



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 18 April 2023; 9:30am
Meeting Number: MOJDAP/240
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 Karen Hyde (Deputy Presiding Member)
Mr John Syme (A/Third Specialist Member)
Cr Tom McLean (Local Government Member, City of Joondalup)
Cr Nige Jones (Local Government Member, City of Joondalup)

Officers in attendance

Ms Cathrine Temple (City of Joondalup)
Mr Jeremy Thomson (City of Joondalup)
Mr Tim Thornton (City of Joondalup)

Minute Secretary

Mr Stephen Haines (DAP Secretariat)

Applicants and Submitters

Item 8.1

Mr Kris Nolan (Urbis)
Mr Jason Potalivo (Saracen Properties)
Mr Desmond Ho (Stantec)
Mr Ben Tremlett (Cameron Chisholm Nichol)

Item 9.1

Ms Michelle Lawrence (Halcyon Homes)

Members of the Public / Media

There were 7 members of the public in attendance.

Mr Chris Tan from Perth Now was in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 18 April 2023 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*.

Mr Eugene Koltasz
Presiding Member, Metro Outer JDAP



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

Mr Jason Hick (Third Specialist Member)

3. Members on Leave of Absence

DAP Member, Mr Jason Hick (Third Specialist Member) has been granted leave of absence by the Director General for the period of 11 April 2023 to 24 April 2023 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 Mr Kris Nolan (Urbis) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Jason Potalivo (Saracen Properties) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

7.3 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 Item 7.1 – 7.3 were heard prior to the application at Item 8.1.

Mr Eugene Koltasz
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8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 82 Marina Boulevard, Ocean Reef

Development Description: New Commercial Development
Applicant: Urbis
Owner: Ocean Reef Properties Pty Ltd c/-CPS Capital
Responsible Authority: City of Joondalup
DAP File No: DAP/22/02382

REPORT RECOMMENDATION

Moved by: Cr Nige Jones

Seconded by: Cr Tom McLean

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/22/02382 and accompanying plans (Attachment 1) in accordance with the Metropolitan Region Scheme, 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:

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 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.
3. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
4. All development shall be contained within the property boundaries.
5. The applicant shall remove the existing crossovers, 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.
6. The development shall comply with all recommendations of the Environmental Acoustic Assessment to the satisfaction of the City.
7. 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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8. An updated Waste Management Plan shall be submitted and approved by the City prior to the commencement of development. The updated Waste Management Plan shall include details about the waste collection of the supermarket. The development is to be undertaken in accordance with eh approved Waste Management Plan and is to be thereafter implemented to the satisfaction of the City.
9. A Lighting Plan for external building lighting within the lease boundary shall be submitted to and approved by the City of Joondalup prior to the commencement of development. The lighting shall be installed in accordance with eh approved plan to the specifications and satisfaction of the City of Joondalup.
10. A Parking Management Plan shall be submitted and approved by the City prior to the commencement of development. The Parking Management Plan shall include details about;
 - Management of staff during peak periods (ie. Christmas/easter etc).
 - Other mitigation measures to ensure parking will occur in an efficient manner (ie. numberplate recognition systems).
 - Operation of ride share services.

The development is to be undertaken in accordance with the approved Parking Management Plan and is to be thereafter implemented to the satisfaction of the City.

11. The hours of operation are to be in accordance with the following:
 - a. Service Station: 5.00am – 9.00pm
 - b. Fast Food Outlet: 10.00am – 9.00pm
 - c. Fast Food Outlet (end-cap): 6.00am – 6.00pm
 - d. Child Care Premises: Monday to Friday 7.00am – 6.00pm
12. A detailed Landscaping Plan shall be submitted to, and approved by, the City prior to the commencement of development. The Landscaping Plan is to indicate the proposed landscaping treatment(s) in the subject site and the adjoining road verge(s), and shall:
 - a. Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - b. Provide all details relating to paving, treatment of verges and tree planting in the car park. Planting/landscaping within the verge is to be suitably landscaped to discourage the verge from being used as verge parking;
 - c. Show spot levels and/or contours of the site;
 - d. Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;
 - e. Be based on water sensitive urban design principles to the satisfaction of the City;
 - f. Be based on Designing out Crime principles to the satisfaction of the City; and
 - g. Show all irrigation design details.

