



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: Tuesday 5 August 2014; 3.30pm
Meeting Number: MNWJDAP/61
Meeting Venue: City of Joondalup
90 Boas Ave Joondalup

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Clayton Higham (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 Frank Cvitan (Local Government Member, City of Wanneroo) *Until 3.48pm*
Cr Russell Driver (Local Government Member, City of Wanneroo) *Until 3.48pm*

Officers in attendance

Mr Pas Bracone (City of Wanneroo)
Ms Alice Harford (City of Wanneroo)
Ms Dale Page (City of Joondalup)
Ms Renae Mather (City of Joondalup)

Local Government Minute Secretary

Mr John Byrne (City of Joondalup)

Applicants and Submitters

Mr Eugene Koltasz (Coronada Investments Pty Ltd)
Mr Christian Hartfield (Silver Thomas Hanley)
Mr Basil Vogas (Silver Thomas Hanley)
Mr Tim Dawkins (Urbis)

Members of the Public

One member of the Press was present.

1. Declaration of Opening

The Presiding Member, Ms Karen Hyde, declared the meeting open at 3.30pm on Tuesday 5 August 2014 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

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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

Nil

3. Members on Leave of absence

Mr Paul Drechsler (Deputy Presiding Member)

4. Noting of minutes

The Minutes of the Metro North-West JDAP Meeting No.60 held on 28 July 2014 were not available for noting at the time of meeting.

5. Disclosure of interests

Panel member, Mr Fred Zuideveld, declared a direct pecuniary interest in Item 8.1.

6. Declaration of Due Consideration

All members declared that they had duly considered the documents.

7. Deputations and presentations

7.1 Mr Eugene Koltasz (Coronada Investments Pty Ltd) presented for the application at Item 8.1.

The presentation at Item 7.1 was heard prior to the application at Item 8.1.

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Disclosure of interest

Panel member, Mr Fred Zuideveld, declared a direct pecuniary interest in Item 8.1 and removed himself from discussion and voting on Item 8.1 at 3.32pm.

8. Form 1 - Responsible Authority Reports – DAP Application

8.1	Property Location:	Lot 702 (364) Gnangara Road, Landsdale
	Application Details:	100 Grouped Dwellings
	Applicant:	TPG
	Owner:	Jenema Pty Ltd
	Responsible authority:	City of Wanneroo
	Report date:	31 July 2014
	DoP File No:	DAP/14/00536

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Ms Karen Hyde

Seconded by: Mr Clayton Higham

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

Approve DAP Application reference DAP/14/00536 and accompanying plans (**Attachment 2**) in accordance with the provisions of the City of Wanneroo District Planning Scheme No. 2, subject to the following conditions being met to the satisfaction of the Manager, Planning Implementation:

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 refuse management plan shall be lodged with the City within 60 days from the date of this approval and shall detail how waste is to be managed on-site. The refuse management plan shall be to the satisfaction of the City and approved prior to the occupation of the development occurring.
3. Detailed landscaping and reticulation plans for the subject site and adjacent road verges shall be lodged for approval by the City within 60 days of the date of approval to the satisfaction of the Manager, Land Development. Planting and installation of landscaping and reticulation shall be provided in accordance with approved landscaping and reticulation plans prior to occupancy of the development and thereafter maintained to the satisfaction of the City.
4. Visitor parking areas shall be designed and constructed in accordance with the Australian Standards for On-street and Off-street Carparking (AS2890), and shall be drained, sealed, marked and

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permanently set aside as such, and thereafter maintained to the satisfaction of the City.

