



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: 12 December 2017, 2.30pm
Meeting Number: MNWJDAP/195
Meeting Venue: City of Joondalup
90 Boas Avenue
Joondalup

Attendance

DAP Members

Mr Ray Haeren (A/Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)
Mr John Syme (Specialist Member) *absent from 3.38 to 3.40pm*
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup) *until 3.39pm*
Cr Philippa Taylor (Local Government Member, City of Joondalup) *until 3.39pm*
Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr Frank Cvitan (Local Government Member, City of Wanneroo) *from 2.35pm*

Officers in attendance

Mr Chris Leigh (City of Joondalup) *until 3.39pm*
Mr Ryan Bailey (City of Joondalup) *until 3.39pm*
Mr Tom Geddes (City of Joondalup) *until 2.56pm*
Mr Tim Dawson (City of Wanneroo)
Mr Russell Jackson (City of Wanneroo)
Mr Alex Campbell (Department of Planning, Lands and Heritage)
Mr Andrew Cook (Department of Planning, Lands and Heritage)

Minute Secretary

Mr John Byrne (City of Joondalup)
Mrs Sinead McCarthy (City of Joondalup)

Applicant and Submitters

Mr Daniel Lees (TPG)
Mr Neil Teo (Dynamic Planning and Developments)
Ms Marina Kleyweg (KCTT)
Mr Reegan Cake (Dynamic Planning and Developments)
Mr Mark Pawluk (AGEM Property Group)



Members of the Public / Media

There were 11 members of the public in attendance.
Ms Tyler Brown from the Joondalup Times was in attendance.

1. Declaration of Opening

The Acting Presiding Member declared the meeting open at 2.30pm on 13 December 2017 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The Acting Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the DAP Standing Orders 2017; 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

Panel member, Ms Karen Hyde has been granted leave of absence by the Director General for the period of 8 December 2017 to 22 December 2017 inclusive.

4. Noting of Minutes

Minutes of meeting no.194 held on 8 December 2017 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

Nil.

7. Deputations and Presentations

- 7.1 Mr Dan Lees (TPG + Place Match) addressed the DAP in support of the application at Item 8.1.

The presentation at Item 7.1 was heard prior to the application at Item No 8.1

- 7.2 Mr Neil Teo (Dynamic Planning and Developments) and Ms Marina Kleyweg (KCTT) addressed the DAP in support of the application at Item 8.2.

Mr Ray Haeren



The presentation at Item 7.2 was heard prior to the application at Item No 8.2

8. Form 1 – Responsible Authority Reports – DAP Applications

- 8.1** Property Location: Lot 538 (85) Boas Avenue, Joondalup
Application Details: MIXED USE DEVELOPMENT (new hotel and commercial tenancies)
Applicant: TPG + Placematch
Owner: Roman Catholic Archbishop of Perth
Responsible authority: City of Joondalup
DAP File No: DAP/17/01308

REPORT RECOMMENDATION

Moved by: Cr Philippa Taylor Seconded by: Cr Christine Hamilton-Prime

That the Metro North-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01308 and accompanying plans AA.01.01, AA.03.01, AA.03.02, AA.03.03, AA.04.01, AA.04.02, as set out in attachment 2 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the *City of Joondalup District Planning Scheme No. 2*, subject to the following conditions as follows:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two 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. This approval relates to the new mixed use development and associated works only, as indicated on the approved plans. It does not relate to any other development on the lot.
3. Further to condition 2 above, the development site shall be occupied by land use 'Hotel', and the ground floor commercial tenancies shall be occupied by the following land uses:
 - 'Shop'
 - 'Office'
 - 'Restaurant'

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

4. A Construction Management Plan is required to be 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;

Mr Ray Haeren

A/Presiding Member, Metro North-West Joint Development Assessment Panel



- the storage of materials and equipment on the site;
- the parking arrangements for the contractors and subcontractors;
- the management of dust during the construction process;
- access to adjoining sites and access points during construction;
- traffic management and access along Boas Avenue;
- other matters likely to impact on the surrounding properties;

and works shall be undertaken in accordance with the approved Construction Management Plan.

5. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
6. The external surface of the development, 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.
7. With the exception of the pedestrian awning within the road reserve, all development shall be contained within the property boundaries.
8. A full schedule of colours and materials for all exterior parts to the building is to be submitted 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. A signage strategy shall be submitted to and approved by the City prior to the occupation of the development. All signage shall be installed in accordance with the approved strategy.
11. 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, driveways and access points are to be constructed and maintained to the satisfaction of the City.
12. Bicycle parking facilities provided should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993) prior to the development first being occupied.
13. End of trip facilities are to be provided on the ground floor in accordance with the *draft Joondalup Activity Centre Plan*.
14. Lighting shall be installed along all driveways and 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 construction. Works shall be undertaken in

Mr Ray Haeren



accordance with the approved lighting plan prior to occupation of the development.

15. 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 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 trellis/ pergola planting in the car park;
 - Show spot levels and/or contours of the site;
 - Indicate any existing 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.
16. 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.
17. Any roof mounted or freestanding plant or equipment such as air conditioning units, satellite dishes or radio masts to be located and screened so as not to be visible from beyond the boundaries of the development site, prior to the occupation of the development to the satisfaction of the City.
18. 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.

Advice Notes

1. Any existing footpath and kerbing shall be retained and protected during construction of the development and shall not be removed or altered for the purposes of a vehicle crossover. Should the footpath/kerb be damaged during the construction of the development, it shall be reinstated to the satisfaction of the City.
2. In relation to condition 13, the following end of trip facilities shall be provided on the ground floor:
 - Eight lockers; and
 - One female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.
3. Ventilation to all water closet compartments must comply with the provisions of the *Sewerage (Lighting, Ventilation & Construction) Regulations 1971*.
4. The *Environmental Protection (Noise) Regulations 1997* (the Regulations) should be considered in designing and locating air intakes & outlets, mechanical plant &


Mr Ray Haeren

A/Presiding Member, Metro North-West Joint Development Assessment Panel



equipment, bin stores, loading docks and similar areas. Apartments would be considered as noise sensitive premises and residents would have the right to complain about noise exceeding the assigned levels from the Regulations.

5. Bin storage and wash-down facilities in accordance with the *City of Joondalup Health Local Law 1999* are required. The minimum specification for a wash down area is a solid concrete floor graded to a floor waste connected to sewer and a hose cock.
6. Please note the definition and exemptions in the *Health (Miscellaneous Provisions) Act 1911* of a Lodging House under Section 3. The proposed development may fit the definition of a lodging house and unless exempt, the City's requirements for lodging houses under the *Health Local Laws 1999* will apply.

AMENDING MOTION

Moved by: Mr Paul Drechsler

Seconded by: Cr Philippa Taylor

That Condition 3 be amended as follows;

3. Replace "shall" by "should" (where it is used in the second instance) and the reference to "Office" be deleted.

REASON: To ensure vibrancy is brought to the proposed development by restricting the development approval of office space.

The Amending Motion was put and CARRIED (3 / 2).

For: Mr Paul Drechsler
Cr Christine Hamilton-Prime
Cr Philippa Taylor

Against: Mr Ray Haeren
Mr John Syme

REPORT RECOMMENDATION (AS AMENDED)

That the Metro North-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01308 and accompanying plans AA.01.01, AA.03.01, AA.03.02, AA.03.03, AA.04.01, AA.04.02, as set out in attachment 2 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the *City of Joondalup District Planning Scheme No. 2*, subject to the following conditions as follows:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two 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.

Mr Ray Haeren
A/Presiding Member, Metro North-West Joint Development Assessment Panel



2. This approval relates to the new mixed use development and associated works only, as indicated on the approved plans. It does not relate to any other development on the lot.
3. Further to condition 2 above, the development site shall be occupied by land use 'Hotel', and the ground floor commercial tenancies should be occupied by the following land uses:
 - 'Shop'
 - 'Restaurant'

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

4. A Construction Management Plan is required to be 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 dust during the construction process;
 - access to adjoining sites and access points during construction;
 - traffic management and access along Boas Avenue;
 - other matters likely to impact on the surrounding properties;

and works shall be undertaken in accordance with the approved Construction Management Plan.

5. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
6. The external surface of the development, 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.
7. With the exception of the pedestrian awning within the road reserve, all development shall be contained within the property boundaries.
8. A full schedule of colours and materials for all exterior parts to the building is to be submitted 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. A signage strategy shall be submitted to and approved by the City prior to the occupation of the development. All signage shall be installed in accordance with the approved strategy.

