



## Minutes of the Metro North-West Joint Development Assessment Panel

**Meeting Date and Time:** Wednesday, 7 March 2012, 2.00pm  
**Meeting Number:** 4  
**Meeting Venue:** City of Stirling  
25 Cedric Street, Stirling

### 1. Attendance

#### DAP Members

Ms Karen Hyde (Presiding Member)  
Mr Paul Drechsler (Deputy Presiding Member)  
Mr Fred Zuideveld (Specialist Member)  
Cr Rod Willox (City of Stirling Local Government Member)  
Cr Giovanni Italiano (City of Stirling Local Government Member)  
Cr Liam Gobbert (City of Joondalup Local Government Member)  
Cr Mike Norman (City of Joondalup Local Government Member)

#### Officers in attendance

Ms Sue Burrows (Department of Planning)  
Mr Shau Chong (Department of Planning)  
Ms Anika Chhabra (Department of Planning)  
Mr Ross Povey (Director Planning and Development, City of Stirling)  
Mr Andre Gillot (Manager Approvals, City of Stirling)  
Mr Chris Leigh (Senior Development Assessment Officer, City of Stirling)  
Mr Paul Giamov (Traffic Design Engineer, City of Stirling)  
Ms Dale Page (City of Joondalup)  
Mr Brad Sillence (City of Joondalup)

#### Local Government Minute Secretary

Ms Emma O'Callaghan (City of Stirling)

#### Applicant(s), Submitters and Members of the Public

Nil.

### 2. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open 2.01pm on Wednesday, 7 March 2012 and introduced and welcomed the DAP members, City of Joondalup staff and City of Stirling staff. The Presiding Member also acknowledged the past and present traditional custodians of the land, the Nyoongar People.

The Presiding Member stated that in accordance with section 5.14 relating to No Recording of Meetings, which states 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of a DAP meeting unless the Presiding Member has given permission to do so' advised that she has granted permission for the electronic recording of the meeting for the purpose of recording the minutes only.

The Presiding Member further advised that the proceedings of the meeting are in accordance with the DAP Standing Orders 2011 under the Planning and Development (Development Assessment Panels) Regulations 2011.

**3. Apologies**

Nil.

**4. Leave of Absence**

Nil.

**5. Noting of minutes**

The Presiding Member advised that the minutes of the Metropolitan North-West Joint Development Assessment Panel (JDAP) meeting of Monday, 13 February 2012 have been confirmed and endorsed and that these have been published on the City of Stirling and Department of Planning websites.

**6. Disclosure of interests**

Ms Karen Hyde disclosed an Impartiality Interest in Items 8.1 and 8.2 as the firm she does consultancy work for has been involved in a population study in the City of Stirling City Centre and commercial centres study for the City of Joondalup.

The Deputy Presiding Member had been consulted and considered in accordance with section 6.2.5 of the DAP Standing Orders 2011, that the interest disclosed by the member listed above was insufficient to give rise to a reasonable perception that the members decision may not be made impartially. Accordingly, the Deputy Presiding Member determined that the member may participate in discussion and voting on the item.

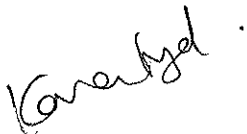
**7. Declaration of Due Consideration**

All members confirmed they had been given due consideration.

**8. Deputations and presentations**

**8.1 -** Presentations by Mr Trevor Hardie (Challenger Listed Investments Limited - Owner), Mr Graham Taylor (for Applicant - Taylor Robinson), Mr Jeff Malcolm (MGA Town Planners - Applicant) and Mr Jacob Martin (for Applicant - Cardno) regarding development issues.

**8.1 -** Presentation by Mr Brian Ham (Woodlands/Doubleview Progress Association) regarding development issues.

  
Page 2

**Responsible Authority Report**  
(Regulation 12, 17)

<b>Application Details:</b>	Mixed Use Development comprising an office building, an entertainment venue, a retail space, shop tenancies and a pedestrian oriented internal street at the Innaloo Cinema Centre site
<b>Property Location:</b>	Lot 1 (No.57) Liege Street, Woodlands
<b>DAP Name:</b>	Metropolitan North-West Joint Development Assessment Panel
<b>Applicant:</b>	MGA Town Planning
<b>Owner:</b>	Challenger
<b>LG Reference:</b>	DA11/3138
<b>Responsible Authority:</b>	Department of Planning and City of Stirling
<b>Authorising Officer:</b>	Sue Burrows Executive Director Perth Peel Planning
<b>Application No and File No:</b>	20-50401-1
<b>Report Date:</b>	15 February 2012
<b>Application Receipt Date:</b>	14 December 2011
<b>Application Process Days:</b>	68
<b>Attachment(s):</b>	1 Location Plan - MRS 2 Excerpt from TPS 38 - Precinct 8 3 Aerial Photograph 4 Draft Stirling City Centre Structure Plan 5 Development Plans (01.0, 01.1, 02.0 - 02.5, & 03.0 - 03.11) 6 Notional Masterplan for the Site 7 Modified Site Plan (01.1b)

The Presiding Member advised the Committee that recommendations 8.1a. and 8.1b. will be considered together as one resolution as the DAP is the single decision maker.

