



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: 29 October 2015; 11.00am
Meeting Number: MNWJDAP/106
Meeting Venue: City of Joondalup
90 Boas Avenue, Joondalup

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Liam Gobbert (Local Government Member, City of Joondalup)
Cr John Chester (Local Government Member, City of Joondalup)
Mayor Giovanni Italiano (Local Government Member, City of Stirling)
Cr David Boothman (Local Government Member, City of Stirling)

Officers in attendance

Mr Greg Bowering (City of Stirling)
Ms Giovanna Lumbaca (City of Stirling)
Mr Chris Fudge (City of Stirling)
Ms Dale Page (City of Joondalup)
Mr John Corbellini (City of Joondalup)
Ms Bronwyn Jenkins (City of Joondalup)
Mr John Byrne (City of Joondalup)

Local Government Minute Secretary

Mrs Rose Garlick

Applicants and Submitters

Mr Kris Nolan (Urbis)
Ms Marieka van den Bergh (Urbis)
Mr Dan Lees (TPG)
Mr Gary Mackintosh (Hames Sharley)
Mr Brad Osborne (Scentre Group)
Mr Julius Skinner (Jackson McDonald)
Ms Monika Lukic

Members of the Public

There were 4 members of the public and two members of the press in attendance.



1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 11.00am on 29 October 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*.

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

Nil

4. Noting of minutes

Minutes of the MNWJDAP meeting No.103 held on 15 October 2015 were noted by DAP members.

The Minutes of the MNWJDAP meeting No.104 held on 20 October 2015 and meeting No.105 held on 22 October 2015 were not available at time of Agenda preparation.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of interests

Panel member, Cr John Chester, declared a proximity interest in Item 8.1. Cr Chester's son owns a property in Banks Avenue, Hillarys.

Panel member, Cr Liam Gobbert, declared an impartiality interest in Item 8.1. Employees of the applicant are personal friends of Cr Gobbert.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Presiding Member determined that the members listed above, who have disclosed a proximity interest and an impartiality interest are permitted to participate in discussion and voting on the items.



The Presiding Member advised Mr Dreschler does not have any conflicts of interest as he has no ongoing attachments with Hames Sharley who are presenting on Item 10.1.

7. Deputations and presentations

7.1 Mr Brad Osborne (Scentre Group) addressed the DAP for the application at Item 8.1. The presentation outlined the nature of the development and sought clarification on conditions.

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

7.2 Mr Dan Lees (TPG) addressed the DAP for the application at Item 9.1A. The presentation requested the deletion of Condition (i) of the City of Stirling recommendation for approval and one additional advice note relating to Condition (h).

The presentation at Item 7.2 was heard prior to the application at Items 9.1A and 9.1B

7.3 Ms Monika Lukic addressed the DAP against the application at Item 10.1. The presentation addressed the Planning Assessment considerations outlined in the applicant's (Hames Sharley) letter to Neil Maull, Coordinator Approvals dated 9 October 2015 with particular reference to the Private Institutions Design Guidelines and the impact of the development on the residential community in Cone Place and Bradford Street, Menora.

7.4 Mr Gary Mackintosh (Hames Sharley) addressed the DAP for the application at Item 10.1. The presentation provided further explanation of the proposed development and addressed the items listed as reasons for refusal at the initial JDAP meeting.

The presentations at Item 7.3 and 7.4 were heard prior to the application at Item 10.1.



8. Form 1 - Responsible Authority Reports – DAP Application

8.1	Property Location:	Lot 501 (470) Whitfords Avenue, Hillarys
	Application Details:	Extensions and upgrade to existing shopping centre
	Applicant:	Scentre Group Limited
	Owner:	Westfield Management Ltd, Reco Whitford Pty Ltd and RE1 Ltd
	Responsible authority:	City of Joondalup
	DoP File No:	DAP/15/00868

