



Minutes of the Metro North West Joint Development Assessment Panel

Meeting Date and Time: 10 July 2018; 9:00am
Meeting Number: MNWJDAP/217
Meeting Venue: City of Joondalup
90 Boas Avenue, Joondalup WA

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Item 8.1
Cr Frank Cvitan (Local Government Member, City of Wanneroo)
Cr Sonet Coetzee (Local Government Member, City of Wanneroo)
Item 9.1
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)
- from 9:02am
Cr Philippa Taylor (Local Government Member, City of Joondalup)
Item 10.1
Cr Giovanni Italiano (Local Government Member, City of Stirling)
Cr David Boothman ((Local Government Member, City of Stirling)

Officers in attendance

Item 8.1
Mr Adrian Di Nella (City of Wanneroo)
Mr Pas Bracone (City of Wanneroo)

Item 9.1
Ms Alisa Spicer (City of Joondalup)
Mr Chris Leigh (City of Joondalup)

Item 10.1
Ms Kate Miller (City of Stirling)
Ms Giovanna Lumbaca (City of Stirling)
Mr Greg Bowering (City of Stirling)

Minute Secretary

Mr John Byrne (City of Joondalup)

Applicants and Submitters

Item 8.1
Mr Jero Young (Sphere Architects)



Item 9.1

Mr Andrew Carville (Scentre Group)
Mr Kris Nolan (Urbis)
Ms Sarah Asher (MJA Studio)

Item 10.1

Ms Amanda Butterworth (Griffin Guardian Pty Ltd C/- Allerding & Associates)
Mr Adrian Fratelle (Fratelle Group)
Mr Craig Wallace (Laven)
Mr Brett Garrett (Griffin Group)

Members of the Public / Media

There were 14 members of the public in attendance.

Ms Lucy Jarvis from Community Newspaper Group was in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 9.00am on 10 July 2018 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 in accordance with Section 5.16 of the DAP Standing Orders 2017 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 meeting would not be recorded.

2. Apologies

Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr Samantha Fenn (Local Government Member, City of Wanneroo)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.



6. Disclosure of Interests

In accordance with section 2.4.10 of the DAP Code of Conduct 2017, DAP Member, Ms Karen Hyde, declared that she participated in a State Administrative Tribunal process in relation to the application at Item No.10.1. However, under section 2.1.3 of the DAP Code of Conduct 2017, Ms Hyde acknowledged that she is not bound by any confidential discussions that occurred as part of the mediation process and undertakes to exercise independent judgment in relation to any DAP applications before her, which will be considered on its planning merits.

7. Deputations and Presentations

7.1 Mr Jero Young (Sphere Architects) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

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

7.2 Mr Kris Nolan (Urbis) addressed the DAP in support of the application at Item 9.1 and responded to questions from the panel.

7.3 Mr Andrew Carville (Scentre Group) addressed the DAP in support of the application at Item 9.1 and responded to questions from the panel.

The presentations at Items 7.2 and 7.3 were heard prior to the application at Item No. 9.1.

7.4 Mr Craig Wallace (Laven) addressed the DAP in support of the application at Item 10.1 and responded to questions from the panel.

7.5 Ms Amanda Butterworth (Griffin Guardian Pty Ltd C/- Allerdin & Associates) addressed the DAP in support of the application at Item 10.1 and responded to questions from the panel.

The presentations at Items 7.4 and 7.5 were heard prior to the application at Item No. 10.1.



