



Minutes of the Metro Central Joint Development Assessment Panel

Meeting Date and Time: 21 August 2017; 10:30am
Meeting Number: MCJDAP/253
Meeting Venue: Town of Bassendean
48 Old Perth Road
Bassendean

Attendance

DAP Members

Mr Charles Johnson (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Brett Lovett (A/Specialist Member)
Cr Gerry Pule (Local Government Member, Town of Bassendean)
Cr Renee McLennan (Local Government Member, Town of Bassendean)

Officers in attendance

Mr Dylan Stokes (Town of Bassendean)

Local Government Minute Secretary

Ms Amy Holmes (Town of Bassendean)

Applicants and Submitters

Mr Marc Re (Planning Solutions)
Dylan Menzies (Quick Service Retail)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member, Mr Charles Johnson declared the meeting open at 10.30am on 21 August 2017 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*.

2. Apologies

Mr Michael Hardy (Specialist Member)

Mr Charles Johnson
Presiding Member, Metro Central JDAP



3. Members on Leave of Absence

Panel member, Mr Michael Hardy has been granted leave of absence by the Director General for the period of 19 July 2017 to 25 August 2017 inclusive.

4. Noting of Minutes

Note the Minutes of Metro Central JDAP meeting No.250 held on the 27 July 2017.

The Minutes of Metro Central JDAP meeting No.252 held on 16 August 2017 were not available at time of Agenda preparation.

5. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Panel Members, Cr Gerry Pule and Cr Renee McLennan, declared an impartiality interest for Item 8.1 and stated the following:

“Under Clause 2.4.9 of the DAP Code of Conduct, I participated in the prior Council decision in accordance with my functions as a member of a local government.”

“However, under clause 2.1.2 of the DAP Code of Conduct, I acknowledge that I am not bound by any previous decision or resolution of the local government. I undertake to exercise independent judgement in relation to any DAP application before me, which I will consider on its planning merits.”

In accordance with section 4.6.1 and 4.6.2 of the DAP Standing Orders 2017, the Presiding Member determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in discussion and voting on the items.

7. Deputations and Presentations

7.1 Mr Marc Re (Planning Solutions) presented in support of the application at Item 8.1.

Mr Charles Johnson
Presiding Member, Metro Central JDAP



8. Form 1 - Responsible Authority Reports – DAP Applications

8.1 Property Location: Lot 125 (No. 3/335) Collier Road, Bassendean
 Application Details: Proposed Convenience Store
 Applicant: Planning Solutions
 Owner: Amtank PTY LTD
 Responsible authority: Town of Bassendean
 DAP File No: DAP/17/01224

REPORT RECOMMENDATION

Moved by: Cr Gerry Pule

Seconded by: Ms Sheryl Chaffer

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/17/01224 and accompanying plans:

Dwg No.	Drawing Name	Rev No.	Dwg Date
SK10	Site Plan – Car Bays	B	11 July 2017
SK08	Elevations	C	11 July 2017
T17.041.sk01b	Austrroads 2013 – 19.0m Semitrailer	N/A	17 May 2017
T17.041.sk02b	Austrroads 2013 – 8.8m Service Vehicle (Left turn into the site from Collier Road, accessing the fill point and right turn out onto Fairford Street)	N/A	17 May 2017
T17.041.sk03b	Austrroads 2013 – 8.8m Service Vehicle (Exit the loading bay in forward gear and right turn out onto Fairford Street)	N/A	17 May 2017
T17.041.sk04b	Austrroads 2013 – B99 Car (Entry from Fairford Street)	N/A	17 May 2017
T17.041.sk05b	Austrroads 2013 – B99 Car (Exit to Fairford Street)	N/A	17 May 2017
Town of Bassendean Right Turn from Collier Road	Vehicle Manoeuvring Plan – 19m Semitrailer – Right hand turn (red) into the site from Collier Road	N/A	17 May 2017

In accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Town of Bassendean Local Planning Scheme No. 10 subject to the following conditions as follows:

1. This approval is for the use of the building as a Convenience Store only. Any alternative use of the premises will require the submission of an application to the Town for a change of use.

