



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

**Meeting Date and Time:** 1 October 2015; 2pm  
**Meeting Number:** MNWJDAP/102  
**Meeting Venue:** 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)

#### **Officers in attendance**

Ms Dale Page (City of Joondalup)  
Mr John Corbellini (City of Joondalup)  
Ms Lydia Dwyer (City of Joondalup)  
Ms Renae Mather (City of Joondalup)  
Mr Tim Reed (City of Joondalup)  
Mr John Byrne (City of Joondalup)

#### **Local Government Minute Secretary**

Mrs Rose Garlick (City of Joondalup)

#### **Observer**

Cr Mike Norman (City of Joondalup)

#### **Applicants and Submitters**

Mr Eddy Krajcar  
Mr Richard (Dick) Gray  
Ms Rosemarie Iglesias  
Mr Giles Harden Jones (Harden Jones Architects)  
Mr Simon Oakley (Oakley Architects)

#### **Members of the Public**

There were eight members of the public and one member of the press in attendance.



## 1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 2.00pm on 1 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 Metro North-West JDAP Meeting No.99 held on 17 September 2015 and Meeting No.100 held on 18 September 2015 were noted by DAP members.

The Minutes of the Metro North-West JDAP Meeting No.101 held on 24 September 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 an impartiality interest in item 10.1. One of the presenters, Mr Richard Gray is known to Cr Chester. Cr Chester has received a phone call from Mr Gray regarding Item 10.1 on the Agenda.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Presiding Member determined that Cr Chester, who has disclosed an impartiality interest, is permitted to participate in discussion and voting on the items.



## 7. Deputations and presentations

- 7.1 Mr Eddy Krajcar addressed the DAP against the application at Item 10.1.
- 7.2 Mr Richard (Dick) Gray addressed the DAP against the application at Item 10.1.
- 7.3 Ms Rosemarie Iglesias addressed the DAP against the application at Item 10.1.
- 7.4 Mr Giles Harden Jones (Harden Jones Architects) addressed the DAP for the application at Item 10.1.

***The presentations at Item 7.1 through to 7.4 were heard prior to the application at Item No. 10.1.***

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

- |     |                        |  |
|-----|------------------------|--|
| 8.1 | Property Location:     | Lot 181 (20) St Marks Drive, Hillarys      |
|     | Application Details:   | Proposed three storey educational facility |
|     | Applicant:             | Oakley Architects                          |
|     | Owner:                 | Anglican Schools Commission                |
|     | Responsible authority: | City of Joondalup                          |
|     | DoP File No:           | DAP/15/00867                               |

## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr John Chester

**Seconded by:** Mr Fred Zuideveld

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

**Approve** DAP Application reference DAP/15/00867 and accompanying plans A1.01, A1.02, A1.04, A2.01, A2.03, A3.01, A3.02 and A4.01 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 the decision letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;
2. This approval relates to the Senior Academic Centre, adjoining car park and access only as indicated on the approved plans. It does not relate to the 'proposed new 'standalone' classroom block', 'alterations to end of block', or proposed new addition to existing classroom block' on plan A1.01 or the 'new standalone classrooms' or 'new classroom' on plan A1.02.
3. The eight temporary classrooms approved under DA15/0289 are to be removed and the land made good to the satisfaction of the City, prior to occupation of the Senior Academic Centre.



4. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
  - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - Provide all details relating to paving, treatment of verges and tree planting in the car park;
  - Show spot levels and/or contours of the site;
  - 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. A Construction Management Plan being submitted and approved by the City prior to the commencement of development. The management plan shall detail how it is proposed to manage:
  - i. all forward works for the site;
  - ii. the delivery of materials and equipment to the site;
  - iii. the storage of materials and equipment on the site;
  - iv. the parking arrangements for the contractors and subcontractors;
  - v. other matters likely to impact on the surrounding properties;
7. 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. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval prior to the commencement of development;
8. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard including being free of vandalism, to the satisfaction of the City;
9. 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;