8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 3126 (68) Amesbury Loop, Butler
Development Description:	New Church/Community Hall, Kids Spaces, Offices and Parking Facilities
Applicant:	Mr Jero Young (Sphere Architects)
Owner:	Ms Penny Dowell (Kingdomcity Perth Inc)
Responsible Authority:	City of Wanneroo
DAP File No:	DAP/17/01324

REPORT RECOMMENDATION

Moved by: Cr Frank Cvitan

Seconded by: Cr Sonet Coetzee

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

Approve DAP Application reference DAP/17/01324 and accompanying plans: 2a Site Feature Survey – Plan 1 - 12101B (August 2017), 2b Site Plan and Location Plan – SK.02 (April 2018), 2c Sections – SK.03 (January 2018), 2d Ground Floor Plan – SK.04 (January 2018), 2e Upper Floor Plan - SK.05 (January 2018), 2f Elevation Plans 1 of 2 – SK.06 (January 2018), 2g – Elevation Plans 2 of 2 – SK.07 (January 2018), 2h Landscaping Plan – 17029-MP01 (November 2017) and 2i Northern Elevation Plans – SK.16 (April 2018) as included within **Attachment 2** 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 approval only relates to the proposed **Place of Worship, Place of Assembly and Signage** as indicated on the approved plans. It does not relate to any other development on the lot.
2. The use of the approved premises shall conform to the District Planning Scheme No. 2 definition of a **Place of Worship** and **Place of Assembly** which states: *“Place of Worship: includes buildings used primarily for the religious activities of a church, but does not include an institution for primary, secondary or higher education, or a residential training institution.*

Place of Assembly: means premises where the public assemble or go for any cultural, religious, recreational, sporting or other activity save that where the scale of development proposed is greater than can be reasonably accommodated in any area, the use shall be dealt with as a “Special Place of Assembly.”

A change of use from that outlined above may require the approval of the City.

3. The northern elevation of the building facing the future Mitchell Freeway road reservation is to add greater articulation to the façade and is to incorporate a range of building materials, colours, textures and additional signage, to the satisfaction of the City.



4. A maximum of **500 people** including a maximum of **100 children** are permitted within the Place of Worship and Place of Assembly premises at any one time.
5. The hours of operation of the Place of Worship and Place of Assembly premises are to be between the hours of **9:00am to 9:00pm Monday to Friday** and **9:00am to 9:00pm Sunday**.
6. The offices shall be incidental to the predominant uses, being the **Place of Worship and Place of Assembly** and shall not be used for activities unrelated to the approved uses.
7. Planting and landscaping shall be carried out in accordance with the attached landscaping plans, prior to the occupation of the development and shall thereafter be maintained to the satisfaction of the City.
8. The development is to be undertaken in accordance with the recommendations of the Bushfire Management Plan (Revision 4) prepared by Entire Fire Management dated 29 May 2018, to the satisfaction of the City.
9. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the development first being occupied and thereafter maintained.
10. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Off-street Car parking (AS 2890.01), and shall be drained, sealed and marked prior to occupation of the development.
11. The parking area and associated access indicated on the approved plans shall not be used for the purposes of storage or obstructed in any way at any time, without the prior approval of the City.
12. Storage areas, plant, equipment and bin areas shall be screened from view from adjoining streets, public places and adjacent properties.
13. All waste shall be collected from the site by a private contractor at the cost of the applicant/owner.
14. All signage is to be contained entirely within the allotment. Any additional signage is to be kept in accordance with the City's Signs Local Planning Policy 4.3 and/or Signs Local Law (1999) as amended from time to time.
15. A construction management plan being submitted and approved by the City, prior to the commencement of any development. The construction management plan shall detail how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - Adequate space is provided within the subject site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - Adequate provision is made for the parking of workers' vehicles;
 - Pedestrian and vehicular access around the site is maintained;



- The delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
 - The hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.
16. Stormwater and any other water run-off from buildings or paved areas shall be collected and retained on site.
 17. The proponent/landowner shall take appropriate steps to remove any graffiti applied to the external surfaces of the building within 7 days of it being applied, to the satisfaction of the City.
 18. No structure, inclusive of footings, gutters and downpipes is to encroach onto the Mitchell Freeway Road reserve.
 19. No earthworks are to encroach onto the Mitchell Freeway Road reserve.
 20. No storm water drainage is to be discharged onto the Mitchell Freeway Road reserve.
 21. The landowner/applicant shall make good any damage to the existing verge vegetation within the Mitchell Freeway Road reserve.

