



Minutes of the Metro South-West Joint Development Assessment Panel

Meeting Date and Time: 29 August 2018; 9:30am
Meeting Number: MSWJDAP/166
Meeting Venue: Shire of Murray Council Chambers
1915 Pinjarra Road
Pinjarra

Attendance

DAP Members

Mr Ray Haeren (Presiding Member)
Mr Brian Curtis (A/Deputy Presiding Member)
Mr Andrew Macliver (Specialist Member)
Cr Casey Rose (Local Government Member, Shire of Murray)
Cr David Bolt (Local Government Member, Shire of Murray)

Officers in attendance

Ms Leanne McGuirk (Shire of Murray)
Mr Rod Peake (Shire of Murray)

Minute Secretary

Ms Mary-Ann Toner (Shire of Murray)

Applicants and Submitters

Mr Luke Saraceni (Saraceni Developments)
Mr Alessandro Stagno (Planning Solutions)
Mr Behnam Bordbar (Transcore)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member declared the meeting open at 9.32am on 29 August 2018 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 DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Due to the unavailability of the Presiding Member and in the absence of a Deputy Presiding Member, Mr Ray Haeren has been appointed as Presiding Member for



this meeting in accordance with regulation 27(3A) of the *Planning and Development (Development Assessment Panel) Regulations 2011*.

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017 which states 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.', the meeting would not be recorded.

2. Apologies

Mr Tony Arias (Presiding Member)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

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

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

7.1 Mr Luke Saraceni (Saracen Developments) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Alessandro Stagno (Planning Solutions) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Lots 155, 154 & 401 (578 – 590) Pinjarra Road, Furnissdale
Development Description:	Proposed Mixed Commercial Development
Applicant:	Planning Solutions
Owner:	Lawley Bell Pty Ltd
Responsible Authority:	Shire of Murray
DAP File No:	DAP/17/01349



REPORT RECOMMENDATION

Moved by: Cr Casey Rose

Seconded by: Cr David Bolt

That the Metro South-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01349 and accompanying plans: SK01 Site Plan – Aug 2018; SK02 Elevations – Aug 2018; SK03 Elevations – Jun 2018; SK04 Elevations – May 2018 and SK05 Elevations – May 2018; SK01 Signage – Dec 2017; and SK02 Signage – Jan 2018 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Murray Town Planning Scheme No. 4, subject to the following conditions:

Conditions

General

1. This decision constitutes planning approval only and is valid for a period of five years from the date of approval. If the subject development is not substantially commenced within the five year period, the approval shall lapse and be of no further effect, unless the Applicant has applied for and obtained Joint Development Assessment Panel approval to extend the approval term under Regulation 17(1)(a) of the *Planning and Development (Development Assessment Panel Regulations 2011)*.
2. Development is to be constructed in accordance with the approved plans SK01 Site Plan – August 2018; SK02 Elevations – Aug 2018; SK03 Elevations – Aug 2018; SK04 Elevations – May 2018 and SK05 Elevations – May 2018; SK01 Signage – Dec 2017; and SK02 Signage – Jan 2018; and any modifications required to be undertaken in order to clear the conditions below.
3. Conditions are to be addressed to the satisfaction of the Shire prior to the development first being occupied, except as otherwise stated in the conditions of approval.
4. Detailed design drawings for the development site which address the various conditions of approval that impact on the design are to be submitted to, and endorsed by, the local government prior to the submission of an application for a building permit. All development works are to be undertaken in accordance with the approved detailed design drawings.
5. Any proposed staging of the development shall not result in clearing or the removal of remnant vegetation / trees located within subsequent stages of development, without the prior approval of the Local Government.
6. Where development requires construction works spanning existing lot boundaries, affected lots are to be amalgamated prior to occupation of the development. A copy of the new certificate of title(s) is / are to be submitted to the local government for its records.
7. Prior to the commencement of site works, an acid-sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid



sulphate soils report and an acid sulphate soils management plan is to be prepared and approved by the Department of Biodiversity, Conservation and Attractions. Where an acid sulphate soils management plan is to be prepared, all site works are to be carried out in accordance with the approved plan.

