



Minutes of the Metro North West Joint Development Assessment Panel

Meeting Date and Time: Friday 8 July 2016; 09.30am
Meeting Number: MNWJDAP/135
Meeting Venue: Department of Planning
140 William Street

Attendance

DAP Members

Mr Paul Drechsler (A/Presiding Member)
Mr Clayton Higham (A/Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Frank Cvitan (Local Government Member, City of Wanneroo)
Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr John Chester (Local Government Member, City of Joondalup)
Cr Philippa Taylor (Local Government Member, City of Joondalup)

Officers in attendance

Mr John Corbellini (City of Joondalup)
Ms Emma Craddock (City of Joondalup)
Mr Jeremy Thompson (City of Wanneroo)
Ms Bonnie Butler (City of Wanneroo)

Department of Planning Minute Secretary

Ms Rachel Osborne (Department of Planning)

Applicants and Submitters

Mr Marc Bishop (Meyer Shircore & Associates)
Mr Julian Tan (Meyer Shircore & Associates)
Mr Todd Doepel (Primewest)
Mr Jeff Malcolm (MGA)
Ms Marina Kleyweg (KCTT)
Mr Tom Abrecht (Fabcot)
Ms Sheryl Lockhart
Mr Roland Lockhart

Members of the Public

Nil

1. Declaration of Opening

The A/Presiding Member, Mr Paul Drechsler declared the meeting open at 9.30am on 8 July 2016 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.



The A/Presiding Member acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The A/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 A/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)

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro North West JDAP meeting No.134 held on 28 June 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, Mr Fred Zuideveld, declared an impartiality interest in item 8.1. Mr Zuideveld previously worked on a project alongside Mr Todd Doepel at Primewest who is the land owner for the application. Mr Zuideveld has no ongoing work with Mr Doepel.

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

7. Deputations and presentations

7.1 Mr Julian Tan (Meyer Shirecore Associates) addressed the DAP for the application at Item 8.1. Mr Tan answered questions from the panel.

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



- 7.2 Mr Roland Lockhart (Dome Banksia Grove) addressed the DAP against the application at Item 8.2. Mr Lockhart answered questions from the panel.
- 7.3 Ms Marina Kleyweg (KCTT) addressed the DAP for the application at Item 8.2. Ms Kleyweg answered questions from the panel.
- 7.4 Mr Tom Abrecht (Fabcot) addressed the DAP for the application at Item 8.2. Mr Abrecht answered questions from the panel.
- 7.5 Mr Jeff Malcolm (MGA) addressed the DAP for the application at Item 8.2. Mr Malcolm answered questions from the panel.

The presentations at Items 7.2 to 7.5 were heard prior to the application at Item 8.2

8. Form 1 - Responsible Authority Reports – DAP Applications

- 8.1 Property Location: Lot 11 (8) Davidson Terrace, Joondalup
Application Details: Proposed Office Development
Applicant: Meyer Shircore
Owner: Primewest Pty Ltd
Responsible authority: City of Joondalup
DoP File No: DAP/16/01031

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr John Chester **Seconded by:** Cr Phillipa Taylor

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DAP/16/01031 and accompanying plans SK 005 Sheets 5 - 9 date stamped 13 June 2016 in accordance with Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

Conditions

1. A Construction Management Plan being submitted to and approved by the City prior to the commencement of development. The management 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;
 - any natural vegetation to be retained and the proposed manner in which this will be managed;
 - other matters likely to impact on the surrounding properties.

Development shall be undertaken in accordance with this approved plan.



2. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
3. 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.
4. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993) prior to the development first being occupied.
5. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to occupation of the development. All refuse management shall thereafter be undertaken in accordance with this plan.
6. 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, including a roof plan, shall be submitted to and approved by the City prior to the commencement of development. This shall include an acoustic report demonstrating that noise from mechanical equipment does not detrimentally impact surrounding development. Development shall be in accordance with these approved details.
7. A swept path analysis shall be undertaken for Shenton Avenue and Davidson Terrace in accordance with Australian Standard AS2890.1 (as amended) to determine the necessary setback of the awnings from the road pavement. The analysis shall be submitted to the City prior to the commencement of development and shall include details of any modifications to the awnings. Any modifications to the awnings shall be to the satisfaction of the City.
8. A full schedule of colours and materials for all exterior parts of the building 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, including being free of vandalism, to the satisfaction of the City.
9. No obscure or reflective glazing is permitted to ground floor building facades.
10. The ground floor tenancy indicated as 'Commercial' shall be occupied by land uses that are "preferred" under the Joondalup City Centre Development Plan and Manual or "permitted" under the Local Planning Scheme. The City shall be notified of the land use prior to the tenancy first being occupied and any subsequent change of land uses thereafter.
11. The 'Cafe' is approved for the purpose of a 'Restaurant' as defined under the City of Joondalup Local Planning Scheme.



12. An arborist report shall be submitted to and approved by the City prior to the commencement of development. The arborist report shall include an assessment of all existing vegetation located within the Shenton Avenue and Davidson Terrace road reserve immediately adjacent to the development. Appropriate measures shall be taken to ensure retention of existing significant vegetation where appropriate, to the satisfaction of the City.
13. The new uncovered car parking area shall be provided with one shade tree for every four bays prior to the development first being occupied. The trees shall be located within tree wells protected from damage by vehicles and maintained to the satisfaction of the City.
14. Detailed landscaping plans shall be submitted to and approved by the City 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 within the car park;
 - provide details on the depth of soil for planting on the outdoor deck;
 - show spot levels and/or contours of the site;
 - indicate any natural vegetation to be retained within the site and the verge, and the proposed manner in which this will be managed, including vegetation identified for retention under condition 12;
 - 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;
 - show all irrigation design details.
15. Landscaping and reticulation within the site and adjacent verges 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.
16. A signage strategy shall be submitted to and approved by the City prior to occupation of the development.

Advice Notes

1. The applicant/builder is advised that there is an obligation to design and construct the premises in compliance with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.
2. All Bin Storage Areas are to be designed and equipped to the satisfaction of the City. Each bin area shall be provided with a hose cock and have a concrete floor graded to a 100mm industrial floor waste gully connected to sewer.
3. Any mechanical ventilation for the development shall comply with *Australian Standard 1668.2*, particularly in regard to air flow and the location of exhaust air discharges.



4. Any signage shall be the subject of a separate development application and shall align with the signage strategy approved by the City in accordance with condition 16.

AMENDING MOTION

Moved by: Cr John Chester

Seconded by: Cr Phillipa Taylor

To insert an additional dot point under Condition 14 to read as follows:

“ensure that grass trees and cycads that are required to be removed from the building envelope will be replanted on site or replanted in some other suitable location”

REASON: For certainty and clarity

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/16/01031 and accompanying plans SK 005 Sheets 5 - 9 date stamped 13 June 2016 in accordance with Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

Conditions

1. A Construction Management Plan being submitted to and approved by the City prior to the commencement of development. The management 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;
 - any natural vegetation to be retained and the proposed manner in which this will be managed;
 - other matters likely to impact on the surrounding properties.

Development shall be undertaken in accordance with this approved plan.

2. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
3. 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.
4. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993) prior to the development first being occupied.
 5. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to occupation of the development. All refuse management shall thereafter be undertaken in accordance with this plan.
 6. 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, including a roof plan, shall be submitted to and approved by the City prior to the commencement of development. This shall include an acoustic report demonstrating that noise from mechanical equipment does not detrimentally impact surrounding development. Development shall be in accordance with these approved details.
 7. A swept path analysis shall be undertaken for Shenton Avenue and Davidson Terrace in accordance with Australian Standard AS2890.1 (as amended) to determine the necessary setback of the awnings from the road pavement. The analysis shall be submitted to the City prior to the commencement of development and shall include details of any modifications to the awnings. Any modifications to the awnings shall be to the satisfaction of the City.
 8. A full schedule of colours and materials for all exterior parts of the building 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, including being free of vandalism, to the satisfaction of the City.
 9. No obscure or reflective glazing is permitted to ground floor building facades.
 10. The ground floor tenancy indicated as 'Commercial' shall be occupied by land uses that are "preferred" under the Joondalup City Centre Development Plan and Manual or "permitted" under the Local Planning Scheme. The City shall be notified of the land use prior to the tenancy first being occupied and any subsequent change of land uses thereafter.
 11. The 'Cafe' is approved for the purpose of a 'Restaurant' as defined under the City of Joondalup Local Planning Scheme.
 12. An arborist report shall be submitted to and approved by the City prior to the commencement of development. The arborist report shall include an assessment of all existing vegetation located within the Shenton Avenue and Davidson Terrace road reserve immediately adjacent to the development. Appropriate measures shall be taken to ensure retention of existing significant vegetation where appropriate, to the satisfaction of the City.
 13. The new uncovered car parking area shall be provided with one shade tree for every four bays prior to the development first being occupied. The trees shall



