



## **Metro Outer Joint Development Assessment Panel Minutes**

**Meeting Date and Time:** Monday, 15 August 2022; 9:30am  
**Meeting Number:** MOJDAP/192  
**Meeting Venue:** Electronic Means

*This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person*

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**Mr Eugene Koltasz**  
Presiding Member, JDAP



## **Attendance**

### **DAP Members**

Mr Eugene Koltasz (Presiding Member)  
Ms Karen Hyde (Deputy Presiding Member)  
Mr Jason Hick (Third Specialist Member)

#### *Item 8.1*

Cr Frank Cvitan (Local Government Member, City of Wanneroo)  
Cr Vinh Nguyen (Local Government Member, City of Wanneroo)

#### *Item 8.2*

Cr Nige Jones (Local Government Member, City of Joondalup)  
Cr Tom McLean (Local Government Member, City of Joondalup)

### **Officers in attendance**

#### *Item 8.1*

Ms Xin Xu (City of Wanneroo)  
Mr Josh Coppola (City of Wanneroo)

#### *Item 8.2*

Mr Chris Leigh (City of Joondalup)

### **Minute Secretary**

Mr Stephen Haines (DAP Secretariat)  
Ms Ashlee Kelly (DAP Secretariat)

### **Applicants and Submitters**

#### *Item 8.1*

Mr Oliver Basson (Planning Solutions)  
Mr Matthew Elliot (Accord Property)

#### *Item 8.2*

Mr Alessandro Stagno (Apex Planning)  
Mr Rob Rowell (CPG Sorrento)  
Mr Benham Bordbar (Transcore)  
Mr Bill Jarman (Resident)

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

There were 16 members of the public in attendance.

Ms Tyler Brown from Perth Now was in attendance.

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## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:32am on 15 August 2022 and acknowledged the traditional owners and paid respect to Elders past and present 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 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

### 1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 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.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

## 2. Apologies

Nil.

## 3. Members on Leave of Absence

Nil.

## 4. Noting of Minutes

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

## 5. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 8.2, received on 12 August 2022.

All members declared that they had duly considered the documents.

## 6. Disclosure of Interests

Nil.

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## 7. Deputations and Presentations

- 7.1 Mr Oliver Basson (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 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 – 7.2 were heard prior to the application at Item 8.1.***

- 7.2 Mr Bill Jarman presenting in support of the recommendation for the application at Item 8.2. The presentation will address residential amenity matters from a group of residents who have lived close to the proposed development for more than 30 years.
- 7.2 Mr Alessandro Stagno (Apex Planning) addressed the DAP against the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.3 Mr Rob Rowell (CPG Sorrento) addressed the DAP against the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.3 Mr Benham Bordbar (Transcore) addressed the DAP against the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.2 The City of Joondalup addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

***The presentations at Items 7.2 - 7.3 were heard prior to the application at Item 8.2.***

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

### 8.1 304 (Lot 80) Marangaroo Drive, 3 (Lot 79) and 96 (Lot 78) Callison Way, Koondoola

Development Description: Child Care Centre  
Applicant: Oliver Basson (Planning Solutions)  
Owner: CF Chang, LM Dickerson, A & G  
Yates  
Responsible Authority: City of Wanneroo  
DAP File No: DAP/22/02234

### REPORT RECOMMENDATION

**Moved by:** Cr Frank Cvitan

**Seconded by:** Cr Vinh Nguyen

That the Metro Outer JDAP resolves to:

1. **Approve** DAP Application reference DAP/22/02234 and the accompanying plans (3507-03-RevE, 3507-04-RevD, 3507-05 RevD, Landscaping plan 01 Rev01 and 02 Rev01, and supporting documents) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Wanneroo District Planning Scheme No. 2, 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. The three (3) lots subject to this application (Lot 80 (304) Marangaroo Drive, Koondoola, Lot 79 (3) Callison Way, Koondoola, and Lot 78 (96) Callison Way, Koondoola) are required to be amalgamated, and a copy of the Certificate of Title for the amalgamated land is to be submitted prior to the Building Permit being issued.
3. The use of the premises is to be Child Care Centre as defined in the City of Wanneroo's District Planning Scheme No. 2 as follows:

*“Child Care Centre: means premises used for the daily or occasional care of children in accordance with the Community Services (Child Care) Regulations 1988.”*

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

4. A maximum of **91 children** and **15 staff** are permitted on the premises at any one time.
5. The hours of operation of the Child Care Centre shall be between the hours of **6:30am to 6:30pm Monday to Friday**.