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Liam Gobbert

Seconded by: Cr John Chester

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

Approve DAP Application reference DAP/15/00868 and accompanying plans DA01.5201 (Revision C), DA01.5202 (Revision C), DA01.5203 (Revision C), DA01.5301 (Revision C), DA01.5402 (Revision C), DA01.5403 (Revision C), DA01.5404 (Revision C), DA01.5406 (Revision C), DA01.5407 (Revision C), DA01.5501(Revision B), DA01.5502 (Revision B), DA01.5503 (Revision B), DA01.5504 (Revision B) in accordance with Clause 68(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2, subject to the following conditions:

Conditions

1. The applicant shall coordinate with Main Roads WA to produce a Transport Impact Assessment to determine the design of the Whitfords Avenue and Marmion Avenue intersection to the specification of Main Roads WA and satisfaction of the City prior to the commencement of development. This design shall align with the ultimate intersection design as planned. All costs associated with the preparation of the Traffic Impact Assessment shall be at the expense of the applicant.
2. The following Marmion Avenue and Whitfords Avenue intersection turning movements shall be upgraded at the expense of the applicant, to the specification of Main Roads WA and satisfaction of the City, prior to the development first being occupied:
 - Southbound right turn
 - Westbound left turn
 - Eastbound left turn
 - Northbound left turn

These upgrades shall be inclusive of design, review, approval, construction and signal costs, and shall be carried out to the specification of Main Roads WA and the satisfaction of the City.



3. Prior to the commencement of site works for the centre, a Parking Management Plan shall be submitted to and approved in writing by the City, upon advice from the Department of Transport. The approved Parking Management Plan shall identify the components that will be implemented prior to the development first being occupied and those that will be built into future plans.
4. Prior to the development first being occupied, a Travel Behaviour Change Plan, particularly targeting centre employees but also customers, is to be submitted to and approved by the City. The Travel Behaviour Change Plan approved by the City is to be implemented and reviewed to the satisfaction of the City on the advice of the Department of Transport.
5. A Construction Management Plan shall be submitted to, and approved by the City, prior to the commencement of development. The 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.

Construction shall be undertaken in accordance with the Construction Management Plan approved by the City.

6. A full schedule of materials, colours and finishes for all external facades shall be submitted to, and approved by the City, 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.
7. Detailed plans indicating the inclusion of additional shade structures within the piazza area of Zone B shall be submitted to the City for approval prior the commencement of development. Works shall be undertaken in accordance with these approved plans.
8. 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:
 - Provide full details of the green wall installations;
 - 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;
 - 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.
9. 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 a high standard to the satisfaction of the City.
 10. A signage strategy shall be submitted to and approved by the City prior to the occupation of the development. All signage shall be constructed in accordance with the approved strategy.
 11. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to the City prior to the commencement of development, and approved by the City prior to the development first being occupied. Refuse management shall be in accordance with the approved plan.
 12. An on-site 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. Details of the proposed stormwater drainage system are required to be submitted to, and approved by the City, prior to the commencement of development. Works shall be undertaken in accordance with the approved details.
 13. All development shall be contained within the property boundaries.
 14. 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. Details of the location of such plant shall be submitted to, and approved by the City, prior to the commencement of development. Works shall be undertaken in accordance with the approved details.
 15. The parking bays, driveways and access points shall be designed in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and Off-street Parking for People with Disabilities (AS/NZS2890.6 2009). Such areas are to be constructed, drained and marked prior to the development first being occupied, and thereafter maintained, to the satisfaction of the City. Details shall be provided to, and approved by the City, prior to commencement of development. Works shall be undertaken in accordance with the approved details.
 16. Bicycle parking facilities provided shall be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). Details of bicycle parking area(s) shall be provided to, and approved by the City, prior to the commencement of development. Works shall be undertaken in accordance with the approved details.



17. The maximum retail net lettable area across the subject site shall not exceed 55,000m². The three zones identified within this development application shall be occupied by the following land uses:

Zone A - 'Shop' and/or 'Restaurant'

Zone B - 'Shop', 'Restaurant', 'Office', 'Recreation Centre', 'Cinema',
'Markets (Retail)' and/or 'Tavern'.

Zone C - 'Shop' and/or 'Department Store'

As defined under the *City of Joondalup District Planning Scheme No. 2*.

