



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 24 January 2023; 9:30am
Meeting Number: MOJDAP/225
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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Mr Eugene Koltasz
Presiding Member, Metro Outer JDAP

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Attendance

DAP Members

Mr Eugene Koltasz (Presiding Member)
Ms Karen Hyde (Deputy Presiding Member)
Mr John Syme (A/Third Specialist Member)
Cr Phoebe Corke (Local Government Member, City of Cockburn)
Cr Tom Widenbar (Local Government Member, City of Cockburn)

Officers in attendance

Ms Lucia Dunstan (City of Cockburn)
Mr Riley Brown (City of Cockburn)

Minute Secretary

Mr Stephen Haimes (DAP Secretariat)

Applicants and Submitters

Mr Stephen Shircore (Meyer Shircore Architects)
Mr Ben Waters (Meyer Shircore Architects)
Mr Andrew Tyack (Richard Noble & Associates)

Members of the Public / Media

Nil.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 24 January 2023 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 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 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 meeting would not be recorded.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

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2. Apologies

Mr Jason Hick (Third Specialist Member)
Cr Chontelle Stone (Local Government Member, City of Cockburn)

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](#).

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil.

7. Deputations and Presentations

7.1 Mr Ben Waters (Meyer Shircore Architects) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Stephen Shircore (Meyer Shircore Architects) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

7.3 The City of Cockburn addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 810L (Lot 810) Wentworth Parade, Success

Development Description:	Mixed Use Development – Childcare Premises, Medical Centre and Office Suites
Applicant:	Meyer Shircore Architects
Owner:	Gold Estate Holdings Pty Ltd
Responsible Authority:	City of Cockburn
DAP File No:	DAP/22/02362

REPORT RECOMMENDATION

Moved by: Cr Phoebe Corke

Seconded by: Mr John Syme


Mr Eugene Koltasz

Presiding Member, Metro Outer JDAP

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That the Metro Outer DAP resolves to:

1. **Accept** that the DAP Application reference DAP22/2362 is appropriate for consideration as a “Child Care Premises, Medical Centre, Office” land use and compatible with the objectives of the zoning table in accordance with the City of Cockburn Town Planning Scheme No. 3;
2. **Approve** DAP Application reference DAP22/2362 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, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. Development shall be carried out in accordance with the terms of the approved plan.
4. All stormwater must be contained and disposed of on-site. All stormwater infrastructure must be maintained for the duration of the development.
5. Prior to the issue of a Building permit, a detailed Stormwater Management Plan and calculations detailing the proposed drainage system shall be submitted to the City for review and approval. The stormwater management plan shall thereafter be implemented in perpetuity to the satisfaction of the City.
6. The crossover is to be located and constructed to the City’s Vehicle Crossover Specifications (as amended). Redundant crossovers shall be removed, and the verge reinstated prior to or at the time of the installation of the approved new crossover. The crossover is to be maintained as per City’s Vehicle Crossover Specifications in perpetuity.
7. All services and service-related hardware, including clothes drying areas, antennae, satellite dishes and air conditioning units, being suitably located away from public view and screened to the satisfaction of the City.
8. The street number, or where there is no street number, the lot number, shall be clearly displayed on the façade of the building prior to occupation of the building hereby approved and remain in perpetuity to the satisfaction of the City
9. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.


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10. Prior to the issue of a Building Permit, the owner/applicant shall:
 - Submit to the City for approval a preliminary proposal for an artwork designed by a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), 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 artwork approved by the City. The artwork shall then be installed prior to occupation of the building/development and maintained thereafter to the satisfaction of the City.
11. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
12. The occupier of premises in which clinical waste is produced shall comply in all respects with the *Environmental Protection (Controlled Waste) Regulations 2004*. Any liquid waste disposal via the sewer must be with approval of the Water Corporation.
13. The proposal shall comply with the Child Care Services Regulations 2007, and the requirements of the Department for Communities. The applicant is advised that approval shall be obtained from the relevant department prior to the commencement of use.
14. A minimum of 6 bicycle stands/racks that conform to Australian Standard 2890.3 shall be provided in close proximity to the entrance of the building prior to occupation of the building.
15. Prior to the initial occupation, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained, line marked and made available for use in accordance with the approved plans and thereafter maintained to the satisfaction of the City.
16. Prior to the issue of a building permit, a Landscaping Plan shall be submitted to and approved by the City. The landscaping, including within the verge, shall be planted and irrigated in accordance with the details of the landscaping plan 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. The landscaping shall thereafter be maintained in perpetuity to the satisfaction of the City.
17. Prior to the issue of a Building Permit, a Construction Management Plan (CMP) shall be submitted to and approved by the City. The CMP shall be implemented thereafter to the satisfaction of the City.
18. All provisions identified in the Waste Management Plan provided by Talis Consultants and approved by the City, dated 10th November 2022 with the Project Number TW22048, which include recycling measures and management of commercial waste, are to be implemented and maintained thereafter to the satisfaction of the City.


