



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: 5 May 2016; 11:00am
Meeting Number: MNWJDAP/127
Meeting Venue: City of Joondalup
90 Boas Avenue,
Joondalup

Attendance

DAP Members

Mr Paul Drechsler (A/Presiding Member)
Mr Brian Curtis (A/Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr David Boothman JP (Local Government Member, City of Stirling)
Cr John Chester (Local Government Member, City of Joondalup)
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)

Officers in attendance

Mr John Corbellini (City of Joondalup)
Ms Emma Craddock (City of Joondalup)
Ms Giovanna Lumbaca (City of Stirling)
Mr Greg Bowering (City of Stirling)
Ms Emily Andrews (City of Stirling)

Local Government Minute Secretary

Ms Deborah Gouges (City of Joondalup)
Ms Lesley Taylor (City of Joondalup)

Applicants and Submitters

Ms Camille Clarke (Rowe Group)
Mr Aaron Lohman (Rowe Group)
Mr Tim Dawkins (Urbis)
Mr Alec Whyte (Parry and Whyte)

Members of the Public

Nil

1. Declaration of Opening

The A/Presiding Member, Mr Paul Drechsler declared the meeting open at 11:00am on 5 May 2016 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

Ms Karen Hyde (Presiding Member)
Mayor Giovanni Italiano JP (Local Government Member, City of Stirling)
Cr Philippa Taylor (Local Government Member, City of Joondalup)

3. Members on Leave of absence

Panel member, Ms Karen Hyde has been granted leave of absence by the Minister for the period of 6 April 2016 to 8 May 2016 inclusive.

4. Noting of minutes

Minutes of the Metro North-West Joint Development Assessment Panel meeting no.124 held on 18 April 2016 were noted by DAP members.

Minutes of the Metro North-West Joint Development Assessment Panel meeting no.125 held on 22 April 2016 and no.126 held on 26 April 2016 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, Cr John Chester, declared an impartiality interest in Item 9.1 as one of the owners/developers of Lot 5002 Delamere Avenue, Currambine, Mr Ian Goodenough MP, is known to Cr Chester.

Panel member, Cr Christine Hamilton-Prime, declared an impartiality interest in Item 9.1 as one of the owners/developers of Lot 5002 Delamere Avenue, Currambine, Mr Ian Goodenough MP, is known to Cr Hamilton-Prime.

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

7. Deputations and presentations

7.1 Ms Camille Clarke (Rowe Group) addressed the DAP for the application at Item 8.1.



PROCEDURAL MOTION

Moved by: Mr Paul Drechsler

Seconded by: Mr Fred Zuideveld

That the application at Item 9.1 be heard prior to the presentations at Item 7 and Item 8.1.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 6345, House Number 106, Bradford Street, Coolbinia
Application Details:	Proposed Additions to Nursing Home (Ability Centre)
Applicant:	Rowe Group
Owner:	The Cerebral Palsy Association of Western Australian Ltd
Responsible authority:	City of Stirling
DoP File No:	DAP/16/01001

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr David Boothman

Seconded by: Mr Brian Curtis

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DAP/16/01001 and accompanying plans (ATTACHMENT 1) for the Proposed Additions to Nursing Home (Ability Centre), in accordance with Schedule 2, Clause 68 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015, subject to the following conditions:

Conditions

1. The pedestrian path at the north-west corner of the subject site is to be relocated so as to be outside the subject site to the satisfaction of the City.
2. The 1.8 metres fencing abutting the reserve to the north-east and north-west shall be visually permeable in accordance with the City's Local Planning Policy 2.7 – Streetscapes and shall be finished to a colour and material that is compatible with the surrounding properties, to the satisfaction of the City.
3. All stormwater from all roofed and paved areas to be collected and contained on site.
4. All land indicated as landscaped area on the approved plan being developed on practical completion of building works to the satisfaction of the City. All landscaped areas are to be maintained in good condition thereafter.
5. All driveways, parking and manoeuvring areas are to be constructed, drained and maintained to the satisfaction of the City.