8. Finished floor and surface levels of the development are to at grade with adjoining pathways and at an appropriate level to ensure adequate protection from major storm events to the satisfaction of the local government.

Built Form Requirements

9. All public entrances to tenancies TF06 to TF09 (inclusive) shall be kept unlocked and accessible to customers during business hours of the tenancy. The internal fit out of these tenancies shall be undertaken in a manner that facilitates primary customer access from the main internal driveway / access road within the development site. Service entrances and service areas to tenancies shall be provided at the northern elevation of the buildings and service areas shall be screened from the adjacent car park area, Pinjarra Road and Ronlyn Road to the satisfaction of the Local Government. Screening shall be provided in the form of landscaping or architectural feature(s) that complement the materials and colours of the surrounding development.
10. Building elevations to street level tenancies facing Ronlyn Road are to be predominantly glazed, with no more than 30% of the façade comprising solid walls. Tenancy windows facing Ronlyn Road are to be unobscured glass. The use of reflective, heavily tinted, obscure glass, painting out or otherwise obscuring windows is not permitted.
11. Verandahs or awnings are to be constructed along the entire length of all buildings located along the Ronlyn Road frontage to provide weather protection to the street space and building entrances. The minimum dimensions are to be 2.5 metres in depth and 3 metres in height above the footpath. Structures are not to extend beyond the kerbline adjacent to the roundabout.
12. Fencing of the 'outdoor' area adjacent to the 'Showroom T17' is to be a minimum of 50% permeable and of a building material and colour that is consistent with development on site.
13. Prior to the submission of an application for a building permit, a building material and colour schedule for the external facades of buildings is to be submitted for approval by the local government. Buildings are to be constructed in accordance with the approved schedule.
14. Prior to the lodgement of a building permit application, Elevation SK02 – August 2018 is to be modified to remove reference to the terms 'large scale feature signage' above the T2 street front tenancy. For the purposes of clarity, no approval is granted for signage integrated and/or erected within the architectural feature of the T2 tenancy elevation.
15. Prior to the lodgement of a building permit application, Elevation SK03 – Jun 2018 is to be modified to reduce building bulk / mass of T1-T2 and T18-24 on



the adjacent lot to the south through the implementation of a range of muted tones / colours and finishes.

Street Network, Access and Parking

16. Prior to occupancy the landowner / developer is to make a payment to the local government equivalent to 10% of the cost of the signalisation of the intersection of Pinjarra Road and Ronlyn Road pursuant to the Shire of Murray Town Planning Scheme No. 4 (refer Advice Note 1).
17. Prior to occupancy the Pinjarra Road access, including the left-turn slip lane, is to be designed to the satisfaction of the local government on the advice of Main Roads WA with drainage, kerbing and street lighting. The subject works are to be constructed in accordance with the approved design to the satisfaction of the Local Government and Main Roads WA at the cost of the landowner / developer.
18. Prior to occupancy the Pinjarra Road frontage is to be upgraded along the frontage of the subject land to an urban standard to the satisfaction of the local government on the advice of MRWA, with drainage and kerbing at the cost of the landowner / developer.
19. Prior to occupancy the portion of the Pinjarra Road median located opposite the new left-in/left-out crossover is to be modified to the satisfaction of the local government on the advice of MRWA and constructed at the cost of the landowner / developer. The median works are to restrict the potential for vehicles leaving the subject land via the new left-in/left-out to cross over the Pinjarra Road median.
20. Prior to occupancy a dual use path is to be constructed within the 10 m wide landscape area adjacent to Pinjarra Road and is to connect with the existing path along Pinjarra Road to the east and west of the development site. Pedestrian paths within the development site are to be extended to connect with the dual use path. The existing path within the Pinjarra Road reserve adjacent to the development site is to be removed.
21. The portion of Ronlyn Road abutting the development site is to be upgraded to an 'urban' standard to the satisfaction of the Local Government, as follows:
 - a) the undergrounding of the above ground powerlines;
 - b) for the portion north of the proposed roundabout, a dual use path is to be constructed within the eastern verge which connects to the dual use path referred to in Condition 20;
 - c) for the portion south of the proposed roundabout, a 'main street' design standard includes red asphalt or other material that emphasises the pedestrian focus of the main street and on-street car parking, full width pedestrian pavement, street trees and street furniture on the eastern verge.
22. A detailed design of the proposed interim Ronlyn Road roundabout is to be submitted to the Shire for review and endorsement at the building permit stage. The detailed roundabout designs is to be designed and constructed in accordance with relevant AustRoads requirements and Australian Standards, in addition to the Shire's technical specifications. Any land from the



