



Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 31 July 2024; 9:30am
Meeting Number: MODAP/27
Meeting Venue: 140 William Street, Perth
Public Observing: Online

A recording of the meeting is available via the following link: [MODAP/27 – 31 July 2024 – City of Wanneroo – City of Cockburn](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF WANNEROO

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 70 (77) Queensway Road, Landsdale – Additions to Educational Establishment – DAP/24/02677
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF COCKBURN

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1a Lot 91 (436) Carrington Street, Hamilton Hill – Use and development of 24 hour service station and associated car parking, access, landscaping and signage – DAP/24/02687
 - 3.1b Lot 91 (436) Carrington Street, Hamilton Hill – Use and development of 24 hour service station and associated car parking, access, landscaping and signage – DAP/24/02687
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

Francesca Lefante
Presiding Member, Metro Outer DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. General Business
3. Meeting Closure

A handwritten signature in black ink, appearing to read 'Francesca Lefante', with a long horizontal line extending to the right.

Francesca Lefante
Presiding Member, Metro Outer DAP



Attendance	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Francesca Lefante (Presiding Member)	Claire Ortlepp
Lee O'Donohue (Deputy Presiding Member)	Ashlee Kelly
Jason Hick	
<i>Part B – City of Wanneroo</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Bronwyn Smith	Greg Bowering
Cr Jacqui Huntley	Shabnam Boss
	Rhiannon McQuillan
	Fiona Jones
	Ian Braker
<i>Part C – City of Cockburn</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Tom Widenbar	Lucia Dunstan
Cr Tarun Dewan	Martin Vahala
	Riley Brown
	Amneet Malhi
	Suzanne Neale
	Aiden O'Brien (Western Australian Planning Commission)

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Presiding Member, Metro Outer DAP



Applicant and Submitters
<i>Part B – City of Wanneroo</i>
Peter Simpson (PTS Town Planning) Jacob Martin (WSP Australia) Sally Matthews (Matthews & Scavalli Architects) Danae Belson (Matthews & Scavalli Architects) Ahmed Elsayed (Matthews & Scavalli Architects)
<i>Part C – City of Cockburn</i>
Alessandro Stagno (Apex Planning) Behnam Bordbar (Transcore) Chris Cornelius (Aksara) Jess Hamdorf (McLeod Fisher & Hamdorf) Mark Palmero (Veri Group)

Members of the Public / Media

There was 1 member of the public in attendance.

Observers via livestream

There were 7 persons observing the meeting via the livestream.

Francesca Lefante
Presiding Member, Metro Outer DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:35am on 31 July 2024 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Nil.

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

Francesca Lefante
Presiding Member, Metro Outer DAP



PART B – CITY OF WANNEROO

1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for further information and responsible authority response in relation to Item 3.1, received on 29 July 2024 was published in Part B of the Related Information.

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 Lot 70 (77) Queensway Road, Landsdale – Additions to Educational Establishment – DAP/24/02677

Deputations and Presentations

Peter Simpson (PTS Town Planning) addressed the DAP against the recommendation for the application at Item 3.1 and responded to questions from the panel.

Jacob Martin (WSP Australia) addressed the DAP in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

The City of Wanneroo addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Cr Bronwyn Smith

Seconded by: NIL

That the Metro Outer DAP resolves to:

1. **Refuse** DAP Application reference DAP/24/02677 and accompanying plans (**Attachment 1**) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the City of Wanneroo District Planning Scheme No. 2 for the following reasons:

Francesca Lefante
Presiding Member, Metro Outer DAP



Reasons

1. The proposed development is inconsistent with DPS2 Clause 11 of Schedule 6 which states that access and egress may be limited in circumstances where access poses a traffic hazard. Further, the proposed development is inconsistent with Clause 67(2)(s) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the Transport Impact Assessment fails to demonstrate that coach buses can be accommodated within the existing road reserve. Further, The TIA does not substantiate its assumptions around trip distributions or provide any justifications regarding the changes to driver behaviour given the proposed access points. As such, the proposal fails to substantiate that the traffic volumes resulting from the proposed development and their distribution are capable of being accommodated within the road network.
2. The proposed development is inconsistent Clause 67(2)(t) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the traffic generated by the proposal is likely to have a negative effect on traffic flow and safety within the local road network. The TIA fails to address the following:
 - a. Substantiate the traffic distribution modelled and demonstrate that the resultant traffic can be accommodated along Babylon Bend.
 - b. Vehicle queuing as a result of the proposed access points and their impact on traffic safety.
 - c. Demonstrate that sufficient sightlines are achieved with consideration of visual obstructions in the verge.