be located within tree wells protected from damage by vehicles and maintained to the satisfaction of the City.

14. Detailed landscaping plans shall be submitted to and approved by the City 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 within the car park;
 - provide details on the depth of soil for planting on the outdoor deck;
 - show spot levels and/or contours of the site;
 - indicate any natural vegetation to be retained within the site and the verge, and the proposed manner in which this will be managed, including vegetation identified for retention under condition 12;
 - 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;
 - show all irrigation design details;
 - ensure that grass trees and cycads that are required to be removed from the building envelope will be replanted on site or replanted in some other suitable location.
15. Landscaping and reticulation within the site and adjacent verges 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.
16. A signage strategy shall be submitted to and approved by the City prior to occupation of the development.

Advice Notes

1. The applicant/builder is advised that there is an obligation to design and construct the premises in compliance with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.
2. All Bin Storage Areas are to be designed and equipped to the satisfaction of the City. Each bin area shall be provided with a hose cock and have a concrete floor graded to a 100mm industrial floor waste gully connected to sewer.
3. Any mechanical ventilation for the development shall comply with *Australian Standard 1668.2*, particularly in regard to air flow and the location of exhaust air discharges.
4. Any signage shall be the subject of a separate development application and shall align with the signage strategy approved by the City in accordance with condition 16.

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



8.2 Property Location:	Lot 140 (81) Ghost Gum Boulevard, Banksia Grove
Application Details:	Supermarket, Liquor Store, Recreation Centre (Gym) & Various Retail Tenancies
Applicant:	MGA Town Planners
Owner:	Housing Commission WA
Responsible authority:	City of Wanneroo
DoP File No:	DAP/15/00942

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Frank Civitan

Seconded by: Cr Russel Driver

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DAP/15/00942 and accompanying plans A100 (Rev D), A400 (Rev A), A410 (Rev B) and A960 (Rev A) in accordance with the provisions of the Metropolitan Region Scheme and City of Wanneroo District Planning Scheme No. 2, subject to compliance with the following conditions to the satisfaction of the Manager, Approval Services.

Conditions

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. With the exception of tenancy marked on the approved plans as Woolworths, which is to only be used as Supermarket, BWS, which is only to be used as Liquor Store, and Rec Centre/Gym, which is only to be used as a Recreation Centre, all tenancies may be used for the following uses as defined in the City of Wanneroo's District Planning Scheme No.2:
 - Amusement Facility/Parlour
 - Auction Room
 - Bakery
 - Bank
 - Beauty Parlour
 - Consulting Room
 - Dry Cleaning Premises
 - Hairdresser
 - Laundromat
 - Lunch Bar
 - Office
 - Pharmacy
 - Restaurant
 - Shop
 - Showroom
 - Take Away Food Outlet
 - Video Hire

Any additional uses, excluding 'P' uses, will require further planning approval.



