



Metro Outer Joint Development Assessment Panel Agenda

Meeting Date and Time: Monday, 30 May 2022; 9:00am
Meeting Number: MOJDAP/175
Meeting Venue: Electronic Means

To connect to the meeting via your computer -
<https://us06web.zoom.us/j/82691067229>

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+61 8 7150 1149

Insert Meeting ID followed by the hash (#) key when prompted - 826 9106 7229

This DAP meeting will be conducted by electronic means (Zoom) open to the public rather than requiring attendance in person.

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Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Jason Hick (Third Specialist Member)

Item 8.1

Cr Chontelle Stone (Local Government Member, City of Cockburn)
Cr Phoebe Corke (Local Government Member, City of Cockburn)

Item 8.2

Cr Charlie Zannino (Local Government Member, City of Swan)
Cr Rod Henderson (Local Government Member, City of Swan)

Officers in attendance

Item 8.1

Mr Lorenzo Santoriello (City of Cockburn)
Mr Andre Pinto (City of Cockburn)

Item 8.2

Ms Charlotte Lavictoire (Western Australian Planning Commission)
Mr Andrew Cook (Western Australian Planning Commission)
Mr Philip Russell (City of Swan)

Minute Secretary

Ms Samantha Hansen (DAP Secretariat)
Ms Megan Ventris (DAP Secretariat)

Applicants and Submitters

Item 8.1

Mr James Lewisson (element)
Mr Murray Casselton (element)

Item 8.2

Mr Alessandro Stagno (Apex Planning)
Mr Ross Ravi (Globeart)

Members of the Public / Media

Nil.

1. Opening of Meeting, Welcome and Acknowledgement

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

This meeting is being conducted by electronic means (Zoom) open to the public. Members are reminded to announce their name and title prior to speaking.



2. Apologies

Nil.

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

Signed minutes of previous meetings are available on the [DAP website](#).

5. Declarations of Due Consideration

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

6. Disclosure of Interests

Nil

7. Deputations and Presentations

The City of Cockburn, City of Swan and Western Australian Planning Commission may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 P Road – Beeliar Drive Road Reserve

| | |
|--------------------------|--------------------------------------|
| Development Description: | Pedestrian Bridge over Beeliar Drive |
| Applicant: | element |
| Owner: | City of Cockburn |
| Responsible Authority: | City of Cockburn |
| DAP File No: | DAP/21/02106 |

8.2 a) Lot 201 (226) Great Eastern Highway, Midland and Lot 11 (316) Lloyd Street, Midland

| | |
|--------------------------|--|
| Development Description: | Proposed change of use to tavern and private recreation including external building works and minor car park changes |
| Applicant: | Apex Planning |
| Owner: | Linnpark Pty Ltd |
| Responsible Authority: | City of Swan |
| DAP File No: | DAP/21/02150 |



8.2 b) Lot 201 (226) Great Eastern Highway, Midland and Lot 11 (316) Lloyd Street, Midland

Development Description: Proposed change of use to tavern and private recreation including external building works and minor car park changes

Applicant: Apex Planning
Owner: Linnpark Pty Ltd
Responsible Authority: Western Australian Planning Commission
DAP File No: DAP/21/02150

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil.

10. State Administrative Tribunal Applications and Supreme Court Appeals

Nil.

| Current SAT Applications | | | | |
|---------------------------|--------------|---|-----------------------------|-------------|
| File No. & SAT DR No. | LG Name | Property Location | Application Description | Date Lodged |
| DAP/21/2047 DR257/2021 | City of Swan | Lots 136 (26) & 3235 (34) Asturian Drive and Lots 137 (238) & 138 (230) Henley Street, Henley Brook | Proposed education facility | 03/12/2021 |

11. General Business

In accordance with Section 7.3 of the DAP Standing Orders 2020 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.

12. Meeting Closure

BEELIAR DRIVE, SUCCESS/COCKBURN CENTRAL – PEDESTRIAN BRIDGE

Form 1 – Responsible Authority Report (Regulation 12)

| | | |
|--|--|--|
| DAP Name: | Metro Outer | |
| Local Government Area: | City of Cockburn | |
| Applicant: | Element WA | |
| Owner: | City of Cockburn (Management Order) | |
| Value of Development: | \$5.5 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6) | |
| Responsible Authority: | City of Cockburn | |
| Authorising Officer: | David King and André Pinto | |
| LG Reference: | DAP21/008 | |
| DAP File No: | DAP/21/02106 | |
| Application Received Date: | 19 October 2021 | |
| Report Due Date: | 20 April 2022 | |
| Application Statutory Process Timeframe: | 90 Days | |
| Attachment(s): | 1. Location Plan 2. Development Plans; 3. SDAU approval; 4. External Authority comments 5. Design Review Panel Minutes | |
| Is the Responsible Authority Recommendation the same as the Officer Recommendation? | <input checked="" type="checkbox"/> Yes | Complete Responsible Authority Recommendation section |
| | <input type="checkbox"/> No | Complete Responsible Authority and Officer Recommendation sections |

Responsible Authority Recommendation

That the Metro Outer Joint Development Assessment Panel resolves to:

- Accept** that the DAP Application reference DAP/21/02106 is appropriate for consideration as a “Road Infrastructure” land use and compatible with the objectives of the zoning table in accordance with the City of Cockburn Town Planning Scheme No. 3;
- Approve** DAP Application reference DAP/21/02126 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Cockburn Town Planning Scheme No. 3, subject to the following conditions:

Conditions

1. Pursuant to clause 16 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 16 of the Metropolitan Region Scheme.
2. Development shall be carried out in accordance with the terms of the application as approved herein and any approved plan.
3. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
4. **Prior to the lodgement of an application for building permit**, the applicant shall provide engineered drawings and the structural design, including all stages of construction and erection, to the City for review by an independent and qualified engineer. The drawings and design shall including the following;
 - a. The architectural cladding for the soffit (or elsewhere) shall enable safe, easy access for the purposes of routine visual inspection of all faces of the primary structure;
 - b. Details of the bridge piling;
 - c. Details of the balustrading heights and strengths;
 - d. Confirmation of the primary elements of the bridge being designed to AS5100 standard (100 year lifespan);
 - e. Confirmation that the bridge structure can sustain the loading of shelter screens up to an including full enclosure.
5. **Prior to the lodgement of an application for building permit**, a schedule of the materials, finishes and colours shall be submitted to and approved by the City. The schedule shall include details of the type of materials proposed to be used, including their colour and texture. The development shall thereafter be maintained in accordance with the approved materials schedule.
6. **Prior to the lodgement of an application for Building Permit**, the owner/applicant shall:
 - a. submit to the City for approval a preliminary proposal for an art work designed be a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be to be located within the subject site as an integral part of the development;
 - b. submit to the City for approval an 'Application for Artwork Design';
 - c. enter into a contract with a professional artist/s to design and install (if appropriate) the artwork approved by the City.

The artwork shall then be installed prior to the development being handed over to the City.

7. **Prior to the lodgement of an application for building permit** for the proposed Beeliar pedestrian bridge the subject of this application (Beeliar Pedestrian Bridge) the owner of Lot 203 (816) Beeliar Drive, Success (land) shall enter into a deed of agreement with the City of Cockburn (City) whereby the owner:

- a. Indemnifies the City against all actions, costs, proceedings, suits and demands whatsoever which may at any time be incurred or suffered by the City or brought, maintained or made against the City in respect of:
 - i. Injury or damage, or to, any kind of property of thing;
 - ii. The death of, or injury suffered by any person;
 - iii. Any loss, damage or injury caused to the Beeliar Drive Road Reserve (other than as necessarily caused by the construction works); and

Caused by, contributed to, or arising out of the undertaking of construction works for the Beeliar Pedestrian Bridge during the period of those works;

- b. Agrees to remedy any construction defects and undertake any warranty works to the Beeliar Pedestrian Bridge for a period of twelve (12) months following practical completion of the Beeliar Pedestrian Bridge (**Defects Liability Period**) in accordance with the specifications (which shall not exceed the originally approved specifications) of and to the satisfaction of the City, and for the avoidance of doubt, which does not include matters not relating to construction defects or warranties such as accidental or malicious damage;
- c. Agrees to provide to the City a bond in an amount of 2.5% of the construction cost as indicated on the builders contract, to be held for the duration of the Defects Liability Period (Bond) to enable the City to draw against the bond for all costs incurred by the City in carrying out any defects/rectification works arising during the Defects Liability Period which are required to be undertaken under Condition 7b but not undertaken by the owner or owners builder within a reasonable time of demand by the City, but excluding any costs which are incurred and which do not relate to construction faults of the Beeliar Drive Bridge (including but not limited to routine (non-warranty) maintenance and cleaning damage from malicious acts of graffiti or vandalism and/or car accidents which might cause damage to the Beeliar Pedestrian Bridge); and
- d. Agrees to take out and maintain (or ensures its builder takes out and maintains) a policy of public liability insurance with a reputable insurer in an amount of \$50,000,000 (\$50 Million) to insure the City and the owner against all claims for loss or damage or injury occurring to the Beeliar Drive Road Reserve or property of the City or any person or property of any person as a result of or arising out of the construction of the Beeliar Pedestrian Bridge (Policy); which Policy shall be maintained until practical completion of the bridge and handover to the City.

The agreement shall be prepared by the City's solicitors to the satisfaction of the City and the owner of the land. The City shall be responsible to pay all costs associated with the City's solicitor's costs of and incidental to the preparation of the agreement (including all drafts). The owner shall be responsible for the costs of its own solicitors in negotiating the agreement.

8. **Prior to the lodgement of an application for building permit**, a Construction Management Plan shall be submitted to and approved by the City in consultation with Main Roads WA. The CMP shall be implemented to the satisfaction of the City.
9. **Prior to the lodgement of an application for building permit**, stormwater and drainage management plan shall be provided and approved to the City's satisfaction.
10. **Prior to the lodgement of an application for building permit**, the specifications of a suitable lift model shall be provided to the City for approval.
11. **Prior to the lodgement of an application for building permit**, a lighting plan shall be submitted to and approved by the City.
12. Above ground utility services that are located near paths should be placed so that they do not constitute a hazard for pedestrians.
13. Utility pits are to be located to allow for continuous access to the footpath, lift and stairs during maintenance.
14. The applicant shall repair (or at the election of the City, pay the reasonable cost of repairing) any damages to the public thoroughfare during the construction (up to practical completion) caused by the construction of Beeliar Pedestrian Bridge.
15. The applicant contributing to a bond in the value of \$20,000 to cover the costs of repairing damage to the public thoroughfare and/or public places resulting from construction of the development, to be released within 1 month of practical completion (unless there is unrepaired damage at that time).
16. The applicant shall take out (or ensure its builder takes out) and provide the City with a copy of the insurance policy referred to in condition 7(d) prior to commencing works.

Advice Notes

- a. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency.

- b. With regard to Condition 7, the agreement shall be in the form of a legal agreement and shall address the following
 - a. A twelve (12) month maintenance/defects liability period;
 - b. City representatives attending key milestones of the construction;
 - c. In regards to point 'C', Cost of construction shall be determined at the time of Building Permit Application to the satisfaction of the City of Cockburn. It is understood that the value of the development is estimated to be \$5.5 Million on the JDAP application. It is noted that cost of construction in recent times are fluctuating due to supply chain issues and other related issues. In order for the bond to be truly reflective of the 'cost of construction' this needs to reflect the costs as stipulated on the bridge building contract.
- c. With regard to Condition 8, the Construction Management Plan (CMP) shall be in accordance with the City's CMP guidelines accessed on the City's Website and shall address the following items:
 - a. Traffic management;
 - b. Utilities;
 - c. Access to and from the site;
 - d. Delivery of materials and equipment to the site;
 - e. Storage of materials and equipment on the site;
 - f. Parking arrangements for contractors and subcontractors;
 - g. Management of construction waste; and
- d. With regard to Condition 9, the drainage and stormwater management plan shall address the following items
 - a. Drainage shall be designed to ensure no adverse impact upon the capacity or performance of the exiting precinct drainage in any way;
- e. With regard to Condition 10, the lift model is required to address the following.
 - a. Controls to ensure comfortable temperatures are maintained during extreme temperatures;
 - b. Alternate power solutions to enable lift doors to open during electrical issues;
 - c. Provision of, or ability to provide, CCTV within the lift;
 - d. Exclusive service controls for fire services and landing call isolation.
 - e. Car call buttons and landing buttons are to be dual illuminating Dewhurst US 95 or approved alternative;
 - f. Ensure condensers are installed to enable ample air flow (not in a recess) and is shielded from direct sun and weather.

- f. With regard to Condition 11, the Lighting plan shall detail
- Integrated balustrade lighting;
 - Durable and vandal resistant lighting;
 - Lighting control gear to be easily accessible for maintenance.
- g. The pedestrian bridge shall comply with the relevant Australian Standard AS:5100 for Bridge Design.

Details: outline of development application

| | |
|---|---|
| Region Scheme | Perth Metropolitan Region Scheme |
| Region Scheme - Zone/Reserve | Other Regional Road |
| Local Planning Scheme | City of Cockburn Town Planning Scheme No. 3 |
| Local Planning Scheme - Zone/Reserve | Other Regional Road |
| Structure Plan/Precinct Plan | N/A |
| Structure Plan/Precinct Plan - Land Use Designation | N/A |
| Use Class and permissibility: | Other Regional Road |
| Lot Size: | n/a |
| Existing Land Use: | Other Regional Road |
| State Heritage Register | No |
| Local Heritage | <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area |
| Design Review | <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other |
| Bushfire Prone Area | No |
| Swan River Trust Area | No |

Proposal:

The application proposes to construct a pedestrian bridge to span the length of Beeliar Drive, which acts as a divide between the suburbs of Success and Cockburn Central (see **Attachment 1** – Location Plan). The bridge details are as follows:

- The bridge footings are located entirely within the Beeliar Drive road reserve;
- Access to the bridge is via stair well or lift either side of the bridge;
- The total length of the bridge (stairwell to stairwell) is 58.6m;
 - Whilst not part of this application, an indicative link to connect the bridge to the approved, but not yet constructed, future Cockburn Central Gateways Shopping Centre (Gateways) expansion is indicated on the plans;

- The bridge proposes a maximum height of 14.6m from Natural Ground Level (NGL) (top of lift shaft) and 11.3m from NGL to top of weather protection element;
- A maximum clearance of 7.3m from Beeliar Drive road pavement;
- The width of the bridge is 3.2m;
- Partial weather protection is proposed along the bridge, in the form of a curved perforated metal structure.

The development plans are provided in **Attachment 2** – Development Plans.

Background:

Why Development Approval is required

A bridge fits within the definition of a road under the *Main Roads Act 1930*, which defines a road as.

*'any thoroughfare, highway or road that the public is entitled to use and any part thereof, and **all bridges (including any bridge over or under which a road passes)**, viaducts, tunnels, culverts, grids, approaches and other things appurtenant thereto or used in connection with the road;*

Beeliar Drive is reserved for *Other Regional Road* under the Metropolitan Region Scheme (MRS) and City of Cockburn (the City) Town Planning Scheme No. 3 (TPS 3). Clause 16 of the MRS states the following

16 (1) *Reserved land owned or vested in a public authority may be used without the written approval of the Commission referred to in Clause 13 if the land is used:*

- For the purpose for which it is reserved under the Scheme;*
- For any purpose for which it was lawfully used before coming into force of the Scheme; or*
- For any purpose for which the land may be lawfully used by the public authority.*

...

(2) *Reserved land owned by or vested in a public authority may be used or developed for any other purpose approved by the Commission with or without conditions.*

Beeliar Drive is vested to the City, however the City is not a public authority as defined by the Planning and Development Act 2005.

Public authority means any of the following –

- A Minister of the Crown in right of the state;*
- A department of the Public Service, State trading concern, State instrumentality or State public utility;*
- Any other person or body, whether corporate or not, who or which, under the authority of written law, administers or carries on for the benefit of the State, a social service or public utility.*

In accordance with the above, approval for the development is required as the works are not being undertaken by or on behalf of a public authority, despite being permitted development under the MRS.

Development on a Regional road reserve

Clause 13 of the MRS and Clause 16 (1) above state that development within a Regional Reserve requires the approval of the Western Australian Planning Commission (WAPC). Local Authorities, however, do have delegation to approve development on and abutting road reserves subject to referral of applications in accordance with the Instrument of Delegation DEL2017/02 – Powers of Local Governments and DoT (MRS).

Resolution under section 16 of the Act (delegation)

On 24 May 2017, pursuant to section 16 of the Act, the WAPC resolved –

- A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B.*

Section A – Types of Development

- 1. Development on zoned land;*
- 2. Development of regional road reservations
Applications for developments on or abutting land that is reserved in the MRS for the purpose of a regional road, but excluding any application relating to large format digital signage.*

Section B – Conditions

- 1. Referral requirements for development on land within or abutting a regional road reservation.*

The application was referred to the relevant authorities as required and described in the referrals section below.

Local Structure Plan

The pedestrian bridge is a requirement of the Gateways Precinct Local Structure Plan (LSP). The most recent LSP amendment was approved by the WAPC on 31 March 2021. The LSP identifies the bridge is to provide the following key considerations:

- Provided at or near to the Linkage Avenue, Cockburn Central;
- Universally accessible;
- Openness and transparency;
- Provide for legible circulation;
- Connects seamlessly with the road and built form;
- Architecturally and aesthetically pleasing, durable and of high quality, low maintenance materials and finishes;
- All weather conditions; and

- Safety and security.

The 'trigger' for the bridge being provided is upon Gateways being expanded to a floorspace that exceeds 69,000m² Net Lettable Area (NLA). On 28 October 2021, the *State Development Assessment Unit* (SDAU) approved a \$1.08 billion expansion of the Gateways which includes residential and commercial land uses. The existing shopping centre will be expanded to 87,641m² NLA and new commercial buildings comprising 23,231m² also received approval under the SDAU (**Attachment 3** – SDAU approval). The approval, whilst not yet commenced, will 'trigger' the requirement for the pedestrian bridge to be provided once the additional floorspace is established.

Condition 20 of the SDAU approval specified that the applicant is required to complete the bridge prior to the occupation of stage 1a of the development. The development was approved with a timeframe of 36 months (3 years) for the development to be substantially commenced. Condition 20 of the SDAU application states;

Suitable arrangements are to be made for the completion of a pedestrian and cyclist bridge over Beeliar Drive, as indicated in the approved development plans and the submitted Transport Impact Statement (Uloth, August 2021), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn, prior to the occupation of Stage 1a of the development.

The LSP details that the landowner will fund, in its entirety, a pedestrian bridge over Beeliar Drive, in the vicinity of Linkage Avenue. A condition is recommended between the applicant/developer and the City for an agreement to be entered into in which the bridge becomes an asset of the City following its practical completion, subject to a maintenance and defects liability period.

Legislation and Policy:

Legislation

Perth Metropolitan Region Scheme (MRS)

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development (Development Assessment Panels) Regulations 2011

Local Government (Uniform Local Provisions) Regulations 1996

Road Traffic (Administration) Act 2008

State Government Policies

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP 4.2)

- Cockburn is identified as a Secondary Centre within SPP 4.2.

State Planning Policy 7.0 – Design of the Built Environment

- SPP 4.2 details that planning applications should be assessed against the 10 principles of design. This applications was reviewed by the City's Design Review Panel and assessed against those 10 principles.

Structure Plans/Activity Centre Plans

Gateways Precinct Local Structure Plan

Local Policies

Local Planning Policy 5.16 – Design Review Panel

Cockburn Central Activity Centre Strategy 2016

Consultation:

Public Consultation

The Pedestrian Bridge is considered road infrastructure and consistent with the use as a road. There is no statutory framework to assess the proposal against and review any non-compliance, it is therefore considered that the proposal does not require public advertising. Furthermore, the SDAU application was publicly advertised with the bridge demonstrated on the advertised and approved plans.

Referrals/consultation with Government/Service Agencies

Public Transport Authority (PTA)

The PTA were referred to due to the proposal's proximity to Cockburn Central Train Station and the likelihood of Train Station patrons utilising the Pedestrian Bridge to walk to Cockburn Gateways. No objection was received from the PTA (**Attachment 4** – External Authority comments)

Department of Planning, Lands and Heritage (DPLH)

The section of Beeliar Drive between Kwinana Freeway (east) and Hammond Road (west) is a Category Three (3) Other Regional Road on Plan Number: SP 694/4. Accordingly, the Instrument of Delegation 2017/02 Powers of Local Government and Department of Transport requires the City to refer the application to the DPLH for any Category 3 road, unless the City first decides the refuse the application under the MRS.

Previous advice from the DPLH stated the City is able to sign the planning application form as the landowner, given the City has a management order for the road. DPLH provided no objection to the proposal and recommended the City obtain legal advice (**Attachment 4** – External Authority comments).

Further discussion regarding the City's delegation to approve the proposal is detailed in the planning assessment section below.

Main Roads Western Australia (MRWA)

MRWA were referred to as they bridge is to be designed to their specifications. MRWA provided no objection to the proposal subject to conditions. The MRWA recommended condition has been merged into conditions recommended by the City to reflect

additional detail on the plans to be provided prior to the lodgement of an application for building permit (**Attachment 4** – External Authority Comments).

Other:

Design Review Panel Advice

The proposal was assessed by the Design Review Panel (DRP) on three (3) occasions, being:

- 23 September 2020;
- 26 May 2021; and
- 28 July 2021.

The DRP assess the application based upon 10 principles of design rather than against a statutory framework, although consideration towards the statutory framework is undertaken. The ‘traffic light’ table below demonstrates the progression of the application through the DRP process, to the point where it now is an acceptable design (**Attachment 5** – Design Review Panel Minutes).

| Design Review progress | | | |
|---|---------------------------|-----|-----|
| | Supported | | |
| | Pending further attention | | |
| | Not yet supported | | |
| | Yet to be addressed | | |
| | DR1 | DR2 | DR3 |
| Principle 1 - Context and character | | | |
| Principle 2 - Landscape quality | | | |
| Principle 3 - Built form and scale | | | |
| Principle 4 - Functionality and build quality | | | |
| Principle 5 - Sustainability | | | |
| Principle 6 - Amenity | | | |
| Principle 7 - Legibility | | | |
| Principle 8 - Safety | | | |
| Principle 9 - Community | | | |
| Principle 10 - Aesthetics | | | |

The design of the bridge and various iterations are discussed further in the planning assessment section.

Planning Assessment:

Location

The LSP identifies the bridge to be located ‘at or near Linkage Avenue’ and this is further demonstrated on the LSP map, a screenshot of which is below.



The bridge spans the length of Beeliar Drive and is sited within close proximity to Linkage Avenue (northern side of Beeliar Drive). The siting of the bridge provides a logical walk from Cockburn Central Train Station to Gateways Shopping Centre.

Built form

The planning framework in which to assess the pedestrian bridge is limited with the majority of its requirements relating to engineering standards which will be provided through the recommended conditions and subsequent engineered drawings and design. As advised in the background section above, the bridge is required to address the following through the structure plan:

Universally accessible

The planning framework does not have a definition for Universally Accessible, however the *Macquarie Primary dictionary* defines 'Universal' as;

"including and affecting everyone, everything and every place".

The universally accessible requirement is considered to reflect the bridge being capable of use by patrons of all abilities. In this regard, the bridge is considered to meet the universally accessible requirements due to the lifts provided at both north and south landings. A condition for the lift specifications to be provided to and approved by the City prior to the lodgement of an application for building permit is recommended, the ensure the following is addressed.

- Security and surveillance of the lifts;
- Alternate power source options to assist patrons in the event the lift loses power;
- Temperature controls and procedures to ensure patrons will not get stuck within the lift cars during extreme temperature events.

Once the City has maintenance of the bridge following its practical completion, wayfinding information will be provided at the Train Station and Gateways advising of alternate walking options if/when the lifts are out of order. Alternate routes may include Transperth buses which have stops outside the train station and Gateways or existing walking/cycling paths to each destination (See **Attachment 1** – Location Plan, for alternate options).

Openness and Transparency

The bridge provides perforated screening to the west and open balustrading to the east. The bridge is therefore considered to be open and transparent which aides in its

safety and security as patrons will be clearly visible to passing motorists and pedestrians.

Provide for legible circulation

The bridge provides a clear and direct path from Cockburn Central Town Centre to Gateways. It will become a focal point for patrons leaving the Shopping centre to move towards the train station and similarly when exiting the Train Station.

Connects seamlessly with the road and built form.

The bridge structure is considered part of the road infrastructure and therefore does connect in with the existing road. The southern landing of the bridge will connect into the approved SDAU development, once completed, whilst the northern landing does not connect into any buildings, rather it deposits pedestrians at the intersection of Beeliar Drive and Linkage Avenue.

Architecturally and aesthetically pleasing, durable and of high quality, low maintenance materials and finishes

The bridge is proposed of a skeletal structure and curved metal soffit (underside of the bridge) with bull-nosed (rounded) profile concrete support columns. A condition is recommended to be placed on the determination for a schedule of materials, finishes and colours to be provided prior to the lodgement of an application for building permit. The City recommends a condition for public art which would be most beneficially used to incorporate additional detail to the perforated screening or balustrade lighting.

All weather conditions

Partial weather protection is provided by the bridge on the western elevation in the form of perforated metal screening, the screening is 2.535m at its maximum height and extends 1.5m across the width of the bridge (approximately halfway). The weather protection provided is therefore intermittent and favours the western side of the bridge.

The weather protection is considered suitable however as patrons will generally walk to the conditions of the day (i.e. hat in hot conditions and umbrella/raincoat in wet conditions). It should also be noted that the 300m walk to the bridge from the Train Station is almost entirely without cover. Notwithstanding the above, a condition is recommended for the bridge to be constructed of an adequate load to enable to full enclosure of screening should it be required in the future.

Safety and security

Bridges and underpasses have a degree of uncertainty around safety and security as they can become places of entrapment. In this regard, a measure to reduce the level of anti-social behaviour upon the bridge is to include CCTV, adequate lighting and an open structure which enables surveillance of the bridge to occur. As mentioned earlier, the bridge is open and transparent allowing for passive surveillance on the bridge from passing motorists and pedestrians. In addition, a condition is recommended for a lighting management plan to be provided prior to the lodgement of a building permit application which will detail the following.

- Integrated balustrade lighting;
- The location and type of lighting provided;

- Detail of vandal proof lighting;
- Ease of accessibility to lighting control panels.

Safety of patrons using the bridge is a paramount consideration and one that was discussed at length in the DRP meetings. The northern landing position and orientation has been revised from previous iterations which positioned it within close proximity to the pram ramp on Linkage Avenue. The lift and stair landing are now located approximately 11m from the Linkage Avenue pram ramp, which enables patrons with enough area to review their surroundings before crossing the road.

Maintenance and Management of the bridge

The proposal is a unique one in which a private entity is funding the provision of what will be a public asset of the City. A significant factor in the determination of this application is the provision of an agreement between the City and developer. The agreement is a requirement under the part 17 of the *Local Government (Uniform Local Provisions) Regulations 1996 – private works on, over, or under public places*.

17 (5) of the above states the following

The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following –

- A condition for imposing a charge for any damage to the public thoroughfare or public place resulting from the construction;*
- A condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the construction, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.*

17 (8) *a person who constructs anything in accordance with permission granted under this regulation must –*

- Maintain it; and*
- Obtain from an insurance company approved by the local government an insurance policy in the joint names of the local government and the person, indemnifying the local government against any claims for damages which may arise in, or out of, its construction, maintenance and use.*

Recommended Condition 7 has been drafted in consultation with the City's solicitors to cover the above provisions. The condition details that a bond be provided to the City for any damage to the public thoroughfare during the construction of the bridge under practical completion, however it also details defects liability period of 24 months from practical completion. The defects liability period is to protect the City's interests in overtaking an asset it has not constructed and to ensure, within the 12 month period, that the bridge is performing its function and experiencing maintenance issues. The agreement will clearly detail that issues outside of the applicants control including malicious acts such as vandalism, graffiti or vehicles crashing into the bridge will not become the applicants issue. A further step during the bridges construction will be to enable City representatives, most likely consultant engineers, to attend key milestones in the bridges construction such as:

- Project Start-up;
- Underground service installation (and potentially any testing required);
- Abutment/Pier footing reinforcement;

- d. Abutment/Pier footing prior to backfill;
- e. Abutment/Pier reinforcement;
- f. Abutment/Pier after pour/Structure prior to beam lift;
- g. Structure after beam lift;
- h. Practical Completion Inspection.

These items are critical for the City's representatives to attend given the City will be taking over an asset it is not constructing.

In accordance with clause 17 (8) of the Local Government Uniform Provisions, the applicant is required to obtain liability insurance for the bridges construction in the joint name of the applicant/developer and the City. The City will maintain its own insurance upon practical completion and handover of the bridge.

Public Art



The City's Local Planning Policy 5.13 – Percent for Art applies to the proposal due to the approximate cost of \$5.5 million. Therefore, a condition is recommended to be imposed for a public art contribution upon the determination of the application. Opportunities exist for the applicant to provide the art in the form of lighting or murals upon the perforated screens to add character and context to the bridge.

The City notes the applicant/developers objection to the imposition to the public art condition based upon the significant contribution it will provide for the Gateways expansion and that the bridge will eventually become a City asset. Furthermore, examples of previous JDAP approvals of the Aubin Grove Train Station and Cockburn Arc have been provided which did not include a condition for public art upon the determination. The City notes, DPLH provided the Responsible Authority Report (RAR) for Aubin Grove Train Station and did not include the condition within the RAR despite the City's recommendation as a referral body. The Cockburn ARC RAR did not recommend the public art condition be imposed, however it is noted public art is within the facility. Notwithstanding the above proposals, the imposition of a public art condition is justified under the City's LPP 5.13 as civic works which exceed \$1 million.

Conclusion:

The pedestrian bridge is required to be provided by the applicant/developer as an additional point of access to Cockburn Gateways Shopping Centre, in light of the recently approved expansion. The bridge proposed is of a suitable built form standard and the recommended conditions will protect the City's interests when accepting the significant asset. The conditions recommended should not be altered as part of the determination.



| | | | | |
|--|-----------------------------|----------------------------------|-----------------------|---|
|  <p>City of Cockburn G.L.S Services Department</p> | <p>Location Plan</p> | <p>PRINTED ON: 9/02/2022</p> | <p>SCALE = 1:2000</p> | <p> NORTH</p> |
|--|-----------------------------|----------------------------------|-----------------------|---|

DISCLAIMER - The City of Cockburn provides the information contained herein and bears no responsibility or liability whatsoever for any errors, faults, defects or omissions of information contained in this document. Water, Sewer, Street Lighting/Power and Water Resource information supplied by the Water Corporation, Alinta Gas, Western Power Corporation and Waters and Rivers Commission, respectively. Dial 1100 before you dig.

Appendix A – Development Plans

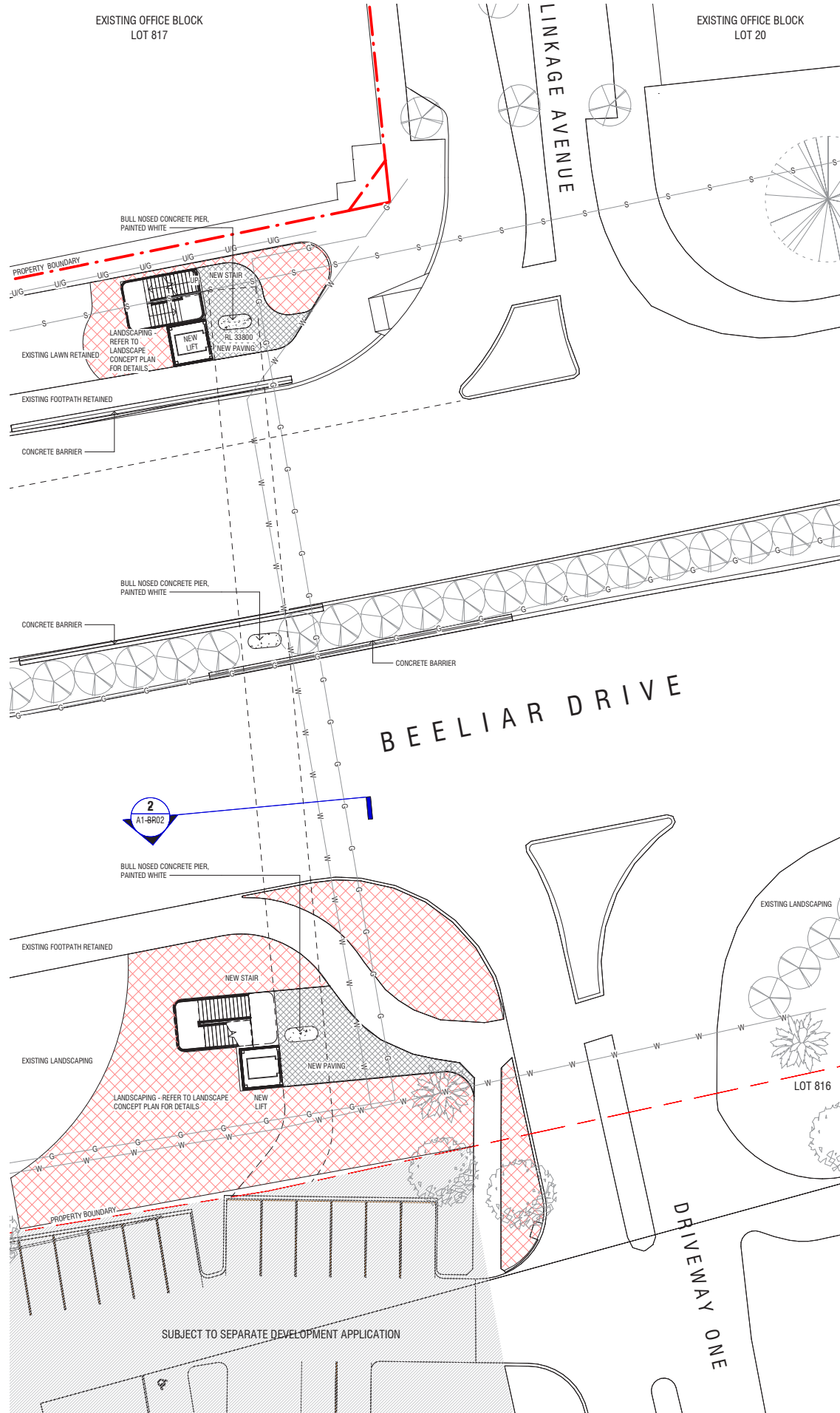


LOCALITY PLAN

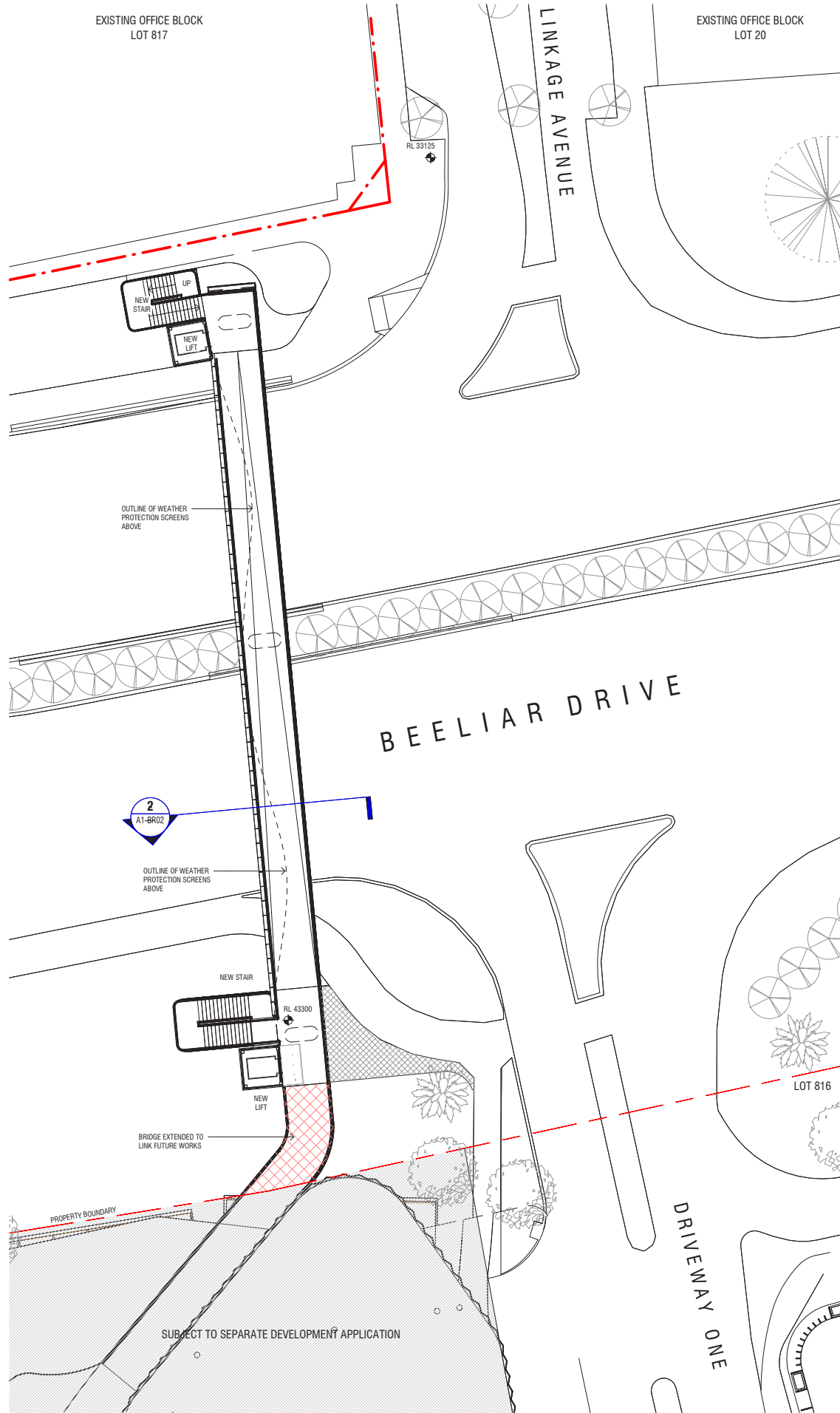
UNDERGROUND SERVICES LEGEND

LOCATIONS OF UNDERGROUND SERVICES ARE INDICATIVE ONLY AND ARE SUBJECT TO AN ACCURATE LOCATIONS SURVEY

- G — G — EXISTING GAS MAIN
- S — S — EXISTING SEWER LINE
- UG — UG — EXISTING UNDERGROUND POWER
- W — W — EXISTING WATER MAIN



2 GROUND FLOOR
SCALE 1 : 200



3 FIRST FLOOR
SCALE 1 : 200

| Rev. | Date | Description | Iss. | Appr. |
|------|----------|------------------------|------|-------|
| A | 11.05.20 | ISSUED FOR INFORMATION | TBG | |
| B | 01.07.20 | ISSUED FOR INFORMATION | | |
| C | 20.07.20 | ISSUED FOR INFORMATION | | |
| D | 23.04.21 | ISSUED FOR INFORMATION | | |
| E | 13.05.21 | ISSUED FOR INFORMATION | | |
| F | 30.06.21 | ISSUED FOR INFORMATION | | |
| G | 20.07.21 | ISSUED FOR INFORMATION | TBG | |

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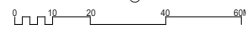
File
C:\SCRGSC4-A-R19-DA-BRIDGE_Justin.Tan-Torres.rvt