5. The driveways and crossovers shall be designed and constructed to the residential specifications before occupation of the dwellings.
6. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior written approval of the City.
7. Lighting shall be installed along all common access ways, pedestrian pathways and in all common service areas prior to the development first being occupied.
8. An on-site stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) shall be provided. Plans illustrating the system proposed shall be submitted for approval when application is made for a building licence and the system shall be installed during the construction of the development.
9. Visually permeable fencing shall be provided to the rear of proposed Lots 24-34 of Lot 901, abutting Pollino Gardens. Fences shall be visually permeable above 1.2m of natural ground level, measured from the street side of the fence.
10. The proposed common property access way being constructed and drained at the landowner/applicant's cost to allow the movement of the City of Wanneroo refuse trucks to the specifications and satisfaction of the City of Wanneroo.
11. The applicant shall lodge an Easement for the purpose of collecting refuse pursuant to Section 195 of the *Land Administration Act 1997*, being to the benefit of the City of Wanneroo for access onto the common property, as shown on the approved plans. The Deed shall be lodged prior to the occupation of the approved development and shall be to the specification and satisfaction of the City of Wanneroo.
12. A construction management plan being submitted detailing how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - adequate space is provided within the subject site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - adequate provision is made for the parking of workers vehicles;
 - pedestrian and vehicular access around the site is maintained;
 - bus stops/shelters or other infrastructure on public land is temporarily relocated as may be necessary;

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- the delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
- the hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.

Advice Notes:

1. This is a planning approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
2. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligation.
3. This approval should not be construed that the City will support a survey strata or green title subdivision application for the development. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling types, as prescribed in the Residential Design Codes.
4. In regards to Condition 11, the common property cannot be legally accessed by the City of Wanneroo as no easement exists over the property. As a result, a *Deed of Easement* is required to ensure refuse bin collection can be completed by the City of Wanneroo.

FIRST AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Ms Karen Hyde

That Condition 9 be deleted and the remaining Conditions be renumbered accordingly.

REASON: It was considered that permeable fencing to the rear of the proposed lots offered no benefit to the development.

The Amending Motion was put and CARRIED UNANIMOUSLY.

SECOND AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Frank Cvitan

That the following changes be made to the respective Conditions:

Condition 2 – delete the words “to the satisfaction of the City and”;
Condition 3 – delete the words “to the satisfaction of the City”;
Condition 4 – delete the words “and thereafter maintained to the satisfaction of the City”;

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Condition 9 (formerly Condition 10) – delete the words “to the specifications and satisfaction of the City”;

Condition 10 (formerly Condition 11) – delete the words “and shall be to the specification and satisfaction of the City of Wanneroo”.

REASON: The Responsible Authority and the Applicant had agreed these changes were acceptable.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

Moved by: Ms Karen Hyde

Seconded by: Mr Clayton Higham

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

Approve DAP Application reference DAP/14/00536 and accompanying plans (**Attachment 2**) in accordance with the provisions of the City of Wanneroo District Planning Scheme No. 2, subject to the following conditions being met to the satisfaction of the Manager, Planning Implementation:

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 refuse management plan shall be lodged with the City within 60 days from the date of this approval and shall detail how waste is to be managed on-site. The refuse management plan shall be approved prior to the occupation of the development occurring.
3. Detailed landscaping and reticulation plans for the subject site and adjacent road verges shall be lodged for approval by the City within 60 days of the date of approval to the satisfaction of the Manager, Land Development. Planting and installation of landscaping and reticulation shall be provided in accordance with approved landscaping and reticulation plans prior to occupancy of the development and thereafter maintained.
4. Visitor parking areas shall be designed and constructed in accordance with the Australian Standards for On-street and Off-street Carparking (AS2890), and shall be drained, sealed, marked and permanently set aside as such.
5. The driveways and crossovers shall be designed and constructed to the residential specifications before occupation of the dwellings.
6. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior written approval of the City.

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7. Lighting shall be installed along all common access ways, pedestrian pathways and in all common service areas prior to the development first being occupied.
8. An on-site stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) shall be provided. Plans illustrating the system proposed shall be submitted for approval when application is made for a building licence and the system shall be installed during the construction of the development.
9. The proposed common property access way being constructed and drained at the landowner/applicant's cost to allow the movement of the City of Wanneroo refuse trucks.
10. The applicant shall lodge an Easement for the purpose of collecting refuse pursuant to Section 195 of the *Land Administration Act 1997*, being to the benefit of the City of Wanneroo for access onto the common property, as shown on the approved plans. The Deed shall be lodged prior to the occupation of the approved development.
11. A construction management plan being submitted detailing how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - adequate space is provided within the subject site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - adequate provision is made for the parking of workers vehicles;
 - pedestrian and vehicular access around the site is maintained;
 - bus stops/shelters or other infrastructure on public land is temporarily relocated as may be necessary;
 - the delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
 - the hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.