Therefore, the proposal has not adequately demonstrated the appropriateness of the access points along Babylon Bend.
3. The proposed development is inconsistent Clause 67(2)(n) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* given the likely impacts that the proposal would have upon the character of the locality. The proposal fails to discuss any queuing of vehicles which may result from the implementation of the proposed access points. Further, the TIA fails to discuss the existing and resultant traffic along Babylon Bend or establish whether these volumes are consistent with the function and purpose of the residential street network. The proposal is likely to adversely impact on the amenity of the locality as a result.

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Presiding Member, Metro Outer DAP



4. The proposed development is inconsistent with Clause 67(2)(h) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which requires consideration of the proposal in accordance with the relevant structure plan. The Babylon Bend road reserve is required to be 15 metres in width in accordance with East Wanneroo Cell 9 (East Landsdale) Agreed Structure Plan No. 57 (ASP 57). The Babylon Bend road reserve abuts the subject site's eastern boundary and is currently 13 metre in width. Therefore, the width of the adjacent road reserve where the new access points are proposed is insufficient and not in accordance with ASP 57 given that the proposal does not incorporate road widening.

The Report Recommendation LAPSED for want of a seconder.

ALTERNATE MOTION

Moved by: Cr Jacqui Huntley

Seconded by: Lee O'Donohue

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference DAP/24/02677 and accompanying plans (**Attachment 1**) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the City of Wanneroo District Planning Scheme No. 2, subject to the following conditions:

Conditions

1. The use of the approved **Educational Establishment** must conform to the District Planning Scheme No. 2 definition which states:

"Educational Establishment means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution."

A change of use from that outlined above may require further development approval of the City.

2. A maximum of **344** students are permitted within the **Educational Establishment** at any one time.
3. Prior to the submission of a building permit, a revised Transport Impact Statement must be submitted demonstrating that the 14.5 metre coach bus achieves a swept path contained within the road pavement and sufficient sightlines being achieved to the satisfaction of the City. Once endorsed, the site plan being modified to reflect the updated driveway/crossover design.

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Presiding Member, Metro Outer DAP



4. Prior to the issuing a building permit in relation to the crossovers, the Babylon Bend road reserve must be widened by 2 metres to the extent to which the subject property abuts the reserve. The land is to be ceded to the crown free of cost, at the cost of the proponent.
5. Parking areas, driveways and points of ingress and egress must be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS 2890) and must be drained, sealed, marked and maintained to the satisfaction of the City prior to occupation of the development.
6. Wheel stops must be provided in accordance with AS 2890 where the parking bays abuts a concrete path.
7. The parking areas and associated access indicated on the approved plans must not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.
8. Staff car parking spaces for the **Educational Establishment** must be marked and clearly signposted as dedicated for staff use only, to the satisfaction of the City.
9. Planting and landscaping must be carried out in accordance with the plans as submitted prior to occupation of the building and thereafter maintained to the satisfaction of the Manager Land Development.
10. Stormwater and any other water run-off from buildings and/or paved areas must be collected and retained on site.
11. The development is to comply with the assumptions of the Acoustic Report (Ref **32823-1-24014**) prepared by **Herring Storer Acoustics** dated **June 2024**.
12. Lighting shall be installed to pathways and car parking areas, be designed in accordance with 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 must be oriented and hooded to eliminate disturbance to occupants on surrounding properties.
13. All waste must be stored within the designated bin enclosure and collected from the site by a private contractor at the cost of the owner/occupier. Bin servicing must occur between 7.00am and 7.00pm Monday to Saturday only.

