



## Metro Outer Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Wednesday, 4 October 2023; 9:30am  
**Meeting Number:** MOJDAP/276  
**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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**Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



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## Attendance

### DAP Members

Eugene Koltasz (Presiding Member)  
Karen Hyde (Deputy Presiding Member)  
Neema Premji (A/Third Specialist Member)

#### *Item 8.1*

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

#### *Item 8.2*

Cr Rod Henderson (Local Government Member, City of Swan)  
Cr Charlie Zannino (Local Government Member, City of Swan)

### Officers in attendance

#### *Item 8.1*

Mitchell Bisby (Western Australian Planning Commission)  
Robert Hodges (Western Australian Planning Commission)  
Cathrine Temple (City of Joondalup)

#### *Item 8.2*

Phil Russell (City of Swan)  
Hillary Blythe (City of Swan)

### Minute Secretary

Claire Ortlepp (DAP Secretariat)

### Applicants and Submitters

#### *Item 8.1*

Hide Shigeyoshi (GHD)  
Archie Temelcos (GHD)

#### *Item 8.2*

Matthew Cain (Planning Solutions)  
Mark Baker (Meyer Shircore)

### Members of the Public / Media

Nil.

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 4 October 2023 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

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



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**

Jason Hick (Third Specialist Member)  
Shelley Shepherd (A/Third Specialist Member)  
Justin Page (A/Third Specialist Member)

## **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**

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Cr Henderson, declared that they had participated in a prior Council meeting in relation to the application at item 8.1. However, under section 2.1.2 of the DAP Code of Conduct 2017, Cr Henderson acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the member listed above, who has disclosed an impartiality interest, is permitted to participate in the discussion and voting on the item.

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



## 7. Deputations and Presentations

- 7.1 Hide Shigeyoshi & Archie Temelcos (GHD) 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 Western Australian Planning Commission addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

***The presentations at Items 7.1 - 7.2 were heard prior to the application at Item 8.1.***

- 7.3 Matthew Cain (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.4 Mark Baker (Meyer Shircore) addressed the DAP in support of the recommendation for the application at Item 8.2 and responded to questions from the panel.
- 7.5 The City of Swan addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.

***The presentations at Items 7.3 - 7.5 were heard prior to the application at Item 8.2.***

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

### 8.1 Land ID 3529229, Greenwood Station Car Park

Development Description: Proposed Multi-Storey Car Park  
Applicant: Hide Shigeyoshi (GHD Pty Ltd c/o Public Transport)  
Owner: Main Roads  
Responsible Authority: Western Australian Planning Commission  
DAP File No: DAP/23/02491

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



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## REPORT RECOMMENDATION

**Moved by:** Cr Tom McLean

**Seconded by:** Cr Nige Jones

That the Metro Outer JDAP resolves to:

**Approve** DAP Application reference DAP/23/02491 and accompanying plans:

- A065, Rev C – 3d Views Entry;
- A100, Rev C – General Arrangement – At Grade;
- A101, Rev D – General Arrangement – Basement;
- A102, Rev D – General Arrangement – Ground Floor;
- A103, Rev D – General Arrangement – Level 1;
- A104, Rev D – General Arrangement – Level 2;
- A105, Rev D – General Arrangement – Level 3;
- A400, Rev D – Building Elevations – Sheet 1;
- A401, Rev D – Building Elevation – Sheet 2;
- A450, Rev C – Building Sections;
- A050, Rev C – Site Plan;
- A060, Rev C – 3D Views Site; and
- A065, Rev C – 3D Views Entry,

in accordance with the provisions of the *Metropolitan Region Scheme* subject to the following conditions:

### Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 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.
2. This approval relates to the Multi Storey Car Park and associated works only and development shall be in accordance with the approved plan(s), and other supporting information and conditions of approval. It does not relate to any other development on the lot.
3. All stormwater shall be disposed of to the specifications of the City of Joondalup to the satisfaction of the Western Australian Planning Commission.
4. All development shall be contained within the lot boundaries.
5. A Traffic Management Plan is to be prepared to the specifications of Main Roads and submitted to and approved by the Western Australian Planning Commission prior to the commencement of development. Once approved, the Plan is to be implemented throughout the construction of the development.

