



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: Wednesday 3 December 2014; 3.00pm
Meeting Number: MNWJDAP/72
Meeting Venue: 90 Boas Avenue, Joondalup

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Clayton Higham (Deputy Presiding Member)
Mr Patrick Dick (Alternate Specialist Member)
Cr Russell Driver (Local Government Member, City of Wanneroo) *until 3.11pm*
Cr Frank Cvitan (Local Government Member, City of Wanneroo) *until 3.11pm*
Cr John Chester (Local Government Member, City of Joondalup)
Cr Mike Norman (Local Government Member, City of Joondalup)

Officers in attendance

Mr Jeremy Thompson (City of Wanneroo)
Mr Jay Naidoo (City of Wanneroo)
Ms Bonnie Butler (City of Wanneroo)
Mr John Byrne (City of Joondalup)
Ms Bronwyn Jenkins (City of Joondalup)
Ms Dale Page, Director Planning and Community Development
Mr John Corbellini, Manager Planning Services

Local Government Minute Secretary

Mr John Byrne (City of Joondalup)
Mrs Dawn Anderson (City of Joondalup)

Applicants and Submitters

Mr Dan Lees (TPG)
Mr David Caddy (TPG)
Mr Sean Morrison (Urbis)
Mr Kris Nolan (Urbis)
Mr Ray Haeren (Urbis)
Mr Brad Osborne (Centre Group)
Mr Roy Gruenpeter (Centre Group)
Mr Stewart White (Centre Group)

Members of the Public

Mr Rainer Repke

Ms Karen Hyde

Presiding Member, North-West JDAP

Karen Hyde



Mr Stan Seminow

There was one member of the press in attendance.

1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 3.00pm on Wednesday 3 December 2014 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the Standing Orders 2012; No Recording of Meeting, 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Mr Paul Drechsler (Deputy Presiding Member)
Mr Fred Zuideveld (Alternate Specialist Member)

3. Members on Leave of absence

Panel member, Ms Karen Hyde has been granted leave of absence by the Minister for the period of 24 December 2014 to 16 January 2015 inclusive.

4. Noting of minutes

Note the Minutes of the Metro North-West JDAP meeting no. 71 held on 13 November 2014.

5. Disclosure of interests

Panel member, Mr Fred Zuideveld, declared an Impartiality Interest in item 8.1. Madeley Development Alliance Pty Ltd is a subsidiary of Niche Living. Niche Living is a client of Zuideveld Marchant Hur of which Mr Zuideveld is a director. Mr Zuideveld has also worked on a feasibility study for this site and the architect for the development is known to him.

In accordance with section 6.3.1 of the Standing Orders 2012, the Presiding Member determined that the member listed above, who had disclosed a Pecuniary Interest, was not permitted to participate in the discussion or voting on the items.

6. Declaration of Due Consideration

All members declared that they had duly considered the documents.

Ms Karen Hyde

Karen Hyde



Item 7 was considered after Item 8.1 and prior to Item 8.2.

7. Deputations and presentations

7.1 Presenter Mr David Caddy (TPG)

Mr Caddy addressed the DAP members, speaking against Item 8.2.

7.2 Presenter Mr Rainer Repke

Mr Repke addressed the DAP members, speaking in favour of Item 8.2.

7.3 Present Mr Ray Haeren (Urbis)

Mr Haeren addressed the DAP members, speaking in favour of Item 8.2.

8. Form 1 - Responsible Authority Reports – DAP Applications

| | | |
|-----|------------------------|---|
| 8.1 | Property Location: | Lot 100 (260) Wanneroo Road, Madeley |
| | Application Details: | 16 Single Dwellings, 90 Grouped Dwellings and associated common property. |
| | Applicant: | TPG |
| | Owner: | Madeley Development Alliance Pty Ltd |
| | Responsible authority: | City of Wanneroo |
| | Report date: | 15 October 2014 |
| | DoP File No: | DAP/14/00606 |

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Zvitan

Seconded by: Cr Driver

That the Metro North-West Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/14/00606 and accompanying plans (**Attachment 1, 2 and 3**) in accordance with the provisions of the City of Wanneroo District Planning Scheme No. 2, subject to the following conditions being met to the satisfaction of the Manager, Planning Implementation.

