



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: Thursday 20 August 2015; 10.00am
Meeting Number: MNWJDAP/96
Meeting Venue: 90 Boas Avenue, Joondalup

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Frank Cvitan JP (Local Government Member, City of Wanneroo)
Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr Liam Gobbert (Local Government Member, City of Joondalup)
Cr Philippa Taylor (Local Government Member, City of Joondalup)

Officers in attendance

Mr Nash Bojic (City of Wanneroo)
Mr Jay Naidoo (City of Wanneroo)
Mr John Byrne (City of Joondalup)
Ms Renee Mather (City of Joondalup)

Local Government Minute Secretary

Mrs Deborah Gouges (City of Joondalup)

Applicant and Submitters

Mr Tayne Evershed (Planning Solutions)
Mr Dan Lees (TPG)

Members of the Public

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1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 10.00am on 20 August 2015 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

Cr John Chester (City of Joondalup)

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro North-West JDAP Meetings No.94 and No.95 held on the 14th and 17th August 2015 were not available for noting at the time of meeting.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of interests

Nil

PROCEDURAL MOTION

Moved by: Ms Karen Hyde

Seconded by: Mr Fred Zuideveld

That the application at Item 9.1 be heard prior to Item 7.1.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

Cr Frank Cvitan JP and Cr Russell Driver (City of Wanneroo) joined the panel at 10.06am

7. Deputations and presentations

7.1 Mr Tayne Evershed (Planning Solutions) addressed the DAP for the application at Item 8.1.

8. Form 1 - Responsible Authority Reports – DAP Application

8.1	Property Location:	Lot 335 (79) Gnangara Road, Wangara
	Application Details:	Showroom, Warehouse, Recreation Centre and Convenience Store
	Applicant:	Planning Solutions
	Owner:	Crestwood Holdings Pty Ltd
	Responsible authority:	City of Wanneroo
	DoP File No:	DAP/15/00813



REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Frank Cvitan **Seconded by:** Cr Russell Driver

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DA2015/997 and accompanying plans in accordance with the provisions of the City of Wanneroo's District Planning Scheme No. 2, subject to the following conditions:

- a) The proposed '**Showroom**', '**Warehouse**', '**Recreation Centre**' and '**Convenience Store**', as depicted on the approved plans, shall accord with the following definitions contained within District Planning Scheme No. 2:

*"**Showroom** means premises wherein goods are displayed and may be offered for sale or hire excluding the sale of foodstuffs, liquor or beverages, items of clothing or apparel (except as hereinafter stipulated in this definition) or personal adornment, magazines, books, newspapers or paper products, and medicinal or pharmaceutical products unless assembled or manufactured on the premises. The term includes the sale of secondhand clothing or apparel by welfare and charitable agencies with the approval of Council."*

*"**Warehouse** means premises used for storage of goods and may include the carrying out of commercial transactions involving the sale of such goods by wholesale."*

*"**Recreation Centre** means any premises used for physical exercise or sports including swimming, ice skating, ten pin bowling, cricket, tennis, squash, soccer, billiards and similar activities."*

*"**Convenience Store** means any land and or buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and petroleum products and motor vehicle accessories and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 300m² gross leasable area."*

- b) This approval 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.
- c) Floodlighting being designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be internally directed to not overspill into nearby lots. All floodlights shall be oriented and hooded to eliminate disturbance to occupants on the surrounding properties.
- d) All refuse shall be stored within the designated bin enclosure/s and shall be collected from the site by a private contractor at the cost of the applicant/owner.



- e) Detailed landscaping and reticulation plans for the subject site and adjacent road verge shall be lodged for approval by the City within six (6) months from the date of this approval. Planting and installation shall be in accordance with the approved landscaping and reticulation plans and completed prior to the occupation of the development and thereafter maintained to the City's satisfaction.
- f) Parking areas, driveway and points of ingress and egress shall be designed in accordance with the Australian Standard for Off-Street Car parking (AS2890) and shall be drained, sealed, marked and thereafter maintained to the City of Wanneroo's satisfaction.
- g) All proposed crossovers are to be constructed in concrete to the City of Wanneroo's commercial specifications.
- h) The parking areas and associated access depicted 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 of Wanneroo.
- i) An on-site stormwater drainage system, capable of containing a 1:100 year storm event of 24 hours duration shall be provided. Plans illustrating the system shall be submitted to the City for its approval prior to the commencement of development.
- j) A non-sacrificial anti graffiti coating shall be applied to the external surfaces of the development prior to its practical completion. In the event of any graffiti being applied to these areas, the proponent shall take steps to remove the graffiti as soon as reasonably practical to the satisfaction of the City of Wanneroo.
- k) The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site.
- l) The applicant/landowner shall ensure compliance with the Environmental Protection (Noise) Regulations 1997 as outlined within the Environmental Acoustic Assessment dated 21 May 2015 completed by Lloyd George Acoustics Pty Ltd.
- m) The pylon signs ('Bulkplex' and '7-Eleven') are approved for the locations marked "A" on the approved plans. By this condition, the landowner agrees to the relocation of these pylon signs at their own cost to the locations marked "B" on the approved plans when the land identified as '*Other Regional Road*' under the *Metropolitan Region Scheme* is acquired for road widening purposes. No further planning approval will be required for the relocation of the signs referred to in this condition.
- n) The proposed 'Bulkplex' pylon sign as indicated in the red on the approved plan shall be reduced in height to 8.0 metres and width of 2.5 metres so as to comply with the City of Wanneroo Signs Local Planning Policy.
- o) The proposed '7-Eleven' pylon sign as indicated in the red on the approved plan shall be reduced in height to 6.0 metres so as to comply with the City of Wanneroo Signs Local Planning Policy.



