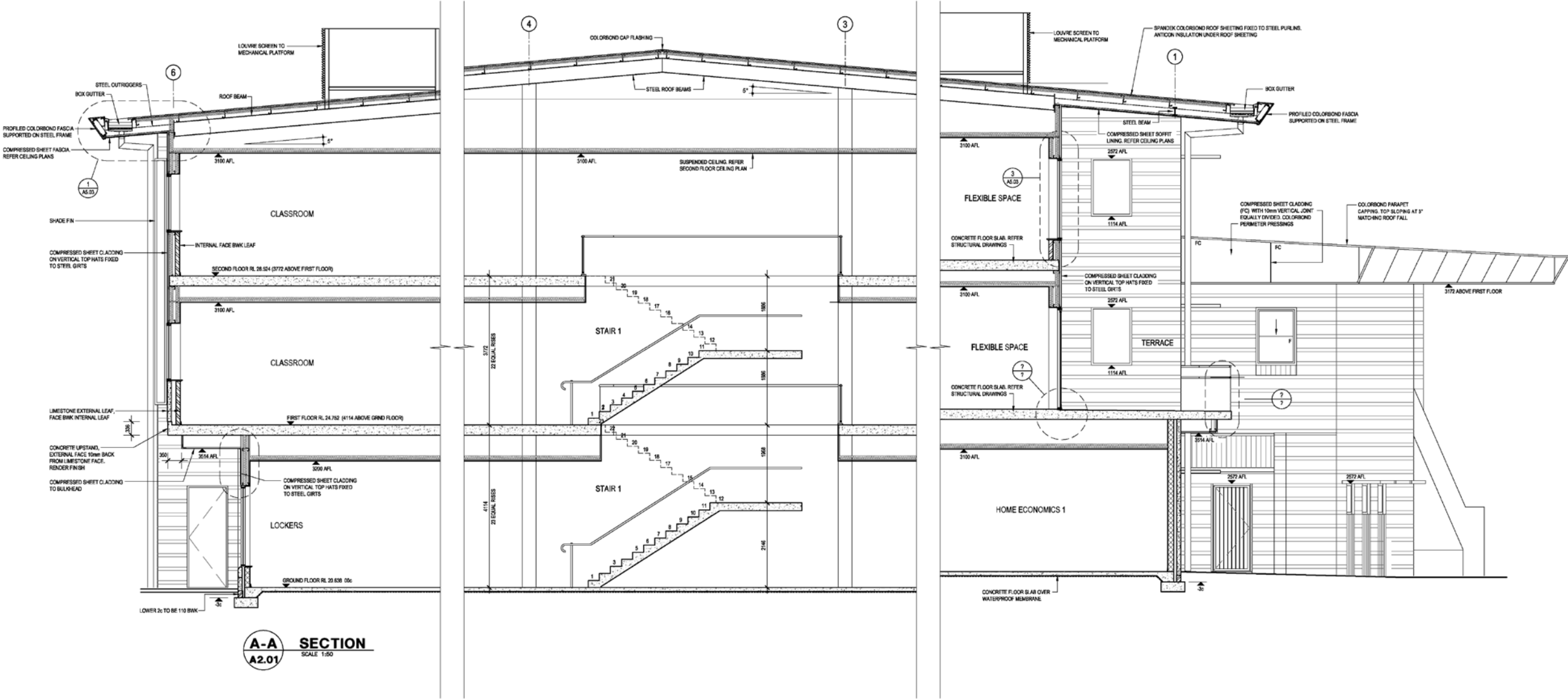
Drawing Title:
**SENIOR ACADEMIC CENTRE
ELEVATIONS**

Date: MAY 2015 Scale: 1:100 @ A1

Job No: 283 Dwg No: A3.01

FILE: DOCUMENTATION\2015\283\A3.01\A3.01\A3.01.dwg







View from the west



View from the west



View from the north



View from the north-east



View from the east



View from the south-east



View from south-west



Environmentally Sustainable Design – Checklist

Under the City's planning policy, *Environmentally Sustainable Design in the City of Joondalup*, the City encourages the integration of environmentally sustainable design principles into the construction of all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

Environmentally sustainable design is an approach that considers each building project from a 'whole-of-life' perspective, from the initial planning to eventual decommissioning. There are five fundamental principles of environmentally sustainable design, including: siting and structure design efficiency; energy efficiency; water efficiency; materials efficiency; and indoor air quality enhancement.

For detailed information on each of the items below, please refer to the *Your Home Technical Manual* at: www.yourhome.gov.au, and *Energy Smart Homes* at: www.clean.energy.wa.gov.au.

This checklist must be submitted with the planning application for all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

The City will seek to prioritise the assessment of your planning application and the associated building application if you can demonstrate that the development has been designed and assessed against a national recognised rating tool.

Please tick the boxes below that are applicable to your development.

Siting and structure design efficiency

Environmentally sustainable design seeks to affect siting and structure design efficiency through site selection, and passive solar design.

Does your development retain:

- ☒ existing vegetation; and/or
- ☒ natural landforms and topography

Does your development include:

- ☒ northerly orientation of daytime living/working areas with large windows, and minimal windows to the east and west
- ☒ passive shading of glass
- ☒ sufficient thermal mass in building materials for storing heat
- ☒ insulation and draught sealing
- ☒ floor plan zoning based on water and heating needs and the supply of hot water; and/or
- ☐ advanced glazing solutions

Energy efficiency

Environmentally sustainable design aims to reduce energy use through energy efficiency measures that can include the use of renewable energy and low energy technologies.

Do you intend to incorporate into your development:

- ☐ renewable energy technologies (e.g. photo-voltaic cells, wind generator system, etc); and/or
- ☒ low energy technologies (e.g. energy efficient lighting, energy efficient heating and cooling, etc); and/or
- ☒ natural and/or fan forced ventilation

Water efficiency

Environmentally sustainable design aims to reduce water use through effective water conservation measures and water recycling. This can include stormwater management, water reuse, rainwater tanks, and water efficient technologies.

Does your development include:

- ☐ water reuse system(s) (e.g. greywater reuse system); and/or
- ☐ rainwater tank(s)

Do you intend to incorporate into your development:

- ☒ water efficient technologies (e.g. dual-flush toilets, water efficient showerheads, etc)

Materials efficiency

Environmentally sustainable design aims to use materials efficiently in the construction of a building. Consideration is given to the lifecycle of materials and the processes adopted to extract, process and transport them to the site. Wherever possible, materials should be locally sourced and reused on-site.

Does your development make use of:

- ☐ recycled materials (e.g. recycled timber, recycled metal, etc)
- ☐ rapidly renewable materials (e.g. bamboo, cork, linoleum, etc); and/or
- ☐ recyclable materials (e.g. timber, glass, cork, etc)
- ☐ natural/living materials such as roof gardens and "green" or planted walls

Indoor air quality enhancement

Environmentally sustainable design aims to enhance the quality of air in buildings, by reducing volatile organic compounds (VOCs) and other air impurities such as microbial contaminants.

Do you intend to incorporate into your development:

- ☒ low-VOC products (e.g. paints, adhesives, carpet, etc)

'Green' Rating

Has your proposed development been designed and assessed against a nationally recognised "green" rating tool?

- ☐ Yes
- ☒ No

If yes, please indicate which tool was used and what rating your building will achieve:

If yes, please attach appropriate documentation to demonstrate this assessment.

If you have not incorporated or do not intend to incorporate any of the principles of environmentally sustainable design into your development, can you tell us why:

Is there anything else you wish to tell us about how you will be incorporating the principles of environmentally sustainable design into your development:

HYDRAULICS - 4.5/3 ltr smart flush pans, time flow taps with auto shut off, tap ware to be 'WELS', (water energy labelling system) Restrictor on shower heads. ELECTRICAL - motion detectors on lights with timers, LED light fittings when possible. MECHANICAL - All a/c on auto off timer, central management control, minimisation of outside airflow. ARCHITECTURAL - Use of shading devices over windows, insulation of both roof and ceilings, use of 'solar tubes' to provide natural light in internal spaces where possible. When you have checked off your checklist, sign below to verify you have included all the information necessary to determine your application.

Thank you for completing this checklist to ensure your application is processed as quickly as possible.

Applicant's Full Name: CHRIS OAKLEY
OAKLEY ARCHITECTURE

Contact Number: 9228 9563

Applicant's Signature: 

Date Submitted: 30.07.15.

Accepting Officer's Signature: _____

Checklist Issued: March 2011



Form 1 - Responsible Authority Report (Regulation 12)

Property Location:	Lot 28 (46) Angove Drive, Hillarys
Application Details:	Proposed three storey mixed use development
DAP Name:	Metro North-West JDAP
Applicant:	Harden Jones Architects
Owner:	Paltara Pty Ltd
LG Reference:	DA15/0253
Responsible Authority:	City of Joondalup
Authorising Officer:	Dale Page Director Planning and Community Development
Department of Planning File No:	DAP/15/00754
Report Date:	25 September 2015
Application Receipt Date:	12 March 2015
Application Process Days:	105 days
Attachment(s):	1. Location plan 2. Development plans 3. Building perspectives 4. City of Joondalup Environmentally Sustainable Design checklist 5. Transport statement

Officer Recommendation:

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 217/2015, resolves to:

Set aside its decision dated 6 July 2015 and **approves** DAP application reference DAP/15/00754 and amended plans as set out in Attachment 2 in accordance with Clause 6.9 of the *City of Joondalup District Planning Scheme No. 2*, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. A Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:
 - (a) all forward works for the site;
 - (b) the delivery of materials and equipment to the site;
 - (c) the storage of materials and equipment on the site;
 - (d) the parking arrangements for the contractors and subcontractors;
 - (e) the management of sand and dust during the construction process;

(f) the management of noise during the construction process; and
(g) other matters likely to impact on the surrounding properties.

3. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development.
4. An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of development.
5. The off-street car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
6. The on-street car parking bays and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for On-street Car Parking (AS/NZS2890.5 1993) and other applicable Australian Standards and Austroads guidelines to the satisfaction of the City, prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
7. The construction of the pedestrian footpaths within the Angove Drive and Mallorca Avenue road reserves is required prior to the development first being occupied.
8. Further to conditions 6 and 7 above, detailed plans showing the proposed works in the road reserve, including construction of the pedestrian footpaths and on-street car bays, are to be submitted to and approved by the City prior to commencement of development. All costs associated with the proposed construction of the pedestrian footpath and car bays within the Angove Drive and Mallorca Avenue road reserves shall be at the expense of the applicant. All works are to be completed to the satisfaction of the City prior to the development first being occupied.
9. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.

10. All external walls of the proposed buildings shall be of a clean finish, and shall at all times be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
11. All development shall be contained within the property boundaries.
12. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - Provide all details relating to paving, treatment of verges and tree planting in the car park;
 - Show spot levels and/or contours of the site;
 - Be based on water sensitive urban design principles to the satisfaction of the City;
 - Be based on Designing out Crime principles to the satisfaction of the City; and
 - Show all irrigation design details.
13. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
14. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
15. A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of development, and approved by the City prior to the development first being occupied. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
16. Lighting shall be installed along all car parking areas, communal open space areas, pedestrian pathways and in all common service areas prior to the development first being occupied, to the satisfaction of the City. A lighting plan shall be submitted to the City for approval prior to the commencement of development.
17. Visitor car parking spaces shall be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the City.

