



## Minutes of the Metro North West Joint Development Assessment Panel

**Meeting Date and Time:** Monday 24 October 2016; 2:00pm  
**Meeting Number:** MNWJDAP/154  
**Meeting Venue:** City of Joondalup  
90 Boas Avenue Joondalup

### Attendance

#### DAP Members

Ms Karen Hyde (Presiding Member)  
Mr Paul Drechsler (Deputy Presiding Member)  
Mr Fred Zuideveld (Specialist Member)  
Cr John Chester (Local Government Member, City of Joondalup)  
Cr Philippa Taylor (Local Government Member, City of Joondalup)

#### Officers in attendance

Mr Tom Geddes (City of Joondalup)  
Mr Joe Hussey (City of Joondalup)  
Mr Tim Thornton (City of Joondalup)

#### Local Government Minute Secretary

Mr John Byrne (City of Joondalup)

#### Applicant and Submitters

Mr Christopher Dwyer (MJA Studio)  
Mr Giles Harden Jones (Harden Jones Architects)

#### Members of the Public

Nil

### 1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 2:02pm on 24 October 2016 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**

Nil

**3. Members on Leave of absence**

Nil

**4. Noting of minutes**

Minutes of the Metro North West JDAP meeting no.153 held on 18 October 2016 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 Paul Drechsler

That the application at Item 9.1 be heard prior to the application at Item 8.1.

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

**7. Deputations and presentations**

7.1 Mr Christopher Dwyer (MJA Studio) addressed the DAP for the application at Item 8.1.

***The presentation at Item 7.1 was heard prior to the application at Item 8.1.***

**8. Form 1 - Responsible Authority Reports – DAP Application**

8.1 Property Location:	Lot 703 (50) Marri Road, Duncraig
Application Details:	22 Multiple Dwellings
Applicant:	MJA Studio
Owner:	CCW Children's Fund Pty Ltd
Responsible authority:	City of Joondalup
DoP File No:	DAP/16/01089



## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr John Chester

**Seconded by:** Cr Philippa Taylor

That the Metro North-West JDAP resolves to:

**Approve** DAP Application reference DAP/16/01089 and accompanying plans A1.1-A1.10, in accordance with Schedule 2, Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

### Conditions

1. This decision constitutes planning approval only and is valid for a period of two (2) 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. A Construction Management Plan being submitted to and approved by the City prior to the commencement of development. The management 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;
  - retention and protection of trees within the verge during construction
  - the management of sand and dust during the construction process;
  - other matters likely to impact on the surrounding properties.

All development shall be undertaken in accordance with this plan.

3. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
4. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and shall thereafter maintained to the satisfaction of the City.
5. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993) prior to the development first being occupied.
6. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to occupation of the development. All refuse management shall thereafter be undertaken in accordance with this plan.
7. 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, with a plan detailing of the location of such plant being submitted for approval by the City prior to the



- commencement of development. The plant shall be established and maintained in accordance with this plan.
8. A full schedule of colours and materials for all exterior parts to the building, including details of the northern and southern facades, is to be submitted to and approved by the City 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 to the satisfaction of the City.
  9. No obscure or reflective glazing is permitted to ground floor building facades.
  10. Detailed landscaping plans shall be submitted to and approved by the City 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:
    - 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;
    - Show spot levels and/or contours of the site;
    - 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.
  11. 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 the satisfaction of the City.
  12. Clothes-drying areas/facilities shall be screened from view from the primary and secondary streets.

#### 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. The applicant/builder is advised that there is an obligation to design and construct the premises in compliance with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.
3. All Bin Storage Areas are to be designed and equipped to the satisfaction of the City. Each bin area shall be provided with a hose cock and have a concrete floor graded to a 100mm industrial floor waste gully connected to sewer.
4. Any mechanical ventilation for the development shall comply with *Australian Standard 1668.2*, *Australian Standard 3666* and the *Health (Air Handling and Water Systems) Regulations 1994*.



5. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.
6. Laundry areas are to be provided with a floor waste in accordance with the City's Health Local Law. In addition to having mechanical ventilation it is recommended that laundry areas be provided with condensation dryers to minimise the likelihood of mould occurring.

