



Metro North-West Joint Development Assessment Panel Minutes

Meeting Date and Time: 13 May 2019, 10:00am
Meeting Number: MNWJDAP/256
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street, Perth

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Chris Antill (A/Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Philippa Taylor (Local Government Member, City of Joondalup)
Cr Nige Jones (Local Government Member, City of Joondalup)

Officers in attendance

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

Minute Secretary

Ms Andrea Dawson (DAP Secretariat)

Applicants and Submitters

Ms Patricia Grimmer
Mr Neil Catterall
Mr Geoff Wilkinson
Mr Luke Parker (Brightwater Care Group)
Mr Julius Skinner (LSV Borrello Lawyers)
Mr Neil Teo (Dynamic Planning & Developments)
Mr Lindsay Allen (DMG Australia Architects)
Mr Craig Carpenter (Blackwell & Associates)

Members of the Public / Media

There were 12 members of the public in attendance.

Ms Tyler Brown from Community News was in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 10:00am on 13 May 2019 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.

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

2. Apologies

Ms Sheryl Chaffer (Deputy Presiding Member)
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)
Cr Sophie Dwyer (Local Government Member, City of Joondalup)

3. Members on Leave of Absence

DAP Member, Ms Sheryl Chafer has been granted leave of absence by the Director General for the period of 6 May 2019 to 7 June 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

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 10.1. However, under section 2.1.3 of the DAP Code of Conduct 2017, Ms Karen 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 Ms Patricia Grimmer addressed the DAP against the application at Item 10.1.

7.2 Mr Neil Catterall addressed the DAP against the application at Item 10.1.

7.3 Mr Geoff Wilkinson addressed the DAP against the application at Item 10.1.



- 7.4 Ms Nannette Brimmer responded to questions from the panel.
- 7.5 Mr Luke Parker (Brightwater Care Group) addressed the DAP in support of the application at Item 10.1 and responded to questions from the panel.
- 7.6 Mr Julius Skinner (LSV Borrello Lawyers) addressed the DAP in support of the application at Item 10.1 and responded to questions from the panel.
- 7.7 Mr Neil Teo (Dynamic Planning & Developments) addressed the DAP in support of the application at Item 10.1 and responded to questions from the panel.
- 7.8 Mr Lindsay Allen (DMG Australia Architects) addressed the DAP in support of the application at Item 10.1 and responded to questions from the panel.
- 7.9 Mr Craig Carpenter (Blackwell & Associates) addressed the DAP in support of the application at Item 10.1 and responded to questions from the panel.
- 7.10 The City of Joondalup addressed the DAP in relation to the application at Item 10.1 and responded to questions from the panel.

PROCEDURAL MOTION

Moved by: Ms Karen Hyde

Seconded by: Mr Chris Antill

That the meeting be adjourned for a period of 5 minutes to allow members a short break before considering the report recommendation.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

The meeting was adjourned at 11:25am.

The meeting reconvened at 11:31am.

8. Form 1 – Responsible Authority Reports – DAP Application

Nil

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

Nil

10. Appeals to the State Administrative Tribunal

- 10.1** Property Location: Portion of 9040 (34) Kallatina Drive, Iluka
Development Description: Mixed Commercial Centre (Iluka Plaza)
Applicant: AGEM PG 33 PTY LTD C/- LSV Borello Lawyers
Owner: AGEM PG33 Pty Ltd atf AGEM PG Trust
Responsible Authority: City of Joondalup
DAP File No: DAP/18/01543



REPORT RECOMMENDATION

Moved by: Mr Chris Antill

Seconded by: Mr Fred Zuideveld

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 61 of 2019, resolves to:

Reconsider its decision dated 11 March 2019 and **approve** DAP Application reference DAP18/01553 and amended plans (Attachment 4) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) 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:

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. Mirrors shall be installed at the exit to Calis Avenue to enhance sightlines, as recommended in the Traffic Technical Memorandum. Details shall be submitted to and approved by the City prior to commencement of development. The mirrors shall be installed prior to occupation, and thereafter maintained to the satisfaction of the City.
5. 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.
6. 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.
7. 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.