**RECOMMENDATION / PRIMARY MOTION:**

**Moved By:** Ms Karen Hyde                      **Seconded By:** Mr Paul Drechsler

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

**Approve**

- a). **Part A** DAP Application reference DA11/3138 and accompanying plans (01.0, 01.1b, 02.0 - 02.5, & 03.0 - 03.11 (comprising a site survey, proposal plans, perspectives & elevations) in accordance with the provisions of the Metropolitan Region Scheme, subject to the following conditions and advice:

Conditions

1. The applicant is to prepare and implement a Parking Management Plan for the subject site, to the satisfaction of the Western Australian Planning Commission.

2. The development shall provide visually permeable bus stops on Liege Street at full cost to the developer, the design of which shall be to the satisfaction of the City of Stirling.
3. Cycling bays and end-of-trip facilities being provided to the specification of the Department of Transport's Cycling Infrastructure Policy Unit and to the satisfaction of the Western Australian Planning Commission.

Advice to Applicant

- (i) All development must comply with the provisions of the City of Stirling Town Planning Scheme No. 38, Health Regulations, Building Code of Australia, Public Building Regulations, and all other relevant Acts, Regulations and Local Laws. This includes the provision of access and facilities for people with disabilities in accordance with the Building Code of Australia.
- (ii) With regard to Condition 1, the Parking Management Plan is to address, but not be limited to:
  - Who is responsible for the plan's implementation, ongoing operation and review.
  - The management strategies that will be used to ensure the requirements of the planning approval are met.
  - What data and performance measures are going to be used to measure performance and adherence to the planning approvals.
  - How the landowner/manager will demonstrate to the responsible planning authority that they are in conformity with the elements of the planning approval that relate to site access and parking.

The applicant is advised to liaise direct with the Infrastructure Planning and Coordination section of the Department of Planning (ph: 6551 9210) in respect of the above requirements.

- b. **Part B** DAP Application reference 20-50401-1 and accompanying plans (Attachment 4) in accordance with Clause 2.8.2 of the City of Stirling Town Planning Scheme No. 38 subject to the following conditions:
  1. The cost for the construction (including but not limited to the demolition of the existing building located on Lot 457, House Number 369, Scarborough Beach Road, Innaloo) of the Odin Road extension south of Scarborough Beach Road will be borne by the owner of Lot 1, House Number 57, Liege Street, Woodlands;
  2. The Odin Road extension south of Scarborough Beach Road is to be constructed to the satisfaction of the City of Stirling Manager Engineering Design and is to be restricted to left in, left out movement only and to include the provision of pedestrian and cyclist access to Hakea Road;
  3. A left turn slip lane is to be provided at the intersection of Scarborough Beach Road and Odin Road to the satisfaction of the City of Stirling Manager Engineering Design at cost to the owner of Lot 1, House Number 57 Liege Street, Woodlands;
  4. Payment of a cash in lieu contribution for the parking shortfall of 228 parking bays based on the value of 21m<sup>2</sup> of land area per bay prior to the commencement of development (valuation being obtained from the

Valuer Generals Office at a cost to the applicant), and construction costs (to be determined by the City of Stirling Manager Engineering Design);

5. Prior to the commencement of development, the landowner shall enter into a legal agreement with the City of Stirling and caveat placed on the property title guaranteeing the provision of housing and identifying the location, extent and timing of future housing development on the site. The plan shall include, but not be limited to:
  - a. Future housing development including four (4) storey residential development located above commercial land uses adjacent to the internal access road with nil setback to the internal access road, to the west of the development the subject of this approval;
  - b. Commitment by the landowner to meet the residential yields outlined in the draft Stirling City Centre Structure Plan;
  - c. Management and redistribution of car parking for the site.
6. Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed, the parking spaces being marked out and maintained in good repair to the satisfaction of the City of Stirling;
7. A landscape plan to be submitted to the satisfaction of the City of Stirling Manager Parks and Reserves prior to the commencement of development. The landscape plan shall incorporate:
  - a. The two (2) existing mature ficus trees located in proximity of the northern and north-eastern lot boundaries are to be retained and protected. The severing of any roots during construction is to be carried out by a qualified tree surgeon.
  - b. An Arborist is to submit an 'end of development' Arboricultural Report to the City of Stirling in relation to the two (2) existing mature ficus trees.
  - c. The proposed tree species *platanus orientalis* shall be development and replaced with *platanus hybridia*, as identified in the concept landscape plan. The *platanus hybridia* shall be planted adjacent to the internal access road for the entire length between the Odin Road extension and Liege Street.
  - d. The proposed tree species *robinia pseudo umbraculifera* shall be deleted.
  - e. A minimum of one (1) tree being planted every four (4) car parking spaces in accordance with the Stirling City Centre Town Planning Scheme No. 38 Landscape Guidelines.
  - f. All landscaping areas shall be serviced with irrigation to the satisfaction of the City of Stirling.
8. All landscaped area being developed on practical completion of the buildings to the satisfaction of the City of Stirling. All landscaped areas are to be maintained in good condition thereafter;

