



Minutes of the Metropolitan Central Joint Development Assessment Panel

Meeting Date and Time: 29 May 2017; 10:30am
Meeting Number: MCJDAP/240
Meeting Venue: Town of Bassendean
35 Old Perth Road
Bassendean

Attendance

DAP Members

Mr Charles Johnson (Presiding Member)
Mr Christopher Antill (Deputy Presiding Member)
Mr Luigi D'Alessandro (Specialist Member)
Cr Gerry Pule (Local Government Member, Town of Bassendean)

Officers in attendance

Mr Christian Buttle (Town of Bassendean)
Mr Dylan Stokes (Town of Bassendean)

Local Government Minute Secretary

Ms Amy Holmes (Town of Bassendean)

Applicants and Submitters

Mr Alessandro Stagno (Planning Solutions)
Mr Scott Vincent (Planning Solutions)

Members of the Public / Media

There were six members of the public in attendance.
There was one member of the press in attendance.

1. Declaration of Opening

The Presiding Member, Mr Charles Johnson declared the meeting open at 10.25am on 29 May 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*.

Mr Charles Johnson
Presiding Member, Metropolitan Central JDAP



2. Apologies

Cr Paul Bridges (Town of Bassendean)
Cr Renee McLennan (Town of Bassendean)

3. Members on Leave of absence

Nil

4. Noting of Minutes

Note the Minutes of meeting No.236 held on the 2 May 2017.

The Minutes of meeting No.239 held on 18 May 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 Member, Cr Gerry Pule, declared an impartiality interest for Item 8.1 and Item 9.1 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 Standing Orders 2017, the Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in discussion and voting on the items.

7. Deputations and Presentations

7.1 Mr Scott Vincent (Planning Solutions) addressed the DAP for the application at Item 8.1 and answered questions from the panel.

Mr Charles Johnson
Presiding Member, Metropolitan Central JDAP



8. Form 1 - Responsible Authority Reports – DAP Applications

8.1 Property Location: Lot 25 (No. 300) Collier Road, Bassendean
 Application Details: Proposed Convenience Store
 Applicant: Planning Solutions
 Owner: HICON (WA) PTY LTD
 Responsible authority: Town of Bassendean
 DoP File No: DAP/17/01187

REPORT RECOMMENDATION/PRIMARY MOTION

Moved by: Cr Gerry Pule

Seconded by: Mr Christopher Antill

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/17/01187 and accompanying plans:

Dwg No.	Drawing Name	Rev No.	Dwg Date
1616-TP1	Locality Plan and Survey Plan	C	13.02.17
1616-TP2	Layout Plans	D	13.02.17
1616-TP3	Elevations	B	19.12.16
1616-TP4	Landscape Plan and Signage Details	D	13.02.17
1616-TP5	Truck Path	C	13.02.17
N/A	Overall Site Plan	N/A	21.02.17
1616-TP5 (with recommendations in red)	Figure 17 – Recommended changes to kerbs for fuel tanker access	C	13.02.17

Pursuant to Clause 68 Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015 subject to the following conditions:

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 Council for a change of use.
2. Lot A as shown on the overall site plan is to be a minimum of 1,828m² and shall not decrease as a result of a re-survey of the subject site associated with the proposed subdivision.
3. Revised drawings shall be submitted in conjunction with the application for a building permit and such drawings shall demonstrate:
 - a. An amended top of retaining wall height of 22.6; and
 - b. A reduced height to S1 – High Main Price Board to a maximum height of 6m.
 - c. Straightening of the kerb on the western side of the site to increase the width of the proposed crossover as shown in red on drawing titled Figure

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17. The crossover wing radius must be a minimum of 5.0m in accordance with the Towns crossover specifications.
- d. Fencing within 11.5m from the Collier Road lot boundary to be shown as either open mesh or palisade fencing.
- e. 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.
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 LPP18 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 *Melaleuca Quinquenervia* to Alice Street) of a minimum 90L pot size in accordance with the Town's adopted Street Tree Master Plan;
 - e. The total number of plants to be planted at a minimum rate of 4 per 1m²; and
 - f. Details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months.
5. Landscaping shall be installed and maintained in accordance with a landscaping plan, submitted to and approved by the Town of Bassendean prior to the practical completion of the development.
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 Council for this purpose (Manager of Development Services).

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8. The applicant is responsible for all costs and works associated with extending the kerbed median island within the Collier Road road reserve. 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.
9. 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.
10. The car parking spaces and access ways to be designed and constructed in accordance with Local Planning Policy No. 8 and AS 2890.1.
11. The car parking spaces and access ways being constructed and maintained thereafter to Council'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. Prior to the issue of a building permit, a development bond for the sum of \$42,000 being lodged with Council to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works.
14. The incorporation of public art into the proposed development or a cash-in-lieu payment of one per cent of the construction cost of the proposed development 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.
15. 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 Manager Development Services, unless the applicant has entered into an agreement with Council to comply with those conditions within a specified period.

AMENDING MOTION

Moved by: Mr Christopher Antill **Seconded by:** Mr Luigi D'Alessandro

That Condition No. 1 be amended as follows:

1. *This approval is for the use of the building as a convenience store only. **Alternative** use of the premises **may** require the submission of an application to Council for a change of use.*

REASON: To ensure compliance with the Local Planning Scheme Regulations 2016.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Mr Charles Johnson
Presiding Member, Metropolitan Central JDAP



AMENDING MOTION

Moved by: Mr Christopher Antill **Seconded by:** Cr Gerry Pule

That the words ‘Council’ and ‘Manager Development Services’ be removed and replaced with ‘the Town’, in Condition No’s. 7, 11, 13 & 15 to read as follows:

- 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.*
- 11. *The car parking spaces and access ways being constructed and maintained thereafter to **the Town’s** satisfaction.*
- 13. *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 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.*

REASON: To ensure consistency when referring to ‘the Town’. The Town is the legal entity giving the approval.