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. A refuse management plan shall be lodged and approved with the City prior to the commencement of construction and shall detail how waste is to be managed on-site including access, egress and manoeuvring of the City's Waste Vehicles and relevant bin pad locations. Thereafter, refuse shall be managed in accordance with the approved refuse management plan

Ms Karen Hyde

Karen Hyde



3. Detailed landscaping and reticulation plans for the subject site and adjacent road verges shall be lodged for approval by the City prior to the commencement of construction to the satisfaction of the Manager, Land Development. Planting and installation of landscaping and reticulation shall be provided in accordance with approved landscaping and reticulation plans prior to occupancy of the development and thereafter maintained to the satisfaction of the City.
4. Visitor parking areas shall be designed and constructed in accordance with the Australian Standards for On-street and Off-street Carparking (AS2890), and shall be drained, sealed, marked and permanently set aside as such, and thereafter maintained to the satisfaction of the City.
5. The driveways and crossovers shall be designed and constructed to the residential specifications before occupation of the dwellings.
6. The parking areas and associated access (private roads) 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 written approval of the City.
7. Lighting shall be installed along all common access ways, pedestrian pathways and in all common service areas prior to the development first being occupied.
8. An on-site stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) shall be provided. Plans illustrating the system proposed shall be submitted for approval when application is made for a building licence and the system shall be installed during the construction of the development.
9. The proposed common property access way (private roads) being constructed and drained at the landowner/applicant's cost to allow the movement of the City of Wanneroo refuse trucks to the specifications and satisfaction of the City of Wanneroo.
10. The applicant shall lodge an Easement for the purpose of collecting refuse pursuant to Section 195 of the *Land Administration Act 1997*, being to the benefit of the City of Wanneroo for access onto the common property, as shown on the approved plans. The Deed shall be lodged prior to the occupation of the approved development and shall be to the specification and satisfaction of the City of Wanneroo.
11. The development is to be undertaken in accordance with the recommendations of the Lloyd George Acoustics Transportation Noise Assessment as lodged with the application dated 5 August 2014.
12. Permeable fencing as included in Attachment 4 to this report is to be provided on the following lots;
 - The Northern boundary of Lot 12;

Ms Karen Hyde

Karen Hyde



- The Western boundary of Lot 13; and
 - The Northern boundary of Lot 72 – 76.
13. The common area 'landscaping' located to the south of Lot 34, 'landscaping' located south of Lot 71/35 and the 'electrical SMSB location' south of lot 35 shall be within the common property area and the plans to be modified as such.
 14. Redundant driveways/crossovers shall be removed and the verge and its vegetation shall be reinstated at the full expense of the applicant/landowner.
 15. The ground levels located on the boundary of the land reserved for the Wanneroo Road/Whitfords Avenue/Gnangara Road and proposed Lots 12-34 shall be required to conform to the ultimate ground levels planned for the abovementioned intersection and future Gnangara Road alignment.
 16. Prior to the commencement of construction of the development, a construction management plan shall be submitted and approved by the City detailing how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - adequate space is provided within the subject site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - adequate provision is made for the parking of workers vehicles;
 - pedestrian and vehicular access around the site is maintained;
 - bus stops/shelters or other infrastructure on public land is temporarily relocated as may be necessary;
 - the delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
 - the hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.

Thereafter, construction shall be undertaken in accordance with the approved construction management plan

Advice Notes:

1. This is a planning approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
2. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligation.

