



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 11 January 2024; 9:30am
Meeting Number: MOJDAP/292
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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Eugene Koltasz
Presiding Member, Metro Outer JDAP



Attendance

DAP Members

Eugene Koltasz (Presiding Member)
Karen Hyde (Deputy Presiding Member)
John Syme (A/Third Specialist Member)

Item 8.1

Cr Charlie Zannino (Local Government Member, City of Swan)
Cr Rod Henderson (Local Government Member, City of Swan)

Item 8.2

Cr John Keogh (Local Government Member, City of Armadale)

Officers in attendance

Item 8.1

Jonathan Lendich (City of Swan)
Lyn Bridges (City of Swan)

Item 8.2

Paul Rosser (City of Armadale)
Glen Windass (City of Armadale)

Minute Secretary

Claire Ortlepp (DAP Secretariat)
Laura Simmons (DAP Secretariat)

Applicants and Submitters

Item 8.1

Alessandro Stagno (Apex Planning)
Antonio Di Virgilio (Collab Capital)
Chengcheng Jiao (Collab Capital)
Damien Maxwell (Hodge Collard Preston Architects)

Item 8.2

Denise Morgan (CDP Town Planning & Urban Design)
Andrew Wallis (Stockland)

Members of the Public / Media

Nadia Budihardjo from Business News was in attendance.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:37am on 11 January 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 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.

2. Apologies

Jason Hick (Third Specialist Member)
Cr Michael Hancock (Local Government Member, City of Armadale)
Cr Shavanas Peter (Local Government Member, City of Armadale)

3. Members on Leave of Absence

DAP Member, Jason Hick has been granted leave of absence by the A/Director General for the period of 10 January 2024 to 26 January 2024 inclusive.

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.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



7. Deputations and Presentations

- 7.1 Alessandro Stagno (Apex Planning) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the Panel.
- 7.2 City of Swan addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

The presentations at Item 7.1 and 7.2 were heard prior to the application at Item 8.1.

- 7.3 Andrew Wallace (Stockdale) addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.
- 7.4 City of Swan addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.

The presentation at Item 7.3 and 7.4 were heard prior to the application at Item 8.2.

Cr Charlie Zannino (Local Government Member, City of Swan) joined the panel at 9:39am.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 1271 & Lot 270 (No.63) Ewart Street, Midland

Development Description:	Child Care Premises
Applicant:	Alessandro Stagno (Apex Planning)
Owner:	61 Ewart Street Pty Ltd
Responsible Authority:	City of Swan
DAP File No:	DAP/23/02566

REPORT RECOMMENDATION

Moved by: Cr Rod Henderson

Seconded by: Cr Charlie Zannino

The Metro Outer Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/23/02566 and Accompanying Plans in accordance with Clause 68 of Schedule No.2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 10.3 of the City of Swan Local Planning Scheme No.17, subject to the following conditions:

Eugene Koltasz
Presiding Member, Metro Outer JDAP



Conditions

1. This approval is for a 'Child Care Premises' as defined under the City of Swan Local Planning Scheme No.17 and the subject land may not be used for any other use without prior approval of the City of Swan.
2. The approved 'Child Care Premises' is to comply in all respects with the attached approved plans, as dated, marked and stamped. The plans approved as part of this application form part of the development approval issued.
3. Lot 1271 and Lot 270 (No.63) Ewart Street, Midland shall be amalgamated into a single lot on a certificate of title. Amalgamation must occur prior to occupation of the development.
4. The 'Child Care Premises' is limited to a maximum number of 104 children and 18 staff at any given time.
5. The hours of operation shall be limited to 6.30am to 6.30pm Monday to Friday.
6. All noise attenuation measures, identified by the Environmental Noise Assessment (Reference: 23048029-01 prepared by Lloyd George Acoustics, dated 12 September 2023, are to be implemented prior to occupancy of the development and the requirements of the Environmental Noise Assessment are to be observed at all times, specifically:
 - The installation of a 2m high fence along the northern and western lot boundaries.
 - The installation of a 1.8m high fence along the eastern lot boundary; and
 - The outdoor play area not being used prior to 7.00am.
7. An acoustic study of the mechanical services shall be undertaken once the design has been finalised and submitted for approval to the City of Swan prior to occupation of the development. Mechanical services shall be installed in accordance with an approved acoustic study and maintained thereafter to the satisfaction of the City of Swan.
8. Prior to occupation or use of the development, 30 car parking bays on-site must be provided on the lot in accordance with the approved plans. The design of vehicle parking and access must comply with AS/NZ 2890.1 (as amended). Accessible parking bays must comply with AS/NZ 2890.6 (as amended).
9. The design and construction of the bicycle bays shall be in accordance with AS/NZS 2890.3:2015 - Parking Facilities Part No.3: Bicycle Parking.
10. Vehicle parking, access and circulation areas must be sealed, kerbed, drained and maintained to the satisfaction of the City of Swan, in accordance with the approved plans.
11. All crossovers must be built and maintained in accordance with the City of Swan's specifications.