Advice Notes

1. Where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.

2. The tenancy indicated as 'Office' on the approved plans is approved as an 'Office' as defined by the City of Joondalup District Planning Scheme No. 2.
3. The City of Joondalup District Planning Scheme No. 2 defines 'Office' as *"any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres."*
4. The tenancy indicated as 'Shop' on the approved plans is approved as a 'Shop' as defined by the City of Joondalup District Planning Scheme No. 2.
5. The City of Joondalup District Planning Scheme No. 2 defines 'Shop' as *"premises where goods are kept exposed or offered for sale by retail or hire, but the term does not include a Showroom, Drive Through Food Outlet or a Restricted Premises."*
6. The tenancy indicated as 'Cafe' on the approved plans is approved as a 'Restaurant' as defined by the City of Joondalup District Planning Scheme No. 2.
7. The City of Joondalup District Planning Scheme No. 2 defines 'Restaurant' as *"premises where the predominant use is the preparation of food for sale and consumption within the building or portion thereof. The expression may include the sale of food for consumption off the premises, where Council is of the opinion that it is incidental to the business. The term may include an outdoor eating area which shall be treated as being within the building of the Restaurant. The expression excludes Drive Through Food Outlets."*
8. The units on the ground and first floor of the development are approved as 'Multiple Dwellings' as defined by the Residential Design Codes of WA.
9. The Residential Design Codes of WA defines a 'Multiple Dwelling' as *"a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:*
 - *does not include a grouped dwelling; and*
 - *includes any dwellings above the ground floor in a mixed use development."*
10. Food business premises to comply with the requirements of the *Food Act 2008*.
11. Laundry facilities to be provided in residential units, in accordance with the City of Joondalup *Health Local Law 1999*.
12. The use of conventional dryers within laundry areas should be prohibited. Condensation dryers should instead be provided to reduce the risk of

mould growths, which are commonly associated with multi-residential developments.

13. Applicant to comply with the *Health (Aquatic Facilities) Regulations 2007*.

Background:

Property Address:	Lot 28 (46) Angove Drive, Hillarys
Zoning MRS:	Urban
TPS:	Urban Development
Use Class:	Multiple Dwellings – ‘D’ Use Restaurant – ‘D’ Use Shop – ‘D’ Use Office – ‘P’ Use
Strategy Policy:	N/A
Development Scheme:	<i>City of Joondalup District Planning Scheme No. 2 (DPS2)</i>
Lot Size:	2129m ²
Existing Land Use:	Vacant
Value of Development:	\$6 million

This report is for the reconsideration of an application for a three storey mixed use development on Lot 28 (46) Angove Drive, Hillarys.

The subject site is located on the south-eastern corner of the intersection of Angove Drive and Whitfords Avenue, Hillarys. The surrounding areas to the north, east and south of the site are made up of low density, privately owned residential lots (Attachment 1 refers).

The site is zoned ‘Urban’ under the *Metropolitan Region Scheme* (MRS) and ‘Urban Development’ under the City’s *District Planning Scheme No. 2 (DPS2)* and is subject to the development provisions of the *Hillarys Structure Plan* (HSP) and the *Residential Design Codes of Western Australia* (R-Codes).

The site, which is currently vacant, was designated ‘Mixed Use’ under the Structure Plan in 2001, when Council resolved to amend the HSP for this purpose.

The Structure Plan area consists primarily of residential development at various scales and densities, with two sites designated for mixed use developments, the subject site being the smaller of the two.

The Metro North-West Joint Development Assessment (JDAP) previously considered the application for this development at its meeting held on 6 July 2015 and resolved to defer the application for the following reasons:

- 1 *Before considering the application for planning approval, the advertising period is required to have ended pursuant to subclause 6.7.2 of the City’s District Planning Scheme No. 2 and due consideration given to submissions lodged in accordance with the notice.*
- 2 *To allow the applicant and the City an opportunity to discuss and consider, at a minimum:*
 - 1 *the relocation of south-west commercial tenancy;*

- 2 *relocation of the entrance(s) to the commercial tenancies;*
- 3 *improving access to visitor parking;*
- 4 *the location of the east wing;*
- 5 *increasing the setbacks for the proposed development to reduce impact on neighbours;*
- 6 *relocation of service equipment or treatment of service equipment to reduce impact on neighbours;*
- 7 *overshadowing concerns particularly on the south-east boundary;*
- 8 *increasing the provision of open space.*

The applicant subsequently sought a review of this decision through the State Administrative Tribunal (SAT), and through this process has made revisions to the proposal which are the subject of this report.

Amendment No. 65

Scheme Amendment No. 65 proposes to make changes to DPS2. These changes are intended to improve the operation of DPS2 by updating and modernising standards; correcting minor deficiencies and anomalies; and introducing provisions which will provide clarity and certainty for applicants and decision makers. In relation to this development, it is noted that the car parking standard for 'Office' and 'Shop' is proposed to be modified.

As the amendment has been adopted by Council at its meeting held on 25 June 2013 and forwarded to the Department of Planning, it has been given due regard during the assessment of this application as a 'seriously entertained planning proposal'.

Joondalup Design Reference Panel

This application was referred to the Joondalup Design Reference Panel (JDRP) on 17 April 2015.

The purpose of the JDRP is to provide advice on the design of development with a particular focus on the impact of buildings on the streetscape and the environmentally sustainable design features. Council at its meeting held on 24 June 2014 adopted amendments to the Terms of Reference for the JDRP which extended the requirement for applications determined by the JDAP to be referred to the JDRP where they relate to new commercial development or major additions to existing development that impact on the streetscape.

The advice received is discussed further in the planning assessment section of this report.

Details: outline of development application

An application for a two storey mixed-use development at Lot 28 (46) Angove Drive, Hillarys was received by the City on 12 March 2015.

The application has gone through several amendments and, as an outcome of the SAT process, revised plans have been submitted proposing a three storey mixed-use development. Details of the revised development are outlined below and development plans and building perspectives are provided as Attachments 2 and 3 to this report.

- 18 multiple dwellings located on the ground, first and second floor of the building. The configuration of these multiple dwellings is as follows:
 - One dwelling in a one bedroom configuration.
 - Five dwellings in a two bedroom configuration.
 - Twelve dwellings in a three bedroom configuration.

Each dwelling has a contiguous balcony and a storeroom which is either accessed from outside the apartment, or located within the basement.

- Three commercial tenancies located on the ground floor, consisting of:
 - One office with a total Net Lettable Area (NLA) of 100m².
 - One restaurant with a total NLA of 138m².
 - One shop with a total NLA of 100m².
- An internal landscaped courtyard with spa and lap pool located on the ground floor.
- Two separate internal bin stores located in the basement for use by the dwellings and commercial tenancies respectively.
- 54 car bays accessible from Mallorca Avenue and located within a basement.
- Three parallel car bays located in the Mallorca Avenue verge.
- Eight parallel car bays located in the Angove Drive verge.

As part of the application, the applicant supplied a transport statement which provides an assessment of the impacts associated with parking and traffic generation from the development (Attachment 5 refers).

Legislation & policy:

Legislation

- *Planning and Development Act 2005*
- *Metropolitan Region Scheme (MRS)*
- *City of Joondalup District Planning Scheme No. 2 (DPS2)*
- *Hillarys Structure Plan (HSP)*

State Government Policies

- *Residential Design Codes of Western Australia (State Planning Policy 3.1) (R-Codes).*

Local Policies:

Environmentally Sustainable Design Policy

This policy applies to the construction of major residential, commercial and mixed use buildings. The purpose of the policy is to encourage inclusion of environmentally sustainable principles into the building design. The policy also requires applicants to complete the City's Environmentally Sustainable Design Checklist.

The checklist for the proposed development is provided as Attachment 4.

Consultation:

Public Consultation

The original proposal was advertised for a period of 21 days from 11 June 2015 to 2 July 2015, with a total of 40 submissions received. The advertising was carried out by way of letters sent directly to neighbouring properties, a sign erected on-site and a notice published in the local newspaper to alert all surrounding residents to the proposed development.

The submissions received raised the following key issues on the proposal:

- The number of units proposed is inappropriate and a less intense form of development should occur on the site.
- The development should not be mixed use, but residential only.
- The development will cause problems in terms of parking and traffic, with a high probability of traffic accidents and pedestrian risk from casual parking for visitors to the site.
- The parking for the public facilities and visitors to the residential apartments is insufficient.
- The location and length of the proposed parapet wall will lead to excessive bulk on adjoining properties.
- The proposed development will adversely impact on the privacy of neighbours.
- The proposal will adversely impact on natural light (overshadowing) to adjoining residences.
- Bin collection and waste management has not been properly considered or provided for.
- Laundry facilities have not been provided as part of the development.
- Development will result in adverse noise and amenity impacts to nearby residences.
- The development is of a bland design and is not compatible with the surrounding existing homes.

The amended proposal which is the subject of this report was not readvertised as the changes were not considered to have greater impact on nearby landowners and occupiers than the previous proposal did. The concerns raised in the submissions are discussed in the planning assessment section below.

Consultation with other Agencies or Consultants

The application was not required to be referred to any other agency or consultant.

Planning assessment:

The application has been assessed in accordance with the provisions of DPS2, the HSP and Part 6 of the R-Codes, which relates to multiple dwellings in areas coded R30 or higher.

The table below identifies the variations and discretions previously advertised that have since been removed or lessened with the revised plans.

Discretions to the HSP and R-Codes previously advertised.	Proposed amendments which remove or reduce these previous discretions.
Minimum rear building setback of 4.277 metres. The HSP requires a minimum setback of six metres.	The ground and first floor units originally located adjacent to Lot 365 have been relocated in order to increase the setback of the development to the south-eastern boundary. In shifting these units, the setback of the building to the rear boundary has also been increased to be a minimum of 5.5 metres.
Pool equipment and common services abut common boundary with southern residential properties.	Utility areas have now been relocated to the centre of the site, away from the adjoining neighbouring properties.
Lack of continuity in façade architecture.	The north-eastern and north-western façades have been amended to provide terraces, balconies and window screens that front the road reserve, thereby increasing the continuity of the façade architecture throughout the development.
Open space provision of 30.3%. The deemed-to-comply requirements of the R-Codes require an open space provision of 45%.	The development has been set further back from the south-eastern and rear boundaries, enabling a greater amount of open space to be provided around the building. The application now seeks an open space provision of 31.5%.
Privacy setback of 3.62 metres from the Unit 7 balcony to the south-eastern boundary. Privacy setback of 3.62 metres from the Unit 17 balcony to the south-eastern boundary. The deemed-to-comply requirements of the R-Codes require a privacy setback of 7.5 metres from the balconies to the south-eastern boundary.	The openings have been removed from the walls of the south-eastern elevations of the balconies to ensure that privacy is maintained between the subject site and the adjoining properties to the south. This aspect of the development now complies.
Overshadowing of 29% of the adjoining lot to the south and 21% of the adjoining lot to the south-east. The deemed-to-comply requirements of the R-Codes require a maximum overshadowing of 25% of the adjoining lots.	As a means of reducing overshadowing and bulk to the adjoining properties to the south, the development has now been set further back from the south-eastern boundary. Additionally, the length and height of proposed parapet wall along this boundary has been reduced. This has significantly reduced the amount of

	overshadowing to the adjoining lots, with the proposal now resulting in only 16% and 17% respectively of overshadowing of the adjoining lots to the south and south-east.
Nil one bedroom dwelling provided as studies could potentially be used as an extra bedroom.	A one bedroom dwelling, without a study, has now been provided on the ground floor of the development.

Land Use Assessment

The subject site is located in the 'Mixed Use' precinct of the HSP where, for the most part, the land use permissibility is as per the 'Mixed Use' zone in DPS2.

Many submitters have raised concerns about the development of the site for non-residential uses and the number of multiple dwellings proposed.

All the uses proposed are permissible. The land use 'Office' is a permitted ("P") use. The land uses 'Multiple Dwelling' and 'Restaurant' are discretionary 'D' uses. The land use 'Shop' may be approved provided it meets the procedure laid down by clause 6.6.2 of DPS2, which entails advertising the proposal if considered necessary by the City.

Due regard is required to be given to clause 6.8 of DPS2 and the objectives of the 'Mixed Use' precinct in determining whether these uses are appropriate given the locality. This includes having due regard to the interests of orderly and proper planning, the preservation of the amenity of the relevant locality, submissions by the applicant and comments or wishes of any objectors to or supporters of the application.

The general objectives intended for the 'Mixed Use' precinct are:

- a) *Encourage a diversity of land uses and a diversity of housing types;*
- b) *Emphasise the landmark significance of the site on the corner of Hepburn Ave/Whitfords Ave as an active focus for the community by means of associated commercial uses;*
- c) *Maintain a high level of pedestrian amenity; and,*
- d) *To encourage development which is human in scale and which provides an interesting and pedestrian friendly streetscape.*

The R-Code approved for the site makes provision for the development of multiple dwellings and the development of multiple dwellings will provide a greater diversity of housing types in the area. Further to this, the restaurant component of the development will contribute to the diversity of land uses provided. Given the size of the site and its close proximity to natural amenities, existing infrastructure and nearby services, the site presents a good location to provide the opportunity for a range of uses including multiple dwellings and a restaurant.

