



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: Monday 18 March 2013; 2pm
Meeting Number: MNWJDAP/24
Meeting Venue: Department of Planning,
140 William Street Perth
Meeting Room L3.22

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Mike Norman (City of Joondalup) (*until 2.19pm*)
Cr Liam Gobbert (City of Joondalup) (*until 2.19pm*)
Cr Rod Willox (City of Stirling) (*from 2.20pm*)
Cr Giovanni Italiano (City of Stirling) (*from 2.20pm*)

Officers in attendance

Mr Craig Shepherd (DAP Secretariat)
Mr Ian Patterson (DAP Secretariat)
Ms Catherine Beamish (Department of Planning)
Mr Joe Lamont (City of Joondalup)
Ms Melinda Bell (City of Joondalup)
Ms Kimberley Masuku (City of Stirling)
Ms Paola Di Perna (City of Stirling)
Mr Daniel Martinovich (City of Stirling)
Mr Ross Povey (City of Stirling)

Applicants, Submitters and Members of the Public

Mr George Naoum (Ecorp Project Management)
Mr Norm Salvarinas (Ecorp Project Management)
Mr Richard Hart (Woodhead)
Mr Jackson Liew (Woodhead)
Mr Scott Bellerby (McDonald's Australia Limited)
Ms Megan Gammon (Urbis)
Mr Simon Wilkes (Urbis)
Mr Peter Simpson (TPG)
Mr Murray Johns (Verum Project Direction)
Mr Adrian Fini (Fabray Pty Ltd)
Mr Greg King (Ascot Capital)
Mr David Vanderwalt (Ascot Capital)
Mr David Gear (Community News)

Department of Planning Minute Secretary

Ms Fiona Sze (DAP Secretariat)

Ms Karen Hyde
Presiding Member, Metro North-West JDAP

Karen Hyde



1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 2.06pm on 18 March 2013 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

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

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

2. Apologies

Nil

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro North-West JDAP meeting no.23 held on 14 February 2013 were noted by DAP members.

5. Disclosure of interests

Panel member, Mr Paul Drechsler, declared Impartiality Interests in Item 8.2 and 8.4.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Presiding Member of the Metro North-West JDAP resolved that the member listed above, who has disclosed Impartiality interests, is permitted to participate in discussion and voting on the items.

6. Declaration of Due Consideration

All members declared that they had duly considered the documents.

7. Deputations and presentations

Item 7.1 was heard prior to the application at Item 8.3

7.1. Presenter Mr Scott Bellerby



Mr Scott Bellerby (McDonald's Australia Limited) addressed the JDAP for the application at Item 8.3. The presentation supported the Responsible Authority Report Recommendation and provided a summary of the application.

Item 7.2 was heard prior to the application at Item 8.4

7.2. Presenters Mr Murray Johns and Mr Adrian Fini

Mr Murray Johns (Verum Project Direction) and Mr Adrian Fini (Fabray Pty Ltd) addressed the JDAP for the application at Item 8.4. The presentation provided an overview of the proposed development and requested deletion of Condition (a) of the Responsible Authority Report Recommendation at Item 8.4a.

8. Form 1 - Responsible Authority Reports – DAP Applications

8.1	Application Details:	Proposed showrooms, medical centre, consulting rooms, shop and recreation centre
	Property Location:	Lot 5000 (94) Delamere Avenue, Joondalup
	Applicant:	ECorp Project Management
	Owner:	Readan Pty Ltd & DDT (WA) Pty Ltd
	Responsible authority:	City of Joondalup
	Report date:	26 February 2013
	DoP File No:	DP/13/00036

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Paul Drechsler

Seconded by: Cr Mike Norman

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DAP13/00036 and accompanying plans (refer attachment 2) in accordance with Clause 6.9 of the City of Joondalup District Planning Scheme No. 2, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for two (2) years from the date of this decision letter. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.
2. 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;
3. 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.



4. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - Provide all details relating to paving, treatment of verges and tree planting in the car park;
 - Show spot levels and/or contours of the site;
 - Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;
 - Be based on water sensitive urban design principles to the satisfaction of the City;
 - Be based on Designing out Crime principles to the satisfaction of the City; and
 - Show all irrigation design details.
5. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.

11. All signage shall be the subject of a separate Development Application
12. The applicant is to provide an acoustic consultant's report examining the activities of the gymnasium and the impact it may have on adjoining units. Specific investigation and recommendations should be made on the method of construction of the slab and any surface treatments that may be required to reduce sound transfer. Recommendations provided in the acoustic report shall be incorporated in the building design to be submitted for a Building Permit. The development is required to comply with the *Environmental Protection (Noise) Regulations 1997* and the *Environmental Protection Act 1986*.
13. All external walls of the proposed building shall be of a clean finish, and shall at all times be maintained to a high standard, including being free of vandalism, to the satisfaction of the City;

Advice notes

1. In relation to condition 1 above, where an approval has so lapsed, no development shall be carried out without the further approval of the City having first been sought and obtained.
2. In relation to condition 3, 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 handling of waste.
3. In relation to condition 10 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 the site.
4. Any tenancies to be used for sale of food are to comply with the *Food Act 2008*.
5. The City's Local laws require all commercial properties to be provided with a bin store and bin wash facilities. Bin stores must be of sufficient size to accommodate the bins to be used and have a solid concrete floor grading to a floor waste connected to sewer and a hose-cock.
6. Undercroft carpark ventilation is to be provided in accordance with Australian Standard 1668.2-1991.
7. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.

The motion was put and CARRIED UNANIMOUSLY.



*Cr Mike Norman and Cr Liam Gobbert left the meeting at 2.19pm.
Cr Rod Willox and Cr Giovanni Italiano joined the meeting at 2.20pm.*

8.2	Application Details:	Additions to Osborne Park Hospital - New Out Patients Building and Theatre Block Expansion
	Property Location:	Lot 506 (No. 26) Osborne Place, Stirling
	Applicant:	Woodhead Architects
	Owner:	Department of Health
	Responsible authority:	Western Australian Planning Commission
	Report date:	8 March 2013
	DoP File No:	DP12/01279

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Rod Willox

Seconded by: Cr Giovanni Italiano

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

Approve DAP Application reference DP12/0279 and accompanying plans (Attachment 4) date stamped 18 January 2013 by the Department of Planning on behalf of the Western Australian Planning Commission in accordance with Clause 30 (1) of the Metropolitan Region Scheme, subject to the following:

a) Conditions

1. Stormwater from all roofed and paved areas to be collected and contained on site to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Stirling.
2. An Access and Parking Strategy to be prepared and implemented to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Stirling.
3. A detailed landscaping plan including lighting is to be prepared and implemented prior to occupation of the buildings, to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Stirling and Stirling Alliance.
4. All landscaped areas are to be maintained in good condition to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Stirling.
5. End-of-trip facilities are to be provided on site, in accordance with the Austroads guidelines as detailed in the submitted Transport Assessment, to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Stirling.

This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.



b) Advice notes

1. The Stirling Alliance Performance Framework 2010 has a minimum target of 20% renewable energy production. The Stirling Alliance requests that consideration be given to installation of renewable energy on the building roof space.
2. With regard to Condition 2, the Access and Parking Strategy is to address, but not be limited to:
 - The Department of Health's *Access and Parking Strategy for Health Campuses in the Metropolitan Area* (2009);
 - 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; and
 - 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 and Land Use Coordination Unit of the Department of Planning (ph: 6551 9526) in respect of the above requirements.

3. With regard to Condition 3, Stirling Alliance have advised that they are currently undertaking a Landscaping Strategy for the Draft Structure Plan area, and therefore the applicant is requested to work collaboratively on landscaping prior to construction. Landscaping and lighting design is also to address the requirements of the Crime Prevention Through Environmental Design, to the satisfaction of the Stirling Alliance.
4. With regard to Condition 5, end-of-trip facilities to be provided include 60 secure bicycle parking bays, 78 lockers, 7 male showers and 7 female showers, provided for hospital employees.