8. 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.
9. 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'.
10. 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.
11. 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;
 - any specific requirements for the 'landscaped wall'; and
 - be drawn at an appropriate scale of either 1:100, 1:200 or 1:500.
12. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
13. 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.
14. 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.



15. 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.
16. 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.
17. 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.
18. 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.
19. The nett lettable area for the site shall not exceed 2,991m², without prior approval from the City first being obtained.
20. All stormwater shall be collected onsite and disposed of in a manner acceptable to the City.
21. All development shall be contained within the property boundaries.
22. 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/>



AMENDING MOTION 1

Moved by: Ms Karen Hyde

Seconded by: Mr Chris Antill

That Condition 1 be deleted and incorporated into the preamble of the Responsible Authority Report to read as follows with remaining Conditions to be renumbered accordingly.

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 61 of 2019, resolves to:

Reconsider its decision dated 11 March 2019 and **approve** DAP Application reference DAP18/01553 and amended plans (Attachment 4) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, ~~the Metropolitan Region Scheme~~ and the City of Joondalup Local Planning Scheme No. 3 **and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme**, subject to the following conditions:

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: As recommended following advice from the DAP Secretariat and Responsible Authority Report template.

AMENDING MOTION 2

Moved By: Ms Karen Hyde

Seconded By: Mr Chris Antill

That Condition 11 (now condition 9) be amended to read as follows:

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;*
- *any specific requirements for the 'landscaped wall'; and*
- *be drawn at an appropriate scale of either 1:100, 1:200 or 1:500.*
- ***relocate the footpath along Calis Avenue to the back of the kerb to allow for landscaping between the development and the road verge.***

The Amending Motion was put and CARRIED UNANIMOUSLY.



REASON: To facilitate a larger deep soil zone for significant landscape planting in order to screen the rear of the development, given the application is planned close to the lot boundary and has limited the opportunity for on site significant landscape.

AMENDING MOTION 3

Moved by: Ms Karen Hyde

Seconded by: Cr Nige Jones

The following amendments were made en bloc:

- i) That new Condition 23 (now Condition 21) be added to read as follows:

The applicant is to provide a Traffic and Parking Management Plan prior to commencement of development, to allow safe access and egress including vehicular and pedestrian access and egress to the site and to reconsider the use of mirrors at the exit on Calis Avenue to the satisfaction of the City.

REASON: To ensure the traffic and parking is appropriately managed through the life of the development and consideration is given to the safety of vehicle and pedestrian movement, particularly at points of access and egress.

- ii) That Condition 4 (now Condition 3) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The development should be designed to provide adequate sightlines without the need for mirrors.

AMENDING MOTION 4

Moved by: Ms Karen Hyde

Seconded by: Cr Nige Jones

That new condition 24 (now Condition 22) be added to read as follows:

The hours of operation shall be:

- a) T9 (Child Care Centre) 6am to 6pm Monday to Friday and 8am to 1pm on Saturday.
b) T5 (IGA Supermarket and Liquor Store) 8am to 9pm Monday to Sunday

The remainder of tenancies will not be restricted to hours of operation.

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

For: Ms Karen Hyde
Cr Philippa Taylor
Cr Nige Jones

Against: Mr Chris Antill
Mr Fred Zuideveld

REASON: To clarify the operation hours for the development in line with the City's policies.



AMENDING MOTION 5

Moved by: Ms Karen Hyde

Seconded by: Cr Nige Jones

That Condition 22 (now Condition 20) be amended to read as follows:

*Glazing shall be visually permeable with no signage or internal fixtures, **attached to or placed in front of glazing restricting the view unless otherwise approved by the City.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To clarify the intent of the condition to facilitate street activation, passive surveillance and visual interest.

AMENDING MOTION 6

Moved by: Ms Karen Hyde
Antill

Seconded by: Mr Chris

That Condition 17 (now Condition 15) be amended to read as follows:

*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. **If constructed in stages, development with exposed boundary walls are to be aesthetically treated to minimise their visual impact until such time as the later stages are constructed.** 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.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure the development is finished to an appropriate standard at all stages.