Ms Karen Hyde

Karen Hyde



3. This approval should not be construed that the City will support a survey strata or green title subdivision application for the development. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling types, as prescribed in the Residential Design Codes.
4. In regards to Condition 10, the common property cannot be legally accessed by the City of Wanneroo as no easement exists over the property. As a result, a *Deed of Easement* is required to ensure refuse bin collection can be completed by the City of Wanneroo.
5. In regards to Condition 11, development is to include noise walls as identified in the Transportation Noise Assessment as well as façade treatment packages A, B and C for required lots.
6. In regards to Condition 12, permeable fencing is only required on lots 12 and 13 to ensure active surveillance of the common property area and is not required for the entirety of the boundary.
7. In regards to Condition 13, the plan identifies these as separate lots. The purpose of the condition is to provide clarity that these areas are common property and not individual lots.

AMENDING MOTION

Moved by: Mr Higham

Seconded by: Mr Dick

That the words '*being constructed and drained*' be replaced with the words '*being constructed, drained and maintained*' in Condition 9 as follows.

9. The proposed common property access way (private roads) being constructed, drained and maintained at the landowner/applicant's cost to allow the movement of the City of Wanneroo refuse trucks to the specifications and satisfaction of the City of Wanneroo.

REASON: To ensure clear movement for the City of Wanneroo's refuse vehicles.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION / PRIMARY MOTION (AS AMENDED)

Moved by: Cr Cvitan

Seconded by: Cr Driver

That the Metro North-West Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/14/00606 and accompanying plans (**Attachment 1, 2 and 3**) in accordance with the provisions of the City of Wanneroo District Planning Scheme No. 2, subject to the following conditions being met to the satisfaction of the Manager, Planning Implementation.

Ms Karen Hyde

Presiding Member, North-West JDAP

Page 6



1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. A refuse management plan shall be lodged and approved with the City prior to the commencement of construction and shall detail how waste is to be managed on-site including access, egress and manoeuvring of the City's Waste Vehicles and relevant bin pad locations. Thereafter, refuse shall be managed in accordance with the approved refuse management plan
3. Detailed landscaping and reticulation plans for the subject site and adjacent road verges shall be lodged for approval by the City prior to the commencement of construction to the satisfaction of the Manager, Land Development. Planting and installation of landscaping and reticulation shall be provided in accordance with approved landscaping and reticulation plans prior to occupancy of the development and thereafter maintained to the satisfaction of the City.
4. Visitor parking areas shall be designed and constructed in accordance with the Australian Standards for On-street and Off-street Carparking (AS2890), and shall be drained, sealed, marked and permanently set aside as such, and thereafter maintained to the satisfaction of the City.
5. The driveways and crossovers shall be designed and constructed to the residential specifications before occupation of the dwellings.
6. The parking areas and associated access (private roads) 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 written approval of the City.
7. Lighting shall be installed along all common access ways, pedestrian pathways and in all common service areas prior to the development first being occupied.
8. An on-site stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) shall be provided. Plans illustrating the system proposed shall be submitted for approval when application is made for a building licence and the system shall be installed during the construction of the development.
9. The proposed common property access way (private roads) being constructed, drained and maintained at the landowner/applicant's cost to allow the movement of the City of Wanneroo refuse trucks to the specifications and satisfaction of the City of Wanneroo.
10. The applicant shall lodge an Easement for the purpose of collecting refuse pursuant to Section 195 of the *Land Administration Act 1997*, being to the benefit of the City of Wanneroo for access onto the common property, as shown on the approved plans. The Deed shall

Ms Karen Hyde

Karen Hyde



be lodged prior to the occupation of the approved development and shall be to the specification and satisfaction of the City of Wanneroo.