development site required to accommodate the ultimate roundabout design (as indicated under Attachment 3 – *Indicative Sketch – ‘Ultimate’ Roundabout Design – Aug 2018*) shall be ceded free of cost at building permit stage and without payment of compensation from the Local Government.

23. The car park and access ways are to be reviewed as part of the detailed design phase to:
 - a) improve vehicle stacking at the petrol filling station and reinforce a clearly defined driveway connection north of the vehicle stacking area;
 - b) ensure the vehicles exiting the driveway at the rear of the petrol filling station do not conflict with oncoming vehicles at the internal north – south, east-west intersection).
24. Prior to occupancy an easement in gross in favour of the public at large in accordance with Sections 195 and 196 of the Land Administration Act 1997 is to be placed on the certificate of titles for the development site specifying access rights over the main access driveways within the development site.
25. The parking bays and internal driveways are to be designed in accordance with the *Australian Standard for Off Street Parking (AS 2890)*. Such areas are to be constructed, kerbed, drained and line-marked and thereafter maintained in a sound state of repair to the satisfaction of the Local Government.
26. The provision of bicycle end of trip facilities in accordance with the Guide to Traffic Engineering Practice, Austroads Part 14 and the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3).

Drainage and Servicing

27. The development shall be connected to a reticulated sewerage service, unless it is demonstrated to the satisfaction of the Local Government, that connection of the development to reticulated sewer is impractical or cost prohibitive at the time of development. In such a circumstance, the Local Government may approve the deferral of this connection, provided a practical and achievable pathway to sewer connection acceptable to the Local Government is achieved. An acceptable outcome must include a conceptual design of the future sewer system for the site and the landowner entering into a legal agreement supported by an absolute caveat to the satisfaction of the Local Government, setting out triggers and commitments to proportional funding and connection of the development to the sewer. Should, on an interim basis, the development be connected to an alternative nutrient retentive effluent disposal system, the siting of the interim system shall be to the satisfaction of the Local Government on advice from the Water Corporation and the Health Department of Western Australia.
28. The Drainage and Water Management Plan is to be amended to the satisfaction of the Local Government prior to the submission of an application for a building permit. The Management Plan is to be consistent with the Shire's *Water Sensitive Urban Design Local Planning Policy*, the Department of Water and Environmental Regulation's *Stormwater Management Manual for Western Australia* and *Water Quality Protection Notes (WQPN) 49 - Service stations, WQPN 62 - Tanks for underground chemical storage, WQPN 65 – Toxic and hazardous substances, WQPN 79 – Rural restaurants, cafes and taverns near sensitive water resources* and the Shire's Mosquito



Local Planning Policy. A petrol and oil trap is to be installed to the satisfaction of the Local Government.

29. Engineering drawings and specifications are in accordance with the approved Drainage and Water Management Plan. Detailed engineering drawings and specifications are to be prepared for approval by the Local Government and subsequent works are to be undertaken in accordance with the approved engineering drawings and specifications.
30. No bins, waste or other storage materials are permitted outside approved bin stores or service yards.
31. A solid fence to a height of at least 1.8 metres is constructed along the rear boundary of the development site where it abuts Lot 188.

Construction Management

32. Prior to commencement of site works, a construction management plan is to be prepared to the satisfaction of the local government addressing the following:
 - a) access to and from the site;
 - b) the delivery of materials and equipment to the site;
 - c) the storage of materials and equipment on the site;
 - d) the parking arrangements for contractors and subcontractors;
 - e) management of construction waste;
 - f) dust control;
 - g) hours during which onsite construction works are to be limited; and
 - h) other matters that have the potential to impact nearby properties.