Mr Ray Haeren



11. 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, driveways and access points are to be constructed and maintained to the satisfaction of the City.
12. Bicycle parking facilities provided should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993) prior to the development first being occupied.
13. End of trip facilities are to be provided on the ground floor in accordance with the *draft Joondalup Activity Centre Plan*.
14. Lighting shall be installed along all driveways and 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 construction. Works shall be undertaken in accordance with the approved lighting plan prior to occupation of the development.
15. 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 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 trellis/ pergola planting in the car park;
 - Show spot levels and/or contours of the site;
 - Indicate any existing 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.
16. 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.
17. Any roof mounted or freestanding plant or equipment such as air conditioning units, satellite dishes or radio masts to be located and screened so as not to be visible from beyond the boundaries of the development site, prior to the occupation of the development to the satisfaction of the City.
18. 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.

Advice Notes

Mr Ray Haeren



1. Any existing footpath and kerbing shall be retained and protected during construction of the development and shall not be removed or altered for the purposes of a vehicle crossover. Should the footpath/kerb be damaged during the construction of the development, it shall be reinstated to the satisfaction of the City.
2. In relation to condition 13, the following end of trip facilities shall be provided on the ground floor:
 - Eight lockers; and
 - One female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.
3. Ventilation to all water closet compartments must comply with the provisions of the *Sewerage (Lighting, Ventilation & Construction) Regulations 1971*.
4. The *Environmental Protection (Noise) Regulations 1997* (the Regulations) should be considered in designing and locating air intakes & outlets, mechanical plant & equipment, bin stores, loading docks and similar areas. Apartments would be considered as noise sensitive premises and residents would have the right to complain about noise exceeding the assigned levels from the Regulations.
5. Bin storage and wash-down facilities in accordance with the *City of Joondalup Health Local Law 1999* are required. The minimum specification for a wash down area is a solid concrete floor graded to a floor waste connected to sewer and a hose cock.
6. Please note the definition and exemptions in the *Health (Miscellaneous Provisions) Act 1911* of a Lodging House under Section 3. The proposed development may fit the definition of a lodging house and unless exempt, the City's requirements for lodging houses under the *Health Local Laws 1999* will apply.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

8.2	Property Location:	Lots 7 (22), 8 (24) and 9 (26) Monkhouse Way & Lots 5 (4) and 6 (2) Banks Avenue, Hillarys
	Application Details:	Medical Centre, Office, Restaurant, Recreation Centre and Child Care Centre (new mixed use development)
	Applicant:	Dynamic Planning and Developments
	Owner:	HW Properties (WA) Pty Ltd, Romeo Carvalhais Marcos, Filomena Dias Marcos & others
	Responsible authority:	City of Joondalup
	DAP File No:	DAP/17/01267

REPORT RECOMMENDATION

Moved by: Cr Christine Hamilton-Prime

Seconded by: Cr Philippa Taylor

Mr Ray Haeren

A/Presiding Member, Metro North-West Joint Development Assessment Panel



That the Metro North-West JDAP resolves to:

1. **Defer** a decision on DAP Application reference DAP/17/01267 and accompanying plans in Attachment 2 for a period of six (6) weeks for the following reasons:
 - a) Safe and adequate vehicle access to the development from Banks Avenue is dependent on the modifications to the intersection at Banks Avenue and Marmion Avenue, which is located within a Primary Regional Road reservation. The application and proposed modification to the intersection has been referred to Main Roads Western Australia (MRWA) for comment and recommendation, however MRWA formal position is currently unknown. Deferral will allow for transport related comments and recommendations to be provided by MRWA so that a determination can be made with this necessary information.
 - b) The development cannot be supported without vehicle access from Banks Avenue. Providing sole vehicle access from Monkhouse Way would negatively impact the existing road network and the amenity of the residential properties on Monkhouse Way.

The Report Recommendation was put and LOST (2 / 3).

For: Cr Christine Hamilton-Prime
Cr Philippa Taylor

Against: Mr Ray Haeren
Mr John Syme
Mr Paul Drechsler

ALTERNATE MOTION

Moved by: Mr John Syme

Seconded by: Mr Paul Drechsler

That the Metro North-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01267 and accompanying plans in Attachment 2 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Joondalup *District Planning Scheme No. 2*, subject to the following conditions:

Conditions

1. Detailed engineering drawings for the proposed modifications to the signalised intersection of Banks Avenue and Marmion Avenue shall be submitted to the City and Main Roads Western Australia (MRWA) and shall be supported/approved by the City/MRWA prior to commencement of development. The required modifications to the intersection shall be undertaken by and at the cost of the applicant/landowner prior to occupation of the development.
2. This approval only relates to the proposed Medical Centre, Office, Restaurant, Recreation Centre and Child Care Centre (and associated works) as indicated on the approved plans. It does not relate to any other development on the lot.

