



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

**Meeting Date and Time:** Tuesday 13 May 2014; 1pm  
**Meeting Number:** MNWJDAP/54  
**Meeting Venue:** City of Wanneroo  
23 Dundobar Rd, Wanneroo

### Attendance

#### DAP Members

Ms Karen Hyde (Presiding Member)  
Mr Paul Drechsler (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 Russell Driver (Local Government Member, City of Wanneroo)  
Mayor Tracey Roberts (Local Government Member, City of Wanneroo)

#### Officers in attendance

Ms Ivin Lim (Department of Planning)  
Mr Patrick Leach (Department of Planning)  
Ms Melinda France (City of Joondalup)  
Mr John Corbellini (City of Joondalup)  
Mr Pas Bracone (City of Wanneroo)

#### Local Government Minute Secretary

Ms Grace Babudri (City of Wanneroo)

#### Applicants and Submitters

Mr Chris Harman (TPG)  
Ms Kim Munro (Coles)

#### Members of the Public

Nil

### 1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 1pm on 13 May 2014 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

Ms Karen Hyde

Presiding Member, Metro North-West

*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 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 meeting would not be recorded.

**2. Apologies**

Cr Frank Cvitan (Local Government Member, City of Wanneroo)

**3. Members on Leave of absence**

Nil

**4. Noting of minutes**

Minutes of the Metro North-West JDAP meeting no. 53 held on 6 May 2014 were not available for noting at the time of meeting.

**5. Disclosure of interests**

Nil

**6. Declaration of Due Consideration**

All members declared that they had duly considered the documents.

**7. Deputations and presentations**

Nil

**8. Form 1 - Responsible Authority Reports – DAP Application**

**PROCEDURAL MOTION**

**Moved by:** Mayor Tracey Roberts

**Seconded by:** Cr Russell Driver

That the application at Item 9.1 be heard prior to the application at Item 8.1.

**The Procedural Motion was put and CARRIED UNANIMOUSLY.**

Ms Karen Hyde

Presiding Member, Metro North-West JDAP

*Karen Hyde*



- 8.1** Property Location: Lot 702 (34) Marri Road, Duncraig  
Application Details: Proposed three storey mixed use development  
with under croft car park  
Applicant: Piran Group Pty Ltd  
Owner: JHF Holdings Pty Ltd  
Responsible authority: City of Joondalup  
Report date: 30 April 2014  
DoP File No: DP/14/00199

## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr John Chester

**Seconded by:** Mr Paul Drechsler

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP/14/00199 for "Shop", "Office" and "Multiple Dwellings" and accompanying plans (refer to Attachment 2) in accordance with Clause 6.9 of the City of Joondalup Planning Scheme No. 2, subject to the following conditions:

### Conditions

1. 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.
2. A Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:
  - (a) all forward works for the site;
  - (b) the delivery of materials and equipment to the site;
  - (c) the storage of materials and equipment on the site;
  - (d) the parking arrangements for the contractors and subcontractors;
  - (e) the management of sand and dust during the construction process;
  - (f) the management of noise during the construction process; and
  - (g) other matters likely to impact on the surrounding properties.
3. 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.
4. 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. Plans showing the proposed

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*Karen Hyde*



stormwater drainage system are to be submitted to the City for approval, prior to the commencement of development.

5. 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.
6. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.
7. All external walls of the proposed buildings, including retaining walls 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.
8. All development shall be contained within the property boundaries.
9. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. 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;
  - 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.
10. 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.
11. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
12. A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of development, and

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*Karen Hyde*



approved by the City prior to the development first being occupied.

13. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
14. The storage areas indicated on plans for Unit 13, 15 and 16 shall be enclosed and lockable. This storage area shall be provided prior to the occupation of the development, and to the satisfaction of the City.

#### Advice Notes

1. Further to condition 1 above, where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
2. The tenancies indicated as 'Office' on the approved plans are approved as an 'Office' as defined by the City of Joondalup District Planning Scheme No. 2.
3. The City of Joondalup District Planning Scheme No. 2 defines 'Office' as *"any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres."*
4. The tenancies indicated as 'Shop' on the approved plans are approved as a 'Shop' as defined by the City of Joondalup District Planning Scheme No. 2.
5. The City of Joondalup District Planning Scheme No. 2 defines 'Shop' as *"premises where goods are kept exposed or offered for sale by retail or hire, but the term does not include a Showroom, Drive Through Food Outlet or a Restricted Premises."*
6. The units on the first and second floor of the development are approved as 'Multiple Dwellings' as defined by the Residential Design Codes of WA.
7. The Residential Design Codes of WA defines a 'Multiple Dwelling' as *"a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:*
  - *does not include a grouped dwelling; and*
  - *includes any dwellings above the ground floor in a mixed use development."*
8. All plant and equipment must be designed and installed to meet the provisions of the *Environmental Protection (Noise) Regulations 1997*.
9. Bin store areas are to be provided with a hose cock and have a

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*Karen Hyde*



concrete floor graded to an industrial floor waste connected to sewer.