The approved construction management plan is to be implemented at all times during site works to the satisfaction of the Local Government.

Plant and Equipment

33. All services such as air conditioning plant and compressors shall be located away from public areas. All services and service yards shall be screened from view of streets and other public areas, including car parking areas in a design or manner keeping with the style and materials of the adjacent building. Roof mounted equipment such as air conditioning plant and antennae shall be screened from view of the street and other public areas, including car parking areas, by the roof form or parapets.
34. The transformer with an interface to Ronlyn Road is to be screened in material(s) and colour(s) that are in keeping with the prevailing development to minimise visual impact on the streetscape to the satisfaction of the Local Government.

Landscaping

35. Prior to submitting an application for a building permit, detailed landscape plans are to be submitted to the local government for approval for the development site and the adjoining road verges. Landscaping is to be implemented in accordance with the approved plans prior to the development being occupied



and thereafter maintained in a healthy condition to the satisfaction of the Local Government.

36. Trees identified on the approved site plan for retention are to be protected throughout all stages of the construction phase. Buildings and associated infrastructure are to ensure an adequate separation distance to retained trees including the provision for deep soil zones, which are to be constructed as part of the implementation of the landscape plan.
37. The car parking area shall generally provide one shade tree for every four bays. The trees are to be located within tree wells and protected from damage by vehicles and maintained to the satisfaction of the local government.

Signage

38. Prior to the lodgement of a building permit application, the signage plan (SK01 Signage – Dec 2017) is to be modified to reflect the Ronlyn Road pylon signage at a maximum height of 6m and a sign face of 4m². All signage is to be constructed in accordance with the approved plans and maintained thereafter to the satisfaction of the Local Government.
39. Windows are to be free of advertising in the zone between 1 and 2 metres above the pavement to allow unhindered visual exchange between the interior and exterior of the buildings.

Advice Notes

1. In relation to Condition 16, Main Roads has advised the local government that the overall cost of signalisation of the Pinjarra Road and Ronlyn Road intersection was \$3,401,566.09, the contribution required under the condition is \$340,156.61.
2. Separate approvals are required under the *Main Roads Act 1930* for any works and/or landscaping within the Pinjarra Road reservation.
3. The design, Installation and Operation of Underground Petroleum Storage Systems require licensing from the Department of Mines, Industry Regulation and Safety. The emergency response plan prepared in relation to any petroleum being stored in the underground tanks should address the Department of Water & Environmental Regulation's Water Quality Protection Note 10 Contaminated spills – emergency response and be designed, installed and operated in accordance with Australian Standard AS 4898:2008.
4. The buildings marked on the approved site plan as 'Take-away' shall only be used as 'take-away food outlets', as defined in the Shire of Murray Town Planning Scheme No. 4, unless otherwise approved in writing by the local government (ie. "Take Away Food Outlet - means land and buildings which are used for the preparation and sale of food and refreshments to the public at large for consumption otherwise than on the premises concerned").



AMENDING MOTION 1

Moved by: Mr Ray Haeren

Seconded by: Mr Andrew Macliver

That Condition 9 be amended to read as follows:

All public entrances to tenancies TF06 to TF09 (inclusive) shall be kept unlocked and accessible to customers during business hours of the tenancy. That the Southern side be maintained at a minimum 50% permeable glazing.

REASON: To address concerns regarding internal fitout controls and provide suitable flexibility, whilst addressing the primary objective of not having the frontage closed off or screened.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 2

Moved by: Mr Andrew Macliver

Seconded by: Mr Brian Curtis

The following amendments were moved en bloc:

(i) That Condition 14 be amended to read as follows:

The proposed signage within the commercial zoned portion of the site does not form part of this approval. Prior to the application for a building permit, the applicant is to submit a signage strategy for approval by the local government for this portion of the site. Signage to be installed in accordance with the approved signage strategy.

REASON: To address concerns of panel members regarding the extent of signage, whilst not seeking to have no signage as part of the structure and clarification on use of public art.