Mr Charles Johnson
Presiding Member, Metro Central JDAP



2. Revised drawings shall be submitted in conjunction with the application for a building permit and such drawings shall demonstrate:
 - a. A reduced height to Price Board sign from 7m to a maximum height of 6m.
 - b. The bin area is to be masonry in construction and equipped with a hose cock. The floor must be graded to a floor waste and connected to sewer.
 - c. A replacement crossover to Fairford Street incorporating a 5m turning radius for both the crossover wings.
 - d. The median strip on Collier Road is to be modified to be flush for a length of 10m as shown on the approved turning template to allow fuel vehicles to turn right from Collier Road and adequately enter the site.
 - e. Details of a sign to be added inside the lot adjoining the Fairford Street crossover preventing fuel vehicles from entering the site from Fairford Street.
 - f. Increase the length of car bay 2 to 5.9m whilst maintaining a car bay length of 6.2m for bay 1 and 3.

3. The applicant is responsible for all costs and works associated with modifying the kerbed median strip within Fairford Street and to the modification of the median strip within Collier Road. The works are to be completed to the satisfaction of the Western Australian Planning Commission and the Town of Bassendean prior to the occupation of the Convenience Store.

4. A detailed and professionally prepared landscaping plan being submitted prior to or with the application for a Building Permit for the Town's approval which provides full detail of the scope of works to be undertaken in both the private and public realms adjoining the development site, including:
 - a. All the requirements listed under Local Planning Policy 18 including but not limited to: street frontages, contours, reticulation details, details of ground treatment and a plant legend showing:
 - i. quantity of plants,
 - ii. species name
 - iii. pot size of plants at the time of planting;
 - iv. height at full growth
 - b. Details of the location and type of proposed trees, shrubs, ground cover and lawn areas to be planted;
 - c. All plants to be of low water use;
 - d. Landscaping of the verge area adjacent to the development site, including the provision of 4 substantial street trees (2 x *Corymbia Ficifolia* to Collier Road and 2 x *Eucalyptus Todtiana* to Fairford Street) of a minimum 90L pot size in accordance with the Town's adopted Street Tree Master Plan;
 - e. Two additional shade trees located on site or in the verge with a minimum 90L pot size;
 - f. The total number of plants to be planted at a minimum rate of 4 per 1m²; and
 - g. Details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months.

Mr Charles Johnson
Presiding Member, Metro Central JDAP



5. Landscaping shall be installed and subsequently maintained in accordance with the approved landscaping plan.
6. No vehicle used for the delivery of fuel is permitted on site between 7:00am to 9:00am and 3:00pm to 7:00pm on weekdays.
7. No products, goods or materials are to be stored outside of the building, unless in a designated area approved by the Town for this purpose.
8. Fuel pumps are not permitted to the west side of the westernmost fuel bowser in accordance with the details shown on the approved drawings.
9. Separate approval being sought from the Town for any proposed fencing in Strata Lot 3.
10. All storm water being contained on site. Details of the method of storm water being submitted for approval in conjunction with the application for a Building Permit.
11. The car parking spaces and access ways to be designed and constructed in accordance with Local Planning Policy No. 8 and AS 2890.1 and being maintained thereafter to the Town's satisfaction.
12. All building works carried out under this planning approval are required to be contained within the boundaries of the subject lot.
13. Any proposed signage not clearly shown on the plans as signage is subject to a separate development application.
14. Prior to the issue of a building permit, a development bond for the sum of \$42,000 being lodged with the Town to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works.
15. The incorporation of public art into the proposed development or a cash-in-lieu payment of \$21,000 (one per cent of development cost) in accordance with the Town's adopted Local Planning Policy No. 15 'Percent for Art Policy'. Detailed arrangements and agreement with respect to art to be provided on-site with a bond being provided to the Town for the full cost of the art or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit.
16. The building hereby approved shall not be occupied until all of the conditions of development approval have been complied with to the satisfaction of the Town, unless the applicant has entered into an agreement with the Town to comply with those conditions within a specified period.