Advice Notes

1. This is a development approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Western Australian Planning Commission's Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
2. This development approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
3. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect. Where an approval has lapsed, no development must be carried out without further approval of the local government having first been sought and obtained.
4. 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.
5. Adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*'.



6. With regards to any management plans and/or landscape plans to be submitted to the City as required in any of the conditions set out within this development approval, these are to be submitted to the assessing officer or in their absence addressed to Planning Implementation. An assessment of the acceptability of these plans by the City will not be undertaken if these plans are submitted within a building permit application.

AMENDING MOTION

Moved by: Ms Sheryl Chaffer

Seconded by: Ms Karen Hyde

That condition 4 be amended to read as follows:

4. *A maximum of **500 people** including children are permitted within the Place of Worship and Place of Assembly premises at any one time.*

REASON: Restricting the number of people is a method of controlling the parking, the number of children is therefore not relevant to this condition.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Fred Zuideveld

Seconded by: Ms Karen Hyde

That condition 3 be amended to read as follows:

1. *The northern elevation of the building facing the future Mitchell Freeway road reservation is to add greater articulation to the façade and is to incorporate a range of building materials, colours, textures and signage, to the satisfaction of the City.*

REASON: The deletion of the word additional was felt necessary as additional signage is a matter for another application. The current proposed signage as part of this application is the focus of this condition along with other methods of introducing articulation to the building.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

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

Approve DAP Application reference DAP/17/01324 and accompanying plans: 2a Site Feature Survey – Plan 1 - 12101B (August 2017), 2b Site Plan and Location Plan – SK.02 (April 2018), 2c Sections – SK.03 (January 2018), 2d Ground Floor Plan – SK.04 (January 2018), 2e Upper Floor Plan - SK.05 (January 2018), 2f Elevation Plans 1 of 2 – SK.06 (January 2018), 2g – Elevation Plans 2 of 2 – SK.07 (January 2018), 2h Landscaping Plan – 17029-MP01 (November 2017) and 2i Northern Elevation Plans – SK.16 (April 2018) as included within **Attachment 2** 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 approval only relates to the proposed **Place of Worship, Place of Assembly and Signage** as indicated on the approved plans. It does not relate to any other development on the lot.
2. The use of the approved premises shall conform to the District Planning Scheme No. 2 definition of a **Place of Worship** and **Place of Assembly** which states: "**Place of Worship**: includes buildings used primarily for the religious activities of a church, but does not include an institution for primary, secondary or higher education, or a residential training institution.

Place of Assembly: means premises where the public assemble or go for any cultural, religious, recreational, sporting or other activity save that where the scale of development proposed is greater than can be reasonably accommodated in any area, the use shall be dealt with as a "Special Place of Assembly."

A change of use from that outlined above may require the approval of the City.

3. The northern elevation of the building facing the future Mitchell Freeway road reservation is to add greater articulation to the façade and is to incorporate a range of building materials, colours, textures and signage, to the satisfaction of the City.
4. A maximum of **500 people** including children are permitted within the Place of Worship and Place of Assembly premises at any one time.
5. The hours of operation of the Place of Worship and Place of Assembly premises are to be between the hours of **9:00am to 9:00pm Monday to Friday** and **9:00am to 9:00pm Sunday**.
6. The offices shall be incidental to the predominant uses, being the **Place of Worship and Place of Assembly** and shall not be used for activities unrelated to the approved uses.
7. Planting and landscaping shall be carried out in accordance with the attached landscaping plans, prior to the occupation of the development and shall thereafter be maintained to the satisfaction of the City.
8. The development is to be undertaken in accordance with the recommendations of the Bushfire Management Plan (Revision 4) prepared by Entire Fire Management dated 29 May 2018, to the satisfaction of the City.
9. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the development first being occupied and thereafter maintained.
10. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Off-street Car parking (AS 2890.01), and shall be drained, sealed and marked prior to occupation of the development.