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12. A Construction Management Plan shall be submitted for approval to the City of Swan prior to commencement of works. The Construction Management Plan shall address, but not be limited to, dust, noise, waste management, storage of materials, traffic management and site safety/security. The Construction Management Plan is to be complied with for the duration of the construction of the development.
13. An Earthing Study is to be undertaken in relation to the Western Power Transmission Easement. Any mitigations identified in the study are to be implemented by the Landowner prior to occupation of the development.
14. Prior to a building permit being issued, a Waste Management Plan must be submitted to and approved by the City of Swan. The plan must include the following details to the satisfaction and specification of the City of Swan:
 - a) The location of bin storage areas and bin collection areas;
 - b) The number, volume and type of bins, and the type of waste to be placed in the bins;
 - c) Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - d) Frequency of bin collections.

The Waste Management Plan must be implemented at all times to the satisfaction of the City of Swan.

15. Waste collection is to be limited to between 7.00am and 7.00pm - Monday to Saturday and between 9.00am and 7.00pm on Sundays and Public Holidays unless further evidence, to the satisfaction of the City of Swan is provided that compliance can be achieved with the *Environmental Protection (Noise) Regulations 1997* outside of those times.
16. The refuse bin area shall be in compliance with the City of Swan Health Local Law 2002 and shall be provided to the satisfaction of the City of Swan prior to the occupation of the development.
17. Prior to the submission of a Building Permit, a detailed playscape, landscaping and reticulation plan shall be submitted, and approved by the City of Swan, addressing the location, densities, and species as well as any verge treatments.
18. The approved Landscaping Plan must be implemented within the first available planting season after the initial occupation of the development, and maintained thereafter, to the satisfaction of the City of Swan. Any species that fails to establish within the first two (2) planting seasons following implementation must be replaced in consultation with, and to the satisfaction of, the City of Swan.
19. All signs must be placed on private property and must not overhang or encroach on the road reservation.
20. No bunting is to be erected on the site (including streamers, streamer strips, banner strips or decorations of similar kind).

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21. Prior to the occupation of the development, the Landowner must contribute a sum of 1% of the total development construction value toward Public Art in accordance with the City of Swan Local Planning Policy for the Provision of Public Art (POL-LP-1.10), by either:
- a) Payment to the City of Swan a cash-in-lieu amount equal to the sum of the 1% contribution amount (\$21,000.00). This must be paid to the City of Swan prior to the date specified in an invoice issued by the City of Swan, or prior to the issuance of a building permit for the approved development, whichever occurs first; or
 - b) Provision of Public Art on-site to a minimum value of the 1% contribution amount (\$21,000.00). The following is required for the provision of Public Art on-site:
 - i. The Landowner or Applicant on behalf of the Landowner must seek approval from the City of Swan for a specific Public Art work including the artist proposed to undertake the work to the satisfaction of the City of Swan in accordance with POL-LP-1.10 and the Developers' Handbook for Public Art (as amended). The City of Swan may apply further conditions in regard to the proposed Public Art;
 - ii. No part of the approved development may be occupied or used until the Public Art has been installed in accordance with the approval granted by the City of Swan; and,
 - iii. The approved Public Art must be maintained in compliance with the approval granted by the City of Swan and any conditions thereof, to the satisfaction of the City of Swan.
22. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Swan.
23. Prior to commencement of works, a Statement of Sustainability measures shall be submitted to the satisfaction of the City of Swan. The Statement of Sustainability shall address, but is not limited to, sustainable construction materials, recycling, good waste management practices, re-use of materials and existing structures (where applicable), harnessing of renewable energy sources, and total water cycle management. The Statement of Sustainability is to be complied with for the duration of the construction of the development.
24. All stormwater produced from this property including subsoil drainage must be collected and disposed into the City of Swan's drainage system in accordance with the City of Swan's requirements.
25. Suitable arrangements being made for the connection of the land to the comprehensive district drainage system at the Landowner/Developer's cost. The contribution amount is based on the total site allotment area combined of 2,590m² to the satisfaction of the City of Swan in accordance with the City of Swan Local Planning Policy POL-C-040 Midland District Drainage Development Reserve Fund. This fee is to contribute towards the upgrade and supply of an adequate drainage service within the area.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



Payment must be made prior to the issuance of a building permit or prior to any work commencing on the site (at the earliest instance).