AMENDING MOTION 7

Moved by: Mr Fred Zuideveld

Seconded by: Ms Karen Hyde

That new Condition 25 (now Condition 23) be added to read as follows:

The applicant is to submit revised drawings to the Eastern Boundary detailing a setback of at least 300mm and green wall structures prior to commencement of the development to the satisfaction of the City.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure the development plans are accurate and aligned and the detail of the green wall is satisfactory.



AMENDING MOTION 8

Moved by: Cr Philippa Taylor

Seconded by: Cr Nige Jones

That condition 14 (now Condition 12) be amended to read as follows:

*A Delivery Management Plan, indicating the timing of deliveries **to minimise the conflict between customers and service vehicles**, 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.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure the detail of the Delivery Management Plan contains information regarding the arrangements for safe movement and circulation of customers and service vehicles.

AMENDING MOTION 9

Moved by: Mr Chis Antill

Seconded by: Ms Karen Hyde

The Condition 8 (now Condition 6) be amended to read as follows:

An easement in gross for the shared driveway shall be placed on the certificates 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 certificates of titles, prior to the occupation of development.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The amendment is an administrative correction.

REPORT RECOMMENDATION (AS AMENDED)

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 61 of 2019, resolves to:

Reconsider its decision dated 11 March 2019 and **approve** DAP Application reference DAP18/01553 and amended plans (Attachment 4) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, the City of Joondalup Local Planning Scheme No. 3 and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme, subject to the following conditions:

Conditions

1. This approval relates to the commercial development and associated works only. It does not relate to any other development on the lot.



2. 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.
3. 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.
4. 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.
5. 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.
6. An easement in gross for the shared driveway shall be placed on the certificates 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 certificates of titles, prior to the occupation of development.
7. 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'.
8. 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.
9. 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;
 - any specific requirements for the 'landscaped wall'; and
 - be drawn at an appropriate scale of either 1:100, 1:200 or 1:500.
 - relocate the footpath along Calis Avenue to the back of the kerb to allow for landscaping between the development and the road verge.
10. 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.
11. 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.
12. A Delivery Management Plan, indicating the timing of deliveries to minimise the conflict between customers and service vehicles, 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.
13. 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.
14. 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.



15. 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. If constructed in stages, development with exposed boundary walls are to be aesthetically treated to minimise their visual impact until such time as the later stages are constructed. 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.
16. 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.
17. The nett lettable area for the site shall not exceed 2,991m², without prior approval from the City first being obtained.
18. All stormwater shall be collected onsite and disposed of in a manner acceptable to the City.
19. All development shall be contained within the property boundaries.
20. Glazing shall be visually permeable with no signage or internal fixtures, attached to or placed in front of glazing restricting the view unless otherwise approved by the City.
21. The applicant is to provide a Traffic and Parking Management Plan prior to commencement of development, to allow safe access and egress including vehicular and pedestrian access and egress to the site and to reconsider the use of mirrors at the exit on Calis Avenue to the satisfaction of the City.
22. The hours of operation shall be:
 - a) T9 (Child Care Centre) 6am to 6pm Monday to Friday and 8am to 1pm on Saturday.
 - b) T5 (IGA Supermarket and Liquor Store) 8am to 9pm Monday to SundayThe remainder of tenancies will not be restricted to hours of operation.
23. The applicant is to submit revised drawings to the Eastern Boundary detailing a setback of at least 300mm and green wall structures prior to commencement of the development to the satisfaction of 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.ioondalup.wa.gov.au/verge-treatments/>

The Report Recommendation (as amended) was put and CARRIED (4/1).

For: Ms Karen Hyde
Mr Chris Antill
Mr Fred Zuideveld
Cr Nige Jones

Against: Cr Philippa Taylor



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

The Presiding Member noted the following State Administrative Tribunal Applications -

Current Applications		
LG Name	Property Location	Application Description
City of Joondalup	Lot 96 and 97 (9 and 11) Davallia Road, Duncraig	13 Multiple Dwellings
City of Stirling	Lot 101 (191) Balcatta Road, Balcatta	Extension to the Existing Bunnings Warehouse

11. General Business / Meeting Close

The 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 Presiding Member declared the meeting closed at 12:00pm.