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



6. A Construction Management Plan shall be prepared to the specifications of the City of Joondalup and submitted to and approved by the Western Australian Planning Commission 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 specifications of the City of Joondalup to the satisfaction of the Western Australian Planning Commission. The construction works shall be undertaken in accordance with the approved Construction Management Plan.
7. A Crime Prevention Through Environmental Design Statement shall be prepared to the specifications of the City of Joondalup and submitted to and approved by the Western Australian Planning Commission prior to the commencement of development. Once approved, the Statement is to be implemented in its entirety.
8. A full schedule of colours and materials for all exterior parts to the development (including any retaining walls) is to be prepared to the specifications of the City of Joondalup and submitted to and approved by the Western Australian Planning Commission 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 Western Australian Planning Commission.
9. A Signage and Way-finding Plan shall be prepared to the specifications of the City of Joondalup and submitted to and approved by the Western Australian Planning Commission prior to the commencement of development. Once approved, the plan is to be implemented in its entirety.
10. A Lighting Plan to highlight architectural detailing and public areas and promote safety, visual interest and activation shall be prepared to the specifications of the City of Joondalup and in accordance with Dark Sky principles and submitted to and approved by the Western Australian Planning Commission prior to the commencement of development. The lighting shall be installed in accordance with the approved plan.
11. A detailed Landscaping Plan for any landscaping within the development area shall be prepared to the specifications of the City of Joondalup and submitted to and approved by the Western Australian Planning Commission prior to the commencement of development. The plan is to indicate the proposed landscaping treatment(s) including any shared paths and the connection to the external pedestrian network. The landscaping plan shall also include shade trees for the at grade car parking area to the specifications of the City of Joondalup to the satisfaction of the Western Australian Planning Commission.
12. 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 Western Australian Planning Commission in consultation with the City of Joondalup.

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



13. The development is to incorporate designs to mitigate the impact of headlight glare on surrounding residential properties in the form of external screens on appropriate facades. The screens shall be installed prior to the development first being occupied and thereafter maintained to the satisfaction of the Western Australian Planning Commission in consultation with the City of Joondalup.

#### **Advice Notes**

1. In regard to Condition 6, The Construction Management Plan shall be prepared using the City of Joondalup's Construction Management Plan template which can be provided upon request.
2. In regard to Condition 7, the Crime Prevention Through Environmental Design Statement should be prepared in accordance with the WAPC's *Safer Places by Design Guidelines* (2023).
3. In regard to Condition 8, 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
4. In regard to Condition 9, the Signage and Way-finding Plan is to have regard to the approved Crime Prevention Through Environmental Design Statement required at Condition 7.
5. In regard to Condition 10, lighting should be consistent with the WAPC's *Position Statement: Dark sky and astrotourism* (2022)
6. In regard to Condition 13, should satisfactory evidence be provided to the City of Joondalup that identifies that there will be no adverse impact on the surrounding residential properties, then no physical barriers would be required to be installed.
7. The applicant is advised to consider treating trafficable concrete surfaces with sealant or a brushed finish to avoid tyre squeal noise.

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

**REASON:** The Panel considered that the proposed car park development is consistent with the Planning Framework for the locality and the site and therefore is supported.

Whilst there was some concern that the City of Joondalup Design Review Panel did not give full support to the design of the car park, the Panel considered that as the car park was located within a freeway reserve it was fit for purpose as a car park to service parking needs of patrons of the commuter railway.

Overall, the Panel considered that the design represents an appropriate response to its context and conditions are imposed to further enhance its response to landscape quality, safety and aesthetic design elements.

