



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

**Meeting Date and Time:** Tuesday 26 May 2015; 2.30pm  
**Meeting Number:** MNWJDAP/85  
**Meeting Venue:** WLCC (Ground Floor Meeting Room), 3 Rocca Way,  
Wanneroo (Opposite City of Wanneroo Civic Centre) 23  
Dundebar Road, Wanneroo

### Attendance

#### DAP Members

Mr Clayton Higham (Alternate Presiding Member)  
Mr Fred Zuideveld (Specialist Member)  
Cr Frank Cvitan (Local Government Member, City of Wanneroo)  
Cr Russel Driver (Local Government Member, City of Wanneroo)  
Cr John Chester (Local Government Member, City of Joondalup)  
Cr Mike Norman (Local Government Member, City of Joondalup)

#### Officers in attendance

Mr Joe Hussey (City of Wanneroo)  
Mr Pas Bracone (City of Wanneroo)  
Ms Elisabeth Tamouridou (Western Australian Planning Commission)  
Mr Jas Lapinski (Western Australian Planning Commission)  
Mr John Corbellini (City of Joondalup)  
Ms Stephanie Izzard (City of Joondalup)  
Ms Emma Bracknell (City of Joondalup)  
Ms Kelly White (City of Wanneroo)  
Ms Michelle Meuwese (City of Wanneroo)

#### Local Government Minute Secretary

Ms Grace Babudri (City of Wanneroo)

#### Applicant and Submitters

Mr Grant Wilkins (Satterley)  
Ms Jacqueline de Meyrick (Satterley)  
Mr David Welsh (Focus Building)  
Mr Howard Mitchell (EPCAD)  
Mr Steve Carter (CLE)

#### Members of the Public

Community Newspaper Representative



## 1. Declaration of Opening

Due to the absence of the Presiding Member and in accordance with section 2.4.1 of the Standing Orders 2012, the Deputy Presiding Member Mr Clayton Higham took the chair and declared the meeting open 2.30pm on 26 May 2015. The Deputy Presiding Member 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*.

## 2. Apologies

Mr Paul Drechsler (Deputy Presiding Member)  
Ms Karen Hyde (Presiding Member)

## 3. Members on Leave of absence

Nil

## 4. Noting of minutes

Minutes of the Metro North-West JDAP meeting no.84 held on 11 May 2015 were not available for noting at the time of meeting.

## 5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

## 6. Disclosure of interests

Panel member, Ms Karen Hyde, declared an impartiality interest in item 8.1a & 8.1b. Ms Hyde's Husband works for EPCAD who has been involved in the park design.

## 7. Deputations and presentations

7.1 Mr Grant Wilkins and Mr Howard Mitchell (Satterley Property Group) addressed the DAP for the application at Item 8.1.

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

### PROCEDURAL MOTION

**Moved by:** Cr Mike Norman

**Seconded by:** Cr John Chester

That the application at Item No.9.1 be heard prior to the application at Item 8.1a & 8.1b

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



**8.1a** Property Location: Lot 9017 (999k) Ranella Street, Jindalee (formerly Lot 9014 (1K) Vitrinella Avenue, Jindalee)  
Application Details: Park/Drainage/Paths/Seating/Playground/BBQ and Landscaping  
Applicant: David Williams (Satterley Property Group)  
Owner: Ocean Springs Pty Ltd  
Responsible authority: City of Wanneroo  
DoP File No: DAP/15/00749

## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Mr Clayton Higham      **Seconded by:** Mr Fred Zuideveld

That the Metro North-West JDAP resolves to:

**Refuse** DAP Application reference DAP/15/00749 and accompanying plans (Attachment 2) in accordance with the provisions of the MRS and District Planning Scheme No.2 of the City of Wanneroo, for the following reasons:

1. The proposed development does not adequately address the City's safety and liability concerns regarding submerged walls, which are considered incompatible with an accessible open space setting. A solution is required through redesign of the open space area and/or through reduction in the quantity of stormwater entering the open space area from the future surrounding subdivisional road network.
2. The replacement and annual maintenance costs of the proposed play equipment (estimated at \$2.246 million and \$80,000 respectively) are many multiples of the City's replacement and annual maintenance budget (currently \$40,000 and \$2,000 respectively) for a park of the scale and function proposed. Once handover occurs, the City will be unable to fund the ongoing maintenance and future replacement costs of the play equipment proposed, potentially resulting in its removal. This is contrary to orderly and proper planning.
3. Toilet facilities are depicted on the concept plan in the Council endorsed Foreshore Management Plan for Lot 9, Jindalee. No toilet facilities are proposed as part of this application, and given the level of infrastructure proposed (BBQ, picnic table settings, seating, play equipment and turfed areas) there will be a demand for toilets from the time the development is completed. Provision for toilets to be built at a later date through a separate planning application is an inadequate response, and therefore this matter needs to be addressed through inclusion of toilet facilities in an amended design.
4. A number of design features including turfed mounds, extensive curvilinear walls, rubber softfall and decorative posts will impose additional maintenance costs on the City that are unacceptable.
5. Detailed plans have only been provided for the main open space area. No detailed plans of proposed works have been provided for the remainder of works within the application area.
6. The design issues identified above are required to be addressed by the City for the proposal to be considered consistent with orderly and proper planning.



Addressing the identified issues will require significant changes to the submitted plans, and therefore they cannot be appropriately accommodated through conditions of approval.