Project
COCKBURN GATEWAY SHOPPING CITY

Project Number
13536

Status
FOR INFORMATION

Date Plotted 20-Jul-21 12:17:45 PM
Date Issued
Scale As indicated @A1



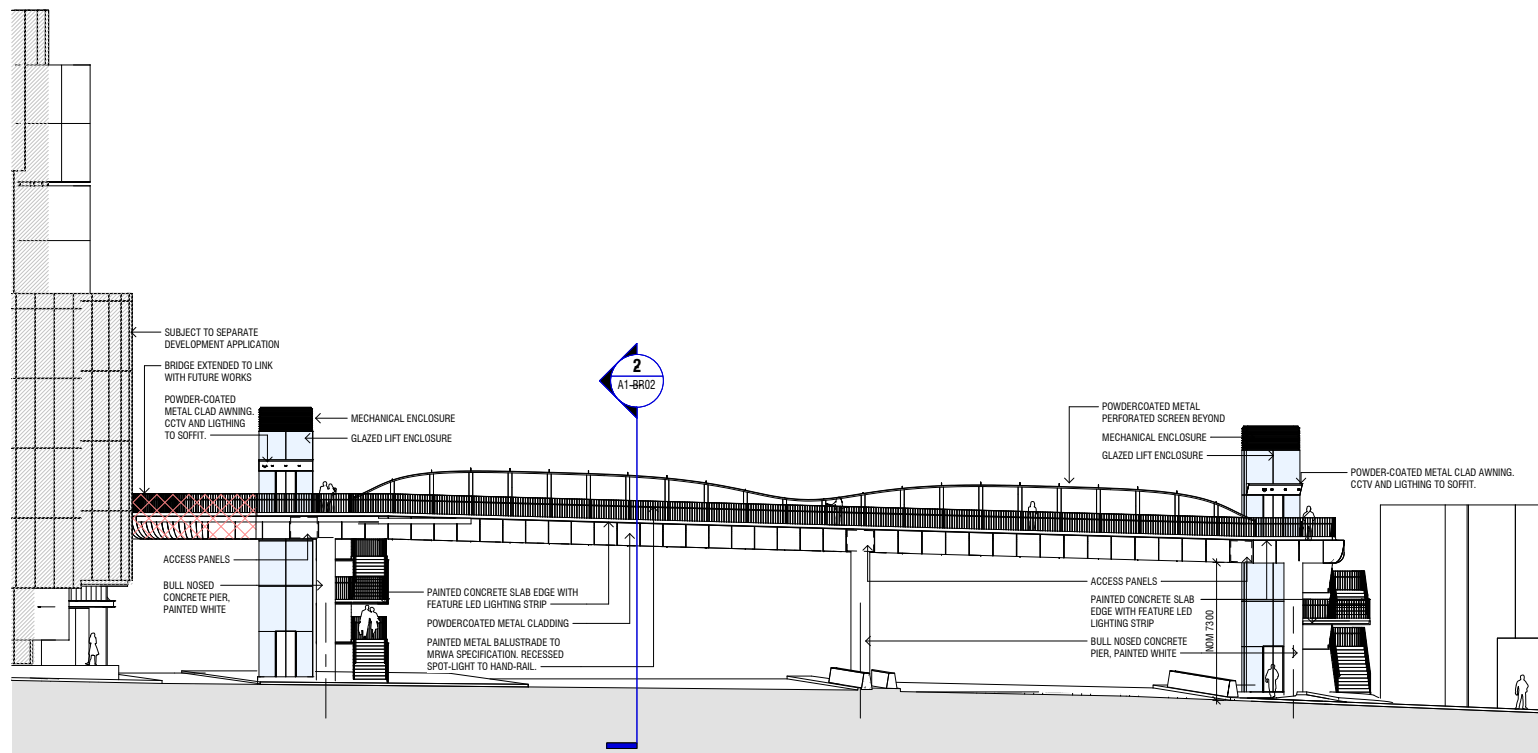
Drawing Title
LOCALITY & FLOOR PLANS
PROPOSED PEDESTRIAN BRIDGE OVER
BEELIAR DRIVE_SWITCHBACK STAIR

Drawing Number
A1-BR01

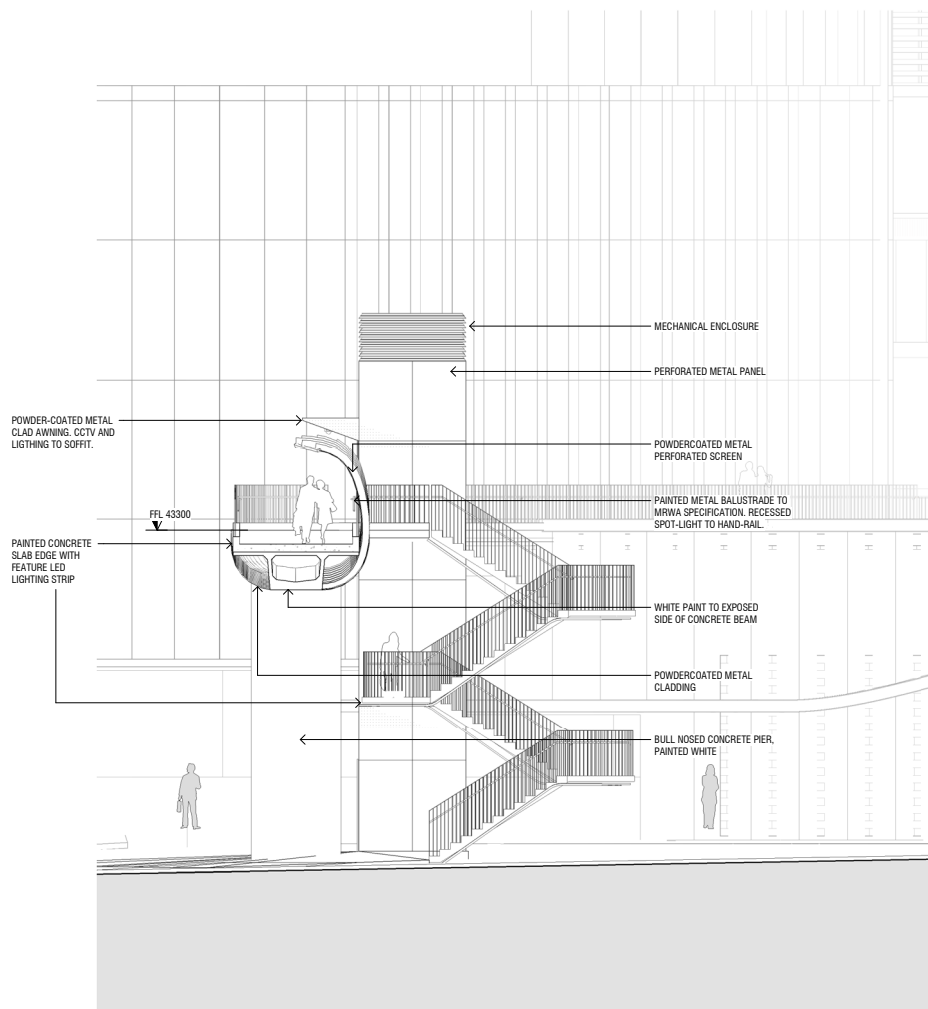
Revision
G

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1 EAST ELEVATION
SCALE 1 : 200



2 BRIDGE SECTION
SCALE 1 : 100

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File
C:\SCRGSC4-A-R19-DA-BRIDGE_Justin.Tan-Torres.rvt

Project
COCKBURN GATEWAY SHOPPING CITY

Project Number
13536

Status
FOR INFORMATION

Date Plotted 20-Jul-21 12:16:06 PM
Date Issued
Scale As indicated @A1
12M

Drawing Title

**ELEVATIONS, SECTION & PERSPECTIVES
PROPOSED PEDESTRIAN BRIDGE OVER
BEELIAR DRIVE**

Drawing Number
A1-BR02

Revision
F

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VIEW FROM LINKAGE AVE



VIEW LOOKING EAST



VIEW LOOKING TO SHOPPING CENTRE



Western Australian Planning Commission

Minutes

Meeting No. 14

Thursday, 28 October, 2021

- Members:** David Caddy - Chairman WAPC
Helen Brookes - Coastal Planning and Management Representative
Jodi Cant - Director General, Department of Planning, Lands and Heritage
Fred Chaney - Professions Representative
Emma Cole - Metropolitan Local Government Representative
Lynne Craigie - Nominee of the Regional Minister
Veronica Fleay - Local government representative – non-metropolitan
Justin McKirdy - Urban and Regional Planning Representative
Peter Woronzow - Director General, Department of Transport
- Apologies:** Ralph Addis - Director General, Department of Primary Industries and Regional Development (Associate member)
Michelle Andrews - Director General, Department of Water and Environmental Regulation
Jane Bennett - Professions Representative
Rebecca Brown - Director General, Department of Jobs, Tourism, Science and Innovation
Barry McGuire - Professions Representative
Mike Rowe - Director General, Department of Communities
- Others present:** Inga Butefisch - Principal Media Advisor, Communications
Kristi Clarke - Director, Communications and Engagement
Ciara Clarke – Principal Planning Officer, Reform, Design and State Assessment
Michael Daymond – Manager Special Projects
Sam Fagan - Manager Commission Business
Elyse Maketic – A/Chief Planning Advisor
Michelle Sanfilippo - Team Leader, Commission Support
Margaret Smith - Planning Director, Reform, Design and State Assessment
- Applicants:** Graham Agar - Full Circle Design via Zoom
Andrew Byars - Perron Group
Murray Casselton - element
Jon Everett – PlanE via Zoom
Andre Jones – Buchan
Darren Levey - Uloth and Associates
James Lewisson - element
Alessandro Paladin - Buchan
Tim Reynolds - Herring Storer via Zoom
Darren Staunton - Insight Project Services

1. Declaration of opening

The Chairman declared the meeting open at 2:02 pm, acknowledged the peoples of the Noongar nation as the traditional owners and custodians of the land on which the meeting is taking place and welcomed members. The Chairman paid respect to elders past and present, and extended solidarity and hope for a just and dignified future for us all.

The Chairman provided an introductory statement which is available [here](#).

The Chairman advised that no person may use any electronic, visual or audio recording device or instrument to record proceedings of the WAPC and outlined that the Commission is not recording this meeting.

The Chairman also advised all participants that Commission members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

2. Apologies

Ralph Addis - Director General, Department of Primary Industries and Regional Development

Michelle Andrews - Director General, Department of Water and Environmental Regulation

Jane Bennett - Professions Representative

Rebecca Brown - Director General, Department of Jobs, Tourism, Science and Innovation

Barry McGuire - Professions Representative

Mike Rowe - Director General, Department of Communities

3. Disclosure of interests

Mr Caddy declared a Perceived Impartiality Interest on item 7.1 - No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success - Proposed Retail, Commercial and Residential Development. Mr Caddy stated that he previously acted as a planning consultant on the project between 2009 and 2010. Members agreed that Mr Caddy is permitted to be present during the discussion and/or decision-making procedure on the item as it is unlikely to influence Mr Caddy's conduct in relation to the matter.

Mr Chaney declared a Perceived Impartiality Interest on item 7.1 - No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success - Proposed Retail, Commercial and Residential Development. Mr Chaney stated that his brother is a board member of Perron Foundation and his brother-in-Law is an employee of Perron. Mr Chaney advised members that he would not participate in the decision-making procedure on the item. Members agreed that Mr Chaney is permitted to be present during the discussion on the item as it is unlikely to influence Mr Chaney's conduct in relation to the matter.

Mr McKirdy declared a Perceived Impartiality Interest on Item 7.1 - No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success - Proposed Retail, Commercial and Residential Development. Mr McKirdy stated that in a previous role he was involved in discussions with the developer regarding this

proposal, those discussions occurred over two years ago, and he has not been involved in any discussions since. Mr McKirdy further stated that the nature of the proposal is likely to remain similar to the content of previous discussions. Members agreed that Mr McKirdy is permitted to be present during the discussion and/or decision-making procedure on the item as it is unlikely to influence Mr McKirdy's conduct in relation to the matter.

Ms Bennett declared an Actual Impartiality Interest on Item 7.1 - No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success - Proposed Retail, Commercial and Residential Development. Ms Bennett stated that her employer, CLE, are currently engaged to act for Perron in residential communities.

4. Declaration of due consideration

All members indicated that they had received and considered the agenda items prior to the Western Australian Planning Commission Part 17 meeting.

5. Deputations and presentations

5.1 No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success - Proposed Retail, Commercial and Residential Development

Presenters: Andrew Byars - Perron Group, Andre Jones - Buchan, Murray Casselton - element and Darren Staunton - Insight Project Services.

Available to answer questions: Darren Levey - Uloth and Associates, Jon Everett - PlanE, Tim Reynolds - Herring Storer, Alessandro Paladin - Buchan, James Lewisson - element and Graham Agar - Full Circle Design).

Members requested and were shown "fly through" videos simulating the finished product of the Proposed Retail, Commercial and Residential Development at No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success.

Mr Byars, Mr Jones, Mr Casselton and Mr Staunton presented to the Western Australian Planning Commission on Item 7.1 - No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success - Proposed Retail, Commercial and Residential Development. Mr Casselton requested a number of amendments to the recommendation of the Department of Planning, Lands and Heritage.

Mr Casselton requested that the substantial commencement period at Condition 1 of the recommendation of the Department of Planning, Lands and Heritage to be amended to 36 months.

Mr Casselton requested that Condition 5a relating to the Transport hub be deleted.

Mr Casselton requested that Condition 5c relating to cross-ventilation and winter solar access be deleted.

Mr Casselton requested that Condition 5d relating to Photovoltaic Panels on Townhouses be deleted.

Mr Casselton requested modification to Condition 12, relating to Lighting Strategy, to read "Final Lighting Strategies (based on the draft submitted), detailing external illumination of the development to enhance amenity and safety in accordance with the relevant Australian Standards (AS1158 and AS4282), are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development and thereafter implemented".

Mr Casselton requested modification to Condition 30, relating to Acoustic Assessment of Alfresco Areas, to read "Each outdoor dining or entertainment tenancy is required to provide a noise management plan to demonstrate compliance with the *Environmental Protection (Noise) Regulations 1997* to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn".

Mr Byars, Mr Jones, Mr Casselton and Mr Staunton answered questions from members regarding solar panels, lighting, overshadowing, safety, acoustics, water management, parking bays, public transport, the separation of cars and pedestrians, the pedestrian bridge and the staged project development.

6. Presentation of key issues by the Department of Planning, Lands and Heritage

Ms Smith, Director of the State Development Assessment Unit presented the key issues and considerations of the application at Item 7.1 and responded to questions from members.

7. Item/s for decision

7.1 No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success - Proposed Retail, Commercial and Residential Development

The Chairman invited discussion from members on the application presented at Item 7.1 of the agenda.

Members acknowledged the significant amount of information that has been presented to the Western Australian Planning Commission in relation to this application, the objectives of the significant development pathway, the support of key stakeholders, the proponent's own community consultation, and that this application has been under detailed assessment and applicant engagement with the State Development Assessment Unit for the past ten months.

REPORT RECOMMENDATION

Moved by Mr Woronzow

Seconded by Mr McKirdy

That the Western Australian Planning Commission resolves to APPROVE development application reference SDAU-011-20 and accompanying plans and documents (date stamped 23 December 2020 and 10 March, 18 March, 8 April, 29 June, 2 August and 7 September

2021) for demolition of retail and commercial buildings and development of retail, commercial, residential and mixed use buildings, car parking and public realm works at No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success in accordance with s.274 of the Planning and Development Act 2005, subject to the following conditions:

Approval Timeframe

1. *This decision constitutes planning approval only and is valid for a period of 24 months from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans and documents (date stamped 23 December 2020 and 10 March, 18 March, 8 April, 29 June, 2 August and 7 September 2021) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage/s (condition clearance stages), to the satisfaction of the Western Australian Planning Commission.*

Clearance of Conditions of Approval

3. *A copy of the final working drawings (prepared for submission of a building permit application) and all associated plans, reports and information that address the conditions of approval are to be submitted to and approved by the Western Australian Planning Commission.*

Construction

4. *Prior to commencement of any site works, a Demolition and Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads WA, addressing but not limited to:*
 - a. *recycling and waste mitigation of demolition and construction materials*
 - b. *management of construction traffic, including potential impacts on the local and regional road network*
 - c. *site access / egress, internal movement and holding of heavy vehicles and contractor parking*
 - d. *deliveries and storage of construction materials and machinery*
 - e. *management of construction vibration, dust and erosion*
 - f. *management of construction noise and other site generated noise*
 - g. *investigation and management of acid sulphates soils*
 - h. *management of any site dewatering or stormwater discharge*
 - i. *temporary fencing, hoardings, gantries and signage*
 - j. *protection of retained trees within and adjacent to the site*

- k. protection of public realm infrastructure adjacent to the site*
- l. public communication and complaint handling procedures*

with the Plan thereafter implemented, and updated where necessary prior to submission of the subsequent building permit application/s.

Design and Materials

- 5. The development plans are to be revised to incorporate the following design improvements:*
 - a. the design of the transport hub and adjacent buildings is to be revised to provide increased ground floor physical and/or visual permeability along the southern side of the enclosed area;*
 - b. soft landscape elements are to be integrated into the multi-deck car park screen facade facing Wentworth Parade;*
 - c. residential buildings A1 and D3 are to incorporate design modifications to increase the number of apartments receiving cross-ventilation and at least two hours winter solar access to living areas; and*
 - d. townhouses B14, B15, B16, C1, C2 and C3 are to be provided with individual rooftop solar photovoltaic systems*

with the revised plans being submitted to and approved by the Western Australian Planning Commission, prior to submission of the relevant building permit application/s.

- 6. The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved Development Plans, with final details submitted to and approved by the Western Australian Planning Commission prior to submission of the relevant building permit application/s.*
- 7. All external facing service infrastructure, service area doors, electrical transformers, air-conditioning condensers and building plant are to be integrated into the design of the development or screened to minimise any visual or noise impacts on residential properties and the public realm, with final details submitted to and approved by the Western Australian Planning Commission prior to submission of the relevant building permit application/s.*

Landscape and Public Realm

- 8. A Whadjuk Heritage Interpretation Plan, produced through engagement with local Whadjuk representatives, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to commencement of works for Stage 1A of the development and thereafter implemented.*
- 9. Public art to a minimum value of \$250,000 is to be provided in each of the proposed four stages of the development, to a minimum total value of \$1 million, with plans and details to be submitted to and*

approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to commencement of works for each relevant stage of the development, and thereafter implemented and maintained by the owners of the development.

- 10. Final Landscape Plans, including hard and soft landscape specifications and reticulation details for public spaces, walkways, residential communal spaces and building exteriors in accordance with the approved Landscape Strategy and Development Plans, are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to commencement of works for each relevant stage of the development.*
- 11. Landscape areas for each stage of the development are to be completed in accordance with the final approved Landscape Plans prior to occupation of each stage of the development and thereafter maintained by the owners or operators of the development, to the satisfaction of the Western Australian Planning Commission.*
- 12. Final Lighting Plans, detailing external illumination of the development to enhance amenity and safety, are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development and thereafter implemented.*
- 13. A final Universal Access Report/s, detailing access and wayfinding within the public realm of the development site and for building entries, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development.*
- 14. All external entry, tenancy and wayfinding signage is to be in accordance with the approved Signage Strategy (Buchan, August 2021), with final details of all site entry or major tenant signage facing Beeliar Drive or Wentworth Parade to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to installation.*
- 15. The development is to be managed in accordance with the approved Place Activation and Management Strategy (Element, April 2021), with final details to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to commencement of works for each relevant stage of the development.*

Sustainability and Water

- 16. Suitable arrangements are to be made for adequate water and wastewater servicing for the development, with plans and details provided to the satisfaction of the Western Australian Planning Commission, on advice from the Water Corporation and the City of*

Cockburn, prior to submission of the relevant building permit application for Stage 1A of the development.

- 17. A final Stormwater Management Plan/s, detailing the management of stormwater in accordance with the approved Stormwater Management Strategy, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development.*
- 18. A final Sustainability Report/s, detailing the initiatives included in the final plans in accordance with the approved Sustainability Strategy, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development.*
- 19. Prior to occupation of each stage of the development, documentation from a suitably qualified professional is to be provided certifying that the sustainability initiatives identified in the final Sustainability Report/s have been implemented in the construction of that stage, to the satisfaction of the Western Australian Planning Commission.*

Transport, Access and Parking

- 20. Suitable arrangements are to be made for the completion of a pedestrian and cyclist bridge over Beeliar Drive, as indicated in the approved development plans and the submitted Transport Impact Assessment (Uloth, August 2021), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn, prior to occupation of Stage 1A of the development.*
- 21. Suitable arrangements are to be made for the completion of the site access and road improvements as proposed in the submitted Transport Impact Assessment (Uloth, August 2021), which include:*
 - a. a new signalised intersection entry from Wentworth Parade at Stage 1A;*
 - b. widening Beeliar Drive from Poletti Road to Wentworth Parade at Stage 1B;*
 - c. a new site access from Wentworth Parade at Stage 2; and*
 - d. Modification of Beeliar Drive-Midgegooroo Avenue intersection at Stage 3 of the development;*

to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads WA.

- 22. A Travel Management Plan/s, detailing promotion and management of walking, cycling and public transport access and facilities for visitors/customers, staff and residents, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn and the Department of Transport, prior to submission of the relevant building permit application/s for*

each stage of the development, and thereafter implemented by the operators of the development.

- 23. A Car Parking Management Plan/s, detailing allocation and management of visitor/customer, staff, tenant, resident and special use car parking facilities, in accordance with the minimum and maximum parking provisions in the submitted Transport Impact Assessment (Uloth, August 2021), is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn and the Department of Transport, prior to submission of the relevant building permit application/s for each stage of the development, and thereafter implemented by the operators of the development.*
- 24. All car parking spaces, access aisles and bicycle parking spaces shall be constructed in accordance with Australian Standards AS2890.1 and AS2890.3 and thereafter maintained by the operators of the development, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn.*
- 25. All shared paths within the development site shall be provided with suitable signage and/or pavement marking to indicate pedestrian and cyclist use, including the existing and proposed paths into the basement, to the satisfaction of the Western Australian Planning Commission on advice from the City of Cockburn and the Department of Transport, prior to occupation of each relevant stage of the development.*
- 26. Prior to occupation of Stage 1B of the development, an easement in accordance with Sections 195 and 196 of the Land Administration Act 1997 is to be placed on the relevant Certificate/s of Title specifying public access rights across 'The Walk' pedestrian path. The easement is to state as follows: "Public Access Easement - pedestrian access route.*

Noise Management

- 27. A final Acoustic Report/s and plans endorsed by a qualified acoustic consultant, detailing effective management of noise ingress and egress for all land uses, traffic noise, service vehicles, entertainment activities and mechanical equipment, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads WA, prior to submission of the relevant building permit application for each stage of the development.*
- 28. Prior to occupation of each residential stage of the development, documentation from a qualified acoustic consultant is to be provided certifying that the acoustic treatments recommended in the final Acoustic Report/s have been implemented in construction of that stage, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads WA.*

29. *Prior to occupation of Stage 1B of the development, a notification pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the relevant Certificate/s of Title. The notification is to state: 'This lot is in the vicinity of a transport corridor and is currently affected, or may be affected in the future, by transport noise'.*
30. *Any outdoor dining/drinking/entertainment areas adjacent to or opposite a residential building is to operate only between the hours of 7am to 11pm, with any music to be low level background music only, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn.*

Other

31. *A final Waste Management Plan/s, including waste sorting, ventilation, cleaning and maintenance details for any proposed residential waste chutes, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development, and thereafter implemented by the operators of the development.*
32. *The development is to be constructed and managed in accordance with the approved Bushfire Management Plan (Strategen, December 2020), to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services and the City of Cockburn.*
33. *Prior to occupation of Stage 1A of the development, a notification pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the relevant Certificate/s of Title. The notification is to state: 'This lot is located within a bushfire prone area and is subject to a bushfire management plan'.*
34. *The size of any new Liquor Store within the development is limited to a maximum of 400m² NLA.*

Advice Notes

- a. *With regard to condition 1, and in accordance with s.279(4) of the Planning and Development Act 2005, the Western Australian Planning Commission cannot do anything that would have the effect of extending the period within which the development must be substantially commenced.*
- b. *This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and licence or permit requirements that may relate to the development. Please contact the City of Cockburn for further advice on building, health, engineering and road reserve requirements.*
- c. *With regard to condition 3, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission, and*

any variations from the approved plans are required to be clearly identified. Once the Commission is satisfied that the working drawings and information are consistent with the approved development plans and conditions of approval, the Commission will provide a clearance letter and copies of the working drawings to the City of Cockburn to assist with the issuing of a building permit.

Where works and/or building permits are proposed to be staged, the Commission may agree to a staged clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the Commission's approval.

Interim documentation may be acceptable for the clearance of some conditions for the initial stages of the development, in accordance with an approved Conditions Staging Matrix. In the instance where interim documents or plans are accepted by the Commission, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

- d. The approved land uses for the shopping centre expansion and all new buildings and tenancies to the south side of the internal main street are: Amusement Parlour, Bank, Betting Agency, Consulting Rooms, Civic Uses, Fast Food Outlet, Garden Centre, Hardware Store, Health Studio, Liquor Store, Market, Medical Centre, Reception Centre, Recreation Private, Restaurant, Shop, Small Bar, Tavern and Veterinary Centre.*
- e. With regard to conditions 10 and 11, should minor modifications to the approved final Landscape Plans be proposed prior to occupation of each stage of development, revised plans should be submitted for endorsement by the Western Australian Planning Commission.*

The applicant is further advised that any proposed landscape works outside the development lot boundaries will require consent from the City of Cockburn as the road reserve owner / manager, prior to implementation.

- f. With regard to condition 16, any upgrades to the water reticulation network and the downstream receiving sewers that are required to support the development will need to be funded and undertaken by the developer. The developer will also be required to fund new works and provide protection of all existing Water Corporation assets. A contribution to the Water Corporation for water, sewerage and drainage headworks may also be required.*
- g. With regard to condition 17, Main Roads WA advises that no stormwater from the development site is to be discharged onto the Kwinana Freeway road reserve.*
- h. With regard to condition 32, residential buildings in the Bushfire Prone Areas BAL-12.5 will need to include adequate protection*

measures in the building permit plans. Refer to Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas for further details of appropriate construction measures.

The Department of Fire and Emergency Services advises it will be able to provide advice on compliance with its Site Planning and Fire Appliance Specifications Guidelines and fire hydrant coverage when plans for a building permit are prepared.

- i. With regard to condition 34, in accordance with section 36B of the Liquor Control Act 1988, a large packaged liquor outlet of over 400m² cannot be considered at the development site. Packaged liquor outlets under 400m² could be considered but would have to satisfy the director of liquor licensing that the current consumer requirement for packaged liquor in the locality cannot be met by existing venues.*
- j. Main Roads WA advises that:*
 - No development is permitted within the Kwinana Freeway road reserve.*
 - No site access is permitted from the Kwinana Freeway road reserve.*
 - Approval of signals or intersection modifications do not form part of this application. The installation of traffic signals will require further approval from Main Roads, in accordance with the Road Traffic Code 2000 (WA).*
 - Approval from Main Roads WA is required to conduct road works that require traffic management on a state road or traffic management on a local government road which will affect the operation of traffic signals or is within 30m of traffic signals. Refer to the 'Traffic Management for Roadworks & Events' section on Main Roads WA website. Given the scale of development it likely such approval will be required.*
- k. The applicant is advised that any future application for subdivision, including an application for strata titles or community titles, will be assessed against relevant policies of the Western Australian Planning Commission, and may result in a requirement for the provision of public open space, in accordance with Development Control Policy 2.3 and Operational Policy 1.11.*
- l. The applicant is advised that all construction within the protected airspace of Jandakot Airport must be undertaken in accordance with any approval and conditions issued by the Department of Infrastructure, Transport, Regional Development and Communications, in accordance with the Airports (Protection of Airspace) Regulations 1996.*
- m. ATCO Gas Australia advises that it has gas mains within the immediate vicinity of the development site and also has existing service lines and registered meter sets within the proposed development area. Anyone proposing to carry out construction or*

excavation works must contact 'Dial Before You Dig' (phone 1100) to determine the location of buried gas infrastructure.

- n. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 17 of the Planning and Development Act 2005.*

AMENDING MOTION

REASON:

Members moved an amendment to proposed Condition 1 that the development be substantially commenced within a period of 36 months, due to the size and complexity of the proposed development, the current constraints relating to skilled labour, building material shortages and service authorities.

Moved by Mr Woronzow

Seconded by Ms Cant

Approval Timeframe

- 1. This decision constitutes planning approval only and is valid for a period of 36 months from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

The motion was put and carried

AMEDNING MOTION

REASON:

Members moved an amendment to proposed Condition 5, to delete condition 5d, as the central location for the solar panels on the shopping centre roof is more efficient.

Moved by Mr McKirdy

Seconded by Ms Brookes

Design and Materials

- 5. The development plans are to be revised to incorporate the following design improvements:*
- a. the design of the transport hub and adjacent buildings is to be revised to provide increased ground floor physical and/or visual permeability along the southern side of the enclosed area;*
 - b. soft landscape elements are to be integrated into the multi-deck car park screen facade facing Wentworth Parade; and*
 - c. residential buildings A1 and D3 are to incorporate design modifications to increase the number of apartments receiving cross-ventilation and at least two hours winter solar access to living areas*

with the revised plans being submitted to and approved by the

Western Australian Planning Commission, prior to submission of the relevant building permit application/s.

The motion was put and carried

AMENDING MOTION

REASON:

Members moved an amendment to proposed Condition 30, that rather than restricting the operating hours and music levels of outdoor areas adjacent to or opposite a residential building, a more reasonable approach is to request that each individual venue is to lodge a noise management plan.

Moved by Mayor Cole

Seconded by Mr McKirdy

Noise Management

30. A Noise Management Plan for each tenancy with an outdoor dining or entertainment area is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to occupation of each relevant tenancy and thereafter implemented.

The motion was put and carried

AMENDING MOTION

REASON

Members moved an amendment to proposed Condition 17, to require a more detailed urban water management plan, consistent with State Planning Policy requirements.

Moved by Ms Brookes

Seconded by Mayor Cole

Sustainability and Water

17. An updated Urban Water Management Plan/s, detailing the management of water and landscape design in accordance with the water resource management principles of (draft) State Planning Policy 2.9 Planning for Water and the associated Guidelines is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development.

The motion was put and carried

AMENDING MOTION

REASON

Members moved an amendment to proposed Condition 4, to include the Public Transport Authority as one of the referral authorities, due to importance of the public transport corridor through the site.

Moved by Mr McKirdy
Seconded by Mr Woronzow

Construction

4. *Prior to commencement of any site works, a Demolition and Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, Public Transport Authority and Main Roads WA, addressing but not limited to:*
- a. *recycling and waste mitigation of demolition and construction materials;*
 - b. *management of construction traffic, including potential impacts on the local and regional road network;*
 - c. *site access / egress, internal movement and holding of heavy vehicles and contractor parking;*
 - d. *deliveries and storage of construction materials and machinery;*
 - e. *management of construction vibration, dust and erosion;*
 - f. *management of construction noise and other site generated noise;*
 - g. *investigation and management of acid sulphates soils;*
 - h. *management of any site dewatering or stormwater discharge;*
 - i. *temporary fencing, hoardings, gantries and signage;*
 - j. *protection of retained trees within and adjacent to the site;*
 - k. *protection of public realm infrastructure adjacent to the site; and*
 - l. *public communication and complaint handling procedures*
- with the Plan thereafter implemented, and updated where necessary prior to submission of the subsequent building permit application/s.*

The motion was put and carried

AMENDING MOTION

REASON:

Members moved an amendment to proposed Condition 14, to include Main Roads Western Australia as one of the referral authorities, due to their role relating to signage near traffic signals.

Moved by Mr McKirdy
Seconded by Mr Woronzow

Landscape and Public Realm

14. *All external entry, tenancy and wayfinding signage is to be in accordance with the approved Signage Strategy (Buchan, August 2021), with final details of all site entry or major tenant signage facing Beeliar Drive or Wentworth Parade to be submitted to and*

approved by the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads Western Australia, prior to installation.

The motion was put and carried

SUBSTANTIVE RESOLUTION:

REASON:

Members acknowledged that the application has received the conditional support of the State Development Assessment Unit, the City of Cockburn officers and the relevant State government referral agencies.

Members acknowledged that community consultation has been undertaken and the community response has been generally positive.

Members noted that this development represents a significant investment in the Cockburn Activity Centre, supporting infill development in close proximity to high frequency public transport.

Members agreed that the staged development, allowing the shopping centre to continue to trade, is well planned and noted that any amendments to any of the stages of the development will be determined by the Commission in perpetuity.

Members agreed that the proposal has appropriately considered concerns about overshadowing, solar access, wind impact, security, safety, parking, traffic management, acoustics, sustainability, and the separation of vehicles and pedestrians.

Members noted that there are significant issues around the siting of the development to ameliorate the impacts of the Kwinana Freeway and Beeliar Drive and agreed that site constraints have been adequately dealt with and this development has been significantly interrogated and contemplated and will facilitate development in accordance with the Gateway Precinct Local Structure Plan, as amended in 2020.

The Commission resolved that the application met the criteria to be determined as a significant development, as prescribed under Part 17 of the *Planning and Development Act 2005* and approved the application, subject to conditions.

That the Western Australian Planning Commission resolves to APPROVE development application reference SDAU-011-20 and accompanying plans and documents (date stamped 23 December 2020 and 10 March, 18 March, 8 April, 29 June, 2 August and 7 September 2021) for demolition of retail and commercial buildings and development of retail, commercial, residential and mixed use buildings, car parking and public realm works at No. 816 (Lots 202, 203, 800 and 806) Beeliar Drive, Success in accordance with s.274 of the Planning and Development Act 2005, subject to the following conditions:

Approval Timeframe

1. *This decision constitutes planning approval only and is valid for a period of 36 months from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans and documents (date stamped 23 December 2020 and 10 March, 18 March, 8 April, 29 June, 2 August and 7 September 2021) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage/s (condition clearance stages), to the satisfaction of the Western Australian Planning Commission.*

Clearance of Conditions of Approval

3. *A copy of the final working drawings (prepared for submission of a building permit application) and all associated plans, reports and information that address the conditions of approval are to be submitted to and approved by the Western Australian Planning Commission.*

Construction

4. *Prior to commencement of any site works, a Demolition and Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, the Public Transport Authority and Main Roads WA, addressing but not limited to:*
 - a. *recycling and waste mitigation of demolition and construction materials;*
 - b. *management of construction traffic, including potential impacts on the local and regional road network;*
 - c. *site access / egress, internal movement and holding of heavy vehicles and contractor parking;*
 - d. *deliveries and storage of construction materials and machinery;*
 - e. *management of construction vibration, dust and erosion;*
 - f. *management of construction noise and other site generated noise;*
 - g. *investigation and management of acid sulphates soils;*
 - h. *management of any site dewatering or stormwater discharge;*
 - i. *temporary fencing, hoardings, gantries and signage;*
 - j. *protection of retained trees within and adjacent to the site;*
 - k. *protection of public realm infrastructure adjacent to the site; and*

public communication and complaint handling procedures with the Plan thereafter implemented, and updated where necessary prior to submission of the subsequent building permit application/s.

Design and Materials

5. *The development plans are to be revised to incorporate the following design improvements:*
 - a. *the design of the transport hub and adjacent buildings is to be revised to provide increased ground floor physical and/or visual permeability along the southern side of the enclosed area;*
 - b. *soft landscape elements are to be integrated into the multi-deck car park screen facade facing Wentworth Parade; and*
 - c. *residential buildings A1 and D3 are to incorporate design modifications to increase the number of apartments receiving cross-ventilation and at least two hours winter solar access to living areas*

with the revised plans being submitted to and approved by the Western Australian Planning Commission, prior to submission of the relevant building permit application/s.
6. *The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved Development Plans, with final details submitted to and approved by the Western Australian Planning Commission prior to submission of the relevant building permit application/s.*
7. *All external facing service infrastructure, service area doors, electrical transformers, air-conditioning condensers and building plant are to be integrated into the design of the development or screened to minimise any visual or noise impacts on residential properties and the public realm, with final details submitted to and approved by the Western Australian Planning Commission prior to submission of the relevant building permit application/s.*

Landscape and Public Realm

8. *A Whadjuk Heritage Interpretation Plan, produced through engagement with local Whadjuk representatives, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to commencement of works for Stage 1A of the development and thereafter implemented.*
9. *Public art to a minimum value of \$250,000 is to be provided in each of the proposed four stages of the development, to a minimum total value of \$1 million, with plans and details to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to commencement of works for each relevant stage of the development, and thereafter implemented and maintained by the owners of the development.*

10. *Final Landscape Plans, including hard and soft landscape specifications and reticulation details for public spaces, walkways, residential communal spaces and building exteriors in accordance with the approved Landscape Strategy and Development Plans, are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to commencement of works for each relevant stage of the development.*
11. *Landscape areas for each stage of the development are to be completed in accordance with the final approved Landscape Plans prior to occupation of each stage of the development and thereafter maintained by the owners or operators of the development, to the satisfaction of the Western Australian Planning Commission.*
12. *Final Lighting Plans, detailing external illumination of the development to enhance amenity and safety, are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development and thereafter implemented.*
13. *A final Universal Access Report/s, detailing access and wayfinding within the public realm of the development site and for building entries, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development.*
14. *All external entry, tenancy and wayfinding signage is to be in accordance with the approved Signage Strategy (Buchan, August 2021), with final details of all site entry or major tenant signage facing Beeliar Drive or Wentworth Parade to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads Western Australia, prior to installation.*
15. *The development is to be managed in accordance with the approved Place Activation and Management Strategy (Element, April 2021), with final details to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to commencement of works for each relevant stage of the development.*

Sustainability and Water

16. *Suitable arrangements are to be made for adequate water and wastewater servicing for the development, with plans and details provided to the satisfaction of the Western Australian Planning Commission, on advice from the Water Corporation and the City of Cockburn, prior to submission of the relevant building permit application for Stage 1A of the development.*
17. *An updated Urban Water Management Plan/s, detailing the management of water and landscape design in accordance with the*

water resource management principles of (draft) State Planning Policy 2.9 Planning for Water and the associated Guidelines is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development.

- 18. A final Sustainability Report/s, detailing the initiatives included in the final plans in accordance with the approved Sustainability Strategy, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development.*
- 19. Prior to occupation of each stage of the development, documentation from a suitably qualified professional is to be provided certifying that the sustainability initiatives identified in the final Sustainability Report/s have been implemented in the construction of that stage, to the satisfaction of the Western Australian Planning Commission.*

Transport, Access and Parking

- 20. Suitable arrangements are to be made for the completion of a pedestrian and cyclist bridge over Beeliar Drive, as indicated in the approved development plans and the submitted Transport Impact Assessment (Uloth, August 2021), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn, prior to occupation of Stage 1A of the development.*
- 21. Suitable arrangements are to be made for the completion of the site access and road improvements as proposed in the submitted Transport Impact Assessment (Uloth, August 2021), which include:*
 - a. a new signalised intersection entry from Wentworth Parade at Stage 1A;*
 - b. widening Beeliar Drive from Poletti Road to Wentworth Parade at Stage 1B;*
 - c. a new site access from Wentworth Parade at Stage 2; and*
 - d. Modification of Beeliar Drive-Midgegooroo Avenue intersection at Stage 3 of the development;*

to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads WA.

- 22. A Travel Management Plan/s, detailing promotion and management of walking, cycling and public transport access and facilities for visitors/customers, staff and residents, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn and the Department of Transport, prior to submission of the relevant building permit application/s for*

each stage of the development, and thereafter implemented by the operators of the development.

- 23. A Car Parking Management Plan/s, detailing allocation and management of visitor/customer, staff, tenant, resident and special use car parking facilities, in accordance with the minimum and maximum parking provisions in the submitted Transport Impact Assessment (Uloth, August 2021), is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn and the Department of Transport, prior to submission of the relevant building permit application/s for each stage of the development, and thereafter implemented by the operators of the development.*
- 24. All car parking spaces, access aisles and bicycle parking spaces shall be constructed in accordance with Australian Standards AS2890.1 and AS2890.3 and thereafter maintained by the operators of the development, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn.*
- 25. All shared paths within the development site shall be provided with suitable signage and/or pavement marking to indicate pedestrian and cyclist use, including the existing and proposed paths into the basement, to the satisfaction of the Western Australian Planning Commission on advice from the City of Cockburn and the Department of Transport, prior to occupation of each relevant stage of the development.*
- 26. Prior to occupation of Stage 1B of the development, an easement in accordance with Sections 195 and 196 of the Land Administration Act 1997 is to be placed on the relevant Certificate/s of Title specifying public access rights across 'The Walk' pedestrian path. The easement is to state as follows: "Public Access Easement - pedestrian access route.*

Noise Management

- 27. A final Acoustic Report/s and plans endorsed by a qualified acoustic consultant, detailing effective management of noise ingress and egress for all land uses, traffic noise, service vehicles, entertainment activities and mechanical equipment, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads WA, prior to submission of the relevant building permit application for each stage of the development.*
- 28. Prior to occupation of each residential stage of the development, documentation from a qualified acoustic consultant is to be provided certifying that the acoustic treatments recommended in the final Acoustic Report/s have been implemented in construction of that stage, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Cockburn and Main Roads WA.*

29. *Prior to occupation of Stage 1B of the development, a notification pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the relevant Certificate/s of Title. The notification is to state: 'This lot is in the vicinity of a transport corridor and is currently affected, or may be affected in the future, by transport noise'.*
30. *A Noise Management Plan for each tenancy with an outdoor dining or entertainment area is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to occupation of each relevant tenancy and thereafter implemented.*

Other

31. *A final Waste Management Plan/s, including waste sorting, ventilation, cleaning and maintenance details for any proposed residential waste chutes, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Cockburn, prior to submission of the relevant building permit application/s for each stage of the development, and thereafter implemented by the operators of the development.*
32. *The development is to be constructed and managed in accordance with the approved Bushfire Management Plan (Strategen, December 2020), to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services and the City of Cockburn.*
33. *Prior to occupation of Stage 1A of the development, a notification pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the relevant Certificate/s of Title. The notification is to state: 'This lot is located within a bushfire prone area and is subject to a bushfire management plan'.*
34. *The size of any new Liquor Store within the development is limited to a maximum of 400m² NLA.*

Advice Notes

- a. *With regard to condition 1, and in accordance with s.279(4) of the Planning and Development Act 2005, the Western Australian Planning Commission cannot do anything that would have the effect of extending the period within which the development must be substantially commenced.*
- b. *This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and licence or permit requirements that may relate to the development. Please contact the City of Cockburn for further advice on building, health, engineering and road reserve requirements.*

- c. *With regard to condition 3, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission, and any variations from the approved plans are required to be clearly identified. Once the Commission is satisfied that the working drawings and information are consistent with the approved development plans and conditions of approval, the Commission will provide a clearance letter and copies of the working drawings to the City of Cockburn to assist with the issuing of a building permit.*

Where works and/or building permits are proposed to be staged, the Commission may agree to a staged clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the Commission's approval.