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



*Cr Jones and Cr McLean (Local Government Member, City of Joondalup) left the panel at 9:53am.*

*Cr Henderson and Cr Zannino (Local Government Member, City of Swan) joined the panel at 9:53am.*

## **8.2 Lot 9388 The Promenade, Ellenbrook**

Development Description: Proposed Mixed Commercial Development  
Applicant: Matthew Cain (Planning Solutions)  
Owner: Housing Authority of Care of Ellenbrook Management Pty Ltd  
Responsible Authority: City of Swan  
DAP File No: DAP/23/02439

### **REPORT RECOMMENDATION**

**Moved by:** Cr Charlie Zannino

**Seconded by:** Cr Rod Henderson

That the Metro Outer Joint Development Assessment Panel resolves to:

**Approve** DAP Application reference DAP/23/02439 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 Clause 10.3 of the City of Swan Local Planning Scheme No.17, subject to the following conditions:

#### **Conditions:**

1. This approval is for the following land uses as defined in the City of Swan Local Planning Scheme No.17 and are associated with the following Tenancies:
  - Tenancy 1 and 2 – ‘Fast Food Outlet’;
  - Tenancy 3 to 6 and 8 to 10 – ‘Showroom’; and
  - Tenancy 7 – ‘Medical Centre’.
2. The approved development is to comply in all respects with the attached approved plans, as dated, marked and stamped. The plans approved as part of this application form part of the development approval issued.
3. Prior to works commencing on-site, the Applicant/Landowner is to submit plans for provision on a left-hand turning lane into the site from The Promenade to the specifications and satisfaction of the City of Swan on the advice of the Department of Planning, Lands and Heritage.
4. Prior to the occupation of the development, the Applicant/Landowner is to install the left-hand turning lane in accordance with the approved specifications.

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



5. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
6. Prior to occupation or use of the development, 232 car parking bays on-site must be provided on the lot in accordance with the approved plans. The design of vehicle parking and access must comply with AS/NZ 2890.1 (as amended). Accessible parking bays must comply with AS/NZ 2890.6 (as amended).
7. Prior to occupation or use of the development 18 bicycle bays and four (4) motorcycle bays must be provided on the lot.
8. The design and construction of the bicycle bays shall be in accordance with AS/NZS 2890.3:2015 - Parking Facilities Part 3: Bicycle Parking.
9. Vehicle parking, access and circulation areas must be sealed, kerbed, drained and maintained to the satisfaction of the City of Swan, in accordance with the approved plans.
10. A Construction Management Plan shall be submitted for approval to the City of Swan prior to commencement of works. The Construction Management Plan shall address, but not be limited to, dust, noise, waste management, storage of materials, traffic management and site safety/security. The Construction Management Plan is to be complied with for the duration of the construction of the development.
11. Prior to a building permit being issued, an updated Acoustic Assessment must be submitted to and approved by the City of Swan. The assessment must include the following details to the satisfaction and specification of the City of Swan:
  - a. Update the assessment to include the amended layout of the Fast Food Outlets and Medical Centre tenancy.
  - b. Detail that compliance can be achieved with the *Environmental Protection (Noise) Regulations 1997*.
12. The operational measures identified in the amended Acoustic Assessment, which forms part of this approval, shall be implemented for the life of the development, to the satisfaction of the City of Swan.
13. Prior to a building permit being issued, a Waste Management Plan must be submitted to and approved by the City of Swan. The plan must include the following details to the satisfaction and specification of the City of Swan:
  - a) The location of bin storage areas and bin collection areas;
  - b) The number, volume and type of bins, and the type of waste to be placed in the bins;
  - c) Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
  - d) Frequency of bin collections.

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



The Waste Management Plan must be implemented at all times to the satisfaction of the City of Swan.

