



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: Thursday 26 February 2015; 3.30pm
Meeting Number: MNWJDAP/78
Meeting Venue: Wanneroo Library Cultural Centre
3 Rocca Way Wanneroo, Ground Floor Meeting
Room (opposite Civic Centre, 23 Dundobar
Road, Wanneroo)

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr Frank Cvitan (Local Government Member, City of Wanneroo)
Cr Mike Norman (Local Government Member, City of Joondalup) *until 3.35pm*
Cr Philippa Taylor (A/Local Government Member, City of Joondalup) *until 3.35pm*

Officers in attendance

Ms Catriona Tatam (City of Wanneroo)
Mr Pas Bracone (City of Wanneroo)
Mr John Corbellini (City of Joondalup)

Local Government Minute Secretary

Ms Grace Babudri (City of Wanneroo)

Applicants and Submitters

Mr Mike Davis (TPG)
Mr George Naoum (Ecorp)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 3.30pm on 26 February 2015 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*.

Karen Hyde



2. Apologies

Cr John Chester (Local Government Member, City of Joondalup)

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro North-West JDAP meeting no.77 held on 5 February 2015 were noted by DAP members.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of interests

Nil

7. Deputations and presentations

Nil

8. Form 1 - Responsible Authority Reports – DAP Application

PROCEDURAL MOTION

Moved by: Cr Mike Norman

Seconded by: Cr Philippa Taylor

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.

8.1 Property Location:	Lot 3 and 253 Graceful Boulevard, Alkimos
Application Details:	Mixed Use Development
Applicant:	TPG
Owner:	Marmion Network Pty Ltd
Responsible authority:	City of Wanneroo
DoP File No:	DAP/14/00664

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Russell Driver

Seconded by: Cr Frank Cvitan

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

Approve DAP Application reference DAP/14/00664 and accompanying plans (**Attachments 2a – 2m**) in accordance with the provisions of the City of Wanneroo

Karen Hyde



District Planning Scheme No. 2, subject to the following conditions being met to the satisfaction of the Manager, Planning Implementation:

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. The use of the tenancies detailed below are as defined in the City of Wanneroo's District Planning Scheme No. 2:

Lot 3 Graceful Boulevard	
Tenancy No.	DPS 2 Land Uses
Tenancy 1:	Bakery, Hairdresser, Office, Pharmacy, Shop, Showroom
Tenancy 2:	Restaurant
Tenancy 3 - 7	Take Away Food Outlet, Restaurant
Tenancy 8:	Office, Pharmacy, Shop, Showroom
Tenancy 9:	Restaurant
Tenancy 10 and 11	Bakery, Hairdresser, Office, Pharmacy, Shop, Showroom
Tenancy 12 - 14	Bank, Office
Tenancy 15:	Shop
Tenancy 16 - 19	Bakery, Hairdresser, Office, Pharmacy, Shop, Showroom
Tenancy 22 and 23	Recreation Centre
Tenancy 24:	Showroom
Tenancy 25:	Tavern, Liquor Store
Lot 253 Graceful Boulevard	
Tenancy 1:	Bank, Office
Tenancy 2 - 9	Consulting Rooms, Medical Centre, Office
Tenancy 10:	Child Care Centre
Tenancy 11:	Private Recreation

The landowner shall inform the City if there is a change between approved land uses for any tenancy that does not require planning approval as listed above. A change to a use not listed above will require the further approval of the City.

3. A maximum of twenty (20) patrons shall be accommodated within each of the Restaurant or Take Away Food Outlet premises of Tenancies 3 to 7, Lot 3 Graceful Boulevard, Alkimos at any one time.

Karen Hyde



4. A maximum of five (5) medical practitioners and/or health consultants shall be permitted on the premises of Tenancy 2, Lot 253 Graceful Boulevard, Alkimos at any one time.
5. A maximum of one (1) medical practitioner or health consultant shall be permitted on each of the premises of Tenancies 3 to 9, Lot 253 Graceful Boulevard, Alkimos at any one time.
6. Detailed landscaping and reticulation plans for the sites and adjacent verges shall be submitted for approval by the City within 60 days of the date of this approval. Planting and installation shall be in accordance the approved plans and shall be completed prior to occupation of the development and thereafter maintained to the City's satisfaction.
7. 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.