Footpaths are proposed to be incorporated surrounding the development along with substantial amounts of verge landscaping which will provide an attractive setting for the development and allow for pedestrian interaction, particularly with the commercial component of the development. The restaurant, office and shop will be largely accessed by residents of the complex and surrounding Harbour Rise Area. As such,

it has been ensured that a high degree of pedestrian amenity is maintained. Further to this, bicycle parking has been provided within the basement to further facilitate usage by local residents.

Hillarys Structure Plan

The following table outlines those aspects of the development that do not strictly comply with the provisions of the HSP.

Criteria	Proposed
Minimum rear building setback of six metres.	Minimum rear building setback of 5.5 metres from the eastern corner of the building.
Building heights should be a minimum and maximum height of two storeys.	Minimum building height of one storey along the south-eastern and north-eastern boundaries of the site. Maximum building height of three storeys along the corner of Whitfords Avenue and Angove Drive.
Car parking requirements in accordance with the scheme.	See car parking table below.
Buildings designed to have active frontages with no blank facades facing the street or public open space. Public frontages should have continuous awnings and/or colonnades to give pedestrian protection.	No continuous awnings and/or colonnades to give pedestrian protection along the north-western elevation adjacent to Angove Drive.

Building Setbacks

The majority of the rear setback meets the six metre setback requirement. However, as a portion of the boundary angles inwards towards the development, the eastern corner of the building will be setback at a minimum of 5.5 metres for a distance of two metres and a percentage of 5.5% of the boundary. With the provision of a wide landscaping strip and a mature tree to this corner of the building, the reduced setback will not be highly discernible to the surrounding residential properties and is, therefore, considered acceptable.

Building Height

It is acknowledged that the HSP limits the height of the development to two storeys. However, the applicant is now seeking a variation to the HSP to allow for a third storey fronting the Whitfords Avenue and Angove Drive corner of the site. The development is kept to one and two storeys elsewhere on the site where it fronts existing residential development.

The JDRP provided comments on the original proposal stating that the shop front façade along the corner of Whitfords Avenue and Angove Drive was fairly basic given its location on a prominent corner. The Panel emphasised that the development should be redesigned to create a greater landmark quality to this corner and recommended that the building height be increased in this location.

In response to these comments, the applicant is now proposing an extra storey along this corner and part of the Whitfords Avenue and Angove Drive frontages. The provision of a third storey has allowed the applicant to reconfigure the design of the development and reposition two of the second storey units away from the south-eastern boundary of the site. As a result, the development's setbacks to the south-eastern boundary have been increased. The development is now one storey in height to this boundary, with two storeys fronting the rear of the site. These changes provide a transition between the existing residential development in the surrounding area and the three storey component of the development.

These amendments also serve to address concerns raised by the surrounding residents on the impacts of overshadowing and bulk from the nil setback of the development to the south-eastern boundary. It also addresses the recommendations of the JDAP to relocate the south-west commercial tenancy and increase the setbacks for the proposed development to reduce impact on neighbours.

Due to its location away from the surrounding dwellings, the extra storey will have no impact in terms of building bulk or overshadowing on neighbouring properties. Further to this, it is considered that the development has many design attributes that respond sensitively to the surrounding residential dwellings and streetscape. The revised plans included design treatments which architecturally moderate the visual impact of the building and help remove the appearance of a continuous wall along the street boundaries. There is now stronger definition between units and the facade treatments, along with the landscaping proposed, and this will ensure that the development provides an interesting and pedestrian friendly streetscape.

Continuous Awnings

The Structure Plan requires that the buildings are designed to have active frontages and to provide awnings or colonnades to provide pedestrian shelter.

Shelter is provided within the internal circulation of the development where customers will access the development from the basement car park. The upper floor balconies protrude outwards over the commercial tenancy walls along Whitfords Avenue and Angove Drive and, as such, will provide pedestrian shelter along these frontages.

Shelter in the form of colonnades or awnings is not provided along the Angove Drive façade of the residential part of the building. However, it is considered that the provision of mature trees along the verge will provide sufficient pedestrian shelter and serve to soften the appearance of the building as seen from the street. Further to this, the main pedestrian path is located several metres away from this façade and would, therefore, not benefit from the provision of awnings or colonnades along the building's north-western elevation.

Car Parking

Revised plans submitted for the application now result in the application meeting all the requirements of DPS2, with the exception of car parking. Car parking for the site is required to be calculated using the DPS2 car parking standards for the commercial tenancies of the site and the R-Codes standards for the residential component.

As detailed in the table below, under DPS2 and the R-Codes there is a shortfall of 3 car bays on-site and under Amendment No. 65 a surplus of one bay.

Use Class	Number of on-site parking bays required under DPS2/R-Codes	Number of on-site parking bays required under Omnibus/R-Codes	Number of on-site parking bays provided
Office (100m ²)	3.3 bays (1 per 30m ² NLA)	2 bays (1 per 50m ²)	18 bays (+8 on-street)
Shop (100m ²)	7 bays (7 per 100m ² NLA)	5 bays (5 per 100m ²)	
Restaurant (95m ² of dining area)	19 bays (Greater of 1 per 5m ² of dining room or 1 per 4 guests)	19 bays (Greater of 1 per 5m ² of dining room or 1 per 4 guests)	
Subtotal	29.3	26	18 bays (+8 on-street)
Multiple Dwellings	22.25 bays	22.25 bays	34 bays
Visitor bays	4.5 bays	4.5 bays	2 bays (+3 on-street)
Total	56.05 (57)	52.75 (53)	54 bays

The application also proposes to provide 11 on-street bays (eight on Angove Drive and three on Mallorca Avenue), resulting in a total of 65 bays capable of use for the site. This will effectively provide an additional eight bays when compared to the minimum parking amount required by DPS2.

It is noted that only 18 of the 54 basement parking bays are for use by the commercial tenancies. However, given the provision of the eight on-street car bays on Angove Drive, it is considered that 26 bays will actually be provided for the commercial tenancies, resulting in adequate parking for this aspect of the development under Amendment No. 65. As such, the provision of parking for the commercial tenancies is considered appropriate in this instance.

The R-Codes require the provision of five visitor bays for the 18 multiple dwellings. The application originally proposed five right angled bays along Mallorca Avenue in order to accommodate this requirement. However, concerns were raised from surrounding residents on the location and configuration of these bays and potential vehicle obstruction. In response to these concerns, revised plans were received as a result of the SAT process proposing three parallel bays as an alternative and moving two of the required visitor bays to the basement.

The development also provides for 10 bicycle bays in the basement, which exceeds the eight bicycle bays required by the deemed-to-comply provisions of the R-Codes.

R-Codes Assessment

The application initially sought a greater level of discretion under the R-Codes. This included a maximum overshadowing area of 38% of the adjoining lot to the south and

a lack of pedestrian paths providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas.

Throughout the SAT process discussions were held with the applicant to alleviate the potential impact of the development on the surrounding residential properties and address the points raised by the JDAP. As a result of these discussions, the development has been amended to ensure that overshadowing to the south-eastern residential properties now complies. Utility areas have also been relocated to ensure that pool equipment and common services no longer abut the common boundary with the southern residential properties. The south-west commercial tenancy has also been relocated so that it no longer abuts the adjoining residential property and the entrances to the commercial tenancies are more clearly defined. Further to this, pedestrian paths allowing for wheelchair accessibility to the entry of the building have now been provided.

However, several aspects of the proposed development do not meet the deemed-to-comply requirements of the R-Codes and therefore require discretion to be exercised against the corresponding design principles, as indicated in the table below.

Clause	Deemed-to-Comply	Proposed
6.1.2	Maximum wall height of nine metres. Maximum ridge height of 12 metres.	Maximum wall height of 10.5 metres along the north-western (Angove Drive) elevation. Maximum ridge height of 14.5 metres along the north-western (Angove Drive) elevation.
6.1.5	Open space provision of 45%.	Open space provision of 31.5%.
6.3.4	Visitor bays located close to or visible from the point of entry to the development.	Visitor bays not located close to or visible from the point of entry to the development, with two located in the basement and three provided on-street along Mallorca Avenue.
6.4.3	Minimum 20% of one bedroom dwellings provided. Minimum of 40% of two bedroom dwellings provided.	5.5% one bedroom dwellings provided. 27.7% two bedroom dwellings provided.
6.4.6	An enclosed, lockable storage area with a minimum dimension of 1.5 metres and an internal area of at least 4m ² .	Enclosed, lockable storage areas with a minimum dimension of 1.25 metres and an internal area of 2.8m ² .

Residential Design Codes Element 6.1.1 Building Height

The deemed-to-comply requirements of the R-Codes stipulate a maximum wall height of nine metres and maximum ridge height of 12 metres for areas coded R50. However, the proposed development seeks approval for a maximum wall height of 10.5 metres and a maximum ridge height of 14.5 metres along the north-western elevation of the building (Angove Drive). As such, the development has been assessed under the corresponding design principles which state:

“Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:

- *Adequate access to direct sun into buildings and appurtenant open spaces;*
- *Adequate daylight to major openings into habitable rooms;*
- *Access to views of significance;*
- *Buildings present a human scale for pedestrians;*
- *Building facades designed to reduce the perception of height through design measures; and*
- *Podium style development is provided where appropriate.”*

As the maximum wall and ridge heights are located adjacent to Angove Drive and Whitfords Avenue, the additional height will not have impact on Mallorca Avenue or the southern residential properties. Further to this, the residential properties located opposite the site on Angove Drive, where the roof ridge is at its highest, do not front Angove Drive and are separated from the site by the road reserve, mature vegetation within the verge and rear fencing. These properties have their rear boundaries located opposite the site and will not have clear views to the development.

The increased height of the proposed building is not considered to have an undue impact on access to sunlight of the building or adjoining properties. The location and orientation of the increased wall and roof ridge height ensures that no properties will be affected by additional overshadowing. Furthermore, overshadowing to the southern sites complies with clause 6.4.2 (solar access for adjoining sites) as a maximum of 17% and 16% respectively of the two adjoining lots will be in shadow at midday 21 June.

The development will still promote consistency in height with the surrounding locality as, for the most part, the one and two storey aspects of the development are located adjacent to the existing neighbouring dwellings. This provides a transition to the third storey component of the building. The explanatory guidelines of the R-Codes make it clear that additional height on corner lots is appropriate where this height is concentrated on the corner and appropriately designed.

The provision of balconies and terraces along the facades of the building help to break up the different storeys and ensure a human scale for pedestrians is maintained. These balconies, large panels of glass, louvres and glass balustrades are all important design measures that reduce the perception of height and provide depth and modulation to the built form. This, along with landscaping in the verge, will also ensure that the development has no impact on the amenity of the existing road reserve.

As such, the additional height is considered to respect the neighbouring sites and streetscape and is suitable given the location of the development on a prominent corner lot.

Residential Design Codes Element 6.1.5 Open Space

The deemed-to-comply requirements indicate an open space provision of 45%. The proposed development will have an open space provision of 31.5%. As such, the application has been assessed under the relevant design principle which states the following:

“Open space respects existing or preferred neighbourhood character and responds to the features of the site.”

It is considered that the development responds to the features of the site. It provides for the needs of residents in terms of open space, dedicating a large pool and courtyard area for the amenity of residents in the south-eastern corner of the site. This will provide a space for active and passive recreation and allow access to direct sun for all the residents. The proposal also incorporates a large portion of usable, covered space in the form of courtyards and balconies, which, based on the definition of open space, cannot be included in the calculation. The development will also provide ample space for access and car parking.