(ii) To add a new Advice Note 5 to read as follows:

In relation to condition 14, revisions being made to the extent of signage associated with the commercial zone such that the large scale feature is not dominated by signage.

REASON: To address concerns of panel members regarding the extent of signage, whilst not seeking to have no signage as part of the structure and clarification on use of public art.

The Amending Motion was put and CARRIED UNANIMOUSLY.



AMENDING MOTION 3

Moved by: Mr Brian Curtis

Seconded by: Mr Andrew Macliver

That condition 23 be amended to read as follows:

The petrol filling station is to be reviewed as part of the detailed design phase to:

- a) *improve the vehicle stacking by reinforcing through the use of materials, a clearly defined driveway connection north of the vehicle stacking area and by adjusting the location of the fuel canopy;*
- b) *ensure the vehicles exiting the driveway at the rear of the petrol filling station do not conflict with oncoming vehicles at the internal north – south, east-west intersection.*

REASON: To clearly delineate the vehicle stacking area from access and egress, and ensure potential vehicle conflicts are minimised.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 4

Moved by: Mr Brian Curtis

Seconded by: Mr Ray Haeren

To add a new Condition 27 to read as follows and renumber the remaining conditions accordingly:

Prior to commencement of any of the approved uses, the development shall be connected to a suitable on-site wastewater treatment system with nutrient retentive qualities to the satisfaction of the local government on the advice of the Department of Health and connected to the reticulated water network.

REASON: To provide for suitable on-site waste water treatment pending the availability of reticulated sewerage infrastructure.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 5

Moved by: Mr Brian Curtis

Seconded by: Mr Ray Haeren

That Condition 27 (now Condition 28) be amended to read as follows:

The landowner is to contribute proportionally to any reasonable pre-funding arrangement agreed between the adjoining landowner and Water Corporation of WA (WCWA), in accordance with WCWA's established Developer Constructed Headworks Process, for the purpose of bringing forward its capital works program to provide reticulated sewerage infrastructure to the local catchment area. The proportional contribution shall be calculated based on the total area the development site bares to the total area of the catchment which is to be serviced by the WCWA reticulated sewerage infrastructure. Prior to the



development first being occupied, the landowner is to enter into a legal agreement supported by a subject to claim caveat to cover this obligation to the satisfaction of the local government on advice from the Water Corporation. Any caveat lodged to protect the above agreement shall be removed by the local government once the works for the future WCWA reticulated sewerage infrastructure to service the local catchment area has been completed.

REASON: To provide for suitable mechanism for developer contributions towards future reticulated sewerage infrastructure and clarity on the how this will be implemented.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro South-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01349 and accompanying plans: SK01 Site Plan – Aug 2018; SK02 Elevations – Aug 2018; SK03 Elevations – Jun 2018; SK04 Elevations – May 2018 and SK05 Elevations – May 2018; SK01 Signage – Dec 2017; and SK02 Signage – Jan 2018 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Murray Town Planning Scheme No. 4, subject to the following conditions:

Conditions

General

1. This decision constitutes planning approval only and is valid for a period of five years from the date of approval. If the subject development is not substantially commenced within the five year period, the approval shall lapse and be of no further effect, unless the Applicant has applied for and obtained Joint Development Assessment Panel approval to extend the approval term under Regulation 17(1)(a) of the *Planning and Development (Development Assessment Panel Regulations 2011)*.
2. Development is to be constructed in accordance with the approved plans SK01 Site Plan – August 2018; SK02 Elevations – Aug 2018; SK03 Elevations – Aug 2018; SK03 Elevations – Jun 2018; SK04 Elevations – May 2018 and SK05 Elevations – May 2018; SK01 Signage – Dec 2017; and SK02 Signage – Jan 2018; and any modifications required to be undertaken in order to clear the conditions below.
3. Conditions are to be addressed to the satisfaction of the Shire prior to the development first being occupied, except as otherwise stated in the conditions of approval.
4. Detailed design drawings for the development site which address the various conditions of approval that impact on the design are to be submitted to, and endorsed by, the local government prior to the submission of an application for a building permit. All development works are to be undertaken in accordance with the approved detailed design drawings.