Mr Ray Haeren



3. The lots included within the application site shall be granted approval for amalgamation prior to commencement of development and amalgamation concluded prior to occupancy certification.
4. The median island along Banks Avenue shall be extended at the cost of the applicant/landowner to the specification and satisfaction of the City. These works shall ensure that vehicles entering or exiting the site via Banks Avenue can only turn left-in or left-out, and shall be completed prior to the occupancy of the development.
5. A maximum of two practitioners shall operate from each of tenancies 1, 3, 4, 5 and 6 and a maximum of five practitioners shall operate from tenancy 7 at any given time.
6. The child care centre shall only operate from 7:00 am to 6:00pm on weekdays and 8:00am to 1:00pm on Saturdays. The child care centre shall not operate on Sundays and public holidays.
7. The eight on-street car parking bays proposed within the Monkhouse Way road reserve, as depicted on the approved plans, shall be designed and constructed at the cost of the applicant/landowner. The design and construction of these on-street bays shall be to the specification and satisfaction of the City, and shall be installed prior to occupancy of the development.
8. A Construction Management Plan shall be 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 dust during the construction process;
 - access to car parking and the centre for staff and customers;
 - other matters likely to impact on the surrounding properties;and works shall be undertaken in accordance with the approved Construction Management Plan.
9. A delivery management plan indicating the timing of deliveries shall be submitted prior to the commencement of development, and approved by the City prior to the development first being occupied. Delivery management shall then be undertaken in accordance with the approved plan.
10. A refuse management plan indicating the management of waste collection, including timing and method, shall be submitted prior to the commencement of development to limit any impact on the street, surrounding landowners and vehicle access to and from the site. The refuse management plan shall be approved by the City prior to the development first being occupied and shall then be undertaken in accordance with the approved plan.
11. A signage strategy shall be submitted to the City for approval prior to commencement of development. The strategy shall include information such as the location, size and allocation of signage panels and other areas of signage to


Mr Ray Haeren

A/Presiding Member, Metro North-West Joint Development Assessment Panel

Page 11



avoid a proliferation of signage onsite. The strategy shall be consistent with the requirements of the City's Signs Local Planning Policy.

12. An acoustic engineering report shall be prepared and submitted to the City prior to the commencement of development to ensure noise generated by the proposed child care centre is managed within acceptable noise levels.
13. A full schedule of colours and materials for all exterior parts of the development (including any retaining walls) 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.
14. Any proposed building plant and equipment, including air conditioning units, piping, ducting and water tanks shall be 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 shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with these approved details.
15. The external surface of the development, 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.
16. 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.
17. A total of 13 bicycle parking bays shall be provided onsite, and shall be designed and constructed in accordance with the Australian Standard for Off-street 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.
18. 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 in the car park;
 - Provide a minimum of one shade tree per four car bays within new car parking areas;
 - Show spot levels and/or contours of the site;
 - Be based on water sensitive urban design principles to the satisfaction of the City;

Mr Ray Haeren



- Be based on Designing out Crime principles to the satisfaction of the City;
 - Show all irrigation design details;
 - Indicate if any verge trees are proposed to be removed/replaced; and,
 - Ensure any trees that are proposed are appropriate based on their proximity to powerlines.
19. 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.
20. The applicant shall remove the existing crossovers (as depicted on the approved plans) and make good the verge to the satisfaction of the City, prior to occupation of the additions.
21. All development shall be contained within the property boundaries.
22. All storm water shall be collected on-site and disposed of in a manner acceptable to the City.
23. Retaining walls shall be of a clean finish and made good to the satisfaction of the City.
24. Appropriate signage shall be installed at the Monkhouse Way crossover to direct vehicles towards Solander Road and Banks Ave to the satisfaction of the City.

Advice Notes

1. Further to condition 2, the City of Joondalup District Planning Scheme No. 2 defines:

“medical centre: means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling).”

“office: means 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.”

“restaurant: means any 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 local government 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.”



“recreation centre: means any premises used for physical exercise or sports including swimming, ice skating, ten pin bowling, cricket, tennis, squash, soccer, billiards and similar activities.”

“child care centre: means premises used for the daily or occasional care of children in accordance with the Community Services (Child Care) Regulations 1988.”