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13. Landscaping and reticulation shall be established in accordance with the approved Landscaping Plan and relevant Australian Standards prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
14. An Operations Management Plan shall be submitted and approved by the City prior to the commencement of development. The Operation Management Plan shall detail how ongoing operations of the centre are to be undertaken to ensure that activities do not negatively impact other land uses or surrounding properties.
15. A signage strategy detailing signage for the entire development is to be submitted to, and approved, by the City prior to the occupation of the first tenancy within the development. The signage strategy shall include advertising for all tenancies, wayfinding signage for major tenancies and any signage associated with delineating parking areas with service lanes. No signage shall be erected until the signage strategy has been approved by the City.
16. A full schedule of colours and materials for all exterior parts to the development is to be submitted to and approved by the City prior to the commencement of development. The external surface of the development, including roofing, shall be finished in materials and colours that have low reflective characteristics. 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, and where practicable from adjoining buildings. 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 car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked 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 are to be thereafter maintained to the satisfaction of the City.
19. 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.
20. The retail net lettable area for the site shall not exceed 4,000m², without prior approval from the City first being obtained.

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Advice Notes

1. Further to condition 1, the land uses identified within the development are to comply with the corresponding definitions within the *City of Joondalup Local Planning Scheme No. 3*.
2. Any existing infrastructure/assets within the road reserve (e.g. footpath, kerbing and street trees) 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.
3. The Construction Management Plan shall be prepared using the City's Construction Management Plan template which can be provided upon request.
4. 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.
5. In regard to the landscape plan, the existing tree/s proposed to be retained onsite is to be protected during construction to avoid damaging or removal of the tree(s). Should the tree not survive, a replacement tree of a similar size at maturity will need to be planted onsite (and thereafter maintained) by the landowners to ensure compliance with this condition of development approval.
6. In relation to the condition requiring the submission of a Lighting Plan, this is to indicate how the development will achieve compliance with AS/NZS 1680.1:2006 Interior and workplace lighting or AS/NZS 4282:2019 Outdoor Lighting Obtrusive Effects.
7. In relation to Operation Management Plan, this is also to include the following;
 - a. Management around the service lane including limiting access to this area outside of delivery times to ensure no impacts on surrounding residents by way of noise or headlight glare.
 - b. Delivery management for all tenancies including the Service Station and Fast Food Outlet, including small and large vehicles noting large truck deliveries using the service lane are to only occur between 07.00am to 7.00pm hours Monday to Saturday or 9.00am to 7.00pm hours on a Sunday or public holiday.
 - c. Management of loading dock areas including measures to minimise noise impacts on adjoining properties from plant equipment or excessive noise from staff.
 - d. Management practices to minimise occurrences of and manage inappropriate behaviour, particularly during operating hours of the Child Care Premises and after hours of the centre.
 - e. Measures put in place to control music within the Tavern alfresco area.
 - f. Management of noise associated with the Recreation Centre and the use of the terrace area.
 - g. Security management associated with mitigating impacts in car parks after hours.

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8. In relation to the signage strategy, the wayfinding signage is to specifically promote legible movements through to major tenancies in a manner and form that does not create additional proliferation of signage surrounding the development. All signage is to be located within the property and not located within verge areas. The signage strategy is to be submitted to the City in the form of a development application.
9. In relation to the implementation of the environmental acoustic assessment, the fast food tenancy drive through is to have a 3.0m barrier on the east side of the drive through area (measured from ground level of the drive through to its effective height and angled towards the tenancy). An additional 2.0m barrier is to be included in the landscaping between the drive through lane and Cringle Street.
10. Any building, piling and associated construction activities within the development site will be required to comply with the Water Corporation's Technical Guidelines for Safely Working near Water Corporation Assets.
11. The development is required to comply with all applicable legislation and requirements associated with the storage and sale of dangerous goods.
12. The mechanical services design is to be confirmed during the design development phase. An acoustic study of the mechanical services is to be undertaken once the design has been finalised by a suitably qualified person to ensure compliance with the Environmental Protection (Noise) Regulations 1997 is achieved.
13. Waste collections and other such specified works (shopping centre cleaning and maintenance works that may create noise) under Regulation 14A – "Waste collection and other works" of the *Environmental Protection (Noise) Regulations 1997* are to be undertaken in accordance with the requirements of Class 1 works, and only occur between 7.00am to 7.00pm Monday to Saturday or 9.00am to 7.00pm hours on a Sunday or public holiday unless a noise management plan has been submitted to and approved by the City of Joondalup 7 day prior to the works scheduled.
14. Premises selling food and drink to comply with the *Food Act 2008*.
15. The City's Environmental Health team is to be contacted to arrange for final inspections of the food premises fit outs and public buildings prior to commencement of operations.
16. The childcare premises to comply in all respects with the *Food Act 2008*, Australia New Zealand Food Standards Code and Standard 3.3.1 which relates to Food Safety Programs for Food Service to Vulnerable Persons.
17. Premises to comply with the *Health (Public Buildings) Regulations 1992*. Please be aware that some requirements for Public Buildings in WA are different from the general building code. In particular, steps and stairs in public buildings are required to have a tread no less than 280mm and a riser no greater than 180mm.

