



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: Thursday 6 March 2014; 10am
Meeting Number: MNWJDAP/49
Meeting Venue: City of Stirling
25 Cedric Street Stirling

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Ian Birch (Alternate Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Mike Norman (Local Government Member, City of Joondalup)
Cr John Chester (Local Government Member, City of Joondalup)
Cr Rod Willox (Local Government Member, City of Stirling)
Cr David Michael (Local Government Member, City of Stirling)

Officers in attendance

Ms Ivin Lim (Development Assessment Panels)
Ms Karen Newman (Development Assessment Panels)
Ms Melinda Bell (City of Joondalup)
Ms Renae Mather (City of Joondalup)
Mr Ross Povey (City of Stirling)
Mr Greg Bowering (City of Stirling)
Ms Kimberley Masuku (City of Stirling)

Local Government Minute Secretary

Ms Melissa Karapetcoff (City of Stirling)

Applicant(s), Submitters and Members of the Public

Mr Stephen Shirecore (Meyer Shircore and Associates)
Ms Doreen Ding (Meyer Shircore and Associates)
Mr Ross Underwood (Planning Solutions)
Mr Paul Kotsoglo (Planning Solutions)
Mr Luke Saraceni (Westbridge Property Group)
Mr Dominic Snellgrove (Cameron Chisholm Nicol)
Mr Russell Poliwka (First Western Realty)
Mr Graham Chave
Five (5) Members of the Public

1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 10.00am on 6 March 2014 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

Karen Hyde



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

Mr Paul Drechsler (Deputy Presiding Member)
Mayor Giovanni Italiano (Local Government Member, City of Stirling)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

The Minutes of the Metro North-West JDAP Meeting No.48 held on 26 February 2014 were not available at time of Agenda preparation.

5. Disclosure of interests

Member/Officer	Report Item	Nature of Interest
Mr Ian Birch	8.2	Impartiality

Mr Ian Birch is an acquaintance of Mr Luke Saraceni (Westbridge Property Group) who is associated with the application at Item 8.2. Mr Birch has declared that his impartiality will not be affected on the matter before the JDAP and will consider the application on its merits.

In accordance with Section 2.4.6 of the Code of Conduct 2011, DAP members participated in a site visit for the application at Item 8.2 prior to the DAP Meeting.

In accordance with Section 4.5.1 and 4.5.2 of the Standing Orders 2012, the Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was 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.

Karen Hyde



7. Deputations and presentations

- 7.1 Mr Paul Collins (Lloyd Collins and Associates Pty Ltd) presented against the application at Item 8.2.
- 7.2 Mr Luke Saraceni (Westbridge Property Group) presented for the application at Item 8.2.
- 7.3 Mr Paul Kotsoglo (Planning Solutions) presented for the application at Item 8.2.

8. Responsible Authority Reports

8.1	Property Location:	Lot 523 (35) Davidson Terrace, Joondalup
	Application Details:	Commercial, Office and Multiple Dwelling (proposed eight storey development)
	Applicant:	Meyer Shircore and Associates
	Owner:	WN Poliwka
	Responsible authority:	Local Government
	Report date:	24 February 2014
	DoP File No:	DP/13/00956

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Mike Norman

Seconded by: Cr John Chester

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP/13/00956 and accompanying plans date stamped 16 January 2014 and 17 February 2014 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 a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. A Construction Management Plan being submitted to and approved by the City 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;
 - the management of sand and dust during the construction process;
 - other matters likely to impact on the surrounding properties.

All development shall be undertaken in accordance with this plan.

Karen Hyde



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 development. All refuse management shall thereafter be undertaken in accordance with this plan.
4. 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 development.
5. 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 Permit submission and be approved by the City prior to the commencement of development.
6. 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.
7. Wheel stops shall be provided to the bays immediately adjacent the pedestrian area to the lifts and stair 2, being the three bays on the lower basement level, and two bays on the upper basement level. Wheel stops shall be installed prior to the occupation of the development and to the satisfaction of the City.
8. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of development.
9. No obscure or reflective glazing is permitted to ground floor facades.
10. A signage strategy shall be submitted to and approved by the City prior to occupation of the development.
11. The ground floor tenancies indicated as 'Commercial' shall be occupied by land uses that are preferred or permitted under the applicable Agreed Structure Plan. The City shall be notified of the land uses prior to the tenancies first being occupied, and any subsequent change of land uses thereafter.

Advice Notes

1. Further to condition 1, where an approval has so lapsed, no development shall be carried out without the further approval of the City having first being sought and obtained.
2. Further to condition 11, land uses shall be in accordance with the preferred uses under the *Joondalup City Centre Development Plan and Manual*. Should the *Joondalup City Centre Structure Plan* be endorsed by the Western Australian



Planning Commission prior to occupation of the tenancies, land uses shall be in accordance with the permitted ("P") uses of the Central Core district. Further development approval shall be obtained for any land use(s) that are not preferred or permitted under the applicable Agreed Structure Plan.

3. The applicant/builder is advised that there is an obligation to design and construct the premises in compliance with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.
4. All Bin Storage Areas are to be designed and equipped to the satisfaction of the City. Each bin area shall be provided with a hose cock and have a concrete floor graded to a 100mm industrial floor waste gully connected to sewer.
5. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971* including all internal W.C.'s shall be provided with mechanical exhaust ventilation and flumed to the external air.
6. Any mechanical ventilation for the development shall comply with *Australian Standard 1668.2*, *Australian Standard 3666* and the *Health (Air Handling and Water Systems) Regulations 1994*.
7. It is recommended that all residential units be provided with condensation dryers within the laundries. Conventional dryers are key contributors to the growth of indoor mould.