2. Any signage shall be the subject of a separate development application.
3. The applicant/owner is advised that verge treatments are required to comply with the City's Street Verge Guidelines. A copy of the Guidelines can be obtained at <http://www.ioondalup.wa.gov.au/Live/Streetscapes.aspx>.
4. This approval does not include the dividing fence(s) shown on the approved plans. You are advised that in accordance with the Dividing Fences Act 1961 you are required to reach agreement with the adjoining owners as to the height, appearance and location of the dividing fence. Further information is available at www.buildingcommission.wa.gov.au.
5. Any existing footpath and kerbing shall be retained and protected during construction of the development and shall not be removed or altered for the purposes of a vehicle crossover. Should the footpath/kerb be damaged during the construction of the development, it shall be reinstated to the satisfaction of the City.

REASON: The Main Roads delay in relation to intersection modifications to Banks Avenue was not considered so substantive as to not be able to be managed by a condition. The inclusion of condition 24 satisfied the concerns in relation to egress from the site into Monkhouse Way.

The Alternate Motion was put and CARRIED UNANIMOUSLY.

8.3 Property Location:	Lot 2018, House Number 101, Santorini Promenade, Alkimos
Application Details:	Education Establishment - Butler North Secondary School (Stage One)
Applicant:	Taylor Robinson
Owner:	Minister for Education
Responsible authority:	Western Australian Planning Commission
DAP File No:	DAP/17/01297

REPORT RECOMMENDATION

Moved by: Cr Russel Driver

Seconded by: Cr Frank Cvitan

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

Approve Development Assessment Panel Application reference DAP/17/01297 and accompanying plans (**Attachment 1**) prepared by Taylor Robinson date-stamped 9 October 2017 by the Department of Planning, Lands and Heritage, in accordance with Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

Conditions


Mr Ray Haeren

A/Presiding Member, Metro North-West Joint Development Assessment Panel



1. This decision constitutes planning approval only and is valid for a period of two 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. Prior to the commencement of development, a Bushfire Management Plan and emergency evacuation plan is to be prepared, approved and implemented in accordance with *State Planning Policy 3.7 Planning in Bushfire Prone Areas* and associated guidelines to the satisfaction of the City of Wanneroo on the advice of the Department of Fire and Emergency Services.
3. Installation of a suitable median treatment at the car park access points to prevent vehicles from turning right-in or right-out to the specification of the City of Wanneroo.
4. All stormwater shall be collected and retained on site.
5. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Off-street Carparking (AS2890), and shall be drained, sealed and marked.
6. Detailed civil engineering drawings and specifications for works within the road reserve (earthworks, parking, roads and drainage) shall be lodged for approval by the City of Wanneroo prior to commencement of development. Development works are to be undertaken in accordance with the approved engineering drawings to the specifications of the City of Wanneroo.
7. Any parking areas and associated access shall not be used for the purpose of storage or obstructed in any way at any time without the prior approval of the City of Wanneroo.
8. Parking areas are to be provided with one shade tree for every four (4) bays prior to the occupation of the development and shall be thereafter maintained.
9. All site works shall be contained within the property boundary and not encroach onto any road reserve without the prior approval of the City of Wanneroo.
10. Prior to the commencement of development, a dust management plan shall be submitted for approval by the City of Wanneroo. The landowner and its contractors shall be responsible for dust and sand drift control on site in accordance with Department of Water and Environmental Regulation Guidelines. Disturbed areas shall be stabilised on completion and thereafter maintained.
11. Prior to the commencement of development, a construction management plan shall be submitted for approval by the City of Wanneroo. The plan is to detail how construction will be managed to minimise disruption in the area and shall include:
 - Delivery times of construction materials and equipment to the site;
 - Storage of material and equipment on site;
 - Parking arrangements for contractors and sub-contractors;
 - Details of traffic management on and adjacent to the site;
 - Construction times; and
 - Restoration of any City assets that may be damaged.

Mr Ray Haeren



12. Storage areas, plant and equipment shall be screened from view from streets, public places and adjacent properties.

Advice Notes

1. With regard to the installation of a suitable median treatment, the City of Wanneroo advises that the median should be wide enough to provide pedestrian refuge at designated pedestrian crossing points and may require some localised widening of Hollington Boulevard. Medians should not impact on the intersections with Callosa Crescent or Altea Way.
2. The Department of Fire and Emergency Services (DFES) advises that historical research has revealed that during the past 100 years, former elements of the Australian Defence Forces may have conducted training and/or operational activities within or close to the area of the proposed development. It is possible that as a result of these activities, the subject area may contain unexploded ordnance (UXO). While it is considered that the possible risk from UXO on the land subject to this approval is minimal, an absolute guarantee that the area is free from UXO cannot be given. Should, during development works, or at any other time, a form or suspected form of UXO be located, DFES has advised that the following process should be initiated:
 - a) do not disturb the site of the known or suspected UXO;
 - b) without disturbing the immediate vicinity, clearly mark the site of the UXO;
 - c) notify Police of the circumstances/situation as quickly as possible; and
 - d) maintain a presence near the site until advised to the contrary by a member of the WA Police Service or Defence Forces.

