

**EXTRACT FROM MINUTES OF COUNCIL MEETING HELD ON 22 NOVEMBER 2005
– CONDITIONS OF PLANNING APPROVAL FOR LAKESIDE SHOPPING CENTRE
ADDITIONS**

That Council:

- 1 EXERCISES discretion under clause 4.5.1 of the City's District Planning Scheme No. 2 and, recognising future development possibilities, determines that the three metre wide landscape strip along Grand Boulevard required in terms of DPS2 subclause 4.12.2 is not required to be provided in this instance.
- 2 APPROVES the application for Planning Approval, Amended Version in Five Parts, dated August 2005, submitted by Cameron, Chisholm and Nichol (WA) Pty Ltd on behalf of the owners, ING Retail Property Fund Australia for extensions to the Lakeside Shopping Centre subject to the following conditions:
 - (a) The submission of revised or additional information for approval by the City, to address the following issues:
 - (i) a detailed colour and material schedule for those parts of buildings exposed from the street front;
 - (ii) a detailed description of the thermal properties to be used in construction, especially of the roofs, as it relates to the JCCDPM Policy P8;
 - (iii) a detailed landscaping plan that addresses JCCDPM Policy C7 (refer to footnote (a));
 - (iv) further detailed design drawings of all vehicle access points from Boas Avenue, Grand Boulevard and Collier Pass;
 - (v) a lighting plan that addresses the JCCDPM;
 - (vi) Details showing how the proposed development will comply with JCCDPM relating to roofscape and the screening of plant and machinery on the proposed development (refer to footnote (b));
 - (vii) The details for the design, construction and operation of the proposed link road past the north end of the station shall ensure pedestrian priority and safety, following consultation with the Public Transport Authority. Details to include how pedestrian priority and safety will be achieved.
 - (viii) Security grilles and grates being designed in accordance with JCCDPM CBD Policy C5.5.
 - (b) A separate Development Application shall be submitted detailing the intended architectural treatment of the shops fronting Grand Boulevard and Boas Avenue, once the nature of the tenancies is known.

- (c) A separate Development Application shall be submitted for all external signage, advertising, graphics and public art. Such application(s) to address the relevant design guidelines in the JCCDPM.
- (d) All new car parking bays are to comply to standards for car bay dimensions for short term parking in a city centre (User Class 3) in Australian Standard AS2890.1 - Table 1.1 and Figure 2.2.
- (e) The applicant shall submit for the City's approval, a comprehensive car parking management plan that addresses but is not limited to, the following matters:
 - (i) The applicant shall:
 - (A) provide sufficient on-site parking to meet the demands of the proposed workforce for the construction of the proposed development. Details of the proposed workforce car parking area, identification of any special work areas and supporting documentation is to be submitted; and
 - (B) require any worker or contractor to use the workforce car parking area or identified work areas as required in conditions (A);
 - (ii) the provision of off street at grade and multi deck parking is to be staged so that there is no net loss in overall parking bays currently provided within the shopping centre precinct, during the course of construction of the proposed development;
 - (iii) any loss of on-street parking in Collier Pass is to be provided onsite but separate from the shopping centre car parking area, in accordance with the existing WAGR agreement;
 - (iv) the car parking area immediately west of the transit station shall have a minimum of 38 bays excluding any provision for bicycle parking;
 - (v) The number of shopping centre car parking bays located and maintained on the portion of the site bounded by Boas Avenue, Grand Boulevard, Collier Pass and the railway shall not be less than 1710 bays, excluding any on-site parking provided as replacement parking for parking bays lost in Collier Pass, Grand Boulevard and Boas Avenue due to the construction of the proposed development, or the requirement for other parking bays which is off-set by the provision of cash-in-lieu of parking provisions;
 - (vi) overall, the development shall have a minimum of 3981 car parking spaces to satisfy the overall car parking requirements of District Planning Scheme No 2;

- (vii) any loss of car parking in Boas Avenue or Grand Boulevard is required to be provided on-site, but separate from the shopping centre car parking requirement;
 - (viii) The delivery times for articulated service vehicles to ensure minimal disruption to the operation of the surrounding streets and other businesses in the near vicinity;
 - (ix) The provision of at least 48 public and 14 staff bicycle parking facilities at appropriate locations in close proximity to all entry points to the shopping centre on the subject site, including signage, storage and access;
- (f) Any changes to the approved car parking management plan required in condition (e) will require the further approval of the City;
- (g) Detailed drawings of the proposed modifications to the pedestrian traffic island in Boas Avenue near McLarty Avenue, to allow access into and out of the proposed western service yard, shall be submitted for approval by the City. Costs associated with the proposed road changes shall be borne by the applicant;
- (h) Subject to a Traffic Safety Audit being carried out first, details drawings of the proposed changes to the configuration of the carriageways in Grand Boulevard for the entrance/exit points to the upper parking deck shall be prepared and submitted for approval by the City;
- (i) All changes to road carriageways and associated kerbing, pavements etc which are required to accommodate entrance and exit points into the site shall be designed and constructed to the satisfaction City and at the cost of the owners;
- (j) The owners arranging at its cost for the design and installation of traffic signals at Joondalup Drive and Collier Pass intersection to the satisfaction of the City and MRWA prior to the opening of the Shopping Centre Development;
- (k) All channelisation treatments including modifications to the existing traffic signals at Collier Pass and Grand Boulevard intersection to be to the satisfaction of the City and MRWA and at the owners cost;
- (l) All modifications to the existing median parking in Collier Pass between Driveway 7 and Grand Boulevard to be to the satisfaction of the City and at the owners cost;
- (m) The parking bays, driveways and points of ingress and egress are to be designed in accordance with the Australian/New Zealand Standard for Off Street parking (AS/NZS 2890.1:2004) and the Australian Standard for Off Street Commercial Vehicles Facilities (AS 2890.2 - 2002). These areas are to be constructed as part of the building program;

