



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: 1 September 2017; 2:00pm
Meeting Number: MNWJDAP/183
Meeting Venue: City of Wanneroo
Lechenaultia Meeting Room
23 Dundee Road
Wanneroo

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Ray Haeren (Deputy Presiding Member)
Mr John Syme (Specialist Member)
Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr Frank Cvitan JP (Local Government Member, City of Wanneroo)
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)
Cr Philippa Taylor (Local Government Member, City of Joondalup)

Officers in attendance

Mr Mitchell Hoad (City of Wanneroo)
Mr Pas Bracone (City of Wanneroo)
Mr Ryan Bailey (City of Joondalup)
Mr Chris Leigh (City of Joondalup)
Mr Joe Hussey (City of Joondalup)

Local Government Minute Secretary

Ms Michelle Padovan (City of Wanneroo)

Applicants and Submitters

Ms Michelle Lawrence (Total Project Management)
Mr Sheldon Turner (Total Project Management)
Mr Tony Papalia (Total Project Management)
Ms Sophie Bottcher (MJA Studio)
Mr Christopher Dwyer (MJA Studio)
Mr Matt Raymond (TPG and Place Match)
Mr Marc Spadaccini (KPA Architects)
Mr Todd Paterson (KPA Architects)
Mr David Spreadbury (KPA Architects)
Mr Tayne Evershed (Planning Solutions)
Mr Ross Underwood (Planning Solutions)
Mr Rod Edenburg (Peter Hunt Architect)
Mr Graham Hunt (Peter Hunt Architect)
Mr Linden Wears (Strategen Environmental)
Mr Dale Newsome (Strategen Environmental)



Members of the Public / Media

There was one member of the public in attendance.

1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 2:03pm on 1 September 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 DAP 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 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

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Minutes of the Metro North-West JDAP meeting no.181 held on 23 August 2017 and meeting no.182 held on 30 August 2017 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

DAP member, Ms Karen Hyde, declared an impartiality interest in item 8.1. The applicant Ms Michelle Lawrence is known to Ms Karen Hyde. Ms Lawrence works for a project management consultancy TPM on a project Ms Hyde is involved in (through Taylor Burrell Barnett) for a mutual client, Curtin Aged Care.

In accordance with section 4.6.1 and 4.6.2 of the DAP Standing Orders 2017, the Deputy 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 Ms Sophie Bottcher and Mr Christopher Dwyer (MJA Studio) addressed the DAP in support of the application at Item 8.1. Ms Bottcher and Mr Chris Leigh (City of Joondalup) answered questions from the panel.

7.2 Mr Justin Prince (Duncraig resident) addressed the DAP against the application at Item 8.2. Mr Chris Leigh (City of Joondalup) answered questions from the panel.

The presentations at Item 7.1 and 7.2 were heard prior to the application at Item 8.1.

7.3 Mr Todd Paterson (KPA Architects) addressed the DAP in support of the application at Item 8.2. Mr Pas Bracone (City of Wanneroo) and Mr Paterson answered questions from the panel.

The presentation at Item 7.3 was heard prior to the application at Item 8.2.

7.3 Mr Tayne Evershed (Planning Solutions) and Mr Ron Edenburg (Peter Hunt Architects) addressed the DAP in support of the application at Item 8.3. Mr Pas Bracone (City of Wanneroo) and Mr Evershed answered questions from the panel.

7.4 Mr Linden Wears (Strategen Environmental) addressed the DAP in support of the application at Item 8.3. Mr Pas Bracone (City of Wanneroo), Mr Tayne Evershed (Planning Solutions) and Mr Wears answered questions from the panel.

The presentations at Items 7.3 and 7.4 were heard prior to the application at Item 8.3.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Property Location: Lots 82 (449), 83 (451) and 84 (453) Beach Road, Duncraig
Application Details: 21 Apartments in Multi-Unit Residential
Applicant: Ms Michelle Lawrence, Carine Developments Pty Ltd
Owner: Ms Michelle Lawrence, Carine Developments Pty Ltd
Responsible authority: City of Joondalup
DAP File No: DAP/17/01223

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/17/01223 and accompanying plans at Attachment 1 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 approval relates to the multiple dwelling development only, as indicated on the approved plans. It does not relate to any other development on the lot.
2. The lots included within the application site shall be amalgamated prior to commencement of development.
3. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
4. 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.
5. All development shall be contained within the property boundaries.
6. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
7. 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.
8. A Construction Management Plan being submitted and approved 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;
 - other matters likely to impact on the surrounding properties;

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

9. Any bicycle parking facilities provided should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of construction.
10. 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.

11. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to address the deemed-to-comply requirement and design principles of clause 6.3.2 of the Residential Design Codes, and indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - Provide all details relating to paving, treatment of verges and tree planting in the car park;
 - Show spot levels and/or contours of the site;
 - Be based on water sensitive urban design principles to the satisfaction of the City;
 - Be based on Designing out Crime principles to the satisfaction of the City; and
 - Show all irrigation design details.
12. 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.
13. The verge adjacent to the lot(s) shall be landscaped to the specifications and satisfaction of the City, and shall include one street tree for every 10 metres of frontage where a lot abuts a primary or secondary street.
14. Prior to occupation of the dwellings, each dwelling shall be provided with an adequate area for clothes drying facilities that is screened from view from the street(s) to the satisfaction of the City.
15. 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 building(s) to the satisfaction of the City.
16. Boundary walls and retaining walls shall be of a clean finish and made good to the satisfaction of the City.
17. A total of 11 car parking bays shall be formally set-aside and adequately marked for "visitors only".
18. The portion of front fencing shown as "decorative metal screen" and "decorative metal entry gate" as indicated on the approved plans shall be visually permeable (as defined in the Residential Design Codes).
19. Screening shall be erected along the balconies as depicted on the approved plans. Screening shall be a minimum height of 1.6 metres above the approved finished floor level, and comply with the definition of screening under the Residential Design Codes. All screening shall be at least 75 percent obscure, permanently fixed, made of durable material, and restrict view in the direction of overlooking into any adjoining property. All screening shall be installed to the satisfaction of the City prior to occupation of the development.



20. The parking areas, driveway and crossover are to be designed and constructed to the satisfaction of the City prior to occupation of the development.
21. A Security and Access Management Plan detailing security gate operation, management of intercom controls, signage and other methods to direct and enable visitor access to private areas shall be submitted to the City for approval prior to occupation of the development, and shall be implemented in accordance with the approved Plan.

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. 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>.
3. 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.
4. In regard to condition 13, the applicant should contact the City's Planning Services on 9400 4100 for further information. The applicant shall:
 - Prior to installation of the trees submit a detailed design to the City for approval. The detailed design shall indicate the tree preparation zone(s);
 - Upon gaining approval, shall install tree preparation zone(s) to the City's satisfaction prior to occupation of the dwellings; and
 - Notify the City upon completion so that an inspection can be undertaken.
5. In relation to condition 18, the Residential Design Codes define visually permeable as:

In reference to a wall, gate, door or fence that the vertical surface has:

- *continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;*
- *continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or*
- *a surface offering equal or lesser obstruction to view.*

as viewed directly from the street.

6. In relation to condition 19, the Residential Design Codes define screening as:

Permanently fixed external perforated panels or trellises composed of solid or obscured translucent panels.



AMENDING MOTION

Moved by: Ms Karen Hyde

Seconded by: Mr John Syme

(i) To amend Condition 2 to read as follows:

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.

REASON: To ensure clarity regarding the timing of the clearance of the condition.

(ii) To amend Condition 14 to read as follows:

Prior to occupation of the dwellings, each dwelling shall be provided with an adequate area for clothes drying facilities that is screened from the street(s) view or alternatively each dwelling is to be provided with mechanical clothes dryers to the satisfaction of the City.

REASON: To identify an alternate clothes drying mechanism.

(iii) To add a new Advice Note to read as follows:

In relation to condition 11, the percentage of soft landscape in the front setbacks as depicted on the landscape plans is acceptable.

REASON: To ensure the intent of condition 11 is clear.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

1. **Approve** DAP Application reference DAP/17/01223 and accompanying plans at Attachment 1 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 approval relates to the multiple dwelling development only, as indicated on the approved plans. It does not relate to any other development on the lot.
2. 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.
3. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
4. 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.