11. The parking area and associated access indicated on the approved plans shall not be used for the purposes of storage or obstructed in any way at any time, without the prior approval of the City.
12. Storage areas, plant, equipment and bin areas shall be screened from view from adjoining streets, public places and adjacent properties.
13. All waste shall be collected from the site by a private contractor at the cost of the applicant/owner.
14. All signage is to be contained entirely within the allotment. Any additional signage is to be kept in accordance with the City's Signs Local Planning Policy 4.3 and/or Signs Local Law (1999) as amended from time to time.
15. A construction management plan being submitted and approved by the City, prior to the commencement of any development. The construction management plan shall detail how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - Adequate space is provided within the subject site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - Adequate provision is made for the parking of workers' vehicles;
 - Pedestrian and vehicular access around the site is maintained;
 - The delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
 - The hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.
16. Stormwater and any other water run-off from buildings or paved areas shall be collected and retained on site.
17. The proponent/landowner shall take appropriate steps to remove any graffiti applied to the external surfaces of the building within 7 days of it being applied, to the satisfaction of the City.
18. No structure, inclusive of footings, gutters and downpipes is to encroach onto the Mitchell Freeway Road reserve.
19. No earthworks are to encroach onto the Mitchell Freeway Road reserve.
20. No storm water drainage is to be discharged onto the Mitchell Freeway Road reserve.
21. The landowner/applicant shall make good any damage to the existing verge vegetation within the Mitchell Freeway Road reserve.



Advice Notes

1. This is a development approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Western Australian Planning Commission's Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
2. This development approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
3. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect. Where an approval has lapsed, no development must be carried out without further approval of the local government having first been sought and obtained.
4. 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.
5. Adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*'.
6. With regards to any management plans and/or landscape plans to be submitted to the City as required in any of the conditions set out within this development approval, these are to be submitted to the assessing officer or in their absence addressed to Planning Implementation. An assessment of the acceptability of these plans by the City will not be undertaken if these plans are submitted within a building permit application.

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

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

Cr Sonet Coetzee and Cr Frank Cvitan left the panel at 9.17am.



Cr Christine Hamilton-Prime and Cr Philippa Taylor joined the panel at 9.17am.

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

- 9.1** Property Location: Lot 501 (470) Whitfords Avenue, Hillarys
Development Description: Multiple Dwellings, Retail, Commercial and Plaza
Proposed Amendments: Three additional residential levels, an additional basement parking level and minor design amendments
- Applicant: Mr Andrew Carville (Scentre Group)
Owner: Mr Stewart White (RE1 Limited, RECO Whitfords Pty Ltd & Scentre Management Ltd)
- Responsible Authority: City of Joondalup
DAP File No: DAP/17/01270

REPORT RECOMMENDATION

Moved by: Cr Christine Hamilton-Prime

Seconded by: Cr Philippa Taylor

That the Metro North-West JDAP resolves to:

1. **Refuse** that the DAP Application reference DAP/17/01270 as detailed on the DAP Form 2 dated 14 May 2018 is appropriate for consideration in accordance with regulation 17(1)(c) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

REASON: In accordance with details contained in the Responsible Authority Report. The application was considered of a significant scale in terms of changes to the height and scale of development and changes to the amenity levels of the development that it was not regarded as a minor modification and a Form 2 application but rather a Form 1 application which should go through the due process.

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

For: Cr Christine Hamilton-Prime
Cr Philippa Taylor
Ms Karen Hyde

Against: Ms Sheryl Chaffer
Mr Fred Zuideveld

Cr Christine Hamilton-Prime and Cr Philippa Taylor left the panel at 10.00am.



Cr David Boothman and Cr Giovanni Italiano joined the panel at 10.00am.