Advice Notes

1. Further to condition 2 and 3, Main Roads WA propose that they will manage and deliver the works associated with the upgrade, with costs to be determined by an estimate for the proposed works prepared for Main Roads WA. Costs apportioned to the applicant are to be paid directly to Main Roads WA prior to the award of the road works contract.
2. In relation to the Parking Management Plan, it is required to detail the staging of the management of parking, appropriate way finding, the provision of suitable parking management technology to indicate available bays, the intended locations of directional signs to be placed within the surrounding road reserves and the site, indicative employee parking locations and parking restrictions for all employees and all day parkers.
3. In relation to the Travel Behaviour Change Plan, it is required to contain a range of actions that encourage employees and customers to access the site by alternatives to solo car commuting. The plan could also be incorporated into the centre's marketing strategy to attract more customers via public transport, walking, cycling and car-pooling. It may also include TravelSmart like programmes aimed at assisting staff with their travel choices. Implementation of the plan with this development application may be quite limited to initiatives that relate to the approved development however the plan can provide a framework for subsequent proposed expansions.
4. The applicant is advised that the development is required to be designed and constructed in compliance with the requirements of the *Environmental Protection Act 1986*.
5. The applicant is advised that all food premises are required to comply with the provisions of the *Food Act 2008*.
6. The applicant is advised that all public buildings are required to comply with the *Health (Public Buildings) Regulations 1992*.
7. The applicant is advised that suitable bin storage areas shall be provided, each with a concrete floor graded to a 100mm industrial floor waste gully connected to sewer, and all bin store area provided with hose cocks.



Cancel the approval of DAP application reference DAP/14/00580 and accompanying plans date stamped DA-01 (Revision A), DA-A01 (Revision A), DAA02 (Revision A), DA-B01(Revision A), DA-B02 (Revision B), DA-B03 (Revision B), DA-C01 (Revision A) DAC02 (Revision A), DA-C03 (Revision A), DA-C04 (Revision A) in accordance with Clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2.

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

Cr John Chester left the panel at 11.20am

Cr Liam Gobbert left the panel at 11.20am

Mayor Giovanni Italiano joined the panel at 11.20am

Cr David Boothman joined the panel at 11.20am

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

9.1A	Property Location:	Lot 222, House Number 1, Sunray Drive, Innaloo
	Application Details:	Mixed use development comprising Short Stay Accommodation, Shop, Tavern, 154 Multiple Dwellings and associated car parking
	DAP Name:	Metro North-West JDAP
	Applicant:	TPG Town Planning, Urban Design and Heritage
	Owner:	Fabray Pty Ltd
	Responsible authority:	City of Stirling
	DoP File No:	DP/13/00033

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr David Boothman **Seconded by:** Mayor Giovanni Italiano

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DP/13/00033 as detailed on the DAP Form 2 received 31 August 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/15/00033 as detailed on the DAP Form 2 received 31 August 2015 and accompanying plans (Attachment 1) in accordance with the provisions of the Local Planning Scheme No.3, for the proposed minor amendment to the approved Mixed Use Development at Lot 222, House Number 1, Sunray Drive, Innaloo, subject to:



Amended Conditions

- a) A Geotechnical Report is to be submitted to the satisfaction of the City of Stirling prior to the issue of the relevant building permit verifying that the site is capable of sustaining the proposed development.
- b) A Site Management Plan to be submitted to the satisfaction of the City of Stirling prior to the issue of the relevant building permit. The Site Management Plan to address dust, noise, waste management, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
- c) A Car Parking Management Plan is to be provided to the satisfaction of the City of Stirling prior to the issue of the relevant building permit. The Car Parking Management Plan is to address the management of staff, visitor and delivery parking. The Car Parking Management Plan is to be complied with for the duration of the occupation of the development, unless otherwise varied by the City of Stirling.
- d) 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), Offstreet Parking for People with Disabilities (AS/NZS2890.6) and Off-street Commercial Vehicle Facilities (AS2890.2), prior to occupation of the development. A detailed design addressing this condition is to be submitted to the City of Stirling for approval prior to commencement of development or alternatively the applicant may provide certification from a suitably qualified engineer that compliance with this condition has been achieved. These bays are to be thereafter maintained to the satisfaction of the City of Stirling.
- e) The car parking areas are to maintain access to the public for parking at all times, to the satisfaction of the City.
- f) Of the total car parking provide on-site, 39 car bays are to be allocated and sign posted for visitor use only for the residential dwellings, to the satisfaction of the City of Stirling.
- g) Of the total car parking provide on-site, 154 car bays are to be allocated and sign posted for resident use only for the residential dwellings, to the satisfaction of the City of Stirling.
- h) Of the total car parking provide on-site, 42 car bays are to be allocated and sign posted for the short stay accommodation use only, to the satisfaction of the City of Stirling.
- i) A minimum 38 car bays shall be provided and reserved as public parking bays, to the satisfaction of the City of Stirling.
- j) A minimum 38 car bays shall be provided and reserved as short-stay public parking, to the satisfaction of the City of Stirling.
- k) Waste servicing for the residential dwellings is to be provided to the satisfaction of the City.

Karen Hyde



- l) For the commercial component, a minimum of nine bicycle parking spaces are to be provided on-site, located in accordance with the City's Local Planning Policy 6.2 – Bicycle Parking to the satisfaction of the City, prior to the occupation of the development.
- m) For the residential component, a total of 66 bicycle parking spaces are to be provided on-site, located in the garden podium to the satisfaction of the City, prior to the occupation of the development.
- n) The submission of an acoustic report from a qualified acoustic (noise) consultant is required to the satisfaction of the City prior to the issue of the relevant building permit. The report is to identify potential noise impacts and control measures from plant equipment, to minimise impact on the residents in neighbouring properties. All recommended actions contained within that report are to be implemented prior to the commencement of the use.
- o) The submission of a Landscaping Plan which includes but is not limited to, a formal planting plan for the landscaping on-site and within the verge areas, is to be provided to the City for approval prior to the occupation of the development.
- p) All air conditioning units are to be screened from external view.
- q) Mechanical dryers shall be provided for each dwelling.
- r) All landscaping shall be installed prior to commencement of use. All landscaped areas are to be maintained in good condition thereafter.
- s) All driveways, parking and manoeuvring areas are to be constructed and maintained to the City's satisfaction.
- t) All awnings to have a maximum height of 3.5m above footpath level and a minimum depth of 2.0m unless otherwise restricted by verge infrastructure to the satisfaction of the City.
- u) The proposed tenancies indicated as "retail" on the approved plans are approved to operate as "shop" only as per the definition of shop prescribed in City's Local Planning Scheme No. 3.
- v) A CCTV design plan for the development is to be submitted prior to the commencement of the development, to the satisfaction of the City.
- w) The provision of a CCTV system including all entrances into the development, parking and loading areas prior to practical completion of the development in accordance with the relevant Australian Standards, Guidelines and City of Stirling Policies to the satisfaction of the City.
- x) The internal partitions between the tenancies not being altered without the written consent of the City of Stirling first being obtained.
- y) Architectural lighting of the building in addition to lighting under all awnings and at all entry points to be provided to the satisfaction of the City prior to occupation of the building.



- z) Any on-site floodlights not being positioned or operated in such a manner so as to cause annoyance to surrounding uses or passing traffic.
- aa) The submission of a signage strategy to the satisfaction of the City prior to the erection of any signs.
- bb) All off street parking to be available onsite during business hours for all customers and staff to the satisfaction of the City.
- cc) No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
- dd) All stormwater to be collected and contained on site. A Stormwater Management Plan demonstrating this to be submitted to the City to the satisfaction of the City prior to the commencement of development.
- ee) Any existing crossovers not included as part of the proposed development on the approved plan are to be removed. New kerbing and verge to be reinstated to the satisfaction of the City.
- ff) Connection to deep sewer in the locality.
- gg) This approval 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.