5. All development shall be contained within the property boundaries.
6. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
7. 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.
8. A Construction Management Plan being submitted and approved 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;
 - other matters likely to impact on the surrounding properties;

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

9. Any bicycle parking facilities provided should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of construction.
10. 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.
11. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to address the deemed-to-comply requirement and design principles of clause 6.3.2 of the Residential Design Codes, and indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - Provide all details relating to paving, treatment of verges and tree planting in the car park;
 - Show spot levels and/or contours of the site;
 - Be based on water sensitive urban design principles to the satisfaction of the City;



- Be based on Designing out Crime principles to the satisfaction of the City; and
 - Show all irrigation design details.
12. 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.
 13. The verge adjacent to the lot(s) shall be landscaped to the specifications and satisfaction of the City, and shall include one street tree for every 10 metres of frontage where a lot abuts a primary or secondary street.
 14. Prior to occupation of the dwellings, each dwelling shall be provided with an adequate area for clothes drying facilities that is screened from the street(s) view or alternatively each dwelling is to be provided with mechanical clothes dryers to the satisfaction of the City.
 15. 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 building(s) to the satisfaction of the City.
 16. Boundary walls and retaining walls shall be of a clean finish and made good to the satisfaction of the City.
 17. A total of 11 car parking bays shall be formally set-aside and adequately marked for "visitors only".
 18. The portion of front fencing shown as "decorative metal screen" and "decorative metal entry gate" as indicated on the approved plans shall be visually permeable (as defined in the Residential Design Codes).
 19. Screening shall be erected along the balconies as depicted on the approved plans. Screening shall be a minimum height of 1.6 metres above the approved finished floor level, and comply with the definition of screening under the Residential Design Codes. All screening shall be at least 75 percent obscure, permanently fixed, made of durable material, and restrict view in the direction of overlooking into any adjoining property. All screening shall be installed to the satisfaction of the City prior to occupation of the development.
 20. The parking areas, driveway and crossover are to be designed and constructed to the satisfaction of the City prior to occupation of the development.
 21. A Security and Access Management Plan detailing security gate operation, management of intercom controls, signage and other methods to direct and enable visitor access to private areas shall be submitted to the City for approval prior to occupation of the development, and shall be implemented in accordance with the approved Plan.

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. 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.joondalup.wa.gov.au/Live/Streetscapes.aspx>.
3. 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.
4. In regard to condition 13, the applicant should contact the City's Planning Services on 9400 4100 for further information. The applicant shall:
 - Prior to installation of the trees submit a detailed design to the City for approval. The detailed design shall indicate the tree preparation zone(s);
 - Upon gaining approval, shall install tree preparation zone(s) to the City's satisfaction prior to occupation of the dwellings; and
 - Notify the City upon completion so that an inspection can be undertaken.
5. In relation to condition 18, the Residential Design Codes define visually permeable as:

In reference to a wall, gate, door or fence that the vertical surface has:

- *continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;*
- *continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or*
- *a surface offering equal or lesser obstruction to view.*

as viewed directly from the street.

6. In relation to condition 19, the Residential Design Codes define screening as:

Permanently fixed external perforated panels or trellises composed of solid or obscured translucent panels.
7. In relation to condition 11, the percentage of soft landscape in the front setbacks as depicted on the landscape plans is acceptable.

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

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



8.2 Property Location:	Lots 555 (1) Marangaroo Drive and 11250 (33) Kent Street, Marangaroo
Application Details:	Three Storey plus Mezzanine Nursing Home
Applicant:	Mr Matt Raymond, TPG and Place Match
Owner:	Mr Chris Roberts, Aged Homes Project Italian Australian Welfare Inc.
Responsible authority:	City of Wanneroo
DAP File No:	DAP/17/01231

REPORT RECOMMENDATION

Moved by: Cr Frank Cvitan

Seconded by: Cr Russell Driver

That the Metro North-West JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01231 and accompanying plans included in Attachment 1 (DA01, ARCH-DD-A1-01, DA03 – DA08, ARCH-DD-A1-10, DA09, DA10, C.101, C1.02) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Wanneroo's District Planning Scheme No. 2, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of 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. The use of the development subject to this approval shall only be for the purpose of a Nursing Home, which is defined in the City's District Planning Scheme No. 2. A change of use from that outlined above may require the approval of the City.
3. A revised acoustic report shall be resubmitted to Main Roads and deemed satisfactory prior to construction works on the site, to enable any changes necessary to be managed prior to construction. The applicant/landowner shall implement all recommendations as specified in the acoustic report, once deemed satisfactory by Main Roads, and be responsible for any associated costs, or amendments to the development approval which may be required as a result of implementing these recommendations.
4. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS2890), and shall be drained, sealed and marked prior to occupation of the development.
5. 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 approval of the City.
6. The existing crossover onto Marangaroo Drive shall be removed, and the kerbing, verge and footpath reinstated to the satisfaction of the City.