Advice Notes

1. The issue of a Building Permit is required prior to the commencement of any on-site works.

Mr Charles Johnson
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2. Modifications or works done to the existing crossovers in the verge will require approval from the Town's Asset Services. The applicant is to notify the Town's Asset Services department and gain all necessary approvals prior to commencing construction in the verge.
3. Regarding the proposed modifications to the median strip to Collier Road, the applicant is to ensure that all necessary approvals as required have been provided by the Western Australian Planning Commission.
4. Any development on the site is required to comply with the relevant Sub-surface Management Plan as found in the Mandatory Auditors Report by the Australian Environmental Auditors released on 26 June 2014.
5. In regards the modification of the median strip on Fairford Street, the applicant is advised that:
 - a. The length (L) of the splitter strip at the intersection of Fairford Street and Collier Road shall be minimum 10m in length as determined from Austroads - Guide to Road Design Part 4A (Oct, 2009) Section 6.2.2. Table 6.2.
 - b. All associated linemarking shall be approved by MRWA and cost shall be borne by the developer.
 - c. All construction works within the road reserve (central median strip) shall be at developers cost and to the Town of Bassendean specifications and satisfaction.
 - d. Asphalt shall be installed where the strip was, additional hatch linemarking (where the strip was) shall be installed.
6. The applicant is advised that they must submit an Application for Approval to Establish or Alter a Food Business, together with the required plans and prescribed fee to the Health Department at the Town of Bassendean. The plans must include details such as:
 - a. Finishes of all walls, floors and ceilings;
 - b. Position and type of fixtures and fittings; and
 - c. Location of sanitary conveniences, ventilating systems, grease trap and bin storage.
7. The applicant is advised to obtain approval from the Department of Mines and Petroleum for the storage of Chemicals/dangerous goods in accordance with the Dangerous Goods Safety Regulations 2007 and Dangerous Goods Safety Act 2004.
8. All fuels, oils and other liquids shall be appropriately stored within a bunded and covered area capable of trapping any discharges. The application is to comply with the requirements of the Environmental Protection (Unauthorised Discharges) Regulations 2004. The applicant shall give consideration to the proximity/location of on-site storm water drains and soak wells to areas where spillage of fuel may occur.

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9. Any existing on-site effluent disposal system (septic tanks and leach drains/soak wells on the site shall be decommissioned in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.
10. The applicant is advised that noise generated by activities on site shall not exceed the levels as set under the Environmental Protection (Noise) Regulations 1997. All development works are to be carried out in accordance with control of noise practices set out in Section 6 of AS 2436-1981 or the equivalent current Australian Standard. No works shall commence prior to 7am.

AMENDING MOTION

Moved by: Cr Gerry Pule

Seconded by: Cr Renee McLennan

That Condition 6. be amended as shown in bold:

6. No vehicle used for the delivery of fuel is permitted on site between **7:30am to 9:00am** and **2.30pm to 5:00pm** on weekdays.

REASON: To clarify the hours considered suitable for servicing the tanks and this seeks consistency with other proposed developments before the Town of Bassendean.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Cr Gerry Pule

Seconded by: Cr Renee McLennan

That Advice Note 4. be amended as shown in bold:

4. Any development on the site is required to comply with the relevant Sub-surface Management Plan as found in the Mandatory Auditors Report by the Australian Environmental Auditors released on 26 June 2014. **The management plan should include a safe and compliant method of installing the underground fuel tanks.**

REASON: To strengthen the advice to the applicant regarding the need to provide for compliance in the installation of the underground tanks.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Mr Charles Johnson
Presiding Member, Metro Central JDAP



REPORT RECOMMENDATION (AS AMENDED)

Moved by: Cr Gerry Pule

Seconded by: Ms Sheryl Chaffer

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/17/01224 and accompanying plans:

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In accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Town of Bassendean Local Planning Scheme No. 10 subject to the following conditions as follows:

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- d. The median strip on Collier Road is to be modified to be flush for a length of 10m as shown on the approved turning template to allow fuel vehicles to turn right from Collier Road and adequately enter the site.
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4. Any development on the site is required to comply with the relevant Sub-surface Management Plan as found in the Mandatory Auditors Report by the Australian Environmental Auditors released on 26 June 2014. The management plan should include a safe and compliant method of installing the underground fuel tanks.
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REASON: In accordance with details contained in the Responsible Authority Report and Amending Motions.

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

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

Nil

- 10. Appeals to the State Administrative Tribunal**

Nil

- 11. General Business / Meeting Closure**

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 11.00am.

Mr Charles Johnson
Presiding Member, Metro Central JDAP