10. The external surface of the additions, including roofing, shall be finished in materials and colours that have low reflective characteristics, to the satisfaction of the City. The external surfaces shall be treated to the satisfaction of the City if it is determined by the City that glare from the completed development has a significant adverse effect on the amenity of adjoining or nearby neighbours.
11. Any bicycle parking facilities provided should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of development.
12. 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.
13. Detailed traffic management and car park plans shall be submitted and approved by the City prior to commencement of development. This plan shall detail:
  - i. Compliance with AS2890;
  - ii. Directional signage and pavement markings;
  - iii. Demonstrate circulation for a B99 vehicle from entry to exit via the proposed roundabout within the new staff car park; and
  - iv. Give consideration to the installation and provision of boom gates or similar to enable restricted access.

#### **Advice Notes**

1. 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.
2. A certificate of electrical compliance, completed by a suitably qualified person, is required prior to the occupation of the building and in accordance with the *Health (Public Building) Regulations 1992*.
3. Food Notification/Registration under the *Food Act 2008* may be required where food ingredients are being provided to students, or where any person is able to purchase food from the café.

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

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

Nil



## 10. Appeals to the State Administrative Tribunal

<b>10.1</b>	Property Location:	Lot 28 (46) Angove Drive, Hillarys
	Application Details:	Mixed Use Development with Basement Parking
	Applicant:	Harden Jones Architects
	Owner:	Paltara Pty Ltd
	Responsible authority:	City of Joondalup
	DoP File No:	DAP/15/00754

### REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr Liam Gobbert

**Seconded by:** Mr Fred Zuideveld

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 217/2015, resolves to:

**Set aside** its decision dated 6 July 2015 and **approves** DAP application reference DAP/15/00754 and amended plans as set out in Attachment 2 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 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. A Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:
  - (a) all forward works for the site;
  - (b) the delivery of materials and equipment to the site;
  - (c) the storage of materials and equipment on the site;
  - (d) the parking arrangements for the contractors and subcontractors;
  - (e) the management of sand and dust during the construction process;
  - (f) the management of noise during the construction process; and
  - (g) other matters likely to impact on the surrounding properties.
3. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development.
4. An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing



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

5. The off-street car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
6. The on-street car parking bays and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for On-street Car Parking (AS/NZS2890.5 1993) and other applicable Australian Standards and Austroads guidelines to the satisfaction of the City, prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
7. The construction of the pedestrian footpaths within the Angove Drive and Mallorca Avenue road reserves is required prior to the development first being occupied.
8. Further to conditions 6 and 7 above, detailed plans showing the proposed works in the road reserve, including construction of the pedestrian footpaths and on-street car bays, are to be submitted to and approved by the City prior to commencement of development. All costs associated with the proposed construction of the pedestrian footpath and car bays within the Angove Drive and Mallorca Avenue road reserves shall be at the expense of the applicant. All works are to be completed to the satisfaction of the City prior to the development first being occupied.
9. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.
10. All external walls of the proposed buildings 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.
11. All development shall be contained within the property boundaries.
12. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
  - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - Provide all details relating to paving, treatment of verges and tree planting in the car park;
  - Show spot levels and/or contours of the site;
  - Be based on water sensitive urban design principles to the satisfaction of the City;



- Be based on Designing out Crime principles to the satisfaction of the City; and
  - Show all irrigation design details.
13. 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.
  14. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
  15. A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of development, and approved by the City prior to the development first being occupied. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
  16. Lighting shall be installed along all car parking areas, communal open space areas, pedestrian pathways and in all common service areas prior to the development first being occupied, to the satisfaction of the City. A lighting plan shall be submitted to the City for approval prior to the commencement of development.
  17. Visitor car parking spaces shall be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the City.

