



## Metro Outer Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 4 July 2024; 9:30am  
**Meeting Number:** MODAP/22  
**Meeting Venue:** 140 William Street, Perth  
**Public Observing:** Online

A recording of the meeting is available via the following link: [MODAP/22 – 4 July 2024 – City of Joondalup](#)

### PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

### PART B – CITY OF JOONDALUP

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Lots 16 and 17 (254 and 252) Camberwarra Drive, Craigie – Residential Building (Change of Use) – DAP/24/02666
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

### PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. General Business
3. Meeting Closure

Clayton Higham  
Presiding Member, Metro Outer DAP



<b>Attendance</b>	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Clayton Higham (Presiding Member)  Jacky Jurmann (Deputy Presiding Member)  Brian Curtis	Claire Ortlepp  Ashlee Kelly
<i>Part B – City of Joondalup</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Rebecca Pizzey  Cr Nige Jones	Cathrine Temple

**Clayton Higham**  
Presiding Member, Metro Outer DAP



<b>Applicant and Submitters</b>
<i>Part B – City of Joondalup</i>
Reegan Cake (Dynamic Planning & Development) Ben Graham (Agem Property Group) Dan Pearce (Hatch)

**Members of the Public / Media**

Nil.

**Observers via livestream**

Nil

There were 2 persons observing the meeting via the livestream.

**Clayton Higham**  
Presiding Member, Metro Outer DAP



## PART A – INTRODUCTION

### 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:31am on 4 July 2024 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 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

#### 1.1 Announcements by Presiding Member

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

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

### 2. Apologies

Cr Adrian Hill (Local Government DAP Member, City of Joondalup)

### 3. Members on Leave of Absence

DAP Member, Cr Adrian Hill has been granted leave of absence by the Director General for the period of 28 June 2024 to 15 July 2024 inclusive.

### 4. Noting of Minutes

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

Clayton Higham  
Presiding Member, Metro Outer DAP



## PART B – CITY OF JOONDALUP

### 1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for further information and responsible authority response in relation to Item 3.1, received on 3 July 2024 was published in Part B of the Related Information.

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

### 2. Disclosure of Interests

Nil.

### 3. Form 1 DAP Applications

#### 3.1 Lots 16 and 17 (254 and 252) Camberwarra Drive, Craigie – Residential Building (Change of Use) – DAP/24/02666

##### Deputations and Presentations

Dan Pearce (Hatch) addressed the DAP against the recommendation for the application at Item 3.1.

Reegan Cake (Dynamic Planning & Developments) & Ben Graham (Agem Property Group) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

The City of Joondalup addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

### REPORT RECOMMENDATION

**Moved by:** Cr Nige Jones

**Seconded by:** NIL

That the Metro Outer Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/24/02666 and accompanying plans (Attachment 2) 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:

#### 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.

Clayton Higham  
Presiding Member, Metro Outer DAP



2. This decision constitutes planning approval only and is valid for a period of four (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.
3. This approval relates to the change of use to '**Residential Building**' as defined in the *Planning Codes* which states:

**Residential Building:** *A building or portion of a building together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:*

- *temporarily by two or more persons; or*
- *permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.*

All development shall be in accordance with the approved plans, any other supporting information and conditions of approval. It does not relate to any other development on the lot. A change of use from that defined above may require further approval from the City.

4. The 'Residential Building' shall operate in accordance with the Operational Management Plan dated June 2024, or as amended and approved by the City. Any amendments to the Operational Management Plan shall be submitted to, and approved by the City, prior to an Occupancy Permit being issued. The site is to be managed thereafter in accordance with an amended Operational Management Plan to the satisfaction of the City.
5. The lots subject of this application (Lot 16 and Lot 17 (254 and 252) Camberwarra Drive, Craigie) are to be amalgamated and an updated Certificate of Title issued to the City prior to an Occupancy Permit being issued.
6. A detailed landscaping plan is to be provided for the subject site and adjacent verge area. The landscaping plan detailing the plant species, densities, planting locations as per the City's Private Community Purposes Local Planning Policy requirements, is to be lodged for approval by the City prior to lodging a Building Permit. Planting and installation must be in accordance with the approved landscaping and reticulation plans and completed prior to occupation of the development and maintained thereafter, to the satisfaction of the City.
7. Parking areas, driveways and points of ingress and egress must be designed and constructed in accordance with the Australian Standard for Off-street Carparking (AS 2890) and must be drained, sealed, marked and maintained to the satisfaction of the City prior to occupation of the development.
8. The parking areas and associated access indicated on the approved plans must not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.

Clayton Higham  
Presiding Member, Metro Outer DAP



9. All stormwater associated with the site is to be retained on site.
10. The development shall at all times comply with the requirements and recommendations of the Bushfire Management Plan prepared by Bushfire Prone Planning and dated 12 February 2024. Any amendments to the Bushfire Management Plan shall be submitted to, and approved by the City, prior to occupation of the development.

#### **Advice Notes**

1. The applicant is advised that this change of use may affect the Building's classification under the Building Code of Australia, and approval under the *Building Act 2011* may also be required prior to occupation.

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

#### **PROCEDURAL MOTION**

**Moved by:** Brian Curtis

**Seconded by:** Cr Rebecca Pizzey

That the consideration of DAP Application DAP/24/02666 be deferred for a period of up to 90 days until 2 October 2024, in accordance with section 5.10.1a of the DAP Standing Orders 2024, for the following reasons:

- To allow the applicant to more clearly define how the proposed development will be used and the consequent number of staff, their visitation frequency, and the number and location of parking bays to be provided.
- To allow the City to review the revised information from the applicant and reconsider proposed condition 4 to ensure that there is certainty and finality.

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

For: Clayton Higham  
Jacky Jurmann  
Brian Curtis  
Cr Rebecca Pizzey

Against: Cr Nige Jones

**REASON:** The application in its current form is considered to be premature and should be deferred until specific information can be submitted detailing what is proposed and how it is to be managed. This is to allow a full assessment of the potential impacts on the site, and on the amenity of the surrounding area and the formulation of suitable conditions.

**Clayton Higham**  
Presiding Member, Metro Outer DAP



**4. Form 2 DAP Applications**

Nil.

**5. Section 31 SAT Reconsiderations**

Nil.

**Clayton Higham**  
Presiding Member, Metro Outer DAP





## PART C – OTHER BUSINESS

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

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR179/2023 DAP/22/02358	Shire of Serpentine Jarrahdale	Lot 806 South Western Highway, Byford	Proposed Showroom and Fast Food/Takeaway Development	4/12/2023
DAP/23/02545 PA23/588	Shire of Serpentine Jarrahdale	Lot 218 (No.575) Abernethy Road, Oakford	Proposed Educational Establishment	19/12/2023

The Presiding Member noted the following Supreme Court Appeal -

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/23/02496 CIV 2251 of 2023	City of Swan	Lot 2 & 67 (No.163) and Lot 18 (No.159) James Street, Guildford	Proposed redevelopment of Vaudeville Theatre	03/11/2023

### 2. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.

### 3. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:25am.

Clayton Higham  
Presiding Member, Metro Outer DAP