*Caveat*

9. The internal access road is to be constructed to the satisfaction of the City of Stirling and is to include:
  - a. Vehicle lanes not to exceed 3.0m in width;
  - b. The elevated section road surface treatment adjacent to the piazza entrance is to be paved;
  - c. The existing vehicle access point from Liege Street for vehicles entering from the south is to be modified;
  - d. A pedestrian refuge is to be provided in the median of the vehicle entrance point to the site for pedestrians travelling north-south on the footpath on the western side of Liege Street.
10. Prior to the commencement of development, the landowner shall enter into a legal agreement with the City of Stirling to cede the internal access road free of cost to the City upon completion of the development;
11. Footpaths shall be a minimum width of 2.5m on both sides of the proposed internal road, and are to connect seamlessly with existing footpaths on Liege Street;
12. Footpaths connecting the proposed office building to the internal access road, Liege Street and Odin Road are to meet Universal Design standards;
13. The northern façade of the proposed bowling alley, adjacent to the internal access road, shall incorporate a minimum of four (4) glazed panels or similar architectural treatment to create architectural interest, to the satisfaction of the City of Stirling;
14. Detailed office building elevations incorporating a greater degree of vertical articulation above awning level, particularly on the northern elevation, shall be submitted to and approved by the City of Stirling prior to the commencement of development;
15. All awnings shall comply with the following:
  - a. Be no higher than 3.5m above ground level;
  - b. Be a minimum of 2.5m width;
  - c. Incorporate a minimum setback of 0.9m inside the curb;
  - d. No be constructed of clear glazing; and
  - e. Be incorporated on all development adjacent to Liege Street and the internal access road.
16. The owner shall convert the existing overhead electricity distribution network on the western side of Liege Street to underground for the extent that the network abuts Lots 1, House Number 57 Liege Street, Woodlands;

17. The owner shall provide visually permeable bus shelters to the existing bus stops located on Liege Street adjacent the subject site prior to the completion of development. The design of the bus shelters are to be to the satisfaction of the City of Stirling Manager Engineer Design. All costs associated with the bus shelters are to be borne by the owner;
18. A Site Management Plan to the satisfaction of the City of Stirling Manager Approvals shall be submitted prior to the issue of a Building Licence;
19. A Stormwater Management Plan to the satisfaction of the City of Stirling Manager Engineering Design shall be submitted prior to the commencement of development;
20. The proposed 'after hours bollards' do not form part of this approval; and
21. Any on-site floodlights not being positioned or operated in such a manner so as to cause annoyance to surrounding residents, uses or passing traffic.

In addition to the above conditions, the following applicant is to be advised of the following:

1. The applicant is to liaise with the City of Stirling to obtain agreement in relation to the timing of the Odin Road extension south of Scarborough Beach Road; and
2. Signage does not form part of this approval. A separate signage strategy to be submitted to the City for approval prior to the issue of any sign licences and erection of signs on site.

#### **AMENDING MOTION:**

**Moved By: Ms Karen Hyde**

**Seconded By: Cr Rod Willox**

(Reason: To provide clarity to the requirements of the conditions).

That Item Part A, Condition 1. be REWORDED as follows:-

1. The applicant is to prepare and implement a Parking Management Plan for the subject site, to the satisfaction of the Western Australian Planning Commission submitted prior to the issue of a building licence.

That Item Part A, Condition 2. be REWORDED as follows:-

2. The development shall provide visually permeable bus shelter on the Western side of Liege Street at full cost to the developer, the design of which shall be to the satisfaction of the City of Stirling.

That Item Part B, Condition 3. be REWORDED as follows:-

3. A left turn slip lane is to be provided at the southern approach to the intersection of Scarborough Beach Road and Odin Road to the satisfaction of the City of Stirling Manager Engineering Design at cost to the owner of Lot 1, House Number 57 Liege Street, Woodlands;

That Item Part B, Condition 4. be REWORDED as follows:-

4. Payment of a cash in lieu contribution for the parking shortfall of 228 parking bays based on the value of 21m<sup>2</sup> of land area per bay prior to the commencement of development (valuation being obtained from the Valuer Generals Office at a cost to the applicant), and construction costs (to be determined by the City of Stirling Manager Engineering Design) or an alternative decked parking structure to be provided to Lot 1, House Number 57, Liege Street, Woodlands to the satisfaction of the City of Stirling;

That Item Part B, Conditions 5.a.,b. and c. below be DELETED and the conditions be renumbered accordingly.

5. Prior to the commencement of development, the landowner shall enter into a legal agreement with the City of Stirling and caveat placed on the property title guaranteeing the provision of housing and identifying the location, extent and timing of future housing development on the site. The plan shall include, but not be limited to:
  - a. Future housing development including four (4) storey residential development located above commercial land uses adjacent to the internal access road with nil setback to the internal access road, to the west of the development the subject of this approval;
  - b. Commitment by the landowner to meet the residential yields outlined in the draft Stirling City Centre Structure Plan;
  - c. Management and redistribution of car parking for the site.