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Presiding Member, Metro Outer DAP



14. Prior to the submission of building permit, an amended site plan and elevations (whererelevant) are required to be approved indicating the following:
 - a. Location of the existing crossover along Queensway;
 - b. The footpath location providing connectivity from Queensway Road to the school;
 - c. Front fence location and design along Queensway Road; and
 - d. The electrical substation fencing.

The building permit must then be lodged in accordance with approved amended plans.

15. The movement of trucks for delivery purposes must occur between 7am and 7pm, Monday to Saturday only.
16. Any graffiti applied to the external surfaces of the building shall be removed within seven (7) days of it being applied, to the satisfaction of the City of Wanneroo.
17. A Construction Management Plan must be submitted for approval when an application is made for a building permit. This plan is to detail how construction will be managed to minimise disruption in the area and to adjoining landowners. The plan must address the following:
 - a) The delivery of and delivery times for materials and equipment to the site;
 - b) Storage of materials and the location and types of equipment on site;
 - c) Parking arrangements for contractors and sub-contractors;
 - d) The impact of traffic movements;
 - e) Construction times;
 - f) The relocation of public footpaths;
 - g) Measures to minimise impacts of noise and sand drift and dust from the site;
 - h) Tree protection zones to be established for trees identified to be retained in the approved landscaping plan (including any verge trees) where applicable;
 - i) The relocation/disruption of any public transport infrastructure; and
 - j) Any other matter required by the City.

The construction management plan is to be submitted to and approved by the City prior to the commencement of any development.

Advice Notes

1. In regard to managing dust and sand drift in accordance with the Construction Management Plan condition, adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Water and Environmental Regulations 'A guidelines for managing the impacts of dust and associated contaminants from land development site, contaminated sites remediation and other related activities.'

Francesca Lefante
Presiding Member, Metro Outer DAP



2. The owner/applicant is to submit the “Certification of Compliance with Development Approval Conditions” form certifying that all of the conditions specified in the approval by the Council for the development of the land have been completed in accordance with the approved plans, and the certification is to be lodged with the Council within 14 days from the date of practical completion, and applies to all of the conditions, except for those conditions relating to on-going compliance.

The Alternate Motion was put and CARRIED (4/1).

For: Francesca Lefante
Lee O’Donohue
Jason Hick
Cr Jacqui Huntley

Against: Cr Bronwyn Smith

REASON: The proposal for expansion of the school is consistent with the planning framework and capable of being approved. Members were satisfied that the secondary additional vehicle access points to the school were appropriate and the adjoining road system is capable of accommodating the redistributed traffic in a functional and safe manner. The proposed is well designed, providing safe vehicle movement and bus circulation. The use of these additional crossovers was predominantly twice a day, for vehicle and bus.

Expansion of the school is appropriate in the site context, size and surrounding road network. On balance the secondary access is reasonable and supported and accordingly the proposal was supported.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Bronwyn Smith & Cr Jacqui Huntley (Local Government DAP Members, City of Wanneroo) left the panel at 10:29am.

Francesca Lefante
Presiding Member, Metro Outer DAP



PART C – CITY OF COCKBURN

Cr Tom Widenbar & Cr Tarun Dewan (Local Government DAP Members, City of Cockburn) joined the panel at 10:30am.

1. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 3.1b, received on 30 July 2024.

All members declared that they had duly considered the documents contained within Part C of the Agenda and Part C of the Related Information.

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1a Lot 91 (436) Carrington Street, Hamilton Hill – Use and development of 24 hour service station and associated car parking, access, landscaping and signage – DAP/24/02687

Deputations and Presentations

Jess Hamdorf (McLeod Fisher & Hamdorf) addressed the DAP against the application at Item 3.1.

Alessandro Stagno (Apex Planning) addressed the DAP in support of the application at Item 3.1.

Behnam Bordbar (Transcore) addressed the DAP in support of the application at Item 3.1.

The City of Cockburn addressed the DAP in relation to the application at Item 3.1a and responded to questions from the panel.

The Western Australian Planning Commission addressed the DAP in relation to the application at Item 3.1a.