11. The development is to be undertaken in accordance with the recommendations of the Lloyd George Acoustics Transportation Noise Assessment as lodged with the application dated 5 August 2014.
12. Permeable fencing as included in Attachment 4 to this report is to be provided on the following lots;
 - a. The Northern boundary of Lot 12;
 - b. The Western boundary of Lot 13; and
 - c. The Northern boundary of Lot 72 – 76.
13. The common area 'landscaping' located to the south of Lot 34, 'landscaping' located south of Lot 71/35 and the 'electrical SMSB location' south of lot 35 shall be within the common property area and the plans to be modified as such.
14. Redundant driveways/crossovers shall be removed and the verge and its vegetation shall be reinstated at the full expense of the applicant/landowner.
15. The ground levels located on the boundary of the land reserved for the Wanneroo Road/Whitfords Avenue/Gnangara Road and proposed Lots 12-34 shall be required to conform to the ultimate ground levels planned for the abovementioned intersection and future Gnangara Road alignment.
16. Prior to the commencement of construction of the development, a construction management plan shall be submitted and approved by the City detailing how the construction of the development will be managed in order to limit the impact on the users of the surrounding area. The plan will need to ensure that:
 - adequate space is provided within the subject site for the parking of construction vehicles and for the storage of building materials so as to minimise the need to utilise the surrounding road network;
 - adequate provision is made for the parking of workers vehicles;
 - pedestrian and vehicular access around the site is maintained;
 - bus stops/shelters or other infrastructure on public land is temporarily relocated as may be necessary;
 - the delivery of goods and materials does not adversely impact on the amenity of the surrounding properties; and
 - the hours of construction are limited to ensure that there is no adverse impact on the amenity of the surrounding properties.

Thereafter, construction shall be undertaken in accordance with the approved construction management plan.

Ms Karen Hyde

Presiding Member, North-West JDAP

Karen Hyde

Page 8



Advice Notes:

1. This is a planning approval only and is issued under the City of Wanneroo's District Planning Scheme No. 2 and the Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
2. This planning approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligation.
3. This approval should not be construed that the City will support a survey strata or green title subdivision application for the development. A subdivision application for Survey Strata without common property or green title subdivision will need to meet the minimum and average site areas for the dwelling types, as prescribed in the Residential Design Codes.
4. In regards to Condition 10, the common property cannot be legally accessed by the City of Wanneroo as no easement exists over the property. As a result, a *Deed of Easement* is required to ensure refuse bin collection can be completed by the City of Wanneroo.
5. In regards to Condition 11, development is to include noise walls as identified in the Transportation Noise Assessment as well as façade treatment packages A, B and C for required lots.
6. In regards to Condition 12, permeable fencing is only required on lots 12 and 13 to ensure active surveillance of the common property area and is not required for the entirety of the boundary.
7. In regards to Condition 13, the plan identifies these as separate lots. The purpose of the condition is to provide clarity that these areas are common property and not individual lots.

The Report Recommendation / Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

Crs Driver and Cvitan (City of Wanneroo) rotated on the panel with Crs Chester and Norman (City of Joondalup) at 3.11pm.

Ms Karen Hyde

Presiding Member, North-West JDAP

Karen Hyde

Page 9



| | | |
|------------|------------------------|---|
| 8.2 | Property Location: | Lot 501 (470) Whitfords Avenue, Hillarys |
| | Application Details: | Extensions and upgrade to existing shopping centre. |
| | Applicant: | Urbis Pty Ltd on behalf of Centre Group |
| | Owner: | Westfield Management Ltd, Reco Whitford Pty Ltd and RE1 Ltd |
| | Responsible authority: | City of Joondalup |
| | Report date: | 26 November 2014 |
| | DoP File No: | DAP/14/00580 |

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Norman

Seconded by: Cr Chester

That the Metro North-West Joint Development Assessment Panel resolves to:

APPROVE DAP application reference DAP/14/00580 and accompanying plans date stamped DA-01 (Revision A), DA-A01 (Revision A), DA-A02 (Revision A), DA-B01(Revision A), DA-B02 (Revision B), DA-B03 (Revision B), DA-C01 (Revision A) DAC02 (Revision A), DA-C03 (Revision A), DA-C04 (Revision A) in accordance with Clause 6.9 of the *City of Joondalup District Planning Scheme No. 2*, subject to the following conditions:

Conditions:

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. The applicant shall coordinate with Main Roads WA to produce a Transport Impact Assessment to determine the design of the Whitfords Avenue and Marmion Avenue intersection to the specification of Main Roads WA and satisfaction of the City prior to the commencement of development. This design shall align with the ultimate intersection design as planned. All costs associated with the preparation of the Traffic Impact Assessment shall be at the expense of the applicant.
3. The following Marmion Avenue and Whitfords Avenue intersection turning movements shall be upgraded at the expense of the applicant, to the specification of Main Roads WA and satisfaction of the City, prior to the development first being occupied:
 - Southbound right turn
 - Westbound left turn
 - Eastbound left turn
 - Northbound left turn

Ms Karen Hyde

Presiding Member, North-West JDAP

Karen Hyde

Page 10



These upgrades shall be inclusive of design, review, approval, construction and signal costs, and shall be carried out to the specification of Main Roads WA and the satisfaction of the City.

4. A full schedule of materials, colours and finishes for all external facades shall be submitted to, and approved by the City, prior to the commencement of development. The schedule shall provide for further articulation of the acoustic wall facing Whitfords Avenue, to create greater visual interest as viewed from the street, and details of future signage types and location. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
5. A Construction Management Plan shall be submitted to, and approved by the City, prior to the commencement of development. The Plan shall detail how it is proposed to manage:
 - all forward works for the site;
 - the delivery of materials and equipment to the site;
 - the storage of materials and equipment on the site;
 - the parking arrangements for the contractors and subcontractors;
 - the management of sand and dust during the construction process;
 - other matters likely to impact on the surrounding properties.

Construction shall be undertaken in accordance with the Construction Management Plan.

6. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - Provide full details of the green wall installations, including the loading dock screening devices and acoustic wall;
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - 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.

Ms Karen Hyde

Karen Hyde



7. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to a high standard to the satisfaction of the City.
8. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to the City prior to the commencement of development, and approved by the City prior to the development first being occupied.
9. An on-site stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Details of the proposed stormwater drainage system is required to be submitted to, and approved by the City, prior to the commencement of development.
10. All development shall be contained within the property boundaries.
11. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being 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 of the location of such plant shall be submitted to, and approved by the City, prior to the commencement of development.
12. The parking bays, driveways and access points shall be designed in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and Off-street Parking for People with Disabilities (AS/NZS2890.6 2009). Such areas are to be constructed, drained and marked prior to the development first being occupied, and thereafter maintained, to the satisfaction of the City. Details shall be provided to, and approved by the City, prior to commencement of development.
13. Bicycle parking facilities provided shall be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). Details of bicycle parking area(s) shall be provided to, and approved by the City, prior to the commencement of development.
14. The proposed advertised billboard shall not include fluorescent, reflective or retro reflective colours, and any illumination shall be low level and must not flash, pulsate or chase. Signage is to be established and thereafter maintained to a high standard to the satisfaction of the City.
15. Written approval from the City is required prior to the temporary closure of the area comprising 107 car parking bays in the north-east promenade area within Zone A. A traffic management plan shall be provided to, and approved by the City prior to the closure.

Ms Karen Hyde

Karen Hyde



16. Zone C shall be occupied by 'Shop' or 'Department Store' land uses, as defined under the *City of Joondalup District Planning Scheme No.2*.

Ms Karen Hyde

Presiding Member, North-West JDAP

Karen Hyde

Page 13



Advice Notes:

1. Further to condition 1, where an approval has so lapsed, no development shall be carried out without the further approval of the City having first being sought and obtained.
2. Further to condition 2 and 3, Main Roads WA propose that they will manage and deliver the works associated with the upgrade, with costs to be determined by an estimate for the proposed works prepared for Main Roads WA. Costs apportioned to the applicant are to be paid directly to Main Roads WA prior to the award of the road works contract.
3. Further to condition 15, traffic management plans must address the relocation of the taxi pick up and drop off area. It is also expected that traffic management for events include the provision of directional signage and traffic wardens in order to indicate the location of alternative parking areas and discourage verge parking.
4. The applicant is advised that noise emissions from the development shall comply with the provisions of the *Environmental Protection (Noise) Regulations 1997*.