- p) The applicant shall adhere to the recommendations contained within the road safety audit report prepared by Transcore dated 15 April 2015, submitted with this application. The recommendations are to be carried out at the full cost of the applicant to the specification and satisfaction of the City of Wanneroo.
- q) The landowner shall make a contribution to the City of Wanneroo for the provision of arterial roads and associated facilities (including administrative costs) to service the East Wanneroo Structure Planning Cell No. 7, prior to the issue of a building license and in accordance with Part 10 of the City of Wanneroo District Planning Scheme No. 2.
- r) The applicant shall, in accordance with Part 10.14.3(e) of the City's District Planning Scheme No. 2, make arrangement for Gngagara Road to be widened in accordance with the attached land requirements plan (**Attachment 6**) to the satisfaction and specification of the City of Wanneroo.

Advice Notes

1. The City does not undertake to ascertain the validity of signatures nor the authority of the persons nominated as owners.
2. 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.
3. 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 obligations.
4. In relation to condition k, adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's '*A guide for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*'.
5. In relation to condition q, the applicant is advised to contact the City of Wanneroo to obtain a quotation for the payment of developer contribution in accordance with Part 10 of District Planning Scheme No. 2.
6. In relation to condition m, failure to relocate the signs to location 'B' to the satisfaction of the City at the reasonable time will be considered a non-compliance with this approval.

PROCEDURAL MOTION

Moved by: Mr Fred Zuideveld **Seconded by:** Mr Paul Drechsler

That the application be DEFERRED to a future meeting so that the proponent is given the opportunity to look at a redesign of the retail component of the service station to reorientate the building towards the street.

The Procedural Motion was put and CARRIED UNANIMOUSLY.



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

9.1	Property Location:	Lot 929 (1244) Marmion Avenue, Currambine
	Application Details:	Modifications to approved cinema complex and car park
	Applicant:	TPG Town Planning, Urban Design and Heritage
	Owner:	Roman Catholic Archbishop and Davidson Pty Ltd
	Responsible authority:	City of Joondalup
	DoP File No:	DP/13/00791

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Liam Gobbert **Seconded by:** Cr Philippa Taylor

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DP/13/00791 as detailed on the DAP Form 2 dated 17 June 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DP/13/00791 as detailed on the DAP Form 2 dated 17 June 2015 and accompanying plans A01.100, A6-1, CC2-0, CC7-1 and CC7-2 in accordance with the provisions of the *City of Joondalup District Planning Scheme No. 2* and the *Metropolitan Region Scheme*, for the minor amendment to the approved cinema complex and car park at Lot 929 (1244) Marmion Avenue, Currambine, subject to:

Amended Condition

1. A pedestrian path shall be provided from the cinema/retail car park to Lot 1574 (64) Delamere Avenue, Currambine, to the satisfaction of the City.

Advice Note

1. All other conditions and requirements detailed on the previous approval dated 26 February 2014 shall remain unless altered by this application.

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

Cr Liam Gobbert and Cr Philippa Taylor (City of Joondalup) left the panel at 10.06am.



10. Appeals to the State Administrative Tribunal

The Presiding Member advised the following matters were currently under appeal to the State Administration Tribunal:

- DP/12/00583 - Lot 811 (3) Sundew Rise, Joondalup – Modifications to approved showroom, office and takeaway food outlet development.
- DAP15/00754 - Lot 28 (46) Angove Drive, Hillarys – Proposed two storey mixed use development.

11. General Business / Meeting Close

The Presiding Member reminded the meeting that in accordance with Standing Order 7.3 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.

There being no further business, the presiding member declared the meeting closed at 10.28am.