### **Advice Notes**

1. Where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
2. The tenancy indicated as 'Office' on the approved plans is approved as an 'Office' as defined by the City of Joondalup District Planning Scheme No. 2.
3. The City of Joondalup District Planning Scheme No. 2 defines 'Office' as *"any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres."*
4. The tenancy indicated as 'Shop' on the approved plans is approved as a 'Shop' as defined by the City of Joondalup District Planning Scheme No. 2.
5. The City of Joondalup District Planning Scheme No. 2 defines 'Shop' as *"premises where goods are kept exposed or offered for sale by retail or hire, but the term does not include a Showroom, Drive Through Food Outlet or a Restricted Premises."*



6. The tenancy indicated as 'Cafe' on the approved plans is approved as a 'Restaurant' as defined by the City of Joondalup District Planning Scheme No. 2.

The City of Joondalup District Planning Scheme No. 2 defines 'Restaurant' as *"premises where the predominant use is the preparation of food for sale and consumption within the building or portion thereof. The expression may include the sale of food for consumption off the premises, where Council is of the opinion that it is incidental to the business. The term may include an outdoor eating area which shall be treated as being within the building of the Restaurant. The expression excludes Drive Through Food Outlets."*

7. The units on the ground and first floor of the development are approved as 'Multiple Dwellings' as defined by the Residential Design Codes of WA.
8. The Residential Design Codes of WA defines a 'Multiple Dwelling' as *"a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:*
- *does not include a grouped dwelling; and*
  - *includes any dwellings above the ground floor in a mixed use development."*
9. Food business premises to comply with the requirements of the *Food Act 2008*.
10. Laundry facilities to be provided in residential units, in accordance with the City of Joondalup *Health Local Law 1999*.
11. The use of conventional dryers within laundry areas should be prohibited. Condensation dryers should instead be provided to reduce the risk of mould growths, which are commonly associated with multi-residential developments.
12. Applicant to comply with the *Health (Aquatic Facilities) Regulations 2007*.

### **AMENDING MOTION**

**Moved by:** Mr Fred Zuideveld

**Seconded by:** Cr Liam Gobbert

In Condition 11 after the word "boundaries" insert the following words:

*"with the exception of canopies to the commercial tenancies and entrance to the satisfaction of the City"*

**REASON:** To allow for the canopy that extends over the boundary onto the street reserve.

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



### **AMENDING MOTION**

**Moved by:** Mr Fred Zuideveld

**Seconded by:** Mr Paul Drechsler

Add a Condition 18 to read as follows:

“A solid screening to 1.6 metres in height above the pool deck shall be provided to the south boundary to the satisfaction of the City.”

**REASON:** To allow for privacy.

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

### **AMENDING MOTION**

**Moved by:** Mr Fred Zuideveld

**Seconded by:** Nil

That the basement car park shall be accessible to the public till 9.00pm each evening.

**The Amending Motion LAPSED for want of a seconder.**

### **AMENDING MOTION**

**Moved by:** Ms Karen Hyde

**Seconded by:** Cr John Chester

Add a Condition 19 to read as follows:

“Utility areas and common services shall not abut the common boundary with adjoining residential properties, with the future swimming pool equipment to be located north of grid line E shown on the approved plans and contained within a sound reduction enclosure. Plans showing the location of the future swimming pool equipment and the other utility areas and common services shall be submitted to and approved by the City prior to commencement of development. All utility areas and common services shall be developed in accordance with the approved plans.”

**REASON:** To cover the matter of swimming pool equipment.

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

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

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 217/2015, resolves to:

**Set aside** its decision dated 6 July 2015 and **approves** DAP application reference DAP/15/00754 and amended plans as set out in Attachment 2 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 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. A Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:
  - (a) all forward works for the site;
  - (b) the delivery of materials and equipment to the site;
  - (c) the storage of materials and equipment on the site;
  - (d) the parking arrangements for the contractors and subcontractors;
  - (e) the management of sand and dust during the construction process;
  - (f) the management of noise during the construction process; and
  - (g) other matters likely to impact on the surrounding properties.
3. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development.
4. An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of development.
5. The off-street car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
6. The on-street car parking bays and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for On-street Car Parking (AS/NZS2890.5 1993) and other applicable Australian Standards and Austroads guidelines to the satisfaction of the City, prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
7. The construction of the pedestrian footpaths within the Angove Drive and Mallorca Avenue road reserves is required prior to the development first being occupied.
8. Further to conditions 6 and 7 above, detailed plans showing the proposed works in the road reserve, including construction of the pedestrian footpaths and on-street car bays, are to be submitted to and approved by the City prior to commencement of development. All costs associated with the proposed construction of the pedestrian footpath and car bays within the Angove Drive and Mallorca Avenue