10. Appeals to the State Administrative Tribunal

10.1 Property Location:	Lot 356 (152) Scarborough Beach Road, Scarborough
Development Description:	Mixed Use Development
Applicant:	Ms Amanda Butterworth (Griffin Guardian Pty Ltd C/- Allerding & Associates)
Owner:	Mr Gregory John Devine (Griffin Guardian Pty Ltd
Responsible Authority:	City of Stirling
DAP File No:	DAP/17/01186

REPORT RECOMMENDATION

Moved by: Cr David Boothman

Seconded by: Ms Karen Hyde

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 163 of 2017, resolves to:

Reconsider its decision dated 6 April 2017 and **Approve** DAP Application reference DAP/17/01186 and accompanying plans (Attachment 1) for Fourteen Multiple Dwellings at Lot 356, House Number 152 Scarborough Beach Road, Scarborough in accordance with Schedule 2, Clause 68 (2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, for the following reasons:

Conditions

1. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the City of Stirling. The plans approved as part of this application form part of the planning approval issued.
2. Prior to commencement of development, a separate application is to be lodged with the City of Stirling for the development within Planning Control Area 123, which will subsequently be forwarded to the WAPC for their determination.
3. The road widening reservation as per Planning Control Area 123 shown on WAPC Plan Number 1.7419/1 is to be ceded free of cost to the Crown, prior to the occupation of the development.
4. In accordance with the City of Stirling's Local Planning Policy 6.5 – Development abutting Rights of Way Policy, a 0.485 metres wide portion of land along the northern boundary shall be ceded free of cost to the Crown for the purpose of road widening. All costs associated with ceding this land shall be borne by the applicant/landowner and completed prior to occupation of the development.



5. The owner must pay to the City of Stirling a development contribution towards the cost of providing lighting infrastructure on Pingrup Lane abutting the land in accordance with Local Planning Scheme No. 3. The contribution must be made to the City of Stirling at or before the time an application is made for a building permit or within 60 days from the commencement of the development, whichever occurs first.
6. A cash-in-lieu contribution for the provision of visitor car parking bays and associated road works along Scarborough Beach Road, prior to the commencement of development.
7. Prior to commencement of development, revised plans are to be submitted to the satisfaction of the City of Stirling demonstrating the following:
 - a) All external fixtures are not visible from the street, are designed to integrate with the building; or as located so as to not be visually obtrusive in accordance with the deemed-to-comply requirements of Clause 6.4.5 of the Residential Design Codes (External Fixtures, Utilities and Facilities); and
 - b) The pedestrian door between the foyer is to be provided with visually permeable panels so as to increase visibility for pedestrians accessing the parking area.
8. All landscaped areas are to be planted, reticulated and mulched in accordance with the approved plan prior to occupation of the development and maintained in accordance with the City of Stirling's Policy 6.6 - Landscaping.
9. Prior to occupation of the development, two advanced trees must be planted on site in the area indicated on the approved plan and be thereafter maintained for. The trees must be provided with a minimum nine (9) square metres of soil space and a minimum dimension of 2 metres at ground level free of intrusions.
10. The 'Significant Trees' abutting Scarborough Beach Road being retained as part of the proposed development are to be protected during the demolition and construction phase, in accordance with the City of Stirling's Policy 6.11 - Trees and Development.
11. An Acoustic Report is to be provided for the City's approval. The report must indicate any specific requirements that are needed to ensure noise emissions comply with the Environmental Protection (Noise) Regulation 1997 and State Planning Policy 5.4: Road and Rail Transport Noise and Freight Consideration in Land Use Planning. Upon approval of that report by the City, any modifications required to the development as a result of its recommendations, shall be made to the City's satisfaction.
12. The applicant/owner shall provide written confirmation to the City of Stirling that the requirements of the Acoustic Report(s) referred to in Condition 11 have been incorporated into the completed development by the builder with the Form BA7 Completion Form, prior to occupation of the development.
13. Prior to the occupation or use of the development, on site vehicular parking, manoeuvring and circulation areas indicated on the approved plans being sealed, drained and line marked to the satisfaction of the City of Stirling.



