



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

**Meeting Date and Time:** 31 July 2017; 9:30am  
**Meeting Number:** MNWJDAP/179  
**Meeting Venue:** City of Stirling  
25 Cedric Street,  
Stirling

### **Attendance**

#### **DAP Members**

Ms Karen Hyde (Presiding Member)  
Mr Paul Drechsler (A/Deputy Presiding Member)  
Mr Fred Zuideveld (A/Specialist Member)  
Cr Philippa Taylor (Local Government Member, City of Joondalup)  
Cr Sophie Dwyer (Local Government Member, City of Joondalup)  
Mayor Giovanni Italiano JP (Local Government Member, City of Stirling)  
Cr David Boothman JP (Local Government Member, City of Stirling)

#### **Officers in attendance**

Ms Alisa Spicer (City of Joondalup)  
Mr Joe Hussey (City of Joondalup)  
Mr Chris Leigh (City of Joondalup)  
Mr Ben Hesketh (Department of Planning, Lands and Heritage)  
Mr Michael Daymond (Department of Planning, Lands and Heritage)  
Ms Giovanna Lumbaca (City of Stirling)  
Mr Greg Bowering (City of Stirling)  
Mr David Banovic (City of Stirling)

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

Ms Regan Clyde (City of Stirling)  
Ms Amorette Kerklaan (City of Stirling)

#### **Applicants and Submitters**

Ms Mariska van der Linde (TPG + Place Match)  
Mr David Caddy (TPG + Place Match)  
Mr Dan Lees (TPG + Place Match)  
Mr George Ashton (TPG + Place Match)  
Mr Peter Leighton (T&Z Architects)  
Mr John Fischer (Department of Education)  
Mr David Muir (Department of Education)  
Ms Kim Boyd (Department of Finance)  
Mr Paul Harris (Local Resident and Doubleview Primary School Parent)  
Mr Stuart McDonald  
Mr Simon Vanyai



## Members of the Public / Media

There were 39 members of the public in attendance.

### 1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 9.30am on 31 July 2017 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 2017* 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 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

Cr Christine Hamilton Prime (Local Government Member, City of Joondalup)

### 3. Members on Leave of Absence

Nil

### 4. Noting of Minutes

Minutes of the Metro North-West JDAP meeting No. 178 held on 19 July 2017 were noted by DAP members.

### 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 David Caddy (TPG + Place Match) addressed the DAP for the application at Item 8.1. Mr Caddy answered questions from the panel.

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

7.2 Mr Paul Harris (Local Resident and Doubleview Primary School Parent) addressed the DAP against the application at Item 8.2.



- 7.3 Mr Stuart McDonald addressed the DAP against the application at Item 8.2.
- 7.4 Mr Simon Vanyai addressed the DAP against the application at Item 8.2.
- 7.5 Mr John Fischer (Department of Education) addressed the DAP for the application at Item 8.2. Mr Fischer answered questions from the panel.
- 7.6 Mr Peter Leighton (T&Z Architects) addressed the DAP for the application at Item 8.2. Mr Leighton answered questions from the panel.

***The presentations at Item 7.2 to 7.6 were heard prior to the application at Item 8.2.***

## **8. Form 1 – Responsible Authority Reports – DAP Applications**

- 8.1 Property Location: Lot 1 (2) Warburton Avenue, Padbury  
Application Details: Service Station and Associated Signage  
Applicant: Ms Mariska van der Linde, TPG + Place Match  
Owner: Mr Justin McCabe, BP Refinery (Bulwer Island) Pty Ltd  
Responsible Authority: City of Joondalup  
DoP File No: DAP/17/01209

### **REPORT RECOMMENDATION / PRIMARY MOTION**

**Moved by:** Cr Philippa Taylor                      **Seconded by:** Cr Sophie Dwyer

That the Metro North-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01209 and accompanying plans TP-001, TP-002, TP-015, TP-016 and 16248-A01 in accordance with Clause 68(2) 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. This approval only relates to the proposed service station and associated signage as indicated on the approved plans. It does not relate to any other development on the lot.
2. The service station building and canopy shall be setback a minimum 7m from the nominated street boundary, Warburton Avenue, to the satisfaction of the City.
3. 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 service station 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.