Further advice on this issue may be obtained by contacting the Unexploded Ordnance Unit, Department of Fire and Emergency Services .

3. The applicant/landowner is reminded of its obligations under the *Environmental Protection Act 1986*, *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and *Environment Protection and Biodiversity Conservation Act 1999* in regard to the clearing of protected flora and fauna species and habitat. In this regard, the applicant is advised to liaise with the Commonwealth Department of the Environment and Energy and the Department of Water and Environmental Regulation (Clearing Regulation Branch) in respect to the potential requirement for a clearing permit to be obtained prior to works being undertaken.

AMENDING MOTION

Moved by: Cr Russel Driver

Seconded by: Mr Ray Haeren

That an additional advice note be included, as follows:

4. The applicant is advised to work with City of Wanneroo in developing suitable programs to encourage increased walking and cycling to school.

Mr Ray Haeren



REASON: To promote programs to encourage children to walk / cycle to school to alleviate parking issues as experiences in other sites.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

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

Approve Development Assessment Panel Application reference DAP/17/01297 and accompanying plans (**Attachment 1**) prepared by Taylor Robinson date-stamped 9 October 2017 by the Department of Planning, Lands and Heritage, in accordance with Clause 30(1) of the Metropolitan Region Scheme, 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 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. Prior to the commencement of development, a Bushfire Management Plan and emergency evacuation plan is to be prepared, approved and implemented in accordance with *State Planning Policy 3.7 Planning in Bushfire Prone Areas* and associated guidelines to the satisfaction of the City of Wanneroo on the advice of the Department of Fire and Emergency Services.
3. Installation of a suitable median treatment at the car park access points to prevent vehicles from turning right-in or right-out to the specification of the City of Wanneroo.
4. All stormwater shall be collected and retained on site.
5. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Off-street Carparking (AS2890), and shall be drained, sealed and marked.
6. Detailed civil engineering drawings and specifications for works within the road reserve (earthworks, parking, roads and drainage) shall be lodged for approval by the City of Wanneroo prior to commencement of development. Development works are to be undertaken in accordance with the approved engineering drawings to the specifications of the City of Wanneroo.
7. Any parking areas and associated access shall not be used for the purpose of storage or obstructed in any way at any time without the prior approval of the City of Wanneroo.
8. Parking areas are to be provided with one shade tree for every four (4) bays prior to the occupation of the development and shall be thereafter maintained.
9. All site works shall be contained within the property boundary and not encroach onto any road reserve without the prior approval of the City of Wanneroo.

Mr Ray Haeren

A/Presiding Member, Metro North-West Joint Development Assessment Panel



10. Prior to the commencement of development, a dust management plan shall be submitted for approval by the City of Wanneroo. The landowner and its contractors shall be responsible for dust and sand drift control on site in accordance with Department of Water and Environmental Regulation Guidelines. Disturbed areas shall be stabilised on completion and thereafter maintained.
11. Prior to the commencement of development, a construction management plan shall be submitted for approval by the City of Wanneroo. The plan is to detail how construction will be managed to minimise disruption in the area and shall include:
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12. Storage areas, plant and equipment shall be screened from view from streets, public places and adjacent properties.

Advice Notes

1. With regard to the installation of a suitable median treatment, the City of Wanneroo advises that the median should be wide enough to provide pedestrian refuge at designated pedestrian crossing points and may require some localised widening of Hollington Boulevard. Medians should not impact on the intersections with Callosa Crescent or Altea Way.
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Mr Ray Haeren



of the Environment and Energy and the Department of Water and Environmental Regulation (Clearing Regulation Branch) in respect to the potential requirement for a clearing permit to be obtained prior to works being undertaken.

4. The applicant is advised to work with City of Wanneroo in developing suitable programs to encourage increased walking and cycling to school.

The Report Recommendation (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**

Nil.

11. **General Business / Meeting Close**

The Acting Presiding Member reminded the meeting that in accordance with Section 7.3 of DAP Standing Order 2017 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 4.07pm.