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18. All commercial premises within the City of Joondalup are required to store bins within a bin store that incorporates wash-down facilities. Minimum specification is a 1.5m x 1.5m concrete pad graded to a floor waste connected to sewer and a hose cock.
19. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971* including all internal water closets meeting the required air changes through the use of mechanical exhaust ventilation flumed to the outside air.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The Panel considered that the proposed commercial development was well designed and of an attractive built form that is cognisant of the significant gradient across the site to minimise the bulk and scale impacts on surrounding properties.

The proposed mix of uses are deemed acceptable, and the accompanying technical reports indicate compliance with the planning framework for the locality and additionally address amenity issues such as traffic and parking.

The Panel also considered that the conditions imposed, including the preparation of an Operations Management Plan by the proponent, will further address and minimise amenity impacts on surrounding properties.

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

9.1 Lots 82, 83 and 84 (449, 451 and 453) Beach Road, Duncraig

Development Description:	21 Apartments in Multi-Unit Residential
Proposed Amendments:	Addition of lift Amendments to lobby layout
Applicant:	Halcyon Homes
Owner:	Catalyst Duncraig SPV Pty Ltd
Responsible Authority:	City of Joondalup
DAP File No:	DAP/17/01223

REPORT RECOMMENDATION

Moved by: Cr Tom McLean

Seconded by: Cr Nige Jones

That the Metro-Outer JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/17/01223 as detailed on the DAP Form 2 dated 14 February 2023 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;

Mr Eugene Koltasz
Presiding Member, Metro Outer JDAP



2. **Approve** DAP Application reference DAP/17/01223 and accompanying plans 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 proposed amendments to the approved subject to the addition of the following conditions:

New Conditions

23. A shading device is to be provided to the bedroom 2 window of unit 14 on the western elevation, to the satisfaction of the City. The shading device is to minimise heat gain and glare from mid-spring to autumn. The shading device is to be installed prior to occupation of the development.
24. Glazing to the bedroom 2 windows of units 14 and 20 is to be fixed and obscured below 1.6 metres above floor level. Glazing above 1.6 metres is to be clear and openable.

All other conditions and requirements detailed on the previous approvals dated 1 September 2017 (attachment 1 refers) and 8 August 2019 (attachment 2 refers) shall remain unless altered by this application.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The Panel considered that the proposed minor modifications sought to the already approved development plans, on a building currently under construction, were acceptable. They comply with the relevant provisions of City of Joondalup Local Planning Scheme No.3 and SPP 7.0: Design of the Built Environment.

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/22/02159 DR163/2022	Shire of Murray	No. 630 (Lot 137) Pinjarra Road, Furnissdale	Proposed Petrol Filling Station	28/09/2022
DAP/21/02036 DR236/2022	City of Swan	Lot 97 (31) & 817 (47) Lakes Road, Hazelmere	Proposed Construction of a Logistics Depot with Ancillary Office Area	23/12/2022
DAP/22/02346 DR47/2023	City of Joondalup	8 Elcar Lane, Joondalup	Two Storey Mixed Used Development	17/03/2022

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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 10:26am.

A handwritten signature in cursive script, appearing to read 'Eugene Koltasz', written over a white rectangular box.

Mr Eugene Koltasz
Presiding Member, Metro Outer JDAP