5. Any proposed staging of the development shall not result in clearing or the removal of remnant vegetation / trees located within subsequent stages of development, without the prior approval of the Local Government.
6. Where development requires construction works spanning existing lot boundaries, affected lots are to be amalgamated prior to occupation of the development. A copy of the new certificate of title(s) is / are to be submitted to the local government for its records.
7. Prior to the commencement of site works, an acid-sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan is to be prepared and approved by the Department of Biodiversity, Conservation and Attractions. Where an acid sulphate soils management plan is to be prepared, all site works are to be carried out in accordance with the approved plan.
8. Finished floor and surface levels of the development are to at grade with adjoining pathways and at an appropriate level to ensure adequate protection from major storm events to the satisfaction of the local government.

Built Form Requirements

9. All public entrances to tenancies TF06 to TF09 (inclusive) shall be kept unlocked and accessible to customers during business hours of the tenancy. That the Southern side be maintained at a minimum 50% permeable glazing.
10. Building elevations to street level tenancies facing Ronlyn Road are to be predominantly glazed, with no more than 30% of the façade comprising solid walls. Tenancy windows facing Ronlyn Road are to be unobscured glass. The use of reflective, heavily tinted, obscure glass, painting out or otherwise obscuring windows is not permitted.
11. Verandahs or awnings are to be constructed along the entire length of all buildings located along the Ronlyn Road frontage to provide weather protection to the street space and building entrances. The minimum dimensions are to be 2.5 metres in depth and 3 metres in height above the footpath. Structures are not to extend beyond the kerbline adjacent to the roundabout.
12. Fencing of the 'outdoor' area adjacent to the 'Showroom T17' is to be a minimum of 50% permeable and of a building material and colour that is consistent with development on site.
13. Prior to the submission of an application for a building permit, a building material and colour schedule for the external facades of buildings is to be submitted for approval by the local government. Buildings are to be constructed in accordance with the approved schedule.
14. The proposed signage within the commercial zoned portion of the site does not form part of this approval. Prior to the application for a building permit, the applicant is to submit a signage strategy for approval by the local government for this portion of the site. Signage to be installed in accordance with the approved signage strategy.



15. Prior to the lodgement of a building permit application, Elevation SK03 – Jun 2018 is to be modified to reduce building bulk / mass of T1-T2 and T18-24 on the adjacent lot to the south through the implementation of a range of muted tones / colours and finishes.

Street Network, Access and Parking

16. Prior to occupancy the landowner / developer is to make a payment to the local government equivalent to 10% of the cost of the signalisation of the intersection of Pinjarra Road and Ronlyn Road pursuant to the Shire of Murray Town Planning Scheme No. 4 (refer Advice Note 1).
17. Prior to occupancy the Pinjarra Road access, including the left-turn slip lane, is to be designed to the satisfaction of the local government on the advice of Main Roads WA with drainage, kerbing and street lighting. The subject works are to be constructed in accordance with the approved design to the satisfaction of the Local Government and Main Roads WA at the cost of the landowner / developer.
18. Prior to occupancy the Pinjarra Road frontage is to be upgraded along the frontage of the subject land to an urban standard to the satisfaction of the local government on the advice of MRWA, with drainage and kerbing at the cost of the landowner / developer.
19. Prior to occupancy the portion of the Pinjarra Road median located opposite the new left-in/left-out crossover is to be modified to the satisfaction of the local government on the advice of MRWA and constructed at the cost of the landowner / developer. The median works are to restrict the potential for vehicles leaving the subject land via the new left-in/left-out to cross over the Pinjarra Road median.
20. Prior to occupancy a dual use path is to be constructed within the 10 m wide landscape area adjacent to Pinjarra Road and is to connect with the existing path along Pinjarra Road to the east and west of the development site. Pedestrian paths within the development site are to be extended to connect with the dual use path. The existing path within the Pinjarra Road reserve adjacent to the development site is to be removed.
21. The portion of Ronlyn Road abutting the development site is to be upgraded to an 'urban' standard to the satisfaction of the Local Government, as follows:
 - a) the undergrounding of the above ground powerlines;
 - b) for the portion north of the proposed roundabout, a dual use path is to be constructed within the eastern verge which connects to the dual use path referred to in Condition 20;
 - c) for the portion south of the proposed roundabout, a 'main street' design standard includes red asphalt or other material that emphasises the pedestrian focus of the main street and on-street car parking, full width pedestrian pavement, street trees and street furniture on the eastern verge.
22. A detailed design of the proposed interim Ronlyn Road roundabout is to be submitted to the Shire for review and endorsement at the building permit



