



Metro North-West Joint Development Assessment Panel Minutes

Meeting Date and Time: 11 February 2019, 9:30 AM
Meeting Number: MNWJDAP/245
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street, Perth

Attendance

DAP Members

Ms Sheryl Chaffer (A/Presiding Member)
Mr Clayton Higham (A/ Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)

Item 8.1

Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr Frank Cvitan (Local Government Member, City of Wanneroo)

Item 8.2

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

Officers in attendance

Item 8.1

Mr Pas Bracone (City of Wanneroo)
Mr Adrian Di Nella (City of Wanneroo)
Mr Nick Bertone (City of Wanneroo)

Item 8.2

Mr Brian Gray (City of Joondalup)
Mr Chris Leigh (City of Joondalup)

Minute Secretary

Ms Andrea Dawson (DAP Secretariat)

Applicants and Submitters

Item 8.1

Mr Alessandro Stagno (Planning Solutions)
Ms Sandra Troncone

Item 8.2

Mr Carlo Famiano (CF Town Planning & Development)



Members of the Public / Media

There were 2 members of the public in attendance.

Ms Tyler Brown from Community News was in attendance.

1. Declaration of Opening

The A/Presiding Member declared the meeting open at 9:30am on 11 February 2019 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The A/Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The A/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

Ms Karen Hyde (Presiding Member)

3. Members on Leave of Absence

DAP Member, Ms Karen Hyde has been granted leave of absence by the Director General for the period of 30 January 2019 to 28 March 2019 inclusive.

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

DAP Member, Mr Fred Zuideveld, declared an Impartiality Interest in item 8.1. It should be noted that ZMH did some work for Silver Chain approx. 2 years ago but Mr Zuideveld was not personally involved. There is no current work being done with that client group.

In accordance with section 4.6.1 and 4.6.2 of the DAP Standing Orders 2017, the A/Presiding Member determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in discussion and voting on the item.



7. Deputations and Presentations

- 7.1 Ms Sandra Troncone addressed the DAP against the application at Item 8.1.
- 7.2 Mr Alessandro Stagno (Planning Solutions) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.
- 7.3 The City of Wanneroo addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

The presentations at Item 7.1 - 7.3 were heard prior to the application at Item 8.1.

- 7.4 Mr Carlo Famiano (CF Town Planning & Development) addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.
- 7.5 The City of Joondalup addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.

The presentations at Items 7.4 - 7.5 were heard prior to the application at Item 8.2.

8. Form 1 – Responsible Authority Reports – DAP Application

- 8.1 Property Location: Lot 504 & 505 (813 & 815) Wanneroo Road and Lot 47 (4) San Rosa Road, Wanneroo
- Development Description: Child Care Centre including parking, access, landscaping and signage (Green Leaves)
- Applicant: Planning Solutions
- Owner: Silver Chain Group Pty Ltd,
Ms Victoria Matthews, Mr Bruce Matthews
- Responsible Authority: City of Wanneroo
- DAP File No: DAP/18/01516

REPORT RECOMMENDATION

Moved by: Mr Clayton Higham

Seconded by: Ms Sheryl Chaffer

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

Approve DAP Application reference DAP/18/01516 and accompanying plans Site Plan (AD-0002), Ground Floor Plan (AD-1001), Roof Plan (AD-1201), Elevations (AD-2001, AD-2002), Sections (AD-3001), Signage (AD-6000), Area Diagrams (AD-7000), Mood Board (AD-8000) and Perspectives (AD-0000, AD-9000) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the provisions of the City's District Planning Scheme No. 2 and the Metropolitan Region Scheme, subject to the following conditions:



Conditions

1. The use of the development subject to this approval shall only be for the purpose of a **Child Care Centre**, as defined in the City of Wanneroo's District Planning Scheme No. 2. A change of use from this may require the approval of the City.
2. A maximum of **83** children and **14** staff shall be accommodated within the 'Child Care Centre' at any one time.
3. The hours of operation of the 'Child Care Centre' shall only be between the hours of **6:30am – 7:00pm Monday to Friday** inclusive.
4. Lots 504, 505 (813, 815) Wanneroo Road and Lot 47 (4) San Rosa Road, Wanneroo are to be amalgamated and a copy of the Certificate of Title for the amalgamated land is then to be submitted to the City, prior to occupation of the development.
5. The 'Child Care Centre' is to comply with the recommendations of the Environmental Noise Assessment prepared by Lloyd George Acoustics dated 12 October 2018 and the addendum to the Acoustic Report dated 3 December 2018.
6. A detailed landscaping and reticulation plan for the subject site and adjoining road verges shall be lodged with and approved by the City prior to commencement of any development. The plan shall be drawn to a minimum scale of 1:100 and is to provide the following information:
 - The location and species of trees and landscaping within the development site, in locations generally consistent with those identified for landscaping on Ground Floor Plan AD-1001 Revision 17, with a minimum of seven trees for the purposes of providing shade within the car park; and
 - Landscaping within the outdoor play area addressing the nature play space concept; and landscaping on adjoining verges.

All works shown on the approved landscaping and reticulation plan shall be undertaken to the City's satisfaction prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the landowner/occupier.

7. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the occupation of the development.
8. The 2100mm 'Rendered Besser Block Wall' is to be replaced with the vertically louvered timber batten fence as shown on Ground Floor Plan AD-1001.
9. Information regarding the contamination status of the lots, subject of this application is to be provided to the City confirming that the lots are contamination free, as required by the City's Local Planning Policy 2.3 – Child Care Centres. The information is to be provided to the City, prior to commencement of any works.



10. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard (AS2890.01), and shall be drained, sealed and marked and thereafter maintained, to the satisfaction of the City.
11. All existing and redundant crossovers that are not required for this approval must be closed, kerbs reinstated and verges graded, stabilised and landscaped.
12. No parking bays shall be obstructed in any way or used for the purposes of storage.
13. Storage areas, plant and equipment shall be screened from view from all streets, public places and adjacent properties.
14. All refuse shall be stored within the designated bin store and shall be collected from the site by a private contractor at the cost of the applicant/owner.
15. A construction management plan being submitted detailing how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - Adequate space is provided within the development site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - Adequate provision is made for the parking of workers' vehicles;
 - Pedestrian and vehicular access around the site is maintained;
 - Bus stops/shelters or other infrastructure on public land is temporarily relocated as may be necessary;
 - The delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
 - The hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.
16. 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.
17. No stormwater drainage is to be discharged onto the Wanneroo Road Reserve.
18. Vegetation within the state road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising signs.

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.
4. Where an approval has so lapsed, no development must be carried out without further approval of the local government 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.
6. Main Roads WA agreement is to be obtained prior to any future modifications of the proposed advertising device facing Wanneroo Road.
7. Main Roads WA advises that the development is to comply with the WAPC's *State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning* at all times.
8. Main Roads WA advises that kerbside waste collection from Wanneroo Road is not permitted from the Wanneroo Road Reservation.
9. Main Roads WA advises the following regarding signage:
 - The signs and sign structures are to be placed on private property and shall not over hang or encroach upon the road reserve;
 - For the signs that are illuminated, it must be of a low-level not exceeding 300cd/m^2 , not flash, pulsate or chase; and
 - The signage device shall not contain fluorescent, reflective or retro reflective colours or materials.
10. In reference to Condition 9, the requested information is to be obtained from the Department of Water and Environmental Regulation and the documentation is to be submitted to the City for review.