26. The development shall be connected to the reticulated sewerage system.
27. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
28. No goods or materials being stored, either temporarily or permanently, in the parking or landscaping areas or within access driveways.
29. External lighting shall comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.
30. All air conditioning units, plant and roof equipment and other external fixtures are to be screened from view from the surrounding streets and adjoining properties to the satisfaction of the City of Swan.

AMENDING MOTION 1

Moved by: Cr Rod Henderson

Seconded by: Cr Charlie Zannino

That a new Condition no. 31 be added to read as follows:

An Operational Management Plan is to be prepared by a suitably qualified consultant and submitted to the City of Swan for approval prior to a building permit being lodged. The Operational Management Plan shall outline how all noise related recommendations and 'best practice' mitigation measures detailed by the Environmental Noise Assessment (Reference: 23048029-01) prepared by Lloyd George Acoustics, dated 12 September 2023 will be implemented to achieve compliance with the Environmental Protection (Noise) Regulations 1997. This plan is to be to the satisfaction of the City of Swan and shall be maintained and complied with in perpetuity.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure noise mitigation is undertaken as part of normal operations.

REPORT RECOMMENDATION (AS AMENDED)

The Metro Outer Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/23/02566 and Accompanying Plans in accordance with Clause 68 of Schedule No.2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 10.3 of the City of Swan Local Planning Scheme No.17, subject to the following conditions:

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Conditions

1. This approval is for a 'Child Care Premises' as defined under the City of Swan Local Planning Scheme No.17 and the subject land may not be used for any other use without prior approval of the City of Swan.
2. The approved 'Child Care Premises' is to comply in all respects with the attached approved plans, as dated, marked and stamped. The plans approved as part of this application form part of the development approval issued.
3. Lot 1271 and Lot 270 (No.63) Ewart Street, Midland shall be amalgamated into a single lot on a certificate of title. Amalgamation must occur prior to occupation of the development.
4. The 'Child Care Premises' is limited to a maximum number of 104 children and 18 staff at any given time.
5. The hours of operation shall be limited to 6.30am to 6.30pm Monday to Friday.
6. All noise attenuation measures, identified by the Environmental Noise Assessment (Reference: 23048029-01 prepared by Lloyd George Acoustics, dated 12 September 2023, are to be implemented prior to occupancy of the development and the requirements of the Environmental Noise Assessment are to be observed at all times, specifically:
 - a. The installation of a 2m high fence along the northern and western lot boundaries.
 - b. The installation of a 1.8m high fence along the eastern lot boundary; and
 - c. The outdoor play area not being used prior to 7.00am.
7. An acoustic study of the mechanical services shall be undertaken once the design has been finalised and submitted for approval to the City of Swan prior to occupation of the development. Mechanical services shall be installed in accordance with an approved acoustic study and maintained thereafter to the satisfaction of the City of Swan.
8. Prior to occupation or use of the development, 30 car parking bays on-site must be provided on the lot in accordance with the approved plans. The design of vehicle parking and access must comply with AS/NZ 2890.1 (as amended). Accessible parking bays must comply with AS/NZ 2890.6 (as amended).
9. The design and construction of the bicycle bays shall be in accordance with AS/NZS 2890.3:2015 - Parking Facilities Part No.3: Bicycle Parking.
10. Vehicle parking, access and circulation areas must be sealed, kerbed, drained and maintained to the satisfaction of the City of Swan, in accordance with the approved plans.
11. All crossovers must be built and maintained in accordance with the City of Swan's specifications.