Advice Notes

- i. With respect to the parking and associated manoeuvring areas, the following areas are required to comply with the Australian Standards AS/NZS 2890.1:2004, AS 2890.2:2004 and AS/NZS 2890.6:2009:
 - a. Sight truncations.
 - b. Aisle widths.
 - c. Turning bays in blind aisles.
 - d. One way signage.
 - e. Wheel stop requirements for perpendicular parking bays.
 - f. Minimum headroom.
- ii. With respect to the acoustic report, the assessment for this report is to incorporate consideration for all noise sources associated with residential and commercial tenancy use, with a view to achieving indoor sound levels as set out in the Australian Standard AS/NZS2107: Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors.
- iii. With respect to the waste servicing for the residential dwellings, the City's Waste Operation have advised as follows:
 - Working on a shared service (130 litres per week per unit) this 154 unit development would be entitled to 10780 litres of general waste removal per week (Red lid) and 9240 litres of recycling per week (Yellow lid).



- The following arrangement is suggested: 10 x 360 litre red lid MGBs serviced 3 times per week and 9 x 360 litre yellow lid MGBs serviced 3 times per week.
 - These bins will need verge placement in line with all new developments. There will need to a suitable space between the bins so the Side loader will be able to service the bins.
- iv. All construction works to comply with the requirements of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
- v. Food business tenancies must comply with the Food Act 2008 and the Food Standards Code.
- vi. Acceptable plans indicating the position and type of all proposed fittings and fixtures and details of floor, wall and ceiling finishes and floor drainage to be submitted for food premises prior to internal fit out. Before commencing trading operations, food business proprietors are to apply for registration and certification of the business under the Food Act 2008.
- vii. Outdoor eating area to comply with the Outdoor Eating Facilities in Public Places Policy.
- viii. Potential nuisance from artificial light to be addressed in accordance with Australian Standard AS4282-1997.
- ix. Development to comply in all respects with the Health (Public Building) Regulations 1992.
- x. Works relating to the subject development, required or proposed within the road reserve require separate approval of the City.

AMENDING MOTION

Moved by: Cr David Boothman **Seconded by:** Mayor Giovanni Italiano

Condition (h) be amended as follows:

Delete the words "and sign posted" after the word "allocated" and delete the word "only" after the word "use" to read as follows:

- "h) Of the total car parking provided on-site, 42 car bays are to be allocated for the short stay accommodation use, to the satisfaction of the City of Stirling."

Karen Hyde



And introduce new Advice Note (y) to read as follows:

- "xi) With respect to Condition (h), up to 22 of the 42 required short stay accommodation car bays may be temporarily used as short-stay public parking car bays, where not in demand by users of the short stay accommodation, with details to be provided within the Car Parking Management Plan required by Condition C."

REASON: To clarify the allocation of parking, consistent with the Car Parking Management Plan.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Fred Zuideveld **Seconded by:** Mr Paul Drechsler

Condition (i) be deleted and the 'alphabetical numbering' of subsequent conditions be amended accordingly.

REASON: To clarify the allocation of parking consistent with the Car Parking Management Plan.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Fred Zuideveld **Seconded by:** Ms Karen Hyde

An additional Condition (gg) be introduced to read as follows:

"gg) For safe pedestrian access to be provided from public and visitor parking to public roads prior to occupation to the satisfaction of the City."

REASON: To provide safe pedestrian access, as the only access is through driveways within the buildings.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DP/15/00033 as detailed on the DAP Form 2 received 31 August 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/15/00033 as detailed on the DAP Form 2 received 31 August 2015 and accompanying plans (Attachment 1) in accordance with the provisions of the Local Planning Scheme No.3, for the proposed minor amendment to the approved Mixed Use Development at Lot 222, House Number 1, Sunray Drive, Innaloo, subject to:



Amended Conditions

- a) A Geotechnical Report is to be submitted to the satisfaction of the City of Stirling prior to the issue of the relevant building permit verifying that the site is capable of sustaining the proposed development.
- b) A Site Management Plan to be submitted to the satisfaction of the City of Stirling prior to the issue of the relevant building permit. The Site Management Plan to address dust, noise, waste management, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
- c) A Car Parking Management Plan is to be provided to the satisfaction of the City of Stirling prior to the issue of the relevant building permit. The Car Parking Management Plan is to address the management of staff, visitor and delivery parking. The Car Parking Management Plan is to be complied with for the duration of the occupation of the development, unless otherwise varied by the City of Stirling.
- d) 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), Offstreet Parking for People with Disabilities (AS/NZS2890.6) and Off-street Commercial Vehicle Facilities (AS2890.2), prior to occupation of the development. A detailed design addressing this condition is to be submitted to the City of Stirling for approval prior to commencement of development or alternatively the applicant may provide certification from a suitably qualified engineer that compliance with this condition has been achieved. These bays are to be thereafter maintained to the satisfaction of the City of Stirling.
- e) The car parking areas are to maintain access to the public for parking at all times, to the satisfaction of the City.
- f) Of the total car parking provide on-site, 39 car bays are to be allocated and sign posted for visitor use only for the residential dwellings, to the satisfaction of the City of Stirling.
- g) Of the total car parking provide on-site, 154 car bays are to be allocated and sign posted for resident use only for the residential dwellings, to the satisfaction of the City of Stirling.
- h) Of the total car parking provided on-site, 42 car bays are to be allocated for the short stay accommodation use, to the satisfaction of the City of Stirling.
- i) A minimum 38 car bays shall be provided and reserved as short-stay public parking, to the satisfaction of the City of Stirling.
- j) Waste servicing for the residential dwellings is to be provided to the satisfaction of the City.
- k) For the commercial component, a minimum of nine bicycle parking spaces are to be provided on-site, located in accordance with the City's Local Planning Policy 6.2 – Bicycle Parking to the satisfaction of the City, prior to the occupation of the development.



- l) For the residential component, a total of 66 bicycle parking spaces are to be provided on-site, located in the garden podium to the satisfaction of the City, prior to the occupation of the development.
- m) The submission of an acoustic report from a qualified acoustic (noise) consultant is required to the satisfaction of the City prior to the issue of the relevant building permit. The report is to identify potential noise impacts and control measures from plant equipment, to minimise impact on the residents in neighbouring properties. All recommended actions contained within that report are to be implemented prior to the commencement of the use.
- n) The submission of a Landscaping Plan which includes but is not limited to, a formal planting plan for the landscaping on-site and within the verge areas, is to be provided to the City for approval prior to the occupation of the development.
- o) All air conditioning units are to be screened from external view.
- p) Mechanical dryers shall be provided for each dwelling.
- q) All landscaping shall be installed prior to commencement of use. All landscaped areas are to be maintained in good condition thereafter.
- r) All driveways, parking and manoeuvring areas are to be constructed and maintained to the City's satisfaction.
- s) All awnings to have a maximum height of 3.5m above footpath level and a minimum depth of 2.0m unless otherwise restricted by verge infrastructure to the satisfaction of the City.
- t) The proposed tenancies indicated as "retail" on the approved plans are approved to operate as "shop" only as per the definition of shop prescribed in City's Local Planning Scheme No. 3.
- u) A CCTV design plan for the development is to be submitted prior to the commencement of the development, to the satisfaction of the City.
- v) The provision of a CCTV system including all entrances into the development, parking and loading areas prior to practical completion of the development in accordance with the relevant Australian Standards, Guidelines and City of Stirling Policies to the satisfaction of the City.
- w) The internal partitions between the tenancies not being altered without the written consent of the City of Stirling first being obtained.
- x) Architectural lighting of the building in addition to lighting under all awnings and at all entry points to be provided to the satisfaction of the City prior to occupation of the building.
- y) Any on-site floodlights not being positioned or operated in such a manner so as to cause annoyance to surrounding uses or passing traffic.
- z) The submission of a signage strategy to the satisfaction of the City prior to the erection of any signs.