AMENDING MOTION

Moved by: Cr Russell Driver

Seconded by: Cr Frank Cvitan

That Condition 6 be amended to read as follows:

A detailed landscaping and reticulation plan for the subject site and adjoining road verges shall be lodged with and approved by the City prior to commencement of any development. The plan shall be drawn to a minimum scale of 1:100 and is to provide the following information:

- *The location and species of trees and landscaping within the development site, in locations generally consistent with those identified for landscaping on Ground Floor Plan AD-1001 Revision 17, with a minimum of seven trees for the purposes of providing shade within the car park;*



- *Landscaping within the outdoor play area addressing the nature play space concept; and landscaping on adjoining verges; and*
- ***Landscaping on the northern boundary, in consultation with the adjacent owner, to lessen the impact of bulk and scale of the development.***

All works shown on the approved landscaping and reticulation plan shall be undertaken to the City's satisfaction prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the landowner/occupier.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To soften the appearance of the northern elevation of the development.

REPORT RECOMMENDATION (AS AMENDED)

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

Approve DAP Application reference DAP/18/01516 and accompanying plans Site Plan (AD-0002), Ground Floor Plan (AD-1001), Roof Plan (AD-1201), Elevations (AD-2001, AD-2002), Sections (AD-3001), Signage (AD-6000), Area Diagrams (AD-7000), Mood Board (AD-8000) and Perspectives (AD-0000, AD-9000) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the provisions of the City's District Planning Scheme No. 2 and the Metropolitan Region Scheme, subject to the following conditions:

Conditions

1. The use of the development subject to this approval shall only be for the purpose of a **Child Care Centre**, as defined in the City of Wanneroo's District Planning Scheme No. 2. A change of use from this may require the approval of the City.
2. A maximum of **83** children and **14** staff shall be accommodated within the 'Child Care Centre' at any one time.
3. The hours of operation of the 'Child Care Centre' shall only be between the hours of **6:30am – 7:00pm Monday to Friday** inclusive.
4. Lots 504, 505 (813, 815) Wanneroo Road and Lot 47 (4) San Rosa Road, Wanneroo are to be amalgamated and a copy of the Certificate of Title for the amalgamated land is then to be submitted to the City, prior to occupation of the development.
5. The 'Child Care Centre' is to comply with the recommendations of the Environmental Noise Assessment prepared by Lloyd George Acoustics dated 12 October 2018 and the addendum to the Acoustic Report dated 3 December 2018.
6. A detailed landscaping and reticulation plan for the subject site and adjoining road verges shall be lodged with and approved by the City prior to commencement of any development. The plan shall be drawn to a minimum scale of 1:100 and is to provide the following information:



- The location and species of trees and landscaping within the development site, in locations generally consistent with those identified for landscaping on Ground Floor Plan AD-1001 Revision 17, with a minimum of seven trees for the purposes of providing shade within the car park;
- Landscaping within the outdoor play area addressing the nature play space concept; and landscaping on adjoining verges; and
- Landscaping on the northern boundary, in consultation with the adjacent owner, to lessen the impact of bulk and scale of the development.

All works shown on the approved landscaping and reticulation plan shall be undertaken to the City's satisfaction prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the landowner/occupier.

7. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the occupation of the development.
8. The 2100mm 'Rendered Besser Block Wall' is to be replaced with the vertically louvered timber batten fence as shown on Ground Floor Plan AD-1001.
9. Information regarding the contamination status of the lots, subject of this application is to be provided to the City confirming that the lots are contamination free, as required by the City's Local Planning Policy 2.3 – Child Care Centres. The information is to be provided to the City, prior to commencement of any works.
10. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard (AS2890.01), and shall be drained, sealed and marked and thereafter maintained, to the satisfaction of the City.
11. All existing and redundant crossovers that are not required for this approval must be closed, kerbs reinstated and verges graded, stabilised and landscaped.
12. No parking bays shall be obstructed in any way or used for the purposes of storage.
13. Storage areas, plant and equipment shall be screened from view from all streets, public places and adjacent properties.
14. All refuse shall be stored within the designated bin store and shall be collected from the site by a private contractor at the cost of the applicant/owner.
15. A construction management plan being submitted detailing how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - Adequate space is provided within the development site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - Adequate provision is made for the parking of workers' vehicles;
 - Pedestrian and vehicular access around the site is maintained;



- Bus stops/shelters or other infrastructure on public land is temporarily relocated as may be necessary;
 - The delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
 - The hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.
16. 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.
 17. No stormwater drainage is to be discharged onto the Wanneroo Road Reserve.
 18. Vegetation within the state road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising signs.