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12. A Construction Management Plan shall be submitted for approval to the City of Swan prior to commencement of works. The Construction Management Plan shall address, but not be limited to, dust, noise, waste management, storage of materials, traffic management and site safety/security. The Construction Management Plan is to be complied with for the duration of the construction of the development.
13. An Earthing Study is to be undertaken in relation to the Western Power Transmission Easement. Any mitigations identified in the study are to be implemented by the Landowner prior to occupation of the development.
14. Prior to a building permit being issued, a Waste Management Plan must be submitted to and approved by the City of Swan. The plan must include the following details to the satisfaction and specification of the City of Swan:
 - a) The location of bin storage areas and bin collection areas;
 - b) The number, volume and type of bins, and the type of waste to be placed in the bins;
 - c) Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - d) Frequency of bin collections.

The Waste Management Plan must be implemented at all times to the satisfaction of the City of Swan.

15. Waste collection is to be limited to between 7.00am and 7.00pm - Monday to Saturday and between 9.00am and 7.00pm on Sundays and Public Holidays unless further evidence, to the satisfaction of the City of Swan is provided that compliance can be achieved with the *Environmental Protection (Noise) Regulations 1997* outside of those times.
16. The refuse bin area shall be in compliance with the City of Swan Health Local Law 2002 and shall be provided to the satisfaction of the City of Swan prior to the occupation of the development.
17. Prior to the submission of a Building Permit, a detailed playscape, landscaping and reticulation plan shall be submitted, and approved by the City of Swan, addressing the location, densities, and species as well as any verge treatments.
18. The approved Landscaping Plan must be implemented within the first available planting season after the initial occupation of the development, and maintained thereafter, to the satisfaction of the City of Swan. Any species that fails to establish within the first two (2) planting seasons following implementation must be replaced in consultation with, and to the satisfaction of, the City of Swan.
19. All signs must be placed on private property and must not overhang or encroach on the road reservation.
20. No bunting is to be erected on the site (including streamers, streamer strips, banner strips or decorations of similar kind).

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21. Prior to the occupation of the development, the Landowner must contribute a sum of 1% of the total development construction value toward Public Art in accordance with the City of Swan Local Planning Policy for the Provision of Public Art (POL-LP-1.10), by either:
- a) Payment to the City of Swan a cash-in-lieu amount equal to the sum of the 1% contribution amount (\$21,000.00). This must be paid to the City of Swan prior to the date specified in an invoice issued by the City of Swan, or prior to the issuance of a building permit for the approved development, whichever occurs first; or
 - b) Provision of Public Art on-site to a minimum value of the 1% contribution amount (\$21,000.00). The following is required for the provision of Public Art on-site:
 - i. The Landowner or Applicant on behalf of the Landowner must seek approval from the City of Swan for a specific Public Art work including the artist proposed to undertake the work to the satisfaction of the City of Swan in accordance with POL-LP-1.10 and the Developers' Handbook for Public Art (as amended). The City of Swan may apply further conditions in regard to the proposed Public Art;
 - ii. No part of the approved development may be occupied or used until the Public Art has been installed in accordance with the approval granted by the City of Swan; and,
 - iii. The approved Public Art must be maintained in compliance with the approval granted by the City of Swan and any conditions thereof, to the satisfaction of the City of Swan.
22. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Swan.
23. Prior to commencement of works, a Statement of Sustainability measures shall be submitted to the satisfaction of the City of Swan. The Statement of Sustainability shall address, but is not limited to, sustainable construction materials, recycling, good waste management practices, re-use of materials and existing structures (where applicable), harnessing of renewable energy sources, and total water cycle management. The Statement of Sustainability is to be complied with for the duration of the construction of the development.
24. All stormwater produced from this property including subsoil drainage must be collected and disposed into the City of Swan's drainage system in accordance with the City of Swan's requirements.
25. Suitable arrangements being made for the connection of the land to the comprehensive district drainage system at the Landowner/Developer's cost. The contribution amount is based on the total site allotment area combined of 2,590m² to the satisfaction of the City of Swan in accordance with the City of Swan Local Planning Policy POL-C-040 Midland District Drainage Development Reserve Fund. This fee is to contribute towards the upgrade and supply of an adequate drainage service within the area.

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Payment must be made prior to the issuance of a building permit or prior to any work commencing on the site (at the earliest instance).

26. The development shall be connected to the reticulated sewerage system.
27. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
28. No goods or materials being stored, either temporarily or permanently, in the parking or landscaping areas or within access driveways.
29. External lighting shall comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.
30. All air conditioning units, plant and roof equipment and other external fixtures are to be screened from view from the surrounding streets and adjoining properties to the satisfaction of the City of Swan.
31. An Operational Management Plan is to be prepared by a suitably qualified consultant and submitted to the City of Swan for approval prior to a building permit being lodged. The Operational Management Plan shall outline how all noise related recommendations and 'best practice' mitigation measures detailed by the Environmental Noise Assessment (Reference: 23048029-01 prepared by Lloyd George Acoustics, dated 12 September 2023 will be implemented to achieve compliance with the Environmental Protection (Noise) Regulations 1997. This plan is to be to the satisfaction of the City of Swan and shall be maintained and complied with in perpetuity.