- (n) Prior to the commencement of earth works on the site, a traffic management plan for heavy vehicles shall be submitted and approved by the City;
- (o) Details of dust suppression measures shall be submitted for approval by the City;
- (p) All existing vegetation on the site which is not considered worthy of retention or transplanting, as determined by the City, shall be mulched, stored and used on site. Excess mulch, if any, shall be disposed of in a manner satisfactory to the City;
- (q) Prior to any construction or earth works commencing, a drainage plan shall be produced and submitted for approval by the City;
- (r) Prior to works commencing on the approved development, a construction plan and program shall be developed and approved by the City of Joondalup (refer to footnote (c)). The agreement will incorporate measures that require the City's approval for any changes to the agreed works plan and program;
- (s) Should streets adjoining the site become dirty or littered through earthworks and construction activities, the owner shall, following the directions of the City, be responsible for clearing such dirt or rubbish to the satisfaction of the City;
- (t) Where any works will impact on adjoining streets, a program for such works including rehabilitation works shall be submitted for approval by the City, prior to the commencement of works;
- (u) Prior to works commencing on the site, the owners shall:
 - (i) submit details for approval by the City, demonstrating how public access arrangements to/from the station into the existing centre and to Boas Avenue and Grand Boulevard will be maintained during construction period;
 - (ii) the approval of the Public Transport Authority shall be obtained prior to submitting the details referred to in part (q)(i) above, for the City's approval;
 - (iii) any proposals to change the approved details referred to in part (q)(i) will require the City's approval, including consultation with the Public Transport Authority;
- (v) Following consultation with the Public Transport Authority, details of after hours access to/from the station to Boas Avenue via Station Square shall be submitted for approval by the City. The approved details shall form part of an agreement with the City and will be maintained in accordance with that agreement. Any changes to the agreement will require the written approval before such changes can occur;

- (w) Alfresco dining or other commercial activity in any on-site open space shall be subject to a separate development application;
- (x) A safety and security plan for all public spaces on the site and including after hours, is to be submitted to the satisfaction of the City. Such plan to be developed following consultation with the Joondalup Police and/or Office of Crime Prevention;
- (y) Prior to the submission of detailed plans for a Building Licence the applicant shall furnish written confirmation, to the satisfaction of the City of Joondalup, from all relevant servicing authorities to the effect that servicing arrangements have been concluded;
- (z) The applicant shall submit a written refuse management strategy providing details on how refuse will be managed at the site including storage and removal for approval by the City, prior to the issue of a Building Licence;
- (aa) Any proposed class 1 food tenancies shall be provided with a rear service entry;
- (bb) Service areas shall be designed to ensure that all servicing activities can maintain compliance with the provisions of the Environmental Protection (Noise) Regulations 1997;
- (cc) This approval is contingent upon the construction of the shop fronts on Boas Avenue and Grand Boulevard, as indicated in the application;
- (dd) The bulk of the parking deck minimised, where viewed from the adjoining roads, by the introduction of hard and soft landscaping treatments to the satisfaction of the City and/or screening of public art quality that is suitable to complement the Central Park and War Memorial.

Footnotes:

- (a) The landscaping plan should cover such matters as intended plant species, noting that wherever possible local species should be used, the method of irrigation, water saving features and arrangements for maintenance;
- (b) Screening of plant and machinery on the roof should address noise issues also;
- (c) The plan is to cover screening of works, safety, machinery to be used and operating hours, working hours, temporary construction accommodation, rubbish disposal, materials storage on-site, precautions preventing heavy vehicles over the railway tunnel, temporary lighting, noise control public safety and amenity and any other relevant issues;
- (d) Where parking is to be provided in structures in the CBD, the parking so provided shall comply with Australian Standards for parking AS2890.1 Table 1.1 (User Class 3) for purposes of the 'Classification of Off-Street Parking Facilities';

- (e) Development shall comply with the Environmental Protection (Noise) Regulations 1997;
- (f) Bin storage areas shall be provided with a concrete floor that grades evenly to an industrial floor waste gully that is connected to sewer and be provided with a hose cock;
- (g) Development shall comply with the relevant provisions of the Health (Food Hygiene) Regulations 1993, the Health (Public Building) Regulations 1992 and the Health Act 1911;
- (h) This approval relates to the August 2005 submission in 5 parts. While minor changes may be negotiated with the City any significant variation by means of addition, alteration or omission shall be subject to a new Development Application. (Minor changes are those which do not alter the design intent of the approved application as determined by the City);
- (i) If the required car parking cannot be provided on-site, then the applicant can seek approval from Council for a cash-in-lieu payment for the shortfall;
- (j) With regards to condition (m) above, the applicant should note the following points which have been noted as giving possible cause for concern:
 - Parking bay dimensions are to comply with User Class 3 as determined in AS/NZS 2890.1 table 1.1 and figure 2.2;
 - Parking bay dimensions are to be taken from the face of any adjacent post or structure;
 - Commercial vehicle headroom requirements. AS/NZS 2890.2 table 2.1 stipulates a minimum clearance of 4500 mm is required for the majority of service vehicles. If commercial bulk bins are to be serviced within the service areas, then a clearance of 5900 mm is required above the bin area and the 10 metre run-in;

- Sight distance requirements. AS 2890.2 figures 3.3 and 3.4 stipulate these requirements;
 - Driveway grades. AS 2890.2 clause 3.4.4 stipulates the maximum grade for the first portion of a ramp within the property line of commercial driveways;
 - Ramp widths. AS/NZS 2890.1 clause 2.5.2 stipulates the minimum width of a driveway to be 3000 mm between kerbs, and 300 mm clear either side;
- 3 This approval relates to the August 2005 submission in 5 parts. While minor changes may be negotiated with the City any significant variation by means of addition, alteration or omission shall be subject to a new Development Application. (Minor changes are those which do not alter the design intent of the approved application as determined by the City);
- 4 For the purpose of this application, deems that the cash-in-lieu for parking be an amount of \$25,440 per bay.