Francesca Lefante
Presiding Member, Metro Outer DAP



REPORT RECOMMENDATION

Moved by: Lee O'Donohue

Seconded by: Cr Tarun Dewan

That the Metro Outer Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/24/02687 and accompanying plans (in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Cockburn Town Planning Scheme No. 3, for the proposed 24 hour service station and associated car parking, access, landscaping and signage at Lot 91 (436) Carrington Street, Hamilton Hill.

Conditions

1. Development may be carried out only in accordance with the approved plans. This includes the use of the land and/or a tenancy. The approved development has approval to be used as a 'Service Station' only. In the event it is proposed to change the use of the subject site, a further application needs to be made to the City for determination.
2. **Prior to issue of a Building Permit**, a detailed landscaping plan shall be submitted to and approved by the City, and shall include the following:
 - a. the location, number, size and species type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - b. any lawns to be established;
 - c. any existing landscape areas to be retained;
 - d. those areas to be reticulated or irrigated; and
 - e. verge treatments.
3. **Prior to the issue of a Building Permit**, a Stormwater Management Plan shall be submitted to and approved by the City. The Stormwater Management Plan shall be in accordance with the Stormwater Management Manual for Western Australia (DWER, 2004-2007), Decision process for the stormwater management in Western Australia (DWER, 2017) and Water Quality Protection Note 49: Service Stations (WQPN 49) (DWER, 2013) that demonstrates the appropriate management of small, minor and major rainfall events. Measures contained in the approved plan shall be implemented at all times to the satisfaction of the City.
4. **Prior to the issue of a Building Permit**, a Lighting Management Plan shall be submitted to and approved by the City. The Lighting Management Plan shall address operational aspects of minimising the use and treatment of lights after hours on adjoining residential properties. Measures contained in the approved Lighting Management Plan shall be implemented at all times.

Francesca Lefante
Presiding Member, Metro Outer DAP



5. **Prior to the issue of a Building Permit**, a Safety and Risk Management Plan shall be submitted to and approved by the City on advice from the Department of Mines and Petroleum. The Safety and Risk Management Plan shall detail risk and safety management measures including communication and evacuation protocols. Measures contained in the approved Safety and Risk Management Plan shall be implemented at all times.
6. **Prior to the issue of a Building Permit**, a Waste Management Plan shall be submitted to and approved by the City. The Waste Management Plan shall detail how waste is stored and removed from the site. Measures contained in the approved Waste Management Plan shall be implemented at all times.
7. **Prior to the issue of a Building Permit**, a plan or description of all signs for the proposed development shall be submitted to and approved by the City. The detailed plans/description must be submitted to the City prior to the erection of any signage on the site/building.
8. **Prior to the issue of any Building Permit**, an updated Acoustic Report shall be prepared to the City's satisfaction demonstrating that noise emissions will comply with the requirements of the Environmental Protection (Noise) Regulations 1997 (as amended).
9. Bulk fuel delivery trucks and waste collection is to occur between the hours of 7am and 7pm, Monday to Saturday.
10. All noise attenuation measures, identified by Acoustic Report "Service Station Development – Lot 91 (#436) Carrington Street, Hamilton Hill" (Llyod George Acoustics, Doc Ref: 24018651-01A; dated 24 June 2024) or as additionally required by the City, shall to be implemented prior to occupancy of the development and the requirements of the Acoustic Report are to be observed at all times.
11. **Prior to the issue of a Building Permit**, written confirmation shall be provided to the satisfaction of the City confirming that Stage 2 Vapour Recovery Technology is to be installed at the refuelling bowsers to minimise petrol emissions. VR2 technology shall be maintained to the satisfaction of the City for the duration of the development.
12. **Prior to the issue of a Building Permit**, an Operational Management Plan shall be provided to the satisfaction of the City and implemented for the duration of the development.
13. Landscaping (including verge planting) shall be installed, reticulated and/or irrigated in accordance with the approved landscaping plan and maintained thereafter to the satisfaction of the City of Cockburn. The landscaping shall be implemented during the first available planting season post completion of development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.