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6. The development is to comply with the recommendations and measures outlined in the Environmental Noise Emission Report provided by Reverberate Consulting dated 16 May 2022. Recommended works shall be completed prior to the commencement of the use.
7. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS 2890) and shall be drained, sealed and marked to the satisfaction of the City prior to occupation of the development, and maintained thereafter to the satisfaction of the City.
8. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.
9. Staff car parking spaces shall be marked and clearly signposted as dedicated for staff use only, to the satisfaction of the City.
10. Stormwater and any other water run-off from buildings or paved areas shall be collected and retained on site.
11. Lighting shall be installed to pathways and car parking areas, be designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be internally directed to not overspill into nearby lots. All floodlights shall be oriented and hooded to eliminate disturbance to occupants on the surrounding properties.
12. Planting and landscaping shall be carried out in accordance with the attached landscaping plans, prior to occupation of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the landowner/occupier.
13. All storage areas, external fixtures and building plant, including air conditioning units shall be located so as to minimise any visual and noise impact on surrounding landowners and screened from view from streets, public places and adjacent properties to the satisfaction of the City.
14. All signage is to be contained entirely within the allotment.
15. All waste shall be stored within the designated bin enclosure and collected from the site by a private contractor at the cost of the owner/occupier.
16. The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site, to the satisfaction of the City.
17. Redundant vehicle crossovers shall be removed and the kerbing, verge, and footpath (where relevant) reinstated with paving or grass or landscaping to the satisfaction of the City.
18. Detailed civil engineering drawings and specifications for works within the public road reserve (earthworks, parking, footpath, roads and drainage) shall be lodged for approval to the City, prior to commencement of construction works. Construction works are to be undertaken in accordance with the approved engineering drawings and specifications to the satisfaction of the City.

  
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19. A construction management plan shall be submitted for approval to the City prior to an application for a building permit being made. The plan is to detail how construction of the development will be managed to minimise disruption to adjoining landowners. The plan will need to address the following:
- The delivery times for materials and equipment to the site;
  - Storage of materials and the location and type of equipment on site;
  - Adequate measures be implemented during construction to minimise any adverse impacts caused by sand drift and dust from the site;
  - Parking arrangements for contractors and sub-contractors;
  - Construction times;
  - Measures to minimise noise impacts on surrounding residents; and
  - Any other matter required by the City.

The construction management plan is to be submitted to and approved by the City prior to the commencement of any development.

### Advice Notes

- This decision constitutes planning approval only and is valid for a period of four years (4) from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
- In regards to the dust and sand drift condition, adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Water and Environmental Regulation's '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*'.

### AMENDING MOTION 1

**Moved by:** Cr Frank Cvitan

**Seconded by:** Cr Vinh Nguyen

*The following amendments were made en bloc*

That Condition No. 2 be amended to read as follows:

*The three (3) lots subject to this application (Lot 80 (304) Marangaroo Drive, Koondoola, Lot 79 (3) Callison Way, Koondoola, and Lot 78 (96) Callison Way, Koondoola) are required to be amalgamated, and a copy of the Certificate of Title for the amalgamated land is to be submitted prior to the **Building Occupancy Permit** being issued.*

That Condition No. 4 be amended to read as follows:

*A maximum of 91 children ~~and 15 staff~~ are permitted on the premises at any one time.*

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

### REASON:

- In regard to the amendment to Condition 2 the Panel considered the original wording to be overly restrictive on the proponent's ability to deliver the child care centre in a timely manner whilst they delayed construction waiting several months

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- to achieve amalgamation approval for the lots and to comply with amalgamation conditions imposed by the WA Planning Commission.
2. Regarding Condition 4 the changeover of staff will occur at the low peak operating times for drop off and pick up of children. Further other legislation determines the number of staff relative to children at the Centre.