Interim documentation may be acceptable for the clearance of some conditions for the initial stages of the development, in accordance with an approved Conditions Staging Matrix. In the instance where interim documents or plans are accepted by the Commission, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

- d. *The approved land uses for the shopping centre expansion and all new buildings and tenancies to the south side of the internal main street are: Amusement Parlour, Bank, Betting Agency, Consulting Rooms, Civic Uses, Fast Food Outlet, Garden Centre, Hardware Store, Health Studio, Liquor Store, Market, Medical Centre, Reception Centre, Recreation Private, Restaurant, Shop, Small Bar, Tavern and Veterinary Centre.*
- e. *With regard to conditions 10 and 11, should minor modifications to the approved final Landscape Plans be proposed prior to occupation of each stage of development, revised plans should be submitted for endorsement by the Western Australian Planning Commission.*

The applicant is further advised that any proposed landscape works outside the development lot boundaries will require consent from the City of Cockburn as the road reserve owner / manager, prior to implementation.

- f. *With regard to condition 16, any upgrades to the water reticulation network and the downstream receiving sewers that are required to support the development will need to be funded and undertaken by the developer. The developer will also be required to fund new works and provide protection of all existing Water Corporation assets. A contribution to the Water Corporation for water, sewerage and drainage headworks may also be required.*
- g. *With regard to condition 17, Main Roads WA advises that no stormwater from the development site is to be discharged onto the Kwinana Freeway road reserve.*

- h. *With regard to condition 32, residential buildings in the Bushfire Prone Areas BAL-12.5 will need to include adequate protection measures in the building permit plans. Refer to Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas for further details of appropriate construction measures.*

The Department of Fire and Emergency Services advises it will be able to provide advice on compliance with its Site Planning and Fire Appliance Specifications Guidelines and fire hydrant coverage when plans for a building permit are prepared.

- i. *With regard to condition 34, in accordance with section 36B of the Liquor Control Act 1988, a large packaged liquor outlet of over 400m² cannot be considered at the development site. Packaged liquor outlets under 400m² could be considered but would have to satisfy the director of liquor licensing that the current consumer requirement for packaged liquor in the locality cannot be met by existing venues.*
- j. *Main Roads WA advises that:*
- *No development is permitted within the Kwinana Freeway road reserve.*
 - *No site access is permitted from the Kwinana Freeway road reserve.*
 - *Approval of signals or intersection modifications do not form part of this application. The installation of traffic signals will require further approval from Main Roads, in accordance with the Road Traffic Code 2000 (WA).*
 - *Approval from Main Roads WA is required to conduct road works that require traffic management on a state road or traffic management on a local government road which will affect the operation of traffic signals or is within 30m of traffic signals. Refer to the 'Traffic Management for Roadworks & Events' section on Main Roads WA website. Given the scale of development it likely such approval will be required.*
- k. *The applicant is advised that any future application for subdivision, including an application for strata titles or community titles, will be assessed against relevant policies of the Western Australian Planning Commission, and may result in a requirement for the provision of public open space, in accordance with Development Control Policy 2.3 and Operational Policy 1.11.*
- l. *The applicant is advised that all construction within the protected airspace of Jandakot Airport must be undertaken in accordance with any approval and conditions issued by the Department of Infrastructure, Transport, Regional Development and Communications, in accordance with the Airports (Protection of Airspace) Regulations 1996.*

- m. *ATCO Gas Australia advises that it has gas mains within the immediate vicinity of the development site and also has existing service lines and registered meter sets within the proposed development area. Anyone proposing to carry out construction or excavation works must contact 'Dial Before You Dig' (phone 1100) to determine the location of buried gas infrastructure.*
- n. *If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 17 of the Planning and Development Act 2005.*

Mr Chaney abstained from voting

The motion was put and carried

8. State Administrative Tribunal applications

Nil.

9. General business

Nil.

10. Meeting closure

The Chairman, on behalf of the Commission, thanked the State Development Assessment Unit for their hard work and dedication in the assessment of this project over the past 12 months.

There being no further business before the Board, the Chairman thanked members for their attendance and declared the meeting closed at 4:31 pm.



CHAIRMAN

04.11.21

DATE



Enquiries: John McDonald on (08) 9323 6210
Our Ref: 15/2756 (D21#1120860)
Your Ref: DAP21/008

2 February 2022

Chief Executive Officer
City of Cockburn
PO Box 1215
Bibra Lake DC
Western Australia 6965

Email: customer@cockburn.wa.gov.au (via email)

Dear Sir/Madam,

Referral to Main Roads WA - DAP21/003 - proposed Beeliar Drive Pedestrian Bridge - Joint Development Assessment Panel application

Main Roads has no objections subject to the following condition being imposed:

Condition

1. Prior to the issue of the Building Permit, detailed design drawings and a design report for the pedestrian bridge must be prepared to Main Roads requirements.

Advice

- a) In regard to Condition 1, the drawings and design report must address the following issues/comments:
 - i. Details of the bridge piling.
 - ii. What consideration has been given to reducing the risk of people utilising the bridge for self-harm?
 - iii. The width of the walkway must be clearly dimensioned on the drawings.
 - iv. No additional space on the bridge has been provided for people waiting for the lifts so they will obstruct other bridge users.
 - v. Does the handrail lighting satisfy the illumination requirements of AS1158.3?
 - vi. Confirm what is either side of the walkway on the bridge girder section.
 - vii. Confirm the expected lifespan of cladding before it will require replacement – cladding replacement will require road closure of Beeliar Drive.
 - viii. Provide details of stormwater drainage management.
 - ix. Provide details of the anti-slip treatment to be used.
 - x. Clarification is required as to who is going to manage the feature lighting control system?

Should the City disagree with or resolve not to include as part of its conditional approval to the JDAP the above condition or advice, Main Roads requests an opportunity to meet and discuss the application further, prior to a final determination being made.

In terms of the structure assessment any queries should be directed to Jeff Ooh, Asset Manager Structures, from Main Roads Structures Branch on 9323 4416.



mainroads
WESTERN AUSTRALIA

Main Roads requests a copy of the JDAP's final determination on this proposal to be sent to planninginfo@mainroads.wa.gov.au. If you have any queries, please do not hesitate to contact John McDonald.

Yours sincerely

mthornely.

Maryanne Thornely
Road Access and Planning Manager/A



Department of **Planning,
Lands and Heritage**

City of Cockburn
9 Coleville Crescent
Spearwood WA 6163

Your ref: DAP21/003
Our ref: DP/10/00666
Enquiries: Simon Luscombe (Ph: 6551 9307)

16 December 2021

Attention: David King

Dear David,

Re: Beeliar Drive Pedestrian Bridge

I refer to your correspondence dated 15 December 2021. In accordance with the Western Australian Planning Commission's (WAPC) Instrument of Delegation DEL 2017/02 dated 30 May 2017, the following comments are provided. This proposal seeks approval for a pedestrian bridge connecting the Cockburn Gateway development with future Cockburn Quarter and is to be located within the road reserve.

Land Requirements

Beeliar Drive is reserved as an Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS), also reserved as Category 3 per Plan Number SP 694/4.

Transport Statement

The above report, prepared by Uloth and Associates (October 2021) states that as Beeliar Drive forms part of Main Roads WA RAV heavy vehicle network, a minimum height clearance of 6 metres is required (7.3 metres proposed). The proposed bridge meets Austroads' safe intersection sight distance requirements as depicted in Figure 4 of the Statement.

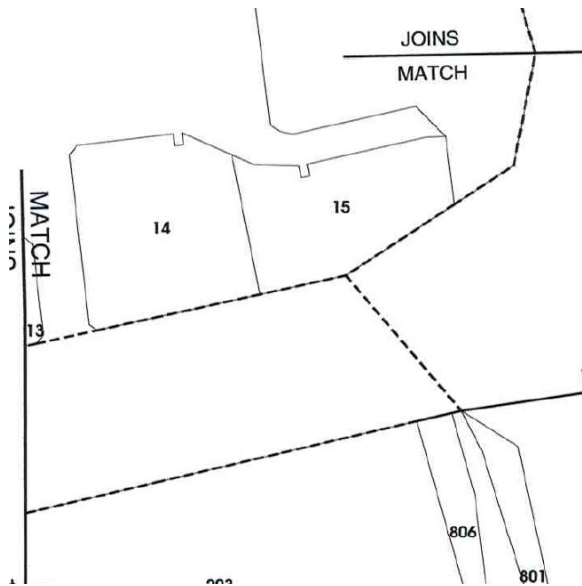
Recommendation

The Department of Planning, Lands and Heritage has no objection to the proposed pedestrian bridge on ORR planning grounds and recommends that the City obtain legal advice regarding the proposed easement and if required, liaise with the Department's Land Use Management Branch regarding an easement over the dedicated road.

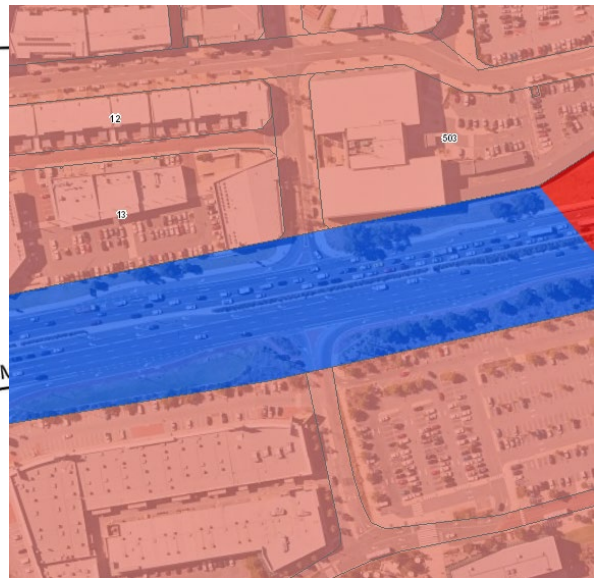
Thank you for your correspondence. Should you have any queries regarding this matter, please contact me on 6551 9307 or via email at simon.luscombe@dplh.wa.gov.au.

Yours sincerely

Simon Luscombe
Principal Planning Officer
Strategy and Engagement



Land Requirement Plan No. 1.7028



MRS

From: "Lam Sin Cho, Jade" <Jade.LamSinCho@pta.wa.gov.au>
Sent: Wed, 10 Nov 2021 12:12:52 +0800
To: "David King" <dking@cockburn.wa.gov.au>; "WAPCreferrals" <WAPCreferrals@pta.wa.gov.au>
Subject: RE: Referral to Public Transport Authority - DAP21/003 - proposed Beeliar Drive Pedestrian Bridge - Joint Development Assessment Panel application



External Email: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi David

Thank you for your referral. The PTA has reviewed and has no objections to the proposed pedestrian bridge.

Regards

Jade Lam Sin Cho
Senior Planning and Development Coordinator | Infrastructure Planning & Land Services
Public Transport Authority of Western Australia
Level 3, Public Transport Centre, West Parade, Perth, 6000
PO Box 8125, Perth Business Centre, WA, 6849
Tel: (08) 9326 2473
Email: jade.lamsincho@pta.wa.gov.au | Web: www.pta.wa.gov.au

Please note that my working days are Tuesday to Thursday



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From: David King <dking@cockburn.wa.gov.au>
Sent: Thursday, 28 October 2021 6:07 PM
To: WAPCreferrals <WAPCreferrals@pta.wa.gov.au>
Cc: Lam Sin Cho, Jade <Jade.LamSinCho@pta.wa.gov.au>
Subject: Referral to Public Transport Authority - DAP21/003 - proposed Beeliar Drive Pedestrian Bridge - Joint Development Assessment Panel application

You don't often get email from dking@cockburn.wa.gov.au. [Learn why this is important](#)

DPLH ref: DAP/21/02106

Good afternoon,

Please click on the link to access the generated batch document.

<https://cia.cockburn.wa.gov.au/T1Prod/CiAnywhere/Web/T1PROD/ECMCore/BulkAction/Get/6801bd93-1c4d-4799-9e90-0457a728a7e0>

The City is in receipt of a Joint Development Assessment Panel application for Pedestrian Bridge. The proposal is referred to the Public Transport Authority (PTA) as the development is a significant development within close proximity to public transport infrastructure

The bridge is proposed to satisfy a condition imposed upon the recently approved State Development Assessment Unit application and Cockburn Gateway – a link to the Agenda is [here](#).

Please note, the document generation may still be in progress. This link will expire on 25 November 2021, 5:43 PM.

It is recommended you save a copy of the above link.

Kind regards,

David King
Acting Senior Statutory Planner | Statutory Planning
9 Coleville Crescent, Spearwood WA 6163
PO Box 1215, Bibra Lake DC WA 6965
P 08 9411 3444

E dking@cockburn.wa.gov.au
www.cockburn.wa.gov.au

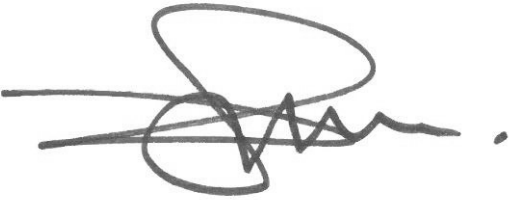


Design Review Report

Beeliar Drive Pedestrian Bridge: DRP 03

City of Cockburn

July 2021

| Design Review Report | | |
|--------------------------------------|---|---|
| Subject | Beeliar Drive Pedestrian Bridge – Design Review 03 | |
| Date | 2021-07-28 | |
| Time | | |
| Location | City of Cockburn | |
| Design Reviewers | Name Dominic Snellgrove Geoffrey London Chris Melsom | Panel Chair Panel Member Panel Member |
| Proponent | Element Buchan Group | |
| Project Team | | |
| Planning Authority | Lorenzo Santoriello David King | |
| Stakeholders | | |
| Declarations | | |
| Briefings | | |
| Relevant Authorities Project Team | City of Cockburn | |
| Design Review Report endorsement | | |
| Reviewer's signature |  (Name) Dominic Snellgrove | |

| Introductory Comments | |
|--|---|
| | |
| Design quality evaluation | |
| | Supported |
| | Pending further attention |
| | Not yet supported |
| | Yet to be addressed |
| | |
| Strengths of the Proposal | <p>The bridge will provide safe and valuable choice and amenity for pedestrian movements across Beeliar Drive in addition to the on-grade crossings to the east and west.</p> <p>The proposed bridge structure is a functional and efficient means of traversing Beeliar Drive.</p> <p>The Bridge design has successfully navigated multiple constraints including in-ground services, adjacent private landholdings and legibility.</p> <p>The decision to employ a stair in conjunction with the lift and not solely rely on a ramp is supported.</p> <p>The revised response to the commentary from Design Review 01 illustrated significant improvement including:</p> <ul style="list-style-type: none"> a) Improved aesthetic response to the soffit of the bridge and the addition of a skeletal structural frame system supporting perforated metal cladding on the west side of the bridge which offers some weather protection from prevailing westerly winds. b) Additional canopies that offer some weather protection to the lift landing points. c) Additional detail and commitment to landscape verge upgrades. d) 3D visual imagery describing a bull-nose profile to the main structural columns. <p>The revised response to the commentary from Design Review 02 also illustrated significant improvement including:</p> <ul style="list-style-type: none"> e) Retention of the bull-node profile to the concrete columns. f) Retention of the curved metal panel to part of the bridge soffit. g) A modest increase in canopy cover and protection over the bridge walkway, h) Relocation and reorganization of the stair at the north end of the bridge. i) Confirmation that the bridge structure has sufficient capacity to support a fully enclosed and weatherproof canopy in the future. j) Stair tread dimensions in excess of the minimum standard. |
| Principle 1 Context and character | <i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i> |
| | <ul style="list-style-type: none"> a) The design approach to install a skeletal steel structure at the bridge level that both supports a perforated weather screen and provides some weather protection for pedestrians crossing the bridge is supported. b) The installation of a curved soffit to the underside of the bridge which creates a more streamlined and cohesive reading of the bridge structure is supported. c) The modest increase in canopy cover and protection over the walkway is supported. d) However, being a public building and given the public nature of the bridge structure the modest extension of the curved canopy remains disappointing. |
| Recommendations | <ol style="list-style-type: none"> 1. Consider extending the already successful skeletal structural ribs across to the east side of the bridge to create a more cohesive visual presentation to the public realm. 2. Consider an extended skeletal structure that could then support intermittent |

| | |
|---|--|
| | <p>perforated panels that could offer better weather protection for the length of the bridge and for both prevailing weather patterns.</p> <p>3. This is not necessarily seen as a continuous cladding but a series of intermittent panels that would create a more cohesive presentation of the bridge but also continue to allow for high levels of visual permeability to continue to facilitate successful passive surveillance.</p> <p>4. During design development consider how the perforated panels might be conceived to carry imagery that speaks directly to the historical, cultural or social context and character of the area to create a visual reading of the bridge as recognisably situated within its place.</p> |
| Principle 2 Landscape quality | <i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i> |
| | a) The engagement of a landscape professional and the detailed design proposal for the upgrade of the verge landing areas is supported. |
| Recommendations | 1. None |
| Principle 3 Built form and scale | <i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i> |
| | a) The bridge link along with the stair and lift access are sized and scaled appropriately in relation to their function. |
| Recommendations | 1. None |
| Principle 4 Functionality and build quality | <i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i> |
| | <p>a) The proposed bridge structure is a functional and efficient means of traversing Beeliar Drive.</p> <p>b) The Bridge design has successfully navigated multiple constraints including in-ground services, adjacent private landholdings and legibility.</p> <p>c) The decision to employ a stair in conjunction with lifts and not solely rely on a ramp is a functional and successful approach.</p> <p>d) Concern remains in relation to the functionality of lift landing points at the bridge level and the street landing of the north stair.</p> <p>e) The proponent is commended for their response to previous commentary and the relocation and reorganization of the stair at the north end of the bridge.</p> |
| Recommendations | 1. None |
| Principle 5 Sustainability | <i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i> |
| | a. Not discussed |
| Recommendations | 1. None |
| Principle 6 Amenity | <i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i> |
| | <p>a) The bridge will provide important choice and amenity for pedestrian movements across Beeliar Drive in addition to the on-grade crossings to the east and west.</p> <p>b) The design approach to install a skeletal steel structure at the bridge level that both supports a perforated weather screen and provides some weather protection for pedestrians crossing the bridge is supported. However, the skeletal steel structure and perforated panels continue to provide only partial weather protection and then only from the west.</p> |

| | |
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| | <ul style="list-style-type: none"> c) Currently there is no dedicated lift landing at the bridge level. The lifts land directly at the bridge pathway and create the potential for congestion between pedestrians waiting, egressing and passing the lift doors. d) With the reorganisation of the north stair the slight angle of the bridge measured against Beeliar Drive appears to be random and incidental. A bridge is usually the shortest distance between two points. However, the current bridge arrangement is not direct and does not trace the shortest distance across Beeliar Drive. |
| Recommendations | <ol style="list-style-type: none"> 1. Consider an extended skeletal structure that could then support intermittent perforated panels that could offer better weather protection for the length of the bridge and for both prevailing weather patterns. 2. This is not necessarily seen as a continuous cladding but a series of intermittent panels that would create a more cohesive presentation of the bridge but also continue to allow for high levels of visual permeability to continue to facilitate successful passive surveillance. 3. Consider locating the lifts to incorporate a landing at the bridge level consistent with the landing provided for the stairs. 4. Consider arranging the bridge to be perpendicular with Beeliar Drive and trace the shortest distance from one side to the other. This may result in a slightly shorter bridge, with an associated cost saving, which may compensate for the inclusion of lift landings. |
| Principle 7 Legibility | <i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i> |
| | <ul style="list-style-type: none"> a. The bridge combined with the two lift towers and stair access is a highly legible piece of infrastructure. b. The proponent is commended for their response to previous commentary and the relocation and reorganization of the stair at the north end of the bridge. |
| Recommendations | 1. None |
| Principle 8 Safety | <i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i> |
| | <ul style="list-style-type: none"> a. The relocation and reorganization of the stair to the north of the bridge into a more compact and safer outcome. |
| Recommendations | 1. None |
| Principle 9 Community | <i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i> |
| | <ul style="list-style-type: none"> a) The bridge will provide important choice and amenity for the community and pedestrian movements across Beeliar Drive in addition to the on-grade crossings to the east and west. b) The proposed bridge structure is a functional and efficient means of traversing Beeliar Drive. |
| Recommendations | <ol style="list-style-type: none"> 1. During the design development stage consider how the perforated panels might be conceived to carry imagery that speaks directly to the historical, cultural or social context and character of the area to create a visual reading of the bridge as recognisably situated within its place. |
| Principle 10 Aesthetics | <i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i> |

| | |
|------------------------|---|
| | <ul style="list-style-type: none"> a) The design approach to install a skeletal steel structure at the bridge level that both supports a perforated weather screen and provides some weather protection for pedestrians crossing the bridge is supported. b) The installation of a curved soffit to the underside of the bridge which creates a more streamlined and cohesive reading of the bridge structure is supported. c) However, the soffit lining is not continuous and does not extend beneath the bridge structure entirely. |
| Recommendations | <ol style="list-style-type: none"> 1. During design development consider how the perforated panels might be conceived to carry imagery that speaks directly to the historical, cultural or social context and character of the area to create a visual reading of the bridge as recognisably situated within its place. 2. Consider extending the soffit lining to be continuous under the bridge and address requirements for structural inspections with access hatches. |

Concluding Remarks

The team is commended on their response to Design Review 02 and subsequent design enhancements.

Aesthetic improvements evident in the skeletal steel structure and the perforated metal cladding as well as the curved soffit to the bridge and the bullnose structural columns are supported as is the relocation and reorganization of the stair to the north of the bridge into a more compact and safer outcome.

Further consideration is encouraged for the following items:

- extending part of the skeletal structure across to the eastern side of the bridge to provide enhanced weather protection and a more visually cohesive presentation.
- Making the curved soffit continuous to conceal the structure.
- during the design development phase explore ways in which the perforated panel pattern could reference the local context and character of the area.
- aligning the bridge in a more deliberate and considered perpendicular relationship with Beeliar Drive.
- deleting the north balustrade and integrating the handrail into the curved canopy structure.
- provide for a lift threshold to allow for wheelchairs, prams and people to wait outside of the main pedestrian thoroughfare.
- check the canopy cover is height compliant with bicycle movements.

| Design Review progress | | | |
|--|---------------------------|-----|-----|
| | Supported | | |
| | Pending further attention | | |
| | Not yet supported | | |
| | Yet to be addressed | | |
| | DR1 | DR2 | DR3 |
| Principle 1 - Context and character | | | |
| Principle 2 - Landscape quality | | | |
| Principle 3 - Built form and scale | | | |
| Principle 4 - Functionality and build quality | | | |
| Principle 5 - Sustainability | | | |
| Principle 6 - Amenity | | | |
| Principle 7 - Legibility | | | |
| Principle 8 - Safety | | | |
| Principle 9 - Community | | | |
| Principle 10 - Aesthetics | | | |

GREAT EASTERN HIGHWAY, (NO.226) LOT 201 AND LLOYD STREET, (NO.16A) LOT 11 MIDLAND – CHANGE OF USE TO A GYM AND TAVERN INCLUDING ASSOCIATED DEVELOPMENT AND MINOR RECONFIGURATION OF THE CAR PARKING AREAS

Form 1 – Responsible Authority Report (Regulation 12)

| | | |
|--|--|--|
| DAP Name: | Metro Outer Joint Development Assessment Panel | |
| Local Government Area: | City of Swan | |
| Applicant: | APEX Planning | |
| Owner: | Linnpark Pty Ltd | |
| Value of Development: | \$3 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6) | |
| Responsible Authority: | City of Swan | |
| Authorising Officer: | Philip Russell | |
| LG Reference: | DA-1087/2021 | |
| DAP File No: | DAP/21/02150 | |
| Application Received Date: | 15 December 2021 | |
| Report Due Date: | 6 May 2022 | |
| Application Statutory Process Timeframe: | 90 Days | |
| Attachment(s): | 1. Location plan 2. Accompanying Plans a. DA01 Rev A - Site Location Plan b. DA02 Rev A - Existing Easement Plan c. DA03 Rev B - Overall Site Plan d. DA04 Rev B - Proposed Ground Floor Plan e. DA05 Rev B - Proposed First Floor Plan f. DA06 Rev A - Easement Realignment and Driveway Plan g. DA07 Rev A - South and West Elevation Plan h. DA08 Rev A - North and East Elevation Plan i. Transport Impact Assessment - Transcore - November 2021 j. Acoustic Report - Lloyd George Acoustics - Reference: 21086625-018 | |
| Is the Responsible Authority Recommendation the same as the Officer Recommendation? | <input type="checkbox"/> Yes <input type="checkbox"/> N/A | Complete Responsible Authority Recommendation section |
| | <input checked="" type="checkbox"/> No | Complete Responsible Authority and Officer Recommendation sections |

Responsible Authority Recommendation

It is recommended that the Metro Outer Joint Development Assessment Panel resolves to:

- 1) **Approve** DAP Application reference DAP/21/02150 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 10.3 of the City of Swan Local Planning Scheme No.17, subject to the following conditions:

Conditions

1. The approved development must comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the City of Swan. The plans approved as part of this application form part of the development approval issued.
2. This approval is for a Gym (Recreation – Private) and Tavern as defined in the City of Swan Local Planning Scheme No.17 and the subject land may not be used for any other use without the prior approval of the City.
3. All building works to be carried out under this development approval (including signage and footings) are required to be contained within the boundaries of the subject lot.
4. Prior to occupation of the approved development an amendment to the existing reciprocal access easement for Lot 201 (No.226) Great Eastern Highway, Midland and Lot 11 (No.16A) Lloyd Street, Midland and to reflect the change to the access aisle alignment shall be undertaken at the full expense of the owner/applicant.
5. All stormwater produced from this property including subsoil drainage must be collected and disposed into the City's drainage system in accordance with the City's requirements.
6. The maximum occupancy of the approved Tavern is restricted to 408 persons at any one time.
7. The maximum occupancy of the approved Gym is restricted to 100 persons at any one time.
8. A maximum of 40 persons are permitted in the unenclosed alfresco area located on the western side of the building at any one time.
9. Prior to the occupation of the approved development the Tavern building elements and Gym building elements listed in Part 6 'Recommendations' of the Environmental Noise Assessment Revision B dated 30 March 2022 authored by Lloyd George Acoustics are to be implemented to the satisfaction of the City.

10. A Noise Management Plan is to be prepared by a suitably qualified acoustic consultant and submitted to the City for approval prior to a building permit being lodged. The Noise Management Plan shall outline how the following noise related matters will be addressed:
 - An acoustic assessment of all mechanical plant equipment should additional plant be installed during the fit out of the Gym and Tavern. The acoustic assessment shall demonstrate to the satisfaction of the City that all noise associated with mechanical plant equipment (existing and proposed) associated with the proposed Gym and Tavern will comply with the assigned levels under the *Environmental Protection (Noise) Regulations 1997*;
 - General noise complaint processes and procedures in relation to the nearest residential land at No.20 Hyde Street, Midland. This may include, but is not limited to, procedures relating to shutting roller doors associated with the Tavern should complaints be received from the approved Child Care Premises or should the Child Care Premises revert back to a residential dwelling;
 - End of night procedures that may result in increased levels of noise such as bottle collection and disposal;
 - Waste collection times;
 - Noise management in relation to music for the Gym and Tavern, (either live or pre-recorded) arcade games in the mezzanine section of the Tavern, special events, and noise associated with Gym equipment; and
 - Noise management procedures in relation to complaints received regarding patrons vacating the premises or patrons' noise levels in the car park. This may include but not be limited to the use of security to ensure minimal disturbance of adjoining landowners during evening and night time hours.
11. External lighting shall comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.
12. The development must be connected to the Water Corporation's sewer where available.
13. No fluid other than uncontaminated stormwater is to enter any stormwater drain without prior approval from the City of Swan and the Environmental Protection Authority.
14. Prior to a building permit being issued, a Waste Management Plan must be submitted to and approved by the City of Swan. The plan must include the following details to the satisfaction and specification of the City of Swan:
 - (a) The location of bin storage areas and bin collection areas;
 - (b) The number, volume and type of bins, and the type of waste to be placed in the bins;

- (c) Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas. The Management Plan shall also include details on securing the area at all times from public access. This may include but not be limited to the use of security gates, security patrols and security cameras to ensure minimal disturbance of adjoining landowners during evening and night time hours; and
- (d) Frequency of bin collections and nominated times of rubbish collection.

The Waste Management Plan must be implemented at all times to the satisfaction of the City of Swan.

15. Prior to a building permit being issued, the landowner must contribute a sum of 1% of the total development construction value toward Public Art in accordance with the City of Swan Local Planning Policy POL-LP-1.10 Provision of Public Art, by either:
 - a) Payment to the City of a cash-in-lieu amount equal to the sum of the 1% contribution amount (\$30,000). This must be paid to the City prior to the date specified in an invoice issued by the City, or prior to the issuance of a building permit for the approved development, whichever occurs first; or
 - b) Provision of Public Art on-site to a minimum value of the 1% contribution amount (\$30,000). The following is required for the Provision of Public Art on-site:
 - i. the landowner or the applicant on behalf of the landowner must seek approval from the City for a specific Public Art work including the artist proposed to undertake the work to the satisfaction of the City of Swan in accordance with Local Planning Policy POL-LP-1.10 and the Developers' Handbook for Public Art (as amended). The City may apply further conditions in regard to the proposed Public Art;
 - ii. no part of the approved development may be occupied or used until the Public Art has been installed in accordance with the approval granted by the City of Swan; and,
 - iii. the approved Public Art must be maintained in compliance with the approval granted by the City of Swan and any conditions thereof, to the satisfaction of the City of Swan.
16. External illumination shall not flash or pulsate to the satisfaction of the City of Swan.
17. The proposed 1.5m high x 0.5m wide entry totem sign for the Tavern tenancy is to be set back a minimum distance of 3m from the existing crossover abutting Great Eastern Highway.
18. No bunting is to be erected on the site (including streamers, streamer strips, banner strips or decorations of similar kind).
19. Prior to occupation of the Tavern or Gym, the applicant/owner is to install within the subject lot to the satisfaction of the City of Swan two (2) trees to replace the two (2) existing trees removed for the creation of the ACROD parking bay

- 2) Instruct the Chief Executive Officer to:
 - a) Write to Main Roads WA (MRWA) to express concerns for safety at the intersection of Loton Road and Great Eastern Highway.
 - b) Request traffic safety measures be put in following MRWA's study into the configuration of Great Eastern Highway.
 - c) Continue to advocate for MRWA to address the issue as part of their ongoing traffic study, and for staff to update council accordingly.

Reasons for Responsible Authority Recommendation

Record the reasons for changing the Officer Recommendation are:

1. Main Roads WA is currently in the process of commissioning a study into the ultimate configuration of Great Eastern Hwy.
2. Safety issues at the intersection of Loton Ave and Great Eastern Hwy identified by residents are pre-existing; predate this development application and the city can advocate for this issue to be addressed as part of that traffic study.
3. Replacing trees that need to be removed helps retain Midland's tree canopy.
4. Ensuring the ongoing security/management of the bin/loading areas so as to limit the impact on adjoining landowners.

Details: Outline of Development Application

| | |
|---|---|
| Region Scheme | Metropolitan Region Scheme |
| Region Scheme - Zone/Reserve | Urban |
| Local Planning Scheme | City of Swan Local Planning Scheme No.17 |
| Local Planning Scheme - Zone/Reserve | Highway Service |
| Structure Plan/Precinct Plan | N/A |
| Structure Plan/Precinct Plan - Land Use Designation | Highway Service |
| Use Class and permissibility: | Tavern 'A' Recreation - Private 'D' |
| Lot Size: | Lot 201 (No.226) Great Eastern Highway, Midland - 11,014m ² Lot 11 (No.16A) Lloyd Street, Midland - 1,215m ² |
| Existing Land Use: | Showroom |
| State Heritage Register | No |
| Local Heritage | <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area |
| Design Review | <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other |
| Bushfire Prone Area | No |
| Swan River Trust Area | No |

Proposal:

The application is for a Change of Use from Showroom to Tavern and Gym at Lot 201 (No.226) Great Eastern Highway and Lot 11 (No.16A) Lloyd Street, Midland. The application proposes the internal conversion of the former Showroom located at the rear of Lot 201 (No.226) Great Eastern Highway, Midland to facilitate two (2) tenancies consisting of a Tavern and a Gym as well as several modifications to the external façade of the existing building.

The key components of this development are listed as follows:

- The conversion of the western portion of the former Showroom into a Tavern. The Tavern will consist of an 846m² ground floor area, a 158m² mezzanine area and a 43m² alfresco area located on the western elevation of the building. The Tavern is proposed to operate under the banner of the 'Varsity Bar' and will operate between the hours of 6.00am to Midnight seven (7) days a week.
- The conversion of the eastern portion of the former Showroom to a Gym that will operate 24 hours a day seven (7) days a week, accommodating up to 100 persons at a time. The Gym will consist of a 1,755m² ground floor area and a 588m² mezzanine area.
- External modifications to the western façade of the building consisting of the construction of an external 43m² outdoor alfresco area and paving treatments, the addition of an entry door to the west and south elevations of the Tavern and

seven (7) new ground level openings for the Tavern which will be secured by roller shutters.

- The replacement of the existing masonry bin store area located at the rear of the existing building with a larger 2.93m x 10.8m colorbond enclosed bin store area.
- Minor adjustments to the internal parking layout for Lot 11 (No.16A) Lloyd Street which will convert two (2) bays into a single ACROD bay and the removal of two (2) existing trees to facilitate this.
- Signage in the form of four (4) illuminated signs for the Tavern, replacement illuminated signage for the Gym tenancy and a 1.5m high and 0.5m wide totem sign for the Tavern located immediately west of the Great Eastern Highway Crossover.

| | |
|----------------------------|--|
| Proposed Land Use | Tavern and Gym |
| Proposed Net Lettable Area | Tavern - 1,004m ² (excludes 43m ² alfresco) Gym - 2,343m ² (includes ground floor and mezzanine) |
| Proposed No. Storeys | Existing building |
| Proposed No. Dwellings | N/A |

Background:

Lot 201 (No.226) Great Eastern Highway is an 11,014m² 'L' shaped lot which has frontage to Great Eastern Highway, Lloyd Street and Loton Avenue. It contains a vacant Showroom located at the rear of the subject lot (subject of this approval), several fast food outlets and a 336m² Showroom located adjacent to the fast food outlets.

Lot 11 (No.16A) Lloyd Street is a 1,215m² lot which has sole frontage to Lloyd Street and contains two (2) fast food outlets. The subject site is surrounded by commercial development in the form of Midland Gate Shopping Centre to the west, commercial 'big box' style showroom developments to the south and east with residential development to the north and the east of the site. The topography of the site is flat.

Legislation and Policy:

Legislation

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development (Development Assessment Panels) Regulations 2011

Metropolitan Region Scheme

City of Swan Local Planning Scheme No.17

State Government Policies

Nil

Structure Plans/Activity Centre Plans

Nil

Local Planning Policies

POL-TP-125 Building and Development Standards - Commercial Zones
POL-TP-129 Vehicle Parking Standards
POL-C-070 Advertising Signs within Commercial and Industrial Zones
POL-LP-1.10 Provision of Public Art

Consultation:

Public Consultation

Consultation was undertaken in the following manner:

Duration:

21 days from 22 December 2021 to 25 January 2022. The advertising period was extended to factor in Christmas holidays.

Method:

- Letters posted to surrounding owners and occupiers;
- Plans of the proposed development, accompanying documents and technical reports advertised on the City's website;
- Two (2) signs were placed onsite - one (1) located adjacent to Great Eastern Highway and one (1) located adjacent to Lloyd Street.

Submissions received:

At the conclusion of advertising a total of 39 submissions were received comprising the following:

- One (1) submission was neutral;
- Seven (7) submissions do not object to the proposed development;
- Five (5) submissions conditionally support the proposed development; and
- 26 submissions objected to the proposed development

The objections received cite the following issues:

| Issue Raised | Officer comments |
|--|--|
| <u>Land use</u> There are too many gyms and taverns within the Midland locality. | The proposed land uses of Gym and Tavern are capable of approval in the Highway Service zone. |
| <u>Appropriateness of use</u> Concern raised that a tavern is an inappropriate use in the area. | City staff do not concur. The use class 'Tavern' is an 'A' use in the Highway Service zone and is capable of approval. |
| <u>Antisocial behaviour</u> | There exists no empirical evidence that a Tavern will result in an increase in antisocial behaviour. The presence of a 24 hour Gym will also result in increased passive and active surveillance onsite. |

| | |
|--|---|
| A tavern onsite will result in an increase in antisocial behaviour | |
| <u>Traffic</u> The increase in traffic will cause congestion and a risk to the public. | City staff are satisfied that the traffic generated as a result of this development can be accommodated within the surrounding road network. |
| <u>Parking</u> The proposed development will impact on parking supply within the subject site | City staff acknowledge the development will result in an onsite parking shortfall. Notwithstanding this, City staff are satisfied that the onsite parking can be managed subject to occupancy limits on both the Gym and the Tavern. |
| <u>Noise</u> Noise associated with the operation of a gym and tavern | <p>City staff are satisfied that the noise levels generated associated with this development will comply with the <i>Environmental Protection (Noise) Regulations 1997</i> during day time hours. Noise levels are expected to exceed the noise regulations at 20 Hyde Street Midland during night time hours but the subject site (approved as a child care premises) will be unoccupied during night time hours.</p> <p>It is recommended that prior to the submission of a building permit application a Noise Management Plan be submitted to and approved by the City of Swan.</p> |

Referrals/consultation with Government/Service Agencies

Department of Planning, Lands and Heritage

The proposed development was referred to the Department of Planning, Lands and Heritage as a mandatory referral as the subject site abuts an Other Regional Road. The Department of Planning, Lands and Heritage have advised that they do not support the development at present due to a lack of survey data for trip generation associated with both land uses.

Main Roads Western Australia

The proposed development was referred to Main Roads Western Australia as a mandatory referral as the subject site abuts a primary regional road. Main Roads Western Australia have advised that they are not in a position to support the proposal until trip generation surveys of three (3) other similar developments are undertaken and Section 11 of the Transport Impact Statement should be updated to address crash history.

Design Review Panel Advice

Not applicable to this application.

Planning Assessment:

Zoning and Land Use Permissibility

Lot 201 (No.226) Great Eastern Highway, Midland and Lot 11 (No.16A) Lloyd Street, Midland are zoned 'Urban' under the Metropolitan Region Scheme and 'Highway Service' under the City of Swan Local Planning Scheme No.17. The objectives of the Highway Service zone are listed as follows:

- (a) *Secure the development of low intensity commercial uses along selected major arterial roads outside the Strategic Regional Centre which can benefit from the high exposure offered by the major traffic thoroughfares, and car based comparison shopping for bulky goods;*
- (b) *Ensure commercial activity within the zone is complementary to development in other commercial zones and does not detract from the viability or integrity of development in either the Strategic Regional Centre or the Commercial zones;*
- (c) *Ensure development contributes towards the image of the city through high quality design and development with consistent and well landscaped setbacks from street frontages;*
- (d) *Promote shared use of vehicular and car parking facilities where such arrangements will result in improved traffic management, more efficient use of land and more attractive development.*
- (e) *Ensure car parking and vehicular access facilities are located, designed and landscaped so as not to detract from the amenities of the road frontages or of adjacent development;*
- (f) *Ensure any on-site advertising is integrated with the overall site development and does not detract from the amenities of the road frontages or of adjacent development*

The development proposes minimal external works with the exception of a modification to the western façade of the building to serve as the entry point to the Tavern and wall signage designed to advertise both the Gym and the Tavern. The use of the vacant building for a Gym and a Tavern is capable of approval under the City of Swan Local Planning Scheme No.17 with the proposal activating an underutilised space that enjoys good access to existing road networks, adequate onsite parking in a shared arrangement and it is located in close proximity to the Midland Activity Centre. It is considered that the proposal is consistent with the objectives of the Highway Service zone.

Under Schedule 1B of the City of Swan Local Planning Scheme No.17 the land uses of Gym and Tavern are defined as follows:

- Recreation - Private (Gym) means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge
- Tavern means premises licensed as a Tavern under the *Liquor Control Act 1988* and used to sell liquor for consumption on the premises.

The use class Gym (Recreation - Private) and Tavern have the following permissibility in the Highway Service zone:

- Gym 'D' (means the use is not permitted unless the local government has exercised its discretion by granting planning approval)
- Tavern 'A' (means the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4)

Local Planning Policy POL-C-125 Building and Development Standards - Commercial Zones

The proposed development will largely consist of internal modifications to the existing Showroom with the proposed external modifications not changing the existing building footprint of the Showroom. The minor reconfiguration to the internal vehicle aisle west of the Tavern entrance will result in the loss of approximately 11m² of landscaping. This reduction in landscaping is considered minor and will not unduly impact on the amenity of the site due to the landscaping in question being located behind the existing buildings on Lot 201 (No.226) Great Eastern Highway and Lot 11 (No.16A) Lloyd Street and unable to be seen from Lloyd Street or Great Eastern Highway.