AMENDING MOTION

Moved by: Cr John Chester

Seconded by: Cr Mike Norman

That a Condition 12 be added to read as follows:

- '12. Appropriate measures are to be taken to ensure existing grass trees are removed and replanted in a City Park or Reserve where practical, to the satisfaction of the City. Details in this regard are to be provided to the City prior to the commencement of Development.'

REASON: To ensure that appropriate consideration is given to the potential for the vegetation to be relocated and replanted within the City.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

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Conditions

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



2. A Construction Management Plan being submitted to and approved by the City 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;
 - the management of sand and dust during the construction process;
 - other matters likely to impact on the surrounding properties.

All development shall be undertaken in accordance with this plan.

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 development. All refuse management shall thereafter be undertaken in accordance with this plan.
4. 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 development.
5. 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 Permit submission and be approved by the City prior to the commencement of development.
6. 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.
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8. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of development.
9. No obscure or reflective glazing is permitted to ground floor facades.

Karen Hyde



10. A signage strategy shall be submitted to and approved by the City prior to occupation of the development.
11. The ground floor tenancies indicated as 'Commercial' shall be occupied by land uses that are preferred or permitted under the applicable Agreed Structure Plan. The City shall be notified of the land uses prior to the tenancies first being occupied, and any subsequent change of land uses thereafter.
12. Appropriate measures are to be taken to ensure existing grass trees are removed and replanted in a City Park or Reserve where practical, to the satisfaction of the City. Details in this regard are to be provided to the City prior to the commencement of Development.

Advice Notes

1. Further to condition 1, where an approval has so lapsed, no development shall be carried out without the further approval of the City having first being sought and obtained.
2. Further to condition 11, land uses shall be in accordance with the preferred uses under the *Joondalup City Centre Development Plan and Manual*. Should the *Joondalup City Centre Structure Plan* be endorsed by the Western Australian Planning Commission prior to occupation of the tenancies, land uses shall be in accordance with the permitted ("P") uses of the Central Core district. Further development approval shall be obtained for any land use(s) that are not preferred or permitted under the applicable Agreed Structure Plan.
3. The applicant/builder is advised that there is an obligation to design and construct the premises in compliance with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.
4. All Bin Storage Areas are to be designed and equipped to the satisfaction of the City. Each bin area shall be provided with a hose cock and have a concrete floor graded to a 100mm industrial floor waste gully connected to sewer.
5. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971* including all internal W.C.'s shall be provided with mechanical exhaust ventilation and flumed to the external air.
6. Any mechanical ventilation for the development shall comply with *Australian Standard 1668.2*, *Australian Standard 3666* and the *Health (Air Handling and Water Systems) Regulations 1994*.
7. It is recommended that all residential units be provided with condensation dryers within the laundries. Conventional dryers are key contributors to the growth of indoor mould.

The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.



Cr John Chester and Cr Mike Norman left the meeting at 10.13am.

8.2	Property Location:	Lots 32, 33 and 105, House Number 96 Tenth Avenue, Inglewood
	Application Details:	Mixed Use Development
	Applicant:	Planning Solutions
	Owner:	Sanborn Holdings Pty Ltd
	Responsible authority:	City of Stirling
	Report date:	12 February 2014
	DoP File No:	DP/13/00588

PROCEDURAL MOTION

Moved by: Ms Karen Hyde

Seconded by: Cr Rod Willox

That in accordance with 5.10.1.b of the *DAP Standing Orders 2012*, the meeting be adjourned for a period of 15 minutes to seek further legal advice.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

Ms Karen Hyde, Mr Ian Birch, Mr Fred Zuideveld, Cr Rod Willox, Cr David Michael and Ms Ivin Lim left the meeting at 10.52am.

Ms Karen Hyde, Mr Ian Birch, Mr Fred Zuideveld, Cr Rod Willox, Cr David Michael and Ms Ivin Lim returned to the meeting at 11.09am.

PRIMARY MOTION

Moved: Cr Rod Willox

Seconded: Cr David Michael

Refuse DAP Application reference DP/13/00588 and accompanying plans (Attachment 1) for a Mixed Use Development in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No. 3, for the following reasons:

1. The proposed multiple dwellings on the ground floor facing the street cannot be approved in a Mixed Use zone.
2. The proposed parking within the Lawry Lane road reserve does not have the support of the City, as Managers of the land, therefore approval of these bays would constitute an invalid decision; and
3. The proposal to convert Lawry Lane into a one way laneway is not in the interests of orderly and properly planning.

The Primary Motion was put and CARRIED UNANIMOUSLY.

9. Amending or cancelling DAP development approval

Nil

10. Appeals to the State Administrative Tribunal

The Panel noted the following State Administrative Tribunal applications:



- Lot 501 (No. 470) Whitfords Avenue Hillarys – Expansion of Westfield Whitford City Shopping Centre – City of Joondalup
- Lot 604 (No. 114) Cedric Street Stirling – Mixed Use Commercial and Residential Development - City of Stirling

11. Meeting Close

There being no further business, the presiding member declared the meeting closed at 11.15am.