That Item Part B, Conditions 7.c. and d. below be DELETED and the conditions be renumbered accordingly.

- 7.c. The proposed tree species *platanus orientalis* shall be development and replaced with *platanus hybridia*, as identified in the concept landscape plan. The *platanus hybridia* shall be planted adjacent to the internal access road for the entire length between the Odin Road extension and Liege Street.

- 7.d. The proposed tree species *robinia pseudo umbraculifera* shall be deleted.

That Item Part B, Condition 9.b. be REWORDED as follows:-

- 9.b. The elevated section road surface treatment adjacent to the piazza to be of contrasting material;



That Item Part B, Condition 13. be REWORDED as follows:-

13. The northern façade of the proposed bowling alley, adjacent to the internal access road, shall incorporate architectural treatment to create architectural interest, to the satisfaction of the City of Stirling;

That Item Part B, Condition 16. be REWORDED as follows:-

16. The owner shall convert the existing overhead electricity distribution network on the western side of Liege Street to underground for the extent that the network abuts Lots 1, House Number 57 Liege Street, Woodlands if it has not been paid for by the scheme contributions;

That Item Part B, Condition 19. be REWORDED as follows:-

19. A Drainage and Stormwater Management Plan to the satisfaction of the City of Stirling Manager Engineering Design shall be submitted prior to the commencement of development;

That Item Part B, Condition 21. be REWORDED as follows:-

21. A Lighting Plan be provided at the satisfaction of the City.

That Item Part B, Condition 22. be ADDED as follows:-

22. A Supermarket Shopping Trolley Management Plan to be provided prior to the commencement of the development at the satisfaction of the City.

**Carried unanimously.**


#### **PRIMARY MOTION (AS AMENDED):**

That the Metropolitan North-West Joint Development Assessment Panel approves the following:

**Part A** DAP Application reference DA11/3138 and accompanying plans (01.0, 01.1b, 02.0 - 02.5, & 03.0 - 03.11 (comprising a site survey, proposal plans, perspectives & elevations) in accordance with the provisions of the Metropolitan Region Scheme, subject to the following conditions and advice:

##### Conditions

1. The applicant is to prepare and implement a Parking Management Plan for the subject site, to the satisfaction of the Western Australian Planning Commission submitted prior to the issue of a building licence.
2. The development shall provide visually permeable bus shelter on the Western side of Liege Street at full cost to the developer, the design of which shall be to the satisfaction of the City of Stirling.
3. Cycling bays and end-of-trip facilities being provided to the specification of the Department of Transport's Cycling Infrastructure Policy Unit and to the satisfaction of the Western Australian Planning Commission.



### Advice to Applicant

- (i) All development must comply with the provisions of the City of Stirling Town Planning Scheme No. 38, Health Regulations, Building Code of Australia, Public Building Regulations, and all other relevant Acts, Regulations and Local Laws. This includes the provision of access and facilities for people with disabilities in accordance with the Building Code of Australia.
- (ii) With regard to Condition 1, the Parking Management Plan is to address, but not be limited to,:
- Who is responsible for the plan's implementation, ongoing operation and review.
  - The management strategies that will be used to ensure the requirements of the planning approval are met.
  - What data and performance measures are going to be used to measure performance and adherence to the planning approvals.
  - How the landowner/manager will demonstrate to the responsible planning authority that they are in conformity with the elements of the planning approval that relate to site access and parking.

The applicant is advised to liaise direct with the Infrastructure Planning and Coordination section of the Department of Planning (ph: 6551 9210) in respect of the above requirements.

- b) **Part B** DAP Application reference 20-50401-1 and accompanying plans (Attachment 4) in accordance with Clause 2.8.2 of the City of Stirling Town Planning Scheme No. 38 subject to the following conditions:
1. The cost for the construction (including but not limited to the demolition of the existing building located on Lot 457, House Number 369, Scarborough Beach Road, Innaloo) of the Odin Road extension south of Scarborough Beach Road will be borne by the owner of Lot 1, House Number 57, Liege Street, Woodlands;
  2. The Odin Road extension south of Scarborough Beach Road is to be constructed to the satisfaction of the City of Stirling Manager Engineering Design and is to be restricted to left in, left out movement only and to include the provision of pedestrian and cyclist access to Hakea Road;
  3. A left turn slip lane is to be provided at the southern approach to the intersection of Scarborough Beach Road and Odin Road to the satisfaction of the City of Stirling Manager Engineering Design at cost to the owner of Lot 1, House Number 57 Liege Street, Woodlands;
  4. Payment of a cash in lieu contribution for the parking shortfall of 228 parking bays based on the value of 21m<sup>2</sup> of land area per bay prior to the commencement of development (valuation being obtained from the Valuer Generals Office at a cost to the applicant), and construction costs (to be determined by the City of Stirling Manager Engineering Design) or an alternative decked parking structure to be provided to Lot 1, House Number 57, Liege Street, Woodlands to the satisfaction of the City of Stirling;