MARKED UP COPY OF ORIGINAL PLANNING APPROVAL SHOWING CHANGES AS PROPOSED BY THE APPLICANT

This Approval to Commence Development requires the development to be undertaken in accordance with the submitted application, the enclosed approved plans and is subject to compliance with the following conditions:

- (a) The submission of revised or additional information for approval by the City, to address the following issues:
 - (i) a detailed colour and material schedule for those parts of buildings exposed from the street front;
 - (ii) a detailed description of the thermal properties to be used in construction, especially of the roofs, as it relates to the JCCDPM Policy P8;
 - (iii) a detailed landscaping plan that addresses JCCDPM Policy C7, including the way in which existing vegetation not intended to be retained will be dealt with (the City encourages the Applicant to investigate whether this vegetation can be mulched and re-used on site). [previously condition (p)] (refer to footnote (a);
 - (iv) further detailed design drawings of all vehicle access points from Boas Avenue, Grand Boulevard and Collier Pass;
 - (v) a lighting plan that addresses the JCCDPM;
 - (vi) Details showing how the proposed development will comply with JCCDPM relating to roofscape and the screening of plant and machinery on the proposed development (refer to footnote (b));
 - (vii) The details for the design, construction and operation of the proposed link road past the north end of the station shall ensure pedestrian priority and safety, following consultation with the Public Transport Authority. Details to include how pedestrian priority and safety will be achieved.
 - (viii) Security grilles and grates being designed in accordance with JCCDPM CBD Policy C5.5.
- (b) A separate Development Application shall be submitted detailing the intended architectural treatment of the shops fronting Grand Boulevard and Boas Avenue, once the nature of the tenancies is known.
- (c) A separate Development Application shall be submitted for all external signage, advertising, graphics and public art. Such application(s) to address the relevant design guidelines in the JCCDPM.

- ~~(d)~~ All new car parking bays are to comply to standards for car bay dimensions for short term parking in a city centre (User Class 3) in Australian Standard AS2890.1 – Table 1.1 and Figure 2.2.
- (de) The applicant shall submit for the City's approval, a comprehensive car parking management plan that addresses but is not limited to, the following matters listed in this condition. Any subsequent changes to the approved car parking management plan will require the further approval by the City [previously condition f].
- ~~(i)~~ The applicant shall:
 - ~~(A)~~ provide sufficient on-site parking to meet the demands of the proposed workforce for the construction of the proposed development. Details of the proposed workforce car parking area, identification of any special work areas and supporting documentation is to be submitted; and
 - ~~(B)~~ require any worker or contractor to use the workforce car parking area or identified work areas as required in conditions (A);
- ~~(ii)~~ the provision of off street at grade and multi-deck parking is to be staged so that there is no net loss in overall parking bays currently provided within the shopping centre precinct, during the course of construction of the proposed development;
- (iii) Provision of car parking bays lost from on-street parking
 - (A) The any-loss of 35 on-street parking bays in Collier Pass is to be provided onsite but separate from the shopping centre car parking area, in accordance with the existing WAGR agreement;
 - (B) The loss of 11 car parking bays in Boas Avenue or Grand Boulevard is to be provided on-site, but separate from the shopping centre car parking requirement;
- (ii) Minimum car parking bay numbers
- ~~(iv)~~
 - (A) the car parking area immediately west of the transit station shall have a minimum of 38 bays excluding any provision for bicycle parking;
- ~~(v)~~
 - (B) The number of shopping centre car parking bays located and maintained on the portion of the site bounded by Boas Avenue, Grand Boulevard, Collier Pass and the railway shall not be less than 1710 bays, excluding any on-site parking

provided as replacement parking for parking bays lost in Collier Pass, Grand Boulevard and Boas Avenue due to the construction of the proposed development, or the requirement for other parking bays which is off-set by the provision of cash-in-lieu of parking provisions;

~~(vi)~~ —

~~(C)~~ overall, the existing shopping centre, including the development shall have a minimum of 3984–3925 car parking spaces, being:

- 2493 bays approved in relation to previous stages of the shopping centre; and

- 1432 bays approved in relation to this development, calculated at 5.25 bays/100m² for the first 8,419m² and 4.8 bays/100m² for the remainder 20,635m².

~~to satisfy the overall car parking requirements of District Planning Scheme No 2;~~

~~(vii) any loss of car parking in Boas Avenue or Grand Boulevard is required to be provided on-site, but separate from the shopping centre car parking requirement;~~

~~(viii)~~ Service vehicles

The delivery times for articulated service vehicles to ensure minimal disruption to the operation of the surrounding streets and other businesses in the near vicinity;

~~(ix)~~ Bicycle parking

The provision of at least 48 public and 14 staff bicycle parking facilities at appropriate locations in close proximity to all entry points to the shopping centre on the subject site, including signage, storage and access;

~~(f) Any changes to the approved car parking management plan required in condition (e) will require the further approval of the City;~~

~~(ge)~~ Detailed drawings of the proposed modifications to the pedestrian traffic island in Boas Avenue near McLarty Avenue, to allow access into and out of the proposed western service yard, shall be submitted for approval by the City. Costs associated with the proposed road changes shall be borne by the applicant;

~~(hf)~~ Subject to a Traffic Safety Audit being carried out first, details drawings of the proposed changes to the configuration of the carriageways in Grand Boulevard for the entrance/exit points to the upper parking deck shall be prepared and submitted for approval by the City;