The motion was put and CARRIED UNANIMOUSLY.



Item 7.1 Presentation was heard prior to the Item at 8.3

8.3	Application Details:	Drive Through Fast Food Outlet (McDonalds Restaurant)
	Property Location:	Lot 56, House Number 2, Chesterfield Road, Mirrabooka
	Applicant:	Urbis
	Owner:	Ark 2000 Pty Ltd
	Responsible authority:	City of Stirling
	Report date:	6 March 2013
	DoP File No:	DP/13/00058

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Paul Drechsler

Seconded by: Cr Rod Willox

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP13/00058 and accompanying plans (ATTACHMENT 1) in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

- a) A total of 3 street trees are to be planted on the verge by the City at the applicant's expense. A fee of \$960 is payable prior to the issue of a building licence. The trees are also to be provided with underground reticulation to the satisfaction of the City of Stirling Manager Parks and Reserves Business Unit.
- b) Proposed signs "S8" and "S9B" (Sheets S04 & S05) are to be relocated so that they do not conflict with the required 1.5m x 1.5m visual truncation, to the satisfaction of the City of Stirling Manager Approvals Business Unit.
- c) The "No Standing / No Parking" street sign which conflicts with the location of the proposed new crossover is required to be relocated at the applicant's expense to the satisfaction of the City of Stirling Manager Engineering Design Business Unit prior to the completion of the development.
- d) The design of the car parking bays and aisles must be in accordance with the Australian Standard AS/NZS2890.1:2004 Off-Street Parking to the satisfaction of the City of Stirling Manager Engineering Design Business Unit.
- e) Vehicular parking, manouevring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City, the 46 parking spaces being marked out and maintained in good repair.
- f) All off street parking is to be available during business hours for all customers and staff, to the satisfaction of the City of Stirling.
- g) A Site Management Plan to be submitted to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit. The Site Management Plan to address dust, noise, waste management, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.



- h) All land indicated as landscaped area on the approved plan being developed on practical completion of the building to the satisfaction of the City and in accordance with the submitted landscaping plan. All landscaped areas are to be maintained in good condition thereafter.
- i) Any existing crossovers not included as part of the proposed development on the approved plan are to be removed. New kerbing and verge is to be reinstated to the satisfaction of the City of Stirling Manager Engineering Operations Business Unit.
- j) Any on site floodlights not being positioned or operated in such a manner so as to cause annoyance to surrounding uses or passing traffic.
- k) No goods or materials being stored, either temporarily or permanently, in the car parking or landscaped areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.

The following Advice notes are also recommended:

- a) Compliance with the provisions of the Building Code of Australia.
- b) Submission of plans showing the details of paving, stormwater drainage and disposal with the Building Permit application.
- c) Development is to comply in all respects with the approved plans.
- d) The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
- e) If the development the subject of this approval is not substantially commenced within a period of two years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- f) Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first been sought and obtained.
- g) If an applicant is aggrieved by this determination there is a right of appeal under Part V of the *Planning and Development Act 2005*. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
- h) This is a Development Approval under the City of Stirling Local Planning Scheme No. 3 and related policies. It is not a building licence or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- i) This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title,



such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.

- j) Noisy Construction Work outside the period 7.00 am to 7.00 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
- k) Connection to deep sewerage in the locality.
- l) Compliance with all relevant administrative, structural and operational provisions of the Food Act 2008, Food Standards Code, and City of Stirling Local Laws.
- m) Notification to the City as a business involving the provision of food service as required under the Food Act 2008. The applicant is required to contact the City of Stirling Health & Compliance Business Unit to arrange final inspection of premises prior to commencement of business operations.