While a nil setback is permitted to the south-eastern boundary, the middle of this boundary is taken up by the communal outdoor living area. This reduces the dominance of the built form to the south-eastern boundary. Additionally, the six metre and 5.5 metre rear setbacks to the rear boundary will accommodate a large landscaped area with mature trees. These areas will maintain an open, landscaped feel to the adjoining properties to the south-east and along Mallorca Avenue, thereby contributing to the suburban character of the location. Further to this, the development will be a maximum of two storeys in height where surrounding residential properties front the site. It also incorporates a pitched roof design to ensure that the character of the building is compatible with neighbouring buildings, in keeping with the requirements of the HSP. Additionally, it is noted that the HSP permits the surrounding residential dwellings to only have an open space provision of 35%.

It is important to note that increasing the amount of open space would not necessarily change the built form outcome of the development, as it could be concentrated in the centre of the site and enclosed by buildings. As such, the presentation of the development to the street and neighbouring properties would not necessarily change. The impacts of reduced open space are mainly internal to the site. Given that a large communal area has been provided, along with private balconies and terraces, it is considered that sufficient useable open space has been provided for the residents of the development.

Residential Design Codes Element 6.3.4 Design of Car Parking Spaces

The deemed-to-comply requirements of this clause require visitor car parking spaces to be located close to or visible from the point of entry to the building. However, the proposed visitor car parking spaces are located in the basement and at the rear of the site, away from the main entry point. As such, the application has been assessed under the relevant design principle which states the following:

“Car, cycle and other parking facilities are to be designed and located on-site to be conveniently accessed, secure, and consistent with the streetscape and appropriately manage storm water to protect the environment”

The location of the visitor parking on Mallorca Avenue is conveniently accessible and consistent with the streetscape, with the provision of parallel bays matching the existing public parking provided along Curacao Lane. The applicant originally proposed five right angled car bays to be used by visitors. The reduction to three bays and having these provided in a parallel arrangement reduces the amount of hard surface area. This helps with the management of storm water and enables a

large area of landscaping to be provided, softening views of the development from the street.

Residential Design Codes Element 6.4.3 Dwelling Size

The deemed-to-comply requirements of this clause require the development to contain a minimum 20 per cent one bedroom dwellings and a minimum of 40 per cent two bedroom dwellings. However, the proposal only incorporates 5.5% one bedroom dwellings and 27.7% two bedroom dwellings. As such, the application has been assessed under the relevant design principle which states the following:

“Each dwelling within the development is of a sufficient size to cater for the needs of the residents. The development must provide diversity in dwellings to ensure that a range of types and sizes is provided”

As the minimum dwelling size of 59m² is 19m² greater than the minimum dwelling size permitted by the deemed-to-comply requirements of this clause, it is considered that the dwellings are of a sufficient size to cater for the needs of the residents.

The development provides diversity in dwellings, proposing a range of different sizes and bedroom numbers. Additionally, this style of housing is not readily available within the area and the provision of a variety of one, two and three bedroom apartments in an area largely dominated by residential housing with multiple bedrooms ensures a greater range of housing types and sizes is provided in the area.

Residential Design Codes Element 6.4.6 Utilities and Facilities

The minimum dimension of a storeroom is prescribed to be 1.5 metres with a minimum internal area of 4m², as per the deemed-to-comply requirements of the R-Codes. However, a minimum dimension of 1.25 metres and an internal area of 2.8m² have been provided for some of the dwellings. Thus, the development requires assessment against the relevant design principles, which state:

“External location of storeroom, rubbish collection/bin areas, and clothes drying areas where these are:

- *Convenient for residents;*
- *Rubbish collection areas which can be accessed by service vehicles;*
- *Screened from view; and*
- *Able to be secured and managed.”*

The development proposes to provide 14 storerooms within the basement in accordance with the minimum dimensions required by the clause. Five of the dwellings have been provided with storerooms located adjacent to each dwelling. While these storerooms are slightly smaller, they are convenient for the residents and can still be secured and managed. They are also located internal to the lot and will, therefore, not be visible from the street.

Joondalup Design Reference Panel (JDRP):

The JDRP met on 17 April 2015 to discuss the proposal. Overall the JDRP was supportive of the proposed development but did raise several concerns, particularly in regard to the design of the building.

The key points raised by the panel and the City's response are provided below:

- *The relationship between the commercial and residential is not well addressed. Architecturally, it is poorly integrated and appears to lack a linkage between the two uses.*

The Panel stated that the north western corner was a lost opportunity. The Panel felt that the shop front looked basic and queried the look of the signage in this area. The Panel recommended that this corner should be looked at in more detail and that one option could be to raise the level of the cafe in order to accommodate another unit in this location.

The potential of the Whitfords Avenue and Angove Drive corner to accommodate further height and a stronger design to accentuate the corner was also raised by the JDAP. In order to address the corner façade, the applicant submitted amended plans during the SAT process proposing three storeys at the corner and a stronger integration between the design of the commercial and residential components of the building. It is considered that the revised plans show a marked improvement in the design of this corner.

- *The Panel commented that the northern elevation facing Angove Drive, particularly the left side, was bland in design and disconnected from the rest of the building and recommended it be reconsidered.*

The Panel also commented that the southern elevation was bland in design. There was a concern regarding the overshadowing and plant on that side and how it may affect the current lot next door.

With the set of revised plans, the multiple dwellings adjacent to Angove Drive have now been provided with balconies that look out towards the road reserve. These balconies, along with variations in building materials, provide further articulation to the northern elevation and help architecturally moderate the visual impact of the building.

The common services area no longer abuts the south-eastern boundary and the design of the building has been modified to ensure that overshadowing meets the deemed-to-comply requirements of clause 6.4.1. It is also now proposed that only the ground floor of the building abuts the south-eastern boundary, with the second floor set further back. These setbacks will visually moderate the impact of the building and remove the dominance of blank walls to this façade. It is noted that the openings previously shown on the south-eastern elevations of the balconies have been removed to ensure privacy is maintained to the adjoining residential properties.

- *It was noted that the parking at the rear of the units requires a crossover, which would cause the entire verge area [to be] hardstand, with no room for soft landscaping.*

In response to this, the applicant has submitted amended plans indicating that there will now be three parallel bays provided in Mallorca Avenue. This will allow for the

provision of a larger landscaping area and a reduction in the amount of hardstand area required.

- *The Panel felt that there was a lack of integration between the commercial and residential and adjoining uses and recommended that preliminary details of the location of services, such as equipment, plant, mechanical ventilation and air conditioning be provided to illustrate how issues such as the services would be dealt with.*

The applicant provided amended plans detailing where air conditioning plant areas and mechanical ventilation would be located to ensure they are screened from view and would not detrimentally interfere with the residential uses of the development. These are included in Attachment 2.

Public Consultation

Public consultation was undertaken as part of the assessment process (refer to the Consultation section earlier in this report). The following concerns were raised by the objectors which have not been addressed in the above R-Codes assessment:

- *Shops, offices and restaurants are not appropriate for the surrounding housing estate*

City response: The Structure Plan was amended in 2001 to designate the site as 'Mixed Use'. All proposed land uses are permitted 'P' or discretionary 'D' under DPS2 and can therefore be considered for the site.

- *Traffic Impact on the surrounding streets*

City response: The applicant has provided a transport statement to demonstrate how traffic will be managed entering and exiting onto Angove Drive and Mallorca Avenue. This report demonstrates that predicted flows can be accommodated within the existing network without resulting in unacceptable adverse impacts. The City has reviewed the transport statement submitted by the applicant and is satisfied that the roads surrounding the development are able to adequately cater for the amount of traffic that the development will generate.

- *Visitor car bays along Mallorca Avenue*

City response: One of the issues highlighted by the public related to the provision of five visitor car bays along Mallorca Avenue. To address the majority of these concerns, the number of bays along this street has been reduced and these bays are now provided in a parallel arrangement.

Further to the above, the location of the car parking on Mallorca Avenue meets the *Road Traffic Code 2000* and the relevant Australian Standards (AS 2890.1). The proposed car parking, being 17 metres south of the give way limit line on Angove Drive, is in excess of the minimum ten metres required. Mallorca Avenue is designed to cater for low traffic volumes and traffic speeds, allowing for some flexibility in regards to on-street parking facilities to occur.

- *The number of units proposed*

City response: Many of the submissions received criticise the number of units proposed and urged for a lesser number to be considered. However, it must be recognised that the R-Codes do not limit the number of dwellings allowable within a development. Rather, plot ratio is considered to be the main form of quantitative control in determining built form and intensity and, in this instance, the proposed development meets the deemed-to-comply requirements of the HSP in terms of plot ratio.

- *The location and length of the proposed parapet wall will lead to excessive bulk on adjoining properties.*

City response: The HSP does permit a nil setback to the south-eastern boundary. However, the applicant has provided amended plans which reduce the length and height of proposed parapet wall along this boundary. As this wall is located adjacent to the front half of the adjoining lot (Lot 367), it will have minimal impact in terms of bulk on the rear outdoor living area of this adjoining lot.

- *The proposed development will adversely impact on the privacy of neighbours.*

City response: The final, revised plans have been amended to ensure that all major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level, have either been setback the minimum distance as prescribed in the table of clause 6.4.1, or are provided with permanent screening. This now complies with the deemed-to-comply requirements of the R-Codes.

- *The proposal will adversely impact on natural light (overshadowing) to adjoining residences.*

City response: A number of submitters raised concerns with the potential for overshadowing of properties adjoining the site. The original plans submitted did result in the shadow at midday 21 June to be cast over 38% of one of the adjoining sites to the south. However, the revised plans have modified the height and setbacks of the development to the south-eastern boundary so that the proposal results in only 17% and 16% respectively of overshadowing of the adjoining lots to the south. This now meets the deemed-to-comply requirements of the R-Codes.

- *Bin collection and waste management has not been properly considered or provided for.*

City response: The amended plans received confirm that bin collection will be by a private contractor, with no bins to be kept or collected from the kerbside. A condition of approval will require a refuse management plan detailing this to be submitted prior to the commencement of development, and approved by the City prior to the development first being occupied.

- *Laundry facilities have not been provided as part of the development.*

Laundry facilities will be provided in the residential units in accordance with the City of Joondalup *Health Local Law 1999*.

- *Development will result in adverse noise to nearby residences.*

City response: The development is required to be designed and constructed in accordance with the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.

Conclusion:

It is considered that the development will provide small-scale services and facilities to cater for the local residents while providing a mix of dwelling types to accommodate greater household diversity within Hillarys. It is now considered that the revised plans, submitted as an outcome of the SAT process, will result in a development that is designed and located in a manner which positively contributes to the streetscape and is sympathetic to the existing character of the surrounding development.

While the revised plans now propose a three storey component on the corner of Whitfords Avenue and Angove Drive, this has transpired as a means of addressing concerns raised by the JDRP at its meeting on 17 April 2015, the JDAP at its meeting held on 6 July 2015 and the community. The development is now setback further from the adjoining residential properties to the south, which aids in reducing the bulk and overshadowing engendered by the development. The extra height is concentrated on the corner of site, which contributes to the landmark quality of the building without impacting on the surrounding residential properties.

Further to the above, additional car bays have been provided and parallel bays proposed along Mallorca Avenue to address the parking and traffic concerns raised by the community.

It is therefore considered that the development demonstrates that the variations and discretions sought are appropriate when taken into context.

It is recommended that the application be approved subject to conditions.