14. Waste collection is to be limited to between 7.00am and 7.00pm - Monday to Saturday and between 9.00am and 7.00pm on Sundays and Public Holidays unless further evidence, to the satisfaction of the City of Swan is provided that compliance can be achieved with the *Environmental Protection (Noise) Regulations 1997* outside of those times.
15. The refuse bin area shall be in compliance with the City of Swan Health Local Law 2002 and shall be provided to the satisfaction of the City of Swan prior to the occupation of the development.
16. Prior to a building permit being issued, a detailed landscaping and reticulation plan for the subject site and/or road verge(s) must be submitted to, and approved to, the satisfaction of the City of Swan, and must include the following:
  - a) The location, number and type of proposed trees and shrubs including planter and/or tree pit sizes and planting density;
  - b) Any lawns to be established;
  - c) Any existing vegetation and/or landscaped areas to be retained;
  - d) Any verge treatments;
  - e) Evidence that the proposed landscaping will not, at maturity, negatively impact the development and adjoining properties.
17. The approved landscaping plan must be implemented within the first available planting season after the initial occupation of the development, and maintained thereafter, to the satisfaction of the City of Swan. Any species that fails to establish within the first two (2) planting seasons following implementation must be replaced in consultation with, and the satisfaction of, the City of Swan.
18. All signs must be placed on private property and must not overhang or encroach the road reservation.
19. No bunting is to be erected on the site (including streamers, streamer strips, banner strips or decorations of similar kind).
20. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Swan.
21. Prior to the submission of a building permit, amended development plans are to be provided to the satisfaction of the City of Swan, specifically addressing:
  - Provision of raised pedestrian crossings, which are to be constructed in a contrasting material; and
  - Provision of visually permeable opening in the north-western elevation of Tenancy 10, to provide surveillance to the adjoining Railway Reserve.

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



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22. Prior to the occupation of the development, the landowner must contribute a sum of 1% of the total development construction value toward Public Art in accordance with the City of Swan Local Planning Policy for the Provision of Public Art (POL-LP-1.10), by either:
- a) payment to the City of Swan a cash-in-lieu amount equal to the sum of the 1% contribution amount (\$180,000). This must be paid to the City of Swan prior to the date specified in an invoice issued by the City of Swan, or prior to the issuance of a building permit for the approved development, whichever occurs first; or
  - b) provision of Public Art on-site to a minimum value of the 1% contribution amount (\$180,000). The following is required for the provision of Public Art on-site:
    - i. the landowner or applicant on behalf of the landowner must seek approval from the City of Swan for a specific Public Artwork including the artist proposed to undertake the work to the satisfaction of the City of Swan in accordance with POL-LP-1.10 and the Developers' Handbook for Public Art (as amended). The City of Swan may apply further conditions in regard to the proposed Public Art;
    - ii. no part of the approved development may be occupied or used until the Public Art has been installed in accordance with the approval granted by the City of Swan; and,
    - iii. the approved Public Art must be maintained in compliance with the approval granted by the City of Swan and any conditions thereof, to the satisfaction of the City of Swan.
23. Prior to a building permit being issued, stormwater disposal plans, details and calculations must be submitted for approval by the City of Swan and thereafter implemented, constructed and maintained on-site to the satisfaction of the City of Swan.
24. All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the City of Swan.
25. The development shall be connected to the reticulated sewerage system.
26. No goods or materials being stored, either temporarily or permanently, in the parking or landscaping areas or within access driveways.
27. External lighting shall comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.

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



## AMENDING MOTION 1

**Moved by:** Cr Charlie Zannino

**Seconded by:** Cr Rod Henderson

That Condition No. 21 be amended to read as follows:

*Prior to the submission of a building permit, amended development plans are to be provided to the satisfaction of the City of Swan, specifically addressing:*

- *Provision of raised pedestrian crossings, which are to be constructed in a contrasting material; and*
- ~~*Provision of visually permeable opening in the north western elevation of Tenancy 10, to provide surveillance to the adjoining Railway Reserve.*~~

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

For: Eugene Koltasz  
Neema Premji  
Cr Charlie Zannino  
Cr Rod Henderson

Against: Karen Hyde

**REASON:** The majority of the Panel considered that the provision of visually permeable openings on the north western elevation could lead to unwanted security and fire design issues.