### **AMENDING MOTION**

**Moved by:** Ms Karen Hyde

**Seconded by:** Mr Paul Drechsler

That the following words be added to Condition No. 4:

*"The applicant to clearly indicate disabled access between the footpath and entry."*

Condition 4 to now read as follows;

*"The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and shall thereafter maintained to the satisfaction of the City. The applicant to clearly indicate disabled access between the footpath and entry."*

**REASON: There was a need to delineate the disabled access way through the visitor car park.**

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

### **AMENDING MOTION**

**Moved by:** Ms Karen Hyde

**Seconded by:** Mr Paul Drechsler

That the word "*shade*" be added before the word 'tree' in dot point two of Condition No. 10.

Condition 10 to now read as follows;

*"Detailed landscaping plans shall be submitted to and approved by the City 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:*

- *Be drawn at an appropriate scale of 1:100, 1:200 or 1:500;*
- *Provide all details relating to paving, treatment of verges and shade tree planting;*
- *Show spot levels and/or contours of the site;*
- *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."*



**REASON:** The inclusion of the word “shade” better reflected the intent of the report for tree plantings to provide suitable shade coverage.

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

### **PRIMARY MOTION (AS AMENDED)**

That the Metro North-West JDAP resolves to:

**Approve** DAP Application reference DAP/16/01089 and accompanying plans A1.1-A1.10, in accordance with Schedule 2, Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

#### **Conditions**

1. This decision constitutes planning approval only and is valid for a period of two (2) 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. A Construction Management Plan being submitted to and approved by the City prior to the commencement of development. The management 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;
  - retention and protection of trees within the verge during construction;
  - the management of sand and dust during the construction process;
  - other matters likely to impact on the surrounding properties.

All development shall be undertaken in accordance with this plan.

3. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
4. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and shall thereafter maintained to the satisfaction of the City. The applicant to clearly indicate disabled access between the footpath and entry.
5. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993) prior to the development first being occupied.
6. A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to occupation of the development. All refuse management shall thereafter be undertaken in accordance with this plan.



7. 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, with a plan detailing of the location of such plant being submitted for approval by the City prior to the commencement of development. The plant shall be established and maintained in accordance with this plan.
8. A full schedule of colours and materials for all exterior parts to the building, including details of the northern and southern facades, is to be submitted to and approved by the City 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 to the satisfaction of the City.
9. No obscure or reflective glazing is permitted to ground floor building facades.
10. Detailed landscaping plans shall be submitted to and approved by the City 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:
  - Be drawn at an appropriate scale of 1:100, 1:200 or 1:500;
  - Provide all details relating to paving, treatment of verges and shade tree planting;
  - Show spot levels and/or contours of the site;
  - 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.
11. 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 the satisfaction of the City.
12. Clothes-drying areas/facilities shall be screened from view from the primary and secondary streets.

### **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. The applicant/builder is advised that there is an obligation to design and construct the premises in compliance with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.
3. All Bin Storage Areas are to be designed and equipped to the satisfaction of the City. Each bin area shall be provided with a hose cock and have a





concrete floor graded to a 100mm industrial floor waste gully connected to sewer.

4. Any mechanical ventilation for the development shall comply with *Australian Standard 1668.2, Australian Standard 3666* and the *Health (Air Handling and Water Systems) Regulations 1994*.
5. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.
6. Laundry areas are to be provided with a floor waste in accordance with the City's Health Local Law. In addition to having mechanical ventilation it is recommended that laundry areas be provided with condensation dryers to minimise the likelihood of mould occurring.

**REASON: In accordance with details contained in the Responsible Authority Report Recommendation.**

**The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.**

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

- 9.1** Property Location: Lot 28 (46) Angove Drive, Hillarys  
 Application Details: Proposed additions and modifications to previous approval for a three storey mixed use development  
 Applicant: Harden Jones Architects  
 Owner: Paltara Pty Ltd  
 Responsible authority: City of Joondalup  
 DoP File No: DAP/15/00754

**REPORT RECOMMENDATION / PRIMARY MOTION**

**Moved by:** Cr John Chester

**Seconded by:** Cr Philippa Taylor

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/15/00754 as detailed on the DAP Form 2 dated 30 August 2016 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve**, except for a part of the development specified in the approval, the DAP Application reference DAP/15/00754 as detailed on the DAP Form 2 dated 30 August 2016 and accompanying plans A103, A201, A202, A203 and A301 as set out in attachment 3, in accordance with the provisions of subclause 68(2), 73(b) and 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for additions and modifications to a previously approved three storey mixed use development at Lot 28 (46) Angove Drive, Hillarys, subject to:

*Karen Hyde*





### **Additional Conditions**

1. In accordance with Clause 73(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* this approval relates to the proposed 'tenancy 2 change of use from 'Shop' and 'Office' to 'Medical Centre', 'additional windows to units 104, 201 and 207 and 'enlargement to the tenancy 1 cafe alfresco area' only, as indicated on the approved plans. It does not relate to 'Western Power substation and switchgear enclosure', or any other development on the lot.
2. The commercial parking bays located on-site are to be unsecured and available for use by customers and employees during the operating hours of tenancies 1 and 2, to the satisfaction of the City.
3. The on-street parking bays are to be available for use by the general public at all times unless otherwise approved by the City.
4. No more than 2 practitioners or professionals generating their own patient load shall be permitted to operate from tenancy 2 at any given time.
5. The provisional customer seating within the tenancy 1 cafe dining area shall be limited to a maximum of 75 seats at any given time to the satisfaction of the City. A seating plan shall be submitted to, and approved by the City prior to operation of the cafe.

### **Amended Advice Notes**

1. All conditions and requirements detailed on the original approval dated 1 October 2015 shall remain unless altered by this application.
2. The tenancy indicated as 'Physiotherapist' on the approved plans is approved as a 'Medical Centre' as defined by the City of Joondalup District Planning Scheme No. 2.
3. The City of Joondalup District Planning Scheme No. 2 defines 'Medical Centre' as "premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling)."

### **AMENDING MOTION**

**Moved by:** Cr John Chester

**Seconded by:** Cr Philippa Taylor

That an additional amended advice note No. 4 be added to read as follows;

*"That the applicant makes every effort to articulate the eastern elevation to reduce its starkness".*

**REASON:** It was considered that additional articulation was required to soften the appearance of the eastern elevation to neighbouring property owners.

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



## PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/15/00754 as detailed on the DAP Form 2 dated 30 August 2016 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve**, except for a part of the development specified in the approval, the DAP Application reference DAP/15/00754 as detailed on the DAP Form 2 dated 30 August 2016 and accompanying plans A103, A201, A202, A203 and A301 as set out in attachment 3, in accordance with the provisions of subclause 68(2), 73(b) and 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for additions and modifications to a previously approved three storey mixed use development at Lot 28 (46) Angove Drive, Hillarys, subject to:

### Additional Conditions

1. In accordance with Clause 73(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* this approval relates to the proposed 'tenancy 2 change of use from 'Shop' and 'Office' to 'Medical Centre', 'additional windows to units 104, 201 and 207 and 'enlargement to the tenancy 1 cafe alfresco area' only, as indicated on the approved plans. It does not relate to 'Western Power substation and switchgear enclosure', or any other development on the lot.
2. The commercial parking bays located on-site are to be unsecured and available for use by customers and employees during the operating hours of tenancies 1 and 2, to the satisfaction of the City.
3. The on-street parking bays are to be available for use by the general public at all times unless otherwise approved by the City.
4. No more than 2 practitioners or professionals generating their own patient load shall be permitted to operate from tenancy 2 at any given time.
5. The provisional customer seating within the tenancy 1 cafe dining area shall be limited to a maximum of 75 seats at any given time to the satisfaction of the City. A seating plan shall be submitted to, and approved by the City prior to operation of the cafe.

### Amended Advice Notes

1. All conditions and requirements detailed on the original approval dated 1 October 2015 shall remain unless altered by this application.
2. The tenancy indicated as 'Physiotherapist' on the approved plans is approved as a 'Medical Centre' as defined by the City of Joondalup District Planning Scheme No. 2.
3. The City of Joondalup District Planning Scheme No. 2 defines 'Medical Centre' as "premises, other than a hospital, used by one or more health



consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling).”

4. That the applicant makes every effort to articulate the eastern elevation to reduce its starkness.

**REASON: In accordance with details contained in the Responsible Authority Report Recommendation.**

**The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.**

**10. Appeals to the State Administrative Tribunal**

Nil

**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 2:47pm.