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

REPORT RECOMMENDATION/PRIMARY MOTION (AS AMENDED)

Moved by: Cr Gerry Pule **Seconded by:** Mr Christopher Antill

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/17/01187 and accompanying plans:

Dwg No.	Drawing Name	Rev No.	Dwg Date
1616-TP1	Locality Plan and Survey Plan	C	13.02.17
1616-TP2	Layout Plans	D	13.02.17
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1616-TP5 (with recommendations in red)	Figure 17 – Recommended changes to kerbs for fuel tanker access	C	13.02.17

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Pursuant to Clause 68 Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015 subject to the following conditions:

1. This approval is for the use of the building as a convenience store only. Alternative use of the premises may require the submission of an application to Council for a change of use.
2. Lot A as shown on the overall site plan is to be a minimum of 1,828m² and shall not decrease as a result of a re-survey of the subject site associated with the proposed subdivision.
3. Revised drawings shall be submitted in conjunction with the application for a building permit and such drawings shall demonstrate:
 - a. An amended top of retaining wall height of 22.6; and
 - b. A reduced height to S1 – High Main Price Board to a maximum height of 6m.
 - c. Straightening of the kerb on the western side of the site to increase the width of the proposed crossover as shown in red on drawing titled Figure 17. The crossover wing radius must be a minimum of 5.0m in accordance with the Towns crossover specifications.
 - d. Fencing within 11.5m from the Collier Road lot boundary to be shown as either open mesh or palisade fencing.
 - e. 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.
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 LPP18 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

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- Road and 2 x Melaleuca Quinquenervia to Alice Street) of a minimum 90L pot size in accordance with the Town's adopted Street Tree Master Plan;
- e. The total number of plants to be planted at a minimum rate of 4 per 1m²; and
 - f. Details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months.
5. Landscaping shall be installed and maintained in accordance with a landscaping plan, submitted to and approved by the Town of Bassendean prior to the practical completion of the development.
 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. The applicant is responsible for all costs and works associated with extending the kerbed median island within the Collier Road road reserve. 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.
 9. 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.
 10. The car parking spaces and access ways to be designed and constructed in accordance with Local Planning Policy No. 8 and AS 2890.1.
 11. The car parking spaces and access ways being constructed and 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. 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.
 14. The incorporation of public art into the proposed development or a cash-in-lieu payment of one per cent of the construction cost of the proposed development 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.

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15. 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.

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motions.

The Report Recommendation/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 54 (Nos. 72 – 74) Railway Parade, Bassendean
 Application Details: Proposed 22 Multiple Dwellings
 Applicant: Mr Joe Douglas of Urban & Rural Perspectives
 Owner: Mark Francis Hammond & Sandra Lee Hammond
 Responsible authority: Town of Bassendean
 DoP File No: DAP/15/00740

REPORT RECOMMENDATION/PRIMARY MOTION

Moved by: Mr Christopher Antill **Seconded by:** Mr Luigi D’Alessandro

That the Metro Central JDAP resolves to:

- Accept** that the DAP Application reference DAP/15/00740 as detailed on the DAP Form 2 date stamped received 4 April 2017 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
- Approve** the DAP Application reference DAP/15/00740 as detailed on the DAP Form 2 date stamped received 4 April 2017 and accompanying plans:

Dwg No.	Drawing Name	Rev No.	Dwg Date
A1.01	Proposed Site Development Plan	7	27.10.2015
A2.01	Proposed Site / Ground Floor Plan (Part A)	7	27.10.2015
A2.02	Proposed Site / Ground Floor Plan (Part B)	7	27.10.2015
A2.05	First Floor Plan (Part A)	7	27.10.2015
A2.06	First Floor Plan (Part B)	7	27.10.2015
A3.01	Elevations	7	27.10.2015

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A3.02	Elevations	7	27.10.2015
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in accordance with the provisions of the Town of Bassendean Local Planning Scheme No. 10, for the proposed minor amendment to the approved 22 Multiple Dwellings at Lot 54 (Nos. 72-74) Railway Parade, Bassendean, subject to the following conditions:

Amended Conditions

1. Deletion of Condition 1.
2. Deletion of Condition 2.
3. Deletion of Condition 3.
4. Deletion of Condition 4.
5. Modification to Condition 15 so as to now read:

A minimum of 8 bicycle parking spaces shall be provided for residents, and a minimum of 3 bicycle parking spaces shall be provided for visitors. The resident bicycle parking spaces shall be located in a secure weather protected compound, details of which shall be provided to the Town in advance of, or in conjunction with the application for a building permit, and **all spaces shall** be constructed in accordance with the provisions of AS 2890.3 (as amended).

6. Deletion of Condition 16.
7. Deletion of Condition 17.
8. Modification to Condition 26 so as to now read:

The bin storage areas are:

- (a) To be surrounded by a 1.8 metre high minimum wall with a self-closing gate;
- (b) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, connected to sewer, with a hose cock to enable both the bins and bin storage area to be washed out; and
- (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.

9. Modification to Condition 36 so as to now read:

This decision constitutes planning approval only and is valid for a period of **4 years from 23 June 2015**. If the subject development is not substantially commenced within the **4 year** period, the approval shall lapse and be of no further effect.

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All other conditions and requirements detailed on the previous approval dated 23 June 2015 shall remain unless altered by this application.

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

The Report Recommendation/Primary Motion 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 11.15am.

A handwritten signature in black ink, appearing to read 'C Johnson'.

Mr Charles Johnson
Presiding Member, Metropolitan Central JDAP