The construction management plan will need to be submitted and approved by the City prior to the commencement of any development.
8. A waste management plan shall be submitted to the City for its approval prior to the commencement of development, depicting collection areas and demonstrating how service vehicles will manoeuvre on the internal access ways of the development. Service vehicle movements shall thereafter accord with the approved management plan.
9. An acoustic consultant's report shall be submitted for the City's approval, prior to the commencement of development. The report is to indicate the anticipated sound level measurements for all types of noise associated with the development, indicating plant and equipment noise as well as noise associated with operational activities. The report must also indicate any specific noise attenuation/mitigation measures to be applied to the development in order to ensure noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*. Upon approval of that report by the City, any modifications required to the development as a result of its recommendations shall be made to the City's satisfaction prior to the practical completion of development.
10. An on-site stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) must be provided. Plans illustrating the system proposed shall be submitted for approval when application is made for a

Karen Hyde



- building permit and the system shall be installed during the construction of the development.
11. All piped and wired services, mechanical plant, equipment and service and storage areas are to be screened from public view to the City's satisfaction. Relative to this condition, details of such screening shall be submitted to the City for approval prior to the commencement of development.
 12. Parking areas and driveways shall be designed and constructed in accordance with the Australian Standard for Off-street Car parking (AS2890), and shall be drained, sealed and marked and thereafter maintained to the satisfaction of the City.
 13. Car parking areas are to be provided with appropriate speed humps and pedestrian crossings in accordance with AS 2890.1: 2004 (Section 2.3.3) and AustRoads guidelines.
 14. Disabled parking bays shall be provided in accordance with the Australian Standards AS 2890.1 or AS 2890.2 and the Building Code of Australia.
 15. Bicycle parking and end of trip facilities are to be provided to the satisfaction of the City of Wanneroo, having due regard to the Austroads Guide to Traffic Management, Part 11: Parking.
 16. One shade tree for every four parking bays shall be planted and maintained in tree wells which are protected from damage by vehicles.
 17. 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.
 18. The proposed crossovers are to be constructed in concrete to the City's commercial specifications.
 19. Lighting shall be installed along all driveways, pedestrian pathways, car parking areas and in all common service areas prior to the development first being occupied.
 20. Any floodlighting being designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS 4282) and where possible shall be internally directed to not overspill into nearby lots.
 21. A non-sacrificial anti graffiti coating shall be applied to external surfaces of the development to the satisfaction of the City of Wanneroo prior to its practical completion. In the event of any graffiti being applied to these areas, the proponent shall take steps to the City's satisfaction to remove the graffiti as soon as is reasonably practical.
 22. The developer and its contractors shall implement appropriate dust and sand drift control measures on site in accordance with Department of Environmental Protection Guidelines. Disturbed areas shall be stabilised on completion of development and thereafter maintained to the satisfaction of the City of Wanneroo.

Karen Hyde



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.
 - a)
3. For the purposes of Condition 2, shop-retail includes those uses listed in the Western Australian Standard Land Use Classification - 'Planning Land Use Category 5 Shop/Retail' as defined by the Western Australian Planning Commission Perth Land Use and Employment Survey.
4. It is recommended that the landowner/applicant take measures to provide pedestrian priority on the shared path on southern side of Graceful Blvd, where high pedestrian traffic is likely.

AMENDING MOTION 1

Moved by: Mr Fred Zuideveld

Seconded by: Ms Karen Hyde

That Condition 3 be amended to include the word 'seated' to read as follows:

3. *A maximum of twenty (20) seated patrons shall be accommodated within each of the Restaurant or Take Away Food Outlet premises of Tenancies 3 to 7, Lot 3 Graceful Boulevard, Alkimos at any one time.*

REASON: To clarify the number of seated patrons allowed at any one time within the premises without impacting on other patrons who maybe ordering food to takeaway.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 2

Moved by: Mr Paul Drechsler

Seconded by: Ms Karen Hyde

That a new condition 23 be added as follows:

23. *This approval does not include the area shown as Building No.3 on the accompanying plans (Attachment 2a – Site Plan (Lot 3)).*

REASON: To provide clarity to the subject lot as to the extent of the approved development.