- (ig) All changes to road carriageways and associated kerbing, pavements etc which are required to accommodate entrance and exit points into the site shall be designed and constructed to the satisfaction City and at the cost of the owners;
- (jh) The owners will enter into an agreement with the City to arranging at its cost for the design and installation pre-fund the design and installation of traffic signals at Joondalup Drive and Collier Pass intersection. The agreement will set out the timing of the installation of the signals, the referral process with to the satisfaction of the City and MRWA, the amount of contribution of the owners (set at [insert amount of contribution]), and the timing of repayment of the remainder of the costs of design and installation to the owners. prior to the opening of the Shopping Centre Development;
- (ik) All channelisation treatments including and modifications to the existing traffic signals at Collier Pass and Grand Boulevard intersection to be to the satisfaction of the City and MRWA and at the owners cost;
- (jl) All modifications to the existing median parking in Collier Pass between Driveway 7 and Grand Boulevard to be to the satisfaction of the City and at the owners cost;
- (mk) The New off-street parking bays areas, driveways and points of ingress and egress are to be designed in accordance with the Australian/New Zealand Standard for Off Street parking (AS/NZS 2890.1:2004) and the Australian Standard for Off Street Commercial Vehicles Facilities (AS 2890.2 - 2002). These areas are to be constructed as part of the building program;
- (l) The new car parking bay dimensions shall be in accordance with User Class 3 in Australian Standard AS2890.1 - Table 1.1 and Figure 2.2. [previously condition (d)]
- (n) Prior to the commencement of earth works on the site, a traffic management plan for heavy vehicles shall be submitted and approved by the City;
- (o) Details of dust suppression measures shall be submitted for approval by the City;
- (p) All existing vegetation on the site which is not considered worthy of retention or transplanting, as determined by the City, shall be mulched, stored and used on site. Excess mulch, if any, shall be disposed of in a manner satisfactory to the City;
- (q) Prior to any construction or earth works commencing, a drainage plan shall be produced and submitted for approval by the City;
- (rm) Prior to works commencing on the approved development, a construction plan and program shall be developed and approved by the City of Joondalup (refer to footnote (c)). The agreement will incorporate measures

~~that require the City's approval for any changes to the agreed works plan and program~~

A construction management plan and program is to be lodged as part of the Building Licence documentation once a builder has been appointed, showing the following information:

- (i) the location of workforce parking [previously condition (e)(i)];
- (ii) the way in which the Applicant proposes to stage the development to minimise the loss of overall parking bays during the course of construction [previously condition (e)(i)];
- (iii) ;A plan showing how heavy vehicle movement will be managed [previously condition (n)];
- (iv) The way in which dust will be suppressed [previously condition (o)]; and
- (v) A drainage plan [previously condition (q)].

~~(s) Should streets adjoining the site become dirty or littered through earthworks and construction activities, the owner shall, following the directions of the City, be responsible for clearing such dirt or rubbish to the satisfaction of the City;~~

~~(t) Where any works will impact on adjoining streets, a program for such works including rehabilitation works shall be submitted for approval by the City, prior to the commencement of works;~~

~~(un)~~ Prior to works commencing on the site, the owners shall:

- (i) submit details for approval by the City, demonstrating how public access arrangements to/from the station into the existing centre and to Boas Avenue and Grand Boulevard will be maintained during construction period;
- (ii) the approval of the Public Transport Authority shall be obtained prior to submitting the details referred to in part ~~(en)~~(i) above, for the City's approval;
- (iii) any proposals to change the approved details referred to in part ~~(en)~~(i) will require the City's approval, including consultation with the Public Transport Authority; [City to provide response on necessity of this condition once existing access agreements have been considered]

~~(vo)~~ Following consultation with the Public Transport Authority, details of after hours access to/from the station to Boas Avenue via Station Square shall be submitted for approval by the City. The approved details shall form part of an agreement with the City and will be maintained in accordance with that agreement. Any changes to the agreement will require the written approval

before such changes can occur; [City to provide response on necessity of this condition once existing access agreements have been considered]

- (wp) Alfresco dining or other commercial activity in any on-site open space shall be subject to a separate development application;
- (xq) The Applicants are to ensure that a representative of the shopping centre management attend and provide input into any A-safety and security meetings convened with the local police, the Public Transit Authority and the City to discuss safety and security in the city centre. plan for all public spaces on the site and including after hours, is to be submitted to the satisfaction of the City. Such plan to be developed following consultation with the Joondalup Police and/or Office of Crime Prevention;
- (yr) Prior to the submission of detailed plans for a Building Licence the applicant shall furnish written confirmation, to the satisfaction of the City of Joondalup, from all relevant servicing authorities to the effect that servicing arrangements have been concluded;
- (zs) The applicant shall submit a written refuse management strategy providing details on how refuse will be managed at the site including storage and removal for approval by the City, prior to the issue of a Building Licence; [City to provide further information]
- (aat) Any proposed class 1 food tenancies shall be provided with a rear service entry;
- (bbu) Service areas shall be designed to ensure that all servicing activities can maintain compliance with the provisions of the Environmental Protection (Noise) Regulations 1997;
- (eev) This approval is contingent upon the construction of the shop fronts on Boas Avenue and Grand Boulevard, as indicated in the application;
- (ddw) The bulk of the parking deck minimised, where viewed from the adjoining roads, by the introduction of hard and soft landscaping treatments to the satisfaction of the City and/or screening of public art quality that is suitable to complement the Central Park and War Memorial.