AMENDING MOTION

Moved by: Ms Karen Hyde

Seconded by: Cr Rod Willox

The following amendments were moved en bloc -

1. That "of \$960" be deleted from Condition a) to read as follows:
 - a) A total of 3 street trees are to be planted on the verge by the City at the applicant's expense. A fee is payable prior to the issue of a building licence. The trees are also to be provided with underground reticulation to the satisfaction of the City of Stirling Manager Parks and Reserves Business Unit.
2. That "of" be replaced with "or" in Condition k) to read as follows:
 - k) No goods or materials being stored, either temporarily or permanently, in the car parking or landscaped areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.

REASON: The itemisation of fees were deleted in Condition a) to ensure the City receive the correct amount at the time of payment. The typographical error in condition k) was amended.

The motion was put and **CARRIED UNANIMOUSLY.**



PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP13/00058 and accompanying plans (ATTACHMENT 1) in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

- a) A total of 3 street trees are to be planted on the verge by the City at the applicant's expense. A fee is payable prior to the issue of a building licence. The trees are also to be provided with underground reticulation to the satisfaction of the City of Stirling Manager Parks and Reserves Business Unit.
- b) Proposed signs "S8" and "S9B" (Sheets S04 & S05) are to be relocated so that they do not conflict with the required 1.5m x 1.5m visual truncation, to the satisfaction of the City of Stirling Manager Approvals Business Unit.
- c) The "No Standing / No Parking" street sign which conflicts with the location of the proposed new crossover is required to be relocated at the applicant's expense to the satisfaction of the City of Stirling Manager Engineering Design Business Unit prior to the completion of the development.
- d) The design of the car parking bays and aisles must be in accordance with the Australian Standard AS/NZS2890.1:2004 Off-Street Parking to the satisfaction of the City of Stirling Manager Engineering Design Business Unit.
- e) Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City, the 46 parking spaces being marked out and maintained in good repair.
- f) All off street parking is to be available during business hours for all customers and staff, to the satisfaction of the City of Stirling.
- g) A Site Management Plan to be submitted to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit. The Site Management Plan to address dust, noise, waste management, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
- h) All land indicated as landscaped area on the approved plan being developed on practical completion of the building to the satisfaction of the City and in accordance with the submitted landscaping plan. All landscaped areas are to be maintained in good condition thereafter.
- i) Any existing crossovers not included as part of the proposed development on the approved plan are to be removed. New kerbing and verge is to be reinstated to the satisfaction of the City of Stirling Manager Engineering Operations Business Unit.
- j) Any on site floodlights not being positioned or operated in such a manner so as to cause annoyance to surrounding uses or passing traffic.



- k) No goods or materials being stored, either temporarily or permanently, in the car parking or landscaped areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.

The following Advice notes are also recommended:

- a) Compliance with the provisions of the Building Code of Australia.
- b) Submission of plans showing the details of paving, stormwater drainage and disposal with the Building Permit application.
- c) Development is to comply in all respects with the approved plans.
- d) The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
- e) If the development the subject of this approval is not substantially commenced within a period of two years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- f) Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first been sought and obtained.
- g) If an applicant is aggrieved by this determination there is a right of appeal under Part V of the *Planning and Development Act 2005*. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
- h) This is a Development Approval under the City of Stirling Local Planning Scheme No. 3 and related policies. It is not a building licence or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- i) This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
- j) Noisy Construction Work outside the period 7.00 am to 7.00 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
- k) Connection to deep sewerage in the locality.
- l) Compliance with all relevant administrative, structural and operational



provisions of the Food Act 2008, Food Standards Code, and City of Stirling Local Laws.

- m) Notification to the City as a business involving the provision of food service as required under the Food Act 2008. The applicant is required to contact the City of Stirling Health & Compliance Business Unit to arrange final inspection of premises prior to commencement of business operations.

The motion was put and CARRIED UNANIMOUSLY.