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Presiding Member, Metro Outer DAP



14. All plant and equipment (such as air conditioning .condenser units and communications hardware etc) is to be purposely located on site, or screened so as not to be visible from the street.
15. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
16. The premises must clearly display the street number at all times.
17. The development site shall be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
18. No bunting is to be erected on the site. (Bunting includes streamers, streamer strips, banner strips or decorations of similar kind).
19. **Prior to the issue of any Building Permit**, the owner/applicant shall:
 - submit to the City for approval a preliminary proposal for an art work designed be a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be to be located within the subject site as an integral part of the development;
 - submit to the City for approval an 'Application for Art Work Design';
 - enter into a contract with a professional artist/s to design and install (if appropriate) the art work approved by the City.

The art work shall then be installed prior to occupation of the building/development and maintained thereafter to the satisfaction of the City.

20. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays, unless otherwise approved by the City.
21. All outdoor lighting shall be installed and maintained in accordance with Australian Standard AS 4282 - 1997 "Control of the Obtrusive Effects of Outdoor Lighting".
22. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
 - a) The approved plan;
 - b) Council's engineering requirements and design guidelines

The areas must be sealed in bitumen or concrete (non-residential) concrete or brick paving (residential) (delete not applicable) in accordance with City's specifications, unless otherwise approved by the City.

23. The dimensions of all car parking bays, aisle widths, wheel stops, columns, ramps and circulation areas complying with the Australian Standards AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.

Francesca Lefante
Presiding Member, Metro Outer DAP



24. Directional arrows to be marked on site in line with the approved plans.
25. All access ways, parking areas and hardstand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.
26. The fuel dispensing area is to be:
 - a) Located entirely beneath an impervious roof/forecourt canopy;
 - b) Paved and graded to direct all refuelling area runoff to dedicated system.
27. Prior to the commencement of development, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all development works have been carried out in accordance with the pre-works geotechnical report.
28. The recommendations, identified by the Revised Transport Impact Assessment (TIA) "Proposed Service Station Development –436 Carrington Street, Hamilton Hill" (Transcore, dated June 2024) and accompanying Vehicle Access Plan (VAP) (Transcore, dated 27 June 2024), shall be implemented at all times to the satisfaction of the City.
29. The VAP shall be updated where necessary to accommodate changes to traffic flow, improvements to safety, or impacts resulting in future road upgrades, to the satisfaction of the City.
30. A Construction Management Plan shall be submitted to and approved by the City **prior to issue of a Building Permit** for new buildings detailing management of:
 - a) access to and from the site;
 - b) the delivery of materials and equipment to the site; the storage of
 - c) materials and equipment on the site;
 - d) the parking arrangements for contractors and subcontractors;
 - e) other matters likely to impact on surrounding properties; and
 - f) management of construction waste.

The Construction Management Plan shall be implemented at all times during the construction phase.

Advice Notes

- a) This is a Development Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency.
- b) The development site must be connected to the reticulated sewerage.

Francesca Lefante
Presiding Member, Metro Outer DAP



- c) All crossover/s should meet City's Vehicle Crossover Specification. The applicant/landowner is advised a separate approval is required by the City's Development Engineering team. Please submit a crossover application on City's website with a detailed site plan. A 2m x 2.5m sightline shall be provided at the intersection of the crossover and the front boundary for standard crossovers. All sightlines shall be maintained clear of obstructions above a height of 0.75m.
- d) If an odour detected at an adjacent premises is deemed to be offensive by the City, then any process, equipment and/or activities that are causing the odour shall be stopped until the process, equipment and or activity has been altered to prevent odours to the satisfaction of the City.
- e) With regard to Condition 8, the updated Acoustic Report shall be prepared by a suitably qualified and recognised acoustic consultant and demonstrate that the development will comply with the requirements of the Environmental Protection (Noise) Regulations 1997 (as amended) and the City of Cockburn Noise Attenuation Policy (LPP 1.12). The updated Acoustic Report is to include:
 - i. Assessment of noise emissions associated with activities, plant or equipment (such as bin areas, exhaust canopies, refrigeration equipment etc);
 - ii. Predictions of anticipated break out noise levels;
 - iii. Sound proofing measures proposed to mitigate noise;
 - iv. Control measures to be undertaken (including monitoring procedures); and
 - v. A complaint response procedure.
- f) With regard to Condition 30, the Construction Management Plan shall be in accordance with the City's CMP guidelines accessed on the City's Website and shall address the following items:
 - i. Access to and from the site;
 - ii. Delivery of materials and equipment to the site;
 - iii. Storage of materials and equipment on the site;
 - iv. Parking arrangements for contractors and subcontractors;
 - v. Management of construction waste; and
 - vi. Other matters likely to impact on the surrounding properties.
- g) With regard to Condition 12, the Operational Management Plan shall include the following:
 - i. Hours of operations;
 - ii. Days of operation;
 - iii. Number of vehicles that can be accommodated on site at any one time;
 - iv. Number of staff members on site at any one time;
 - v. Fuel storage capacity;
 - vi. How fuel delivery will operate (delivery times/frequencies)
 - vii. Guidance to patrons regarding access, internal circulation and egress
 - viii. Details on how the surrounding road network would not be unduly impacted during peak periods
 - ix. Cheap fuel days queuing assessment
 - x. Management of vehicles and pedestrians entering/exiting.
 - xii. Scope to update the plan to the City's satisfaction if required.