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.
4. Where an approval has so lapsed, no development must be carried out without further approval of the local government 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.
6. Main Roads WA agreement is to be obtained prior to any future modifications of the proposed advertising device facing Wanneroo Road.
7. Main Roads WA advises that the development is to comply with the WAPC's *State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning* at all times.
8. Main Roads WA advises that kerbside waste collection from Wanneroo Road is not permitted from the Wanneroo Road Reservation.



9. Main Roads WA advises the following regarding signage:
- The signs and sign structures are to be placed on private property and shall not over hang or encroach upon the road reserve;
 - For the signs that are illuminated, it must be of a low-level not exceeding 300cd/m², not flash, pulsate or chase; and
 - The signage device shall not contain fluorescent, reflective or retro reflective colours or materials.
10. In reference to Condition 9, the requested information is to be obtained from the Department of Water and Environmental Regulation and the documentation is to be submitted to the City for review.

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

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

Cr Russell Driver and Cr Frank Cvitan (City of Wanneroo) left the panel at 10:15am. Cr Christine Hamilton-Prime and Cr Philippa Taylor (City of Joondalup) joined the panel at 10:15am.

8.2 Property Location: Lots 10 & 11 (9 & 11) Ruthven Place, Duncraig
Development Description: Twelve (12) Multiple Dwellings
Applicant: CF Town Planning & Development
Owner: Michael Gardner, Cassandra Le
Responsible Authority: City of Joondalup
DAP File No: DAP/18/01522

REPORT RECOMMENDATION

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

That the Metro North-West JDAP resolves to:

Approve DAP application reference DAP/18/01522 and accompanying plans (Attachment 2) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Joondalup *Local Planning Scheme No. 3*, subject to the following conditions:

Conditions

1. This approval relates to the 12 multiple dwellings and associated works only, as indicated on the approved plans. It does not relate to any other development on the lots.
2. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
3. 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, details of which are



- to be submitted to and approved by the City prior to the occupation of the building(s) to the satisfaction of the City.
4. A detailed landscaping plan shall be submitted to, and approved by, the City prior to the commencement of development. The plan is to address the applicable deemed-to-comply requirements and/or design principles of clause 6.3.2 of the Residential Design Codes, 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;
 - 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.
 5. Landscaping and reticulation shall be established in accordance with the approved landscaping plan, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
 6. 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.
 7. All development shall be contained within the property boundaries.
 8. The car parking bays, driveway and crossover are to be designed and constructed to the satisfaction of the City prior to occupation of the dwellings.
 9. The applicant shall remove the existing crossovers and make good the verge to the satisfaction of the City, within 28 days of the completion of construction of the new crossover.
 10. Boundary walls and retaining walls shall be of a clean finish and made good to the satisfaction of the City.
 11. Three (3) visitor car parking bays shall be provided within the verge to the specifications and satisfaction of the City. This shall be provided in addition to the car parking provisions required under clause 6.3.3 – Parking of the Residential Design Codes.
 12. A notification, pursuant to section 70A of the *Transfer of Land Act 1893*, shall be placed on the certificate of title for the subject lot. The notification shall be at the owner/applicants' expense and lodged with the Registrar of Titles for endorsement on the certificate of title, prior to the commencement of development. The notification is to state as follows:



“This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise. Transportation noise controls and Quiet House design strategies at potential cost to the owner may be required to achieve an acceptable level of noise reduction.”

13. The recommendations outlined within the Acoustic Report submitted by ND Engineering dated 2 October 2018 are to be implemented prior to occupation of the development.
14. A full schedule of colours and materials for all exterior parts to the building, including in relation to the 2.4 metre-high noise / privacy wall along the eastern lot boundary, 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.
15. 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.
16. A Construction Management Plan being submitted 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;
 - other matters likely to impact on the surrounding properties;

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

17. 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.
18. The lots included within the application site shall be granted approval for amalgamation prior to commencement of development and amalgamation is to be concluded prior to occupancy certification.