Item 7.2 Presentation was heard prior to the Item at 8.4

8.4a	Application Details:	Multi-storey development comprising Office, Shop, Tavern, 154 Multiple Dwellings and associated car parking
	Property Location:	Lot 222, House Number 1, Sunray Drive, Innaloo
	Applicant:	TPG Town Planning, Urban Design and Heritage
	Owner:	Fabray Pty Ltd
	Responsible authority:	City of Stirling
	Report date:	8 March 2013
	DoP File No:	DP13/00033

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Giovanni Italiano

Seconded by: Mr Paul Drechsler

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP13/00033 and accompanying plans (ATTACHMENT 1) in accordance with Clause 2.8.2 of the City of Stirling's Town Planning Scheme No. 38, subject to the following conditions:

- a) Pursuant to Clause 4.5.3 of Town Planning Scheme No 38 that a monetary contribution calculated in accordance with clause 4.5.2 be made for 122 bays, being a discounted parking shortfall as outlined in the report, and is to be paid prior to the commencement of development to the satisfaction of the City of Stirling Manager Approvals.
- b) That amended plans be provided prior to the issue of a building permit to the satisfaction of the City of Stirling Manager Approvals to demonstrate the necessary access, egress and loading area for service/delivery vehicles. (Refer Advice Note)
- c) All awnings to have a maximum height of 3.5m above footpath level and a minimum depth of 2.0m unless otherwise restricted by verge infrastructure to the satisfaction of the City of Stirling Manager Approvals.
- d) No clothes drying is permitted on balconies unless adequately screened so as to not be visible from adjoining residences or the public realm.
- e) The proposed tenancies indicated as "retail" on the approved plans are approved to operate as "shop" only as per the definition of shop prescribed in Town Planning Scheme No. 38.



- f) A geotechnical report is to be submitted to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit verifying that the site is capable of sustaining the proposed development.
- g) A CCTV design plan for the development is to be submitted prior to the commencement of the development, to the satisfaction of the City of Stirling Manager Community Safety.
- h) The provision of a CCTV system including all entrances into the development, parking and loading areas prior to practical completion of the development in accordance with the relevant Australian Standards, Guidelines and City of Stirling Policies to the satisfaction of the City of Stirling Manager Community Safety.
- i) The internal partitions between the tenancies not being altered without the written consent of the City of Stirling first being obtained.
- j) The dimensions of all parking bays and manoeuvring areas to be in accordance with AS2890.1.
- k) The submission of a landscaping plan to the satisfaction of the Manager Approvals prior to commencing development.
- l) Architectural lighting of the building in addition to lighting under all awnings and at all entry points to be provided to the satisfaction of the Manager Approvals prior to occupation of the building.
- m) Any on-site floodlights not being positioned or operated in such a manner so as to cause annoyance to surrounding uses or passing traffic.
- n) The submission of a signage strategy to the satisfaction of the City of Stirling Manager Approvals prior to the erection of any signs.
- o) A Site Management Plan to be submitted to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit. The Site Management Plan to address dust, noise, waste management, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
- p) A Car Parking Management Plan be provided to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit. The Car Parking Management Plan is to address the management of staff, visitor and delivery parking. The Car Parking Management Plan is to be complied with for the duration of the occupation of the development, unless otherwise varied by the City of Stirling.
- q) The Car Parking Management Plan is to include provision for five (5) residential visitor bays within the 152 bays allocated for commercial parking as part of this application.
- r) Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City of Stirling Manager Engineering Design with all parking spaces being marked out and maintained in good repair.



- s) All off street parking to be available onsite during business hours for all customers and staff to the satisfaction of the City of Stirling Manager Approvals.
- t) No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
- u) All stormwater to be collected and contained on site. A Stormwater Management Plan demonstrating this to be submitted to the City to the satisfaction of the Manager Engineering Design prior to commencing development.
- v) Any existing crossovers not included as part of the proposed development on the approved plan are to be removed. New kerbing and verge to be reinstated to the satisfaction of the City of Stirling Manager Engineering Design.
- w) Connection to deep sewer in the locality.
- x) This approval is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

Advice to Applicant

- In relation to condition (a) the applicant is advised that an application for approval of any amended proposal may be required in accordance with Regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011.