5. Prior to the commencement of development, the landowner shall enter into a legal agreement with the City of Stirling and caveat placed on the property title guaranteeing the provision of housing and identifying the location, extent and timing of future housing development on the site. The plan shall include, but not be limited to:
  - a. Future housing development including four (4) storey residential development located above commercial land uses adjacent to the internal access road with nil setback to the internal access road, to the west of the development the subject of this approval;
  - b. Commitment by the landowner to meet the residential yields outlined in the draft Stirling City Centre Structure Plan;
  - c. Management and redistribution of car parking for the site.
6. Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed, the parking spaces being marked out and maintained in good repair to the satisfaction of the City of Stirling;
7. A landscape plan to be submitted to the satisfaction of the City of Stirling Manager Parks and Reserves prior to the commencement of development. The landscape plan shall incorporate:
  - a. The two (2) existing mature ficus trees located in proximity of the northern and north-eastern lot boundaries are to be retained and protected. The severing of any roots during construction is to be carried out by a qualified tree surgeon.
  - b. An Arborist is to submit an 'end of development' Arboricultural Report to the City of Stirling in relation to the two (2) existing mature ficus trees.
  - c. A minimum of one (1) tree being planted every four (4) car parking spaces in accordance with the Stirling City Centre Town Planning Scheme No. 38 Landscape Guidelines.
  - d. All landscaping areas shall be serviced with irrigation to the satisfaction of the City of Stirling.
8. All landscaped area being developed on practical completion of the buildings to the satisfaction of the City of Stirling. All landscaped areas are to be maintained in good condition thereafter;
9. The internal access road is to be constructed to the satisfaction of the City of Stirling and is to include:
  - a. Vehicle lanes not to exceed 3.0m in width;
  - b. The elevated section road surface treatment adjacent to the piazza to be of contrasting material;
  - c. The existing vehicle access point from Liege Street for vehicles entering from the south is to be modified;

- d. A pedestrian refuge is to be provided in the median of the vehicle entrance point to the site for pedestrians travelling north-south on the footpath on the western side of Liege Street.
10. Prior to the commencement of development, the landowner shall enter into a legal agreement with the City of Stirling to cede the internal access road free of cost to the City upon completion of the development;
11. Footpaths shall be a minimum width of 2.5m on both sides of the proposed internal road, and are to connect seamlessly with existing footpaths on Liege Street;
12. Footpaths connecting the proposed office building to the internal access road, Liege Street and Odin Road are to meet Universal Design standards;
13. The northern façade of the proposed bowling alley, adjacent to the internal access road, shall incorporate architectural treatment to create architectural interest, to the satisfaction of the City of Stirling;
14. Detailed office building elevations incorporating a greater degree of vertical articulation above awning level, particularly on the northern elevation, shall be submitted to and approved by the City of Stirling prior to the commencement of development;
15. All awnings shall comply with the following:
  - a. Be no higher than 3.5m above ground level;
  - b. Be a minimum of 2.5m width;
  - c. Incorporate a minimum setback of 0.9m inside the curb;
  - d. No be constructed of clear glazing; and
  - e. Be incorporated on all development adjacent to Liege Street and the internal access road.
16. The owner shall convert the existing overhead electricity distribution network on the western side of Liege Street to underground for the extent that the network abuts Lots 1, House Number 57 Liege Street, Woodlands if it has not been paid for by the scheme contributions;
17. The owner shall provide visually permeable bus shelters to the existing bus stops located on Liege Street adjacent the subject site prior to the completion of development. The design of the bus shelters are to be to the satisfaction of the City of Stirling Manager Engineer Design. All costs associated with the bus shelters are to be borne by the owner;
18. A Site Management Plan to the satisfaction of the City of Stirling Manager Approvals shall be submitted prior to the issue of a Building Licence;
19. A Drainage and Stormwater Management Plan to the satisfaction of the City of Stirling Manager Engineering Design shall be submitted prior to the commencement of development;

20. The proposed 'after hours bollards' do not form part of this approval;
21. A Lighting Plan be provided to the satisfaction of the City; and
22. A Supermarket Shopping Trolley Management Plan to be provided prior to the commencement of the development to the satisfaction of the City.

In addition to the above conditions, the following applicant is to be advised of the following:

1. The applicant is to liaise with the City of Stirling to obtain agreement in relation to the timing of the Odin Road extension south of Scarborough Beach Road; and
2. Signage does not form part of this approval. A separate signage strategy to be submitted to the City for approval prior to the issue of any sign licences and erection of signs on site.

Advise the applicant's the Department of Planning and the City of Stirling accordingly.