- aa) All off street parking to be available onsite during business hours for all customers and staff to the satisfaction of the City.
- bb) No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
- cc) All stormwater to be collected and contained on site. A Stormwater Management Plan demonstrating this to be submitted to the City to the satisfaction of the City prior to the commencement of development.
- dd) Any existing crossovers not included as part of the proposed development on the approved plan are to be removed. New kerbing and verge to be reinstated to the satisfaction of the City.
- ee) Connection to deep sewer in the locality.
- ff) This approval 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.
- gg) For safe pedestrian access to be provided from public and visitor parking to public roads prior to occupation to the satisfaction of the City.

Advice Notes

- i. With respect to the parking and associated manoeuvring areas, the following areas are required to comply with the Australian Standards AS/NZS 2890.1:2004, AS 2890.2:2004 and AS/NZS 2890.6:2009:
 - a. Sight truncations.
 - b. Aisle widths.
 - c. Turning bays in blind aisles.
 - d. One way signage.
 - e. Wheel stop requirements for perpendicular parking bays.
 - f. Minimum headroom.
- ii. With respect to the acoustic report, the assessment for this report is to incorporate consideration for all noise sources associated with residential and commercial tenancy use, with a view to achieving indoor sound levels as set out in the Australian Standard AS/NZS2107: Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors.
- iii. With respect to the waste servicing for the residential dwellings, the City's Waste Operation have advised as follows:
 - Working on a shared service (130 litres per week per unit) this 154 unit development would be entitled to 10780 litres of general waste removal per week (Red lid) and 9240 litres of recycling per week (Yellow lid).
 - The following arrangement is suggested: 10 x 360 litre red lid MGBs serviced 3 times per week and 9 x 360 litre yellow lid MGBs serviced 3 times per week.

Karen Hyde



- These bins will need verge placement in line with all new developments. There will need to a suitable space between the bins so the Side loader will be able to service the bins.
- iv. All construction works to comply with the requirements of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
- v. Food business tenancies must comply with the Food Act 2008 and the Food Standards Code.
- vi. Acceptable plans indicating the position and type of all proposed fittings and fixtures and details of floor, wall and ceiling finishes and floor drainage to be submitted for food premises prior to internal fit out. Before commencing trading operations, food business proprietors are to apply for registration and certification of the business under the Food Act 2008.
- vii. Outdoor eating area to comply with the Outdoor Eating Facilities in Public Places Policy.
- viii. Potential nuisance from artificial light to be addressed in accordance with Australian Standard AS4282-1997.
- ix. Development to comply in all respects with the Health (Public Building) Regulations 1992.
- x. Works relating to the subject development, required or proposed within the road reserve require separate approval of the City.
- xi. With respect to Condition (h), up to 22 of the 42 required short stay accommodation car bays may be temporarily used as short-stay public parking car bays, where not in demand by users of the short stay accommodation, with details to be provided within the Car Parking Management Plan required by Condition C.

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

9.1B	Property Location:	Lot 222 (No. 1) Sunray Drive, Innaloo
	Application Details:	Minor Amendments to Approved Development (Change of Use Office to Serviced Apartments)
	DAP Name:	Metro North-West Joint Development Assessment Panel
	Applicant:	TPG Town Planning, Urban Design and Heritage
	Owner:	Fabray Pty Ltd
	Responsible authority:	Department of Planning on behalf of the Western Australian Planning Commission
	DoP File No:	DP/13/00033 and 20-50449-1



REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr David Boothman **Seconded by:** Mayor Giovanni Italiano

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DP/13/00033 as detailed on the DAP Form 2 dated 31 August 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 DAP/15/00033 as detailed on the DAP Form 2 date 26 August 2015 and accompanying plans: A001 K, A002 J, A003 H, A200 Q, A200M B, A201 L, A202 M, A203 J, A207 H, A208 H, A210 J, A250 K, A300 G, A305 H, A310 G, A400 G, A401 G, A500 K, A501 G and A502 G.

in accordance with the provisions of the Metropolitan Region Scheme, for the proposed minor amendment to the approved Mixed Use Development at Lot 222 Sunray Drive, Innaloo, subject to:

Amended Conditions

1. This approval relates to a change of use from Office to Short Stay Accommodation with the remainder of the development remaining as Mixed Use, as approved by the Metro North-West Joint Development Assessment Panel on 25 March 2013.