7. Stormwater and any other water run-off from buildings or paved areas shall be collected and retained on site.
8. The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site.
9. All waste shall be stored within the designated bin enclosure and shall be collected from the site by a private contractor at the cost of the owner/occupier and the bin enclosure shall be designed and constructed in accordance with the City's specifications.
10. Planting and landscaping shall be carried out in accordance with the plans as submitted prior to the occupation of the building and thereafter maintained to the satisfaction of the Manager Land Development.
11. Detailed reticulation plans, for the subject site and adjacent road verges, shall be lodged for approval by the City when application is made for a building licence. Installation shall be in accordance with the approved reticulation plans.
12. Within the parking area there shall be (1) shade tree planted in tree wells for every four (4) parking bays and protected from damage by vehicles and thereafter maintained to the City's satisfaction.
13. The existing street trees shall be protected during construction of the development. Should the trees be removed or damaged, the trees shall be replaced with a similarly mature tree at the cost of the landowner/applicant, to the satisfaction of the City.
14. All earthworks shall be contained on-site and not encroach onto any adjoining road reserves. Any damage to the road reserves shall be made good, at the expense of the applicant/landowner.
15. Any footings for the proposed retaining wall along the Wanneroo Road boundary must be wholly contained within Lot 555.
16. Lighting shall be installed to pathways, areas of communal open space, and car parking areas, prior to the development being occupied, to the satisfaction of the City. Lighting shall be directed internally to avoid overspill to nearby lots.
17. The 'Proposed Pumps and Tanks' being relocated to an alternate location which is not visible from the street and suitably screened, to the satisfaction of the City.
18. Storage areas, plant and equipment shall be screened from view from streets, public places and adjacent properties.
19. A construction management plan shall be submitted for approval prior to the commencement of works, to the satisfaction of Manager Approval Services. This plan is to detail how construction will be managed to minimise disruption in the area and shall include:
 - a. The delivery of and delivery times for material and equipment to the site;
 - b. Storage of materials and equipment on site;
 - c. Parking arrangements for contractors and sub-contractors;



- d. The impact on traffic movement;
- e. Construction and delivery times;
- f. Vegetation on public land is not impacted or damaged; and
- g. Any other matter required by the City.

Advice Notes

1. This is a planning approval only and is issued under District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the applicant's responsibility to comply with all other applicable legislation and obtain all the required approval, licence and permits prior to commencement of the development.
2. The revised Acoustic Assessment Report is to address the items detailed in Main Road Western Australia's comments dated 26 July 2017, including:
 - Use industry standard acoustic modelling combined with onsite noise measurements to adequately estimate future road traffic noise impacts;
 - Meet Main Roads' minimum standards for road traffic acoustic assessment reports;
 - Consider and discuss the % of heavy vehicles in the report, as well as updating modelling to include heavy vehicles;
 - The acoustic assessment must consider multiple storey dwellings, given the height of the proposal;
 - Identify whether the mitigation measures will achieve the noise limit or target, and give consideration to a noise wall, as well as the location of quiet areas;
 - Mitigation measures should be tested to reduce noise levels to below the target in at least one outdoor living area as per State Planning Policy 5.4; and
 - Building acoustic treatment packages should be implemented as outlined in the State Planning Policy 5.4 Implementation Guidelines.
3. Adequate measure to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulations '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated site remediation and other related activities*'.
4. Where an approval has lapsed, no development must be carried out without further approval of the Metro North-West Joint Development Assessment Panel having first been sought and obtained.
5. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.



AMENDING MOTION

Moved by: Mr Ray Haeren

Seconded by: Ms Karen Hyde

To amend Advice Note 2 to read as follows:

The revised acoustic assessment report is to address items 9 and 12 as detailed in Main Roads Western Australia comments dated 21 August 2017.

REASON: To provide clarity regarding the intention of Advice Note 2.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

1. **Approve** DAP Application reference DAP/17/01231 and accompanying plans included in Attachment 1 (DA01, ARCH-DD-A1-01, DA03 – DA08, ARCH-DD-A1-10, DA09, DA10, C.101, C1.02) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Wanneroo's District Planning Scheme No. 2, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of 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. The use of the development subject to this approval shall only be for the purpose of a Nursing Home, which is defined in the City's District Planning Scheme No. 2. A change of use from that outlined above may require the approval of the City.
3. A revised acoustic report shall be resubmitted to Main Roads and deemed satisfactory prior to construction works on the site, to enable any changes necessary to be managed prior to construction. The applicant/landowner shall implement all recommendations as specified in the acoustic report, once deemed satisfactory by Main Roads, and be responsible for any associated costs, or amendments to the development approval which may be required as a result of implementing these recommendations.
4. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS2890), and shall be drained, sealed and marked prior to occupation of the development.
5. 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 approval of the City.
6. The existing crossover onto Marangaroo Drive shall be removed, and the kerbing, verge and footpath reinstated to the satisfaction of the City.