Karen Hyde



The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 3

Moved by: Mr Fred Zuideveld

Seconded by: Mr Paul Drechsler

That condition 21 be amended to read as follows;

21. *A non-sacrificial anti graffiti coating shall be applied to external surfaces of the development to the satisfaction of the City of Wanneroo prior to its practical completion. In the event of any graffiti being applied to these areas, the proponent shall take steps to remove the graffiti as soon as is reasonably practical to the City's satisfaction.*

REASON: To provide clarity to the condition.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

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

Approve DAP Application reference DAP/14/00664 and accompanying plans (**Attachments 2a – 2m**) 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:

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. The use of the tenancies detailed below are as defined in the City of Wanneroo's District Planning Scheme No. 2:

Lot 3 Graceful Boulevard	
Tenancy No.	DPS 2 Land Uses
Tenancy 1:	Bakery, Hairdresser, Office, Pharmacy, Shop, Showroom
Tenancy 2:	Restaurant
Tenancy 3 - 7	Take Away Food Outlet, Restaurant
Tenancy 8:	Office, Pharmacy, Shop, Showroom
Tenancy 9:	Restaurant
Tenancy 10 and 11	Bakery, Hairdresser, Office, Pharmacy, Shop, Showroom

Karen Hyde



Tenancy 12 - 14	Bank, Office
Tenancy 15:	Shop
Tenancy 16 - 19	Bakery, Hairdresser, Office, Pharmacy, Shop, Showroom
Tenancy 22 and 23	Recreation Centre
Tenancy 24:	Showroom
Tenancy 25:	Tavern, Liquor Store
Lot 253 Graceful Boulevard	
Tenancy 1:	Bank, Office
Tenancy 2 - 9	Consulting Rooms, Medical Centre, Office
Tenancy 10:	Child Care Centre
Tenancy 11:	Private Recreation

The landowner shall inform the City if there is a change between approved land uses for any tenancy that does not require planning approval as listed above. A change to a use not listed above will require the further approval of the City.

3. A maximum of twenty (20) seated patrons shall be accommodated within each of the Restaurant or Take Away Food Outlet premises of Tenancies 3 to 7, Lot 3 Graceful Boulevard, Alkimos at any one time.
4. A maximum of five (5) medical practitioners and/or health consultants shall be permitted on the premises of Tenancy 2, Lot 253 Graceful Boulevard, Alkimos at any one time.
5. A maximum of one (1) medical practitioner or health consultant shall be permitted on each of the premises of Tenancies 3 to 9, Lot 253 Graceful Boulevard, Alkimos at any one time.
6. Detailed landscaping and reticulation plans for the sites and adjacent verges shall be submitted for approval by the City within 60 days of the date of this approval. Planting and installation shall be in accordance the approved plans and shall be completed prior to occupation of the development and thereafter maintained to the City's satisfaction.
7. 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

Karen Hyde



- the hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.

The construction management plan will need to be submitted and approved by the City prior to the commencement of any development.

8. A waste management plan shall be submitted to the City for its approval prior to the commencement of development, depicting collection areas and demonstrating how service vehicles will manoeuvre on the internal access ways of the development. Service vehicle movements shall thereafter accord with the approved management plan.
9. An acoustic consultant's report shall be submitted for the City's approval, prior to the commencement of development. The report is to indicate the anticipated sound level measurements for all types of noise associated with the development, indicating plant and equipment noise as well as noise associated with operational activities. The report must also indicate any specific noise attenuation/mitigation measures to be applied to the development in order to ensure noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*. Upon approval of that report by the City, any modifications required to the development as a result of its recommendations shall be made to the City's satisfaction prior to the practical completion of development.
10. An on-site stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) must be provided. Plans illustrating the system proposed shall be submitted for approval when application is made for a building permit and the system shall be installed during the construction of the development.
11. All piped and wired services, mechanical plant, equipment and service and storage areas are to be screened from public view to the City's satisfaction. Relative to this condition, details of such screening shall be submitted to the City for approval prior to the commencement of development.
12. Parking areas and driveways shall be designed and constructed in accordance with the Australian Standard for Off-street Car parking (AS2890), and shall be drained, sealed and marked and thereafter maintained to the satisfaction of the City.
13. Car parking areas are to be provided with appropriate speed humps and pedestrian crossings in accordance with AS 2890.1: 2004 (Section 2.3.3) and AustRoads guidelines.
14. Disabled parking bays shall be provided in accordance with the Australian Standards AS 2890.1 or AS 2890.2 and the Building Code of Australia.
15. Bicycle parking and end of trip facilities are to be provided to the satisfaction of the City of Wanneroo, having due regard to the Austroads Guide to Traffic Management, Part 11: Parking.
16. One shade tree for every four parking bays shall be planted and maintained in tree wells which are protected from damage by vehicles.