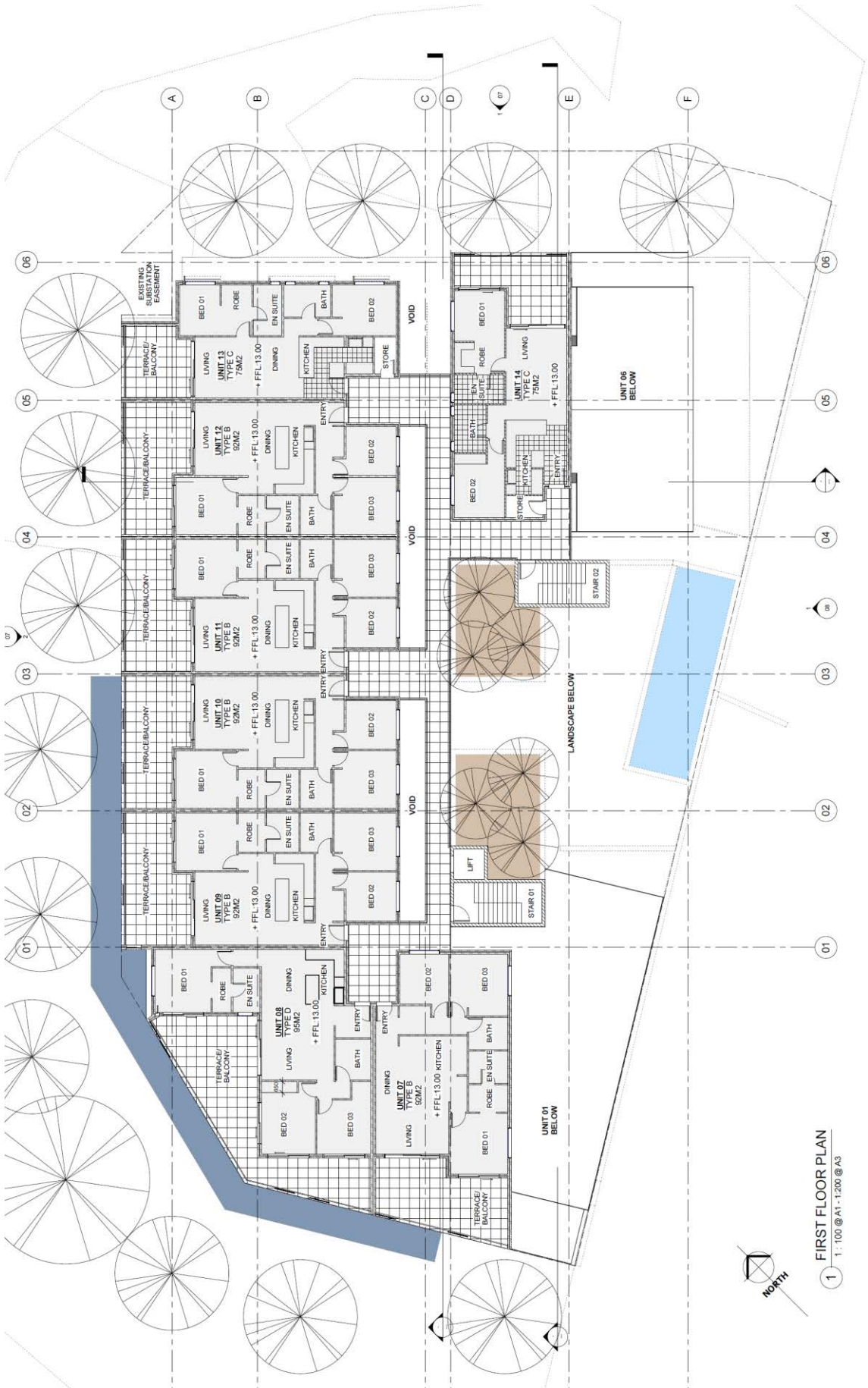




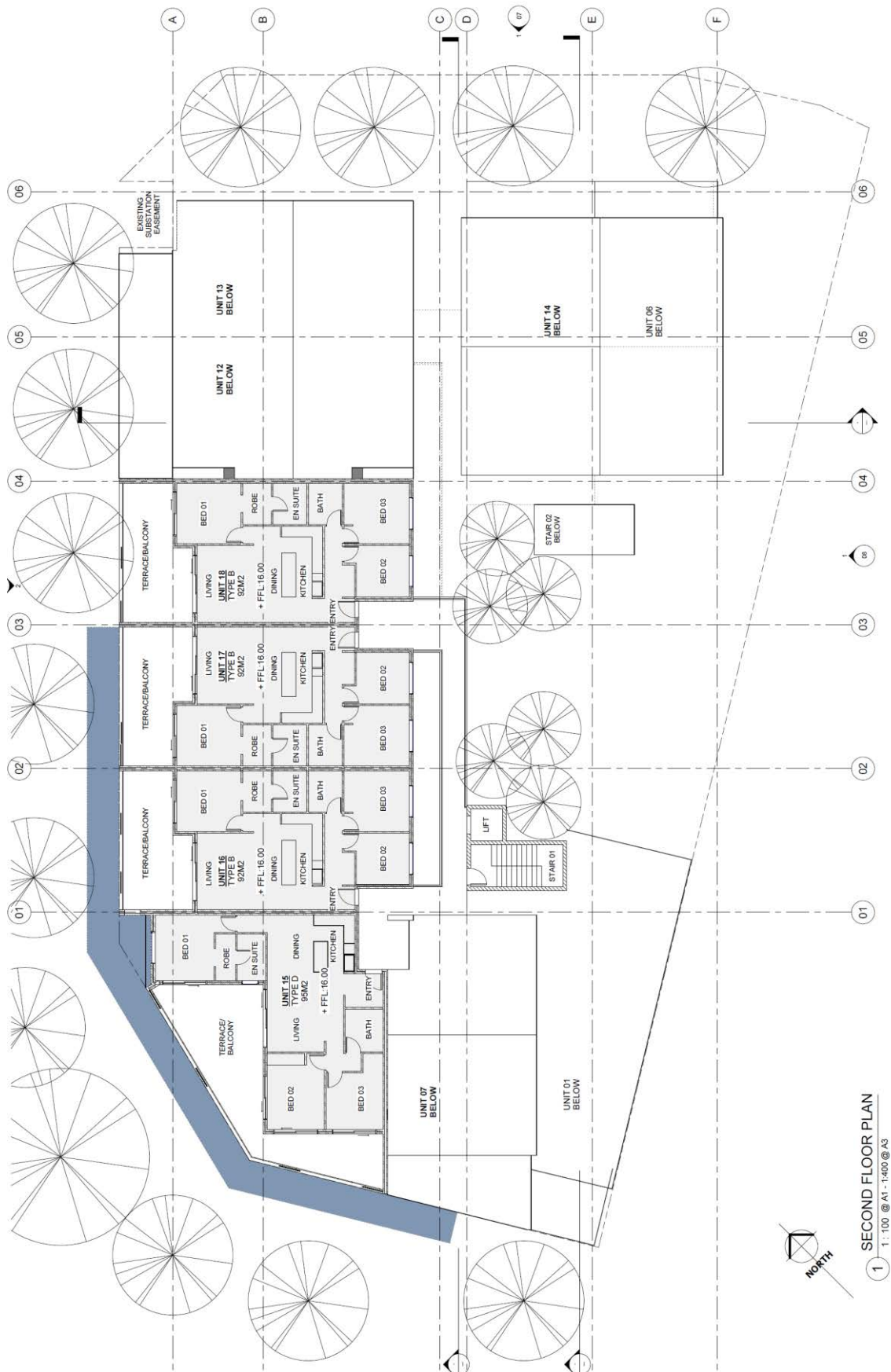
1 LANDSCAPE PLAN
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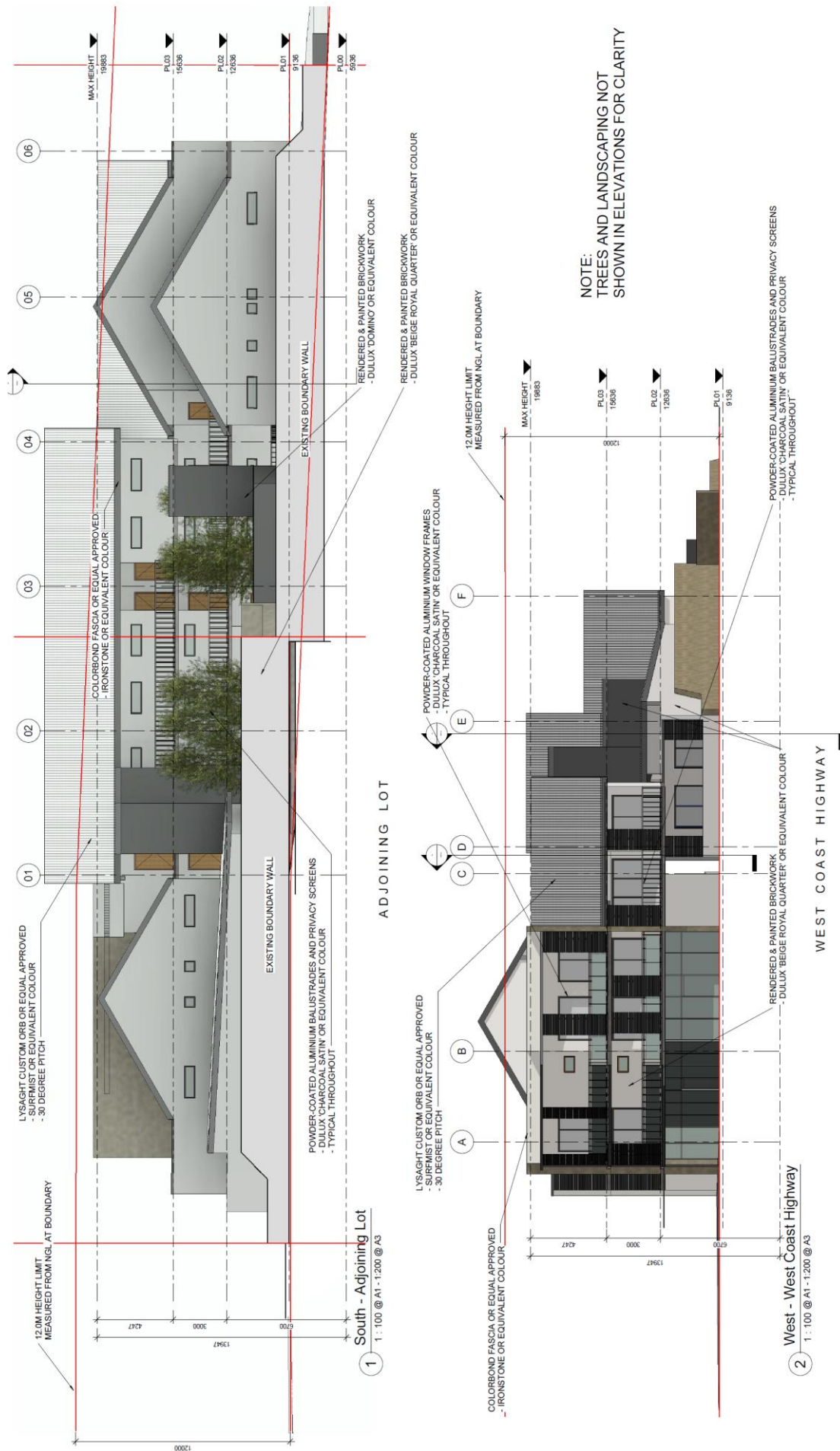