Traffic

The proposal for a Change of Use from a Showroom to a Gym and a Tavern will generate a higher amount of traffic than that of the previously approved Showroom. In support of the proposed development the applicant has provided a Traffic Impact Statement that evaluates traffic generation and distribution associated with the proposed development and the anticipated parking demand and supply. The Traffic Impact Statement makes the following assumptions:

- The anticipated traffic volumes that will be generated from the proposed Gym and Tavern has been estimated using trip generation figures from comparable developments within Western Australia;
- The Gym will generate a total of approximately 840 inbound and outbound vehicular trips during a typical 24 hour period on a Friday, with 24 trips occurring during the Friday AM peak hour and 51 trips during the Friday PM peak hour period;
- The Tavern will generate a total of approximately 605 inbound and outbound vehicular trips for a typical 24 hour period on a Friday, with 17 trips occurring during the Friday AM period and 45 trips during the Friday PM period; and
- When the estimated traffic generation figures are combined together the proposed development would generate a total of 1,445 vehicular trips (both inbound and outbound vehicular movements) with 41 and 96 trips occurring during the AM and PM road network peak hours respectively.

Comment was sought from the Department of Planning, Lands and Heritage and Main Roads Western Australia regarding the proposed development and its anticipated trip generation in the form of mandatory referrals to both external agencies. In their comments to the City of Swan both agencies advised that they were not in a position to support the proposal as the assumptions regarding trip generation have been made using comparable developments rather than gross floor area trip rate generation that is typically applied when considering trip generation figures for developments, with both agencies requesting further justification from the applicant in the form of survey data of other comparable developments. City of Swan staff have reviewed the applicant's Transport Impact Statement and accept the trip generation figures, noting that a trip generation standard that uses trip generation rates from other comparable developments is likely to provide more accurate data than estimating trip generation rates from a trip generation manual that provides trip generation rates based on criteria such as floor space.

Parking

As the proposed development seeks to change the use from the previously approved Showroom to a Gym and a Tavern the current onsite parking provision and parking requirements as a result of the proposed development require consideration. The applicant's Traffic Impact Statement advises that a total of 227 car bays are currently

available for Lot 201 (No.226) Great Eastern Highway and Lot 11 (No.16A) Lloyd Street which is distributed across the subject site in the following manner:

- Lot 201 (No.226) Great Eastern Highway, Midland - 150 car bays;
- Lot 11 (No.16A) Lloyd Street , Midland - 11 car bays (this will be reduced to 10 car bays);
- Stacking car bays between Zambrero, Taco Bell and Hungry Jacks - 34 car bays; and
- On-street car bays on Loton Avenue - 33 car bays

Total available car bays = 227 car bays

An assessment against the City of Swan's parking requirements for each approved use on both lots and the parking requirements for the two (2) proposed uses are listed in the table below:

| Use class | Local Planning Scheme No.17 parking requirement | Parking required |
|---|---|--|
| * Child Care Premises - Lot 9 (No.20) Hyde Street, Midland | One (1) car bay per employee, plus one (1) car bay per every eight (8) children allowed under maximum occupancy | The Child Care Premises was approved with a maximum number of 97 children and 20 staff at any one time. 24 car bays required. |
| Fast Food Outlets - Lot 11 (No.16A) Lloyd Street, Midland | 10 car bays per 100m ² GLA with a minimum of six (6) car bays | Combined GLA of both fast food outlets is 353m ² . 35 car bays required. |
| Fast Food Outlet (Taco Bell) - Lot 201 (No.226) Great Eastern Highway, Midland | 10 car bays per 100m ² GLA with a minimum of six (6) car bays | Floor area of 205m ² GLA. 20 car bays required. |
| Fast Food Outlet (Hungry Jacks) - Lot 201 (No.226) Great Eastern Highway, Midland | 10 car bays per 100 m ² GLA with a minimum of six (6) car bays | Floor area is 290 m ² . 29 car bays required. |
| Three (3) Fast Food Outlets | 10 car bays per 100m ² GLA with a minimum of six (6) car bays | 383m ² GLA 38 car bays required. |
| Existing Showroom | Four (4) car bays for every metre of display and sales area and two (2) car bays for every 100m ² of storage area, provided that the storage area is separated from the public by a permanent wall or divider. | Existing Showroom requires 11 car bays based on a floor area of 366m ² . |
| Proposed Gym (Recreation - Private) | One (1) car bay for every four (4) persons, based on the maximum capability of all | Based on a maximum capacity of 100 persons on site at any one time a total of 25 car bays are required. |

| | | |
|--|--|--|
| | facilities when used simultaneously. | |
| Proposed Tavern | One (1) car bay per 2m ² of gross bar and lounge floor area with a further provision for a relaxation of this standard where the Tavern forms part of an integrated Shopping Centre and Car Park or other Commercial Complex. | Ground floor lounge - 430m ² First floor - 158m ² Alfresco - 43m ² Total area - 631m ² 315 car bays required |
| Required car bays under the City of Swan Local Planning Scheme No.17 | | Provided car bays |
| 497 car bays | | 227 car bays |

* It is noted that No.20 Hyde Street does not form part of the subject site. However, there exists a reciprocal parking arrangement between No.20 Hyde Street and No.226 Great Eastern Highway for the approved Child Care Premises at No.20 Hyde Street to use the car bays at No.226 Great Eastern Highway.

City of Swan staff note the Transport Impact Statement provided in support of the proposed development has incorrectly assessed the onsite parking requirements for the use class Tavern with the parking calculation considering the seating area only and the bar area resulting in a floor area of 205m² being calculated, thus requiring 102 car bays. A correct application of the City of Swan's parking standards for the use class Tavern requires all the Tavern floor area where alcohol can be lawfully consumed. For this proposal this extends to areas in between the seated areas, the upstairs mezzanine area and the alfresco which would result in 315 car bays being required.

Notwithstanding the above the internal floor area arrangement does not present as a typical Tavern, with no dedicated standing area in the form of a beer garden or similar standing room area. The plans submitted show a well-established seated area for both the ground floor and the mezzanine floor with the Tavern serving meals in addition to beverages as part of the service offered to customers. In light of this it is considered reasonable to apply the restaurant parking standard of one (1) car bay for every four (4) persons the building is designed to accommodate for this proposal in order to assess the required parking onsite. Should the application be approved it is recommended that the maximum occupancy of the Tavern be restricted to a total of 408 persons which would reduce the onsite parking requirement for the Tavern from 315 car bays to 102 car bays required based on the restaurant parking standard. This would also reduce the total onsite parking requirement for No.226 Great Eastern Highway and No.16A Lloyd Street, Midland to 284 car bays.

City of Swan staff note that if the restaurant parking standard was applied to the proposed Gym and Tavern it will result in an onsite parking shortfall on Lot 201 (No.226) Great Eastern Highway and Lot 11 (No.16A) Lloyd Street, Midland of 57 car bays. In considering this parking shortfall the following points are considered relevant in allowing a dispensation for the onsite parking;

- Lot 201 (No.226) Great Eastern Highway and Lot 11 (No.16A) Lloyd Street, Midland are owned by the same landowner. The lots currently comprise of several land uses and a shared parking arrangement between the tenancies onsite is underpinned by a right of carriageway easement. The applicant in their Transport Impact Statement advises that it would be reasonable to assume an approximate 15% cross trade between the existing and proposed businesses on

site. This argument is accepted by City of Swan staff, with visitors to the Gym and Tavern also able to purchase takeaway meals from one of the several fast food outlets on site or vice versa;

- The approved childcare facility on No.20 Hyde Street located to the north of the subject site will utilise the onsite parking at Lot 201 (No 226) Great Eastern Highway via a shared parking agreement. The peak hours of the utilisation of parking bays associated with the Tavern is in the evenings after 6.00pm during the weekdays, the weekends and during the lunch time period when the childcare premises is either not open or sees limited customer visits. It is considered that this shared parking arrangement will have limited impact on the availability of parking spaces at No.226 Great Eastern Highway and No.16A Lloyd Street for customers of the Gym and Tavern;
- The Gym is a 24 hour operation which ensures that usage is spread out over a 24 hour period as opposed to standard business hours of between 8.00am to 5.00pm;
- The subject site is well serviced by public transport and it is expected some patrons to the Tavern and Gym will use non-car based transport such as public transport, ride share services and walking;
- The subject site consists of several fast food outlets with stacking bays associated with drive-through facilities. A significant portion of business generated from fast food outlets consists of drive-through sales which do not result in long term parking onsite, with vehicles instead using the stacking lanes to order and collect takeaway food as opposed to using line marked bays for medium or long term parking.

In light of the above City of Swan staff are of the opinion that the parking shortfall generated by the proposed development will not adversely impact on the amenity of the subject site with regard to available onsite parking.

Noise

The proposed development abuts sensitive land uses to the north and east of the subject site in the form of residential dwellings and a yet to be constructed Child Care Premises at Lot 9 (No.20) Hyde Street, Midland. In order to consider the potential noise impacts the proposed development would have on adjoining properties the applicant has provided an acoustic assessment authored by Lloyd George Acoustics which makes the following assumptions:

- The noise generated from the proposed development will comply with the assigned noise levels under the *Environmental Protection (Noise) Regulations 1997* during daytime and evening hours. This modelling is based on the Tavern outdoor alfresco area having a maximum capacity of 40 persons and the Tavern inner alfresco area having a maximum capacity of 150 persons;
- The assessment has been undertaken on the assumption that music noise will be background in nature with no live or amplified music; and
- Additional mechanical plant equipment that may be required as part of any future fit out has not been modelled in the acoustic assessment.

City staff have reviewed the acoustic assessment and are satisfied that the predicted noise levels the proposed gym and tavern will produce will be compliant with the assigned noise levels under the *Environmental Protection (Noise) Regulations 1997* during day time and evening hours. It is noted that the nearest noise sensitive premises which will receive the highest noise levels is 20 Hyde Street Midland which has planning approval for a Child Care Premises. The noise levels experienced at 20 Hyde Street will exceed the assigned levels under the noise regulations after

10pm. While this is noted the operation of the Child Care Premises at 20 Hyde Street has been conditioned to be limited to 6:30am to 6:00pm Monday to Friday which will ensure that the child care premises will be unoccupied when the noise levels from the proposed development are expected to exceed the noise regulations.

Should this application be approved it is recommended that prior to the submission of a building permit a noise management plan which would address matters such as, but not limited to additional plant equipment being subject to further acoustic assessment, levels of background music for both the gym and tavern rubbish collection and procedures to deal with noise complaints from the nearest noise sensitive premises.

Local Planning Policy POL-C-070 Advertising Signs within the Commercial and Industrial Zones

As part of the proposed development the following signage for both the Gym and the Tavern is proposed:

- New 1.5m x 0.935m illuminated signage panel on the western building façade above the new Tavern entrance;
- New 4m x 3m illuminated signage panel in the upper right corner of the western building façade for the Tavern;
- New 1.5m x 0.935m illuminated signage panel on the southern building façade above the secondary Tavern entrance;
- New 4m x 3m illuminated signage panel in the upper left corner of the southern building façade for the Tavern;
 - Replacement of the existing 21.7m wide x 5.6m high illuminated signage panel with new signage for the prospective Gym tenancy; and
 - New 1.5m high x 0.5m wide totem sign for the Tavern tenancy located immediately west of the existing Great Eastern Highway.

City of Swan staff are of the opinion that the proposed signage is generally consistent with the provisions of Local Planning Policy POL-C-070, with the proposed signage for the Tavern and the Gym being well integrated into the existing building façade. Should the proposed development be approved, it is recommended that the totem sign for the Tavern be set back a minimum distance of 3m from the existing crossover on Great Eastern Highway.

Local Planning Policy POL-LP-1.10 Provision of Public Art

In accordance with Local Planning Policy POL-LP-1.10 Provision of Public Art, the City of Swan has recommended a condition requiring the applicant to make a contribution to public art, either monetarily or via development on the subject site. The policy aims to ensure that proposals for development in excess of \$2 million construction cost contribute towards public artworks that promote and recognise the identity of the local community.

The estimated construction cost for the development, as stated on the City of Swan Planning Application Form, MRS Form 1 and DAP Form 1, is \$3 million. This requires either a cash in lieu contribution amount of \$30,000.00 (being 1% of the cost of development) or the provision of a Public Artwork (as approved by the City of Swan) to the value of \$30,000.00.

The intention of the policy is to accept contributions towards public art or encourage landowners to develop public art on their property. As this is not always feasible, the applicant is permitted discretion as to which option they would prefer. Should public art be constructed on the property, a Notification under Section 70A of the *Transfer of Land Act 1893* is required to be lodged on the title of the subject lot to flag to future landowners of the need to retain and maintain the artwork.

Conclusion:

The City of Swan has received an application for a Change of Use from a Showroom to a Gym and a Tavern and associated works at Lot 201 (No.226) Great Eastern Highway and Lot 11 (No.16A) Lloyd Street, Midland. The proposal entails the refurbishment of an existing unoccupied Showroom to a 'Varsity Bar' Tavern and a 24 hour Gym. In accordance with City of Swan policy the application was advertised to all affected surrounding landowners with a total of 39 submissions received during the advertising period. Of these 39 submissions received a total of 26 were objections which cited over-proliferation of Gyms and Taverns in the area, appropriateness of use, traffic, parking and noise. Comment was also sought from the Department of Planning, Lands and Heritage and Main Roads Western Australia in the form of mandatory referrals as the subject lots abut both primary and other regional roads. Both the Department of Planning, Lands and Heritage and Main Roads Western Australia have indicated that they are unable to support the proposed development citing concerns with the methodology of vehicle trip generation associated with the proposed development.

City of Swan staff are satisfied that the traffic generated on site as a result of the proposed development will be moderate in nature and will not adversely impact the surrounding road network and that the required parking generated by the development can be adequately accommodated onsite. City of Swan staff are satisfied that the noise levels generated from the Gym and Tavern will meet the assigned levels under the *Environmental Protection (Noise) Regulations 1997* with the highest noise levels being received during the evening and night time hours by the future Child Care Premises at No.20 Hyde Street which will be vacant between the hours of 6.00pm to 6.30am Monday to Friday and not operational during the weekends. Should the Metro Outer Joint Development Assessment Panel resolve to approve the proposal a Noise Management Plan is required to be submitted to and approved by the City of Swan prior to the lodgement of a Building Permit application.

Officer Recommendation

It is recommended that the Metro Outer Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/21/02150 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 10.3 of the City of Swan Local Planning Scheme No.17, subject to the following conditions:

Conditions

1. The approved development must comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements

and annotations detailed thereon by the City of Swan. The plans approved as part of this application form part of the development approval issued.

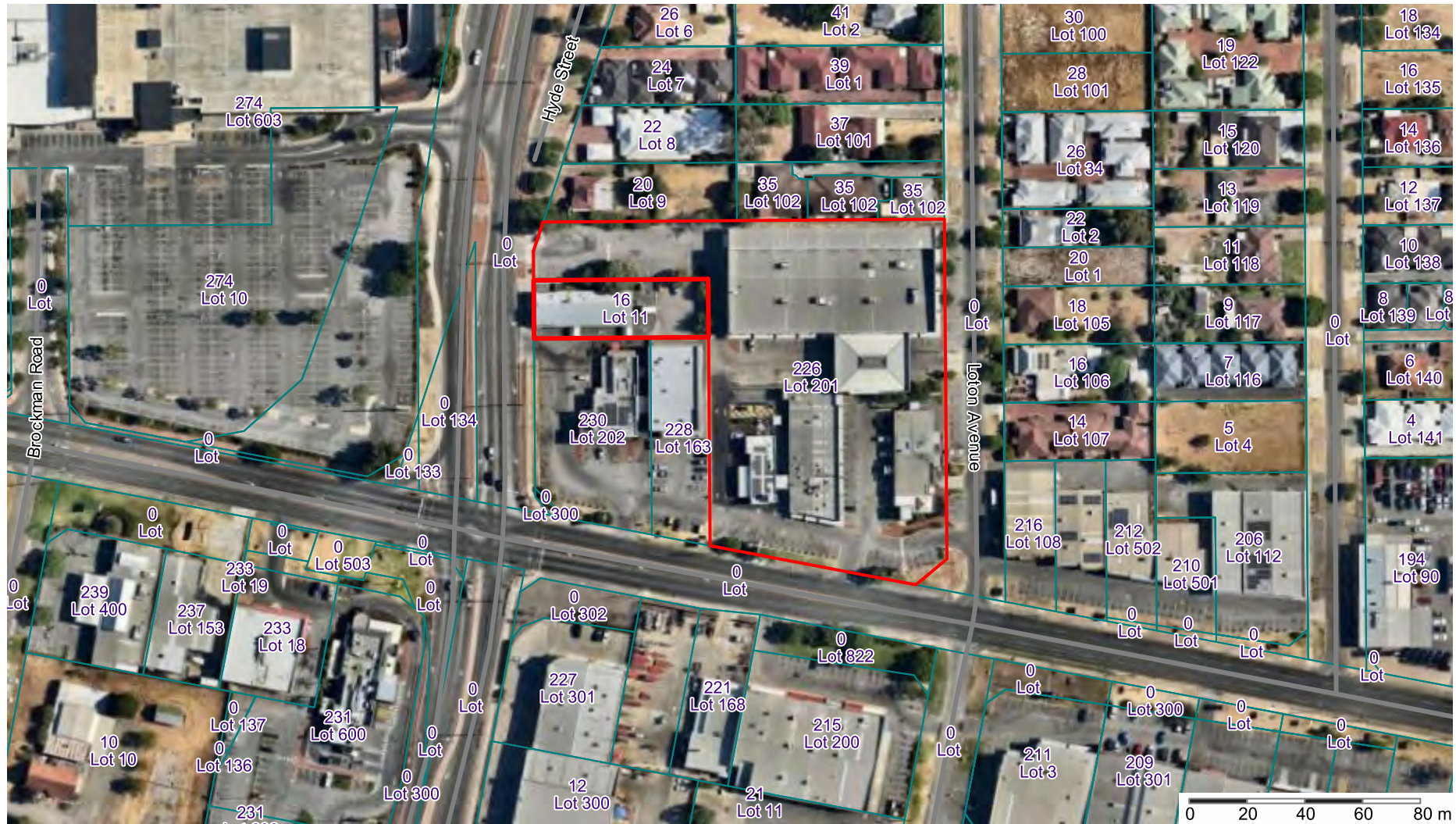
2. This approval is for a Gym (Recreation – Private) and Tavern as defined in the City of Swan Local Planning Scheme No.17 and the subject land may not be used for any other use without the prior approval of the City.
3. All building works to be carried out under this development approval (including signage and footings) are required to be contained within the boundaries of the subject lot.
4. Prior to occupation of the approved development an amendment to the existing reciprocal access easement for Lot 201 (No.226) Great Eastern Highway, Midland and Lot 11 (No.16A) Lloyd Street, Midland and to reflect the change to the access aisle alignment shall be undertaken at the full expense of the owner/applicant.
5. All stormwater produced from this property including subsoil drainage must be collected and disposed into the City's drainage system in accordance with the City's requirements.
6. The maximum occupancy of the approved Tavern is restricted to 408 persons at any one time.
7. The maximum occupancy of the approved Gym is restricted to 100 persons at any one time.
8. A maximum of 40 persons are permitted in the unenclosed alfresco area located on the western side of the building at any one time.
9. Prior to the occupation of the approved development the Tavern building elements and Gym building elements listed in Part 6 'Recommendations' of the Environmental Noise Assessment Revision B dated 30 March 2022 authored by Lloyd George Acoustics are to be implemented to the satisfaction of the City.
10. A Noise Management Plan is to be prepared by a suitably qualified acoustic consultant and submitted to the City for approval prior to a building permit being lodged. The Noise Management Plan shall outline how the following noise related matters will be addressed:
 - An acoustic assessment of all mechanical plant equipment should additional plant be installed during the fit out of the Gym and Tavern. The acoustic assessment shall demonstrate to the satisfaction of the City that all noise associated with mechanical plant equipment (existing and proposed) associated with the proposed Gym and Tavern will comply with the assigned levels under the *Environmental Protection (Noise) Regulations 1997*;
 - General noise complaint processes and procedures in relation to the nearest residential land at No.20 Hyde Street, Midland. This may include, but is not limited to, procedures relating to shutting roller doors associated with the Tavern should complaints be received from the approved Child Care Premises or should the Child Care Premises revert back to a residential dwelling;
 - End of night procedures that may result in increased levels of noise such as bottle collection and disposal;

- Waste collection times;
 - Noise management in relation to music for the Gym and Tavern, (either live or pre-recorded) arcade games in the mezzanine section of the Tavern, special events, and noise associated with Gym equipment; and
 - Noise management procedures in relation to complaints received regarding patrons vacating the premises or patrons' noise levels in the car park. This may include but not be limited to the use of security to ensure minimal disturbance of adjoining landowners during evening and night time hours.
11. External lighting shall comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.
 12. The development must be connected to the Water Corporation's sewer where available.
 13. No fluid other than uncontaminated stormwater is to enter any stormwater drain without prior approval from the City of Swan and the Environmental Protection Authority.
 14. Prior to a building permit being issued, a Waste Management Plan must be submitted to and approved by the City of Swan. The plan must include the following details to the satisfaction and specification of the City of Swan:
 - (a) The location of bin storage areas and bin collection areas;
 - (b) The number, volume and type of bins, and the type of waste to be placed in the bins;
 - (c) Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - (d) Frequency of bin collections and nominated times of rubbish collection.

The Waste Management Plan must be implemented at all times to the satisfaction of the City of Swan.

15. Prior to a building permit being issued, the landowner must contribute a sum of 1% of the total development construction value toward Public Art in accordance with the City of Swan Local Planning Policy POL-LP-1.10 Provision of Public Art, by either:
 - a) Payment to the City of a cash-in-lieu amount equal to the sum of the 1% contribution amount (\$30,000). This must be paid to the City prior to the date specified in an invoice issued by the City, or prior to the issuance of a building permit for the approved development, whichever occurs first; or
 - b) Provision of Public Art on-site to a minimum value of the 1% contribution amount (\$30,000). The following is required for the Provision of Public Art on-site:
 - i. the landowner or the applicant on behalf of the landowner must seek approval from the City for a specific Public Art work including the artist proposed to undertake the work to the satisfaction of the City of Swan in accordance with Local Planning Policy POL-LP-1.10 and the Developers' Handbook for Public Art (as amended). The City may apply further conditions in regard to the proposed Public Art;

- ii. no part of the approved development may be occupied or used until the Public Art has been installed in accordance with the approval granted by the City of Swan; and,
 - iii. the approved Public Art must be maintained in compliance with the approval granted by the City of Swan and any conditions thereof, to the satisfaction of the City of Swan.
- 16. External illumination shall not flash or pulsate to the satisfaction of the City of Swan.
- 17. The proposed 1.5m high x 0.5m wide entry totem sign for the Tavern tenancy is to be set back a minimum distance of 3m from the existing crossover abutting Great Eastern Highway.
- 18. No bunting is to be erected on the site (including streamers, streamer strips, banner strips or decorations of similar kind).



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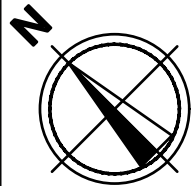
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**PROPOSED CHANGE OF USE
(TAVERN & PRIVATE RECREATION)**
226 GREAT EASTERN HIGHWAY &
316 LLOYD STREET
MIDLAND
SITE SUBJECT TO THIS APPLICATION



HINDLEY & ASSOCIATES
PTY LTD
BUILDING DESIGNERS

166 STIRLING HIGHWAY
NEDLANDS WA 6009

PO BOX 199
NEDLANDS WA 6909

PHONE - 9386 6699
www.hindley.com.au
admin@hindley.com.au

DEVELOPMENT APPLICATION

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| A | 04.11.21 | DEVELOPMENT APPLICATION ISSUE | CPH | CPH | |

A3 SHEET

SITE LOCATION PLAN

NOT TO SCALE

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| | | |
|---------|---|----------|
| Date | - | 14.09.21 |
| Design | - | CPH |
| Drawn | - | CPH |
| Checked | - | CPH |
| Scale | - | N.T.S. |
| Job No. | - | 0704 |
| Dwg | - | DA01 |
| Rev | - | A |



HINDLEY & ASSOCIATES
PTY LTD
BUILDING DESIGNERS

166 STIRLING HIGHWAY
NEDLANDS WA 6009

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DEVELOPMENT APPLICATION

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| A | 04.11.21 | DEVELOPMENT APPLICATION ISSUE | CPH | CPH |

A3 SHEET

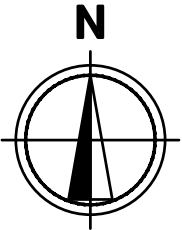
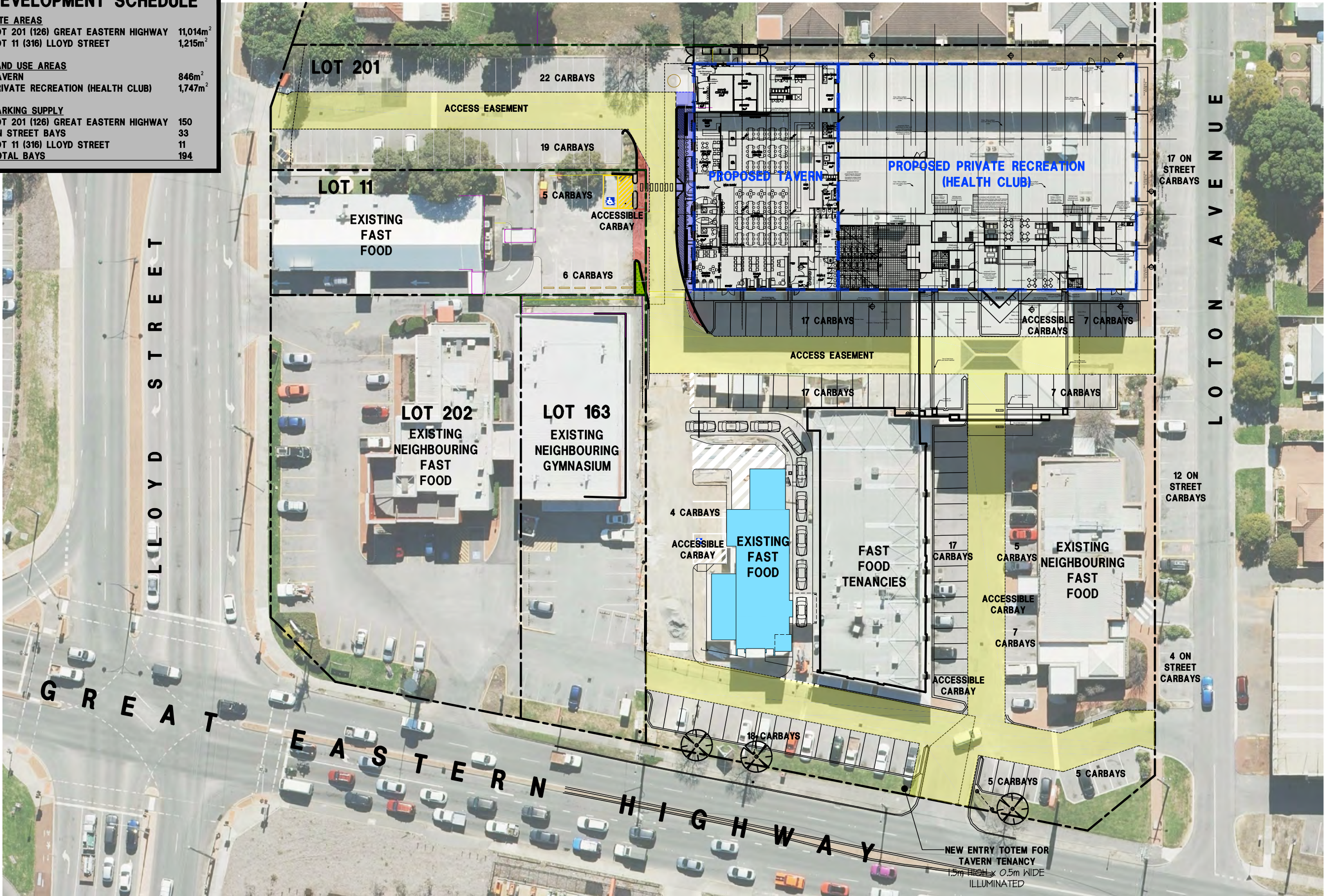
EXISTING EASEMENT PLAN

NOT TO SCALE

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| | | |
|---------|---|----------|
| Date | - | 05.02.20 |
| Design | - | CPH |
| Drawn | - | CPH |
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| Scale | - | N.T.S. |
| Job No. | - | 0704 |
| Dwg | - | DA02 |
| Rev | - | A |

| DEVELOPMENT SCHEDULE | | |
|-------------------------------------|----------------------|--|
| SITE AREAS | | |
| LOT 201 (126) GREAT EASTERN HIGHWAY | 11,014m ² | |
| LOT 11 (316) LLOYD STREET | 1,215m ² | |
| LAND USE AREAS | | |
| TAVERN | 846m ² | |
| PRIVATE RECREATION (HEALTH CLUB) | 1,747m ² | |
| PARKING SUPPLY | | |
| LOT 201 (126) GREAT EASTERN HIGHWAY | 150 | |
| ON STREET BAYS | 33 | |
| LOT 11 (316) LLOYD STREET | 11 | |
| TOTAL BAYS | 194 | |



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PO BOX 199
NEDLANDS WA 6909

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OVERALL SITE PLAN
SCALE 1:600

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BIN STORE PLAN

SCALE 1:100

DOUBLE 1300mm PROFILED METAL SHEET CLAD
GATES WITH SELECTED COLORBOND FINISH.

PROPOSED BIN STORE

EXISTING BIN STORE REMOVED AND NEW BIN STORE
WITH SELECTED COLORBOND WALLS TO REPLACE
EXISTING - REFER TO INSET DETAIL.TENANCY 1
TAVERNG.L.A. 846m²
SEATING AREA 115m²
BAR AREA 56m²TENANCY 2
PRIVATE RECREATION
(HEALTH STUDIO)G.L.A. 1,755m²AWNINGS
CUTBACKEXISTING
AWNINGS
CUTBACK -
REFER TO
ELEVATIONS.TENANCY 1
ALFRESCOG.L.A. 43m²

PROPOSED GROUND FLOOR PLAN

SCALE 1:250

PROPOSED TAVERN & PRIVATE RECREATION
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No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty LtdHINDLEY & ASSOCIATES
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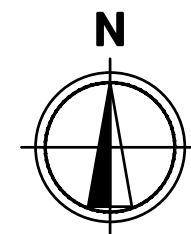
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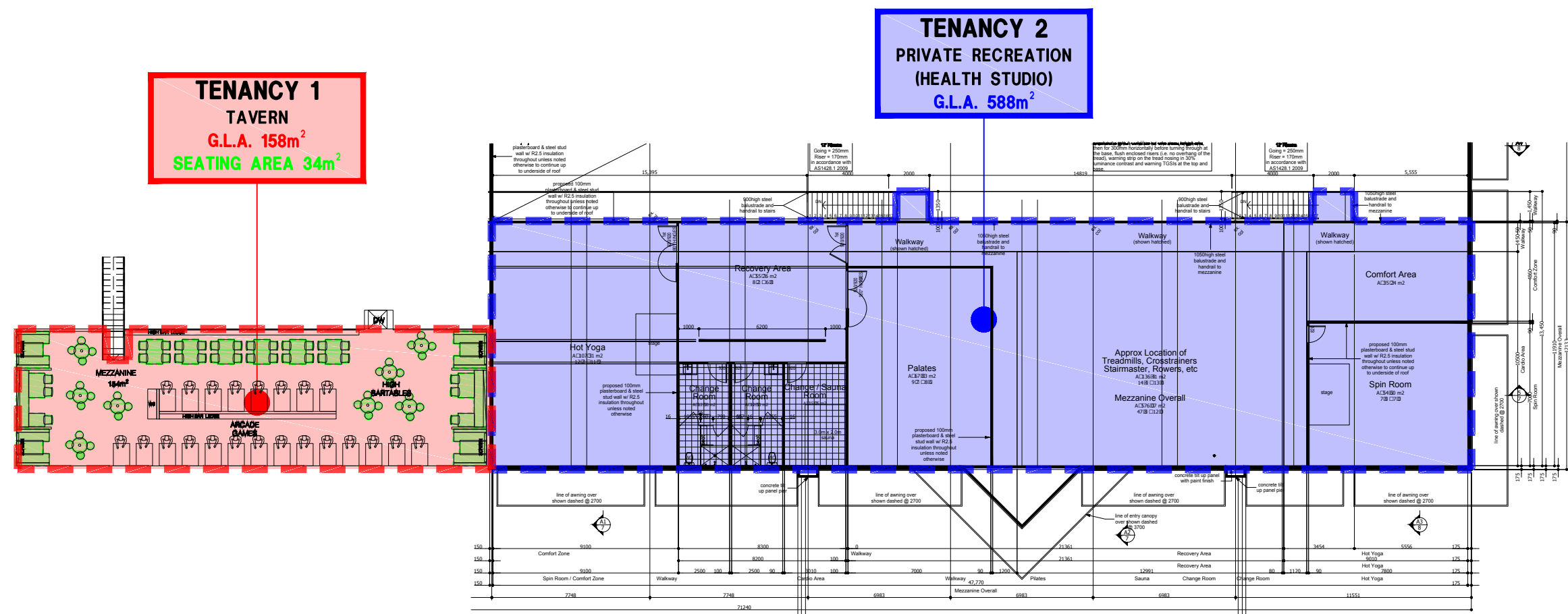
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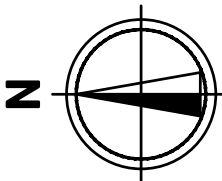
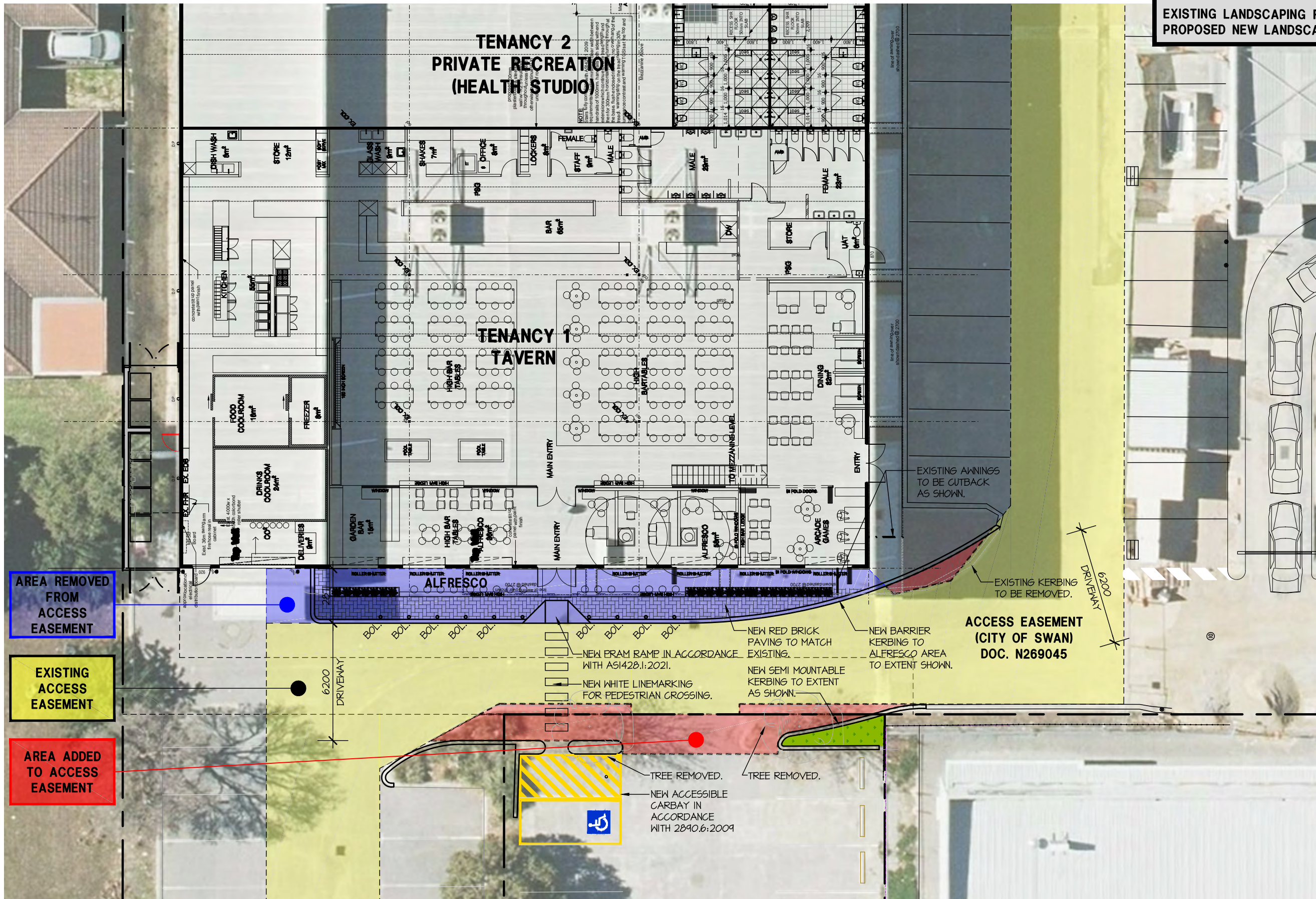
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 Dwg - **DA05**
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DEVELOPMENT SUMMARY

EXISTING LANDSCAPING REMOVED 45.3m²
PROPOSED NEW LANDSCAPING 34.3m²



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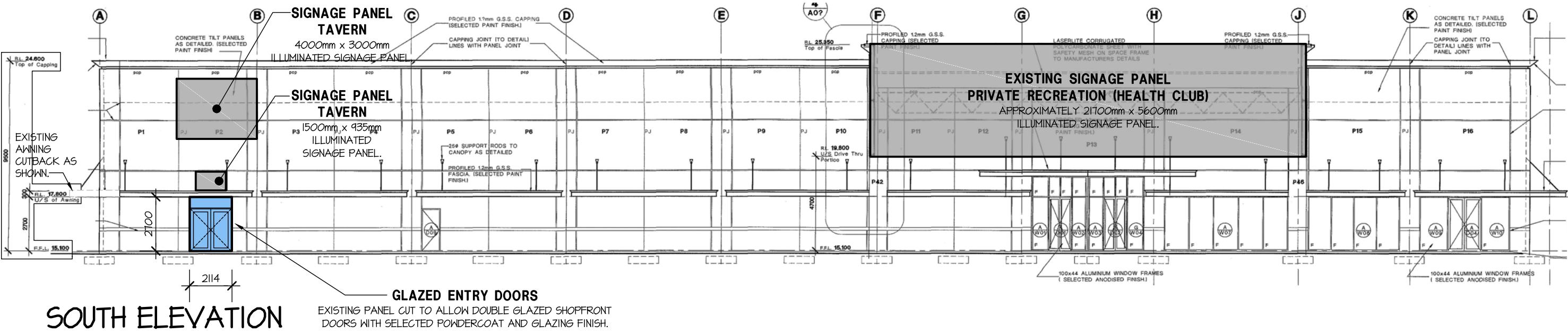
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EASEMENT REALIGNMENT AND DRIVEWAY PLAN
SCALE 1:200

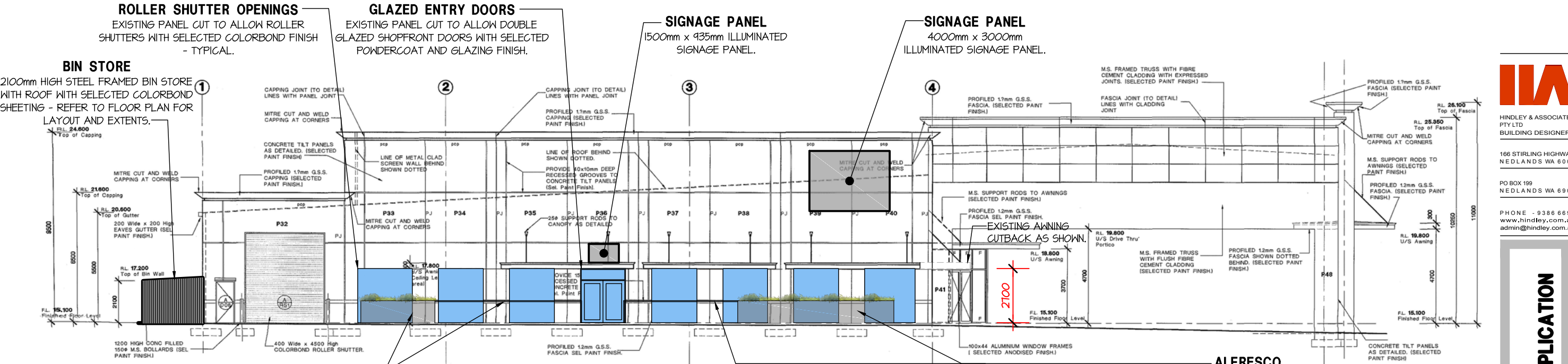
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| Dwg | DA06 |
| Rev | A |



SOUTH ELEVATION

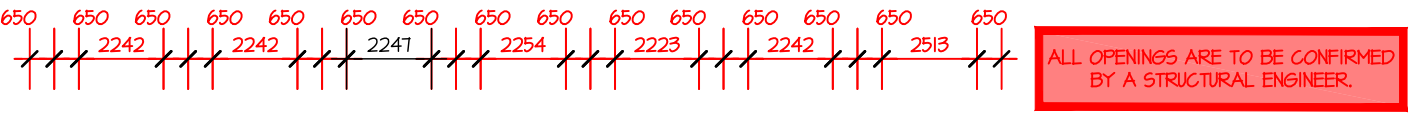
SCALE 1:200



WEST ELEVATION

SCALE 1:200

TYPICAL BUILDING COLOURS



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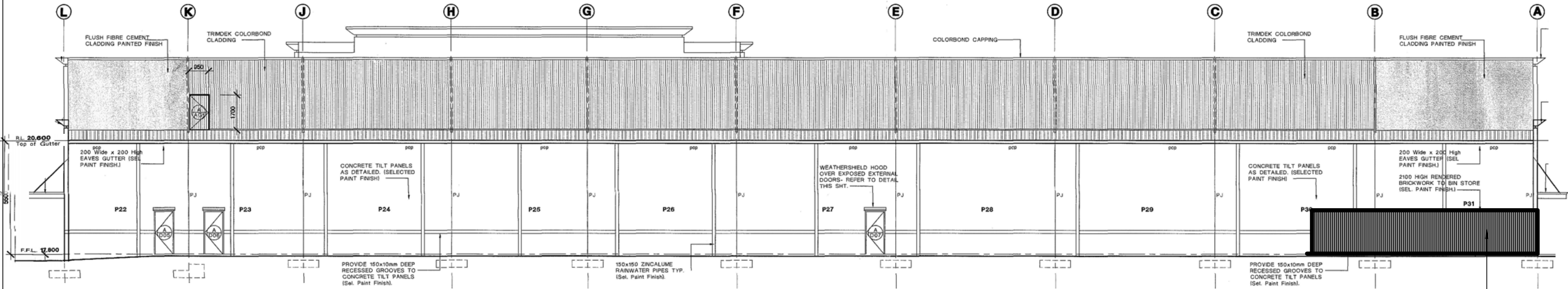
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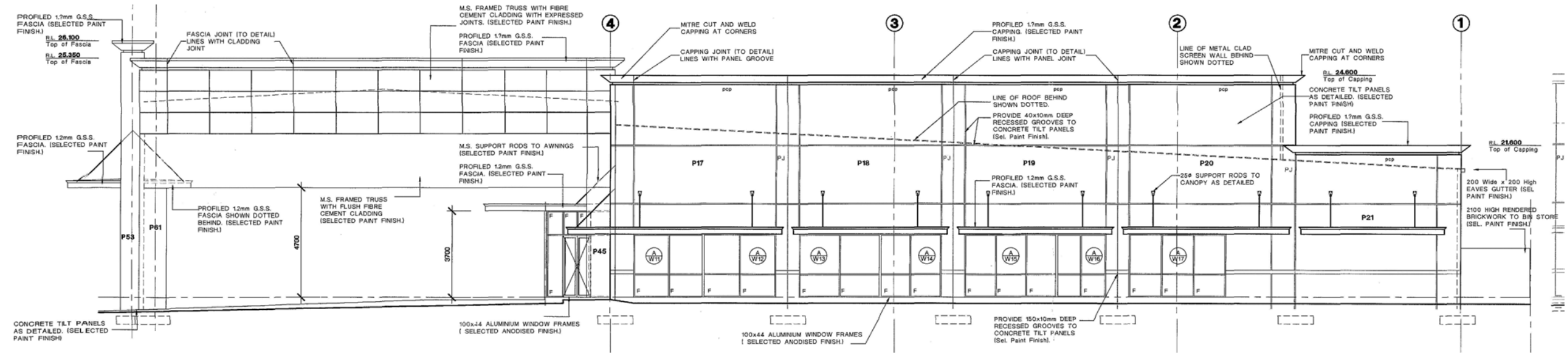
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NORTH ELEVATION

SCALE 1:200

BIN STORE
2100mm HIGH STEEL FRAMED BIN STORE WITH ROOF WITH SELECTED COLORBOND SHEETING - REFER TO FLOOR PLAN FOR LAYOUT AND EXTENTS.