AMENDING MOTION 1

Moved by: Cr Chester

Seconded by: Mr Higham

That an additional condition be made as follows:

17. A parking strategy shall be submitted to and approved by the City prior to development. The strategy shall include but not be limited to the applicant providing an effective mechanism for directing patrons to available parking bays.

REASON: To effectively manage parking within the site.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 2

Moved by: Mr Dick

Seconded by: Mr Higham

The changes to conditions of approval be made as follows:

Condition 2 to read:

- '2. The applicant shall coordinate with Main Roads WA and the City of Joondalup to produce a Transport Impact Assessment to determine the design of the Whitfords Avenue and Marmion Avenue intersection to the specification of Main Roads WA and satisfaction of the City prior to the commencement of development. This design shall align with the ultimate intersection design as planned. The Transport Impact

Ms Karen Hyde

Karen Hyde



Assessment shall also include intersection analysis to address signal phasing and cycle times, including at the intersection of Whitfords Avenue and Dampier Avenue. All costs associated with the preparation of the Traffic Impact Assessment shall be at the expense of the applicant.'

The last paragraph of Condition 3 be amended and become a new Condition 4 as follows:

- '4 All upgrades and works identified in the Traffic Impact Assessment as being required shall be inclusive of design, review, approval, construction and signal costs, and shall be carried out at the expense of the applicant and to the specification of Main Roads WA and the satisfaction of the City.'

The following conditions be renumbered accordingly.

REASON: To determine that all costs, upgrades and works identified in the Traffic Impact Assessment are to be at the expense of the applicant.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION / PRIMARY MOTION (AS AMENDED)

Moved by: Cr Norman

Seconded by: Cr Chester

That the Metro North-West Joint Development Assessment Panel resolves to:

APPROVE DAP application reference DAP/14/00580 and accompanying plans date stamped DA-01 (Revision A), DA-A01 (Revision A), DA-A02 (Revision A), DA-B01(Revision A), DA-B02 (Revision B), DA-B03 (Revision B), DA-C01 (Revision A) DAC02 (Revision A), DA-C03 (Revision A), DA-C04 (Revision A) in accordance with Clause 6.9 of the *City of Joondalup District Planning Scheme No. 2*, subject to the following conditions:

Conditions:

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. The applicant shall coordinate with Main Roads WA and the City of Joondalup to produce a Transport Impact Assessment to determine the design of the Whitfords Avenue and Marmion Avenue intersection to the specification of Main Roads WA and satisfaction of the City prior to the commencement of development. This design shall align with the ultimate intersection design as planned. The Transport Impact Assessment shall also include intersection analysis to address signal phasing and cycle times, including at the intersection of Whitfords Avenue and Dampier Avenue. All costs associated with the

Ms Karen Hyde

Presiding Member, North-West JDAP

Karen Hyde

Page 15



preparation of the Traffic Impact Assessment shall be at the expense of the applicant.

3. The following Marmion Avenue and Whitfords Avenue intersection turning movements shall be upgraded at the expense of the applicant, to the specification of Main Roads WA and satisfaction of the City, prior to the development first being occupied:

- Southbound right turn
- Westbound left turn
- Eastbound left turn
- Northbound left turn

4. All upgrades and works identified in the Traffic Impact Assessment as being required shall be inclusive of design, review, approval, construction and signal costs, and shall be carried out at the expense of the applicant and to the specification of Main Roads WA and the satisfaction of the City.