Footnotes:

- (a) The landscaping plan should cover such matters as intended plant species, noting that wherever possible local species should be used, the method of irrigation, water saving features and arrangements for maintenance;
- (b) Screening of plant and machinery on the roof should address noise issues also;
- (c) The plan is to cover screening of works, safety, machinery to be used and operating hours, working hours, temporary construction accommodation, rubbish disposal, materials storage on-site, precautions preventing heavy vehicles over the railway

tunnel, temporary lighting, noise control public safety and amenity and any other relevant issues;

- ~~(d) Where parking is to be provided in structures in the CBD, the parking so provided shall comply with Australian Standards for parking AS2890.1 Table 1.1 (User Class 3) for purposes of the 'Classification of Off Street Parking Facilities'; [deleted because covered in conditions]~~
- ~~(e) Development shall comply with the Environmental Protection (Noise) Regulations 1997;~~
- (fd) Bin storage areas shall be provided with a concrete floor that grades evenly to an industrial floor waste gully that is connected to sewer and be provided with a hose cock;
- ~~(g) Development shall comply with the relevant provisions of the Health (Food Hygiene) Regulations 1993, the Health (Public Building) Regulations 1992 and the Health Act 1911;~~
- (he) This approval relates to the August 2005 submission in 5 parts. While minor changes may be negotiated with the City any significant variation by means of addition, alteration or omission shall be subject to a new Development Application. (Minor changes are those which do not alter the design intent of the approved application as determined by the City);
- (if) If the required car parking cannot be provided on-site, then the applicant can seek approval from Council for a cash-in-lieu payment for the shortfall;
- (jg) With regards to condition (mk) above, the applicant should note the following points which have been noted as giving possible cause for concern:
 - ~~• Parking bay dimensions are to comply with User Class 3 as determined in AS/NZS 2890.1 table 1.1 and figure 2.2; [deleted because covered in conditions]~~
 - ~~• Parking bay dimensions are to be taken from the face of any adjacent post or structure; [this has been removed because it does not fully reflect the methodology in AS 2890, and in any case is covered by condition (m)].~~
 - Commercial vehicle headroom requirements. AS/NZS 2890.2 table 2.1 stipulates a minimum clearance of 4500 mm is required for the majority of service vehicles. If commercial bulk bins are to be serviced within the service areas, then a clearance of 5900 mm is required above the bin area and the 10 metre run-in;
 - Sight distance requirements. AS 2890.2 figures 3.3 and 3.4 stipulate these requirements;
 - Driveway grades. AS 2890.2 clause 3.4.4 stipulates the maximum grade for the first portion of a ramp within the property line of commercial driveways;

- Ramp widths. AS/NZS 2890.1 clause 2.5.2 stipulates the minimum width of a driveway to be 3000 mm between kerbs, and 300 mm clear either side;
- 3 This approval relates to the August 2005 submission in 5 parts. While minor changes may be negotiated with the City any significant variation by means of addition, alteration or omission shall be subject to a new Development Application. (Minor changes are those which do not alter the design intent of the approved application as determined by the City);
- 4 For the purpose of this application, deems that the cash-in-lieu for parking be an amount of up to \$25,440 per bay.

**CLEAN COPY OF PROPOSED APPROVAL BY APPLICANT INCLUDING
MODIFIED CONDITION AND RESTRUCTURING AS A RESULT OF
MEDIATION 16 FEBRUARY 2006**

This Approval to Commence Development requires the development to be undertaken in accordance with the submitted application, the enclosed approved plans and is subject to compliance with the following conditions:

- (a) The submission of revised or additional information for approval by the City, to address the following issues:
 - (i) a detailed colour and material schedule for those parts of buildings exposed from the street front;
 - (ii) a detailed description of the thermal properties to be used in construction, especially of the roofs, as it relates to the JCCDPM Policy P8;
 - (iii) a detailed landscaping plan that addresses JCCDPM Policy C7, including the way in which existing vegetation not intended to be retained will be dealt with (the City encourages the Applicant to investigate whether this vegetation can be mulched and re-used on site). **[previously condition (p)]** (refer to footnote (a));
 - (iv) further detailed design drawings of all vehicle access points from Boas Avenue, Grand Boulevard and Collier Pass;
 - (v) a lighting plan that addresses the JCCDPM;
 - (vi) Details showing how the proposed development will comply with JCCDPM relating to roofscape and the screening of plant and machinery on the proposed development (refer to footnote (b));
 - (vii) The details for the design, construction and operation of the proposed link road past the north end of the station shall ensure pedestrian priority and safety, following consultation with the Public Transport Authority. Details to include how pedestrian priority and safety will be achieved.
 - (viii) Security grilles and grates being designed in accordance with JCCDPM CBD Policy C5.5.
- (b) A separate Development Application shall be submitted detailing the intended architectural treatment of the shops fronting Grand Boulevard and Boas Avenue, once the nature of the tenancies is known.
- (c) A separate Development Application shall be submitted for all external signage, advertising, graphics and public art. Such application(s) to address the relevant design guidelines in the JCCDPM.

- (d) The applicant shall submit for the City's approval, a comprehensive car parking management plan that addresses but is not limited to, the matters listed in this condition. **[previously condition (e)]** Any subsequent changes to the approved car parking management plan will require the further approval by the City **[previously condition f]**.
- (i) Provision of car parking bays lost from on-street parking
- (A) The loss of 35 on-street parking bays in Collier Pass is to be provided onsite but separate from the shopping centre car parking area, in accordance with the existing WAGR agreement;
- (B) The loss of 11 car parking bays in Boas Avenue or Grand Boulevard is to be provided on-site, but separate from the shopping centre car parking requirement;
- (ii) Minimum car parking bay numbers
- (A) the car parking area immediately west of the transit station shall have a minimum of 38 bays excluding any provision for bicycle parking;
- (B) The number of shopping centre car parking bays located and maintained on the portion of the site bounded by Boas Avenue, Grand Boulevard, Collier Pass and the railway shall not be less than 1710 bays, excluding any on-site parking provided as replacement parking for parking bays lost in Collier Pass, Grand Boulevard and Boas Avenue due to the construction of the proposed development, or the requirement for other parking bays which is off-set by the provision of cash-in-lieu of parking provisions;
- (C) overall, the existing shopping centre, including the development shall have a minimum of 3925 car parking spaces, being:
- 2493 bays approved in relation to previous stages of the shopping centre; and
 - 1432 bays approved in relation to this development, calculated at 5.25 bays/100m² for the first 8,419m² and 4.8 bays/100m² for the remainder 20,635m².
- (iii) Service vehicles
- The delivery times for articulated service vehicles to ensure minimal disruption to the operation of the surrounding streets and other businesses in the near vicinity;
- (iv) Bicycle parking

