



# Metro Outer Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 24 November 2022; 9:30am  
**Meeting Number:** MOJDAP/212  
**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, Metro Outer JDAP



## Attendance

### DAP Members

Mr Eugene Koltasz (Presiding Member)  
Ms Gabriela Poezyn (A/Deputy Presiding Member)  
Mr Jason Hick (Third Specialist Member)  
Cr Nige Jones (Local Government Member, City of Joondalup)  
Cr Adrian Hill (Local Government Member, City of Joondalup)

### Officers in attendance

Ms Cathrine Temple (City of Joondalup)

### Minute Secretary

Mr Stephen Haines (DAP Secretariat)

### Applicants and Submitters

Mr Peter Simpson (PTS Town Planning Pty Ltd)

### Members of the Public / Media

Nil

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:32am on 24 November 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

Ms Karen Hyde (Deputy Presiding Member)

Mr Eugene Koltasz  
Presiding Member, Metro Outer JDAP



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**3. Members on Leave of Absence**

Nil.

**4. Noting of Minutes**

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

**5. Declaration of Due Consideration**

All members declared that they had duly considered the documents.

**6. Disclosure of Interests**

Nil.

**7. Deputations and Presentations**

**7.1** Mr Peter Simpson (PTS Town Planning) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.

**7.2** The City of Joondalup addressed the DAP in relation to the application at Item 9.1 and responded to questions from the panel.

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

Nil.

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

**9.1 Lot 651 (32) Fernando Parkway, Iluka**

Development Description: Multiple Dwelling Development (Brightwater Beaumaris)  
Proposed Amendments: Extension of Time to Substantially Commence  
Applicant: PTS Town Planning Pty Ltd  
Owner: Brightwater Care Group  
Responsible Authority: City of Joondalup  
DAP File No: DAP/18/01484



## REPORT RECOMMENDATION

**Moved by:** Cr Nige Jones

**Seconded by:** Cr Adrian Hill

With the agreement of the mover and the seconder, the following amendment was made:

That a new Condition no. 31 be added to read as follows:

***An updated Bushfire Management Plan prepared in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas Guidelines is to be provided prior to commencement of development to the satisfaction of the City.***

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/18/01484 as detailed on the DAP Form 2 dated 16 September 2022 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/18/01484 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* subject to the following conditions.

### Amended Conditions

6. 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 planting of a sufficient height and density to soften the impact of the retaining walls and solid walls and fencing as viewed from all streets;
  - provide a minimum of four (4) large trees (including species) provided on site in accordance with the requirements set out in Table 3.3b of State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments;
  - provide all details relating to paving, treatment of verges and tree planting;
  - remove the 'Hardstand waste bin collection' on the corner of Fernando Parkway and Santos Vista and replace with landscaping;
  - 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 or 1:200.
20. 29 bicycle parking spaces shall be designed and installed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993 as amended), prior to occupation of the development and thereafter maintained to the satisfaction of the City. Details of bicycle parking areas shall be provided to the City for approval prior to the commencement of development.

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



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### **New Conditions**

23. This decision constitutes planning approval only and is valid for an additional period of 2 years. If the subject development is not substantially commenced by 30 November 2024, the approval shall lapse and be of no further effect.
24. Lighting shall be installed along the pathways, communal spaces and entrances prior to the development first being occupied, to the satisfaction of the City. The lighting design is to minimise light spillage within the complex and onto the surrounding residential properties and be in accordance with the requirements of Australian Standard AS4282.
25. An amended plan shall be submitted and approved showing an awning extending over the entrance and ramp to the development, to the satisfaction of the City. Amended plans are to be submitted prior to construction and the awning is to be completed prior to occupation of the development.
26. A minimum of 12 dwellings shall be designed to meet Silver Level requirements, or three dwellings shall be designed to meet the Platinum level requirements, as defined in the Livable Housing Design Guidelines (Livable Housing Australia). Details shall be submitted to and approved by the City prior to commencement of development, and works shall be undertaken in accordance with the approved details.
27. Prior to occupation of the dwellings, each dwelling shall be provided with an adequate area for clothes drying facilities that is screened from view from the street(s) to the satisfaction of the City.
28. An arborist report shall be submitted to and approved by the City prior to commencement of development. The arborist report shall include details on the proposed species of trees as required by condition 6, and verify that the four large trees will be able to thrive in the proposed location and deep soil area.
29. Dwellings shall be individually metered for water usage prior to occupation of the development.
30. The development shall be fibre-to-premises ready, including the provision for the installation of fibre through the site and to every dwelling prior to occupation of the development.
31. An updated Bushfire Management Plan prepared in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas Guidelines is to be provided prior to commencement of development to the satisfaction of the City.

### **New Advice Notes**

13. In accordance with the City of Joondalup *Health Amendment Local Law 2021*, washing or keeping of clothes is not permitted in any kitchen or other place where food is kept. All laundries must therefore be physically separated from the kitchens.

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All other conditions and requirements detailed on the previous approval dated 30 November 2018 (Attachment 1 refers) shall remain unless altered by this application.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** To extend the validity of this approval is considered to be appropriate for this development given that the proposal has been tested against the current planning framework and additional conditions triggered by the new aspects of the planning framework have been imposed on the proposal.

## 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
DAP/22/02148 DR146/2022	City of Rockingham	Lot 53 (No 67) Folly Road, Baldivis	Proposed place of worship (Hindu Temple)	26/08/2022
DAP/22/02220 DR162/2022	City of Kwinana	Lot 9507 Berthold Street, Orelia	Proposed Child Care Centre	28/09/2022
DAP/22/02159 DR163/2022	Shire of Murray	No. 630 (Lot 137) Pinjarra Road, Furnissdale	Proposed Petrol Filling Station	28/09/2022

## 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 9:47am.