Advice Notes:

1. This is a planning approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
2. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligation.

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Karen Hyde



3. This approval should not be construed that the City will support a survey strata or green title subdivision application for the development. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling types, as prescribed in the Residential Design Codes.
4. In regards to Condition 11, the common property cannot be legally accessed by the City of Wanneroo as no easement exists over the property. As a result, a *Deed of Easement* is required to ensure refuse bin collection can be completed by the City of Wanneroo.

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

*Cr Frank Cvitan and Cr Russell Driver left the meeting at 3.48pm.
Mr Fred Zuideveld re-joined the meeting at 3.48pm.*

8.2	Property Location:	Joondalup Health Campus Lot 500 (60) Shenton Avenue, Joondalup
	Application Details:	Hospital (paediatrics ward addition)
	Applicant:	Christian Hartfield, Silver Thomas Hanley
	Owner:	Joondalup Health Campus
	Responsible authority:	City of Joondalup
	Report date:	23 July 2014
	DoP File No:	DAP/14/00563

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Clayton Higham

Seconded by: Cr John Chester

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DAP14/00563 and accompanying plans dated 4 June 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;

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- 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;
- retaining the pedestrian access that connects to Regents Park Road to north and Shenton Avenue to the south;
- other matters likely to impact on the surrounding properties.

All development shall be undertaken in accordance with this plan.

3. 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.
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. The sign is to be established and thereafter maintained to a high standard to the satisfaction of the City.

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. 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*.
3. A Building Permit is required prior to the commencement of construction.

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

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9. Form 1 - Responsible Authority Reports – DAP Application

9.1	Property Location:	Lot 9000 (69) Lakeside Drive, Joondalup
	Application Details:	Proposed modifications to approved six storey student accommodation at Edith Cowan University
	Applicant:	Campus Living Villages Pty Ltd c/- Urbis
	Owner:	Edith Cowan University
	Responsible authority:	City of Joondalup
	Report date:	31 July 2014
	DoP File No:	DP/12/00979

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Mike Norman

Seconded by: Mr Clayton Higham

That the Metro North-West JDAP resolves to:

1. Accept that the DAP Application reference DP/12/00979 as detailed on the DAP Form 2 dated 12 June 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/12/00979 as detailed on the DAP Form 2 date 12 June 2014 and accompanying plans received 12 June 2014 in accordance with the provisions of the *City of Joondalup District Planning Scheme No.2* and the *Metropolitan Region Scheme*, for the proposed minor amendments to the approved student accommodation at Lot 9000 (69) Lakeside Drive, Joondalup, subject to:

Amended Conditions:

1. The pool pump and water tank shall be screened so as not to be visible from beyond the boundaries of the development site, prior to the occupation of the building(s) to the satisfaction of the City.

Advice Notes:

- i All other conditions and requirements detailed on the previous approval dated 17 October 2012 shall remain valid unless altered by this application.
- ii The applicant is advised that should any modifications be proposed to the bus stop located on Chancellor Pass these will be required to be in accordance with the requirements of the Public Transport Authority. Further approvals from the Public Transport Authority may also be necessary.

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

10. Appeals to the State Administrative Tribunal

The Presiding Member reported that the following DAP determined applications are presently before the SAT:

- Lot 501 (No. 470) Whitfords Avenue Hillarys – Expansion of Westfield Whitford City Shopping Centre – City of Joondalup
- Lot 803 (15) Hocking Parade, Sorrento (Sacred Heart College) - Educational Establishment (Gymnasium addition) – City of Joondalup.

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 4.01pm.

Ms Karen Hyde

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