5. A full schedule of materials, colours and finishes for all external facades shall be submitted to, and approved by the City, prior to the commencement of development. The schedule shall provide for further articulation of the acoustic wall facing Whitfords Avenue, to create greater visual interest as viewed from the street, and details of future signage types and location.

Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.

6. A Construction Management Plan shall be submitted to, and approved by the City, prior to the commencement of development. The Plan shall detail how it is proposed to manage:

- all forward works for the site;
- the delivery of materials and equipment to the site;
- the storage of materials and equipment on the site;
- the parking arrangements for the contractors and subcontractors;
- the management of sand and dust during the construction process;
- other matters likely to impact on the surrounding properties.

Construction shall be undertaken in accordance with the Construction Management Plan.

7. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:

Ms Karen Hyde

Karen Hyde



- Provide full details of the green wall installations, including the loading dock screening devices and acoustic wall;
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - 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.
8. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to a high standard to the satisfaction of the City.
9. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to the City prior to the commencement of development, and approved by the City prior to the development first being occupied.
10. An on-site stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Details of the proposed stormwater drainage system is required to be submitted to, and approved by the City, prior to the commencement of development.
11. All development shall be contained within the property boundaries.
12. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being 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 of the location of such plant shall be submitted to, and approved by the City, prior to the commencement of development.
13. The parking bays, driveways and access points shall be designed in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and Off-street Parking for People with Disabilities (AS/NZS2890.6 2009). Such areas are to be constructed, drained and marked prior to the development first being occupied, and thereafter maintained, to the satisfaction of the City. Details shall be provided to, and approved by the City, prior to commencement of development.
14. Bicycle parking facilities provided shall be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles

Ms Karen Hyde

Karen Hyde



(AS2890.3-1993). Details of bicycle parking area(s) shall be provided to, and approved by the City, prior to the commencement of development.

15. The proposed advertised billboard shall not include fluorescent, reflective or retro reflective colours, and any illumination shall be low level and must not flash, pulsate or chase. Signage is to be established and thereafter maintained to a high standard to the satisfaction of the City.
16. Written approval from the City is required prior to the temporary closure of the area comprising 107 car parking bays in the north-east promenade area within Zone A. A traffic management plan shall be provided to, and approved by the City prior to the closure.
17. Zone C shall be occupied by 'Shop' or 'Department Store' land uses, as defined under the *City of Joondalup District Planning Scheme No.2*.
18. A parking strategy shall be submitted to and approved by the City prior to development. The strategy shall include but not be limited to the applicant providing an effective mechanism for directing patrons to available parking bays.

Advice Notes:

1. Further to condition 1, where an approval has so lapsed, no development shall be carried out without the further approval of the City having first being sought and obtained.
2. Further to condition 2 and 3, Main Roads WA propose that they will manage and deliver the works associated with the upgrade, with costs to be determined by an estimate for the proposed works prepared for Main Roads WA. Costs apportioned to the applicant are to be paid directly to Main Roads WA prior to the award of the road works contract.
3. Further to condition 15, traffic management plans must address the relocation of the taxi pick up and drop off area. It is also expected that traffic management for events include the provision of directional signage and traffic wardens in order to indicate the location of alternative parking areas and discourage verge parking.
4. The applicant is advised that noise emissions from the development shall comply with the provisions of the *Environmental Protection (Noise) Regulations 1997*.

The Report Recommendation / Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

9. **Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval**
Nil.

Ms Karen Hyde

Karen Hyde



10. Appeals to the State Administrative Tribunal

As invited by the State Administrative Tribunal under Section 31 of the *State Administrative Act 2004*, the Metro North-West JDAP will reconsider a Proposed Mixed Use Development at Lots 2 & 157 (46-48) Scarborough Beach Road, Scarborough on 4 December 2014.

11. Meeting Close

There being no further business, the Presiding Member declared the meeting closed at 4.15pm.

Ms Karen Hyde

Presiding Member, North-West JDAP

A handwritten signature in cursive script that reads "Karen Hyde".

Page 19