All other conditions and requirements detailed on the previous approval dated 25 March 2015 shall remain unless altered by this application.

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

10. Appeals to the State Administrative Tribunal

10.1	Property Location:	Lot 300, House Number 45, Alexander Drive, Menora
	Application Details:	Retirement Complex
	DAP Name:	Metro North-West JDAP
	Applicant:	Hames Sharley
	Owner:	Uniting Church Homes
	Responsible authority:	City of Stirling
	DoP File No:	DAP/15/00752

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Fred Zuideveld **Seconded by:** Ms Karen Hyde

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 284 of 2015, resolves to:

Ms Karen Hyde *Karen Hyde*
Presiding Member, Metro North-West Joint Development Assessment Panel



Approve DAP Application reference DAP/15/00752 and accompanying plans (Attachment 1) in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

Conditions

1. The Reduced Level of the ground floor finished floor level of the development is to be 23m RL.
2. A Site Management Plan shall be submitted to the satisfaction of the City of Stirling prior to commencement of works. The Site Management Plan shall address dust, noise, waste management, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
3. One additional visitor car bay is to be provided to the south east of the proposed building in accordance with AS/NZS2890.1 2004 to the satisfaction of the City.
4. 17 bicycle spaces to be provided on site in accordance with the deemed-to-comply provisions of clause 6.3.3 of the R-Codes.
5. All driveways, parking and manoeuvring areas are to be constructed of brick paving, drained and maintained to the City's satisfaction. Alternative finishes such as concrete or bitumen are acceptable if it has a decorative type finish to the satisfaction of the City.
6. All land indicated as landscaped area on the approved plan being developed on practical completion of the building/s to the satisfaction of the City. All landscaped areas are to be maintained in good condition thereafter.
7. Any on-site clothes drying facilities being screened from public view.
8. Vehicular parking manoeuvring and circulation areas indicated on the approved plan being sealed and drained and the parking spaces being marked out and maintained in good repair to the satisfaction of the City.
9. Adequate lighting being provided to communal pathways and parking areas to the satisfaction of the City.
10. All external lighting to comply with Australian Standards AS 4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any adjacent residential premises.
11. All boundary fencing behind the front setback line is to accord with the provisions of the City's Local Laws pertaining to the provision of a sufficient fence.
12. All visitor parking spaces being provided on site are to be permanently marked for the exclusive use of visitor's parking to the satisfaction of the City.
13. All stores must be allocated to the car parking bay to which it abuts.



14. The bin enclosure shall comply with the City of Stirling Waste Management Local Law 2010.
15. Stormwater from all roofed and paved areas to be collected and contained on site.
16. A mechanical dryer is to be provided within each unit to the satisfaction of the City.
17. Air conditioning units, ducts and other services shall be screened from view.
18. Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas to the satisfaction of the City of Stirling.
19. Compliance with the Waste Management Plan submitted as part of this application and dated 18 May 2015.

Advice Notes

- a) Compliance with the provisions of the Building Code of Australia.
- b) Compliance with the City of Stirling's Waste Management Local Law 2010.
- c) Submission of acceptable plans showing the details of paving, stormwater drainage and disposal with the Building Licence Application. Such plans and any other stormwater drainage requirements and/or conditions of approval are to be to the satisfaction of the Manager, Engineering Operations.
- d) Noisy Construction Work outside the period 7.00 am to 7.00 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
- e) The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
- f) Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
- g) If the development the subject of this approval is not substantially commenced within a period of two years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- h) If an applicant is aggrieved by this determination there is a right of appeal under Part V of the *Planning and Development Act 2005*. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.



- i) This is a Development Approval under the City of Stirling Local Planning Scheme No. 3 and related policies. It is not a building licence or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- j) The development to be connected to deep sewerage in the locality

The Report Recommendation/Primary Motion was put and CARRIED (4/1).

For: Ms Karen Hyde, Mr Paul Drechsler, Mr Fred Zuideveld and
Cr David Boothman
Against: Mayor Giovanni Italiano

10. 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 11.59am.