10. The applicant is required to provide written confirmation prior to the issue of a building permit that the decommissioning of the existing tanks and the remediation of the site has been completed to the satisfaction of the Department of Environmental Regulation and the site has subsequently been deemed suitable for use as residential and commercial premises.
11. Mechanical ventilation for the development (including undercroft parking area) to comply with *Australian Standard 1668.2*, *Australian Standard 3666* and the *Health (Air Handling and Water Systems) Regulations 1994*.
12. The applicant is advised that all residential units should be provided with condensation dryers within the laundries. Conventional dryers are key contributors to the growth of indoor mould.
13. Should any of the proposed commercial units be used for the preparation and sale of food, then they are required to comply with the *Food Act 2008* and the *Australia New Zealand Food Standards Code*. Prior to submitting a Certified Building Permit Application for the fit out of any food business, the applicant is encouraged to send a copy of their plans to the City's Health & Environmental Services for comment. Please call 9400 4933 for further details.

#### **AMENDING MOTION 1**

**Moved by:** Cr John Chester

**Seconded by:** Cr Mike Norman

That an additional condition be added to read as follows -

*"That the applicant is required to place shading over exposed windows on the upper floor on the Northern and Western aspects of the residential portion of the development to the satisfaction of the City."*

**REASON: To enhance the amenity and sustainability of the building.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

#### **AMENDING MOTION 2**

**Moved by:** Ms Karen Hyde

**Seconded by:** Cr John Chester

That Condition 9 include an additional dot point to read as follows:

- *"Demonstrate how the landscaping will screen retaining walls."*

**REASON: To enhance the amenity and sustainability of the building.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

Ms Karen Hyde

*Karen Hyde*



### **AMENDING MOTION 3**

**Moved by:** Cr Mike Norman

**Seconded by:** Cr John Chester

That Advice Note 10 be deleted and replaced with the following:

*“Applicant shall note that there is an obligation to ensure that the site is suitable for a sensitive land use in consideration of its previous land use (as a service station). To this regard, advice should be sought from the Department of Environment and Regulation regarding the environmental investigations undertaken, and noting that the Cardno Soil and Groundwater Investigation Report August 2008 identified contaminated soil on the Southern portion of the site that may need to be managed.”*

**REASON: To provide clarity to the applicant.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### **AMENDING MOTION 4**

**Moved by:** Ms Karen Hyde

**Seconded by:** Mr Paul Drechsler

That an additional advice note be added to read as follows:

*“The applicant is strongly encouraged to consider incorporating environmentally sustainable design principles in the detailed design of the development in line with the City’s Environmentally Sustainable Design Policy.”*

**REASON: To draw the applicant's attention to the City's Policy.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

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

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP/14/00199 for “Shop”, “Office” and “Multiple Dwellings” and accompanying plans (refer to Attachment 2) in accordance with Clause 6.9 of the City of Joondalup Planning Scheme No. 2, subject to the following conditions:

#### **Conditions**

1. 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.
2. A Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:

**Ms Karen Hyde**

**Presiding Member, Metro North-West JDAP**

*Karen Hyde*



- (a) all forward works for the site;
  - (b) the delivery of materials and equipment to the site;
  - (c) the storage of materials and equipment on the site;
  - (d) the parking arrangements for the contractors and subcontractors;
  - (e) the management of sand and dust during the construction process;
  - (f) the management of noise during the construction process; and
  - (g) other matters likely to impact on the surrounding properties.
3. 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.
  4. 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. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of development.
  5. 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.
  6. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.
  7. All external walls of the proposed buildings, including retaining walls 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.
  8. All development shall be contained within the property boundaries.
  9. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. 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

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- tree planting in the car park;
  - Show spot levels and/or contours of the site;
  - 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;
  - Show all irrigation design details; and
  - Demonstrate how the landscaping will screen retaining walls.
10. 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.
  11. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
  12. A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of development, and approved by the City prior to the development first being occupied.
  13. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
  14. The storage areas indicated on plans for Unit 13, 15 and 16 shall be enclosed and lockable. This storage area shall be provided prior to the occupation of the development, and to the satisfaction of the City.
  15. That the applicant is required to place shading over exposed windows on the upper floor on the Northern and Western aspects of the residential portion of the development to the satisfaction of the City.