AMENDING MOTION

Moved by: Cr Rod Willox

Seconded by: Mr Fred Zuideveld

That condition a) be deleted and following conditions be renumbered accordingly.

REASON: The JDAP determined that Condition a) be deleted as the development is transit oriented which would have an adverse impact only on the short-term functionality of the precinct. This would be attenuated over time as development continues.

The motion was put and **CARRIED UNANIMOUSLY.**



AMENDING MOTION

Moved by: Mr Fred Zuideveld

Seconded by: Ms Karen Hyde

That a new condition be added as follows:

“That the design be modified to incorporate minimum standards under the R-Codes to private balconies.”

REASON: To ensure the development meets the minimum requirements set out in the Residential Design Codes of Western Australia.

The motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP13/00033 and accompanying plans (ATTACHMENT 1) in accordance with Clause 2.8.2 of the City of Stirling’s Town Planning Scheme No. 38, subject to the following conditions:

- a) That amended plans be provided prior to the issue of a building permit to the satisfaction of the City of Stirling Manager Approvals to demonstrate the necessary access, egress and loading area for service/delivery vehicles. (Refer Advice Note)
- b) All awnings to have a maximum height of 3.5m above footpath level and a minimum depth of 2.0m unless otherwise restricted by verge infrastructure to the satisfaction of the City of Stirling Manager Approvals.
- c) No clothes drying is permitted on balconies unless adequately screened so as to not be visible from adjoining residences or the public realm.
- d) The proposed tenancies indicated as “retail” on the approved plans are approved to operate as “shop” only as per the definition of shop prescribed in Town Planning Scheme No. 38.
- e) A geotechnical report is to be submitted to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit verifying that the site is capable of sustaining the proposed development.
- f) A CCTV design plan for the development is to be submitted prior to the commencement of the development, to the satisfaction of the City of Stirling Manager Community Safety.
- g) The provision of a CCTV system including all entrances into the development, parking and loading areas prior to practical completion of the development in accordance with the relevant Australian Standards, Guidelines and City of Stirling Policies to the satisfaction of the City of Stirling Manager Community Safety.
- h) The internal partitions between the tenancies not being altered without the written consent of the City of Stirling first being obtained.



- i) The dimensions of all parking bays and manoeuvring areas to be in accordance with AS2890.1.
- j) The submission of a landscaping plan to the satisfaction of the Manager Approvals prior to commencing development.
- k) Architectural lighting of the building in addition to lighting under all awnings and at all entry points to be provided to the satisfaction of the Manager Approvals prior to occupation of the building.
- l) Any on-site floodlights not being positioned or operated in such a manner so as to cause annoyance to surrounding uses or passing traffic.
- m) The submission of a signage strategy to the satisfaction of the City of Stirling Manager Approvals prior to the erection of any signs.
- n) A Site Management Plan to be submitted to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit. The Site Management Plan to address dust, noise, waste management, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
- o) A Car Parking Management Plan be provided to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit. The Car Parking Management Plan is to address the management of staff, visitor and delivery parking. The Car Parking Management Plan is to be complied with for the duration of the occupation of the development, unless otherwise varied by the City of Stirling.
- p) The Car Parking Management Plan is to include provision for five (5) residential visitor bays within the 152 bays allocated for commercial parking as part of this application.
- q) Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City of Stirling Manager Engineering Design with all parking spaces being marked out and maintained in good repair.
- r) All off street parking to be available onsite during business hours for all customers and staff to the satisfaction of the City of Stirling Manager Approvals.
- s) No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
- t) All stormwater to be collected and contained on site. A Stormwater Management Plan demonstrating this to be submitted to the City to the satisfaction of the Manager Engineering Design prior to commencing development.