Francesca Lefante
Presiding Member, Metro Outer DAP



The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposal is consistent with the planning framework and capable of being approved. The development scale, form and vehicle access are appropriate in the site locational context. Due regard was given to submission received regarding the landuse.

Members were satisfied that the Carrington Street access is consistent with existing road layout, allows for the future road upgrades and does not prejudice the outcome of the MRS amendment. Having regard to the responsible report and submissions, members supported the proposal.

3.1b Lot 91 (436) Carrington Street, Hamilton Hill – Use and development of 24 hour service station and associated car parking, access, landscaping and signage – DAP/24/02687

Deputations and Presentations

Nil.

REPORT RECOMMENDATION

Moved by: NIL

Seconded by: NIL

That the Metro Outer Development Assessment Panel resolves to:

Defer the determination of DAP Application reference DAP/24/02687 pending finalisation of Metropolitan Region Scheme Amendment 1404/41, which would transfer land abutting the site (Carrington Street) and a strip of land 7.3 metres-wide within and abutting the western boundary of the site, from the Primary Regional Roads reservation to the Urban zone.

The Report Recommendation LAPSED for want of a mover and a seconder.

ALTERNATE MOTION

Moved by: Lee O'Donohue

Seconded by: Jason Hick

Approve DAP Application reference DAP/24/02687 and accompanying plans (Attachment 1), pursuant to Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only. If development has not substantially commenced within four years of the date of this letter, the approval shall lapse and be of no further effect.

Francesca Lefante
Presiding Member, Metro Outer DAP



2. The development is to be carried out generally in accordance with the plans at Attachment 1, subject to any modifications required by conditions of approval.

Advice

1. This decision constitutes planning approval under the Metropolitan Region Scheme only. It is the proponent's responsibility to comply with all other applicable legislation and obtain all other required approvals, licences and permits prior to the commencement of works.

The Alternate Motion was put and CARRIED UNANIMOUSLY.

REASON: The proposal is consistent with the planning framework and capable of being approved. Members were satisfied that the Carrington Street access is consistent with existing road layout, allows for the future road upgrades and does not prejudice the outcome of the MRS amendment, and accordingly the proposal was supported.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Francesca Lefante
Presiding Member, Metro Outer DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR193/2023 DAP/23/02545	Shire of Serpentine Jarrahdale	Lot 218 (No.575) Abernethy Road, Oakford	Proposed Educational Establishment	19/12/2023
DR94/2024 DAP/23/02623	City of Cockburn	Lot 9501 Gaebler Road, Hammond Park	Mixed Use Commercial Development	27/06/2024

The Presiding Member noted the following Supreme Court Appeal -

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/23/02496 CIV 2251 of 2023	City of Swan	Lot 2 & 67 (No.163) and Lot 18 (No.159) James Street, Guildford	Proposed redevelopment of Vaudeville Theatre	03/11/2023

2. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.

3. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:03am.

Francesca Lefante
Presiding Member, Metro Outer DAP