14. The car stacking equipment shown on the plans hereby approved being designed, installed and maintained in perpetuity in order to allow for access and egress of stacked vehicles independent of other vehicles, to the satisfaction of the City of Stirling.
15. Prior to the occupation of the development, a minimum of six (6) bicycle bays are to be installed and maintained thereafter to the satisfaction of the City of Stirling. All bicycle parking facilities are to comply with AS 2890.3:2015.
16. Prior to the occupation of the building, the street number shall be clearly displayed on the façade of the building. The street number is to be displayed in perpetuity to the satisfaction of the City of Stirling.
17. Lighting to the entry of the development is to be provided in accordance with the requirements of the Scarborough Beach Road West Local Development Plan and shall comply with Australian Standards AS 4282-1997 for the control of obstructive effects of outdoor lighting.
18. All multiple dwellings shall be provided with a mechanical dryer prior to the occupancy or use of the development.
19. Unless otherwise agreed all service areas and facilities, including air conditioning units, clothes drying areas, plant and roof equipment, shall be screened in accordance with the Scarborough Beach Road West Local Development Plan.
20. Prior to occupation of the development, the external finish of the boundary wall/s shall be to the same standard as the rest of the development, to the satisfaction of the City.
21. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.
22. All redundant vehicle crossovers shall be removed and the verge, landscaping, footpaths and kerbing reinstated.
23. A Waste Management Plan shall be provided to the satisfaction of the City of Stirling, prior to commencement of works. Provisions contained in the Waste Management Plan shall be implemented and maintained thereafter to the satisfaction of the City of Stirling.
24. A Site Management Plan shall be submitted to the satisfaction of the City of Stirling prior to commencement of works. The Site Management Plan shall address access to and from the site, dust, noise, waste management, the parking arrangements for contractors and subcontractors, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.



Advice Notes

1. A monetary contribution towards the Right of Way lighting infrastructure will need to be paid by the applicant/landowner in order to satisfy this condition of approval. For the 2017/18 financial year, a contribution of \$4,590.69 will need to be paid to the City in order to upgrade the adjoining Right of Way. Please note that this figure is subject to change and will need to confirm with the City prior to payment.
2. A cash-in lieu contribution for the provision of visitor car parking bays and associated road works along Scarborough Beach Road will need to be paid by the applicant/landowner in order to satisfy this condition of approval. For the 2017/18 financial year, a contribution of \$15,000 will need to be paid to the City in order to construct the visitor car parking bays and associated road works along Scarborough Beach Road. Please note this figure is subject to change and will need to be confirmed with the City prior to payment.
3. Construction noise is not permitted outside of the hours of 7am to 7pm Monday to Saturday inclusive. Any construction works are to comply with the Environmental Noise Protection Regulations 1997.
4. Air discharges and all ventilation including underground carpark to be certified as compliant with the Building Code of Australia and related Australian Standard.
5. The common use facility to comply with the Health (Public Building) Regulations 1992.
6. An Advanced Tree is defined in Local Planning Policy 6.11 as: *means a tree which requires planting in at least a 90 litre container or greater size and which is at least 2 metres in height and at least 2 years of age.*
7. The Advanced Trees are to be planted a minimum of 1 metre from the current and future lot boundaries.

AMENDING MOTION

Moved by: Ms Sheryl Chaffer

Seconded by: Ms Karen Hyde

That condition 1 be amended to read as follows:

1. *"The redevelopment is to comply with all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed there on by the City of Stirling, unless otherwise approved by the City."*

REASON: To reflect that there may be very minor modifications to the plans during the transition from planning approval to the issue of building permit which may require approval by the City.

The Amending Motion was put and CARRIED UNANIMOUSLY.



AMENDING MOTION

Moved by: Ms Karen Hyde

Seconded by: Mr Fred Zuideveld

That condition 2 be deleted and inserted as a new advice note and remaining conditions be renumbered accordingly.

REASON: Land related to the widening of Scarborough Beach Road is a matter for the WAPC and falls outside the authority and decision making of the JDAP. The advice note therefore reminds the applicant of the process but cannot condition it under this approval.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Ms Sheryl Chaffer

Seconded by: Ms Karen Hyde

That condition 3 be deleted and remaining conditions be renumbered accordingly.

REASON: The reason for this is the same as the reason given for the amendment of condition 2, the matter falls outside the authority of the JDAP.