**The motion was put and declared carried 3/2.**

**For:** Councillor Italiano, Councillor Willox and Ms Hyde.

**Against:** Mr Drechsler and Mr Zuideveld,

**Responsible Authority Report**  
(Regulation 12, 17)

<b>Application Details:</b>	PROPOSED SHOWROOMS, OFFICES, RESTAURANTS, MEDICAL CENTRE, TAKE AWAY FOOD OUTLET AND SHOP
<b>Property Location:</b>	Lot 5002 (74) and Lot 5001 (86) Delamere Avenue, Currambine
<b>DAP Name:</b>	Metro North JDAP
<b>Applicant:</b>	Harden Jones Architects
<b>Owner:</b>	Currambine District Centre One Pty Ltd Currambine District Centre Two Pty Ltd
<b>LG Reference:</b>	DA11/1358
<b>Responsible Authority:</b>	City of Joondalup
<b>Authorising Officer:</b>	Dale Page Director Planning and Development
<b>Application No and File No:</b>	DAP 11/1358
<b>Report Date:</b>	24 February 2012
<b>Application Receipt Date:</b>	07 December 2011
<b>Application Process Days:</b>	57 working days
<b>Attachment(s):</b>	1. Location Plan 2. Development Plans 3. Parking Management Strategy Plans 4. Traffic Statement Reports 5. City of Joondalup Environmentally Sustainable Design Checklist

**Recommendation / Primary Motion:**

**Moved By: Ms Karen Hyde**

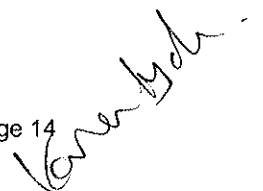
**Seconded By: Mr Paul Drechsler**

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

- A. **Approve** DAP Application reference DAP11/1358 and accompanying plans (refer Attachments 2 and 3) in accordance with Clause 6.9 of the City of Joondalup District Planning Scheme No. 2, subject to the following conditions:

**Conditions**

1. A Construction Management Plan being submitted and approved prior to the commencement of construction. The management plan shall detail how it is proposed to manage:
  - all forward works for the site;
  - the delivery of materials and equipment to the site;
  - the storage of materials and equipment on the site;
  - the parking arrangements for the contractors and subcontractors;
  - other matters likely to impact on the surrounding properties;
2. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to the commencement of construction.



3. The lodging of detailed landscaping plans with the Building Licence Application based on water sensitive urban design and Designing Out Crime principles to the satisfaction of the City. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100. All details relating to paving, treatment of verges and tree planting in the car park, are to be shown on the landscaping plan;
4. Landscaping, reticulation and all verge treatments, based on water sensitive urban design principles, are to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to a high standard to the satisfaction of the City;
5. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of construction;
6. An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;
7. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
8. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided and approved by the City prior to the commencement of construction.
9. The retaining walls shall be treated with non-sacrificial anti-graffiti coating;
10. No obscure or reflective glazing is permitted at ground floor level on the building facades facing Delamere Avenue, Cuba Way and Tyger Entrance;
11. All signage shall be the subject of a separate Development Application;
12. A lighting plan detailing all external pole and fixture positions, lux levels and light spillage shall be submitted with the Building Licence Application for the approval of the City;
13. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas in accordance with the approved lighting plan prior to the development first being occupied to the satisfaction of the City;

14. The car parking shade trees as indicated on the approved plans shall be installed prior to the development first being occupied. The trees shall be located within tree wells and protected from damage by vehicles and maintained to the satisfaction of the City;
15. All awnings shall have a minimum clearance of 2.75 metres above the level of the footpath;
16. Car parking bay 21 on Lot 5002 (74) Delamere Avenue shall be constructed, marked and set aside as a small car bay only, as detailed in the Australian Standard for Offstreet Car Parking (AS2890.1 2004) and fully contained within the lot boundary;
17. Adequate sightlines shall be provided at northern egress point of the undercroft car park at Lot 5001 (86) Delamere Avenue (Advice Note 3 refers);
18. A notification under section 70A of the Transfer of Land Act is to be prepared at the applicant's cost and in a form acceptable to the City and lodged with the Registrar of Titles for endorsement on the certificates of title for lot 5002 (74) Delamere Avenue and lot 5001 (86) Delamere Avenue prior to the commencement of any development or works. The notification is to give notice that the approved plans make provision for 41 car parking bays to be provided on lot 5001 (86) Delamere Avenue for the exclusive use of patrons of, and visitors to, and employees of the occupiers of, lot 5002 (74) Delamere Avenue and that if, for any reason, including the sale or redevelopment of lot 5001, the car parking bays to be provided on lot 5001 become unavailable then the use of lot 5002 may be contrary to a condition of the development approval and may constitute an offence under the City of Joondalup District Planning Scheme No. 2.
19. The 41 car parking bays shown on the approved plans, and located on Lot 5001 (86) Delamere Avenue, as being provided for parking, exclusively by:
  - (a) patrons of, and visitors to, the development on Lot 5002 (74) Delamere Avenue; and
  - (b) employees of the occupiers of Lot 5002 (74) Delamere Avenue,are to be available, at all times for those purposes.
20. The development on Lot 5002 (74) Delamere Avenue is not be used or occupied if the car parking bays referred to in condition 19 are not available at all times for the purposes referred to in condition 19.
21. Condition 20 applies at all times, except in the event that the development on Lot 5001 (86) Delamere Avenue is undergoing construction. This exemption is to only apply for a maximum period of 24 months commencing on the date of issue of a certificate of classification, or certificate of construction compliance (as the case may be) for the development on Lot 5002 (74) Delamere Avenue.
22. Pedestrian access between Lot 5002 (74) Delamere Avenue and Lot 5001 (86) Delamere Avenue shall be constructed in accordance with the approved parking management strategy plans. Proposed pedestrian access routes shall be indicated on the Building Licence submission and be approved by the City prior to the commencement of construction.