EAST ELEVATION

SCALE 1:200

TYPICAL BUILDING COLOURS

White, Blue, Red

| | | | | | |
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DEVELOPMENT APPLICATION



transport planning
traffic engineering
modelling

Proposed Varsity Bar & Gymnasium Development

226 Great Eastern Highway, Midland

PREPARED FOR:
Linnpark Pty Ltd

November 2021

Document history and status

| Author | Revision | Approved by | Date approved | Revision type |
|------------|----------|-------------|---------------|---------------|
| Waihin Tun | r01 | B Bordbar | 24/11/2021 | Draft |
| Waihin Tun | r01a | B Bordbar | 24/11/2021 | Final |
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File name: t21.236.wt.r01a

Author: Waihin Tun

Project manager: Behnam Bordbar

Client: Linnpark Pty Ltd

Project: 226 Great Eastern Highway, Midland

Document revision: r01a

Project number: t21.236

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1 Introduction

This Transport Impact Statement (TIS) has been prepared by Transcore on behalf of Linnpark Pty Ltd with regard to the proposed Varsity bar and gymnasium development to be located at 226 Great Eastern Highway, Midland in the City of Swan.

The subject site is presently occupied by a vacant building which was operating as a showroom and it is located within an existing commercial precinct. The commercial precinct is located at the north-eastern corner of Great Eastern Highway and Lloyd Street signalised intersection and the subject site is bound by the existing residential properties to the north, Loton Avenue on the east and other existing commercial properties to the immediate south and west within the commercial precinct. Refer to **Figure 1** for more details.

Vehicle access/egress to the commercial precinct is currently available from Great Eastern Highway, Lloyd Street and Loton Avenue. Pedestrians can access the site directly via the existing pedestrian footpaths along Great Eastern Highway, Lloyd Street and Loton Avenue.

The Transport Impact Assessment Guidelines (WAPC, Vol 4 – Individual Developments, August 2016) states: *“A Transport Impact Statement is required for those developments that would be likely to generate moderate volumes of traffic¹ and therefore would have a moderate overall impact on the surrounding land uses and transport networks”*.

Section 5.2 of Transcore’s report provides details of the estimated trip generation for the proposed development. Accordingly, as the total road network peak hour vehicular trips are estimated to be less than 100 trips, a Transport Impact Statement is deemed appropriate for this development.

Key issues that will be addressed in this report include the traffic generation and distribution of the proposed development, access and egress movement patterns and parking demand and supply.

¹ Between 10 and 100 vehicular trips per hour



Figure 1: Location of the subject site

2 Proposed Development

The Development Application (DA) for the subject site proposes replacement of the existing vacant showroom use at the subject site with a Varsity bar and a gymnasium. The breakdown of floorspace for each land use is detailed in **Table 1**.

Table 1. Areas of the proposed land uses

| Land use | Gross Floor Area (m ²) | | |
|--------------------|------------------------------------|-----------------------|------------|
| | Ground Floor | 1 st Floor | Total Area |
| Varsity Bar | 889 | 158 | 1,047 |
| Gymnasium | 1,755 | 588 | 2,343 |

Vehicle accesses to the subject site is currently available from one left in/ left out crossover on Great Eastern Highway, one left in/ left out crossover on Llyod Street, and two full movement crossovers on Loton Avenue and one exit only crossover for the fast-food drive through facility. As shown in **Figure 2** there are other crossovers available for the commercial precinct.

According to the site plan provided in **Appendix A**, it is proposed to expand the existing bin storage area located at the north-western side of the existing building. Based on the information provided to Transcore, it is understood that the bin storage area will be shared between both tenancies and has been designed to ensure unhindered accessibility to both tenancies. Therefore, the waste collection activities for both tenancies will take place via the Varsity Bar service area (western side of the building).

Pedestrian accesses to the proposed development are available from the existing footpath network on Great Eastern Highway, Lloyd Street and Loton Avenue.

Refer to **Appendix A** for plans of the proposed development.

3 Vehicle Access and Parking

3.1 Access

Currently two left in/ left out only crossovers on Lloyd Street, two left in/ left out only crossovers on Great Eastern Highway and two full movement crossovers and one exit only crossover from adjacent fast-food restaurant drive through facility on Loton Avenue are serving the existing commercial precinct. The crossovers are shared between the subject site and adjoining land uses by virtue of existing reciprocal access arrangements.

It is proposed to retain the current locations and operations of the existing crossovers and shared accesses within the commercial precinct and to maintain the internal connectivity within the commercial precinct. Accordingly, the proposed development will be served by the existing crossovers on Great Eastern Highway, Lloyd Street and Loton Avenue. **Figure 2** illustrates the locations of the existing crossovers for the commercial precinct and the crossovers that will be serving the proposed development.



Figure 2: Proposed development crossovers

3.2 Parking

According to the development plan provided in **Appendix A**, the subject site provides a total of 228 car parking spaces across the whole site as follows:

| | |
|---|-----------------|
| + Lot 201 (126) Great Eastern Highway | = 150 bays; |
| + On-street bays on Loton Avenue | = 33 bays; |
| + Stacking bays between Zambrero, Taco Bell & Hungry Jack's | = 34 bays; |
| + Lot 11 (316) Lloyd Street | = 11 bays; and, |
| + Total | = 228 bays. |

The car parking bays can be directly accessed from Llyod Street, Great Eastern Highway and Loton Avenue.

Based on the information provided to Transcore, it is understood that the total parking bays required for each existing and proposed land use across the subject site is as follows:

| | |
|--|--|
| + Existing Zambrero and Poppy G's (fast food outlet) | = 27 bays (270m ² GLA); |
| + Existing Taco Bell (fast food outlet) | = 19 bays (193m ² GLA); |
| + Existing Hungry Jack's (fast food outlet) | = 29 bays (290m ² GLA); |
| + Existing fast-food tenancies | = 35 bays (350m ² GLA); |
| + Existing showroom/warehouse | = 11 bays (366m ² GLA); |
| + Proposed Gym (private recreation) | = 25 bays (100max occupancy); |
| + Proposed Varsity Bar | = 102 bays (205m ² bar and seating areas); and, |
| + Total | = 248 bays. |

Therefore, the parking supply at the subject site represents a theoretical parking shortfall of 20 bays.

However, it is reasonable to assume that there would be at least 15% cross-trades internally between the existing and proposed land uses at the subject site. Therefore, it is conservatively estimated that the actual parking demand at the subject site would be approximately 211 parking bays ($248 \times 0.85 = 211$). The subject site provides a total of 228 parking bays and therefore, adequate parking will be available at the subject site to meet the anticipated needs of the existing and proposed land uses.

It is also important to note that a childcare facility is currently under assessment for the adjoining Lot 9 (22) Hyde Street, which seeks to share the use of 24 bays on the development site through a reciprocal parking agreement. The shared use of these bays is not considered to create any undue parking issues, noting:

- + The childcare facility will not operate at night time or weekends, when Varsity Bar's parking usage would be at its highest level;
- + The visitor bays for the childcare centre would see little use between 10AM-3PM during centre operations which coincides with the lunchtime period; and,
- + The gym will operate on a 24-hour basis, meaning its usage of parking bays is spread out over a 24-hour period.

Moreover, it also should be noted that some patrons of the Varsity Bar are expected to use public transport or use car share/ lift including Uber or taxi and carpooling.

4 Provision for Service Vehicles

A bin storage area is proposed at the northwest corner of the development's building.

According to the site plans provided in **Appendix A**, it is proposed to retain, but expand the existing bin storage area located at the north-western side of the building. Based on the information provided to Transcore, it is understood that the bin storage area will be shared between both tenancies and as such has been designed to ensure unhindered accessibility to both tenancies. Therefore, the waste collection activities for both tenancies will take place via the Varsity Bar service area (western side of the building).

It is anticipated that delivery and service trucks will service the tenancies outside peak operating hours of the proposed development and outside peak road network periods for the convenient and safe manoeuvring of the trucks within the site. Turn path analysis was undertaken for 8.8m service vehicle to confirm the satisfactory entry and egress. The turn path diagrams are included in **Appendix B**.

5 Daily Traffic Volumes and Vehicle Types

5.1 Existing Development Trip Generation

The subject site is presently a vacant building which was previously operated as a showroom. However, for the purpose of a robust assessment, traffic generation of the showroom is not allowed for and therefore assumed as zero traffic for the existing traffic generation.

5.2 Proposed Development Trip Generation

A review of the existing latest traffic counts for the adjacent road network and other available information, suggests that the combination of the traffic expected to be generated by the proposed development and the peak road network traffic periods are likely to result in the greatest demand on the road network during the typical weekday morning peak hour between 11:00AM – 12:00PM and afternoon peak hour between 4:00PM – 5:00PM. As such, trip generation is estimated and traffic analysis for the proposed development is undertaken for these periods.

The traffic volume that would be generated by the proposed development has been estimated using the trip generation rates derived from:

- ✚ The actual daily visited patronage information at a similar development; and
- ✚ The actual daily visited patronage information provided by the operator at other similar gyms.

5.2.1 Varsity Bar

The catchment area of the proposed bar is expected to be mainly local residents and people working in the locality and therefore some non-motorised patronage including walking is expected for some patrons. Other patrons who are not within walking distance may use their vehicles (including ride share), Uber or taxis.

The traffic generation of the Varsity bar is estimated using actual daily visited patronage information for a similar development on a typical Friday. Based on this information it is anticipated that the patronage pattern during the peak activity periods would be similar to the following:

- ✚ Typical Friday daily: 605vpd;
- ✚ Typical Friday AM Road network peak hour: 17vph; and,
- ✚ Typical Friday PM Road network peak hour: 45vph.

Accordingly, it is estimated that the proposed Varsity Bar would generate a total of approximate **605** vehicular trips for a typical Friday with about **17** trips during the typical Friday AM Road network peak hour and **45** trips during the typical Friday Road

network PM peak hour. These totals include both inbound and outbound vehicle movements.

5.2.2 Gym

The total number of daily visited patronage information at other similar gyms during October 2021 for typical Fridays, provided by the operator is listed in **Table 2**.

Table 2. October Fridays - Visited patronage at other similar gyms

| | October 2021 (Fridays) | Daily | Road network AM (11:00am- 12:00pm) | Road network PM (4:00pm- 5:00pm) |
|-------------------|---------------------------|------------|--|--|
| Facility 1 | 1 Oct 2021 | 386 | 23 | 34 |
| | 8 Oct 2021 | 403 | 14 | 37 |
| | 15 Oct 2021 | 416 | 14 | 35 |
| | 22 Oct 2021 | 385 | 18 | 37 |
| | 29 Oct 2021 | 410 | 14 | 41 |
| Facility 2 | 1 Oct 2021 | 437 | 19 | 27 |
| | 8 Oct 2021 | 441 | 8 | 30 |
| | 15 Oct 2021 | 410 | 20 | 33 |
| | 22 Oct 2021 | 411 | 12 | 28 |
| | 29 Oct 2021 | 499 | 13 | 39 |
| Average | | 420 | 16 | 34 |

In order to estimate the traffic generation of the proposed gym during the road network peak hours, 100% patronage for inbound (entry) movement and 50% patronage for outbound (exit) movement are assumed for the morning and afternoon road network peak hours as the majority of patrons visiting the gym will stay longer than an hour. Accordingly, it is estimated that the traffic generation for the gym during the typical Friday Road network peak hours are:

- ✚ Weekday daily: 420×2 (entry and exit) = 840vpd;
- ✚ Weekday AM Road network peak hour: $(16 \times 1) + (16 \times 0.5) = 24\text{vph}$; and,
- ✚ Weekday PM Road network peak hour: $(34 \times 1) + (34 \times 0.5) = 51\text{vph}$.

Accordingly, it is estimated that the proposed gymnasium would generate a total of approximate **840** vehicular trips during a typical Friday with about **24** trips during the typical Friday AM Road network peak hour and **51** trips during the typical Friday Road network PM peak hour. These totals include both inbound and outbound vehicle movements.

Therefore, it is estimated that the proposed development would generate a total of approximately **1,445** vehicular trips during a typical Friday (both inbound and

outbound) with about **41** and **96** trips during the AM and PM road network peak hours respectively.

The traffic generations and peak hour splits assumed for the proposed development are provided in **Table 3** and detailed as follows:

- + Morning (AM) and afternoon (PM) peak split estimated at 60%/40% for inbound/outbound trips associated with Varsity Bar; and,
- + Morning (AM) and afternoon (PM) peak split estimated at 67%/33% for inbound/outbound trips associated with gymnasium.

Table 3. Estimated peak hour trips for the proposed development

| Land Use | AM Peak | | | PM Peak | | |
|----------|---------------|----|-----|---------------|----|-----|
| | Traffic Split | In | Out | Traffic Split | In | Out |
| Bar | 60% in | 10 | | 60% in | 27 | |
| | 40% out | | 7 | 40% out | | 18 |
| Gym | 67% in | 16 | | 67% in | 34 | |
| | 33% out | | 8 | 33% out | | 17 |

5.3 Traffic Flow

With respect to the location of the development, permeability and layout of the surrounding road network and the existing precinct crossovers, the assumed distribution of development traffic arriving e is assumed as follows:

- + 50% to/from the north of Lloyd Street;
- + 15% to/from the north of Loton Avenue;
- + 10% to/from the east of Great Eastern Highway
- + 5% to/from the south of Lloyd Street; and,
- + 20% to/from the west of Great Eastern Highway.

The directional morning, afternoon and total daily trip distribution of the development-generated traffic are illustrated in **Figure 3**.

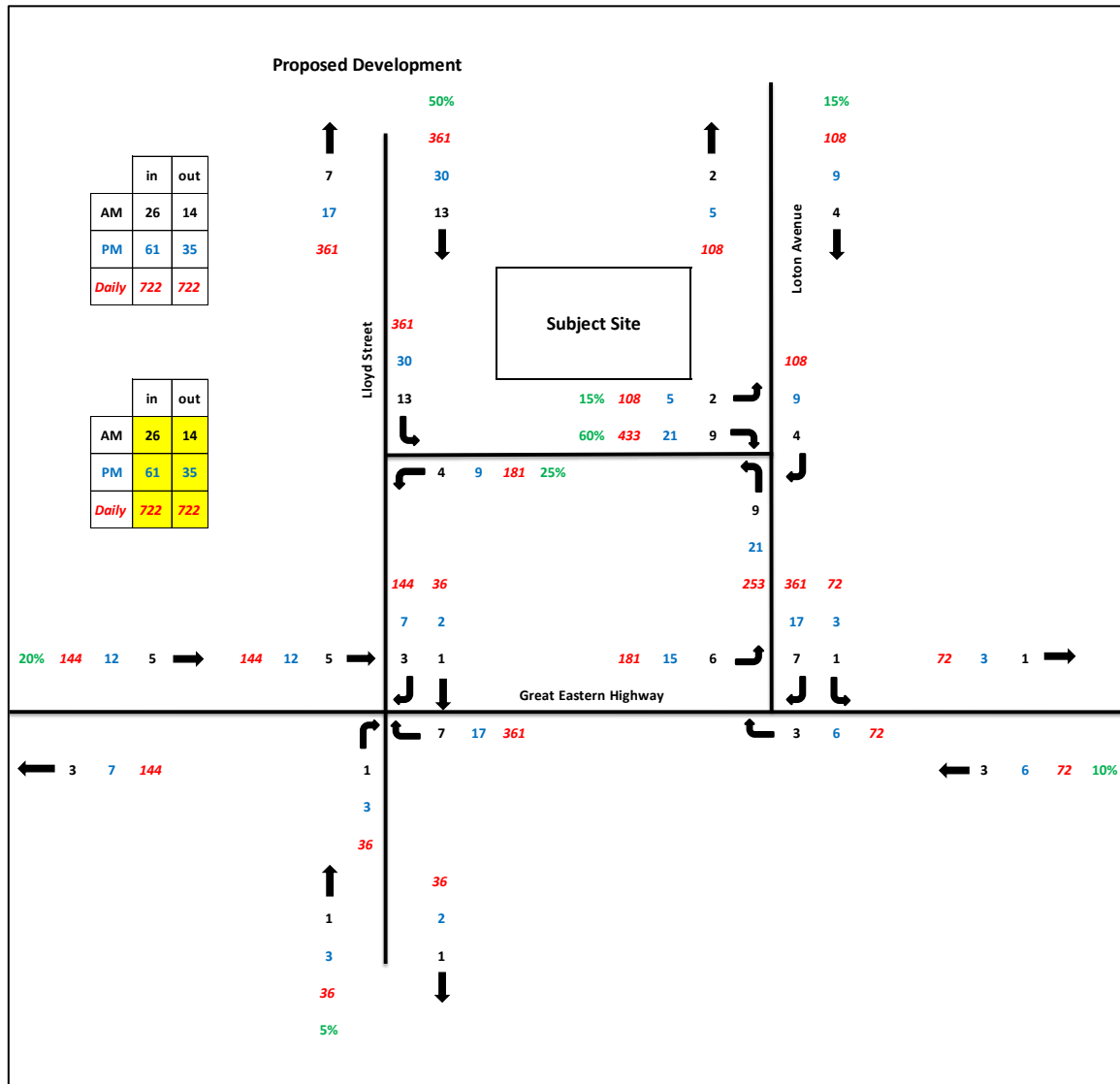


Figure 3: Estimated traffic movements for the proposed development – morning, afternoon peak hours and total daily trips

5.4 Impact on Surrounding Roads

The WAPC *Transport Impact Assessment Guidelines* (2016) provides the following guidance on the assessment of traffic impacts:

“As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road, but increases over 10 percent may. All sections of road with an increase greater than 10 percent of capacity should therefore be included in the analysis. For ease of assessment, an increase of 100 vehicles per hour for any lane can be considered as equating to around 10 percent of capacity. Therefore, any section of road where development traffic would increase flows by more than 100 vehicles per hour for any lane should be included in the analysis.”

It is clear that the traffic increase from the proposed development would be less than the critical threshold (100vph per lane) with the most pronounced traffic increases being 47vph on Lloyd Street (west of the subject site) during the afternoon peak hour. Therefore, the impact on the surrounding road network is considered to be insignificant.

6 Traffic Management on the Frontage Streets

Great Eastern Highway, in the vicinity of the subject site is a four-lane divided carriageway with a kerbed median. Pedestrian footpaths are in place on both sides of the road. Refer to **Figure 4** for more details.

Great Eastern Highway is classified as a *Primary Distributor* in the Main Roads WA *Functional Road Hierarchy* and operates under sign posted speed limit of 60km/h in this area.

Based on the available SCATS data for the signalised intersection of Great Eastern Highway and Lloyd Street sourced from Main Roads WA it is estimated that Great Eastern Highway, east of Lloyd Street, carries about 25,185vpd vehicles on a regular weekday (August 2021). The peak hour is between 4:00PM to 5:00PM with traffic volumes of approximately 2,212vph.

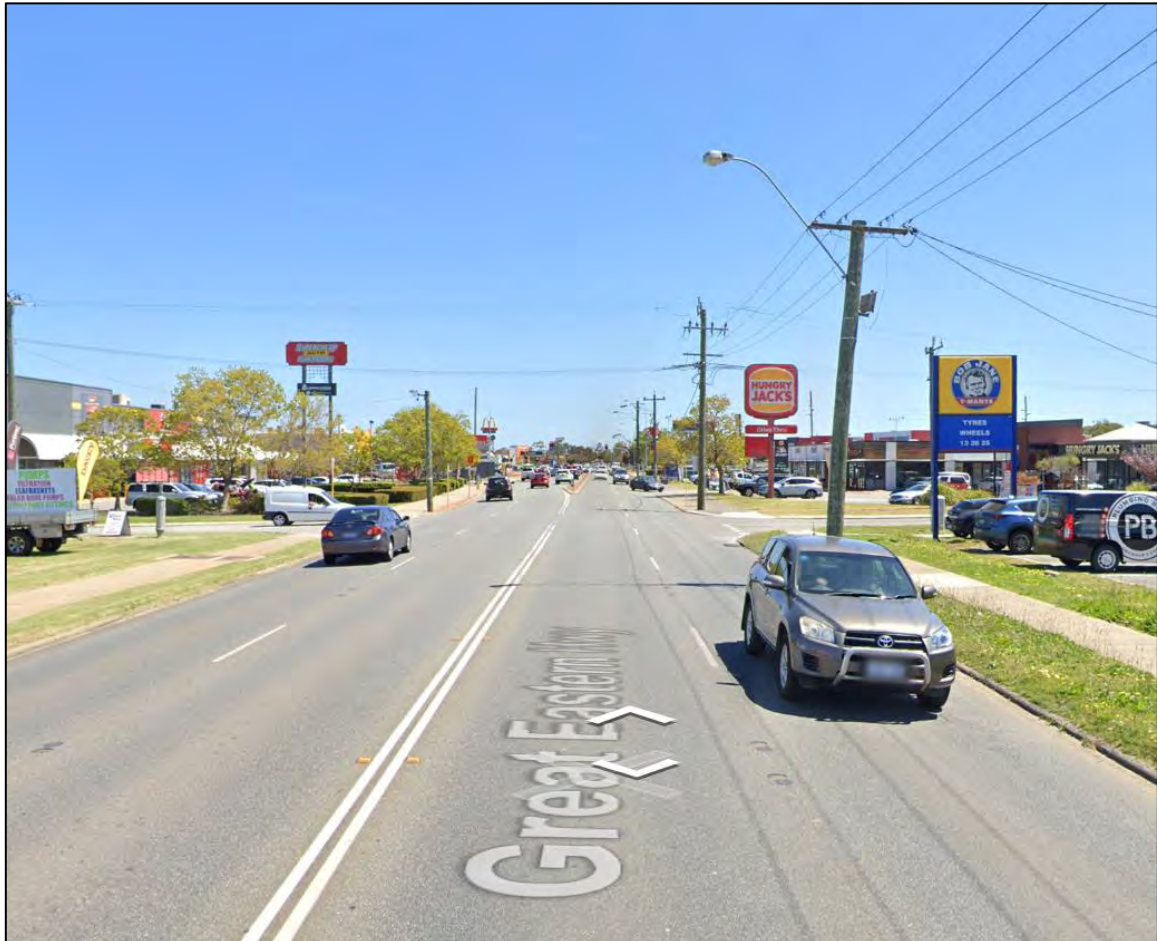


Figure 4: Westbound view along Great Eastern Highway

Lloyd Street, in the vicinity of the subject site is a dual divided carriageway with kerbed median. Pedestrian footpaths are in place on both sides of the road. Refer **Figure 5** for more details.

Lloyd Street is classified as *Distributor A* in the Main Roads WA *Functional Road Hierarchy* and operates under sign posted speed limit of 60km/h. Lloyd Street forms a signalised four-way intersection with Great Eastern Highway.

Based on the same available SCATS data sourced from Main Roads WA, it is estimated that Lloyd Street, north of Great Eastern Highway, carries about 21,389vpd on a regular weekday (August 2021). The peak hour is between 4:00PM to 5:00PM with traffic volumes of approximately 1,865vph.



Figure 5: Northbound view along Lloyd Street

Loton Avenue is a single-carriageway, two-way road with pedestrian footpaths on both sides of the road. On-street parking bays including two drive through waiting bays for Hungry Jack's fast-food restaurant are in place along the western side of the road adjacent to the commercial precinct. Refer to **Figure 6** for details.

Loton Avenue is classified as an *Access Road* in the *Main Roads WA Functional Road Hierarchy*. Loton Avenue operates under the default 50km/h built-up area speed limit. There are no formal traffic counts available for this road. Loton Avenue forms a 'T' intersection with Great Eastern Highway, controlled by Give Way sign on Loton Avenue.



Figure 6. Northbound view along Loton Avenue

7 Public Transport Access

The subject site is well served by bus services 320, 321, 326 and 328 operating along Great Eastern Highway. These bus routes provide links to Midland Train Station, Midland Gate Shopping Centre, and Mundaring Shopping Centre.

The nearest bus stop is located on Great Eastern Highway approximately 75m to the south of the subject site. The nearest bus stop is accessible from the subject site via existing footpaths and signalised pedestrian crossing facilities.

In addition, bus services No. 294, 297, 307, 322, 314, 315, 324, 325 operate along Lloyd Street. The nearest bus stop is located approximately 290m walking distance from the subject site. The bus routes provide links to Midland Train Station, Midland Gate Shopping Centre, Carousel Shopping Centre, Kalamunda Bus Station.

The public transport services available within walking distance of the subject site are illustrated in the relevant TransPerth service map (see **Figure 7**).

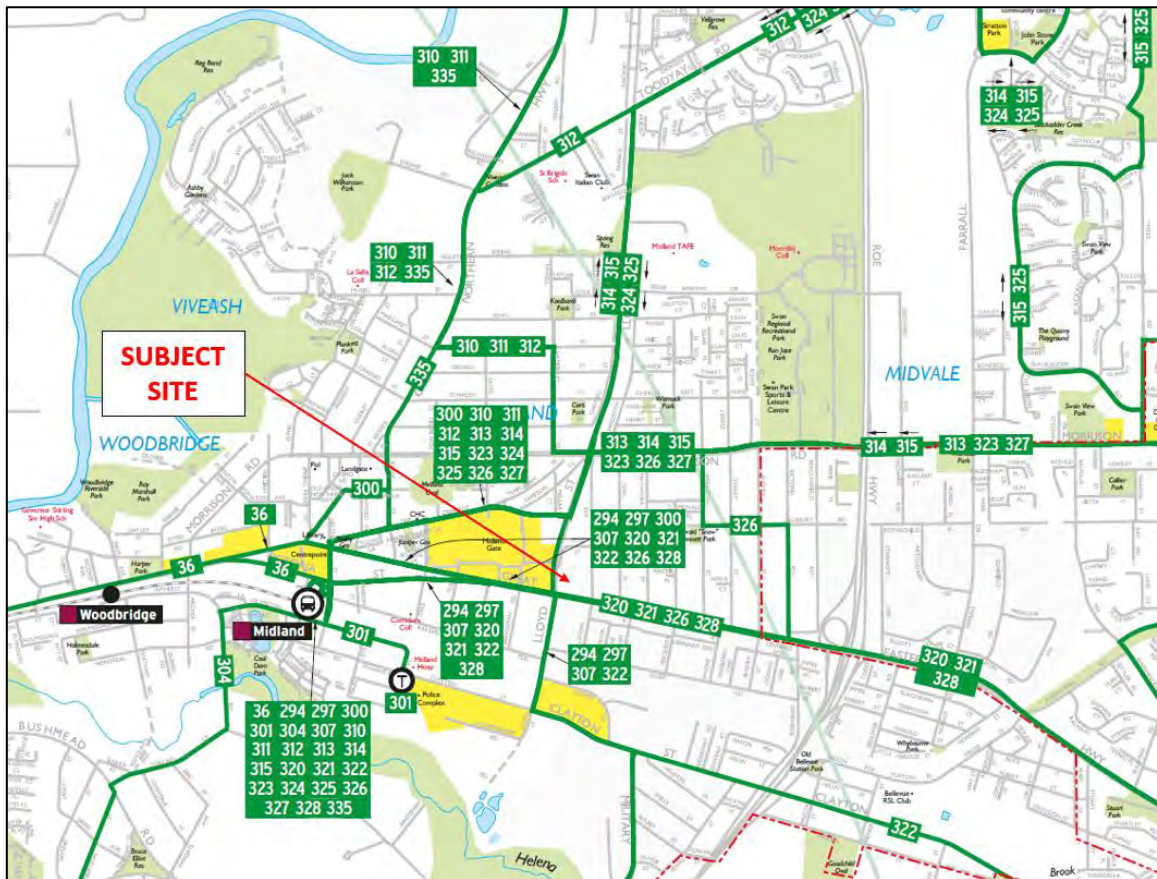


Figure 7: Public transport services (Transperth Maps)

8 Pedestrian Access

Pedestrian access to the proposed development is available directly from the existing footpath network on Great Eastern Highway, Lloyd Street, Loton Avenue, and other adjacent streets within the locality.

Signalised pedestrian crossing facilities are provided at the Great Eastern Highway/Lloyd Street signalised intersection.

9 Cycle Access

According to the current Department of Transport Bike Maps, the subject site has direct access to the existing bike path network within the locality via the “other shared path” on Great Eastern Highway. This provides further links to a number of recreational paths within the adjacent streets including a link to Lloyd Street, Elgee Road and Clayton Street which are classified as “bicycle lanes or sealed shoulder either side”.

Figure 8 shows existing cyclist connectivity for the subject site.

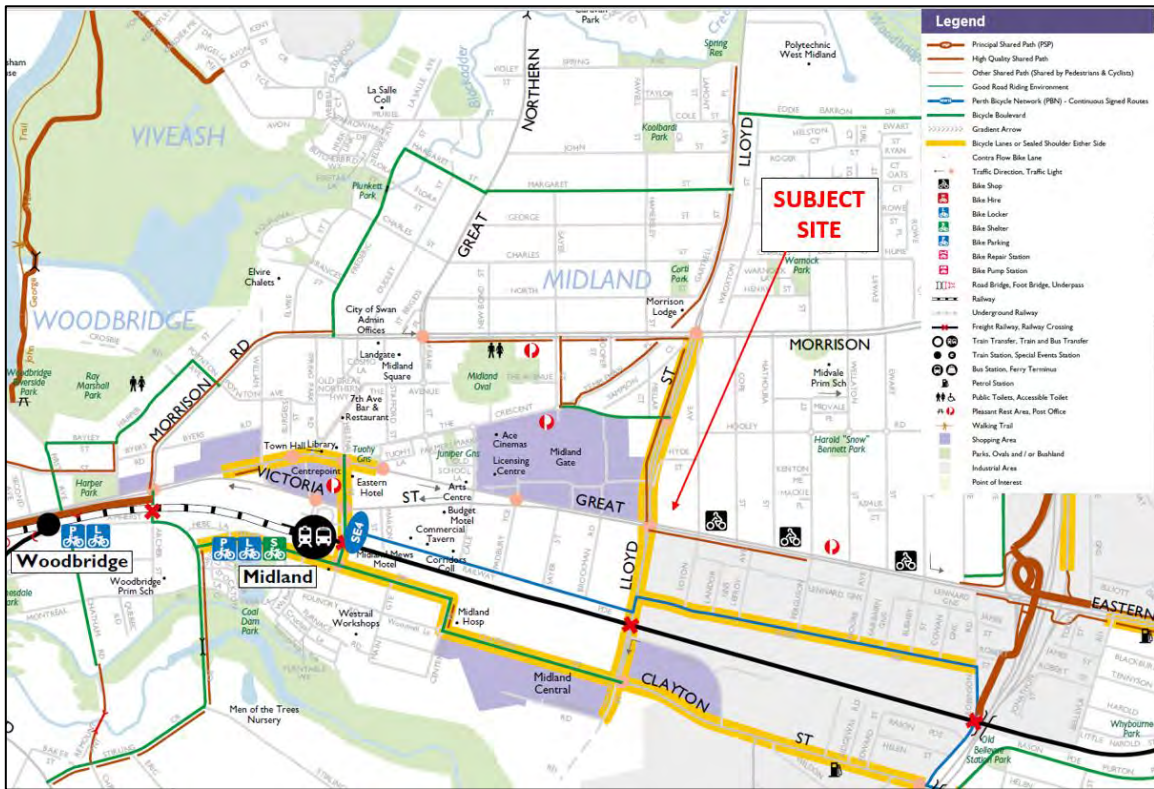


Figure 8: Extract from Perth Bicycle Network (Department of Transport)

10 Site Specific Issues

No particular site-specific issues have been identified for this proposed development.

11 Safety Issues

No particular traffic related safety issues have been identified for this proposed development.

12 Conclusions

This Transport Impact Statement (TIS) has been prepared by Transcore on behalf of Linnpark Pty Ltd with regard to the proposed Varsity Bar and gymnasium development to be located at 226 Great Eastern Highway, Midland in the City of Swan.

The subject site is presently occupied by a vacant building which was operating as a showroom within an existing commercial precinct. Vehicle access/egress to the commercial precinct is currently available from Great Eastern Highway, Lloyd Street and Loton Avenue. The site features good connectivity with the existing roads and public transport coverage through existing bus services operating in the proximity of the site.

It is proposed to retain, but expand the existing bin storage area located at the north-western side of the building and the bin storage area will be shared between both tenancies and has been designed to ensure unhindered accessibility to both tenancies.

The subject site provides a total of 228 car parking spaces across the whole development and it is understood that the total bays required across the subject site is 248 bays. It is reasonable to assume that there would be minimum 15% cross-trade internally between the existing and the proposed land uses at the subject site. Accordingly, it is conservatively estimated that the actual parking demand at the subject site would be approximately 211 parking bays. Therefore, the combination of the on-site and on-street parking will more than adequately satisfy the parking needs of the proposed development.

The traffic analysis undertaken in this report indicates that the traffic generation on a typical Friday for the proposed development is estimated to be in order of 1,445 daily trips, 41 morning road network peak hour trips and 96 afternoon road network peak hour trips. The analysis undertaken and documented in this report demonstrates that the traffic generation of the proposed development would not have a significant impact on the surrounding road network.

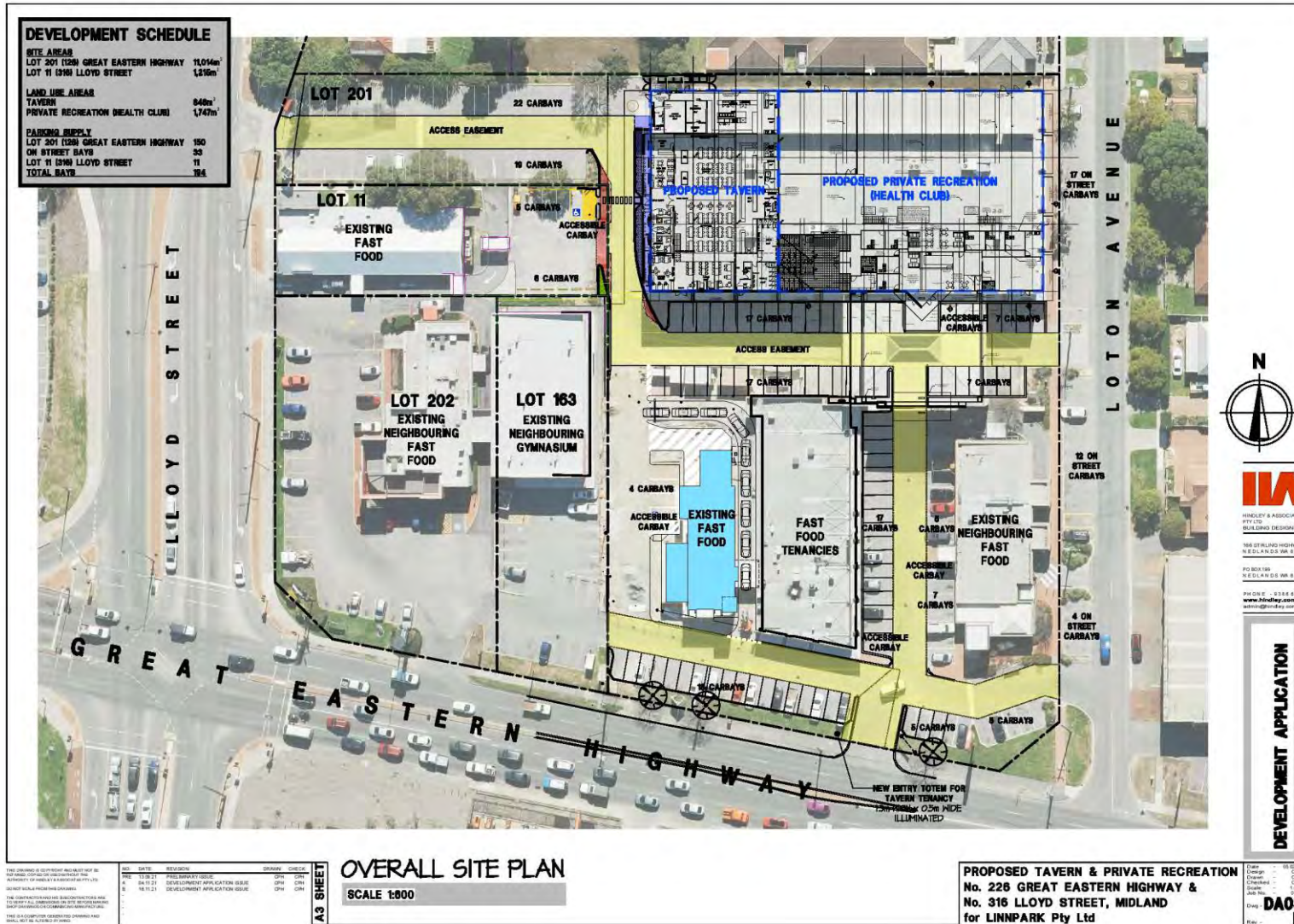
No particular safety issues or site-specific issues have been identified for the proposed development.