The provision of at least 48 public and 14 staff bicycle parking facilities at appropriate locations in close proximity to all entry points to the shopping centre on the subject site, including signage, storage and access;

- (e) Detailed drawings of the proposed modifications to the pedestrian traffic island in Boas Avenue near McLarty Avenue, to allow access into and out of the proposed western service yard, shall be submitted for approval by the City. Costs associated with the proposed road changes shall be borne by the applicant; **[previously condition (g)]**
- (f) Subject to a Traffic Safety Audit being carried out first, details drawings of the proposed changes to the configuration of the carriageways in Grand Boulevard for the entrance/exit points to the upper parking deck shall be prepared and submitted for approval by the City; **[previously condition (h)]**
- (g) All changes to road carriageways and associated kerbing, pavements etc which are required to accommodate entrance and exit points into the site shall be designed and constructed to the satisfaction City and at the cost of the owners; **[previously condition (i)]**
- (h) The owners will enter into an agreement with the City to pre-fund the design and installation of traffic signals at Joondalup Drive and Collier Pass intersection. The agreement will set out the timing of the installation of the signals, the referral process with the City and MRWA, the amount of contribution of the owners (set at [insert amount of contribution]), and the timing of repayment of the remainder of the costs of design and installation to the owners. **[previously condition (j)]**
- (i) All channelisation treatments and modifications to the existing traffic signals at Collier Pass and Grand Boulevard intersection to be to the satisfaction of the City and MRWA and at the owners cost; **[previously condition (k)]**
- (j) All modifications to the existing median parking in Collier Pass between Driveway 7 and Grand Boulevard to be to the satisfaction of the City and at the owners cost; **[previously condition (l)]**
- (k) New off-street parking areas, driveways and points of ingress and egress are to be designed in accordance with the Australian/New Zealand Standard for Off Street parking (AS/NZS 2890.1:2004) and the Australian Standard for Off Street Commercial Vehicles Facilities (AS 2890.2 - 2002). **[previously condition (m)]**
- (l) The new car parking bay dimensions shall be in accordance with User Class 3 in Australian Standard AS2890.1 - Table 1.1 and Figure 2.2. **[previously condition (d)]**
- (m) A construction management plan and program is to be lodged as part of the Building Licence documentation once a builder has been appointed, showing the following information: **[previously condition (r)]**

- (i) the location of workforce parking [previously condition (e)(i)];
 - (ii) the way in which the Applicant proposes to stage the development to minimise the loss of overall parking bays during the course of construction [previously condition (e)(i)];
 - (iii) A plan showing how heavy vehicle movement will be managed [previously condition (n)];
 - (iv) The way in which dust will be suppressed [previously condition (o)];
and
 - (v) A drainage plan [previously condition (q)].
- (n) Prior to works commencing on the site, the owners shall: [previously condition (u)]
- (i) submit details for approval by the City, demonstrating how public access arrangements to/from the station into the existing centre and to Boas Avenue and Grand Boulevard will be maintained during construction period;
 - (ii) the approval of the Public Transport Authority shall be obtained prior to submitting the details referred to in part (n)(i) above, for the City's approval;
 - (iii) any proposals to change the approved details referred to in part (n)(i) will require the City's approval, including consultation with the Public Transport Authority;
- (o) Following consultation with the Public Transport Authority, details of after hours access to/from the station to Boas Avenue via Station Square shall be submitted for approval by the City. The approved details shall form part of an agreement with the City and will be maintained in accordance with that agreement. Any changes to the agreement will require the written approval before such changes can occur; [previously condition (v)]
- (p) Alfresco dining or other commercial activity in any on-site open space shall be subject to a separate development application; [previously condition (w)]
- (q) The Applicants are to ensure that a representative of the shopping centre management attend and provide input into any safety and security meetings convened with the local police, the Public Transit Authority and the City to discuss safety and security in the city centre. [previously condition (x)]
- (r) Prior to the submission of detailed plans for a Building Licence the applicant shall furnish written confirmation, to the satisfaction of the City of Joondalup, from all relevant servicing authorities to the effect that servicing arrangements have been concluded; [previously condition (y)]

- (s) The applicant shall submit a written refuse management strategy providing details on how refuse will be managed at the site including storage and removal for approval by the City, prior to the issue of a Building Licence; **[previously condition (z)]**
- (t) Any proposed class 1 food tenancies shall be provided with a rear service entry; **[previously condition (aa)]**
- (u) Service areas shall be designed to ensure that all servicing activities can maintain compliance with the provisions of the Environmental Protection (Noise) Regulations 1997; **[previously condition (bb)]**
- (v) This approval is contingent upon the construction of the shop fronts on Boas Avenue and Grand Boulevard, as indicated in the application; **[previously condition (cc)]**
- (w) The bulk of the parking deck minimised, where viewed from the adjoining roads, by the introduction of hard and soft landscaping treatments to the satisfaction of the City and/or screening of public art quality that is suitable to complement the Central Park and War Memorial. **[previously condition (dd)]**

Footnotes:

- (a) The landscaping plan should cover such matters as intended plant species, noting that wherever possible local species should be used, the method of irrigation, water saving features and arrangements for maintenance;
- (b) Screening of plant and machinery on the roof should address noise issues also;
- (c) The plan is to cover screening of works, safety, machinery to be used and operating hours, working hours, temporary construction accommodation, rubbish disposal, materials storage on-site, precautions preventing heavy vehicles over the railway tunnel, temporary lighting, noise control public safety and amenity and any other relevant issues;
- (d) Bin storage areas shall be provided with a concrete floor that grades evenly to an industrial floor waste gully that is connected to sewer and be provided with a hose cock; **[previously footnote (f)]**
- (e) This approval relates to the August 2005 submission in 5 parts. While minor changes may be negotiated with the City any significant variation by means of addition, alteration or omission shall be subject to a new Development Application. (Minor changes are those which do not alter the design intent of the approved application as determined by the City); **[previously footnote (h)]**
- (f) If the required car parking cannot be provided on-site, then the applicant can seek approval from Council for a cash-in-lieu payment for the shortfall; **[previously footnote (i)]**

- (g) With regards to condition (k) above, the applicant should note the following points which have been noted as giving possible cause for concern: *[previously footnote (j)]*

- *[deleted because covered in conditions]*
- Commercial vehicle headroom requirements. AS/NZS 2890.2 table 2.1 stipulates a minimum clearance of 4500 mm is required for the majority of service vehicles. If commercial bulk bins are to be serviced within the service areas, then a clearance of 5900 mm is required above the bin area and the 10 metre run-in;
- Sight distance requirements. AS 2890.2 figures 3.3 and 3.4 stipulate these requirements;
- Driveway grades. AS 2890.2 clause 3.4.4 stipulates the maximum grade for the first portion of a ramp within the property line of commercial driveways;
- Ramp widths. AS/NZS 2890.1 clause 2.5.2 stipulates the minimum width of a driveway to be 3000 mm between kerbs, and 300 mm clear either side;

- 3 This approval relates to the August 2005 submission in 5 parts. While minor changes may be negotiated with the City any significant variation by means of addition, alteration or omission shall be subject to a new Development Application. (Minor changes are those which do not alter the design intent of the approved application as determined by the City);
- 4 For the purpose of this application, deems that the cash-in-lieu for parking be an amount of up to \$25,440 per bay.

**MODIFIED CONDITIONS AS PROPOSED BY THE CITY OF JOONDALUP
AS A RESULT OF MEDIATION HEARING - 16 FEBRUARY 2006**

- (1) This Approval to Commence Development requires the development to be undertaken in accordance with the submitted application, the enclosed approved plans and is subject to compliance with the following conditions:
 - (a) The submission of revised or additional information for approval by the City, to address the following issues:
 - (i) a detailed colour and material schedule for those parts of buildings exposed from the street front;
 - (ii) a detailed description of the thermal properties to be used in construction, especially of the roofs, as it relates to the JCCDPM Policy P8;
 - (iii) a detailed landscaping plan that addresses JCCDPM Policy C7, including the way in which existing vegetation not intended to be retained will be dealt with (the City encourages the Applicant to investigate whether this vegetation can be mulched and re-used on site). (refer to footnote (a));
 - (iv) further detailed design drawings of all vehicle access points from Boas Avenue, Grand Boulevard and Collier Pass;
 - (v) a lighting plan that addresses the JCCDPM;
 - (vi) Details showing how the proposed development will comply with JCCDPM relating to roofscape and the screening of plant and machinery on the proposed development (refer to footnote (b));
 - (vii) The details for the design, construction and operation of the proposed link road past the north end of the station shall ensure pedestrian priority and safety, following consultation with the Public Transport Authority. Details to include how pedestrian priority and safety will be achieved.
 - (viii) Security grilles and grates being designed in accordance with JCCDPM CBD Policy C5.5.
 - (b) A separate Development Application shall be submitted detailing the intended architectural treatment of the shops fronting Grand Boulevard and Boas Avenue, once the nature of the tenancies is known.
 - (c) A separate Development Application shall be submitted for all external signage, advertising, graphics and public art. Such application(s) to address the relevant design guidelines in the JCCDPM.
 - (d) The applicant shall submit for the City's approval, a comprehensive car parking management plan that addresses but is not limited to, the matters

listed in this condition. Any subsequent changes to the approved car parking management plan will require the further approval by the City :

- (i) Provision of car parking bays lost from on-street parking:
 - (A) The loss of 35 on-street parking bays in Collier Pass is to be provided onsite but separate from the shopping centre car parking area, in accordance with the existing WAGR agreement;
 - (B) The loss of 11 car parking bays in Boas Avenue or Grand Boulevard is to be provided on-site, but separate from the shopping centre car parking requirement;
- (ii) Minimum car parking bay numbers
 - (A) the car parking area immediately west of the transit station shall have a minimum of 38 bays excluding any provision for bicycle parking;
 - (B) The number of shopping centre car parking bays located and maintained on the portion of the site bounded by Boas Avenue, Grand Boulevard, Collier Pass and the railway shall not be less than 1659 bays, excluding any on-site parking provided as replacement parking for parking bays lost in Collier Pass, Grand Boulevard and Boas Avenue due to the construction of the proposed development, or the requirement for other parking bays which is off-set by the provision of cash-in-lieu of parking provisions;
 - (C) overall, the existing shopping centre, including the development shall have a minimum of 3920 car parking spaces, being:
 - 2496 bays approved in relation to previous stages of the shopping centre; and
 - 1401 bays approved in relation to this retail development, calculated at 5.25 bays/100m² for the first 8,419m² and 4.8 bays/100m² for the remainder 19,963m²; and
 - 23 bays for the proposed offices (672sq m).
- (iii) Service vehicles

The delivery times for articulated service vehicles to ensure minimal disruption to the operation of the surrounding streets and other businesses in the near vicinity;
- (iv) Bicycle parking

The provision of at least 48 public and 14 staff bicycle parking facilities at appropriate locations in close proximity to all entry points to the shopping centre on the subject site, including signage, storage and access;