### **REPORT RECOMMENDATION (AS AMENDED)**

That the Metro Outer JDAP resolves to:

1. Approve DAP Application reference DAP/22/02234 and the accompanying plans (3507-03-RevE, 3507-04-RevD, 3507-05 RevD, Landscaping plan 01 Rev01 and 02 Rev01, and supporting documents) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the City of Wanneroo District Planning Scheme No. 2, 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. The three (3) lots subject to this application (Lot 80 (304) Marangaroo Drive, Koondoola, Lot 79 (3) Callison Way, Koondoola, and Lot 78 (96) Callison Way, Koondoola) are required to be amalgamated, and a copy of the Certificate of Title for the amalgamated land is to be submitted prior to the Occupancy Permit being issued.
3. The use of the premises is to be Child Care Centre as defined in the City of Wanneroo's District Planning Scheme No. 2 as follows:

*“**Child Care Centre:** means premises used for the daily or occasional care of children in accordance with the Community Services (Child Care) Regulations 1988.”*

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

4. A maximum of **91 children** are permitted on the premises at any one time.
5. The hours of operation of the Child Care Centre shall be between the hours of **6:30am to 6:30pm Monday to Friday**.
6. The development is to comply with the recommendations and measures outlined in the Environmental Noise Emission Report provided by Reverberate Consulting dated 16 May 2022. Recommended works shall be completed prior to the commencement of the use.
7. Parking areas, driveways and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS 2890) and shall be drained, sealed and marked to the satisfaction of the City prior to occupation of the development, and maintained thereafter to the satisfaction of the City.

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8. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.
9. Staff car parking spaces shall be marked and clearly signposted as dedicated for staff use only, to the satisfaction of the City.
10. Stormwater and any other water run-off from buildings or paved areas shall be collected and retained on site.
11. Lighting shall be installed to pathways and car parking areas, be designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be internally directed to not overspill into nearby lots. All floodlights shall be oriented and hooded to eliminate disturbance to occupants on the surrounding properties.
12. Planting and landscaping shall be carried out in accordance with the attached landscaping plans, prior to occupation of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the landowner/occupier.
13. All storage areas, external fixtures and building plant, including air conditioning units shall be located so as to minimise any visual and noise impact on surrounding landowners and screened from view from streets, public places and adjacent properties to the satisfaction of the City.
14. All signage is to be contained entirely within the allotment.
15. All waste shall be stored within the designated bin enclosure and collected from the site by a private contractor at the cost of the owner/occupier.
16. The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site, to the satisfaction of the City.
17. Redundant vehicle crossovers shall be removed and the kerbing, verge, and footpath (where relevant) reinstated with paving or grass or landscaping to the satisfaction of the City.
18. Detailed civil engineering drawings and specifications for works within the public road reserve (earthworks, parking, footpath, roads and drainage) shall be lodged for approval to the City, prior to commencement of construction works. Construction works are to be undertaken in accordance with the approved engineering drawings and specifications to the satisfaction of the City.

  
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19. A construction management plan shall be submitted for approval to the City prior to an application for a building permit being made. The plan is to detail how construction of the development will be managed to minimise disruption to adjoining landowners. The plan will need to address the following:
- a. The delivery times for materials and equipment to the site;
  - b. Storage of materials and the location and type of equipment on site;
  - c. Adequate measures be implemented during construction to minimise any adverse impacts caused by sand drift and dust from the site;
  - d. Parking arrangements for contractors and sub-contractors;
  - e. Construction times;
  - f. Measures to minimise noise impacts on surrounding residents; and
  - g. Any other matter required by the City.

The construction management plan is to be submitted to and approved by the City prior to the commencement of any development.

### **Advice Notes**

1. This decision constitutes planning approval only and is valid for a period of four years (4) from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. In regards to the dust and sand drift condition, adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Water and Environmental Regulation's '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*'.

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

**REASON:** The Panel considered that the proposed childcare centre development is consistent with the Planning Framework for the locality and the building design, scale and form is appropriate with the character and context of the site. Due consideration was given to the parking provision and the Panel supported the justification for a reduction of onsite parking provision based on the technical officers' recommendations in the RAR.