Advice Notes

1. In regard to condition 1, the City encourages the applicant/owner to incorporate materials and colours to the external surface of the dwellings, including roofing, that have low reflective characteristics to minimise potential glare from the development impacting the amenity of the adjoining or nearby neighbours.
2. Any existing 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 kerb be damaged during the construction of the development, it shall be reinstated to the satisfaction of the City.



3. This approval does not include the dividing fence(s). 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 conditions 4, 5 and 6 the landscaping plan shall include four (4) trees within the verge in accordance with the requirements of the City's Residential Development Local Planning Policy. The required number of verge trees shall include the existing verge tree along Ruthven Place, as indicated on the approved plans.
 - Where existing street trees are to be retained as a part of the verge treatment, the applicant is to provide a plan indicating the location of these trees and their species for approval.
 - Where new street trees are to be installed by the applicant, submit a detailed design of the tree preparation zone(s) to the City for approval. The detailed design shall indicate three (3) tree preparation zones within the verge and nominate tree species in accordance with the City's preferred species list.

The applicant is to notify the City upon the installation of the street trees so that an inspection can be undertaken.

5. In regard to condition 11, the applicant is to, prior to construction of the visitor parking bay(s), submit a detailed design of the bays to the City for approval. The detailed design is to indicate three (3) on-street parallel car parking bays within the verge adjacent to the lot(s).

Upon gaining approval from the City, the applicant is to construct the car bay(s) to the City's satisfaction prior to occupation of the dwellings. The applicant is to notify the City upon the installation of the bays so that an inspection can be undertaken.

6. In regard to Condition 12 the applicant is advised that the subject site has been identified as being subject to road and rail transport noise. Condition 12 is required in accordance with *State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*.
7. There is an obligation to design and construct the development in compliance with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Consideration needs to be given to the positioning and placement of noisy equipment (for example air conditioners) so they do not have a collective or individual negative noise impact on surrounding residences.
8. Units with internal/cupboard type laundry areas to be provided with a floor waste in accordance with the City's Local Laws. In addition to having mechanical ventilation it is recommended that these laundry areas be provided with condensation dryers to minimise the likelihood of mould occurring.



9. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971* including all internal W.C.'s meeting the required air changes through the use of mechanical exhaust ventilation flumed to the outside air.
10. The bin store area shall have a hose cock and be provided with a concrete floor graded to an industrial floor waste connected to sewer.
11. 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 <https://www.joondalup.wa.gov.au/verge-treatments/>

AMENDING MOTION 1

Moved by: Mr Fred Zuideveld

Seconded by: Mr Clayton Higham

That Condition 4 be amended to read as follows:

A detailed landscaping plan shall be submitted to, and approved by, the City prior to the commencement of development. The plan is to address the applicable deemed-to-comply requirements and/or design principles of clause 6.3.2 of the Residential Design Codes, 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;*
- *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*
- *Show all irrigation design details; and*
- ***Show a reduction in the width of the internal driveway to a single lane to accommodate additional landscaping adjacent to the communal open space.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To make more efficient use of the space allocated for site access, landscaping and open space.

AMENDING MOTION 2

Moved by: Mr Fred Zuideveld

Seconded by: Ms Sheryl Chaffer

That Condition 10 be amended to read as follows:

Boundary walls and retaining walls shall be of a clean finish ~~and made good~~ to the satisfaction of the City.

The Amending Motion was put and CARRIED UNANIMOUSLY.



REASON: The deleted words were not relevant or necessary to the condition.

AMENDING MOTION 3

The following amendments were made en bloc:

Moved by: Mr Clayton Higham

Seconded by: Ms Sheryl Chaffer

(i) That Condition 11 be amended to read as follows:

Three (3) visitor car parking bays shall be provided within the verge to the specifications and satisfaction of the City. This shall be provided in addition to the car parking provisions required under clause 6.3.3 – Parking of the Residential Design Codes.