- (e) Detailed drawings of the proposed modifications to the pedestrian traffic island in Boas Avenue near McLarty Avenue, to allow access into and out of the proposed western service yard, shall be submitted for approval by the City. Costs associated with the proposed road changes shall be borne by the applicant;
- (f) Subject to a Traffic Safety Audit being carried out first, details drawings of the proposed changes to the configuration of the carriageways in Grand Boulevard for the entrance/exit points to the upper parking deck shall be prepared and submitted for approval by the City;
- (g) All changes to road carriageways and associated kerbing, pavements etc which are required to accommodate entrance and exit points into the site shall be designed and constructed to the satisfaction City and at the cost of the owners;
- (h) The owners will enter into an agreement with the City to pre-fund the design and installation of traffic signals at Joondalup Drive and Collier Pass intersection. The agreement will set out the timing of the installation of the signals, the referral process with the City and MRWA, the amount of contribution of the owners (set at two thirds of the cost) and the timing of repayment of the remainder of the costs of design and installation to the owners.
- (i) All channelisation treatments and modifications to the existing traffic signals at Collier Pass and Grand Boulevard intersection to be to the satisfaction of the City and MRWA and at the owners cost;
- (j) All modifications to the existing median parking in Collier Pass between Driveway 7 and Grand Boulevard to be to the satisfaction of the City and at the owners cost;
- (k) New off-street parking areas, driveways and points of ingress and egress are to be designed in accordance with the Australian/New Zealand Standard for Off Street parking (AS/NZS 2890.1:2004) and the Australian Standard for Off Street Commercial Vehicles Facilities (AS 2890.2 - 2002).
- (l) The new car parking bay dimensions shall be in accordance with User Class 3 in Australian Standard AS2890.1 - Table 1.1 and Figure 2.2.
- (m) The applicant shall submit for the City's approval, a comprehensive car parking management plan that addresses but is not limited to, the following matters:
 - (i) The applicant shall:

- (A) provide sufficient on-site parking to meet the demands of the proposed workforce for the construction of the proposed development. Details of the proposed workforce car parking area, identification of any special work areas and supporting documentation is to be submitted; and
 - (B) encourage any worker or contractor to use the workforce car parking area or identified work areas as required in conditions (A);
 - (ii) the provision of off street at grade and multi deck parking is to be staged so as to minimize any net loss in overall parking bays currently provided within the shopping centre precinct, during the course of construction of the proposed development;
- (n) Prior to works commencing on the site, the owners shall:
- (i) submit details for approval by the City, demonstrating how public access arrangements to/from the station into the existing centre and to Boas Avenue and Grand Boulevard will be maintained during construction period;
 - (ii) the approval of the Public Transport Authority shall be obtained prior to submitting the details referred to in part (n)(i) above, for the City's approval;
 - (iii) any proposals to change the approved details referred to in part (n)(i) will require the City's approval, including consultation with the Public Transport Authority;
- (o) Following consultation with the Public Transport Authority, details of after hours access to/from the station to Boas Avenue via Station Square shall be submitted for approval by the City. The approved details shall form part of an agreement with the City and will be maintained in accordance with that agreement. Any changes to the agreement will require the written approval before such changes can occur;
- (p) Alfresco dining or other commercial activity in any on-site open space shall be subject to a separate development application;
- (q) The Applicants are to ensure that a representative of the shopping centre management attend and provide input into any safety and security meetings convened with the local police, the Public Transit Authority and the City to discuss safety and security in the city centre.
- (r) Prior to the submission of detailed plans for a Building Licence the applicant shall furnish written confirmation, to the satisfaction of the City of Joondalup, from all relevant servicing authorities to the effect that servicing arrangements have been concluded;

- (s) The applicant shall submit a written refuse management strategy providing details on how refuse will be managed at the site including storage and removal for approval by the City, prior to the issue of a Building Licence;
- (t) Any proposed class 1 food tenancies shall be provided with a rear service entry;
- (u) Service areas shall be designed to ensure that all servicing activities can maintain compliance with the provisions of the Environmental Protection (Noise) Regulations 1997;
- (v) This approval is contingent upon the construction of the shop fronts on Boas Avenue and Grand Boulevard, as indicated in the application;
- (w) The bulk of the parking deck minimised, where viewed from the adjoining roads, by the introduction of hard and soft landscaping treatments to the satisfaction of the City and/or screening of public art quality that is suitable to complement the Central Park and War Memorial.

Footnotes:

- (a) The landscaping plan should cover such matters as intended plant species, noting that wherever possible local species should be used, the method of irrigation, water saving features and arrangements for maintenance;
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- (e) This approval relates to the August 2005 submission in 5 parts. While minor changes may be negotiated with the City any significant variation by means of addition, alteration or omission shall be subject to a new Development Application. (Minor changes are those which do not alter the design intent of the approved application as determined by the City);
- (f) If the required car parking cannot be provided on-site, then the applicant can seek approval from Council for a cash-in-lieu payment for the shortfall;
- (g) With regards to condition (k) above, the applicant should note the following points which have been noted as giving possible cause for concern:

- Commercial vehicle headroom requirements. AS/NZS 2890.2 table 2.1 stipulates a minimum clearance of 4500 mm is required for the majority of service vehicles. If commercial bulk bins are to be serviced within the service areas, then a clearance of 5900 mm is required above the bin area and the 10 metre run-in;
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- 2 This approval relates to the August 2005 submission in 5 parts. While minor changes may be negotiated with the City any significant variation by means of addition, alteration or omission shall be subject to a new Development Application. (Minor changes are those which do not alter the design intent of the approved application as determined by the City);
- 3 For the purpose of this application, deems that the cash-in-lieu for parking be an amount of up to \$25,440 per bay.