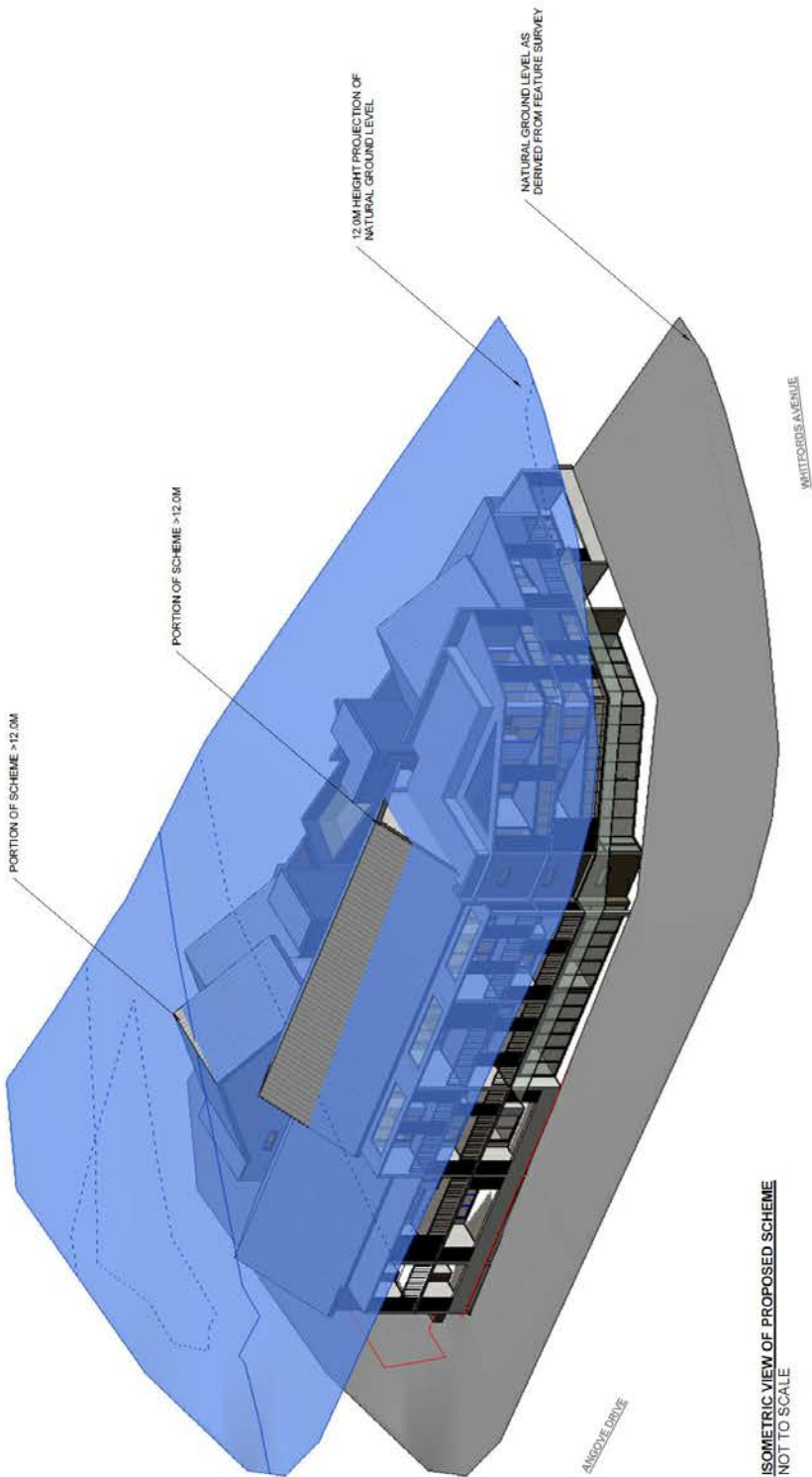
1 FIRST FLOOR PLAN
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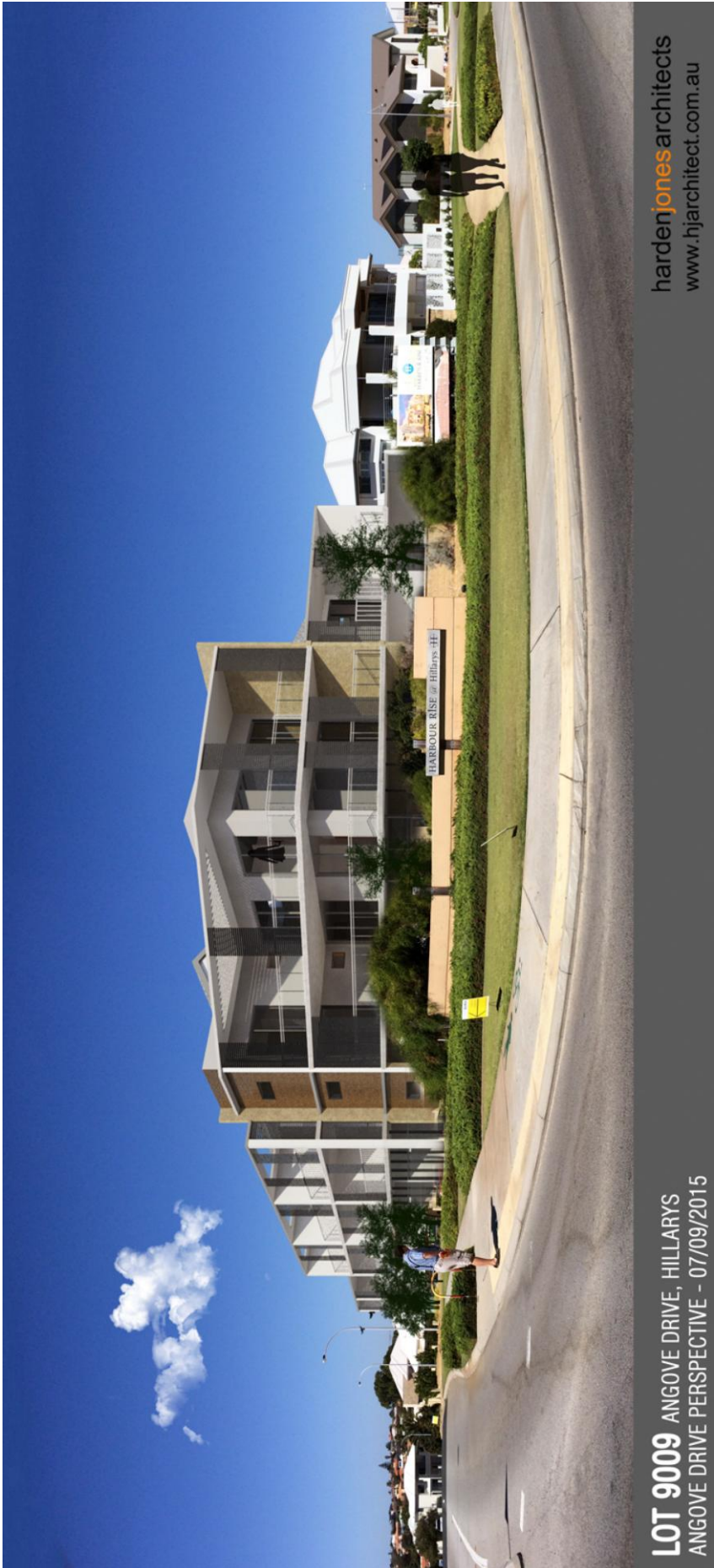


1 SECOND FLOOR PLAN
1:100 @ A1 - 1:400 @ A3









hardenjonesarchitects
www.hjarchitect.com.au

LOT 9009 ANGOVE DRIVE, HILLARYS
ANGOVE DRIVE PERSPECTIVE - 07/09/2015



Environmentally Sustainable Design – Checklist

Under the City's planning policy, *Environmentally Sustainable Design in the City of Joondalup*, the City encourages the integration of environmentally sustainable design principles into the construction of all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

Environmentally sustainable design is an approach that considers each building project from a 'whole-of-life' perspective, from the initial planning to eventual decommissioning. There are five fundamental principles of environmentally sustainable design, including: siting and structure design efficiency; energy efficiency; water efficiency; materials efficiency; and indoor air quality enhancement.

For detailed information on each of the items below, please refer to the *Your Home Technical Manual* at: www.yourhome.gov.au, and *Energy Smart Homes* at: www.clean.energy.wa.gov.au.

This checklist must be submitted with the planning application for all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

The City will seek to prioritise the assessment of your planning application and the associated building application if you can demonstrate that the development has been designed and assessed against a national recognised rating tool.

Please tick the boxes below that are applicable to your development.

Siting and structure design efficiency

Environmentally sustainable design seeks to affect siting and structure design efficiency through site selection, and passive solar design.

Does your development retain:

- ☐ existing vegetation; and/or
- ☒ natural landforms and topography

Does your development include:

- ☒ northerly orientation of daytime living/working areas with large windows, and minimal windows to the east and west
- ☒ passive shading of glass
- ☒ sufficient thermal mass in building materials for storing heat
- ☒ insulation and draught sealing
- ☒ floor plan zoning based on water and heating needs and the supply of hot water; and/or
- ☐ advanced glazing solutions / TBA .

Energy efficiency

Environmentally sustainable design aims to reduce energy use through energy efficiency measures that can include the use of renewable energy and low energy technologies.

Do you intend to incorporate into your development:

- ☒ renewable energy technologies (e.g. photo-voltaic cells, wind generator system, etc); and/or
- ☒ low energy technologies (e.g. energy efficient lighting, energy efficient heating and cooling, etc); and/or
- ☒ natural and/or fan forced ventilation

Water efficiency

Environmentally sustainable design aims to reduce water use through effective water conservation measures and water recycling. This can include stormwater management, water reuse, rainwater tanks, and water efficient technologies.

Does your development include:

- ☐ water reuse system(s) (e.g. greywater reuse system); and/or
- ☐ rainwater tank(s) / TBA

Do you intend to incorporate into your development:

- ☒ water efficient technologies (e.g. dual-flush toilets, water efficient showerheads, etc)

Materials efficiency

Environmentally sustainable design aims to use materials efficiently in the construction of a building. Consideration is given to the lifecycle of materials and the processes adopted to extract, process and transport them to the site. Wherever possible, materials should be locally sourced and reused on-site.

Does your development make use of:

- ☐ recycled materials (e.g. recycled timber, recycled metal, etc)
- ☐ rapidly renewable materials (e.g. bamboo, cork, linoleum, etc); and/or
- ☐ recyclable materials (e.g. timber, glass, cork, etc)
- ☒ natural/living materials such as roof gardens and "green" or planted walls

Indoor air quality enhancement

Environmentally sustainable design aims to enhance the quality of air in buildings, by reducing volatile organic compounds (VOCs) and other air impurities such as microbial contaminants.

Do you intend to incorporate into your development:

- ☐ low-VOC products (e.g. paints, adhesives, carpet, etc)

'Green' Rating

Has your proposed development been designed and assessed against a nationally recognised "green" rating tool?

- ☐ Yes
- ☒ No

If yes, please indicate which tool was used and what rating your building will achieve:

If yes, please attach appropriate documentation to demonstrate this assessment.

2

Environmentally sustainable design
checklist

Page 3 of 3

If you have not incorporated or do not intend to incorporate any of the principles of environmentally sustainable design into your development, can you tell us why:

BASIC DESIGN PRINCIPLES.

o NATURAL LIGHT.

o ORIENTATION.

o VENTILATION

o PLANNING & DESIGN.

- WILL YOU ASSIST IN GIVING THE PROPOSED DEVELOPMENT
STRONG ENVIRONMENTAL RATINGS.

Is there anything else you wish to tell us about how you will be incorporating the principles of environmentally sustainable design into your development:

When you have checked off your checklist, sign below to verify you have included all the information necessary to determine your application.

Thank you for completing this checklist. Your application is processed as quickly as possible.

Applicant's Full Name: _____ Contact Number: _____

Applicant's Signature: _____ Date Submitted: 17.03.2015

Accepting Officer's Signature: _____

Checklist Issued: March 2011

Proposed Mixed-Use Development

Angove Drive, Hillarys

TRANSPORT IMPACT AND CAR PARKING ASSESSMENT – V1

FINAL REPORT

Prepared for: Hawkesbridge Capital
Prepared by: Move Consultants



Move consultants

Moving People Moving Commerce

P.O. BOX 525

APPLECROSS WA

AUSTRALIA 6953

P: +61 434 189 788

Abn 14 102 899 517

e-mail: heidi.lansdell@moveconsultants.com.au

www.moveconsultants.com.au

March 2015

Client Name: Hawkesbridge Capital
Project Name: Angove Drive, Hillarys

March 2015

DOCUMENT ISSUE AUTHORISATION

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TABLE OF CONTENTS

	PAGE
1. INTRODUCTION	1
1.1 OVERVIEW	1
1.2 SITE LOCATION	1
1.3 SCOPE OF ASSESSMENT	2
2. EXISTING SITUATION	2
2.1 ROAD INFRASTRUCTURE	2
2.2 PUBLIC TRANSPORT, PEDESTRIAN, AND CYCLIST FACILITIES	4
3. PROPOSED DEVELOPMENT	6
3.1 PROPOSED LAND USES	6
3.2 PROPOSED ACCESS AND PARKING ARRANGEMENTS	6
3.3 END OF TRIP FACILITIES	6
4. TRANSPORT ANALYSIS	6
4.1 TRIP GENERATION	7
4.2 TRIP DISTRIBUTION	7
5. VEHICULAR ACCESS AND PARKING	8
5.1 ON-SITE QUEUING, CIRCULATION, AND ACCESS	8
5.2 PARKING DEMAND AND SUPPLY	8
6. CONCLUSIONS	9
APPENDIX A: SITE PLAN	11
13	
14	

Client Name: Hawkesbridge Capital
Project Name: Angove Drive, Hillarys

March 2015

1. INTRODUCTION

1.1 OVERVIEW

This Transport Impact and Car Parking Assessment has been prepared by Move Consultants on behalf of Hawkesbridge Capital with regard to a proposed mixed-use development to be located on the south side of Angove Drive, between Whitfords Avenue and Mallorca Avenue, Hillarys in the City of Joondalup. The subject land is currently vacant and is located within the *Mixed Use Precinct* in the *Hillarys Structure Plan – Structure Plan No. 20*.