6. Air conditioning units, ducts and other services shall be screened from view.
7. Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas to the satisfaction of the City.
8. Adequate lighting being provided to communal pathways and parking areas to the satisfaction of the City.
9. 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.
10. The proposed crossover shall be designed and constructed in accordance with the City's Crossover Policy to the satisfaction of the City.
11. 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.
12. No walls fences or letterboxes above 0.75 metres in height to be constructed within 1.5 metres of where;
 - a. walls or fences adjoin vehicular access points to the site, or
 - b. a driveway meets a public street, or
 - c. two streets intersect,unless the further approval of Council is obtained.
13. All parking bays and areas are to comply with Australian Standards AS/NZS2890.1. The number of disabled car parking bays and their design and layout are to comply with AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities).
14. The bin store areas are be designed to have a hose-cock and floor waste connected to sewer to facilitate the washing of bins to minimise odours.
15. A noise management plan detailing how potential noise impacts will be managed or reduced to prevent unreasonable noise to residents.
16. A construction management plan is required to be submitted with the building permit to address potential impacts during the construction phase.
17. Potential nuisance from artificial light to be addressed in accordance with Australian Standard AS 4282 – 1997.

Advice Notes

The following Advice Notes are also recommended:

- a) A Bushfire Management Plan and Emergency Evacuation Plan are to be provided to the City due to the vulnerable nature of the land use.
- b) With respect to Condition 15, potential noise sources include vehicles entering and exiting the property and air conditioners.



AMENDING MOTION

Moved by: Cr David Boothman

Seconded by: Mr Fred Zuideveld

Reword Condition 1 as follows:

1. *The pedestrian path at the north-west corner of the subject site is to be relocated so as to be outside the subject site at the City's cost.*

REASON: The City of Stirling expressed to panel members that it would cover the costs associated with the relocation of the pedestrian path.

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

AMENDING MOTION

Moved by: Mr Paul Drechsler

Seconded by: Mr Fred Zuideveld

Reword Condition 7 as follows:

7. *Pedestrian pathways providing wheelchair accessibility connecting all entries to new buildings with the pedestrian footpath and new car parking areas to the satisfaction of the City.*

REASON: To ensure the condition refers only to the pedestrian pathways proposed as part of the application.

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

AMENDING MOTION

Moved by: Mr Paul Drechsler

Seconded by: Mr Fred Zuideveld

Remove Condition 9 and re-number the Conditions accordingly.

REASON: Condition 2 already specifies the fencing construction requirements.

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

AMENDING MOTION

Moved by: Mr Paul Drechsler

Seconded by: Cr David Boothman

Remove Conditions 15 and 16 and re-number the Conditions accordingly.

REASON: As the City of Stirling has reworded and combined Conditions 15 and 16 into one, being Condition 14.

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



AMENDING MOTION

Moved by: Cr David Boothman

Seconded by: Mr Brian Curtis

Include an additional Condition to replace removed Conditions 15 and 16 to read as follows:

14. *A Site Management Plan shall be submitted to the satisfaction of the City 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.*

REASON: The original Condition 15 required rewording so the City of Stirling agreed, in liaison with the Applicant, to combine Conditions 15 and 16 into a single condition for clarity.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Brian Curtis

Seconded by: Mr Paul Drechsler

Remove Advice Note b).

REASON: As Condition 15 was removed, Advice Note b) is no longer relevant.

The Amending Motion was put and CARRIED UNANIMOUSLY

PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DAP/16/01001 and accompanying plans (ATTACHMENT 1) for the Proposed Additions to Nursing Home (Ability Centre), in accordance with Schedule 2, Clause 68 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015, subject to the following conditions:

Conditions

1. The pedestrian path at the north-west corner of the subject site is to be relocated so as to be outside the subject site at the City's cost.
2. The 1.8 metres fencing abutting the reserve to the north-east and north-west shall be visually permeable in accordance with the City's Local Planning Policy 2.7 – Streetscapes and shall be finished to a colour and material that is compatible with the surrounding properties, to the satisfaction of the City.
3. All stormwater from all roofed and paved areas to be collected and contained on site.
4. All land indicated as landscaped area on the approved plan being developed on practical completion of building works to the satisfaction of the City. All landscaped areas are to be maintained in good condition thereafter.