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19. A further Acoustic Report shall be submitted to and approved by the City, prior to the submission of a Building Permit application and implemented thereafter, to the satisfaction of the City. Should no design modifications be proposed, an amended acoustic report will not be required as verified and confirmed by the City.
20. All noise attenuation measures, identified by the Lloyd George Acoustics Report "*Environmental Noise Assessment Lot 810 Wentworth Parade, Success Proposed Childcare Centre and Medical Centre*" (Ref 211067818-01B; dated 1 December 2022) and the further acoustic report required under condition 19 (if required), are to be implemented prior to occupancy of the development and the requirements of the Acoustic Report are to be observed at all times
21. Written confirmation from the builder that all recommendations made in the Acoustic Reports required under conditions 19 (if required) and 20 have been incorporated into the proposed development, shall be submitted to the City with the Building Permit Application.
22. The builder shall provide written confirmation that the requirements of the Acoustic Reports referred to in condition 19 (if required) and 20 have been incorporated into the completed development with the Form BA7 Completion Form, prior to occupation of the development.
23. This application does not pertain to any signage. Sign Permits issued by the City's Building Services is required in accordance with the City's Local Laws (2000).
24. Where a driveway and/or parking bay abuts a public street, associated walls, fences and / or adjacent landscaping areas shall be truncated within 1.5 metres thereof or limited in height to 0.75 metres.
25. The maximum number of staff permitted within the medical centre at any one time shall be restricted to 18, comprising of;
 - a. 8 medical practitioners; and
 - b. 10 other administrative, clerical or support staff.
26. The childcare premises shall be restricted to a maximum of 20 staff (comprising of 17 educator staff and 3 support staff) with a maximum capacity of 92 children.
27. The operating hours of the office and Medical Centre shall be restricted to 08:00 to 21:00, Monday to Sunday
28. The operating hours of the childcare premises shall be restricted to the following:
 - Monday to Friday, 06:00 until 19:00
 - Saturday, 08:00 until 16:00


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Advice Notes

1. This is a Planning 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
2. All stormwater drainage shall be designed in accordance with the document entitled "[Australian Rainfall and Runoff](#) 2019" produced by the Commonwealth of Australia (Geoscience Australia). The design is to be certified by a suitably qualified practicing Engineer on the basis of a 1% AEP (annual exceedance probability) critical event, to the satisfaction of the City. Details of the stormwater drainage are also to be provided with the associated Building Permit Application where applicable.
3. With regards to Condition 9, the artwork shall be in accordance with City's Local Planning Policy LPP 5.13 Percent for Art and the 'Application for Artwork Design' and shall include a contract between the owner/applicant and the artist, full working drawings (including an indication of where the artwork is located) and a detailed budget being submitted to and approved by the City. Further information regarding the provision of artwork can be obtained from the City's Community Arts Officer on 9411 3444.
4. With regards to condition 15, visitor/staff parking bays shall be permanently marked, maintained and accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City of Cockburn.
5. With regards to Condition 17, the Construction Management Plan (CMP) guidelines are available on the City's Website. The Construction Management Plan (CMP) shall address the following items:
 - a. Access to and from the site;
 - b. Delivery of materials and equipment to the site;
 - c. Storage of materials and equipment on the site;
 - d. Parking arrangements for contractors and subcontractors;
 - e. Management of construction waste; and
 - f. Other matters likely to impact on the surrounding properties.
6. With regard to Condition 19 above, the acoustic report shall be prepared by a suitably qualified and recognised acoustic consultant and demonstrate that the design and location of plant and other sources of noise within the development will not exceed the assigned noise levels set out in the Environmental Protection (Noise) Regulations 1997 (as amended).
7. The applicant is advised that a crossover application will be required to be lodged with the City's Operations and Maintenance Division.
8. Please be advised that the development must comply with the requirements of the Building Codes of Australia.



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9. All earthworks and/or associated drainage details shall be in accordance AS3500 with plans and specifications certified by a suitably qualified practicing Engineer to the satisfaction of the City.
10. The City requires tree protection areas around proposed or existing street trees, your attention is drawn to the Parks Department on 9411 3444.

The Report Recommendation was put and CARRIED (4/1).

For: Mr Eugene Koltasz
Mr John Syme
Cr Phoebe Corke
Cr Tom Widenbar

Against: Ms Karen Hyde

REASON: The majority of the Panel considered that the proposed development of the combined Childcare premises and Medical Centre is consistent with the relevant statutory Planning framework for the locality and adjacent Cockburn Gateway Regional Centre. Whilst some concerns were raised with the comments of the City's Design Review Panel and non-support of elements of the building design and site landscaping the Panel majority were of the view that the building design was appropriate for the site and locality and was of a high standard for a commercial building. The Panel majority was also satisfied that a further landscaping plan required to be lodged under a recommended condition will address issues such as specific plant species and site landscaping coverage.

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil.

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10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications –

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/18/01543 DR 75/2022	City of Joondalup	Lot 649 (98) O'Mara Boulevard, Iluka	Commercial development	02/05/2022
DAP/22/02220 DR162/2022	City of Kwinana	Lot 9507 Berthold Street, Orelia	Proposed Child Care Centre	28/09/2022
DAP/22/02159 DR163/2022	Shire of Murray	No. 630 (Lot 137) Pinjarra Road, Furnissdale	Proposed Petrol Filling Station	28/09/2022
DAP/21/02036 DR236/2022	City of Swan	Lot 97 (31) & 817 (47) Lakes Road, Hazelmere	Proposed Construction of a Logistics Depot with Ancilliary Office Area	23/12/2022

11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 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.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 9:50am.


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