



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

**Meeting Date and Time:** 11 March 2019; 9:30am  
**Meeting Number:** MNWJDAP/248  
**Meeting Venue:** Department of Planning, Lands and Heritage  
140 William Street, Perth

### **Attendance**

#### **DAP Members**

Ms Sheryl Chaffer (A/Presiding Member)  
Mr Chris Antill (A/Deputy Presiding Member)  
Mr Fred Zuideveld (Specialist Member)  
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)  
Cr Philippa Taylor (Local Government Member, City of Joondalup)

#### **Officers in attendance**

Mr Jeremy Thompson (City of Joondalup)  
Mr Chris Leigh (City of Joondalup)

#### **Minute Secretary**

Ms Andrea Dawson (DAP Secretariat)

#### **Applicants and Submitters**

Ms Patricia Grimmer  
Ms Shailee Desai  
Mr Neil Catterall  
Mr Geoff Wilkinson  
Mr Neil Teo (Dynamic Planning & Developments)  
Mr Lindsay Allen (DMG Architecture)  
Mr Darren Levy (Uloth & Associates)

#### **Members of the Public / Media**

There were 10 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 9:38am on 11 March 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**

Nil

## **7. Deputations and Presentations**

**7.1** Ms Patricia Grimmer addressed the DAP against the application at Item 8.1.

**7.2** Ms Shailee Desai addressed the DAP against the application at Item 8.1.

**7.3** Mr Neil Catterall addressed the DAP against the application at Item 8.1 and responded to questions from the panel.

**7.4** Mr Geoff Wilkinson addressed the DAP against the application at Item 8.1 and responded to questions from the panel.

**7.5** Mr Neil Teo (Dynamic Planning & Developments) and Mr Lindsay Allen (DMG Architecture) addressed the DAP in support of the application at Item 8.1. Mr Neil Teo, Mr Lindsay Allen and Mr Darren Levy (Uloth & Associates) responded to questions from the panel.

**7.6** The City of Joondalup addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.



## 8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Portion of Lot 9040 (34) Kallatina Drive, Iluka
Development Description:	Mixed Commercial Centre (Iluka Plaza)
Applicant:	Dynamic Planning & Developments
Owner:	Davidson Pty Ltd and Roman Catholic Archbishop
Responsible Authority:	City of Joondalup
DAP File No:	DAP/18/01543

### REPORT RECOMMENDATION

**Moved by:** Nil

**Seconded by:** Nil

That the Metro North-West JDAP resolves to:

**Approve** DAP application reference DAP/18/01543 and accompanying plans (Attachment 3) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the *Metropolitan Region Scheme* and the City of Joondalup *Local Planning Scheme No.3* subject to the following conditions:

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This approval relates to the commercial development and associated works only. It does not relate to any other development on the lot.
3. The car parking bays, driveways and access points shall be designed, constructed, drained and marked to the specification of the City and in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays, driveways and access points shall thereafter be maintained to the satisfaction of the City.
4. The Burns Beach Road access shall be upgraded to a full movement access point at the expense of the applicant, to the specifications of the City of Joondalup. These upgrades shall be inclusive of design, review, approval and construction to the cost of the developer.
5. Eight on-street parking bays on O'Mara Boulevard shall be constructed by the developer, at the developer's expense, prior to the occupation of the development. The detailed design is to be approved by the City prior to construction.
6. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking areas shall be provided to the City for approval prior to the commencement of development.



7. An easement in gross for the shared driveway shall be placed on the certificate of title for the subject lot to the satisfaction of the City. The easement shall be at the owner/developer's expense and lodged with the Registrar of Titles for endorsement on the certificate of titles, prior to the occupation of development.
8. 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/developer's 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 land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner'.*
9. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the development first being occupied. Details shall be submitted to and approved by the City prior to the commencement of development. Lighting shall be installed in accordance with the lighting plan to the satisfaction of the City.
10. Detailed landscaping plans shall be submitted to and approved by the City prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatments of the subject site and the adjoining road verges, and shall:
  - provide a minimum of 12 street trees along Burns Beach Road, O'Mara Boulevard and Calis Avenue.
  - The trees along the Calis Avenue frontage should be of a size and scale that will suitably screen the Calis Avenue façade;
  - provide plant species, plant spacing, pot size and quantities and an irrigation design by a Certified Irrigation Designer;
  - provide all details relating to paving, treatment of verges and tree planting;
  - be based on water sensitive urban design and designing out crime principles to the satisfaction of the City;
  - show spot levels and/or contours of the site; and
  - be drawn at an appropriate scale of either 1:100, 1:200 or 1:500.
11. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
12. A Waste Management Plan, indicating the method of rubbish collection, shall be submitted to and approved by the City prior to the commencement of development. All waste collection shall be in accordance with the approved Waste Management Plan.
13. A Delivery Management Plan, indicating the timing of deliveries, shall be submitted prior to the commencement of development and approved by the City prior to the development first being occupied. Delivery management shall then be undertaken in accordance with the approved plan.