23. All car parking bays depicted on the parking management strategy plans as being for the purposes of customer parking on Lot 5002 shall be marked and permanently set aside for this purpose.

**Advice Notes:**

1. In reference to condition 2 it is considered the use of 240 litre carts would be appropriate in this instance due to the limited manoeuvring space for refuse vehicles;
  2. In reference to condition 2 a refuse management plan is required which must consider the total amount of waste that would be expected, the number and type of bins proposed, the frequency of collection, method of collection and other issues affecting the handling of waste.
  3. Further to condition 17 the applicant/owner is advised that relocation of the egress point three bays south will allow for the provision of adequate sightlines upon exit from the undercroft at Lot 5001 (86) Delamere Avenue.
  4. In reference to condition 21 above, the applicant is advised that the 41 parking bays required on Lot 5001 (86) Delamere Avenue, shall be provided at the time of commencement of operations for any or all of the development on Lot 5002 (74) Delamere Avenue, until such time as construction substantially commences on Lot 5001 (86) Delamere Avenue. These bays must then be made available permanently, and in perpetuity, within 24 months of the issue of the certificate of classification for the development at Lot 5002 (74) Delamere Avenue.
  5. The applicant and the owner are advised that, there is an obligation to design and construct the premises in compliance with the requirements of the *Environmental Protection Act 1986*.
  6. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.
  7. The bin storage areas shall be provided with a concrete floor graded to a 100mm industrial floor waste gully connected to sewer. A hose cock must be provided to bin store area.
  8. Food premises shall comply with all requirements of the *Food Act 2008*.
- B. Advise the applicant and the City of Joondalup of its decision accordingly.

**AMENDING MOTION:**

**Moved By: Councillor Norman**

**Seconded By: Ms Karen Hyde**

**(Reason:** to provide additional shading on the building).

That a Condition 24. be ADDED as follows:-

24. A painted steel canopy or similar is to be provided to shade the ground floor windows of the northern/western facade of the office and showroom building on Lot 5001 (86) Delamere Avenue. This canopy shall match, or complement

other shade structures utilised on this building and shall be installed prior to the occupation of the development.

That Advice Note 9. be ADDED as follows:-

9. In relation to condition 8 above, the applicant and developer are strongly encouraged to consider the need for the provision of suitable amounts of shaded, secure, bicycle parking areas and end-of-trip facilities on both Lot 5001 (86) Delamere Avenue, and Lot 5002 (74) Delamere Avenue.

**Carried Unanimously.**

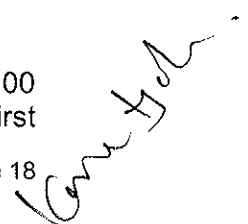
**PRIMARY MOTION (AS AMENDED):**

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

- A. **Approve** DAP Application reference DAP11/1358 and accompanying plans (refer Attachments 2 and 3) in accordance with Clause 6.9 of the City of Joondalup District Planning Scheme No. 2, subject to the following conditions:

**Conditions**

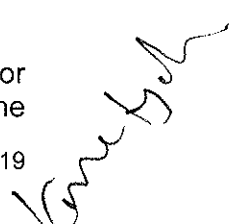
1. A Construction Management Plan being submitted and approved prior to the commencement of construction. The management plan shall detail how it is proposed to manage:
  - all forward works for the site;
  - the delivery of materials and equipment to the site;
  - the storage of materials and equipment on the site;
  - the parking arrangements for the contractors and subcontractors;
  - other matters likely to impact on the surrounding properties;
2. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to the commencement of construction.
3. The lodging of detailed landscaping plans with the Building Licence Application based on water sensitive urban design and Designing Out Crime principles to the satisfaction of the City. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100. All details relating to paving, treatment of verges and tree planting in the car park, are to be shown on the landscaping plan;
4. Landscaping, reticulation and all verge treatments, based on water sensitive urban design principles, are to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to a high standard to the satisfaction of the City;
5. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of construction;
6. An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first



being occupied, and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;

7. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
8. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided and approved by the City prior to the commencement of construction.
9. The retaining walls shall be treated with non-sacrificial anti-graffiti coating;
10. No obscure or reflective glazing is permitted at ground floor level on the building facades facing Delamere Avenue, Cuba Way and Tyger Entrance;
11. All signage shall be the subject of a separate Development Application;
12. A lighting plan detailing all external pole and fixture positions, lux levels and light spillage shall be submitted with the Building Licence Application for the approval of the City;
13. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas in accordance with the approved lighting plan prior to the development first being occupied to the satisfaction of the City;
14. The car parking shade trees as indicated on the approved plans shall be installed prior to the development first being occupied. The trees shall be located within tree wells and protected from damage by vehicles and maintained to the satisfaction of the City;
15. All awnings shall have a minimum clearance of 2.75 metres above the level of the footpath;
16. Car parking bay 21 on Lot 5002 (74) Delamere Avenue shall be constructed, marked and set aside as a small car bay only, as detailed in the Australian Standard for Offstreet Car Parking (AS2890.1 2004) and fully contained within the lot boundary;
17. Adequate sightlines shall be provided at northern egress point of the undercroft car park at Lot 5001 (86) Delamere Avenue (Advice Note 3 refers);
18. A notification under section 70A of the Transfer of Land Act is to be prepared at the applicant's cost and in a form acceptable to the City and lodged with the Registrar of Titles for endorsement on the certificates of title for lot 5002 (74) Delamere Avenue and lot 5001 (86) Delamere Avenue prior to the commencement of any development or works.