7. Stormwater and any other water run-off from buildings or paved areas shall be collected and retained on site.
8. The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site.
9. All waste shall be stored within the designated bin enclosure and shall be collected from the site by a private contractor at the cost of the owner/occupier and the bin enclosure shall be designed and constructed in accordance with the City's specifications.
10. Planting and landscaping shall be carried out in accordance with the plans as submitted prior to the occupation of the building and thereafter maintained to the satisfaction of the Manager Land Development.
11. Detailed reticulation plans, for the subject site and adjacent road verges, shall be lodged for approval by the City when application is made for a building licence. Installation shall be in accordance with the approved reticulation plans.
12. Within the parking area there shall be (1) shade tree planted in tree wells for every four (4) parking bays and protected from damage by vehicles and thereafter maintained to the City's satisfaction.
13. The existing street trees shall be protected during construction of the development. Should the trees be removed or damaged, the trees shall be replaced with a similarly mature tree at the cost of the landowner/applicant, to the satisfaction of the City.
14. All earthworks shall be contained on-site and not encroach onto any adjoining road reserves. Any damage to the road reserves shall be made good, at the expense of the applicant/landowner.
15. Any footings for the proposed retaining wall along the Wanneroo Road boundary must be wholly contained within Lot 555.
16. Lighting shall be installed to pathways, areas of communal open space, and car parking areas, prior to the development being occupied, to the satisfaction of the City. Lighting shall be directed internally to avoid overspill to nearby lots.
17. The 'Proposed Pumps and Tanks' being relocated to an alternate location which is not visible from the street and suitably screened, to the satisfaction of the City.
18. Storage areas, plant and equipment shall be screened from view from streets, public places and adjacent properties.
19. A construction management plan shall be submitted for approval prior to the commencement of works, to the satisfaction of Manager Approval Services. This plan is to detail how construction will be managed to minimise disruption in the area and shall include:
 - a. The delivery of and delivery times for material and equipment to the site;
 - b. Storage of materials and equipment on site;
 - c. Parking arrangements for contractors and sub-contractors;



- d. The impact on traffic movement;
- e. Construction and delivery times;
- f. Vegetation on public land is not impacted or damaged; and
- g. Any other matter required by the City.

Advice Notes

1. This is a planning approval only and is issued under District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the applicant's responsibility to comply with all other applicable legislation and obtain all the required approval, licence and permits prior to commencement of the development.
2. The revised acoustic assessment report is to address items 9 and 12 as detailed in Main Roads Western Australia comments dated 21 August 2017.
3. Adequate measure to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulations '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated site remediation and other related activities*'.
4. Where an approval has lapsed, no development must be carried out without further approval of the Metro North-West Joint Development Assessment Panel having first been sought and obtained.
5. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

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

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

8.3 Property Location: Lot 1579 (14) Magellan Road, Alkimos
Application Details: Nursing Home
Applicant: Mr Tayne Evershed, Planning Solutions
Owner: Mr Michael Cross, Aegis Aged Care Group Pty Ltd
Responsible authority: City of Wanneroo
DAP File No: DAP/17/01237

REPORT RECOMMENDATION

Moved by: Nil

Seconded by: Nil

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

1. **Refuse** DAP Application reference DAP/17/01237 and accompanying plans included in Attachment 1 (SK201 – SK204, SK301, SK310, C1.101, C3.101, C3.102) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Wanneroo's District Planning Scheme No. 2, for the following reason:



Reason

1. The proposal does not satisfy Clauses 67(c) of the Deemed Provisions of DPS 2, as the submitted Bushfire Management Plan (BMP) has not been endorsed by the Department of Fire and Emergency Services, as per the *Planning in Bushfire Prone Areas State Planning Policy 3.7*.

PROCEDURAL MOTION

Moved by: Mr John Syme

Seconded by: Ms Karen Hyde

That the Metro North-West JDAP resolves to defer DAP Application reference DAP/17/1237 for a period of four weeks to enable the City and the applicant to undertake additional investigations and liaise with agencies to clarify the position on bushfire access.

REASON: The DAP determined that a deferral would be beneficial for the applicant to resolve the above issues.

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**

Nil

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 3:42pm.