5. All driveways, parking and manoeuvring areas are to be constructed, drained and maintained to the satisfaction of the City.
6. Air conditioning units, ducts and other services shall be screened from view.
7. Pedestrian pathways providing wheelchair accessibility connecting all entries to new buildings with the pedestrian footpath and new car parking areas to the satisfaction of the City.
8. Adequate lighting being provided to communal pathways and parking areas to the satisfaction of the City.
9. The proposed crossover shall be designed and constructed in accordance with the City's Crossover Policy to the satisfaction of the City.
10. 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.
11. No walls fences or letterboxes above 0.75 metres in height to be constructed within 1.5 metres of where;
 - a. walls or fences adjoin vehicular access points to the site, or
 - b. a driveway meets a public street, or
 - c. two streets intersect,unless the further approval of Council is obtained.
12. All parking bays and areas are to comply with Australian Standards AS/NZS2890.1. The number of disabled car parking bays and their design and layout are to comply with AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities).
13. The bin store areas are to be designed to have a hose-cock and floor waste connected to sewer to facilitate the washing of bins to minimise odours.
14. A Site Management Plan shall be submitted to the satisfaction of the City 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.
15. Potential nuisance from artificial light to be addressed in accordance with Australian Standard AS 4282 – 1997.

Advice Notes

The following Advice Notes are also recommended:

- a) A Bushfire Management Plan and Emergency Evacuation Plan are to be provided to the City due to the vulnerable nature of the land use.

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



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

- 9.1 Property Location: Lot 5002 (74) and Lot 5001 (86) Delamere Avenue, Currambine
- Application Details: Proposed modifications to an approved commercial development
- Applicant: Urbis Pty Ltd on behalf of ALDI Australia
- Owner: Currambine District One Pty Ltd, Currambine District Two Pty Ltd & various
- Responsible authority: City of Joondalup
- DoP File No: DP/11/02687

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr John Chester **Seconded by:** Cr Christine Hamilton-Prime

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DP/11/02687 as detailed on the DAP Form 2 dated 4 March 2016 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/11/02687 as detailed on the DAP Form 2 dated 4 March 2016 and accompanying plan date stamped 4 March 2016, in accordance with clause 77(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the proposed modifications to conditions of approval and commercial development at Lot 5002 (74) and Lot 5001 (86) Delamere Avenue, Currambine, subject to:

Removal of Conditions

Conditions 18, 19, 20 and 21 of the approved DAP Application DP/11/02687 of 7 March 2012 and amended conditions (i), (ii), (iii), (iv) and (v) of the approved DAP Application reference DP11/02687 of 17 October 2012 are removed.

Amended Conditions

- a) A notification under section 70A of the Transfer of Land Act is to be prepared at the applicant's cost and in a form acceptable to the City and lodged with the Registrar of Titles for endorsement on the certificates of title for Lot 5002 (74) Delamere Avenue and Lot 5001 (86) Delamere Avenue within 90 days from the date of this approval.

The notification is to give notice of the provision for 9 car parking bays to be provided on Lot 5001 (86) Delamere Avenue for the exclusive use of patrons of, and visitors to, and employees of the occupiers of, Lot 5002 (74) Delamere Avenue and that if, for any reason, including the sale or redevelopment of Lot 5001, the car parking bays to be provided on Lot 5001 become unavailable then the use of Lot 5002 may be contrary to a condition of the development approval and may constitute an offence under the City of Joondalup District Planning Scheme No. 2.



- b) The nine car parking bays on the western side of Lot 5001 (86) Delamere Avenue, indicated on the approved plans, and required under amended condition a), are to be provided for parking exclusively by:
- (i) patrons of, and visitors to, the development on Lot 5002 (74) Delamere Avenue; and
 - (ii) employees of the occupiers of Lot 5002 (74) Delamere Avenue,
- and are to be available, within 90 days from the date of this approval.
- c) The car parking bays are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and thereafter maintained to the satisfaction of the City.