*Cr Frank Cvitan and Cr Vinh Nguyen (Local Government Members, City of Wanneroo) left the panel at 10:15am.*

*Cr Nige Jones and Cr Tom McLean (Local Government Members, City of Joondalup) joined the panel at 10:15am.*

  
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## 8.2 29 Seacrest Drive and 41 Viewcrest Way, Sorrento

Development Description: Child Care Centre  
Applicant: Alessandro Stagno (Apex Planning)  
Owner: CPG Sorrento Pty Ltd  
Responsible Authority: City of Joondalup  
DAP File No: DAP/22/02238

### REPORT RECOMMENDATION

**Moved by:** Cr Tom McLean

**Seconded by:** NIL

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Refuse** DAP Application reference DAP/22/02238 and accompanying plans (dated 1 July 2022) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Joondalup Local Planning Scheme No. 3, for the following reasons:

#### Reasons

1. The proposed Child Care Premises does not meet the objectives of the Residential zone of the City of Joondalup Local Planning Scheme No. 3 or Clause 67(m) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as the scale of the development and built form are incompatible with and not complementary to residential development.
2. In accordance with clause 67(g) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed development does not meet the objectives of the City's Child Care Premises Local Planning Policy and will have an adverse impact on the amenity of the surrounding areas as a result of:
  - The location and scale (number of children proposed) of the development;
  - The bulk and scale, height and primary street setbacks of the building; and
  - A shortfall of four parking bays.

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

### ALTERNATE MOTION

**Moved by:** Cr Nige Jones

**Seconded by:** Mr Jason Hick

That the Metro Outer JDAP resolves to:

**Approve** DAP Application reference DAP/22/02238 and accompanying plans (Attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the City of Joondalup Local Planning Scheme No. 3:

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**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 decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. This approval relates to the Child Care Premises and associated works only and development shall be in accordance with the approved plan(s), any other supporting information and conditions of approval. It does not relate to any other development on the lot.
4. The lots included shall be amalgamated prior to occupancy certification.
5. A maximum of 88 children and 19 staff on the premises at any one time.
6. The hours of operation for the centre shall be between 7:00am to 6.30pm Monday to Friday. Child Care Centre staff shall not arrive at the centre before 6:30am and be off site by 7:00pm.
7. An Operations Management Plan shall be submitted to and approved by the City prior to the commencement of development. The Operations Management Plan is to include:
  - A Noise Management Plan, addressing the impact of noise on surrounding properties. The Noise Management Plan is to incorporate all recommendations of the Environmental Noise Assessment dated 8 April 2022 (Attachment 6).
  - An updated Waste Management Plan indicating the method of rubbish collection.
  - The general operation of the centre, including:
    - Hours of operation, including the number of staff opening and closing the centre;
    - The operation of the staff parking bays, especially in relation to the tandem bays and the car stackers;
    - Details of outside play time, including the maximum number of children in each play area at any one time;
    - Procedures and policies to monitor noise levels; and
    - Contact details and complaints procedure.

Operation of the Child Care Premises shall then be carried out in accordance with the approved Operations Management Plan.

8. A Construction Management Plan shall be submitted to and approved by the City prior to the commencement of development. The management plan shall include details regarding mitigation measures to address impacts associated with construction works and shall be prepared to the specification and satisfaction of the City. The construction works shall be undertaken in accordance with the approved Construction Management Plan.

  
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9. An updated detailed landscaping plan shall be submitted to, and approved by, the City prior to the commencement of development. The plan is to indicate the proposed landscaping treatment(s) in 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 landscaping that discourages the parking of vehicles within the verge;
  - Provide details of the play equipment and shade structures within the outdoor play area, incorporating minimum concrete or brick paved areas;
  - 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.
10. Landscaping and reticulation shall be established in accordance with the approved updated landscaping plan and relevant Australian Standards prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
11. A full schedule of colours and materials for all exterior parts to the development (including any retaining walls) is to be submitted to and approved by the City 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.
12. All external fixtures and utilities (eg. meter boxes, drying areas, 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 or integrated with the building design to the satisfaction of the City. Details shall be submitted to and approved by the City prior to the commencement of development.
13. The applicant shall remove the existing crossovers to Seacrest Drive and Viewcrest Way, including any concrete aprons, and reinstate any kerbing, landscaping, footpath and/or other infrastructure to the satisfaction of the City. These works shall be completed within 28 days of the completion of construction of the new crossover.
14. The car parking bays, driveways and/or access points/crossovers shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standards (AS2890), prior to the occupation of the development and thereafter maintained to the satisfaction of the City.
15. Three (3) bicycle parking spaces shall be designed and installed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993), prior to occupation of the development and thereafter maintained to the satisfaction of the City.