1.2 SITE LOCATION

The site is located on the southern side of Angove Drive and is bounded by Whitfords Avenue to the west, Mallorca Avenue to the east and existing residential uses to the south within the south-east quadrant of the existing single circulating roundabout-controlled intersection at Whitfords Avenue/Angove Drive. Existing residential uses are in place to the immediate south, north and east of the site with public recreation uses located opposite the site on the west side of Whitfords Avenue. Hillarys Boat Harbour and its associated activities are located approximately 500m to the south-west of the subject lands. The site is currently vacant. The location of the site is shown in Figure 1.



Figure 1: Site Location

Client Name: Hawkesbridge Capital
 Project Name: Angove Drive, Hillarys

March 2015

The metropolitan context of the site in Figure 2.

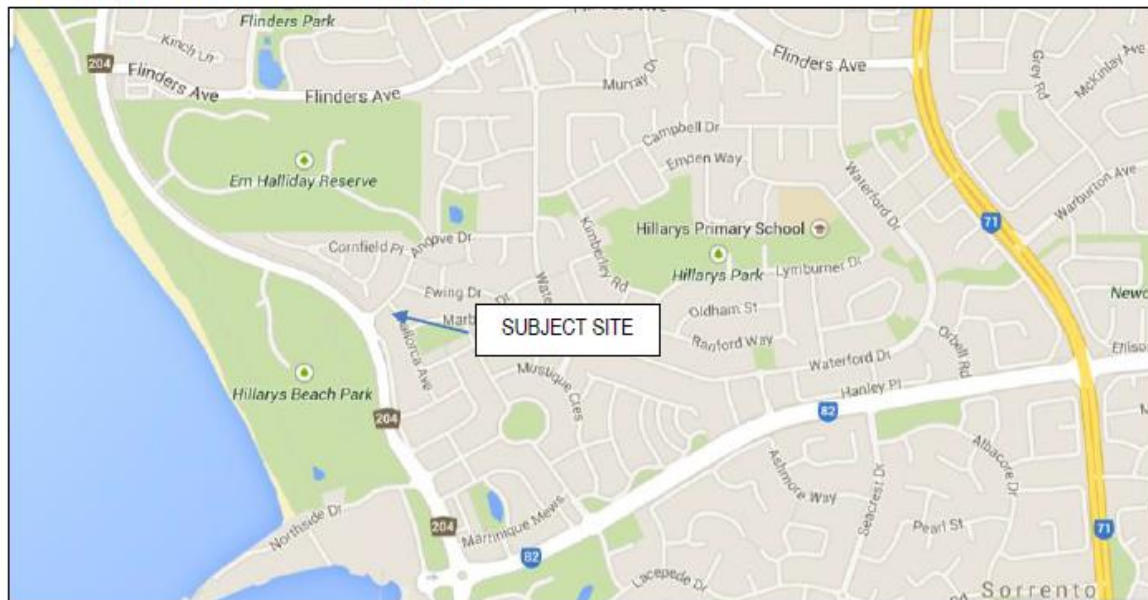


Figure 2: Metropolitan Context

1.3 SCOPE OF ASSESSMENT

This report has been prepared in accordance with the Western Australian Planning Commission's *Transport Assessment Guidelines for Developments: Volume 4 – Individual Developments* (2006) and relevant City of Joondalup guidelines.

Specifically, this report aims to assess the impacts of the proposed development on the boundary road network to identify any modifications, to site or road layout, which may be required to serve the proposed site. In addition, the assessment considers the proposed access, circulation, and egress arrangements to and from the site and the required car parking supply to service the demands associated with activity on the site.

2. EXISTING SITUATION

2.1 ROAD INFRASTRUCTURE

Whitfords Avenue, to the west of the site, has been designated as a *District Distributor A* road which is defined as a road which "...carries traffic between industrial, commercial and residential areas and generally connect to Primary Distributors and are likely to be truck routes and provide only limited access to adjoining property. They are managed by Local Government." It has been constructed as a single divided carriageway to the west of the site. It operates under a posted speed limit of 60kph and is owned, operated and maintained by the City of Joondalup. It is also classified as an *Other Regional Road* or *Blue Road* under the *Metropolitan Region Scheme*.

Angove Drive, east of Whitfords Avenue, and adjacent to the site has been defined as a *Local Distributor* road which "...carries traffic within a cell and link District Distributors at the boundary to access roads, with routing that discourages through traffic so that the cell formed by the grid of District Distributors only carries traffic belonging to or serving the area, accommodates buses but discourages trucks and are managed by Local Government." It has

been constructed as a single undivided carriageway along the northern boundary of the site and operates under a posted speed limit of 50kph. It is owned, operated and maintained by the City of Joondalup.

Mallorca Avenue, located along the eastern boundary of the site, has been classified as an *Access Road* which is defined as a road which "...provides access to abutting properties with amenity, safety and aesthetic aspects having priority over the vehicle movement function and are bicycle and pedestrian friendly. They are managed by Local Government." It has been constructed as a single undivided carriageway in the vicinity of the site and operates under a posted speed limit of 50kph. It is owned, operated and maintained by the City of Joondalup.

Figure 3 shows the road hierarchy in the vicinity of the site.

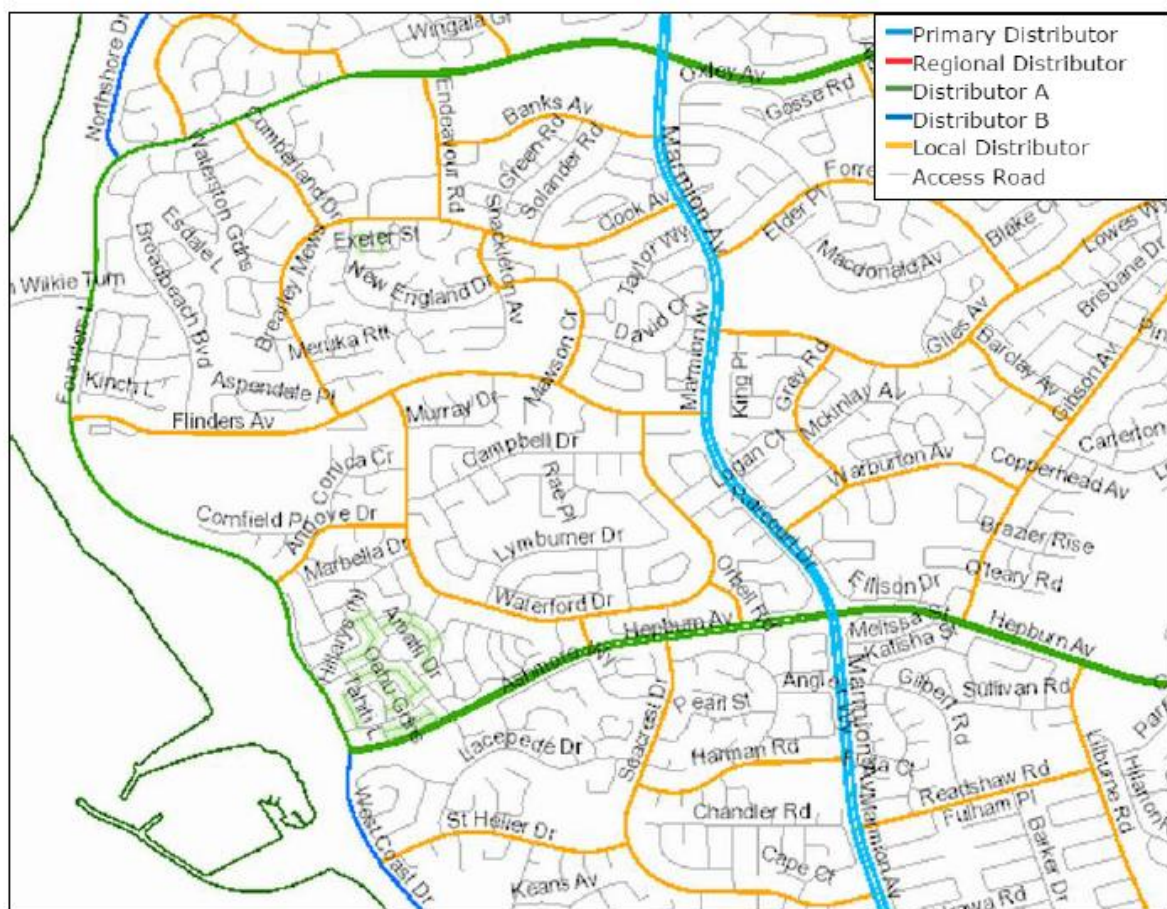


Figure 3: Local Road Hierarchy

A detailed site visit was conducted on Thursday 19th February 2015 to collect information relating to existing road geometry, speed limits, and sightlines and to observe existing traffic operations on the adjacent boundary road network.

Table 1 shows the existing traffic volumes in the vicinity of the site.

Client Name: Hawkesbridge Capital
Project Name: Angove Drive, Hillarys

March 2015

Table 1 - Existing Weekday Daily Traffic Volumes for Primary Boundary Road Network

Road	Existing Weekday Daily Traffic Volume (vpd)
Whitfords Avenue (North of Hepburn Avenue)	16,300 vpd (MRWA Jan 2015)
Angove Drive	Not available (assumed to have an existing demand of 3,500 vpd with a practical capacity of 5,000 vpd)
Mallorca Avenue	Not available (assumed to have an existing demand of 1,000 vpd with a practical capacity of 2,500 vpd)

2.2 PUBLIC TRANSPORT, PEDESTRIAN, AND CYCLIST FACILITIES

The site is served by Transperth Bus Routes 441 (Whitfords Avenue – Warwick Station via Waterford Avenue) and 442 (Whitfords Avenue – Warwick Station via Seacrest Drive) which collectively operate a 15- to 20-minute service during the weekday roadway peak periods and broadly 15-minute to 30-minute service during the mid-day and evening peak periods are serviced by on Waterford Avenue to the east of the site. Route 458 also runs a line haul service along Whitfords Avenue to the west of the site. Figure 4 shows the existing public transport services in the area.

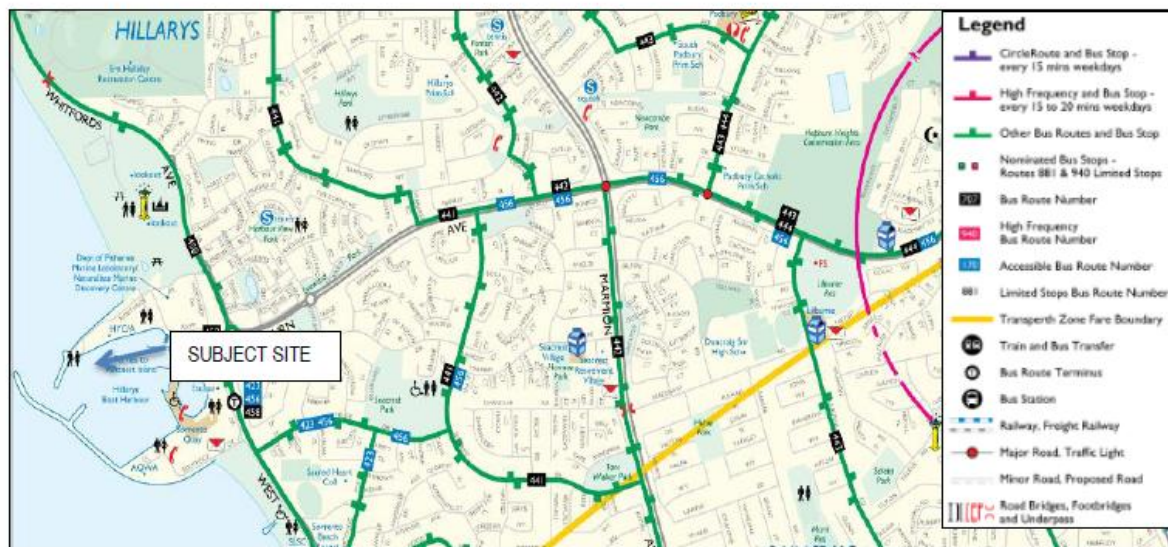


Figure 4: Existing Public Transport Services

There is a dual use path on the east side of Whitfords Avenue, along the western boundary of the site, plus on-road cycle lanes. The dual use path extends along Angove Drive, east of Whitfords Avenue to Mallorca Avenue with Angove Drive designated as a *Bicycle Friendly Street*. A footpath of 2.5m in width is in place on the west side of Mallorca Avenue adjacent to the site. Figure 5 shows the cycling and pedestrian infrastructure in the vicinity of the site.