Advice Notes

1. All other conditions and requirements detailed on the previous approval dated 7 March 2012 shall remain unless altered by this application.
2. This approval relates only to the:
 - Deletion of the previous development at Lot 5001 (86) Delamere Avenue, Currambine from the approval
 - Construction of nine car bays and associated pedestrian path on Lot 5001 (86) Delamere Avenue, Currambine
 - Amendment to the conditions of approval as set out in this decision.

AMENDING MOTION

Moved by: Cr John Chester

Seconded by: Mr Brian Curtis

Reword Amended Condition b) as follows:

- b) *The nine car parking bays on the western side of Lot 5001 (86) Delamere Avenue, indicated on the approved plans, and required under amended condition a), are to be provided and clearly marked for parking exclusively by:*
- (i) patrons of, and visitors to, the development on Lot 5002 (74) Delamere Avenue; and*
 - (ii) employees of the occupiers of Lot 5002 (74) Delamere Avenue,*
- and are to be available, within 90 days from the date of this approval.*

REASON: To ensure exclusive use of the car parking bays for patrons, visitors and employees of Lot 5002 (74) Delamere Avenue, Currambine.

The Amending Motion was put and CARRIED UNANIMOUSLY.



AMENDING MOTION

Moved by: Mr Fred Zuideveld

Seconded by: Mr Paul Drechsler

Remove Advice Note 2 and include an additional condition being Condition d) to the Amended Conditions to read as follows:

d) *This approval relates only to the:*

- *Deletion of the previous development at Lot 5001 (86) Delamere Avenue, Currambine from the approval*
- *Construction of nine car bays and associated pedestrian path on Lot 5001 (86) Delamere Avenue, Currambine*
- *Amendment to the conditions of approval as set out in this decision.*

REASON: To clarify that the approval for Lot 5001 has been cancelled.

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/11/02687 as detailed on the DAP Form 2 dated 4 March 2016 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/11/02687 as detailed on the DAP Form 2 dated 4 March 2016 and accompanying plan date stamped 4 March 2016, in accordance with clause 77(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the proposed modifications to conditions of approval and commercial development at Lot 5002 (74) and Lot 5001 (86) Delamere Avenue, Currambine, subject to:

Removal of Conditions

Conditions 18, 19, 20 and 21 of the approved DAP Application DP/11/02687 of 7 March 2012 and amended conditions (i), (ii), (iii), (iv) and (v) of the approved DAP Application reference DP11/02687 of 17 October 2012 are removed.

Amended Conditions

- a) A notification under section 70A of the Transfer of Land Act is to be prepared at the applicant's cost and in a form acceptable to the City and lodged with the Registrar of Titles for endorsement on the certificates of title for Lot 5002 (74) Delamere Avenue and Lot 5001 (86) Delamere Avenue within 90 days from the date of this approval.

The notification is to give notice of the provision for 9 car parking bays to be provided on Lot 5001 (86) Delamere Avenue for the exclusive use of patrons of, and visitors to, and employees of the occupiers of, Lot 5002 (74) Delamere Avenue and that if, for any reason, including the sale or redevelopment of Lot



5001, the car parking bays to be provided on Lot 5001 become unavailable then the use of Lot 5002 may be contrary to a condition of the development approval and may constitute an offence under the City of Joondalup District Planning Scheme No. 2.

- b) The nine car parking bays on the western side of Lot 5001 (86) Delamere Avenue, indicated on the approved plans, and required under amended condition a), are to be provided and clearly marked for parking exclusively by:
- (i) patrons of, and visitors to, the development on Lot 5002 (74) Delamere Avenue; and
 - (ii) employees of the occupiers of Lot 5002 (74) Delamere Avenue,
- and are to be available, within 90 days from the date of this approval.
- c) The car parking bays are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and thereafter maintained to the satisfaction of the City.
- d) This approval relates only to the:
- Deletion of the previous development at Lot 5001 (86) Delamere Avenue, Currambine from the approval
 - Construction of nine car bays and associated pedestrian path on Lot 5001 (86) Delamere Avenue, Currambine
 - Amendment to the conditions of approval as set out in this decision.

Advice Notes

1. All other conditions and requirements detailed on the previous approval dated 7 March 2012 shall remain unless altered by this application.

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

10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Close

The A/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 Acting Presiding Member declared the meeting closed at 11:40am.