The applicant is to construct the car bay(s) to the City's satisfaction prior to occupation of the dwellings. The applicant is to notify the City upon the installation of the bays so that an inspection can be undertaken.

(ii) That Advice Note 5 be amended to read as follows:

In regard to Condition 11, the applicant is to, prior to construction of the visitor parking bay(s), submit a detailed design of the bays to the City for approval. The detailed design is to indicate three (3) on-street parallel car parking bays within the verge adjacent to the lot(s).

~~*Upon gaining approval from the City, the applicant is to construct the car bay(s) to the City's satisfaction prior to occupation of the dwellings. The applicant is to notify the City upon the installation of the bays so that an inspection can be undertaken.*~~

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure the car bays are constructed to the satisfaction of the City.

AMENDING MOTION 4

Moved by: Mr Clayton Higham

Seconded by: Ms Sheryl Chaffer

That Condition 18 be amended to read as follows:

The lots included within the application site shall be amalgamated prior to obtaining occupancy certification.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To simplify and clarify the intent of the condition.



AMENDING MOTION 5

Moved by: Mr Fred Zuideveld **Seconded by:** Ms Christine Hamilton-Prime

That a new Condition 19 be added to read as follows:

The store room of Unit 2 be relocated to a position acceptable to the City prior to building approval.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To reduce the potential for graffiti and to avoid a hidden corner being created along the adjacent pathway.

AMENDING MOTION 6

Moved by: Mr Fred Zuideveld **Seconded by:** Mr Clayton Higham

That a new Condition 20 be added to read as follows:

Details of fencing along the Pedestrian Access Way (PAW) shall be provided to the City for approval and shall accord with the R codes with respect to visual permeability.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To improve the appearance of the fencing.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro North-West JDAP resolves to:

Approve DAP application reference DAP/18/01522 and accompanying plans (Attachment 2) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Joondalup *Local Planning Scheme No. 3*, subject to the following conditions:

Conditions

1. This approval relates to the 12 multiple dwellings and associated works only, as indicated on the approved plans. It does not relate to any other development on the lots.
2. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
3. 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, details of which are to be submitted to and approved by the City prior to the occupation of the building(s) to the satisfaction of the City.
4. A detailed landscaping plan shall be submitted to, and approved by, the City prior to the commencement of development. The plan is to address the



applicable deemed-to-comply requirements and/or design principles of clause 6.3.2 of the Residential Design Codes, 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;
 - 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
 - Show all irrigation design details; and
 - Show a reduction in the width of the internal driveway to a single lane to accommodate additional landscaping adjacent to the communal open space.
5. Landscaping and reticulation shall be established in accordance with the approved landscaping plan, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
6. 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.
7. All development shall be contained within the property boundaries.
8. The car parking bays, driveway and crossover are to be designed and constructed to the satisfaction of the City prior to occupation of the dwellings.
9. The applicant shall remove the existing crossovers and make good the verge to the satisfaction of the City, within 28 days of the completion of construction of the new crossover.
10. Boundary walls and retaining walls shall be of a clean finish to the satisfaction of the City.
11. Three (3) visitor car parking bays shall be provided within the verge to the specifications and satisfaction of the City. This shall be provided in addition to the car parking provisions required under clause 6.3.3 – Parking of the Residential Design Codes.

The applicant is to construct the car bay(s) to the City's satisfaction prior to occupation of the dwellings. The applicant is to notify the City upon the installation of the bays so that an inspection can be undertaken.

12. A notification, pursuant to section 70A of the *Transfer of Land Act 1893*, shall be placed on the certificate of title for the subject lot. The notification shall be at the owner/applicants' expense and lodged with the Registrar of Titles for endorsement on the certificate of title, prior to the commencement of development. The notification is to state as follows:



“This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise. Transportation noise controls and Quiet House design strategies at potential cost to the owner may be required to achieve an acceptable level of noise reduction.”