3. The site is to have no greater than 5,106m² of Retail Net Lettable Area within the subject site. A retail plan showing the initial uses and associated areas is to be provided to the City prior to the occupation of the development.
4. The Recreation Centre land use shall be limited to a maximum number of 40 patrons at any one time.
5. The applicant is to undertake satisfactory arrangements for the pedestrian connection between the subject site and the existing shopping centre to the south.
6. The landowner shall enter into an easement in gross in favour of the public at large pursuant to Section 196 of the Land Administration Act. The easement shall cover areas generally identified as car parking, vehicle accessways and pedestrian paths. The easement shall be registered on the title of the subject land prior to the development first being occupied. All costs associated with the preparation of the easement shall be met by the proponent.
7. The plans shall be amended to remove the vehicular access from Joondalup Drive to 'Future Pad Site' (1385m²).
8. Parking areas, driveways, and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Off-street Car Parking (AS 2890) and shall be drained, sealed and marked.
9. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior written approval of the City.
10. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the development first being occupied and thereafter maintained.
11. All pedestrian pathways are to be connected into an existing or proposed path network and shall be constructed prior to the development first being occupied and where in private property, thereafter maintained to the satisfaction of the City.
12. Detailed landscaping, reticulation and street furniture plans, for the subject site and adjacent road verges, shall be lodged for approval by the City prior to the commencement of development. Planting and installation shall be in accordance with the approved landscaping and reticulation plans, and thereafter maintained by the landowner to the City's satisfaction.
13. One shade tree at intervals of not less than every four parking bays in a row shall be planted and maintained in tree wells which are protected from damage by vehicles.
14. A schedule of material colours and finishes of all external faces of the development shall be submitted prior to construction commencing. Unless otherwise approved by the City, the building shall be in accordance with that schedule.



15. An Urban Water Management Plan (UWMP) shall be submitted to the City for its approval prior to the commencement of development. The UWMP shall, amongst other matters, demonstrate how the development will maximise the efficient use of wastewater and harvested water and minimise pollutant inputs through structural and non-structural source controls and thereafter implemented.
16. A waste management plan shall be submitted to the City for its approval prior to the commencement of development, depicting collection areas and demonstrating how collection vehicles will manoeuvre on the internal access ways of the development. Collection vehicle movements shall thereafter accord with the approved management plan.
17. An energy efficiency plan, demonstrating initiatives to reduce energy requirements and emissions, shall be provided to the City for its approval prior to the commencement of development and thereafter implemented.
18. An acoustic consultant's report is to be provided for the City's approval, prior to the commencement of the development. This report is to indicate the anticipated sound level measurements for all types of noise associated with the development indicating plant and equipment noise as well as noise associated with operational activities. The report must also indicate any specific requirements that are needed to ensure noise emissions comply with the Environmental Protection (Noise) Regulation 1997. Upon approval of that report by the City, any modifications required to the development as a result of its recommendations, shall be made to the City's satisfaction.
19. All piped and wired services, mechanical plant, equipment and service and storage areas are to be screened from public view to the City's satisfaction. Relative to this condition, details of such screening shall be submitted to the City for approval prior to the commencement of development.
20. The proponent/landowner shall take appropriate steps to remove any graffiti applied to the external surfaces of the building within 7 days of it being applied, to the satisfaction of the City.
21. A management plan for the delivery and service vehicle movements shall be submitted to the City for its approval prior to the commencement of the development. The plan shall include hours of delivery vehicles for both supermarket and small tenancies.
22. Two dedicated taxi parking bays shall be provided within or immediately abutting the Shopping Centre, in the vicinity of the Shopping Centre entrance(s) prior to the development first being occupied. At least one bay is to be abutting proposed tenancy 11 on Ghost Gum Boulevard.
23. Carparking areas are to be provided with appropriate speed humps and pedestrian crossings in accordance with AS 2890.1: 2004 (Section 2.3.3) and AustRoads guidelines.
24. A construction management plan being submitted detailing how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:



- adequate space is provided within the subject site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
- adequate provision is made for the parking of workers' vehicles;
- pedestrian and vehicular access around the site is maintained;
- bus stops/shelters or other infrastructure on public land is temporarily relocated as may be necessary;
- the delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
- the hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.