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

For: Ms Karen Hyde
Ms Sheryl Chaffer
Mr Fred Zuideveld
Against: Cr David Boothman
Cr Giovanni Italiano

AMENDING MOTION

Moved by: Mr Fred Zuideveld

Seconded by: Ms Sheryl Chaffer

That condition 6 (now condition 4) be amended to read as follows:

6. *"The owner shall make a cash-in lieu contribution to the City of Stirling for the provision of visitor car parking bays and associated road works within the Scarborough Beach Road verge adjacent to the Subject Land, prior to occupation of the development."*

REASON: To identify the owner's responsibility.

The Amending Motion was put and CARRIED UNANIMOUSLY.



REPORT RECOMMENDATION (AS AMENDED)

Moved by: Cr David Boothman

Seconded by: Ms Karen Hyde

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 163 of 2017, resolves to:

Reconsider its decision dated 6 April 2017 and **Approve** DAP Application reference DAP/17/01186 and accompanying plans (Attachment 1) for Fourteen Multiple Dwellings at Lot 356, House Number 152 Scarborough Beach Road, Scarborough in accordance with Schedule 2, Clause 68 (2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, for the following reasons:

Conditions

1. The redevelopment is to comply with all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed there on by the City of Stirling, unless otherwise approved by the City.
2. In accordance with the City of Stirling's Local Planning Policy 6.5 – Development abutting Rights of Way Policy, a 0.485 metres wide portion of land along the northern boundary shall be ceded free of cost to the Crown for the purpose of road widening. All costs associated with ceding this land shall be borne by the applicant/landowner and completed prior to occupation of the development.
3. The owner must pay to the City of Stirling a development contribution towards the cost of providing lighting infrastructure on Pingrup Lane abutting the land in accordance with Local Planning Scheme No. 3. The contribution must be made to the City of Stirling at or before the time an application is made for a building permit or within 60 days from the commencement of the development, whichever occurs first.
4. The owner shall make a cash-in lieu contribution to the City of Stirling for the provision of visitor car parking bays and associated road works within the Scarborough Beach Road verge adjacent to the Subject Land, prior to occupation of the development.
5. Prior to commencement of development, revised plans are to be submitted to the satisfaction of the City of Stirling demonstrating the following:
 - a) All external fixtures are not visible from the street, are designed to integrate with the building; or as located so as to not be visually obtrusive in accordance with the deemed-to-comply requirements of Clause 6.4.5 of the Residential Design Codes (External Fixtures, Utilities and Facilities); and
 - b) The pedestrian door between the foyer is to be provided with visually permeable panels so as to increase visibility for pedestrians accessing the parking area.



6. All landscaped areas are to be planted, reticulated and mulched in accordance with the approved plan prior to occupation of the development and maintained in accordance with the City of Stirling's Policy 6.6 - Landscaping.
7. Prior to occupation of the development, two advanced trees must be planted on site in the area indicated on the approved plan and be thereafter maintained for. The trees must be provided with a minimum nine (9) square metres of soil space and a minimum dimension of 2 metres at ground level free of intrusions.
8. The 'Significant Trees' abutting Scarborough Beach Road being retained as part of the proposed development are to be protected during the demolition and construction phase, in accordance with the City of Stirling's Policy 6.11 - Trees and Development.
9. An Acoustic Report is to be provided for the City's approval. The report must indicate any specific requirements that are needed to ensure noise emissions comply with the Environmental Protection (Noise) Regulation 1997 and State Planning Policy 5.4: Road and Rail Transport Noise and Freight Consideration in Land Use Planning. Upon approval of that report by the City, any modifications required to the development as a result of its recommendations, shall be made to the City's satisfaction.
10. The applicant/owner shall provide written confirmation to the City of Stirling that the requirements of the Acoustic Report(s) referred to in Condition 11 have been incorporated into the completed development by the builder with the Form BA7 Completion Form, prior to occupation of the development.
11. Prior to the occupation or use of the development, on site vehicular parking, manoeuvring and circulation areas indicated on the approved plans being sealed, drained and line marked to the satisfaction of the City of Stirling.
12. The car stacking equipment shown on the plans hereby approved being designed, installed and maintained in perpetuity in order to allow for access and egress of stacked vehicles independent of other vehicles, to the satisfaction of the City of Stirling.
13. Prior to the occupation of the development, a minimum of six (6) bicycle bays are to be installed and maintained thereafter to the satisfaction of the City of Stirling. All bicycle parking facilities are to comply with AS 2890.3:2015.
14. Prior to the occupation of the building, the street number shall be clearly displayed on the façade of the building. The street number is to be displayed in perpetuity to the satisfaction of the City of Stirling.
15. Lighting to the entry of the development is to be provided in accordance with the requirements of the Scarborough Beach Road West Local Development Plan and shall comply with Australian Standards AS 4282-1997 for the control of obstructive effects of outdoor lighting.
16. All multiple dwellings shall be provided with a mechanical dryer prior to the occupancy or use of the development.
17. Unless otherwise agreed all service areas and facilities, including air conditioning units, clothes drying areas, plant and roof equipment, shall be