**PROCEDURAL MOTION**

**Moved by:** Mr Frank Cvitan                      **Seconded by:** Mr Russell Driver

That the Metro North-West JDAP resolves to:

**DEFER** the decision for a period of six (6) weeks to allow the applicant to:

1. Provide an independent risk assessment of the drainage in consultation with the City to ensure public liability is adequately addressed
2. Work with the City to revise the play equipment and playground design in order to achieve an outcome that is sustainable for the City in terms of maintenance and replacement

**REASON:** To allow the JDAP members to consider the application in its entirety.

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

**PROCEDURAL MOTION**

**Moved by:** Mr Clayton Higham                      **Seconded by:** Mr Fred Zuideveld

That the JDAP meeting be adjourned to consider legal advice received from the Department of Planning regarding Item 8.1b.

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

*The meeting was closed to the public at 3.25pm.  
The meeting was opened to the public at 3.27pm.*

<b>8.1b</b>	Property Location:	Lot 9017 (999k) Ranella Street, Jindalee (formerly Lot 9014 (1K) Vitrinella Avenue, Jindalee)
	Application Details:	Park/Drainage/Paths/Seating/Playground/BBQ and Landscaping
	Applicant:	David Williams (Satterley Property Group)
	Owner:	Ocean Springs Pty Ltd
	Responsible authority:	WAPC
	DoP File No:	DAP/15/00749

**REPORT RECOMMENDATION / PRIMARY MOTION**

**Moved by:** Cr Frank Cvitan                      **Seconded by:** Cr Russell Driver

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

**Approve** Development Assessment Panel Application reference DAP/15/00749 and i) accompanying Works Extend Plan dated 27 March 2015, and ii) amended plans prepared by EPCAD and dated 13 May 2015 (General Arrangement Plan, Embankment Sections A-A, B-B and C-C) to the extent applicable to the foreshore

Mr Clayton Higham   
Alternate Presiding Member - Metro North-West JDAP



Parks and Recreation MRS reserve, in accordance with the provisions of the Metropolitan Region Scheme, subject to the following conditions and advice notes:

### Conditions

1. This approval relates specifically to the works located in the Regional Parks and Recreation Reservation and depicted within the area delineated as "extent of works" (excluding the area marked in blue and including the area hatched in red) on the attached Works Extent Plan dated 15 May 2015, and to the associated revegetation and management measures within the application area, as described in Lot 9 Jindalee Foreshore Management Plan.
2. This decision constitutes planning approval only and is valid for a period of two (2) 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.
3. The MRS reserve contained within Lot 9017 (999K) Ranella Street and shown on the Works Extent Plan as *MRS reserve (foreshore)* to be ceded free of cost and without any payment of compensation by the Crown. (Western Australian Planning Commission)
4. Detailed engineering drawings for the proposed works shall be prepared, approved and implemented to the specifications of the City of Wanneroo and the satisfaction of the Western Australian Planning Commission. (Local Government)
5. Detailed landscaping and irrigation plans for the subject site shall be prepared, approved and implemented to the specifications of the City of Wanneroo and the satisfaction of the Western Australian Planning Commission. (Local Government)
6. Detailed plans illustrating proposed stormwater design shall be submitted shall be prepared, approved and implemented to the specifications of the City of Wanneroo and the satisfaction of the Western Australian Planning Commission and the system shall be installed during the construction of the development. Stormwater up to and including a one in one-year average recurrence interval shall not be accommodated within the regional reserve. (Local Government)
7. All earthworks shall occur in accordance with City of Wanneroo policy, standards and specifications pertaining to earthworks. (Local Government)
8. Earthworks and construction shall be limited to 0700 . 1700 hours Monday to Sundays or public holidays. (Local Government)
9. Implementation of revegetation, fencing, maintenance/emergency vehicular access and other management and maintenance measures associated with the development shall occur to the satisfaction of the City of Wanneroo in accordance with the requirements of the Lot 9 Jindalee Foreshore Management Plan. (Local Government)
10. A lighting plan showing lighting to pathways, car parking, and landscaped area shall be prepared, approved and implemented to the specifications of the City of Wanneroo and the satisfaction of the Western Australian Planning Commission. (Local Government)



11. Implementation of beach safety signage as per the recommendations of the Coastal Aquatic Risk Assessment undertaken by Surf Life Saving WA for Eden Beach. (Local Government)
12. Hygiene management measures being prepared and implemented to minimise the chance of introduction or spread of weeds or dieback disease *Phytophthora*. (Department of Parks and Wildlife)

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

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

- 9.1** Property Location: Lot 702 (34) Marri Road, Duncraig  
Application Details: Proposed modifications to approved three storey mixed use development with under croft car park  
Applicant: Focus Building Company  
Owner: JHF Holdings Pty Ltd  
Responsible authority: City of Joondalup  
DoP File No: DP/14/00199

**REPORT RECOMMENDATION / PRIMARY MOTION**

**Moved by:** Cr Mike Norman

**Seconded by:** Cr John Chester

That the Metro North-West JDAP resolves to:

1. **Approve** that the DAP Application reference DP/14/00199 as detailed on the DAP Form 2 dated 23 March 2015 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/14/00199 as detailed on the DAP Form 2 dated 23 March 2015 and accompanying plans received on 23 April 2015 in accordance with the provisions of the *City of Joondalup District Planning Scheme No. 2* and the *Metropolitan Region Scheme*, for the proposed minor amendment to the approved three storey mixed use development with under croft car park at Lot 702 (34) Marri Road, Duncraig.

**Advice Notes**

1. All conditions and requirements detailed on the previous approval dated 13 May 2014 shall remain applicable.
2. The applicant is advised that this approval does not include the footpath proposed within the road reserve. Any works within the road reserve, with the exception of the proposed crossovers, will be subject to a separate application to the City.

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

Mr Clayton Higham  
Alternate Presiding Member – Metro North-West JDAP



**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 3.30pm.

A handwritten signature in black ink, appearing to read 'Clayton Higham'.

**Mr Clayton Higham**  
Alternate Presiding Member – Metro North-West JDAP