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

25. The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site.

Advice Notes

1. The landscaping, reticulation and street furniture plans shall include, but is not limited to, temporary and permanent landscaping proposed. Species of vegetation proposed should be in line with councils recommended species list for commercial and industrial developments as well as include species to provide visual relief for the back of the development.
2. Adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's 'A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities'.
3. This is a planning approval only. Responsibility to comply with building, engineering and requirements remains with health the developer, and all plans submitted for further approval or licences must be consistent with the planning approval.
4. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
5. Satisfactory arrangements will require negotiation between parties for the final pedestrian connection insuring this caters for trolleys, prams and wheelchairs.

AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Fred Zuideveld

To delete Condition 4 and renumber remaining conditions accordingly.

REASON: This Condition was not considered necessary to manage parking at the centre.



The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Paul Drechsler

To delete the words, "prior to the commencement of development" and replace with the words, "prior to the commencement of works", in Conditions 12, 16 and 21, so as to read as follows:

*"12. Detailed landscaping, reticulation and street furniture plans, for the subject site and adjacent road verges, shall be lodged for approval by the City **prior to the commencement of works**. Planting and installation shall be in accordance with the approved landscaping and reticulation plans, and thereafter maintained by the landowner to the City's satisfaction.*

*16. A waste management plan shall be submitted to the City for its approval **prior to the commencement of works**, depicting collection areas and demonstrating how collection vehicles will manoeuvre on the internal access ways of the development. Collection vehicle movements shall thereafter accord with the approved management plan.*

*21. A management plan for the delivery and service vehicle movements shall be submitted to the City for its approval **prior to the commencement of the works**. The plan shall include hours of delivery vehicles for both supermarket and small tenancies."*

REASON: The commencement of development is an issue of approval and this new wording will provide a correct point in time.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Clayton Higham

Seconded by: Mr Paul Drechsler

To amend Condition 22 by deleting the last sentence so as to read as follows:

"Two dedicated taxi parking bays shall be provided within or immediately abutting the Shopping Centre, in the vicinity of the Shopping Centre entrance(s) prior to the development first being occupied."

REASON: To provide flexibility and to ensure convenient access to taxi ranks.

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/15/00942 and accompanying plans A100 (Rev D), A400 (Rev A), A410 (Rev B) and A960 (Rev A) in accordance with the provisions of the Metropolitan Region Scheme and City of Wanneroo District



Planning Scheme No. 2, subject to compliance with the following conditions to the satisfaction of the Manager, Approval Services.

Conditions

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. With the exception of tenancy marked on the approved plans as Woolworths, which is to only be used as Supermarket, BWS, which is only to be used as Liquor Store, and Rec Centre/Gym, which is only to be used as a Recreation Centre, all tenancies may be used for the following uses as defined in the City of Wanneroo's District Planning Scheme No.2:
 - Amusement Facility/Parlour
 - Auction Room
 - Bakery
 - Bank
 - Beauty Parlour
 - Consulting Room
 - Dry Cleaning Premises
 - Hairdresser
 - Laundromat
 - Lunch Bar
 - Office
 - Pharmacy
 - Restaurant
 - Shop
 - Showroom
 - Take Away Food Outlet
 - Video Hire

Any additional uses, excluding 'P' uses, will require further planning approval.

3. The site is to have no greater than 5,106m² of Retail Net Lettable Area within the subject site. A retail plan showing the initial uses and associated areas is to be provided to the City prior to the occupation of the development.
4. The applicant is to undertake satisfactory arrangements for the pedestrian connection between the subject site and the existing shopping centre to the south.
5. The landowner shall enter into an easement in gross in favour of the public at large pursuant to Section 196 of the Land Administration Act. The easement shall cover areas generally identified as car parking, vehicle accessways and pedestrian paths. The easement shall be registered on the title of the subject land prior to the development first being occupied. All costs associated with the preparation of the easement shall be met by the proponent.
6. The plans shall be amended to remove the vehicular access from Joondalup Drive to 'Future Pad Site' (1385m²).