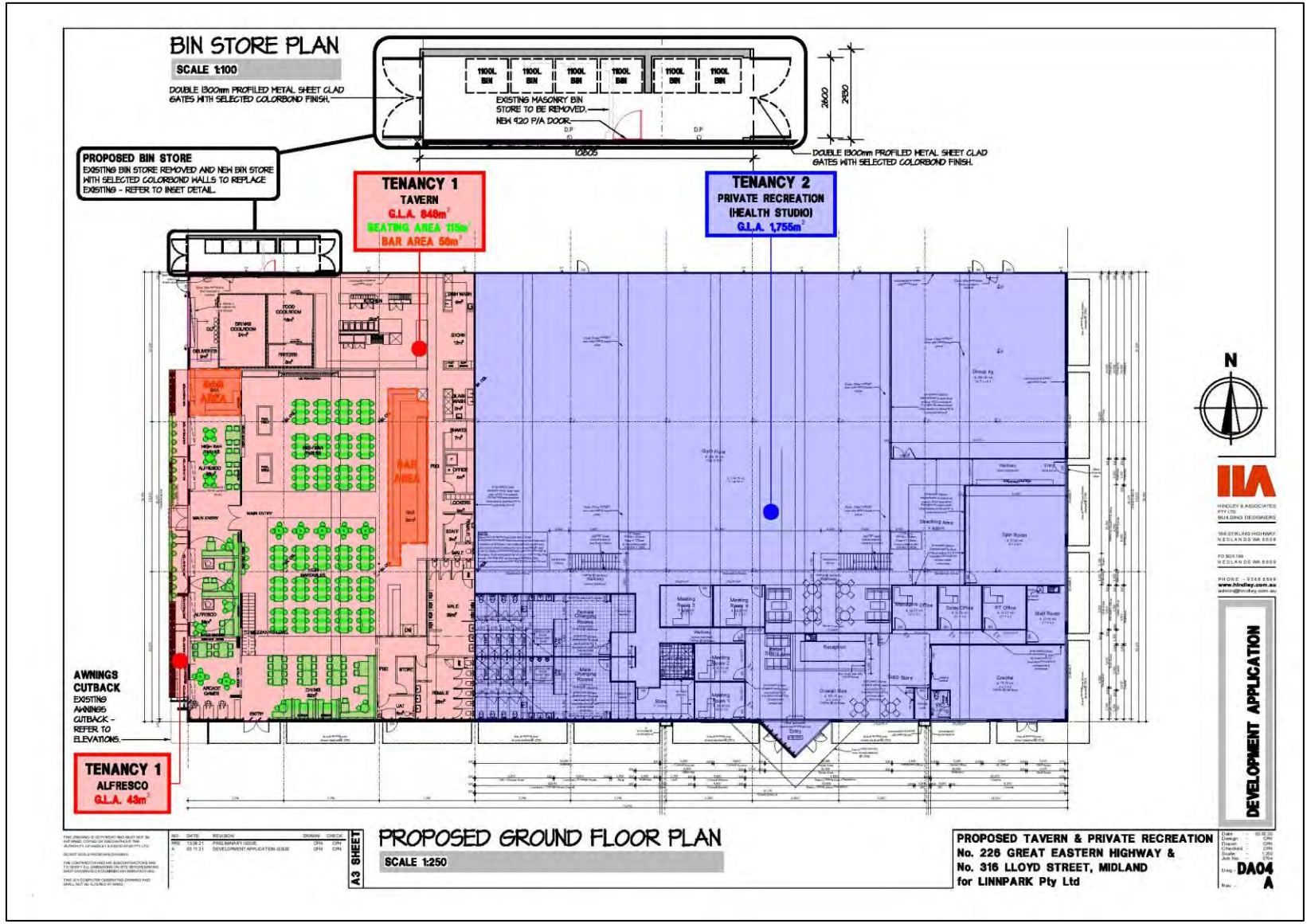
It is finally concluded that the traffic related issues should not form an impediment to the approval of the proposed development.

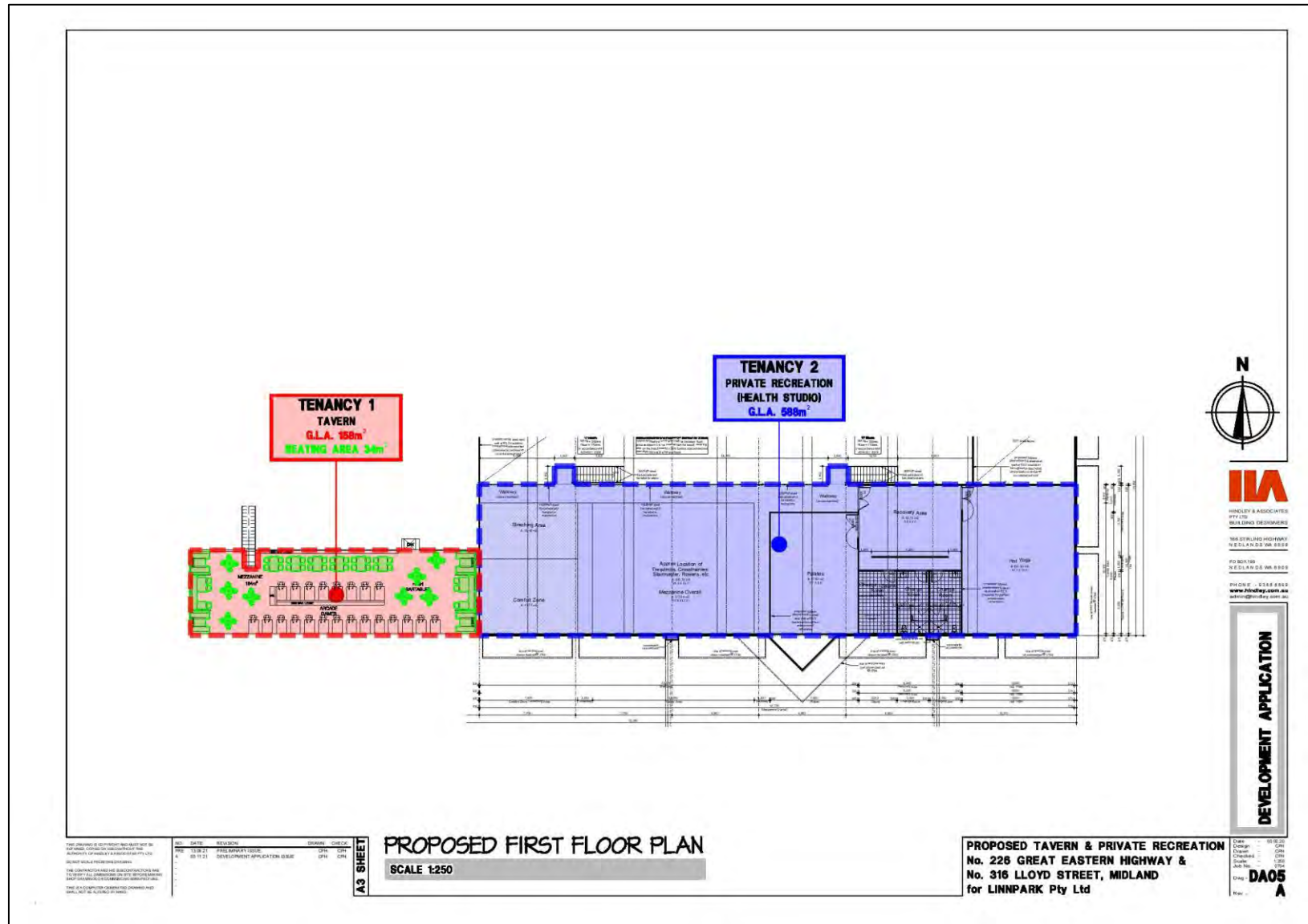
Appendix A

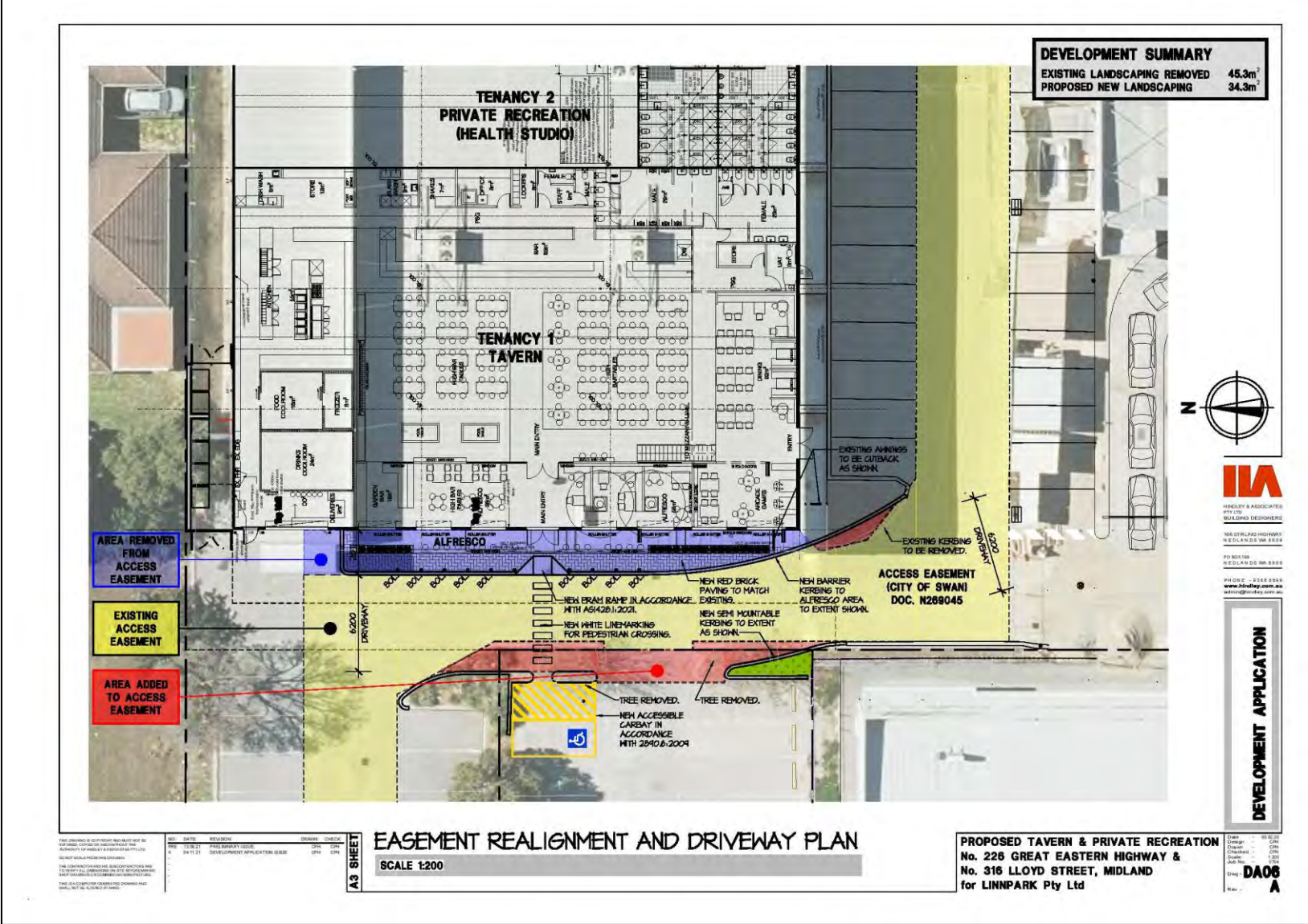
PROPOSED DEVELOPMENT PLANS













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Environmental Noise Assessment – Development Application

**Tavern and Gym Development
226 Great Eastern Highway, Midland**

Reference: 21086625-01B

Prepared for:

Linnpark Pty Ltd C/- Apex Planning



Report: 21086625-01B

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This report has been prepared in accordance with the scope of services described in the contract or agreement between Lloyd George Acoustics Pty Ltd and the Client. The report relies upon data, surveys, measurements and results taken at or under the particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client. Furthermore, the report has been prepared solely for use by the Client, and Lloyd George Acoustics Pty Ltd accepts no responsibility for its use by other parties.

| Date: | Rev | Description | Prepared By | Verified |
|-----------|-----|----------------------------------|-------------|--------------|
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| 9-Dec-21 | - | Finalised for DA submission | Matt Moyle | - |
| 14-Feb-22 | A | Updated to address City Comments | Matt Moyle | - |
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1 INTRODUCTION

This report has been prepared to consider the potential noise impacts associated with a proposed commercial development comprising a tavern and gym tenancy at 226 Great Eastern Highway, Midland - refer *Figure 1-1*. The development is to be located in an existing commercial showroom building which is part of an existing commercial precinct connected to Midland Strategic Regional Centre as shown on a concept plan in *Figure 1-2*.

Noise sensitive premises exist to the north and east, although it is understood that the closest property to the north (20 Hyde Street) is owned by the proponent and in planning stages for development as an early learning centre. Consideration of this future outcome is provided in this assessment for information purposes and planning guidance.

The opening hours of the gym are likely to be 24/7 and the tavern is proposed to be open 6.00am to midnight, 7 days a week.



Figure 1-1 Project Locality

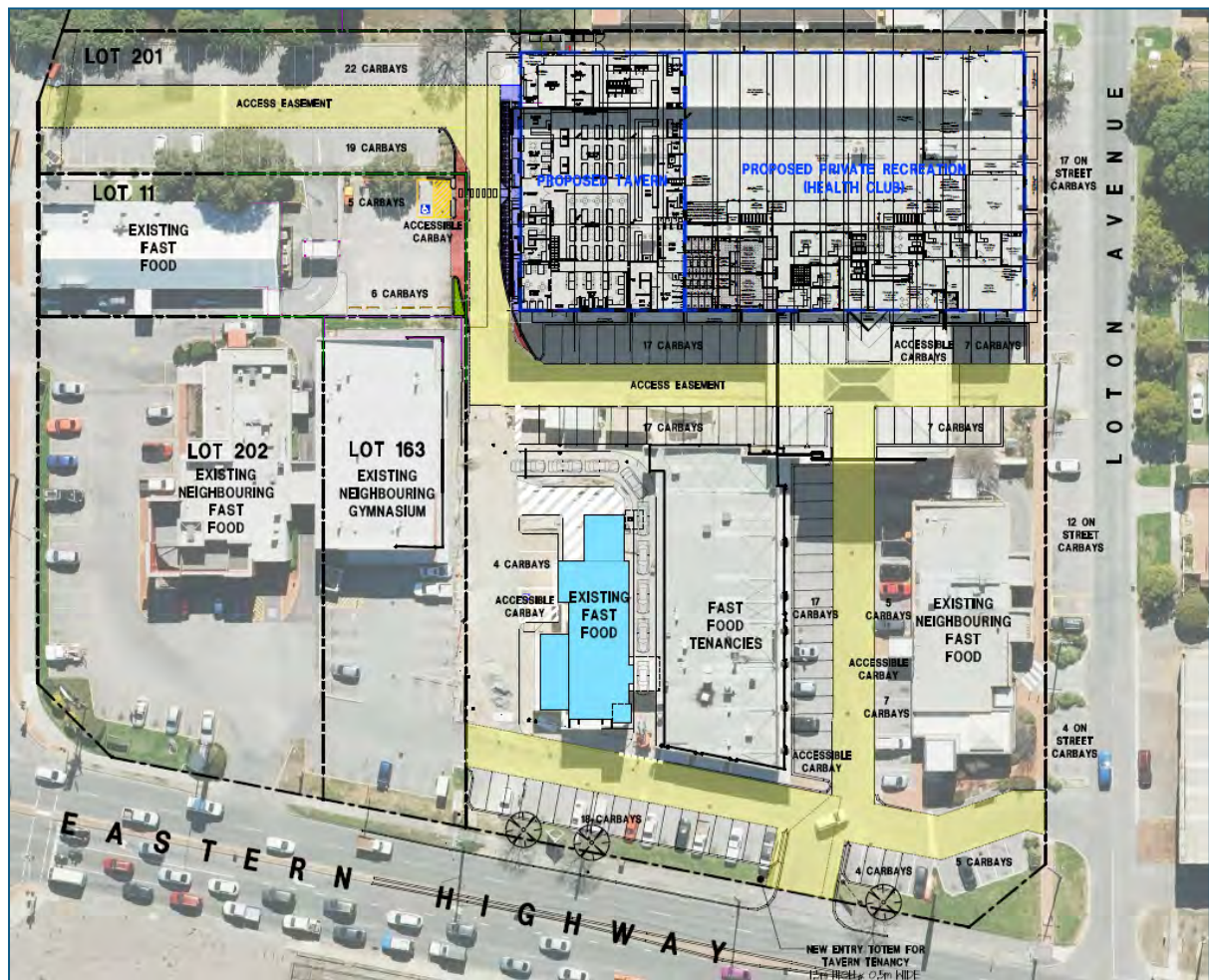


Figure 1-2 Proposed Tavern Amongst Commercial Precinct

Appendix B contains a description of some of the terminology used throughout this report.

2 CRITERIA

Environmental noise in Western Australia is governed by the *Environmental Protection Act 1986*, through the *Environmental Protection (Noise) Regulations 1997* (the Regulations).

Regulation 7 defines the prescribed standard for noise emissions as follows:

“7. (1) Noise emitted from any premises or public place when received at other premises –

- (a) Must not cause or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind; and
- (b) Must be free of –
 - i. tonality;
 - ii. impulsiveness; and
 - iii. modulation,
 when assessed under regulation 9”

A “...noise emission is taken to significantly contribute to a level of noise if the noise emission ... exceeds a value which is 5 dB below the assigned level...”

Tonality, impulsiveness and modulation are defined in Regulation 9. Noise is to be taken to be free of these characteristics if:

- (a) The characteristics cannot be reasonably and practicably removed by techniques other than attenuating the overall level of noise emission; and
- (b) The noise emission complies with the standard prescribed under regulation 7 after the adjustments of *Table 2-1* are made to the noise emission as measured at the point of reception.

Table 2-1 Adjustments Where Characteristics Cannot Be Removed

| Where Noise Emission is Not Music | | | Where Noise Emission is Music | |
|-----------------------------------|------------|---------------|-------------------------------|---------------|
| Tonality | Modulation | Impulsiveness | No Impulsiveness | Impulsiveness |
| + 5 dB | + 5 dB | + 10 dB | + 10 dB | + 15 dB |

Note: The above are cumulative to a maximum of 15dB.

The baseline assigned levels (prescribed standards) are specified in Regulation 8 and are shown in *Table 2-2*.

Table 2-2 Baseline Assigned Noise Levels

| Premises Receiving Noise | Time Of Day | Assigned Level (dB) | | |
|--|--|-------------------------|-------------------------|-------------------------|
| | | L _{A10} | L _{A1} | L _{Amax} |
| Noise sensitive premises: highly sensitive area ¹ | 0700 to 1900 hours Monday to Saturday (Day) | 45 + influencing factor | 55 + influencing factor | 65 + influencing factor |
| | 0900 to 1900 hours Sunday and public holidays (Sunday) | 40 + influencing factor | 50 + influencing factor | 65 + influencing factor |
| | 1900 to 2200 hours all days (Evening) | 40 + influencing factor | 50 + influencing factor | 55 + influencing factor |
| | 2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night) | 35 + influencing factor | 45 + influencing factor | 55 + influencing factor |

1. **highly sensitive area** means that area (if any) of noise sensitive premises comprising —
- (a) a building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
 - (b) any other part of the premises within 15 metres of that building or that part of the building.

The influencing factor, applicable at the noise sensitive premises has been calculated as 7 or 11 dB, as shown in Table 2-3. The transport factor has been calculated as **2 or 6 dB**, due to Lloyd Street and Great Eastern Highway both being considered major roads within 100 metres or 450 metres of the nearest residences.

Table 2-3 Influencing Factor Calculation

| Description | Within 100 metre Radius | Within 450 metre Radius | Total |
|------------------|-------------------------|-------------------------|-------------------|
| Industrial Land | 0 % | 19 % | 1.9 dB |
| Commercial Land | 31 % | 36 % | 3.4 dB |
| Transport Factor | | | 2 or 6 dB |
| Total | | | 7 or 11 dB |

Table 2-4 shows the assigned noise levels including the influencing factor and transport factor at the receiving locations. Note that 35 Loton Avenue has three units and only 3/35 Loton Avenue has the higher influencing factor being within 100m of Lloyd St – refer Figure 2-2.

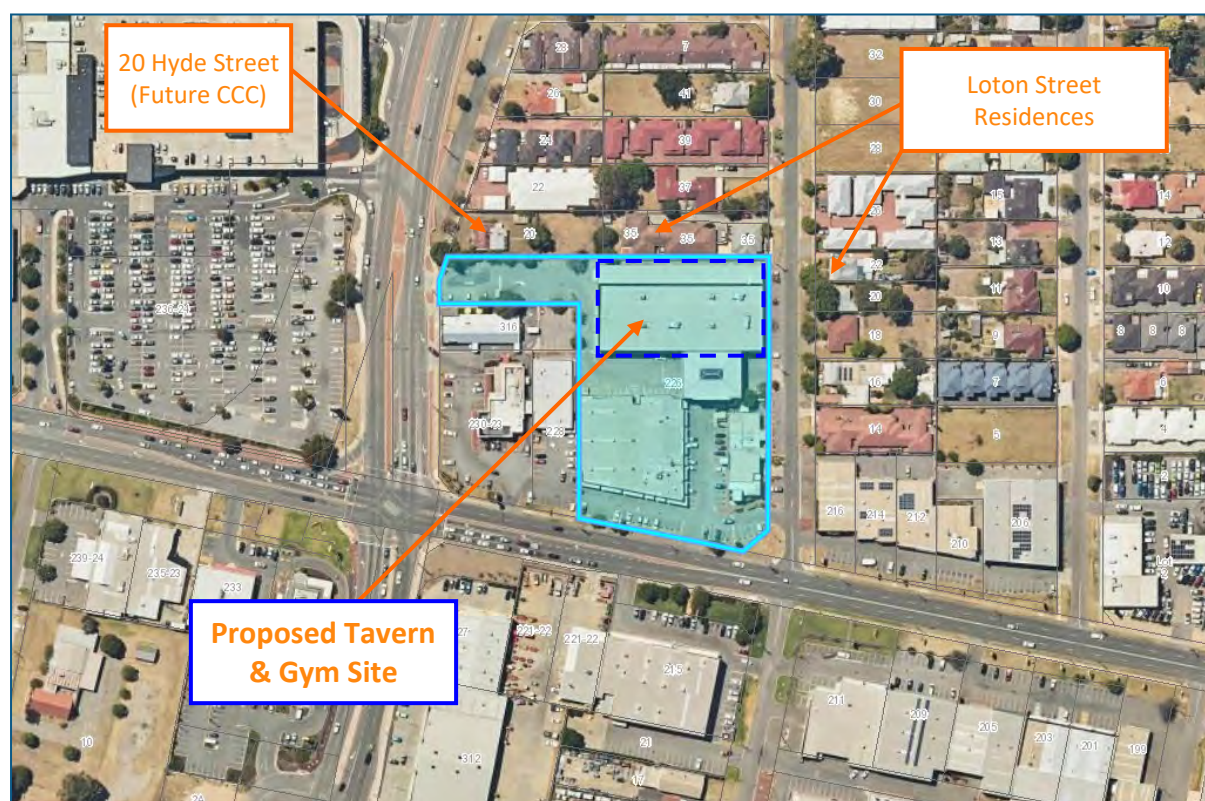


Figure 2-1 Site and Receiver Locations

It is noted the assigned noise levels are statistical levels and therefore the period over which they are determined is important. The Regulations define the Representative Assessment Period (RAP) as *a period of time of not less than 15 minutes, and not exceeding 4 hours*, which is determined by an *inspector or authorised person* to be appropriate for the assessment of a noise emission, having regard to the type and nature of the noise emission. An *inspector or authorised person* is a person appointed under Sections 87 & 88 of the *Environmental Protection Act 1986* and include Local Government Environmental Health Officers and Officers from the Department of Environment Regulation. Acoustic consultants or other environmental consultants are not appointed as an *inspector or authorised person*. Therefore, whilst this assessment is based on a 1 hour RAP, which is assumed to be appropriate given the nature of the operations, this is to be used for guidance only.



Figure 2-2 Influencing Factor at 35 Loton Avenue Dwellings

Table 2-4 Assigned Noise Levels

| Premises Receiving Noise | Time Of Day | Assigned Level (dB) | | |
|--|--|---------------------|-----------------|-------------------|
| | | L _{A10} | L _{A1} | L _{Amax} |
| Residences within 100m of Lloyd St or GEH 20-22 Hyde St, 16-18 & 3/35 Loton Ave | 0700 to 1900 hours Monday to Saturday (Day) | 56 | 66 | 76 |
| | 0900 to 1900 hours Sunday and public holidays (Sunday) | 51 | 61 | 76 |
| | 1900 to 2200 hours all days (Evening) | 51 | 61 | 66 |
| | 2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night) | 46 | 56 | 66 |
| Residences within 450m of Lloyd St or GEH 20-22 Loton Ave & 1/35 & 2/35 Loton Ave | 0700 to 1900 hours Monday to Saturday (Day) | 52 | 62 | 72 |
| | 0900 to 1900 hours Sunday and public holidays (Sunday) | 47 | 57 | 72 |
| | 1900 to 2200 hours all days (Evening) | 47 | 57 | 62 |
| | 2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night) | 42 | 52 | 62 |

2.1 Waste Collection and Site Cleaning (Specified Works)

Regulation 14A provides requirements for such activities as the collection of waste, landscaped area maintenance and car park cleaning. Such activities can also be exempt from having to comply with regulation 7, provided they are undertaken in accordance with regulation 14A(2) as follows:

- during daytime hours, defined as:
 - 07.00 to 19.00 Monday to Saturday (excluding public holiday), or
 - 09.00 to 19.00 on a Sunday or public holiday
- in the quietest reasonable and practicable manner; and
- using the quietest equipment reasonably available.

In the case where specified works are to be carried outside daytime hours and their noise emissions are likely not to comply with regulation 7, the works also need to be carried out according to a Noise Management Plan which has been approved by the local government authority CEO.

3 METHODOLOGY

Computer modelling has been used to predict noise levels at each nearby receiver. The software was *SoundPLAN 8.2* using the ISO 9613-2 (ISO 171534-3 improved method) algorithms. These algorithms have been selected as they include the influence of wind and atmospheric stability. Input data required in the model are:

- Meteorological Information;
- Topographical data;
- Ground Absorption; and
- Source sound power levels.

3.1 Meteorological Information

Meteorological information utilised is provided in *Table 3-1* and is considered to represent worst-case conditions for noise propagation. At wind speeds greater than those shown, sound propagation may be further enhanced, however background noise from the wind itself and from local vegetation is likely to be elevated and dominate the ambient noise levels.

Table 3-1 Modelling Meteorological Conditions

| Parameter | Day (0700-1900) | Night (1900-0700) |
|------------------|-----------------|-------------------|
| Temperature (°C) | 20 | 15 |
| Humidity (%) | 50 | 50 |
| Wind Speed (m/s) | Up to 5m/s | Up to 5m/s |
| Wind Direction* | All | All |

* Note that the modelling package used allows for all wind directions to be modelled simultaneously.

It is generally considered that compliance with the assigned noise levels needs to be demonstrated for 98% of the time, during the day and night periods, for the month of the year in which the worst-case weather conditions prevail. In most cases, the above conditions occur for more than 2% of the time and therefore must be satisfied.

3.2 Topographical Data

Topographical data was based on that publicly available from *Google* in the form of spot heights and combined with the site plan and building plans provided by the project team to create a 3-dimensional noise model. Local fencing has also been included.

Existing houses in the area are noted as being single storey.

Architectural and site plans of the development are included in *Appendix A*.

3.3 Ground Absorption

Ground absorption varies from a value of 0 to 1, with 0 being for an acoustically reflective ground (e.g. water or bitumen) and 1 for acoustically absorbent ground (e.g. grass). In this instance, a value of 0.1 has been used for tavern and carpark areas.

3.4 Source Sound Levels

The sound power levels used in the modelling are provided in *Table 3-2*.

The existing rooftop air conditioning plant are assumed to remain and therefore noise impacts have not been addressed in this assessment. Where additional plant are proposed to be installed as part of the fitout, compliance should be verified at detailed design by a suitably qualified acoustical consultant.

Table 3-2 Source Sound Levels, dB(A)

| Description | Octave Band Centre Frequency (Hz) | | | | | | | | Overall dB(A) |
|---|-----------------------------------|-----|-----|-----|----|----|----|----|---------------|
| | 63 | 125 | 250 | 500 | 1k | 2k | 4k | 8k | |
| Tavern Patrons Outer Area (40 Pax), L_w | 72 | 58 | 60 | 65 | 87 | 81 | 66 | 56 | 88 |
| Tavern Patrons Inner Alfresco area (150 Pax), L_w | 78 | 64 | 66 | 71 | 93 | 87 | 72 | 62 | 94 |
| Tavern Patrons Inner Dining area (400 Pax), L_w | 79 | 65 | 67 | 72 | 94 | 88 | 73 | 63 | 95 |
| Gym Noise (Centre of Room L_p) w/ light music | 94 | 81 | 70 | 69 | 69 | 65 | 62 | 56 | 74 |
| Arcade/Gaming Machine Noise, L_w | 74 | 60 | 62 | 67 | 89 | 83 | 68 | 58 | 90 |
| Refrigeration Condenser, L_{10} | 82 | 81 | 79 | 75 | 70 | 64 | 58 | 75 | 78 |
| Evaporative Cooler, L_{10} | - | 81 | 75 | 76 | 73 | 70 | 63 | - | 84 |
| Kitchen Exhaust Fan, L_{10} | 50 | 64 | 61 | 70 | 69 | 66 | 62 | 47 | 73 |
| Car Doors Closing, L_w | 71 | 74 | 77 | 81 | 80 | 78 | 72 | 61 | 84 |

With regards to the noise sources, the following is noted:

- L_p references sound pressure level and L_w is sound power level.
- The designated outer area is proposed to have a maximum capacity of 40 persons occupy this space (standing). Of these, a worst-case of 50% of patrons will be talking simultaneously at a sound power level of 75 dB(A) per person. These patrons are at a height of 1.5 metres.
- The Internal Tavern Area is divided into several areas, with “Alfresco” and “Arcade gaming” sections leading to the outer area via a series of roller doors. The combined area is approximately 130 m² and estimated to have a maximum capacity of 150 persons in this space

(standing). Of these, a worst-case of 50% of patrons will be talking simultaneously at a sound power level of 75 dB(A) per person. These patrons are at a height of 1.5 metres. In this area, music may be provided for ambience but is generally not to dominate noise levels;

- Further within the main entry doors, the main dining/area is located with an approximated area of 300m² and comprising an additional mezzanine and seated dining areas, is estimated at a capacity of approximately 400 persons. Of these, a worst-case of 50% of patrons will be talking simultaneously at a reduced sound power level of 70 dB(A) per person. These patrons are at a height of 1.3 metres. In this area, music may be provided for ambience but is generally not to dominate noise levels.
- In addition, it is noted that the mezzanine houses a number of gaming and arcade machines which are modelled as an area source over the entirety of the raised platform (assumed to be 1.5m above mezzanine floor level).
- The model assumes alfresco roller doors when closed to have a R_w of 10 dB.
- The gym noise level is based on centre-of-room measurements of an active gym training session with music playing in background. This is then scaled up as an area source inside the proposed gym tenancy, at 1.3m above ground level. Noise from inside the building is then calculated outwards via the large eastern windows – assumed to be 5mm thick glass.
- Car door noise is modelled as 1 metre above ground and positioned in each car parking bay.
- Absorptive ceiling panels (having NRC of 0.7) have been assumed within the ceiling space of the tavern, to provide a comfortable internal acoustic environment for patrons, which also assists in reducing environmental noise.
- Additional mechanical plant are proposed for the tavern, in particular, to include cooling, refrigeration and kitchen exhaust items. These have been included in the model from file data as mechanical services design will occur at later approval stages. The equipment locations are based on data provided by the architectural team.
- It is noted that the plans include reference to roller doors leading to the outer alfresco area, as well bi-fold doors interfacing between the alfresco and inner dining area. The roller doors have been assessed in both the open and closed states.

3.5 Noise Modelling Scenarios

The *Table 3-2* sound power levels were incorporated into the noise model and calculations were performed for nearest receivers. Noise contour plots were also generated which illustrate via 2D imagery, the impact of noise to the surrounding area.

The following worst case scenarios are assumed and modelled:

1. Night Operations – Tavern patron noise in alfresco and internally with roller doors open, as well as internal gym training noise via fixed windows.
2. Car park Noise – Car park door closing noise as maximum events in each car bay.
3. Roller doors shut – Same as Scenario 1 but with roller doors on west side in closed position.

4 RESULTS

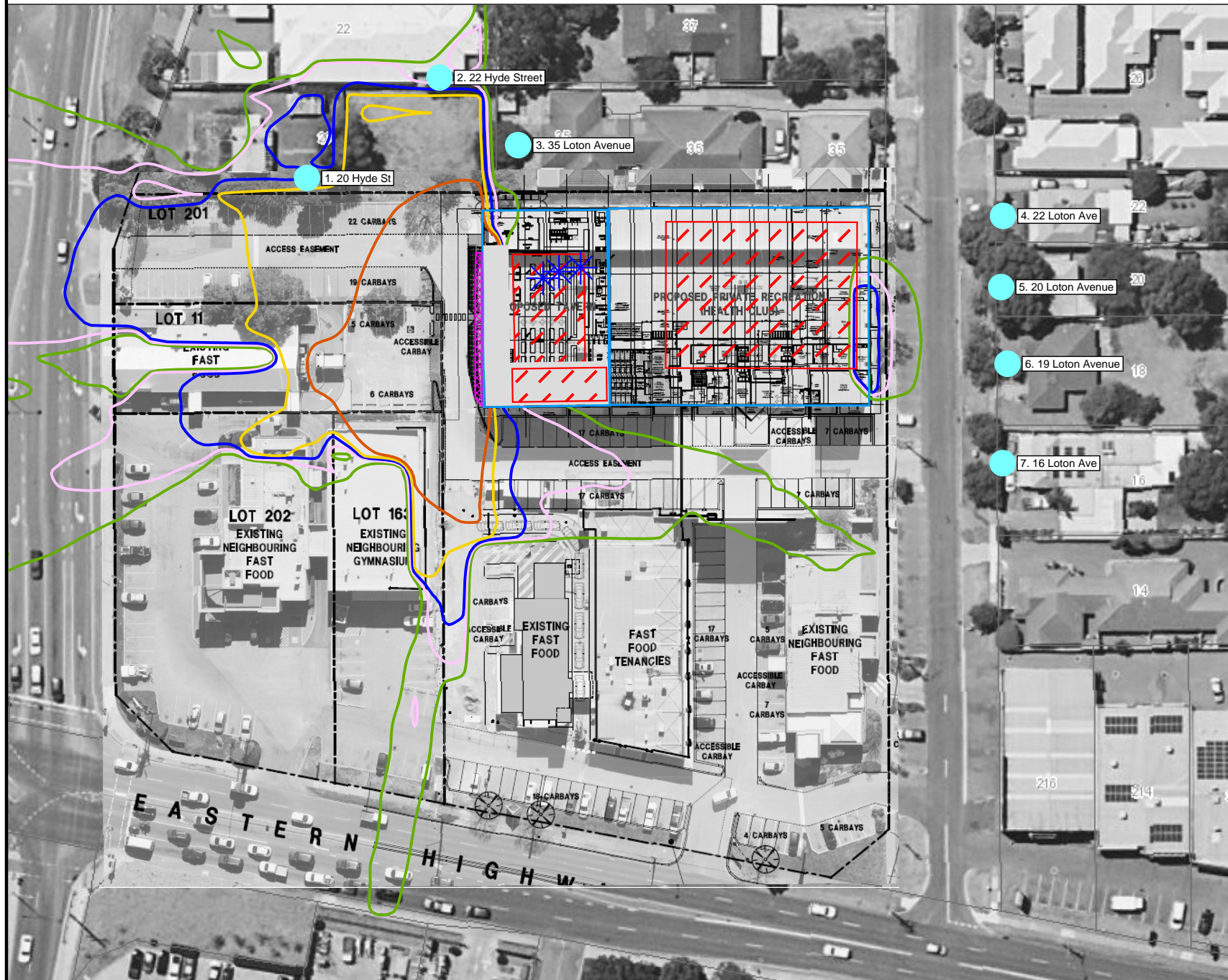
4.1 Scenario 1 – Operations

The noise modelling results of the tavern and gym operating at night are shown in *Table 4-1* and as a contour plot in *Figure 4-1*. Note that this represents the worst case noise levels, with the tavern at full capacity (inside and outside), all arcade gaming machines running, roller doors open and gym training in progress.

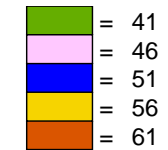
Table 4-1 Scenario 1 Predicted Noise Levels, dB LA10

| Receiver | Gym Noise | Alfresco Patrons | Tavern and Arcade Gaming Noise via Roller Doors | Additional Mechanical Plant | Total |
|-----------------------|-----------|------------------|---|-----------------------------|-----------|
| 1. 20 Hyde Street | <5 | 44 | 50 | 23 | 51 |
| 2. 22 Hyde Street | <5 | 36 | 43 | 24 | 44 |
| 3A. 1/35 Loton Avenue | 28 | 17 | 24 | 12 | 30 |
| 3B. 2/35 Loton Avenue | <5 | 25 | 30 | 26 | 32 |
| 3C. 3/35 Loton Avenue | <5 | 24 | 32 | 25 | 33 |
| 4. 22 Loton Avenue | 27 | 17 | 25 | 15 | 29 |
| 5. 20 Loton Avenue | 32 | 17 | 24 | 16 | 33 |
| 6. 18 Loton Avenue | 32 | 17 | 24 | 15 | 33 |
| 7. 16 Loton Avenue | 32 | 25 | 25 | 15 | 33 |

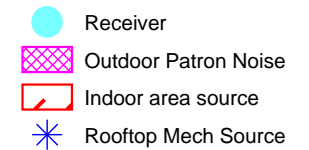
Figure 4-1 Tavern and Gym Noise, dB L_{A10}



Predicted Noise level



Legend



Scale 1:1000



Project No: 21086625
 Consultant: MM
 Date: 15/02/2022
 Algorithm: ISO 9613
 SoundPLAN Version: 8.2



Lloyd George Acoustics
 PO Box 717
 HILLARYS WA 6923
 (08) 9401 7770

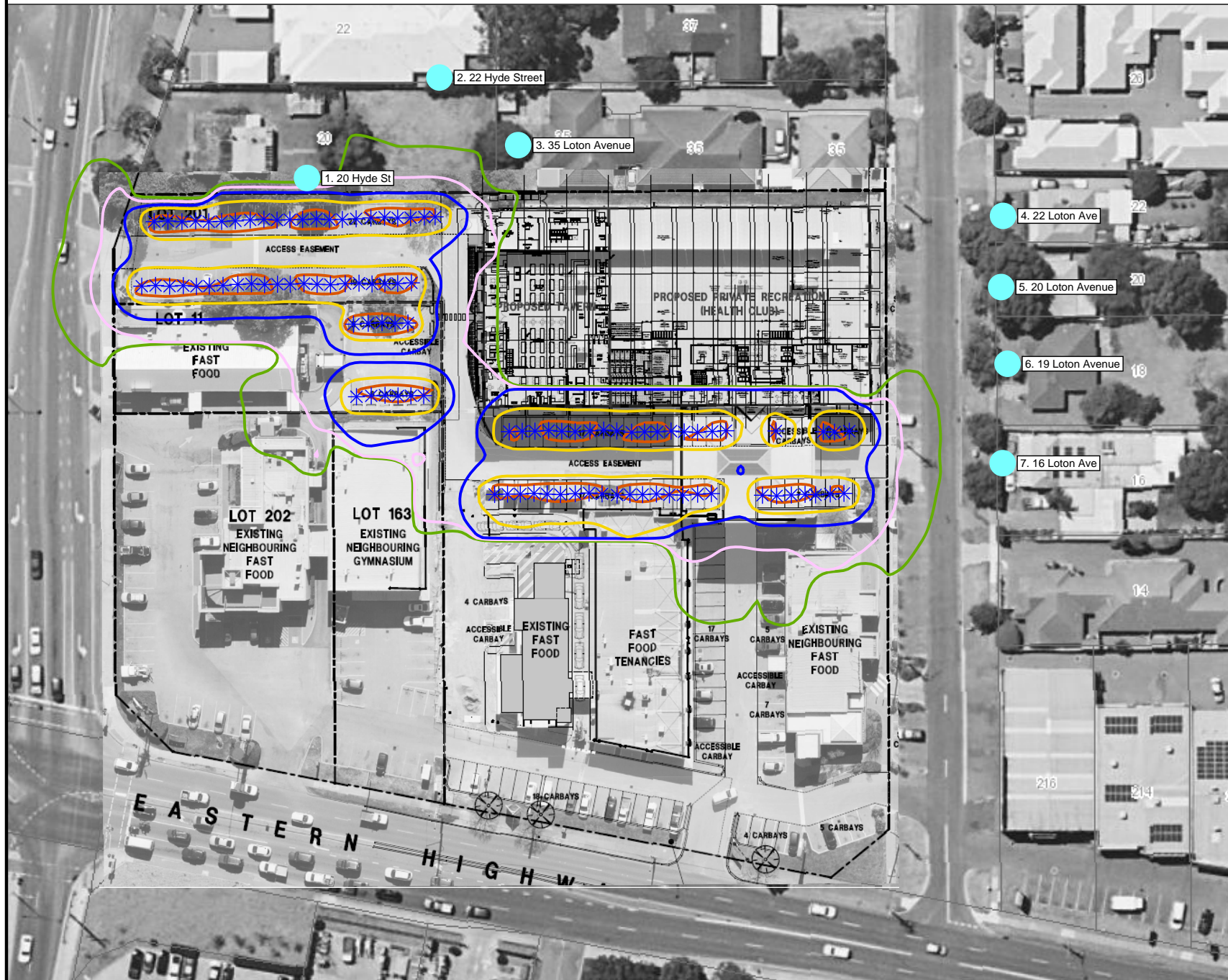
4.2 Scenario 2 – Car Park noise

The noise modelling results for car door noise in the car park areas is shown in *Table 4-2*. Note that this is the maximum noise event of the worst-case car door closing (levels are not cumulative). The noise levels are shown as a contour plot in *Figure 4-2*.