Karen Hyde



17. 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.
18. The proposed crossovers are to be constructed in concrete to the City's commercial specifications.
19. Lighting shall be installed along all driveways, pedestrian pathways, car parking areas and in all common service areas prior to the development first being occupied.
20. Any floodlighting being designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS 4282) and where possible shall be internally directed to not overspill into nearby lots.
21. A non-sacrificial anti graffiti coating shall be applied to external surfaces of the development to the satisfaction of the City of Wanneroo prior to its practical completion. In the event of any graffiti being applied to these areas, the proponent shall take steps to remove the graffiti as soon as is reasonably practical to the City's satisfaction.
22. The developer and its contractors shall implement appropriate dust and sand drift control measures on site in accordance with Department of Environmental Protection Guidelines. Disturbed areas shall be stabilised on completion of development and thereafter maintained to the satisfaction of the City of Wanneroo.
23. This approval does not include the area shown as Building No.3 on the accompanying plans (Attachment 2a – Site Plan (Lot 3)).

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. For the purposes of Condition 2, shop-retail includes those uses listed in the Western Australian Standard Land Use Classification - 'Planning Land Use Category 5 Shop/Retail' as defined by the Western Australian Planning Commission Perth Land Use and Employment Survey.
4. It is recommended that the landowner/applicant take measures to provide pedestrian priority on the shared path on southern side of Graceful Blvd, where high pedestrian traffic is likely.

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

Karen Hyde



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

- 9.1 Property Location: Lot 5000 (94) Delamere Avenue, Currambine
- Application Details: Modifications to previously approved commercial development
- Applicant: Ecorp Project Management
- Owner: Readan Pty Ltd & DDT (WA) Pty Ltd
- Responsible authority: City of Joondalup
- DoP File No: DP/13/00036

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Mike Norman

Seconded by: Cr Philippa Taylor

That the Metro North West JDAP resolves to:

1. **Approve** that the DAP Application reference DAP/13/00036 as detailed on the DAP Form 2 dated 12 December 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 DAP/13/00036 as detailed on the DAP Form 2 date 12 December 2014 and accompanying plans in accordance with the provisions of the clause 6.9 of the *City of Joondalup District Planning Scheme No.2* and the *Metropolitan Region Scheme*, for the proposed minor amendment to the approved commercial development at Lot 5000 (94) Delamere Avenue, Currambine, subject to:

Amended 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.
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;

Karen Hyde



- 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 Permit 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.
 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.
 14. No obscure or reflective glazing is permitted to building facades.

Karen Hyde



15. All signage within the signage panels indicated on the approved plans shall:
 - Use low level illumination that does not flash, pulsate or chase.
 - Not include fluorescent, reflective or retro reflective colours.
 - Not contain any obscene or vulgar material.
16. The signage is to be established and thereafter maintained to a high standard to the satisfaction of the City.
17. The Western Power transformer shall be screened from Tyger Entrance and finished in a material consistent with the development to the satisfaction of the City.

Amended 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.
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.
7. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.
8. Further to condition 11, development approval may be required for other signage outside of the signage panels. A sign licence may also be required.
9. All other conditions and requirements detailed on the previous approval dated 18 March 2013 shall remain unless altered by this application.

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

Karen Hyde



10. Appeals to the State Administrative Tribunal

Nil

11. General Business / 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 4pm.

Karen Hyde