4. A full schedule of colours and materials for all exterior parts to 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.
5. 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.
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. 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.
8. 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;
  - Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;
  - Be based on water sensitive urban design principles to the satisfaction of the City;



- Be based on Designing out Crime principles to the satisfaction of the City; and
  - Show all irrigation design details.
9. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
  10. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
  11. 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.
  12. The signage is to be established and thereafter maintained to a high standard to the satisfaction of the City.
  13. Signage must not include fluorescent, reflective or retro reflective colours.
  14. All development shall be contained within the property boundaries.
  15. Illuminated signage shall use low illumination that does not flash, pulsate or chase.

#### **Advice Notes**

1. The modifications to the crossover are subject to a separate approval. Please contact the City's Infrastructure Management Services Team on 9400 4255 to arrange an appointment.
2. Unless otherwise agreed upon by the City, 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.
3. The sale of food shall be in accordance with the *Food Act 2008*. The premise is required to be inspected by the City's Environmental Health and Environmental Services team prior to operation. Please contact the City's Health and Environmental Services on 9400 4900 to arrange an appointment.
4. The City's local laws require all commercial properties to store bins within a bin storage area that incorporates wash down facilities. The minimum specification includes a concrete floor graded to a floor waste that is connected to sewer and a hose cock.

#### **AMENDING MOTION**

**Moved by:** Mr Fred Zuideveld

**Seconded by:** Mr Paul Drechsler

That Condition 2 be deleted.



**REASON: The width of the canopy that is facing Warburton Avenue has been reduced significantly from the existing canopy and the impact of a cantilever structure is minimal.**

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

**PRIMARY MOTION (AS AMENDED)**

**Moved by:** Cr Phillipa Taylor

**Seconded by:** Cr Sophie Dwyer

That the Metro North-West JDAP resolves to:

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- All forward works for the site;
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4. 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.
5. 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.
  6. 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.
  7. 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;
    - Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;
    - Be based on water sensitive urban design principles to the satisfaction of the City;
    - Be based on Designing out Crime principles to the satisfaction of the City; and
    - Show all irrigation design details.
  8. 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.
  9. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
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3. The sale of food shall be in accordance with the *Food Act 2008*. The premise is required to be inspected by the City's Environmental Health and Environmental Services team prior to operation. Please contact the City's Health and Environmental Services on 9400 4900 to arrange an appointment.
4. The City's local laws require all commercial properties to store bins within a bin storage area that incorporates wash down facilities. The minimum specification includes a concrete floor graded to a floor waste that is connected to sewer and a hose cock.

**REASON: In accordance with details contained in the Responsible Authority Report and Amending Motion.**

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

**8.2** Property Location: Lot 13395 (193) St Brigids Terrace, Doubleview  
Application Details: Redevelopment of Doubleview Primary School  
Applicant: Mr David Muir, Department of Education  
Owner: Department of Education  
Responsible Authority: Western Australian Planning Commission  
DoP File No: DAP/17/01213

#### **REPORT RECOMMENDATION / PRIMARY MOTION**

**Moved by:** Nil

**Seconded by:** Nil

That the Metro North-West JDAP resolves to:

**Approve** DAP Application reference DAP/17/01213 and accompanying plans DA.A1 (REV 1), DA.A2 (REV 0), DA.A3 (REV 0), DA.A4 (REV 0), DA.A5 (REV 0), DA.A6 (REV 0), DA.A7 (REV 0), DA.A8 (REV 0), DA.A9 (REV 0), DA.A10 (REV 0), DA.A11 (REV 0), DA.A12 (REV 0), DA.A13 (REV 0), DA.A14 (REV 0), DA.A15 (REV 0), DA.A16 (REV 0), DA.A17 (REV 0), DA.A18 (REV 0) and SK11 (REV B) date stamped 2 June 2017 by the Department of Planning, Lands and Heritage, in



accordance with the provisions of the Metropolitan Region Scheme, subject to the following conditions:

### Conditions

1. This decision constitutes development 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. A maximum of 350 students shall be accommodated at the school.
3. The school hours are to be coordinated with the co-located primary school to ensure that start, break and finish times do not overlap, to the satisfaction of the Western Australian Planning Commission.
4. All car parking and associated vehicle access areas shown on the approved plans shall be constructed, drained, sealed and marked to the satisfaction of the Western Australian Planning Commission, on advice of the City of Stirling, prior to occupation of the development.
5. Detailed landscaping plans (incorporating vegetation species and sizes, including the location of 82 new trees and trees in car parks, pavement areas and reticulation details) shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, on advice of the City of Stirling, prior to the commencement of site works. Once approved, the landscaping plans are to be implemented in their entirety.
6. All piped and wired services, plant, equipment and storage areas are to be screened from public view, and in the case of roof mounted plant, screened or located so as to minimise visual impact, to the satisfaction of the Western Australian Planning Commission.
7. A dust management plan shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, on advice of the City of Stirling, prior to the commencement of site works. Once approved, the dust management plan is to be implemented in its entirety.
8. The development shall be connected to the Water Corporation's reticulated sewerage system, to the satisfaction of the Western Australian Planning Commission, on advice of the City of Stirling, prior to the occupation of the development.
9. A lighting plan (detailing lighting to buildings, parking and pedestrian areas, including service areas, footpaths, key elements and features of the building and landscape) shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, on advice of the City of Stirling, prior to the occupation of development. Once approved, the lighting plan is to be implemented in its entirety.
10. A parking and traffic management plan (including details of a 'kiss and drive' facility within Car Park 4) shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, in consultation with the City of



Stirling, prior to the occupation of the development. Once approved, the parking and traffic management plan is to be implemented in its entirety.

11. A construction management plan (dealing with noise, waste management, storage of materials, safety and security and protection of street trees and verges) shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, in consultation with the City of Stirling, prior to the commencement of site works. Once approved, the construction management plan is to be implemented in its entirety.
12. All stormwater shall be disposed of on-site to the specification of the City of Stirling and the satisfaction of the Western Australian Planning Commission.

### **Advice Notes**

1. All development must comply with the provisions of the Health Regulations, National Construction Code, Public Building Regulations and all other relevant Acts, Regulations and Local Laws. This includes the provision of access and facilities for people with disabilities in accordance with the National Construction Code.
2. All car parking and associated vehicle access areas are to be constructed in accordance with the relevant Australian Standards.
3. Works within the adjoining road reserves indicated on the approved plans require separate approval from of the City of Stirling and will need to be carried out at the applicant's expense. This includes the new vehicle crossovers for which separate approval is required under the Local Government (Uniform Local Provisions) Regulations 1996.
4. This approval does not include the removal or pruning of any existing street trees. The proponent is encouraged to liaise with the City of Stirling regarding a requirement for a verge bond and any obligations imposed via the City's Street and Reserve Tree Policy.
5. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday, and at any time on Sundays and Public Holidays, is not permitted unless such works are undertaken in accordance with a Noise Management Plan approved by the City of Stirling.

**The Report Recommendation / Primary Motion lapsed for want of a mover and a seconder.**

### **PROCEDURAL MOTION**

**Moved by:** Cr David Boothman

**Seconded by:** Mayor Giovanni Italiano

That the Metro North-West JDAP resolves to defer DAP Application DAP/17/01213 to be reconsidered as soon as possible, to allow for additional information to be presented to the panel and considered by the Responsible Authority as detailed below:



- Legal advice on the ability of the panel to approve private primary and secondary elements of education on the public primary school reserved site and if the development meets the definition of “public works”.
- Revised plans demonstrating the retention of additional mature and semi mature trees of good condition including tuarts, and a review of the access and parking arrangements and location of transportable buildings which impact the existing trees and retention of existing trees in proposed garden beds and landscape areas.
- To confirm site coverage.
- To review bicycle parking provisions.

**REASON:** To ensure the panel has a head of power to approve, and that variations identified by the applicant at the meeting relating to additional vegetation for retention and new planting is reviewed by the responsible authorities and that consistent information is provided on all application plans relating to landscape, engineering, development and parking.

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

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

Nil

**10. Appeals to the State Administrative Tribunal**

As invited by the State Administrative Tribunal under Section 31 of the *State Administrative Act 2004*, the Metro North-West JDAP will reconsider DAP/16/01119 for Lot 69 (91) Strive Loop, Girrawheen on or before 18 August 2017.

**11. General Business / Meeting Close**

The 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 11.20am.