stage. The detailed roundabout designs is to be designed and constructed in accordance with relevant AustRoads requirements and Australian Standards, in addition to the Shire's technical specifications. Any land from the development site required to accommodate the ultimate roundabout design (as indicated under Attachment 3 – *Indicative Sketch – 'Ultimate' Roundabout Design – Aug 2018*) shall be ceded free of cost at building permit stage and without payment of compensation from the Local Government.

23. The petrol filling station is to be reviewed as part of the detailed design phase to:
 - a) improve the vehicle stacking by reinforcing through the use of materials, a clearly defined driveway connection north of the vehicle stacking area and by adjusting the location of the fuel canopy;
 - b) ensure the vehicles exiting the driveway at the rear of the petrol filling station do not conflict with oncoming vehicles at the internal north – south, east-west intersection.
24. Prior to occupancy an easement in gross in favour of the public at large in accordance with Sections 195 and 196 of the Land Administration Act 1997 is to be placed on the certificate of titles for the development site specifying access rights over the main access driveways within the development site.
25. The parking bays and internal driveways are to be designed in accordance with the *Australian Standard for Off Street Parking (AS 2890)*. Such areas are to be constructed, kerbed, drained and line-marked and thereafter maintained in a sound state of repair to the satisfaction of the Local Government.
26. The provision of bicycle end of trip facilities in accordance with the Guide to Traffic Engineering Practice, Austroads Part 14 and the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3).

Drainage and Servicing

27. Prior to commencement of any of the approved uses, the development shall be connected to a suitable on-site wastewater treatment system with nutrient retentive qualities to the satisfaction of the local government on the advice of the Department of Health and connected to the reticulated water network.
28. The landowner is to contribute proportionally to any reasonable pre-funding arrangement agreed between the adjoining landowner and Water Corporation of WA (WCWA), in accordance with WCWA's established Developer Constructed Headworks Process, for the purpose of bringing forward its capital works program to provide reticulated sewerage infrastructure to the local catchment area. The proportional contribution shall be calculated based on the total area the development site bares to the total area of the catchment which is to be serviced by the WCWA reticulated sewerage infrastructure. Prior to the development first being occupied, the landowner is to enter into a legal agreement supported by a subject to claim caveat to cover this obligation to the satisfaction of the local government on advice from the Water Corporation. Any caveat lodged to protect the above agreement shall be removed by the local government once the works for the future WCWA reticulated sewerage infrastructure to service the local catchment area has been completed.



29. The Drainage and Water Management Plan is to be amended to the satisfaction of the Local Government prior to the submission of an application for a building permit. The Management Plan is to be consistent with the Shire's *Water Sensitive Urban Design Local Planning Policy*, the Department of Water and Environmental Regulation's *Stormwater Management Manual for Western Australia* and *Water Quality Protection Notes (WQPN) 49 - Service stations*, WQPN 62 - *Tanks for underground chemical storage*, WQPN 65 – *Toxic and hazardous substances*, WQPN 79 – *Rural restaurants, cafes and taverns near sensitive water resources* and the Shire's *Mosquito Local Planning Policy*. A petrol and oil trap is to be installed to the satisfaction of the Local Government.
30. Engineering drawings and specifications are in accordance with the approved Drainage and Water Management Plan. Detailed engineering drawings and specifications are to be prepared for approval by the Local Government and subsequent works are to be undertaken in accordance with the approved engineering drawings and specifications.
31. No bins, waste or other storage materials are permitted outside approved bin stores or service yards.
32. A solid fence to a height of at least 1.8 metres is constructed along the rear boundary of the development site where it abuts Lot 188.