Figure 5: Existing Cycling and Pedestrian Infrastructure

3. PROPOSED DEVELOPMENT

A site plan of the proposed development has been prepared by Harden Jones Architects. A copy of the site plan is contained in **Appendix A**.

3.1 PROPOSED LAND USES

The proposal seeks the development of a mixed-use development plus basement car parking level incorporating the following elements on the site:

- Multiple residential dwellings – 17 units
- Office – 150 m²
- Café – 130 m²
- Retail – 120 m²

The site is proposed to be served by at-grade indented and verge car parking on both Angove Drive and Mallorca Avenue as well as dedicated on-site basement level car parking consisting of 48 bays.

3.2 PROPOSED ACCESS AND PARKING ARRANGEMENTS

The proposed access arrangements are shown to consist of a single full movements crossover to the west side of Mallorca Avenue to be located approximately 35m south of Angove Drive.

The on-site car parking supply on the site is proposed to consist of 48 bays, including 28 bays for the proposed residential uses and 20 bays for the commercial uses. Additional car parking is proposed to be provided in the form of 8 parallel bays adjacent to the northern boundary of the site within the Angove Drive verge, between Whitfords Avenue and Mallorca Avenue and 5 right-angle car parking bays within the verge within the Mallorca Avenue verge, south of Angove Drive. The 28 dedicated residential bays include an allowance for 8 tandem (16 in total) bays. Rubbish collection will be undertaken by a private waste management contractor via verge collection. Waste management arrangements will be negotiated directly with Council.

Service and delivery vehicles will be accommodated within the proposed verge car parking on Angove Drive adjacent to the site.

3.3 END OF TRIP FACILITIES

End-of-trip facilities will be provided on the site including bicycle parking on the site and changing facilities consistent with Austroads and Council guidelines.

4. TRANSPORT ANALYSIS

A traffic generation and distribution exercise has been undertaken to assess the potential traffic impacts associated with the proposed development. The aim of this exercise was to establish the traffic volumes which would be generated from the proposed development and to quantify the effect that the additional traffic has on the surrounding road network.

4.1 TRIP GENERATION

The traffic generated by the proposed office uses on the site has been predicted by applying trip generation rates were derived from the Institute of Transportation Engineers' (ITE) *Trip Generation Manual, 8th Edition*.

The total anticipated traffic generated by the proposed development is estimated to be in the order of 295 vehicular trips (149 inbound/148 outbound) on a daily basis; 26 vehicular trips (12 inbound/14 outbound) during the a.m. peak hour; and 27 vehicular trips (17 inbound/10 outbound) during the p.m. peak hour.

4.2 TRIP DISTRIBUTION

Based upon the existing traffic patterns in the area and the spatial distribution of adjacent land uses, the following distribution for the proposed 'new' development generated traffic has been assumed:

- 20% to and from the east via Mallorca Avenue and Angove Drive;
- 20% to and from the north via Whitfords Avenue; and
- 60% to and from the south via Whitfords Avenue.

The number of trips entering / exiting the site via the proposed site crossover has been assigned based upon the most logical route for vehicles to take given their origin / destination. The resultant maximum increases in weekday daily and a.m. and p.m. peak hour-generated traffic for the boundary road network would be as follows:

- Whitfords Avenue (North):
 - Daily: +59 vpd
 - A.M. Peak Hour: +5 vph
 - P.M. Peak Hour: +6 vph
- Whitfords Avenue (South)
 - Daily: +178 vpd
 - A.M. Peak Hour: +16 vph
 - P.M. Peak Hour: +16 vph
- Mallorca Avenue:
 - Daily: +297 vpd
 - A.M. Peak Hour: +26 vph
 - P.M. Peak Hour: +27 vph
- Angove Drive:
 - Daily: +297 vpd
 - A.M. Peak Hour: +26 vph
 - P.M. Peak Hour: +27 vph

These increases in daily and a.m. and p.m. peak hour volumes are expected to have a minimal impact on existing traffic operations in the area and can be accommodated within the practical capacity of boundary road network. Sufficient capacity is available at the Whitfords Avenue/Angove Drive roundabout to accommodate the increases in traffic during the roadway peak hours.

5. VEHICULAR ACCESS AND PARKING

5.1 ON-SITE QUEUING, CIRCULATION, AND ACCESS

The site plan indicates three proposed crossover location to be located on the west side of Mallorca Avenue, approximately 35m south of the unsignalised T-intersection with Angove Drive. This crossover will provide direct full movements access to the basement level car parking area. The proposed crossover arrangements have been designed to consist of a minimum of 5.8m to accommodate both inbound and outbound movements associated with the commercial and residential tenancies with all movements to be accommodated in forward gear.

A review of the proposed on-site circulation and car parking layout was undertaken to assess the adequacy of the proposed site access and circulation in addition to service/delivery areas on the site. The design of the proposed car parking areas adjacent to the rear of the building on the site has been reviewed using the relevant traffic engineering standards and the relevant Australian Standards and Austroads guidelines, with the proposed design considered adequate to accommodate on-site manoeuvring and circulation. Rubbish collection will be undertaken via kerbside collection with waste management arrangements negotiated with Council. Service and delivery will be accommodated on-street within the proposed indented car parking on Angove Drive where required.

A review of the crash history on Whitfords Avenue, Angove Drive and Mallorca Avenue in the vicinity of the proposed site between 2009 and 2013 (5-year indicates that there have been 4 recorded crashes at the intersection of Whitfords Avenue/Angove Drive; however, only 1 crash was a right-angle crash which likely occurred prior to the intersection control being upgraded to a roundabout. No crashes were recorded on Angove Drive or Mallorca Avenue during this period along the respective frontages of the site. This indicates that there would be minimal risk associated with entering and exiting out of the proposed crossover to and from Mallorca Avenue and traversing the Angove Drive/Mallorca Drive and Whitfords Avenue/Angove Drive intersections due to the low speed environment and good sightlines available at the driveway. The proposed right-angle indented car parking to be located to the north of the driveway will not impede sightlines for entering and exiting vehicles at the Mallorca Avenue crossover. Based upon a review of crash history along Mallorca Avenue, it is expected that vehicles will comfortably reverse out of the proposed on-street bays with a minimum of risk and conflict due to the low traffic volume and low speed environment.

5.2 PARKING DEMAND AND SUPPLY

The required car parking supply associated with the commercial tenancies has been calculated with regard to the City of Joondalup's *District Planning Scheme No. 2*:

• Residential:	26 bays
• Office:	9 bays
• Café:	18 bays
• Retail:	7 bays
• TOTAL:	60 BAYS

The proposed car parking supply is 48 on-site bays and 13 off-site bays (8 bays to be provided within the Angove Drive verge in a parallel arrangement and 5 bays to be provided within the Mallorca Avenue verge in a right-angle

indented arrangement). An ACROD bay is proposed to be provided within the right-angle verge parking on Mallorca Avenue. The total proposed car parking supply of 61 bays therefore considered to be compliant with TPS requirements.

The proposed residential car parking supply is to consist of 28 dedicated on-site tenant bays which exceeds the R-Code requirements and the proposed commercial car parking supply for the office, retail and café uses is to consist of 20 dedicated on-site tenant bays. The residential car parking includes an allowance for 8 tandem bays (16 total bays). Residential visitor car parking will be available in the context of the on-site commercial car parking of 20 bays (requirement of 5 bays) as the peak demand periods for office and residential visitor parking do not coincide. The non-residential/commercial element is expected to generate the peak coincident demand during a typical Thursday lunchtime period with the maximum combined demand associated with the proposed commercial uses to be 32 bays. It should also be noted that the retail and café elements of the development will attract a significant local custom of up to 25 to 30% with internal trip making between the various activity elements on the site also estimated to be in the order of 10% resulting a net requirement for car parking for the café and retail elements of 17 bays. Therefore the total commercial requirements will be 9 bays for the office and 17 bays for the retail/café totalling 26 bays. The proposed supply of 20 on-site commercial bays plus 13 on-street bays will therefore be more than adequate to accommodate the demand associated with the commercial elements of the proposal.

This is an efficient and recognised approach to planning for car parking within urban areas and is consistent with the Town's parking and access policy and endorsed policies as well as relevant WAPC planning policies such as *State Planning Policy 4.2: Activity Centres for Perth and Peel* which has identified the Sorrento area as a *District Centre*. This approach is also consistent with the stated objectives of Western Australian Planning Commission in documentation including *Directions 2031 and Beyond* and *Liveable Neighbourhoods*.

It can therefore be concluded that the proposed on-site car parking supply is consistent with good and orderly planning and with relevant Council and State Government planning guidelines.

6. CONCLUSIONS

The aim of this Transport Impact and Parking Assessment was to discuss the traffic likely to be generated by the proposed mixed-use development proposed on Angove Drive, Hillarys in the City of Joondalup and to assess the impacts associated with anticipated site-generated upon the adjacent transport infra

The results of the traffic assessment indicate that the anticipated site-generated traffic can be comfortably accommodated within the practical capacity of the boundary road network with no impacts to existing operations or to the existing risk profile of the road network. A review of the documented 5-year crash history has indicated that there is a low number of crashes on the boundary road network and in particular on the roads immediately adjacent to the site and that the proposal will not result in the introduction of additional risk to road users.

Site observations indicate that good visibility is available in both directions along Mallorca Avenue to the north and south of the proposed site crossover. The proposed on-street right-angle car parking on the west side of Mallorca Avenue will not impede sightlines to existing vehicles from the site crossover. Based upon a review of crash history along Mallorca Avenue, it is expected that vehicles will comfortably reverse out of the proposed on-street bays with a minimum of risk and conflict due to the low traffic volume and low speed environment.

Client Name: Hawkesbridge Capital
Project Name: Angove Drive, Hillarys

March 2015

A review of the proposed on-site circulation and car parking layout was undertaken to assess the adequacy of the proposed site access and circulation in addition to service/delivery areas on the site. The design of the proposed car parking areas adjacent to the rear of the building on the site has been reviewed using traffic engineering standards and the relevant Australian Standards and Austroads guidelines, with the proposed design considered adequate to accommodate on-site manoeuvring and circulation. Rubbish collection will be undertaken via kerbside collection and in negotiation with Council. Service and delivery will be accommodated along the Angove Drive frontage

The proposed on-site car parking supply of 48 bays and 13 bays on-street within the Mallorca Avenue and Angove Drive verges totalling 61 bays is consistent with the City of Joondalup's *District Planning Scheme No. 2*, the *Residential Design Codes* and *State Planning Policy 42: Activity Centres for Perth and Peel*. Dedicated bicycle parking and end-of-trip facilities will be provided on the site consistent with the required Council guidelines. In conclusion, it should be noted that based both on a review of the modelled total traffic assessment and observed traffic operations of the boundary road system, the anticipated site-generated traffic associated with the proposed development can be accommodated within the existing practical capacity and functional road classification of the local road system and the proposed on-site car parking layout and supply plus the proposed servicing/delivery arrangements are safe and appropriate.