The notification is to give notice that the approved plans make provision for 41 car parking bays to be provided on lot 5001 (86) Delamere Avenue for the

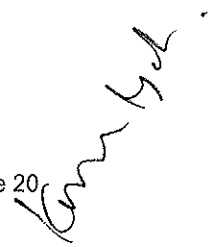


exclusive use of patrons of, and visitors to, and employees of the occupiers of, lot 5002 (74) Delamere Avenue and that if, for any reason, including the sale or redevelopment of lot 5001, the car parking bays to be provided on lot 5001 become unavailable then the use of lot 5002 may be contrary to a condition of the development approval and may constitute an offence under the City of Joondalup District Planning Scheme No. 2.

19. The 41 car parking bays shown on the approved plans, and located on Lot 5001 (86) Delamere Avenue, as being provided for parking, exclusively by:
  - (a) patrons of, and visitors to, the development on Lot 5002 (74) Delamere Avenue; and
  - (b) employees of the occupiers of Lot 5002 (74) Delamere Avenue,are to be available, at all times for those purposes.
20. The development on Lot 5002 (74) Delamere Avenue is not be used or occupied if the car parking bays referred to in condition 19 are not available at all times for the purposes referred to in condition 19.
21. Condition 20 applies at all times, except in the event that the development on Lot 5001 (86) Delamere Avenue is undergoing construction. This exemption is to only apply for a maximum period of 24 months commencing on the date of issue of a certificate of classification, or certificate of construction compliance (as the case may be) for the development on Lot 5002 (74) Delamere Avenue.
22. Pedestrian access between Lot 5002 (74) Delamere Avenue and Lot 5001 (86) Delamere Avenue shall be constructed in accordance with the approved parking management strategy plans. Proposed pedestrian access routes shall be indicated on the Building Licence submission and be approved by the City prior to the commencement of construction.
23. All car parking bays depicted on the parking management strategy plans as being for the purposes of customer parking on Lot 5002 shall be marked and permanently set aside for this purpose.
24. A painted steel canopy or similar is to be provided to shade the ground floor windows of the northern/western facade of the office and showroom building on Lot 5001 (86) Delamere Avenue. This canopy shall match, or complement other shade structures utilised on this building and shall be installed prior to the occupation of the development.

**Advice Notes:**

1. In reference to condition 2 it is considered the use of 240 litre carts would be appropriate in this instance due to the limited manoeuvring space for refuse vehicles;
2. In reference to condition 2 a refuse management plan is required which must consider the total amount of waste that would be expected, the number and type of bins proposed, the frequency of collection, method of collection and other issues affecting the handling of waste.



3. Further to condition 17 the applicant/owner is advised that relocation of the egress point three bays south will allow for the provision of adequate sightlines upon exit from the undercroft at Lot 5001 (86) Delamere Avenue.
  4. In reference to condition 21 above, the applicant is advised that the 41 parking bays required on Lot 5001 (86) Delamere Avenue, shall be provided at the time of commencement of operations for any or all of the development on Lot 5002 (74) Delamere Avenue, until such time as construction substantially commences on Lot 5001 (86) Delamere Avenue. These bays must then be made available permanently, and in perpetuity, within 24 months of the issue of the certificate of classification for the development at Lot 5002 (74) Delamere Avenue.
  5. The applicant and the owner are advised that, there is an obligation to design and construct the premises in compliance with the requirements of the *Environmental Protection Act 1986*.
  6. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.
  7. The bin storage areas shall be provided with a concrete floor graded to a 100mm industrial floor waste gully connected to sewer. A hose cock must be provided to bin store area.
  8. Food premises shall comply with all requirements of the *Food Act 2008*.
  9. In relation to condition 8 above, the applicant and developer are strongly encouraged to consider the need for the provision of suitable amounts of shaded, secure, bicycle parking areas and end-of-trip facilities on both Lot 5001 (86) Delamere Avenue, and Lot 5002 (74) Delamere Avenue.
- B. Advise the applicant and the City of Joondalup of its decision accordingly.

**Carried Unanimously.**

**10. Amending or cancelling DAP development approval**

Nil.

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

Nil.

**12. Meeting Closed**

There being no further business, the Presiding Member reminded members that under Standing Order 7.3 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment. The Presiding Member declared the meeting closed at 4.03pm.

*Kerby A*