#### Advice Notes

1. Further to condition 1 above, where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
2. The tenancies indicated as 'Office' on the approved plans are approved as an 'Office' as defined by the City of Joondalup District Planning Scheme No. 2.
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*medical centres.”*

4. The tenancies indicated as ‘Shop’ on the approved plans are approved as a ‘Shop’ as defined by the City of Joondalup District Planning Scheme No. 2.
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6. The units on the first and second floor of the development are approved as ‘Multiple Dwellings’ as defined by the Residential Design Codes of WA.
7. The Residential Design Codes of WA defines a ‘Multiple Dwelling’ as *“a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:*
  - *does not include a grouped dwelling; and*
  - *includes any dwellings above the ground floor in a mixed use development.”*
8. All plant and equipment must be designed and installed to meet the provisions of the *Environmental Protection (Noise) Regulations 1997*.
9. Bin store areas are to be provided with a hose cock and have a concrete floor graded to an industrial floor waste connected to sewer.
10. Applicant shall note that there is an obligation to ensure that the site is suitable for a sensitive land use in consideration of its previous land use (as a service station). To this regard, advice should be sought from the Department of Environment and Regulation regarding the environmental investigations undertaken, and noting that the Cardno Soil and Groundwater Investigation Report August 2008 identified contaminated soil on the Southern portion of the site that may need to be managed.
11. Mechanical ventilation for the development (including undercroft parking area) to comply with *Australian Standard 1668.2, Australian Standard 3666* and the *Health (Air Handling and Water Systems) Regulations 1994*.
12. The applicant is advised that all residential units should be provided with condensation dryers within the laundries. Conventional dryers are key contributors to the growth of indoor mould.
13. Should any of the proposed commercial units be used for the preparation and sale of food, then they are required to comply with the *Food Act 2008* and the *Australia New Zealand Food Standards Code*. Prior to submitting a Certified Building Permit Application for the fit out of any food business, the applicant is encouraged to send a copy of their plans to the City’s Health & Environmental Services for comment.

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Please call 9400 4933 for further details.

14. The applicant is strongly encouraged to consider incorporating environmentally sustainable design principles in the detailed design of the development in line with the City's *Environmentally Sustainable Design Policy*.

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

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

- 9.1** Property Location: Lot 3801 (1001) Joondalup Drive, Banksia Grove  
Application Details: Amendment to Banksia Grove Town Centre (Stage 1) – tenancy layout and use (condition b) and modification to condition d.  
Applicant: TPG Town Planning, Urban Design & Heritage  
Owner: Coles Group Property Dev Ltd  
Responsible authority: City of Wanneroo  
Report date: 5 May 2014  
DoP File No: DP/13/00180

**REPORT RECOMMENDATION / PRIMARY MOTION**

**Moved by:** Mr Paul Drechsler

**Seconded by:** Mayor Tracey Roberts

**Recommendation:**

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

1. Accept that the DAP Application reference DP/13/00180 as detailed on the DAP Form 2 dated 5 March 2014 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. Approve the DAP Application reference DP/13/00180 as detailed on the DAP Form 2 dated 5 March 2014 and accompanying plans (Plan A9.01 dated 17/3/2014, Elevations dated 12/02/2014) in accordance with the provisions of the Metropolitan Region Scheme and the City of Wanneroo District Planning Scheme No. 2, for the proposed minor amendment to the approved Banksia Grove Town Centre (Stage 1) at Lot 3801 (1001) Joondalup Drive, BANKSIA GROVE, subject to:

**Amended Conditions**

- b)** Tenancies within the proposed development shall accord with the following land uses and their corresponding definitions under the City of Wanneroo District Planning Scheme No. 2:

Plan A9.01

- T01, T04-T06, T12 and T17 – 'Shop';
- T02 – 'Liquor Store';

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*Karen Hyde*



- T03 – 'Bank';
- T07-T11 – 'Take-Away Food Outlet' and 'Restaurant';
- T16 – 'Medical Centre; and
- M28 and M29 – 'Take-Away Food Outlet'.

Plan DA03:

- T01 and T02: 'Take-Away Food Outlet'; and
- Fuel Station: 'Convenience Store'.

- d) Satisfactory arrangements being made with the City of Wanneroo prior to any occupancy of the development, to ensure that the proposed accesses at Pinjar Road and Joondalup Drive are redesigned and reconstructed as left-in, left-out accesses only at the proponent's cost, once alternative access to the subject site is available from the future eastward extension of Golf Links Drive between Pinjar Road and Joondalup Drive through the adjoining lot to the north.

#### **Advice Notes**

All other conditions and requirements detailed on the previous approval dated 30 May 2013 (LG ref DA2013/223) shall remain unless altered by this application.

**The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.**

#### **10. Appeals to the State Administrative Tribunal**

As invited by the State Administrative Tribunal under Section 31 of the *State Administrative Act 2004*, the Metro North-West JDAP reconsidered a Mixed Use Commercial and Residential Development at Lot 604 (114) Cedric Street, Stirling on the 6 May 2014.

#### **11. Meeting Close**

There being no further business, the presiding member declared the meeting closed at 1.41pm.

Ms Karen Hyde

Presiding Member, Metro North-West JDAP

*Karen Hyde*