## AMENDING MOTION 2

**Moved by:** Cr Rod Henderson

**Seconded by:** Cr Charlie Zannino

That Condition No. 6 be amended to read as follows:

*Prior to occupation or use of the development, ~~232~~ 212 car parking bays on-site must be provided on the lot in accordance with the approved plans. The design of vehicle parking and access must comply with AS/NZ 2890.1 (as amended). Accessible parking bays must comply with AS/NZ 2890.6 (as amended).*

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

**REASON:** To better reflect the actual number of car parking bays in the proposed development, which is not inclusive of the temporary parking spaces within the drive through lanes associated with the two fast food outlets.

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



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## REPORT RECOMMENDATION (AS AMENDED)

That the Metro Outer Joint Development Assessment Panel resolves to:

**Approve** DAP Application reference DAP/23/02439 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 Clause 10.3 of the City of Swan Local Planning Scheme No.17, subject to the following conditions:

### Conditions:

1. This approval is for the following land uses as defined in the City of Swan Local Planning Scheme No.17 and are associated with the following Tenancies:
  - Tenancy 1 and 2 – ‘Fast Food Outlet’;
  - Tenancy 3 to 6 and 8 to 10 – ‘Showroom’; and
  - Tenancy 7 – ‘Medical Centre’.
2. The approved development is to comply in all respects with the attached approved plans, as dated, marked and stamped. The plans approved as part of this application form part of the development approval issued.
3. Prior to works commencing on-site, the Applicant/Landowner is to submit plans for provision on a left-hand turning lane into the site from The Promenade to the specifications and satisfaction of the City of Swan on the advice of the Department of Planning, Lands and Heritage.
4. Prior to the occupation of the development, the Applicant/Landowner is to install the left-hand turning lane in accordance with the approved specifications.
5. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
6. Prior to occupation or use of the development, 212 car parking bays on-site must be provided on the lot in accordance with the approved plans. The design of vehicle parking and access must comply with AS/NZ 2890.1 (as amended). Accessible parking bays must comply with AS/NZ 2890.6 (as amended).
7. Prior to occupation or use of the development 18 bicycle bays and four (4) motorcycle bays must be provided on the lot.
8. The design and construction of the bicycle bays shall be in accordance with AS/NZS 2890.3:2015 - Parking Facilities Part 3: Bicycle Parking.
9. Vehicle parking, access and circulation areas must be sealed, kerbed, drained and maintained to the satisfaction of the City of Swan, in accordance with the approved plans.

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



10. A Construction Management Plan shall be submitted for approval to the City of Swan prior to commencement of works. The Construction Management Plan shall address, but not be limited to, dust, noise, waste management, storage of materials, traffic management and site safety/security. The Construction Management Plan is to be complied with for the duration of the construction of the development.
11. Prior to a building permit being issued, an updated Acoustic Assessment must be submitted to and approved by the City of Swan. The assessment must include the following details to the satisfaction and specification of the City of Swan:
  - a. Update the assessment to include the amended layout of the Fast Food Outlets and Medical Centre tenancy.
  - b. Detail that compliance can be achieved with the *Environmental Protection (Noise) Regulations 1997*.
12. The operational measures identified in the amended Acoustic Assessment, which forms part of this approval, shall be implemented for the life of the development, to the satisfaction of the City of Swan.
13. Prior to a building permit being issued, a Waste Management Plan must be submitted to and approved by the City of Swan. The plan must include the following details to the satisfaction and specification of the City of Swan:
  - a) The location of bin storage areas and bin collection areas;
  - b) The number, volume and type of bins, and the type of waste to be placed in the bins;
  - c) Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
  - d) Frequency of bin collections.

The Waste Management Plan must be implemented at all times to the satisfaction of the City of Swan.
14. Waste collection is to be limited to between 7.00am and 7.00pm - Monday to Saturday and between 9.00am and 7.00pm on Sundays and Public Holidays unless further evidence, to the satisfaction of the City of Swan is provided that compliance can be achieved with the *Environmental Protection (Noise) Regulations 1997* outside of those times.
15. The refuse bin area shall be in compliance with the City of Swan Health Local Law 2002 and shall be provided to the satisfaction of the City of Swan prior to the occupation of the development.