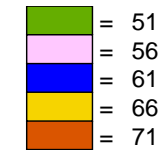
Table 4-2 Scenario 4 Predicted Noise Levels, dB L_{Amax}

| Receiver | Car door closing (maximum level) |
|-----------------------|----------------------------------|
| 1. 20 Hyde Street | 48 |
| 2. 22 Hyde Street | 35 |
| 3A. 1/35 Loton Avenue | 28 |
| 3B. 2/35 Loton Avenue | 23 |
| 3C. 3/35 Loton Avenue | 42 |
| 4. 22 Loton Avenue | 39 |
| 5. 20 Loton Avenue | 44 |
| 6. 18 Loton Avenue | 46 |
| 7. 16 Loton Avenue | 47 |

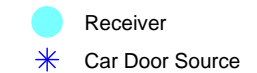
Figure 4-2 Car Park Noise, $dB L_{Amax}$



Predicted Noise level



Legend



Scale 1:1000



Project No: 21086625
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 Algorithm: ISO 9613
 SoundPLAN Version: 8.2



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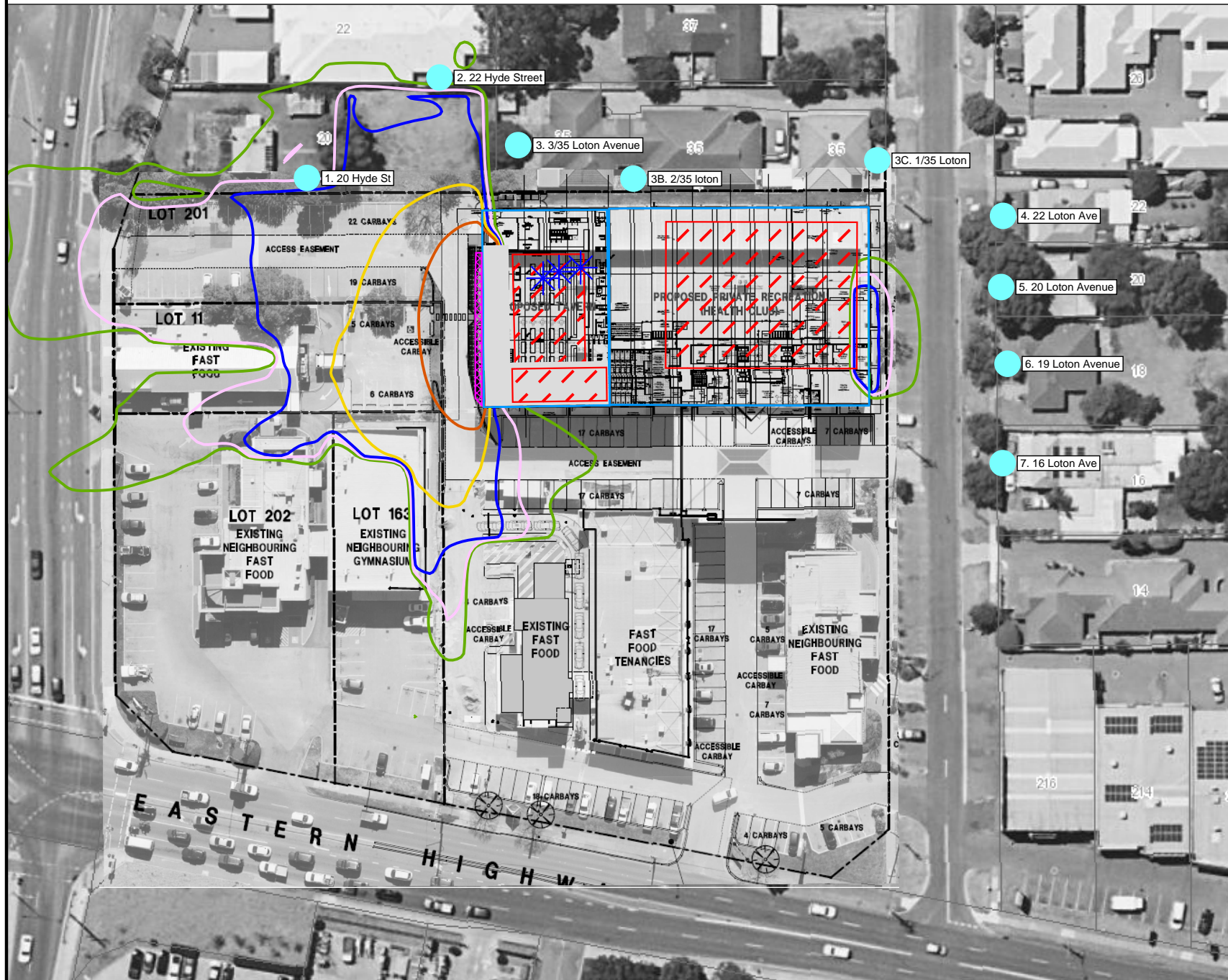
4.3 Scenario 3 – Operations with Roller Doors Shut

The noise modelling results of the tavern and gym operating at night with the roller doors on the west side in closed position are shown in *Table 4-3* and as a contour plot in *Figure 4-3*. Note that this represents the noise management scenario, with the tavern at full capacity (inside and outside), all arcade gaming machines running, roller doors shut and gym training in progress.

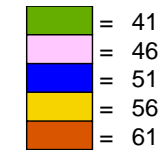
Table 4-3 Scenario 3 Predicted Noise Levels, dB L_{A10}

| Receiver | Gym Noise | Alfresco Patrons | Tavern and Arcade Gaming Noise via Roller Doors (shut) | Additional Mechanical Plant | Total |
|-----------------------|-----------|------------------|--|-----------------------------|-----------|
| 1. 20 Hyde Street | <5 | 44 | 40 | 23 | 45 |
| 2. 22 Hyde Street | <5 | 36 | 33 | 24 | 38 |
| 3A. 1/35 Loton Avenue | 28 | 17 | 14 | 12 | 29 |
| 3B. 2/35 Loton Avenue | <5 | 25 | 21 | 26 | 28 |
| 3C. 3/35 Loton Avenue | <5 | 24 | 22 | 25 | 29 |
| 4. 22 Loton Avenue | 27 | 17 | 15 | 15 | 29 |
| 5. 20 Loton Avenue | 32 | 17 | 15 | 16 | 33 |
| 6. 18 Loton Avenue | 32 | 17 | 15 | 15 | 33 |
| 7. 16 Loton Avenue | 32 | 25 | 16 | 15 | 33 |

Figure 4-3 Tavern and Gym Noise, Rollers Closed, dB L_{A10}



Predicted Noise level



Legend

- Receiver
- ▨ Outdoor Patron Noise
- ▨ Indoor area source
- ★ Rooftop Mech Source



Scale 1:1000



Project No: 21086625
 Consultant: MM
 Date: 29/03/2022
 Algorithm: ISO 9613
 SoundPLAN Version: 8.2



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5 ASSESSMENT

The noise modelling results are discussed for each of the relevant time periods.

5.1 Scenario 1

The results for this scenario are compared against the assigned levels and displayed in *Table 5-1*. Where patron noise is concerned, no intrusive characteristics are considered applicable.

Table 5-1 Assessment of Scenario 1 Noise Levels, dB LA10

| Receiver | Predicted Level | Dominant Source | Day Assigned Level | Evening Assigned Level | Night Assigned Level | Exceedance, dB |
|-----------------------|-----------------|-------------------------------|--------------------|------------------------|----------------------|----------------|
| 1. 20 Hyde Street | 51 | Tavern Noise via Roller Doors | 56 | 51 | 46 | Complies/+4 |
| 2. 22 Hyde Street | 44 | Tavern Noise via Roller Doors | 56 | 51 | 46 | Complies |
| 3A. 1/35 Loton Avenue | 30 | Gym Noise | 52 | 47 | 42 | Complies |
| 3B. 2/35 Loton Avenue | 32 | Mech Plant | 52 | 47 | 42 | Complies |
| 3C. 3/35 Loton Avenue | 33 | Tavern Noise via Roller Doors | 56 | 51 | 46 | Complies |
| 4. 22 Loton Avenue | 29 | Gym Noise | 52 | 47 | 42 | Complies |
| 5. 20 Loton Avenue | 33 | Gym Noise | 52 | 47 | 42 | Complies |
| 6. 18 Loton Avenue | 33 | Gym Noise | 56 | 51 | 46 | Complies |
| 7. 16 Loton Avenue | 33 | Gym Noise | 56 | 51 | 46 | Complies |

It should be noted that while 20 Hyde Street is predicted to receive the worst case noise levels, this property is in the design stages of development to a childcare centre and will therefore be unoccupied during the night and evening time periods. Noise is compliant during the day at all sensitive locations.

It should also be noted that the assessment has assumed music noise will be background in nature and therefore inaudible at any nearest residences and as such, the Regulatory music adjustments are not applied. The tavern and gym operator will need to ensure this is the case, particularly minimising any bass components.

It should be noted that the assessment assumes existing mechanical plant are to remain. The addition of any external mechanical plant selections during fitout of the building and positions may additional assessment.

5.2 Scenario 2 – Car Park Noise

Results for this scenario are provided in *Table 5-2*. An adjustment of + 10 dB is applied to car door closing noise due to possible impulsiveness.

Table 5-2 Assessment of Scenario 2 Noise Levels, dB L_{Amax}

| Receiver | Predicted Level | Adjusted Level | Day Assigned Level | Evening and Night Assigned Level | Exceedance, dB |
|-----------------------|-----------------|----------------|--------------------|----------------------------------|-----------------|
| 1. 20 Hyde Street | 48 | 58 | 76 | 66 | <i>Complies</i> |
| 2. 22 Hyde Street | 35 | 45 | 76 | 66 | <i>Complies</i> |
| 3A. 1/35 Loton Avenue | 28 | 38 | 72 | 62 | <i>Complies</i> |
| 3B. 2/35 Loton Avenue | 23 | 33 | 72 | 62 | <i>Complies</i> |
| 3C. 3/35 Loton Avenue | 42 | 52 | 76 | 66 | <i>Complies</i> |
| 4. 22 Loton Avenue | 39 | 49 | 72 | 62 | <i>Complies</i> |
| 5. 20 Loton Avenue | 44 | 54 | 72 | 62 | <i>Complies</i> |
| 6. 18 Loton Avenue | 46 | 56 | 76 | 66 | <i>Complies</i> |
| 7. 16 Loton Avenue | 47 | 57 | 76 | 66 | <i>Complies</i> |

The results demonstrate that car park noise from car doors complies at all times.

5.3 Scenario 3 (Roller doors shut)

The results for this scenario are compared against the assigned levels and displayed in *Table 5-3*. Where patron noise is concerned, no intrusive characteristics are considered applicable.

Table 5-3 Assessment of Scenario 3 Noise Levels, dB LA10

| Receiver | Predicted Level | Dominant Source | Day Assigned Level | Evening Assigned Level | Night Assigned Level | Exceedance, dB |
|-----------------------|-----------------|------------------|--------------------|------------------------|----------------------|----------------|
| 1. 20 Hyde Street | 45 | Alfresco Patrons | 56 | 51 | 46 | Complies |
| 2. 22 Hyde Street | 38 | Alfresco Patrons | 56 | 51 | 46 | Complies |
| 3A. 1/35 Loton Avenue | 29 | Gym Noise | 52 | 47 | 42 | Complies |
| 3B. 2/35 Loton Avenue | 28 | Mech Plant | 52 | 47 | 42 | Complies |
| 3C. 3/35 Loton Avenue | 29 | Mech Plant | 56 | 51 | 46 | Complies |
| 4. 22 Loton Avenue | 29 | Gym Noise | 52 | 47 | 42 | Complies |
| 5. 20 Loton Avenue | 33 | Gym Noise | 52 | 47 | 42 | Complies |
| 6. 18 Loton Avenue | 33 | Gym Noise | 56 | 51 | 46 | Complies |
| 7. 16 Loton Avenue | 33 | Gym Noise | 56 | 51 | 46 | Complies |

The assessment of operations with the roller doors shut demonstrates that compliance is achieved at all times in this mode. This is therefore shown to be an effective and compliant noise control mitigation measure if required by operational management.

6 RECOMMENDATIONS

As the assessment is for DA approval only at this stage, the following recommendations are indicative only. However, they do indicate that noise emissions will need to be carefully considered in the detailed design where applicable –

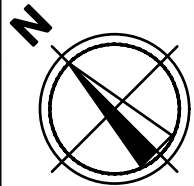
- Tavern Building Elements
 - Glazed elements of tavern area to have combined glass/frame/seal acoustic performance of windows/door to be $R_w \geq 31$.
 - Bifold door systems (glass, frame and seals) to have acoustic performance ratings meeting $R_w \geq 31$ dB.
 - Roller doors to have an $R_w \geq 10$ dB. Doors should incorporate brush seals and no air gaps.
 - Absorptive ceiling panels (having NRC of 0.7) have been assumed within the ceiling space of the tavern, to provide a comfortable internal acoustic environment for patrons, which also assists in reducing environmental noise.
- Gym Building Elements
 - Glazed elements have been assumed to be 5mm glass, in fixed frames. No openings should be made on the eastern facade of the building.
 - Suitable impact isolation should be applied throughout the gym such that ground-borne noise from impacts is minimised.
- Mechanical Plant
 - Will require acoustic assessment at building permit stage should additional plant be installed as part of tenancy fit out.
- Site General
 - Waste collection to occur during daytime hours, defined as:
 - 7.00am to 7.00pm Monday to Saturday (excluding public holiday), or
 - 9.00am to 7:00pm on a Sunday or public holiday
 - Patrons leaving the tavern and gym should be encouraged by staff and signage to leave quietly in a courteous manner. This is especially relevant on the northern and eastern ends of the lot where residences are in close proximity.
- Music and Tavern operations
 - A noise management plan should be prepared to encompass all aspects of tavern noise that are operational in nature and with regard to patron numbers, house speaker settings, seating configurations etc.
- Events
 - Noise management plan should include details of any special measures to manage noise from special events or and functions should this occur as part of the proposal.

Appendix A

Design Drawings



**PROPOSED CHANGE OF USE
(TAVERN & PRIVATE RECREATION)**
226 GREAT EASTERN HIGHWAY &
316 LLOYD STREET
MIDLAND
SITE SUBJECT TO THIS APPLICATION



HINDLEY & ASSOCIATES
PTY LTD
BUILDING DESIGNERS

166 STIRLING HIGHWAY
NEDLANDS WA 6009

PO BOX 199
NEDLANDS WA 6909

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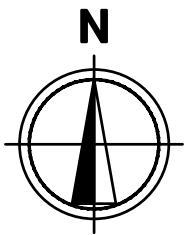
A3 SHEET

SITE LOCATION PLAN

NOT TO SCALE

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| | | |
|---------|---|-------------|
| Date | - | 14.09.21 |
| Design | - | CPH |
| Drawn | - | CPH |
| Checked | - | CPH |
| Scale | - | N.T.S. |
| Job No. | - | 0704 |
| Dwg | - | DA01 |
| Rev | - | A |



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A3 SHEET

EXISTING EASEMENT PLAN

NOT TO SCALE

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| | | |
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| Scale | - | N.T.S. |
| Job No. | - | 0704 |
| Dwg | - | DA02 |
| Rev | - | A |

DEVELOPMENT SCHEDULE

SITE AREAS

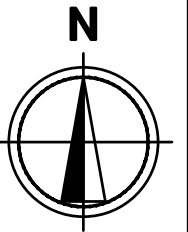
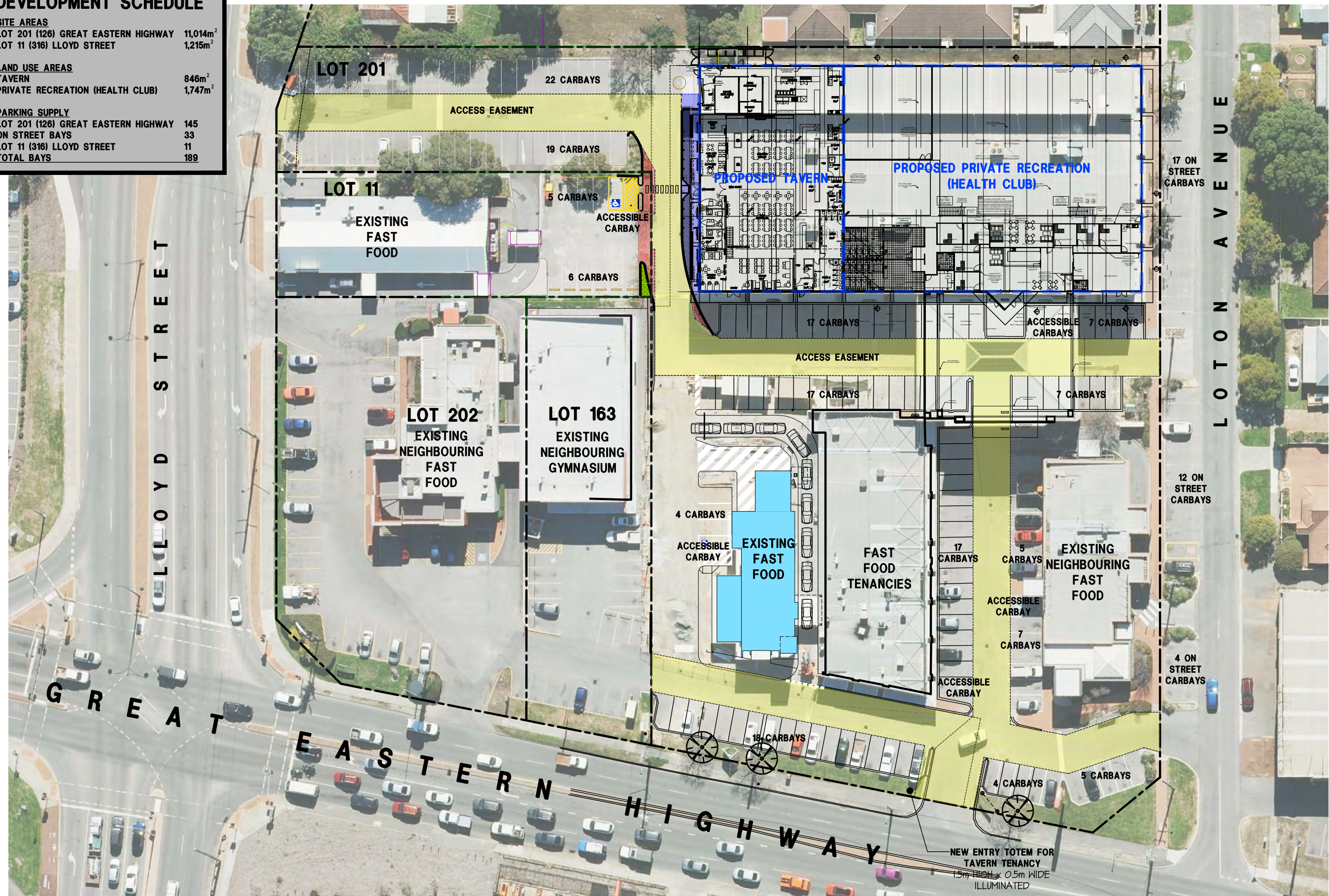
| | |
|-------------------------------------|----------------------|
| LOT 201 (126) GREAT EASTERN HIGHWAY | 11,014m ² |
| LOT 11 (316) LLOYD STREET | 1,215m ² |

LAND USE AREAS

| | |
|----------------------------------|---------------------|
| TAVERN | 846m ² |
| PRIVATE RECREATION (HEALTH CLUB) | 1,747m ² |

PARKING SUPPLY

| | |
|-------------------------------------|-----|
| LOT 201 (126) GREAT EASTERN HIGHWAY | 145 |
| ON STREET BAYS | 33 |
| LOT 11 (316) LLOYD STREET | 11 |
| TOTAL BAYS | 189 |



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A3 SHEET

OVERALL SITE PLAN

SCALE 1:600

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

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| Scale | 1:600 |
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| Dwg | DA03 |
| Rev | B |

BIN STORE PLAN

SCALE 1:100

DOUBLE 1300mm PROFILED METAL SHEET CLAD GATES WITH SELECTED COLORBOND FINISH.

PROPOSED BIN STORE

EXISTING BIN STORE REMOVED AND NEW BIN STORE WITH SELECTED COLORBOND WALLS TO REPLACE EXISTING - REFER TO INSET DETAIL.

TENANCY 1

TAVERN

G.L.A. 846m²

SEATING AREA 115m²

BAR AREA 56m²

TENANCY 2

PRIVATE RECREATION

(HEALTH STUDIO)

G.L.A. 1,755m²

AWNINGS CUTBACK

EXISTING AWNINGS CUTBACK - REFER TO ELEVATIONS.

TENANCY 1

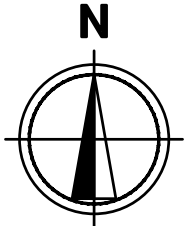
ALFRESCO

G.L.A. 43m²

PROPOSED GROUND FLOOR PLAN

SCALE 1:250

PROPOSED TAVERN & PRIVATE RECREATION
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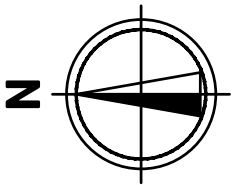
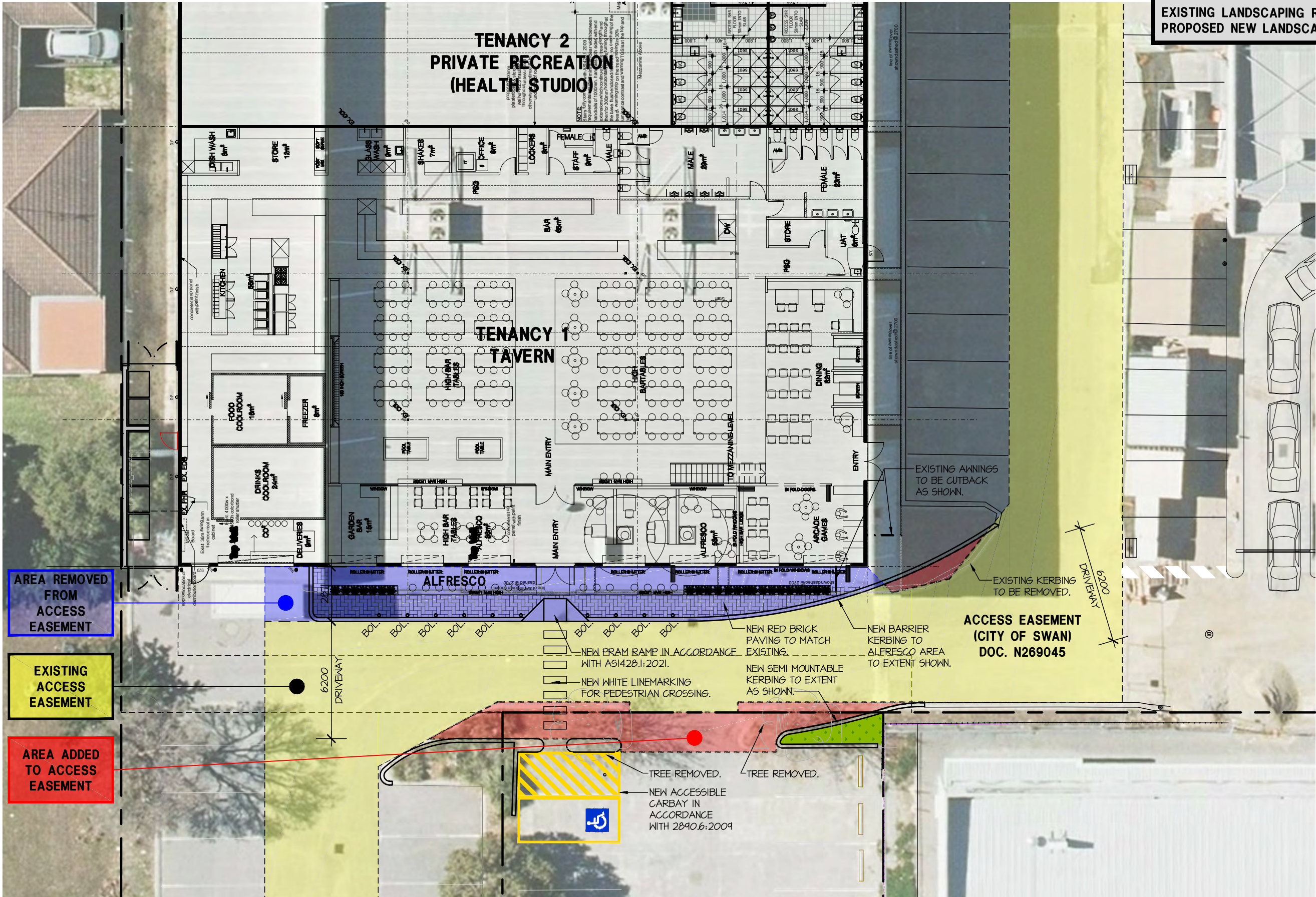
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A3 SHEET

| | |
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| Drawn | CPH |
| Checked | CPH |
| Scale | 1:250 |
| Job No. | 0704 |
| Dwg | DA04 |
| Rev | B |

| DEVELOPMENT SUMMARY | |
|------------------------------|--------------------|
| EXISTING LANDSCAPING REMOVED | 45.3m ² |
| PROPOSED NEW LANDSCAPING | 34.3m ² |



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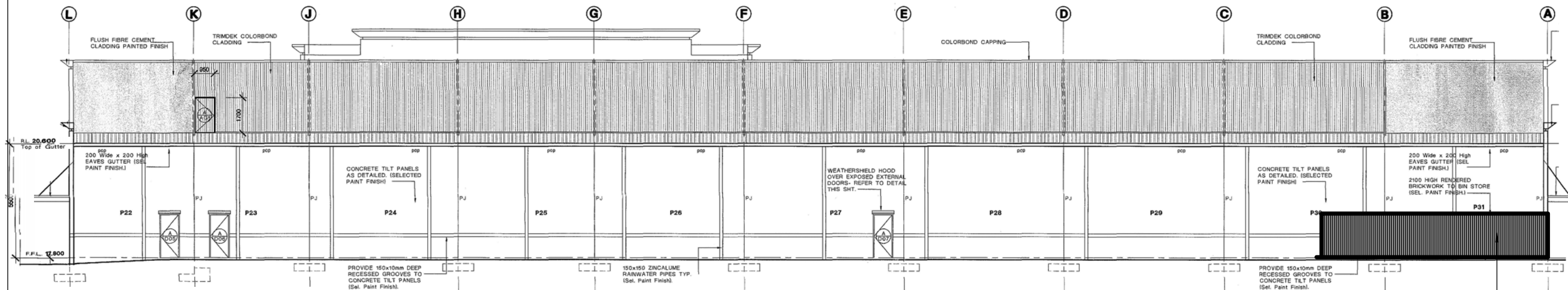
A3 SHEET

EASEMENT REALIGNMENT AND DRIVEWAY PLAN

SCALE 1:200

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| | | |
|---------|---|----------|
| Date | - | 05.02.20 |
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| Drawn | - | CPH |
| Checked | - | CPH |
| Scale | - | 1:200 |
| Job No. | - | 0704 |
| Dwg | - | DA06 |
| Rev | - | A |

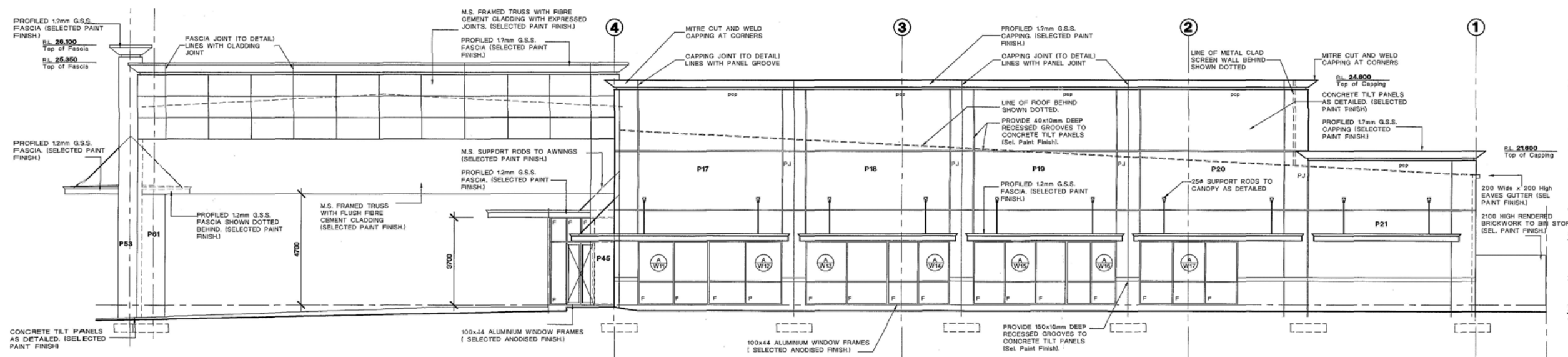


NORTH ELEVATION

SCALE 1:200

BIN STORE

2100mm HIGH STEEL FRAMED BIN STORE WITH ROOF WITH SELECTED COLORBOND SHEETING - REFER TO FLOOR PLAN FOR LAYOUT AND EXTENTS.



EAST ELEVATION

SCALE 1:200

TYPICAL BUILDING COLOURS



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Drawn - CPH
Checked - CPH
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Job No. - 0704
Dwg. **DA08**
Rev - **A**



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DEVELOPMENT APPLICATION

Appendix B

Terminology

The following is an explanation of the terminology used throughout this report.

Decibel (dB)

The decibel is the unit that describes the sound pressure and sound power levels of a noise source. It is a logarithmic scale referenced to the threshold of hearing.

A-Weighting

An A-weighted noise level has been filtered in such a way as to represent the way in which the human ear perceives sound. This weighting reflects the fact that the human ear is not as sensitive to lower frequencies as it is to higher frequencies. An A-weighted sound level is described as L_A dB.

Sound Power Level (L_w)

Under normal conditions, a given sound source will radiate the same amount of energy, irrespective of its surroundings, being the sound power level. This is similar to a 1kW electric heater always radiating 1kW of heat. The sound power level of a noise source cannot be directly measured using a sound level meter but is calculated based on measured sound pressure levels at known distances. Noise modelling incorporates source sound power levels as part of the input data.

Sound Pressure Level (L_p)

The sound pressure level of a noise source is dependent upon its surroundings, being influenced by distance, ground absorption, topography, meteorological conditions etc and is what the human ear actually hears. Using the electric heater analogy above, the heat will vary depending upon where the heater is located, just as the sound pressure level will vary depending on the surroundings. Noise modelling predicts the sound pressure level from the sound power levels taking into account ground absorption, barrier effects, distance etc.

L_{ASlow}

This is the noise level in decibels, obtained using the A frequency weighting and the S (Slow) time weighting as specified in IEC 61672-1:2002. Unless assessing modulation, all measurements use the slow time weighting characteristic.

L_{AFast}

This is the noise level in decibels, obtained using the A frequency weighting and the F (Fast) time weighting as specified in IEC 61672-1:2002. This is used when assessing the presence of modulation only.

L_{APeak}

This is the greatest absolute instantaneous sound pressure in decibels using the A frequency weighting as specified in IEC 61672-1:2002.

L_{Amax}

An L_{Amax} level is the maximum A-weighted noise level during a particular measurement.

L_{A1}

An L_{A1} level is the A-weighted noise level which is exceeded for one percent of the measurement period and is considered to represent the average of the maximum noise levels measured.

L_{A10}

An L_{A10} level is the A-weighted noise level which is exceeded for 10 percent of the measurement period and is considered to represent the “intrusive” noise level.

L_{Aeq}

The equivalent steady state A-weighted sound level (“equal energy”) in decibels which, in a specified time period, contains the same acoustic energy as the time-varying level during the same period. It is considered to represent the “average” noise level.

L_{A90}

An L_{A90} level is the A-weighted noise level which is exceeded for 90 percent of the measurement period and is considered to represent the “background” noise level.

One-Third-Octave Band

Means a band of frequencies spanning one-third of an octave and having a centre frequency between 25 Hz and 20 000 Hz inclusive.

L_{Amax} assigned level

Means an assigned level which, measured as a $L_{A\ Slow}$ value, is not to be exceeded at any time.

L_{A1} assigned level

Means an assigned level which, measured as a $L_{A\ Slow}$ value, is not to be exceeded for more than 1% of the representative assessment period.

L_{A10} assigned level

Means an assigned level which, measured as a $L_{A\ Slow}$ value, is not to be exceeded for more than 10% of the representative assessment period.

Tonal Noise

A tonal noise source can be described as a source that has a distinctive noise emission in one or more frequencies. An example would be whining or droning. The quantitative definition of tonality is:

the presence in the noise emission of tonal characteristics where the difference between -

- (a) the A-weighted sound pressure level in any one-third octave band; and
- (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A\ Slow}$ levels.

This is relatively common in most noise sources.

Modulating Noise

A modulating source is regular, cyclic and audible and is present for at least 10% of the measurement period. The quantitative definition of modulation is:

a variation in the emission of noise that —

- (a) is more than 3 dB $L_{A\ Fast}$ or is more than 3 dB $L_{A\ Fast}$ in any one-third octave band;
- (b) is present for at least 10% of the representative.

Impulsive Noise

An impulsive noise source has a short-term banging, clunking or explosive sound. The quantitative definition of impulsiveness is:

a variation in the emission of a noise where the difference between $L_{A \text{ peak}}$ and $L_{A \text{ Max slow}}$ is more than 15 dB when determined for a single representative event;

Major Road

Is a road with an estimated average daily traffic count of more than 15,000 vehicles.

Secondary / Minor Road

Is a road with an estimated average daily traffic count of between 6,000 and 15,000 vehicles.

Influencing Factor (IF)

$$= \frac{1}{10} (\% \text{ Type A}_{100} + \% \text{ Type A}_{450}) + \frac{1}{20} (\% \text{ Type B}_{100} + \% \text{ Type B}_{450})$$

where :

% Type A₁₀₀ = the percentage of industrial land within
a 100m radius of the premises receiving the noise

% Type A₄₅₀ = the percentage of industrial land within
a 450m radius of the premises receiving the noise

% Type B₁₀₀ = the percentage of commercial land within
a 100m radius of the premises receiving the noise

% Type B₄₅₀ = the percentage of commercial land within
a 450m radius of the premises receiving the noise

+ Traffic Factor (maximum of 6 dB)

= 2 for each secondary road within 100m

= 2 for each major road within 450m

= 6 for each major road within 100m

Representative Assessment Period

Means a period of time not less than 15 minutes, and not exceeding four hours, determined by an inspector or authorised person to be appropriate for the assessment of a noise emission, having regard to the type and nature of the noise emission.

Background Noise

Background noise or residual noise is the noise level from sources other than the source of concern. When measuring environmental noise, residual sound is often a problem. One reason is that regulations often require that the noise from different types of sources be dealt with separately. This separation, e.g. of traffic noise from industrial noise, is often difficult to accomplish in practice. Another reason is that the measurements are normally carried out outdoors. Wind-induced noise, directly on the microphone and indirectly on trees, buildings, etc., may also affect the result. The character of these noise sources can make it difficult or even impossible to carry out any corrections.

Ambient Noise

Means the level of noise from all sources, including background noise from near and far and the source of interest.

Specific Noise

Relates to the component of the ambient noise that is of interest. This can be referred to as the noise of concern or the noise of interest.

Peak Component Particle Velocity (PCPV)

The maximum instantaneous velocity in mm/s of a particle at a point during a given time interval and in one of the three orthogonal directions (x, y or z) measured as a peak response. Peak velocity is normally used for the assessment of structural damage from vibration.

Peak Particle Velocity (PPV)

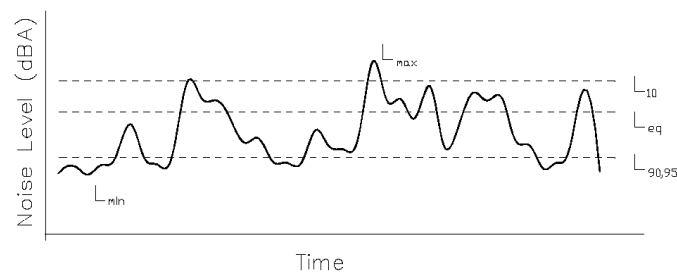
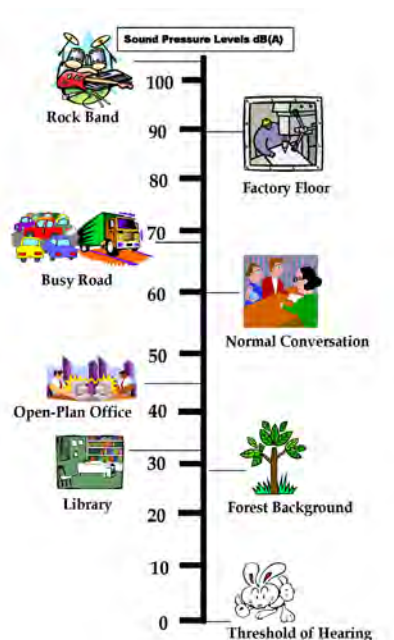
The maximum instantaneous velocity in mm/s of a particle at a point during a given time interval and is the vector sum of the PCPV for the x, y and z directions measured as a peak response. Peak velocity is normally used for the assessment of structural damage from vibration.

RMS Component Particle Velocity (PCPV)

The maximum instantaneous velocity in mm/s of a particle at a point during a given time interval and in one of the three orthogonal directions (x, y or z) measured as a root mean square (rms) response. RMS velocity is normally used for the assessment of human annoyance from vibration.

Peak Particle Velocity (PPV)

The maximum instantaneous velocity in mm/s of a particle at a point during a given time interval and is the vector sum of the PCPV for the x, y and z directions measured as a root mean square (rms) response. RMS velocity is normally used for the assessment of human annoyance from vibration.

Chart of Noise Level Descriptors**Typical Noise Levels**

LOT 201 (226) GREAT EASTERN HIGHWAY, MIDLAND & LOT 11 (316) LLOYD STREET, MIDLAND - CHANGE OF USE TO 'TAVERN' AND 'PRIVATE RECREATION - GYM', INCLUDING EXTERNAL BUILDING WORKS AND MINOR CAR PARK CHANGES

Form 1 – Responsible Authority Report
(Regulation 12)

| | | |
|--|---|--|
| DAP Name: | Metro Outer Joint Development Assessment Panel | |
| Local Government Area: | City of Swan | |
| Applicant: | APEX Planning | |
| Owner: | Linnpark Pty Ltd | |
| Value of Development: | \$3 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6) | |
| Responsible Authority: | Western Australian Planning Commission | |
| Authorising Officer: | A/Planning Director - Metro North Land Use Planning | |
| LG Reference: | DA-1087/2021 | |
| DAP File No: | DAP/21/02150 | |
| Application Received Date: | 11 March 2022 | |
| Report Due Date: | 20 May 2022 | |
| Application Statutory Process Timeframe: | 90 Days | |
| Attachment(s): | 1. Development Plans 2. Zoning Plan | |
| Is the Responsible Authority Recommendation the same as the Officer Recommendation? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A | Complete Responsible Authority Recommendation section |
| | <input type="checkbox"/> No | Complete Responsible Authority and Officer Recommendation sections |

Responsible Authority Recommendation

That the Metro Outer JDAP resolves to:

Approve DAP Application reference DAP/21/02150 and accompanying plans in accordance with the provisions of the Metropolitan Region Scheme, for the proposal of a change of use from Showroom to Tavern and Recreation Private - Gym at Lot 201 (No.226) Great Eastern Highway, Midland & Lot 11 (No.16A) Lloyd Street, Midland, subject to:

Conditions

1. All signs must be placed on private property and must not over hang or encroach the Great Eastern Highway Primary Regional Road reservation.

2. Any proposed illumination of the sign must not exceed 300cd/m² (candela per square metre) between sunset and sunrise.
3. The sign must not flash, pulsate or chase.
4. The device must not contain fluorescent, reflective or retro reflective colours or materials.

Details: outline of development application

| | |
|---|---|
| Region Scheme | Metropolitan Region Scheme (MRS) |
| Region Scheme - Zone/Reserve | Urban |
| Local Planning Scheme | City of Swan Local Planning Scheme No.17 |
| Local Planning Scheme - Zone/Reserve | Highway Service Zone |
| Structure Plan/Precinct Plan | N/A |
| Structure Plan/Precinct Plan - Land Use Designation | Highway Service Precinct |
| Use Class and permissibility: | Recreation - Private ('D') Tavern ('A') |
| Lot Size: | Lot 201 (No.226) Great Eastern Highway, Midland - 1.1ha & Lot 11 (No.16A) Lloyd Street, Midland - 1,214m ² |
| Existing Land Use: | Showroom and Fast Food |
| State Heritage Register | No |
| Local Heritage | <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area |
| Design Review | <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other |
| Bushfire Prone Area | No |
| Swan River Trust Area | No |

Proposal:

The proposal seeks development approval for a change of use from Showroom to Tavern and Private Recreation (Gym) at Lot 201 (No.226) Great Eastern Highway & Lot 11 (No.16A) Lloyd Street, in Midland (**Attachment 1** - Development Plans).