  
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16. The open style fencing indicated along the Seacrest Drive and Viewcrest way frontages shall be visually permeable (as defined in the Residential Design Codes).
17. The glass balustrading to the upper floor play area (external play area 3) is to be clear glazing.
18. No solid walls, fences or other structures higher than 0.75 metres shall be constructed within 1.5 metres of where the driveway meets the street boundary.
19. Retaining walls shall be of a clean finish and made good to the satisfaction of the City.
20. The signage shall:
  - Reduce the size of the sign as shown on Plan PD06 of 10 (elevation 2 – East elevation, revision 015) to a maximum size of 1.2m<sup>2</sup> in area, facing the truncation;
  - use low illumination that does not flash, pulsate or chase;
  - not include fluorescent, reflective or retro reflective colours;
  - relate to the associated business and not contain any obscene or vulgar material; and
  - be established and thereafter maintained to a high standard to the satisfaction of the City.
21. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
22. All development shall be contained within the property boundaries.

**Advice Notes:**

1. Further to condition 3, the City of Joondalup Local Planning Scheme No. 3 defines 'Child Care Premises' as:

“premises where:

  - a. an education and care service as defined in the Education and Care Services National Law (Western Australia) section 5(1), other than a family day care service as defined in that section, is provided; or
  - b. a child care service as defined in the Child Services Act 2007 section 4 is provided.”
2. The City encourages the applicant/owner to incorporate materials and colours to the external surface of the development, including roofing, that have low reflective characteristics to minimise potential glare from the development impacting the amenity of the adjoining or nearby neighbours.
3. Any existing infrastructure/assets within the road reserve are to be retained and protected during construction of the development and are not to be removed or altered. Should any infrastructure or assets be damaged during the construction of the development, it is required to be reinstated to the satisfaction of the City.
4. In regard to condition 7, any amendments to the Operations Management Plan are to be approved by the City.

  
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5. In regard to condition 8, the construction management plan shall be prepared using the City's Construction Management Plan template which can be provided upon request.
6. In regard to condition 11, it is recommended that the applicant submit the schedule of colours and materials prior to the lodgement of a building application to ensure the building application reflects the approved schedule of colours and materials.
7. In regard to condition 16, the Residential Design Codes define visually permeable as:

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

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

as viewed directly from the street.

8. All lighting to the centre is to be designed to minimise light spillage onto the surrounding residential properties and be in accordance with the requirements of Australian Standard AS1158.
9. Bin store and wash down area to be provided with a hose cock and have a concrete floor graded to an industrial floor waste connected to sewer.
10. Laundry 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 laundry areas be provided with condensation dryers to minimise the likelihood of mould occurring.
11. Ventilation to toilets and any other room which contains a w/c must comply with the Sewerage (Lighting, Ventilation and Construction) Regulations 1971.
12. Development to be set up and run in compliance with the Food Act 2008 and the Australia New Zealand Food Standards Code. Consideration should be given to having adequate number of sinks in the main kitchen including a dedicated food preparation sink. The applicant is encouraged to send detailed kitchen fit out plans to the City's Health Services for comment prior to lodging a certified building permit. For further information please contact Health & Environmental Services on 9400 4933.
13. There is an obligation to design and construct the development to meet compliance with the requirements of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997.

  
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**The Alternate Motion was put and CARRIED (4/1).**

For: Mr Eugene Koltasz  
Ms Karen Hyde  
Mr Jason Hick  
Cr Nige Jones

Against: Cr Tom McLean

**REASON:** The majority of the Panel considered that the proposed development is consistent with the Planning Framework for the locality and the building design, scale and form is appropriate with the character and context of the site and its surrounding and nearby commercial and residential developments. Due consideration was given to the traffic impact of vehicles that will attend the site and the JDAP was satisfied that the impact would be ameliorated by traffic calming already incorporated along Seacrest Drive as advised by Council Technical officers.

**9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval**

Nil.

**10. State Administrative Tribunal Applications and Supreme Court Appeals**

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/18/01543 DR 75/2022	City of Joondalup	Lot 649 (98) O'Mara Boulevard, Iluka	Commercial development	02/05/2022

**11. General Business**

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 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.

**12. Meeting Closure**

There being no further business, the Presiding Member declared the meeting closed at 10:57am.

Mr Eugene Koltasz  
Presiding Member, JDAP