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



16. Prior to a building permit being issued, a detailed landscaping and reticulation plan for the subject site and/or road verge(s) must be submitted to, and approved to, the satisfaction of the City of Swan, and must include the following:
  - a) The location, number and type of proposed trees and shrubs including planter and/or tree pit sizes and planting density;
  - b) Any lawns to be established;
  - c) Any existing vegetation and/or landscaped areas to be retained;
  - d) Any verge treatments;
  - e) Evidence that the proposed landscaping will not, at maturity, negatively impact the development and adjoining properties.
17. The approved landscaping plan must be implemented within the first available planting season after the initial occupation of the development, and maintained thereafter, to the satisfaction of the City of Swan. Any species that fails to establish within the first two (2) planting seasons following implementation must be replaced in consultation with, and the satisfaction of, the City of Swan.
18. All signs must be placed on private property and must not overhang or encroach the road reservation.
19. No bunting is to be erected on the site (including streamers, streamer strips, banner strips or decorations of similar kind).
20. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Swan.
21. Prior to the submission of a building permit, amended development plans are to be provided to the satisfaction of the City of Swan, specifically addressing:
  - Provision of raised pedestrian crossings, which are to be constructed in a contrasting material
22. Prior to the occupation of the development, the landowner must contribute a sum of 1% of the total development construction value toward Public Art in accordance with the City of Swan Local Planning Policy for the Provision of Public Art (POL-LP-1.10), by either:
  - a) payment to the City of Swan a cash-in-lieu amount equal to the sum of the 1% contribution amount (\$180,000). This must be paid to the City of Swan prior to the date specified in an invoice issued by the City of Swan, or prior to the issuance of a building permit for the approved development, whichever occurs first; or
  - b) provision of Public Art on-site to a minimum value of the 1% contribution amount (\$180,000). The following is required for the provision of Public Art on-site:

**Eugene Koltasz**  
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- i. the landowner or applicant on behalf of the landowner must seek approval from the City of Swan for a specific Public Artwork including the artist proposed to undertake the work to the satisfaction of the City of Swan in accordance with POL-LP-1.10 and the Developers' Handbook for Public Art (as amended). The City of Swan may apply further conditions in regard to the proposed Public Art;
  - ii. no part of the approved development may be occupied or used until the Public Art has been installed in accordance with the approval granted by the City of Swan; and,
  - iii. the approved Public Art must be maintained in compliance with the approval granted by the City of Swan and any conditions thereof, to the satisfaction of the City of Swan.
23. Prior to a building permit being issued, stormwater disposal plans, details and calculations must be submitted for approval by the City of Swan and thereafter implemented, constructed and maintained on-site to the satisfaction of the City of Swan.
24. All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the City of Swan.
25. The development shall be connected to the reticulated sewerage system.
26. No goods or materials being stored, either temporarily or permanently, in the parking or landscaping areas or within access driveways.
27. External lighting shall comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.

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

**REASON:** The Panel considered that the development is generally consistent with the Planning Framework for the locality and is therefore supported.

The development is also generally compliant with the built form and landscaping requirements of the City of Swan Local Planning Scheme. The parking provision is compliant with the Ellenbrook Town Centre Parking Strategy.

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

Nil.

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



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

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR75/2022 DAP/18/01543	City of Joondalup	Portion of 9040 (34) Kallatina Drive, Iluka	Mixed Commercial Centre (Iluka Plaza)	02/05/2022
DR135/2023 DAP/23/02447	City of Rockingham	Lot 622 (No.2) Aurea Boulevard, Golden Bay	Proposed mixed commercial development (Golden Bay Neighbourhood Centre)	11/08/2023
DR98/2023 DAP/22/02379	City of Swan	Lot 31 (No.1487) Neaves Road, Bullsbrook	Proposed roadhouse	16/06/2023

Finalised SAT Applications*				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR47/2023 DAP/22/02346	City of Joondalup	8 Elcar Lane, Joondalup	Two Storey Mixed Used Development (15 dwellings - 2 storey)	17/03/2023

## 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 10:21am.

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