13. The recommendations outlined within the Acoustic Report submitted by ND Engineering dated 2 October 2018 are to be implemented prior to occupation of the development.
14. A full schedule of colours and materials for all exterior parts to the building, including in relation to the 2.4 metre-high noise / privacy wall along the eastern lot boundary, 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.
15. 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.
16. A Construction Management Plan being submitted 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;
 - other matters likely to impact on the surrounding properties;

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

17. 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.
18. The lots included within the application site shall be amalgamated prior to obtaining occupancy certification.
19. The store room of Unit 2 be relocated to a position acceptable to the City prior to building approval.
20. Details of fencing along the Pedestrian Access Way (PAW) shall be provided to the City for approval and shall accord with the R codes with respect to visual permeability.

Advice Notes

1. In regard to condition 1, the City encourages the applicant/owner to incorporate materials and colours to the external surface of the dwellings, including roofing,



that have low reflective characteristics to minimise potential glare from the development impacting the amenity of the adjoining or nearby neighbours.

2. Any existing 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 kerb be damaged during the construction of the development, it shall be reinstated to the satisfaction of the City.
3. This approval does not include the dividing fence(s). 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 conditions 4, 5 and 6 the landscaping plan shall include four (4) trees within the verge in accordance with the requirements of the City's Residential Development Local Planning Policy. The required number of verge trees shall include the existing verge tree along Ruthven Place, as indicated on the approved plans.
 - Where existing street trees are to be retained as a part of the verge treatment, the applicant is to provide a plan indicating the location of these trees and their species for approval.
 - Where new street trees are to be installed by the applicant, submit a detailed design of the tree preparation zone(s) to the City for approval. The detailed design shall indicate three (3) tree preparation zones within the verge and nominate tree species in accordance with the City's preferred species list.

The applicant is to notify the City upon the installation of the street trees so that an inspection can be undertaken.

5. In regard to condition 11, the applicant is to, prior to construction of the visitor parking bay(s), submit a detailed design of the bays to the City for approval. The detailed design is to indicate three (3) on-street parallel car parking bays within the verge adjacent to the lot(s).
6. In regard to Condition 12 the applicant is advised that the subject site has been identified as being subject to road and rail transport noise. Condition 12 is required in accordance with *State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*.
7. There is an obligation to design and construct the development in compliance with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Consideration needs to be given to the positioning and placement of noisy equipment (for example air conditioners) so they do not have a collective or individual negative noise impact on surrounding residences.
8. Units with internal/cupboard type laundry areas to be provided with a floor waste in accordance with the City's Local Laws. In addition to having mechanical ventilation it is recommended that these laundry areas be provided with condensation dryers to minimise the likelihood of mould occurring.



9. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971* including all internal W.C.'s meeting the required air changes through the use of mechanical exhaust ventilation flumed to the outside air.
10. The bin store area shall have a hose cock and be provided with a concrete floor graded to an industrial floor waste connected to sewer.
11. 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 <https://www.joondalup.wa.gov.au/verge-treatments/>

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

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

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

Nil

10. Appeals to the State Administrative Tribunal

The A/Presiding Member noted the following State Administrative Tribunal Applications -

Current Applications		
LG Name	Property Location	Application Description
City of Joondalup	Lot 125 (1) & 126 (3) Chipala Court, Edgewater	Twelve (12) Multiple Dwellings
City of Joondalup	Lot 33 and Lot 34 Tuart Trail, Edgewater	Fourteen (14) Multiple Dwellings
City of Stirling	Lot 100 (304) Scarborough Beach Road, Osborne Park	Motor Vehicle Sales and Repair
City of Stirling	Lot 101 (191) Balcatta Road, Balcatta	Extension to the Existing Bunnings Warehouse

Finalised Applications		
LG Name	Property Location	Application Description
City of Stirling	Lot 157 (2A) Sanderling Street, and Lot 604 (114) Cedric Street Stirling	Mixed Use Development

11. General Business / Meeting Close

The A/Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 only the A/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 A/Presiding Member declared the meeting closed at 11:06am.