Background:

The subject site has direct frontage and vehicle access to Lloyd Street to the west (an Other Regional Road under the MRS), Great Eastern Highway (a Primary Regional Road under the MRS) to the south and Loton Avenue to the east (**Attachment 2** - Zoning Plan). Common vehicle access is provided to the development site from the public road network via a number of existing crossovers.

The City of Swan (the City) forwarded the application to the Western Australian Planning Commission (WAPC) for consideration pursuant to Delegation Notice 2022/03, as it did not accept the recommendations of Main Roads Western Australia (MRWA) and the Department of Planning, Lands and Heritage (the Department).

However, since then the Department has received additional traffic information (**Attachment 3** - Technical Note 2) from the applicant and further advice from MRWA on the application, as discussed below.

Legislation and Policy:

Legislation

Planning and Development Act 2005

Planning and Development (Development Assessment Panels) Regulations 2011

Metropolitan Region Scheme

State Government Policies

Development Control Policy 5.1: Regional Roads (Vehicular Access)

Structure Plans/Activity Centre Plans

N/A

Local Policies

N/A

Consultation:

Public Consultation

The City will provide outcomes of advertising undertaken within its RAR.

Referrals/consultation with Government/Service Agencies

Both MRWA and the Department were consulted by the City as the subject site abuts both a Primary Regional Road (PRR) and an Other Regional Road (ORR). MRWA and the Department originally were unable to support the proposal, raising concerns with the traffic information provided in relation to trip generation, intersection movement and safety issues.

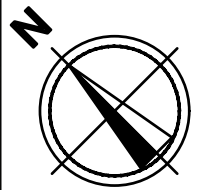
Planning Assessment:

The development site is not affected by the PRR or ORR reservations. No access modifications are proposed to the regional road network which is in accordance with *Development Control Policy 5.1: Regional Roads (Vehicular Access)* where the number of new access points to regional roads is minimised.

Given the original concerns raised by MRWA and the Department in relation to the traffic information supporting the application, additional traffic information was provided to the Department by the applicant. MRWA has subsequently advised that it has no objection to the application subject to conditions recommended in this report. Given that the concerns originally raised by MRWA and the Department have been addressed, it is recommended that the application be supported.

Conclusion:

It is recommended that the application be conditionally approved under the MRS.



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DEVELOPMENT APPLICATION

DEPARTMENT OF PLANNING, LANDS
AND HERITAGE

| | |
|-------------|------------|
| DATE | FILE |
| 15-Mar-2022 | 21-50761-1 |

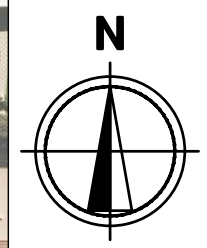
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A3 SHEET

SITE LOCATION PLAN NOT TO SCALE

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| | | |
|---------|---|-------------|
| Date | - | 14.09.21 |
| Design | - | CPH |
| Drawn | - | CPH |
| Checked | - | CPH |
| Scale | - | N.T.S. |
| Job No. | - | 0704 |
| Dwg | - | DA01 |
| Rev | - | A |



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DEVELOPMENT APPLICATION

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A3 SHEET

EXISTING EASEMENT PLAN

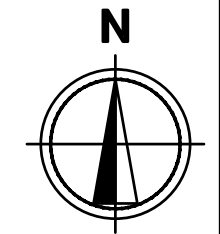
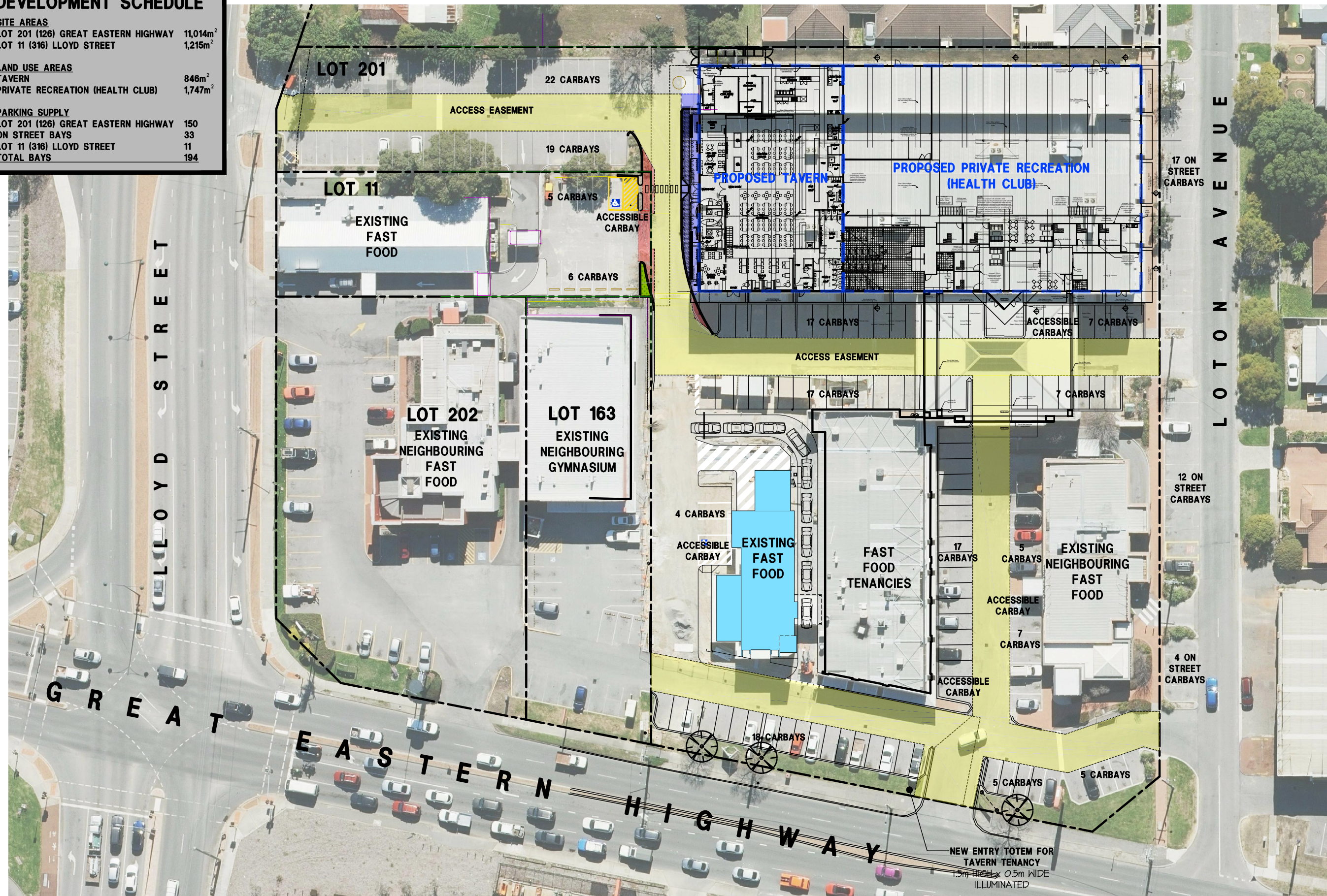
NOT TO SCALE

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| | | |
|---------|---|----------|
| Date | - | 05.02.20 |
| Design | - | CPH |
| Drawn | - | CPH |
| Checked | - | CPH |
| Scale | - | N.T.S. |
| Job No. | - | 0704 |
| Dwg | - | DA02 |
| Rev | - | A |

DEVELOPMENT SCHEDULE

| | |
|-------------------------------------|----------------------|
| SITE AREAS | |
| LOT 201 (126) GREAT EASTERN HIGHWAY | 11,014m ² |
| LOT 11 (316) LLOYD STREET | 1,215m ² |
| LAND USE AREAS | |
| TAVERN | 846m ² |
| PRIVATE RECREATION (HEALTH CLUB) | 1,747m ² |
| PARKING SUPPLY | |
| LOT 201 (126) GREAT EASTERN HIGHWAY | 150 |
| ON STREET BAYS | 33 |
| LOT 11 (316) LLOYD STREET | 11 |
| TOTAL BAYS | 194 |



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DEVELOPMENT APPLICATION

OVERALL SITE PLAN

SCALE 1:600

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

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| B | 16.11.21 | DEVELOPMENT APPLICATION ISSUE | CPH | CPH |

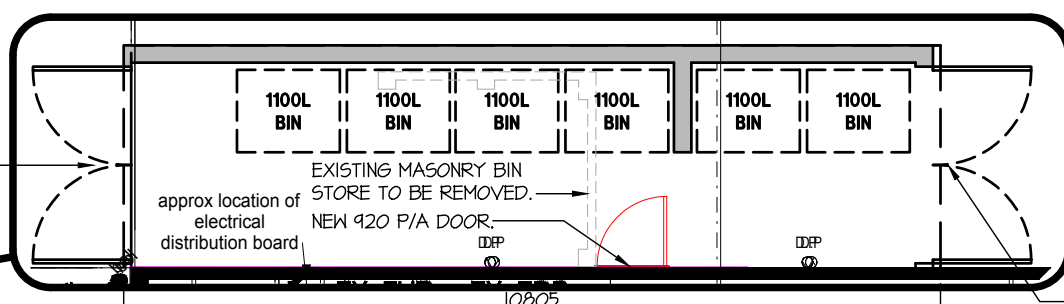
A3 SHEET

| | |
|---------|----------|
| Date | 05.02.20 |
| Design | CPH |
| Drawn | CPH |
| Checked | CPH |
| Scale | 1:600 |
| Job No. | 0704 |
| Dwg | DA03 |
| Rev | B |

BIN STORE PLAN

SCALE 1:100

DOUBLE 1300mm PROFILED METAL SHEET CLAD GATES WITH SELECTED COLORBOND FINISH.

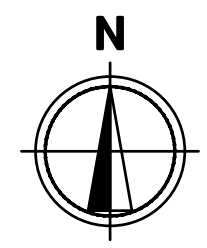


DOUBLE 1300mm PROFILED METAL SHEET CLAD GATES WITH SELECTED COLORBOND FINISH.

PROPOSED BIN STORE
EXISTING BIN STORE REMOVED AND NEW BIN STORE WITH SELECTED COLORBOND WALLS TO REPLACE EXISTING - REFER TO INSET DETAIL.

**TENANCY 1
TAVERN**
G.L.A. 846m²
SEATING AREA 115m²
BAR AREA 56m²

**TENANCY 2
PRIVATE RECREATION
(HEALTH STUDIO)**
G.L.A. 1,755m²



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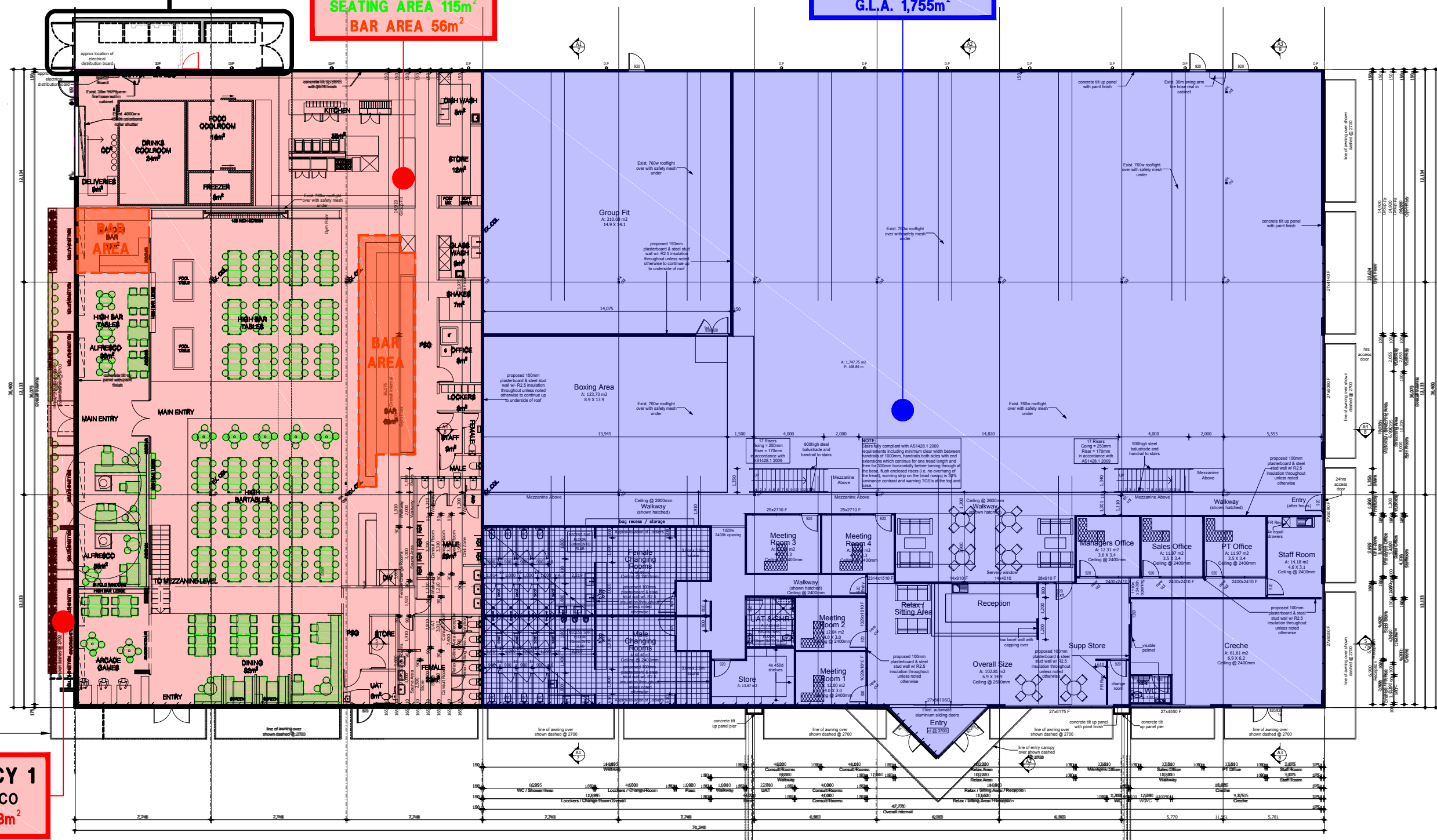
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DEVELOPMENT APPLICATION

**AWNINGS
CUTBACK**
EXISTING
AWNINGS
CUTBACK -
REFER TO
ELEVATIONS.

**TENANCY 1
ALFRESCO**
G.L.A. 43m²



PROPOSED GROUND FLOOR PLAN

SCALE 1:250

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| NO. | DATE | REVISION | DRAWN | CHECK |
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| B | 16.11.21 | DEVELOPMENT APPLICATION ISSUE | CPH | CPH |

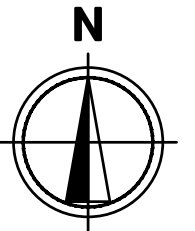
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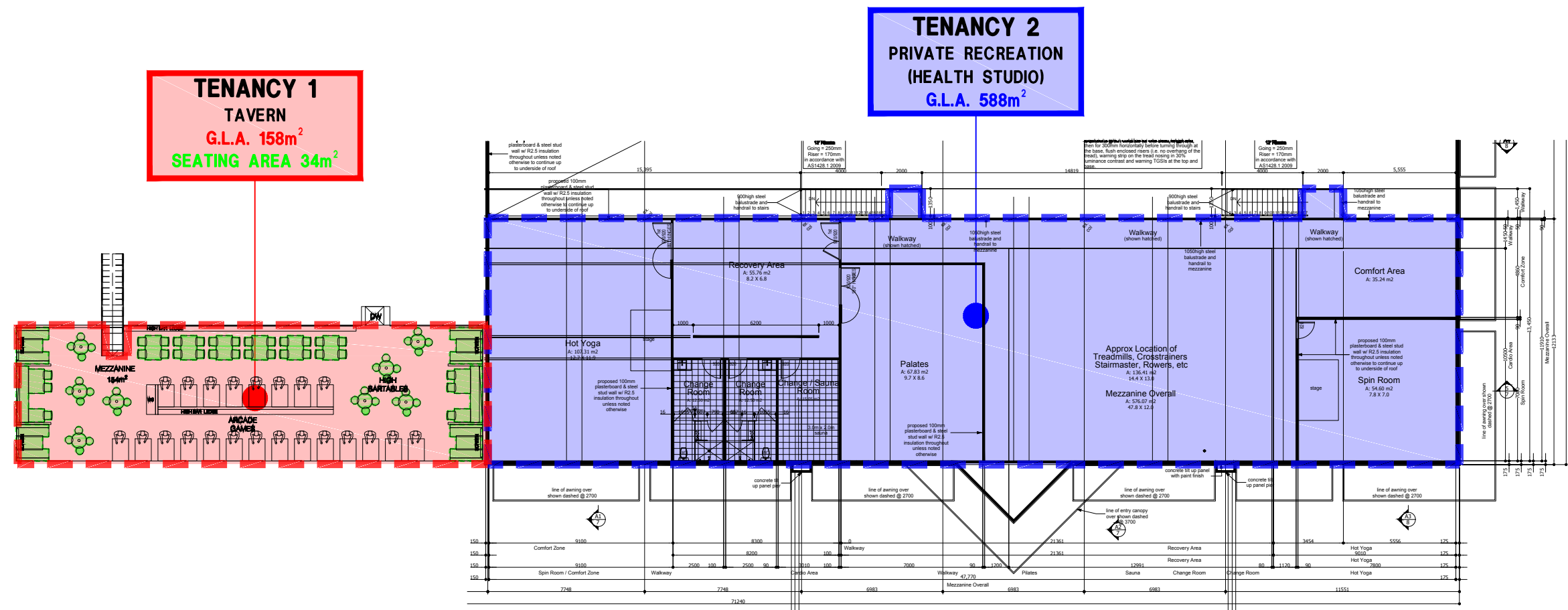
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| Scale | - | 1:250 |
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DEVELOPMENT APPLICATION



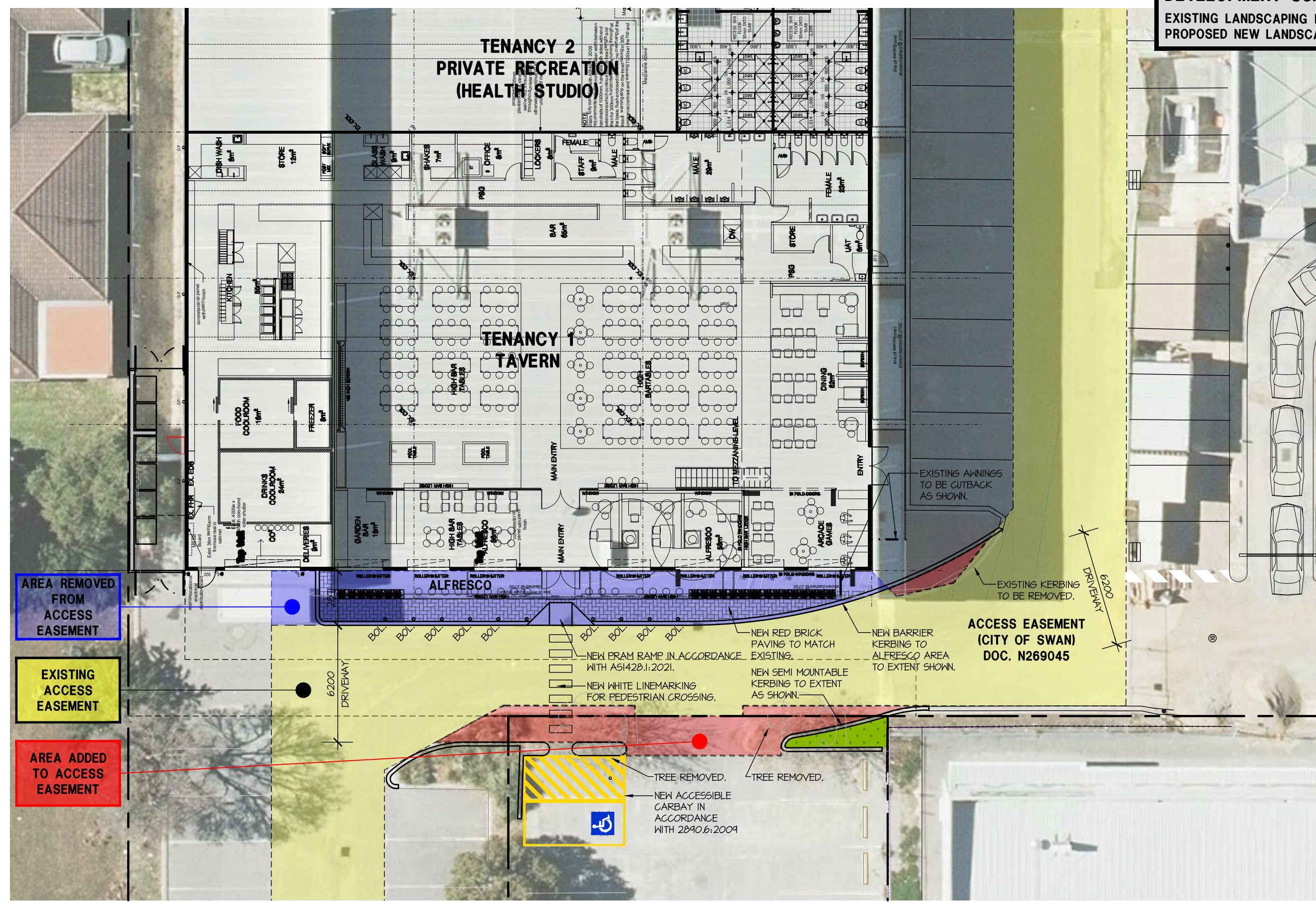
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for LINNPARK Pty Ltd

Date - 05.02.20
Design - CPH
Drawn - CPH
Checked - CPH
Scale - 1:250
Job No. - 0704

Dwg - **DA05**
Rev - **B**

| DEVELOPMENT SUMMARY | |
|------------------------------|--------------------|
| EXISTING LANDSCAPING REMOVED | 45.3m ² |
| PROPOSED NEW LANDSCAPING | 34.3m ² |



AREA REMOVED FROM ACCESS EASEMENT

EXISTING ACCESS EASEMENT

AREA ADDED TO ACCESS EASEMENT

EASEMENT REALIGNMENT AND DRIVEWAY PLAN

SCALE 1:200

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

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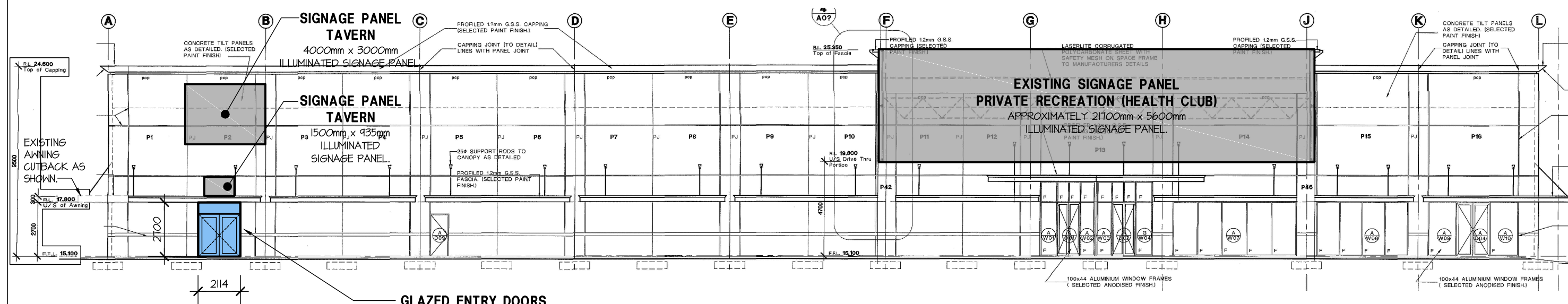
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| Design | - | CPH |
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| Checked | - | CPH |
| Scale | - | 1:200 |
| Job No. | - | 0704 |
| Dwg | DA06 | |
| Rev | - | A |

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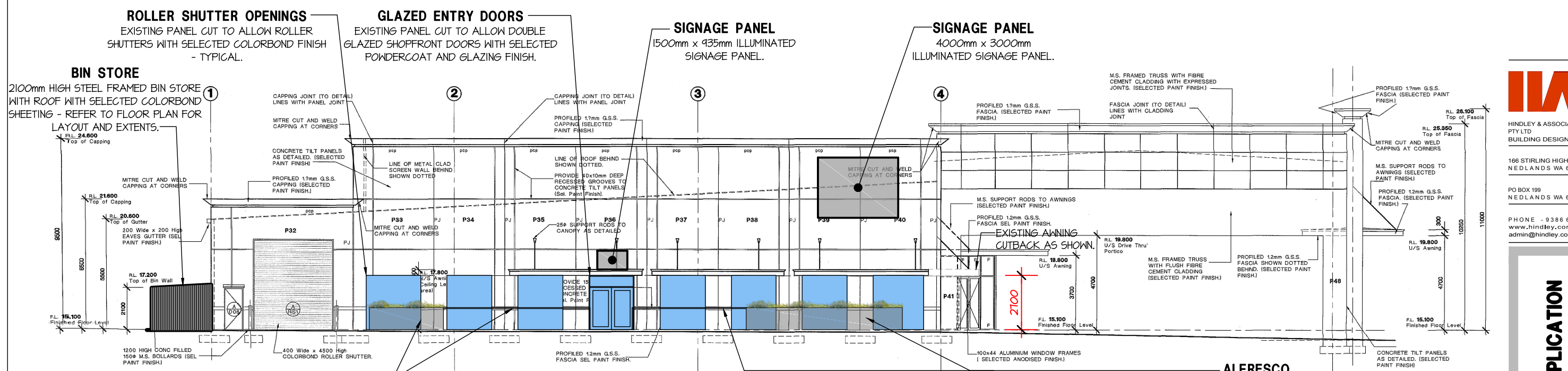
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SOUTH ELEVATION
SCALE 1:200

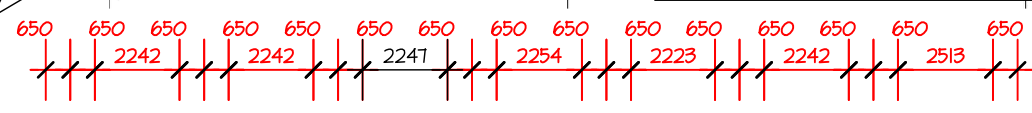


WEST ELEVATION
SCALE 1:200

TYPICAL BUILDING COLOURS

| | | |
|-------|------|-----|
| White | Blue | Red |
|-------|------|-----|

ALFRESCO
1100mm HIGH PLANTER AND BENCH WITH SELECTED FINISH - REFER TO FLOOR PLAN FOR LAYOUT AND EXTENTS.



ALL OPENINGS ARE TO BE CONFIRMED BY A STRUCTURAL ENGINEER.

ALFRESCO
1100mm HIGH PLANTER AND BENCH WITH SELECTED FINISH - REFER TO FLOOR PLAN FOR LAYOUT AND EXTENTS.

IMA
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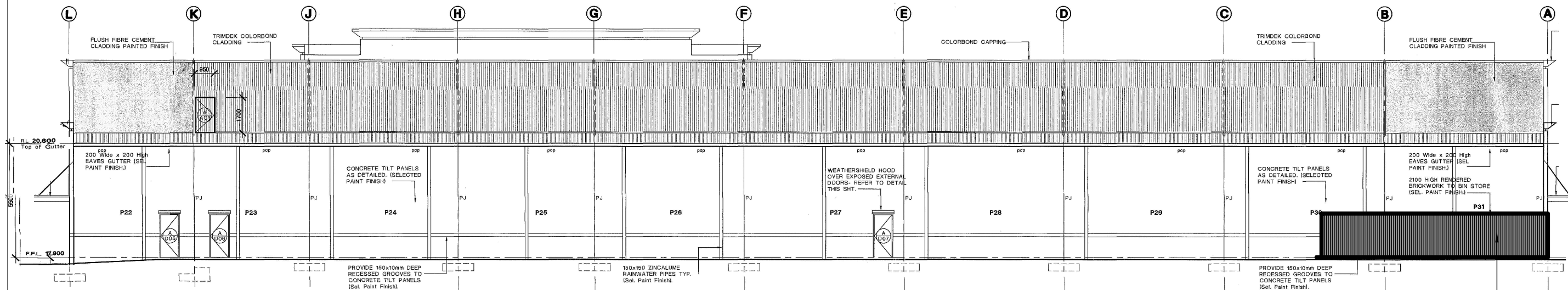
DEVELOPMENT APPLICATION

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A3 SHEET

PROPOSED TAVERN & PRIVATE RECREATION
No. 226 GREAT EASTERN HIGHWAY &
No. 316 LLOYD STREET, MIDLAND
for LINNPARK Pty Ltd

| | | |
|---------|---|-------------|
| Date | - | 11.10.21 |
| Design | - | CPH |
| Drawn | - | CPH |
| Checked | - | CPH |
| Scale | - | 1:200 |
| Job No. | - | 0704 |
| Dwg | - | DA07 |
| Rev | - | A |

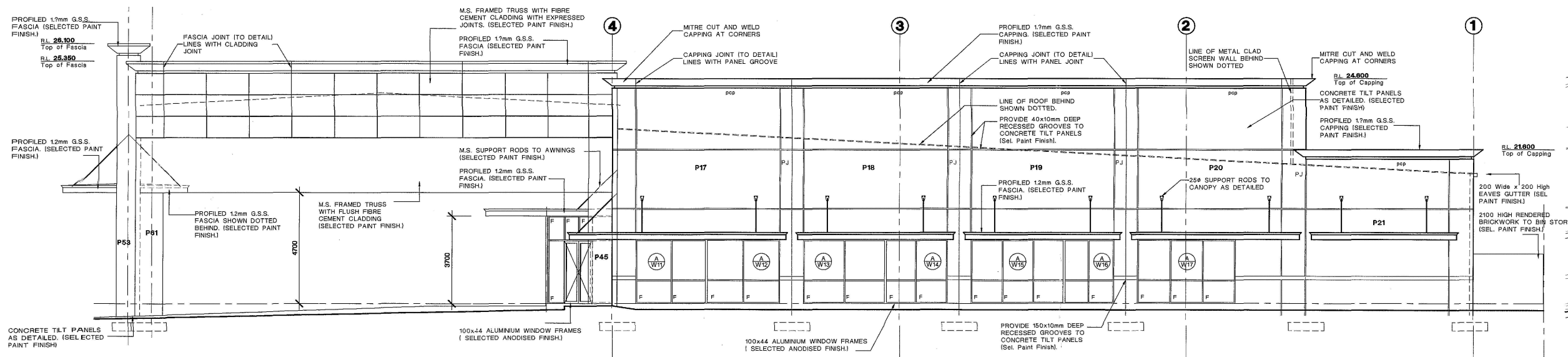


NORTH ELEVATION

SCALE 1:200

BIN STORE

2100mm HIGH STEEL FRAMED BIN STORE WITH ROOF WITH SELECTED COLORBOND SHEETING - REFER TO FLOOR PLAN FOR LAYOUT AND EXTENTS.



EAST ELEVATION

SCALE 1:200

TYPICAL BUILDING COLOURS



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Rev - **A**



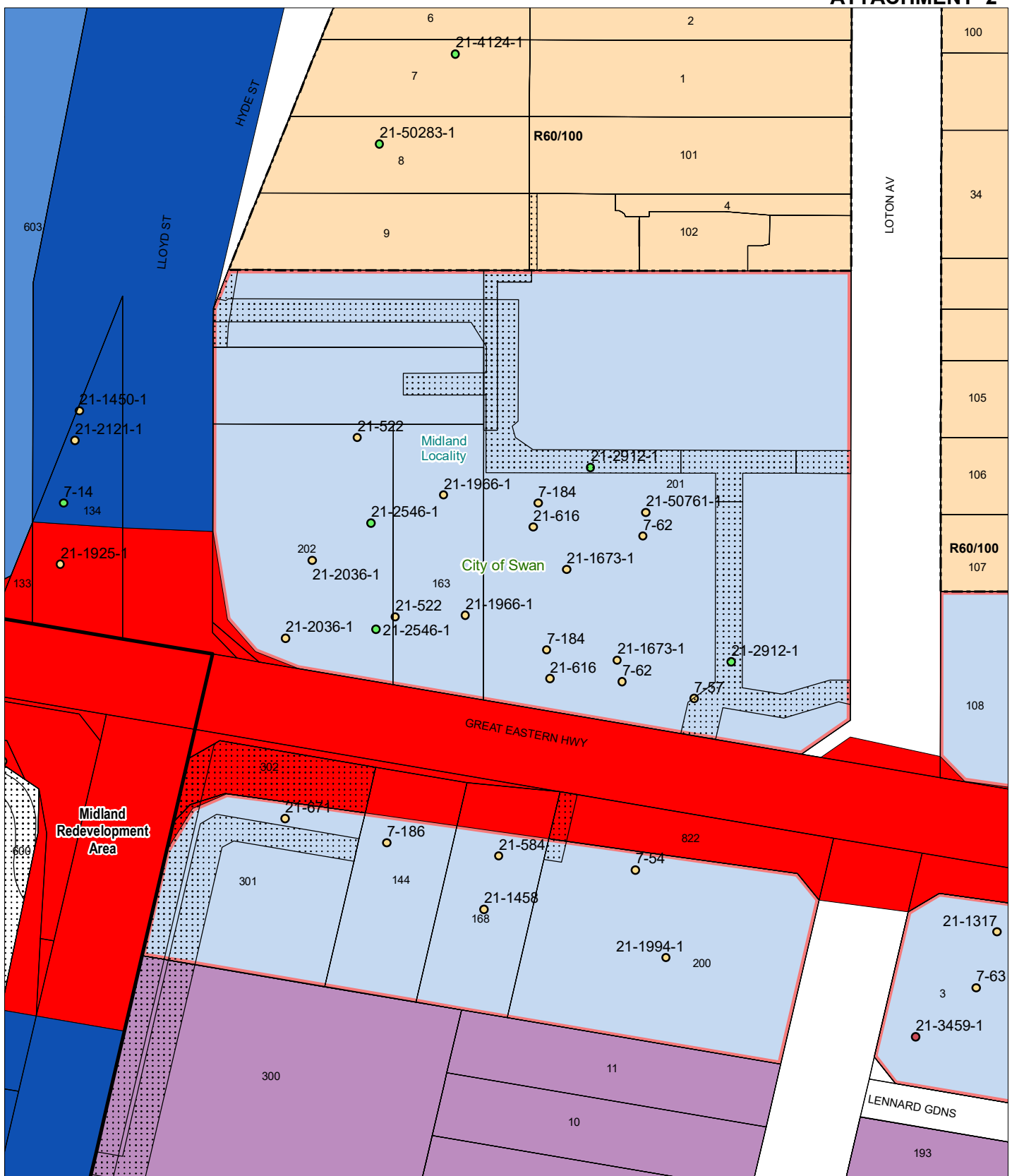
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DEVELOPMENT APPLICATION



Technical Note: No 2**Date:** 25/03/2022**Project No:** t21.236**Project:** 226 Great Eastern Highway, Midland – Proposed Varsity Bar and Gymnasium**Subject:** Revised Trip Generation (ITE Trip Generation Manual)

1.0 Introduction

Transcore has prepared a Traffic Impact Statement (TIS) in November 2021 on behalf of Linnpark Pty Ltd with respect to the proposed Varsity bar and gymnasium development to be located at 226 Great Eastern Highway, Midland in the City of Swan.

The development application has been submitted to City of Swan and the City has referred the application to the Department of Planning, Lands and Heritage (DPLH) and Main Roads WA for comments. Transcore has previously prepared a technical note (tn01a) providing responses to DPLH and Main Roads WA's comments.

After liaising with DPLH, a revised trip generation calculation, as a sensitivity analysis, based on *ITE Trip Generation Manual (11th Edition)* was requested and accordingly, this second technical note (tn02) is prepared to provide revised trip generation analysis for the proposed development in accordance with ITE Trip Generation Manual (11th Edition).

2.0 Daily Traffic Volumes and Vehicle Type (ITE 11th Manual)

2.1 Existing Trip Generation

The subject site is presently a vacant building which was previously operated as a showroom. However, for the purpose of a robust assessment, traffic generation of the showroom is not allowed for and therefore assumed as zero traffic for the existing traffic generation.

2.2 Proposed Development Trip Generation

A review of the existing latest traffic counts for the adjacent road network and other available information, suggests that the combination of the traffic expected to be generated by the proposed development and the peak road network traffic periods are likely to result in the greatest demand on the road network during the local weekday morning peak hour between 11:00AM – 12:00PM and afternoon

peak hour between 4:00PM – 5:00PM. As such, trip generation is estimated and traffic analysis for the proposed development is undertaken for these periods.

Accordingly, the trip rates which were used to estimate the proposed development traffic generation are as follows:

Varsity Bar – Drinking Place (975)

- Weekday PM peak hour: $11.36\text{vph per } 1000\text{sqft GFA} / 0.929 = 12.23\text{vph} / 100\text{m}^2 \text{ GFA}$; and,

Accordingly, it is estimated that:

- Weekday PM peak hour: $[12.23 \times 1047/100 \text{ (GFA)}] = 128\text{vph}$.

As ITE 11 does not provide AM peak hour trip rate for this land use, it is assumed that the Weekday AM road network peak hour would be 50% of Weekday PM road network peak hour and accordingly it is estimated that:

- Weekday AM peak hour: $128 \times 50\% = 64\text{vph}$.

For commercial developments of various types, the peak hour traffic generation is typically in the order of 10% to 20% of total daily traffic generation. This would indicate daily traffic generation in the range of 5 to 10 times the afternoon peak traffic generation. Assuming that daily traffic generation is 10 times the average peak hour traffic generation results in estimate of daily trip generation of $(96 \times 10 = 960)$ trips.

Accordingly, it is estimated that the proposed Varsity Bar would generate a total of approximate 960 vehicular trips for a typical Friday with about 64 trips during the typical Friday AM Road network peak hour and 128 trips during the typical Friday Road network PM peak hour. These totals include both inbound and outbound vehicle movements.

Gym – Health/ Fitness Club (492)

- Weekday AM peak hour: $1.4\text{vph per } 1000\text{sqft GFA} / 0.929 = 1.51\text{vph} / 100\text{m}^2 \text{ GFA}$; and,
- Weekday PM peak hour: $3.45\text{vph per } 1000\text{sqft GFA} / 0.929 = 3.71\text{vph} / 100\text{m}^2 \text{ GFA}$.

It should be noted that the AM peak hour trip rate reported in ITE 11 is for 7:00am to 9:00am. As the AM road network peak in the locality is 11am to 12pm, therefore the ITE rate used for the calculation is conservative and results in higher trip generation than actually expected.

Accordingly, it is conservatively estimated that:

- Weekday AM peak hour: $[1.51 \times 2343/100 \text{ (GFA)}] = 35\text{vph}$; and,

🚦 Weekday PM peak hour: $[3.71 \times 2343/100 \text{ (GFA)}] = 87\text{vph}$.

For commercial developments of various types, the peak hour traffic generation is typically in the order of 10% to 20% of total daily traffic generation. This would indicate daily traffic generation in the range of 5 to 10 times the afternoon peak traffic generation. Assuming that daily traffic generation is 10 times the average peak hour traffic generation results in estimate of daily trip generation of $(61 \times 10 = 610)$ trips.

Accordingly, it is estimated that the proposed gymnasium would generate a total of approximate 610 vehicular trips during a typical Friday with about 35 trips during the typical Friday AM Road network peak hour and 87 trips during the typical Friday Road network PM peak hour. These totals include both inbound and outbound vehicle movements.

Therefore, it is estimated that the proposed development would generate a total of approximately 1,570 vehicular trips during a typical Friday (both inbound and outbound) with about 99 and 215 trips during the AM and PM road network peak hours respectively.

Due to the location of the proposed development located within the existing local centre, 20% cross trade of traffic generation is expected within the existing local centre precinct and accordingly it is calculated as follows:

- 🚦 Weekday AM road network peak hour: $99 \times 0.8 = 79\text{vph}$;
- 🚦 Weekday PM road network peak hour: $215 \times 0.8 = 172\text{vph}$; and,
- 🚦 Weekday daily: $1,570 \times 0.8 = 1,256\text{vpd}$.

The traffic generation and peak hour split detailed in Table 1 was based on the following directional split assumptions for peak hour periods referenced from ITE Trip Generation Manual.

Table 1. Estimated peak hour trips for the proposed development

| Land Use | AM Peak | | | PM Peak | | |
|----------|---------------|----|-----|---------------|-----|-----|
| | Traffic Split | In | Out | Traffic Split | In | Out |
| Bar | 66% in | 34 | | 66% in | 68 | |
| | 34% out | | 17 | 34% out | | 35 |
| Gym | 46% in | 13 | | 57% in | 40 | |
| | 54% out | | 15 | 43% out | | 30 |
| Total | | 79 | | | 173 | |

With respect to the location of the development, permeability and layout of the surrounding road network and the existing precinct crossovers, the assumed distribution of development traffic arriving e is assumed as follows:

- The directional morning, afternoon and total daily trip distribution of the development-generated traffic are illustrated in Figure 1.