14. A Construction Management Plan shall be submitted to and approved by the City prior to the commencement of development. The management plan shall detail how it is proposed to manage:
- all forward works for the site;
  - the delivery of materials and equipment to the site;
  - the storage of materials and equipment on the site;
  - the parking arrangements and access 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.

15. A detailed acoustic report shall be submitted to the City's satisfaction, prior to the commencement of development. The acoustic report shall demonstrate that the design of the building can ensure that all activities, including those occurring within the gymnasium and child care, comply with the *Environmental Protection (Noise) Regulations 1997*. This is to be demonstrated through an implementation section of the report which shall identify appropriate management of the proposal, including, but not limited to, time restrictions on children in outdoor play areas and any restrictions of gymnasium activities or service vehicle movements. The acoustic report shall also consider any impacts to the adjoining residential development to the north.
16. A full schedule of colours and materials for all exterior parts to the development shall be submitted to and approved by the City prior to the commencement of development. With regards to boundary walls on the northern lot boundaries, these are to be aesthetically treated to minimise the visual impact. 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.
17. Any proposed building plant and equipment, including air conditioning units, piping, ducting and water tanks shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street. Details shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with these approved details.
18. The nett lettable area for the site shall not exceed 2,991m<sup>2</sup>, without prior approval from the City first being obtained.
19. All stormwater shall be collected onsite and disposed of in a manner acceptable to the City.
20. All development shall be contained within the property boundaries.
21. Glazing shall be visually permeable with no signage or internal fixtures, unless otherwise approved by the City.



## Advice Notes

1. With respect to the marking of the car park areas, line marking and signage shall adequately convey the one-way configuration of the lower car park.
2. With respect to the upgrades to Burns Beach Road, the detailed design is to include a cross-section with all relevant information to ensure the intersection treatment is designed adequately and all infrastructure (including light poles and storm water drainage pits) can be relocated and meet relevant standards. It is also recommended consultation be undertaken with Main Roads WA for any approvals that may be required for upgrades to Burns Beach Road.
3. The owner/applicant is advised that the subject site has been identified as being within a bushfire prone area as designated by the Fire and Emergency Services Commissioner. As a result:
  - a. a notification on the certificate of title is required in accordance with clause 6.10 of *State Planning Policy 3.7 – Planning for Bushfire Prone Areas* (SPP3.7); and
  - b. additional construction methods may be required as part of the Building Permit.

Further information about the designated bushfire prone areas and SPP3.7 can be found on the Department of Fire and Emergency Services website: <https://www.dfes.wa.gov.au/> and the Department of Planning website: <http://www.planning.wa.gov.au/>

4. With respect to the schedule of colours and materials, the City encourages the developer to incorporate materials and colours to the external surface of the building and associated structures, including roofing, that have low reflective characteristics to minimise potential glare from the development impacting the amenity of the adjoining or nearby neighbours.
5. The bin store area shall be provided with a concrete floor that grades evenly to an industrial floor waste that is connected to sewer. A hose cock is to be provided to the bin store area.
6. Each food business is required to be Registered under the *Food Act 2008*.
7. Any existing footpaths and kerbing are to be retained and protected during construction of the development, except where otherwise approved by the City. Should the footpath/kerb be damaged during the construction of the development, it should be reinstated to the satisfaction of the City.
8. 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.ioundalup.wa.gov.au/verge-treatments/>

**The Report Recommendation LAPSED for want of a mover and a seconder.**



**PROCEDURAL MOTION**

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

That the consideration of DAP Application DAP/18/01543 be deferred for a period of 10 weeks, in accordance with section 5.10.1a of the DAP Standing Orders 2017, to allow the applicant to provide revised plans that addresses the following:

- Increased street activation on O’Mara Boulevard via a separate pedestrian entry to the Supermarket.
- Deletion of vehicle access off Calis Avenue.
- Provision of pedestrian access to the upper level separate to any driveway off Calis Avenue.
- Provision of a 2 metre building setback along the Calis Avenue frontage in accordance with the Local Development Plan.

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

**REASON:** The panel agreed that a deferral of the application for a period of 10 weeks was appropriate to allow the applicant to prepare and submit revised plans addressing the above issues with the intent to minimise negative impacts on adjacent properties and improve pedestrian safety and convenience. Deferral also allows the City to assess the revised plans/additional information and to subsequently prepare a revised report

**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 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
City of Wanneroo	Lot 801 (28K) Caloundra Road, Clarkson	Proposed 24 hour drive-through fast food outlet (McDonalds)

**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 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 10:25am.