7. Parking areas, driveways, and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Off-street Car Parking (AS 2890) and shall be drained, sealed and marked.
8. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior written approval of the City.
9. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the development first being occupied and thereafter maintained.
10. All pedestrian pathways are to be connected into an existing or proposed path network and shall be constructed prior to the development first being occupied and where in private property, thereafter maintained to the satisfaction of the City.
11. Detailed landscaping, reticulation and street furniture plans, for the subject site and adjacent road verges, shall be lodged for approval by the City prior to the commencement of works. Planting and installation shall be in accordance with the approved landscaping and reticulation plans, and thereafter maintained by the landowner to the City's satisfaction.
12. One shade tree at intervals of not less than every four parking bays in a row shall be planted and maintained in tree wells which are protected from damage by vehicles.
13. A schedule of material colours and finishes of all external faces of the development shall be submitted prior to construction commencing. Unless otherwise approved by the City, the building shall be in accordance with that schedule.
14. An Urban Water Management Plan (UWMP) shall be submitted to the City for its approval prior to the commencement of development. The UWMP shall, amongst other matters, demonstrate how the development will maximise the efficient use of wastewater and harvested water and minimise pollutant inputs through structural and non-structural source controls and thereafter implemented.
15. A waste management plan shall be submitted to the City for its approval prior to the commencement of works, depicting collection areas and demonstrating how collection vehicles will manoeuvre on the internal access ways of the development. Collection vehicle movements shall thereafter accord with the approved management plan.
16. An energy efficiency plan, demonstrating initiatives to reduce energy requirements and emissions, shall be provided to the City for its approval prior to the commencement of development and thereafter implemented.
17. An acoustic consultant's report is to be provided for the City's approval, prior to the commencement of the development. This report is to indicate the anticipated sound level measurements for all types of noise associated with the development indicating plant and equipment noise as well as noise associated with operational activities. The report must also indicate any specific



requirements that are needed to ensure noise emissions comply with the Environmental Protection (Noise) Regulation 1997. Upon approval of that report by the City, any modifications required to the development as a result of its recommendations, shall be made to the City's satisfaction.

18. All piped and wired services, mechanical plant, equipment and service and storage areas are to be screened from public view to the City's satisfaction. Relative to this condition, details of such screening shall be submitted to the City for approval prior to the commencement of development.
19. The proponent/landowner shall take appropriate steps to remove any graffiti applied to the external surfaces of the building within 7 days of it being applied, to the satisfaction of the City.
20. A management plan for the delivery and service vehicle movements shall be submitted to the City for its approval prior to the commencement of works. The plan shall include hours of delivery vehicles for both supermarket and small tenancies.
21. Two dedicated taxi parking bays shall be provided within or immediately abutting the Shopping Centre, in the vicinity of the Shopping Centre entrance(s) prior to the development first being occupied.
22. Carparking areas are to be provided with appropriate speed humps and pedestrian crossings in accordance with AS 2890.1: 2004 (Section 2.3.3) and AustRoads guidelines.
23. A construction management plan being submitted detailing how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - adequate space is provided within the subject site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - adequate provision is made for the parking of workers' vehicles;
 - pedestrian and vehicular access around the site is maintained;
 - bus stops/shelters or other infrastructure on public land is temporarily relocated as may be necessary;
 - the delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
 - the hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.

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

24. The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site.

Advice Notes

1. The landscaping, reticulation and street furniture plans shall include, but is not limited to, temporary and permanent landscaping proposed. Species of vegetation proposed should be in line with councils recommended species list



- for commercial and industrial developments as well as include species to provide visual relief for the back of the development.
2. Adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's 'A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities'.
 3. This is a planning approval only. Responsibility to comply with building, engineering and requirements remains with health the developer, and all plans submitted for further approval or licences must be consistent with the planning approval.
 4. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
 5. Satisfactory arrangements will require negotiation between parties for the final pedestrian connection insuring this caters for trolleys, prams and wheelchairs.

The Primary Motion (as amended) 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

As invited by the State Administrative Tribunal under Section 31 of the *State Administrative Tribunal Act 2004*, the Metro North-West JDAP will reconsider DAP/15/00818 - 22-24 Southampton Lane, Mindarie on Wednesday 13 July 2016

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 11:00am.