- road reserves shall be at the expense of the applicant. All works are to be completed to the satisfaction of the City prior to the development first being occupied.
9. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.
  10. All external walls of the proposed buildings 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.
  11. All development shall be contained within the property boundaries with the exception of canopies to the commercial tenancies and entrance to the satisfaction of the City.
  12. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
    - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
    - Provide all details relating to paving, treatment of verges and tree planting in the car park;
    - Show spot levels and/or contours of the site;
    - Be based on water sensitive urban design principles to the satisfaction of the City;
    - Be based on Designing out Crime principles to the satisfaction of the City; and
    - Show all irrigation design details.
  13. 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.
  14. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
  15. A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of development, and approved by the City prior to the development first being occupied. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
  16. Lighting shall be installed along all car parking areas, communal open space areas, pedestrian pathways and in all common service areas prior to the development first being occupied, to the satisfaction of the City. A lighting plan shall be submitted to the City for approval prior to the commencement of development.



17. Visitor car parking spaces shall be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the City.
18. A solid screening to 1.6 metres in height above the pool deck shall be provided to the south boundary to the satisfaction of the City.
19. Utility areas and common services shall not abut the common boundary with adjoining residential properties, with the future swimming pool equipment to be located north of grid line E shown on the approved plans and contained within a sound reduction enclosure. Plans showing the location of the future swimming pool equipment and the other utility areas and common services shall be submitted to and approved by the City prior to commencement of development. All utility areas and common services shall be developed in accordance with the approved plans.

### Advice Notes

1. Where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
2. The tenancy indicated as 'Office' on the approved plans is approved as an 'Office' as defined by the City of Joondalup District Planning Scheme No. 2.
3. The City of Joondalup District Planning Scheme No. 2 defines 'Office' as "*any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres.*"
4. The tenancy indicated as 'Shop' on the approved plans is approved as a 'Shop' as defined by the City of Joondalup District Planning Scheme No. 2.
5. The City of Joondalup District Planning Scheme No. 2 defines 'Shop' as "*premises where goods are kept exposed or offered for sale by retail or hire, but the term does not include a Showroom, Drive Through Food Outlet or a Restricted Premises.*"
6. The tenancy indicated as 'Cafe' on the approved plans is approved as a 'Restaurant' as defined by the City of Joondalup District Planning Scheme No. 2.
7. The City of Joondalup District Planning Scheme No. 2 defines 'Restaurant' as "*premises where the predominant use is the preparation of food for sale and consumption within the building or portion thereof. The expression may include the sale of food for consumption off the premises, where Council is of the opinion that it is incidental to the business. The term may include an outdoor eating area which shall be treated as being within the building of the Restaurant. The expression excludes Drive Through Food Outlets.*"
8. The units on the ground and first floor of the development are approved as 'Multiple Dwellings' as defined by the Residential Design Codes of WA.



9. The Residential Design Codes of WA defines a 'Multiple Dwelling' as "*a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:*
  - *does not include a grouped dwelling; and*
  - *includes any dwellings above the ground floor in a mixed use development.*"
10. Food business premises to comply with the requirements of the *Food Act 2008*.
11. Laundry facilities to be provided in residential units, in accordance with the City of Joondalup *Health Local Law 1999*.
12. The use of conventional dryers within laundry areas should be prohibited. Condensation dryers should instead be provided to reduce the risk of mould growths, which are commonly associated with multi-residential developments.
13. Applicant to comply with the *Health (Aquatic Facilities) Regulations 2007*.

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

#### **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 3.05pm.