screened in accordance with the Scarborough Beach Road West Local Development Plan.

18. Prior to occupation of the development, the external finish of the boundary wall/s shall be to the same standard as the rest of the development, to the satisfaction of the City.
19. Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.
20. All redundant vehicle crossovers shall be removed and the verge, landscaping, footpaths and kerbing reinstated.
21. A Waste Management Plan shall be provided to the satisfaction of the City of Stirling, prior to commencement of works. Provisions contained in the Waste Management Plan shall be implemented and maintained thereafter to the satisfaction of the City of Stirling.
22. A Site Management Plan shall be submitted to the satisfaction of the City of Stirling prior to commencement of works. The Site Management Plan shall address access to and from the site, dust, noise, waste management, the parking arrangements for contractors and subcontractors, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.

Advice Notes

1. A monetary contribution towards the Right of Way lighting infrastructure will need to be paid by the applicant/landowner in order to satisfy this condition of approval. For the 2017/18 financial year, a contribution of \$4,590.69 will need to be paid to the City in order to upgrade the adjoining Right of Way. Please note that this figure is subject to change and will need to confirm with the City prior to payment.
2. A cash-in lieu contribution for the provision of visitor car parking bays and associated road works along Scarborough Beach Road will need to be paid by the applicant/landowner in order to satisfy this condition of approval. For the 2017/18 financial year, a contribution of \$15,000 will need to be paid to the City in order to construct the visitor car parking bays and associated road works along Scarborough Beach Road. Please note this figure is subject to change and will need to be confirmed with the City prior to payment.
3. Construction noise is not permitted outside of the hours of 7am to 7pm Monday to Saturday inclusive. Any construction works are to comply with the Environmental Noise Protection Regulations 1997.
4. Air discharges and all ventilation including underground carpark to be certified as compliant with the Building Code of Australia and related Australian Standard.
5. The common use facility to comply with the Health (Public Building) Regulations 1992.



6. An Advanced Tree is defined in Local Planning Policy 6.11 as: *means a tree which requires planting in at least a 90 litre container or greater size and which is at least 2 metres in height and at least 2 years of age.*
7. The Advanced Trees are to be planted a minimum of 1 metre from the current and future lot boundaries.
8. Prior to commencement of development, a separate application is to be lodged with the City of Stirling for the development within Planning Control Area 123, which will subsequently be forwarded to the WAPC for their determination.

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

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

The Presiding Member noted the following State Administrative Tribunal Applications

Current Applications		
LG Name	Property Location	Application Description
City of Stirling	Lot 18 (6) Wanneroo Road, Yokine	Extension to the Shopping Centre (Dog Swamp)
City of Wanneroo	Lot 140 (81) Ghost Gum Boulevard, Banksia Grove	Motor Vehicle Repair

11. General Business / Meeting Close

There being no further business, the Presiding Member declared the meeting closed at 10.42am.

Karen Hyde