Construction Management

33. Prior to commencement of site works, a construction management plan is to be prepared to the satisfaction of the local government addressing the following:
 - a) access to and from the site;
 - b) the delivery of materials and equipment to the site;
 - c) the storage of materials and equipment on the site;
 - d) the parking arrangements for contractors and subcontractors;
 - e) management of construction waste;
 - f) dust control;
 - g) hours during which onsite construction works are to be limited; and
 - h) other matters that have the potential to impact nearby properties.

The approved construction management plan is to be implemented at all times during site works to the satisfaction of the Local Government.

Plant and Equipment

34. All services such as air conditioning plant and compressors shall be located away from public areas. All services and service yards shall be screened from view of streets and other public areas, including car parking areas in a design or manner keeping with the style and materials of the adjacent building. Roof mounted equipment such as air conditioning plant and antennae shall be screened from view of the street and other public areas, including car parking areas, by the roof form or parapets.
35. The transformer with an interface to Ronlyn Road is to be screened in material(s) and colour(s) that are in keeping with the prevailing development



to minimise visual impact on the streetscape to the satisfaction of the Local Government.

Landscaping

36. Prior to submitting an application for a building permit, detailed landscape plans are to be submitted to the local government for approval for the development site and the adjoining road verges. Landscaping is to be implemented in accordance with the approved plans prior to the development being occupied and thereafter maintained in a healthy condition to the satisfaction of the Local Government.
37. Trees identified on the approved site plan for retention are to be protected throughout all stages of the construction phase. Buildings and associated infrastructure are to ensure an adequate separation distance to retained trees including the provision for deep soil zones, which are to be constructed as part of the implementation of the landscape plan.
38. The car parking area shall generally provide one shade tree for every four bays. The trees are to be located within tree wells and protected from damage by vehicles and maintained to the satisfaction of the local government.

Signage

39. Prior to the lodgement of a building permit application, the signage plan (SK01 Signage – Dec 2017) is to be modified to reflect the Ronlyn Road pylon signage at a maximum height of 6m and a sign face of 4m². All signage is to be constructed in accordance with the approved plans and maintained thereafter to the satisfaction of the Local Government.
40. Windows are to be free of advertising in the zone between 1 and 2 metres above the pavement to allow unhindered visual exchange between the interior and exterior of the buildings.

Advice Notes

1. In relation to Condition 16, Main Roads has advised the local government that the overall cost of signalisation of the Pinjarra Road and Ronlyn Road intersection was \$3,401,566.09, the contribution required under the condition is \$340,156.61.
2. Separate approvals are required under the *Main Roads Act 1930* for any works and/or landscaping within the Pinjarra Road reservation.
3. The design, Installation and Operation of Underground Petroleum Storage Systems require licensing from the Department of Mines, Industry Regulation and Safety. The emergency response plan prepared in relation to any petroleum being stored in the underground tanks should address the Department of Water & Environmental Regulation's Water Quality Protection Note 10 Contaminated spills – emergency response and be designed, installed and operated in accordance with Australian Standard AS 4898:2008.
4. The buildings marked on the approved site plan as 'Take-away' shall only be used as 'take-away food outlets', as defined in the Shire of Murray Town



Planning Scheme No. 4, unless otherwise approved in writing by the local government (ie. "Take Away Food Outlet - means land and buildings which are used for the preparation and sale of food and refreshments to the public at large for consumption otherwise than on the premises concerned").

5. In relation to condition 14, revisions being made to the extent of signage associated with the commercial zone such that the large scale feature is not dominated by signage.

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

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

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

Nil

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

The Presiding Member noted the following State Administrative Tribunal Application -

Current Applications		
LG Name	Property Location	Application Description
City of Cockburn	Lot 803 Yangebup Road, Yangebup	Service Station (7 Eleven)

10. **General Business / Meeting Close**

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the Presiding Member declared the meeting closed at 11.23am.