- u) Any existing crossovers not included as part of the proposed development on the approved plan are to be removed. New kerbing and verge to be reinstated to the satisfaction of the City of Stirling Manager Engineering Design.
- v) Connection to deep sewer in the locality.
- w) This approval is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
- x) That the design be modified to incorporate minimum standards under the R-Codes to private balconies.

Advice to Applicant

- In relation to condition (a) the applicant is advised that an application for approval of any amended proposal may be required in accordance with Regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011.

The motion was put and CARRIED UNANIMOUSLY.

8.4b Application Details:	Mixed use development comprising 154 multiple dwellings, office floorspace, shop and cafe / restaurant / tavern at ground level and three levels of car parking
Property Location:	Lot 222 (No. 1) Sunray Drive, Innaloo
Applicant:	TPG Town Planning, Urban Design and Heritage
Owner:	Fabray Pty Ltd
Responsible authority:	Western Australian Planning Commission
Report date:	8 March 2013
DoP File No:	DP13/00033

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Paul Drechsler

Seconded by: Mr Fred Zuideveld

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

Approve DAP Application reference DP12/01189 and accompanying plans:

- A300 C, A305 C, A310 C, L_CP_001 Roof Garden, L_CP_001 Streetscape, L_CP_001 Trees and Planting, L_CP_001 Landscape Approach date stamped 12 December 2012; and
- A001 F, A002 E, A003 D, A100 F, A203 E, A206 D, A208 D, A210 D, A250 F, date stamped 4 February 2013; and
- A200 L, A201 G, A202 H, A400 C, A401 C, A500 F, A501 C, A502 C, date stamped 6 March 2013;

by the Department of Planning on behalf of the Western Australian Planning Commission in accordance with Clause 30 (1) of the Metropolitan Region Scheme, subject to the following conditions:



A) Conditions

1. A pedestrian traffic generation and movement plan for the precinct is to be prepared and implemented to the satisfaction of the Western Australian Planning Commission on the advice of the Department of Transport and the City of Stirling prior to initial occupation of the development.
2. No earthworks shall encroach onto the Primary Regional Road reservation.
3. No stormwater drainage shall be discharged onto the Primary Regional Road reservation.
4. The applicant shall make good any damage to the existing verge vegetation within the Primary Regional Road Reservation.
5. A Parking Management Plan to be prepared and implemented to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Stirling.
6. The applicant to undertake a transport noise assessment in accordance with State Planning Policy 5.4 - 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning', and noise mitigation measures identified are to be implemented, to the satisfaction of the Western Australian Planning Commission on the advice of the Department of Transport.

This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

B) Advice notes

1. The Stirling Alliance Performance Framework 2010 has a minimum target of 20% renewable energy production. The Stirling Alliance requests that consideration be given to installation of renewable energy on the building roof space.
2. An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Environment and Conservation before any development is commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan. This form can be downloaded from the Western Australian Planning Commission's website at: www.planning.wa.gov.au. The "acid sulphate soils self-assessment form" makes reference to the Department of Environment and Conservation's "Identification and Investigation of Acid Sulphate Soils" guideline. This guideline can be obtained from the Department of Environment and Conservation's website at: www.dec.wa.gov.au.



3. With regard to Condition 5, 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; and
 - 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 Policy Unit of the Department of Planning (ph: 6551 9210) in respect of the above requirements.

The motion was put and CARRIED UNANIMOUSLY.

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

Nil

10. Appeals to the State Administrative Tribunal

The Presiding Member noted the following State Administrative Tribunal Appeals:

- City of Joondalup - New Packaged Liquor Store outlet for the Carine Tavern - Lot 12 (493) Beach Road, Duncraig.
- City of Stirling - Multi-Storey development comprising Office, Shop and associated car parking - Lot 214 (7) Sunray Drive, Innaloo

11. Meeting Close

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

There being no further business, the presiding member declared the meeting closed at 3.21pm.