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

REASON: The Panel considered that the proposed development was appropriate to service the growing demand for childcare in the greater Midland district. It is also consistent with the planning framework for the locality as outlined in the City of Swan Local Planning Scheme No. 17 and Local Planning Policies. It has been assessed as compliant in relation to built form, landscaping and noise attenuation.

This is reinforced through outcomes of the design review which concluded that the development meets the principles of State Planning Policy 7.0 Design of the Built Environment.

Cr Charlie Zannino & Cr Rod Henderson (Local Government Member, City of Swan) left the panel at 9:51am.

Cr John Keogh (Local Government Member, City of Armadale) joined the panel at 9:51am.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



8.2 Lots 13,14,15 & 603 Armadale Road and Lot 9001 Interdominion View, Piara Waters

Development Description: Proposed Grouped Dwellings and Ancillary Structures (Lifestyle Community)
Applicant: Denise Morgan (CDP Town Planning & Urban Design)
Owner: Stockland Development Pty Ltd
Responsible Authority: City of Armadale
DAP File No: DAP/23/02577

REPORT RECOMMENDATION

Moved by: Cr. John Keogh

Seconded by: Cr. John Syme

The Metro Outer JDAP resolves to:

Approve DAP Application reference DAP/23/02577 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 Armadale Town Planning Scheme No.4, subject to the following conditions:

Conditions:

1. 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.
2. The Bushfire Management Plan and Addendum submitted by JBS&G(14/04/2023 attached) shall be implemented including site preparation and establishment of any Asset Protection Zone(s) prior to commencement of use.
3. A final colour and material schedule generally in accordance with the submitted details is to be submitted to and approved by the City of Armadale prior to the commencement of building work, and all structures are to be completed and maintained thereafter in accordance with the approved schedule.

Alternative colours and materials from the approved colour and material schedule shall be used for each dwelling to achieve a high standard of visual amenity and attractive internal streetscapes.

4. The external surfaces of all parapet walls that are on or adjoining a property boundary shall be finished in accordance with the schedule of colours approved by Condition 3, prior to occupation.
5. Air conditioning units, compressors and other equipment related to utilities shall be screened from public view / communal areas and positioned so as to avoid any adverse effects, including noise, on the occupants of nearby residential properties to the satisfaction of the City of Armadale.

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6. A Construction Management Plan shall be prepared by the applicant and/or landowner and submitted to the City of Armadale for approval at least seven (7) days prior to the commencement of works. The Construction Management Plan shall be implemented by the applicant and/or landowner to the satisfaction of the City of Armadale and detail how the construction of the development will be managed, including the following:
 - a) Public safety and site security;
 - b) Hours of operation;
 - c) Dust management;
 - d) Waste and material disposal;
 - e) Traffic management plans for the various phases of the construction;
 - f) Parking arrangements for contractors and sub-contractors;
 - g) Delivery and access arrangements;
 - h) The storage of materials and equipment on site (no storage of materials within the public realm will be permitted)
 - i) Bonding and remediation arrangements; and
 - j) Any other matters likely to impact upon the surrounding properties or public realm.
7. To meet drainage requirements, prior to occupation of the development the developer/owner shall submit a stormwater management plan incorporating water sensitive design principles for approval and implement the approved plan to the specifications and satisfaction of the City of Armadale.
8. The Waste Management Plan submitted by Encycle (01/08/2023 attached) shall be implemented to the satisfaction of the City of Armadale.
9. Final landscape plans generally in accordance with the approved concepts submitted by Plan E Landscape Architects (September 2023 attached) shall be submitted to and approved by the City. The final landscape plans shall include:
 - a) Plant species (predominantly West Australian natives);
 - b) Numbers, location, container size;
 - c) Method of irrigation of the landscaped areas;
 - d) Landscaping and treatment of adjoining verge areas;
 - e) The provision of shade trees within the car park at the rates of at least 1 tree per 10 metre interval along any line of car parking;
 - f) Planting of one 45 litre container sized low maintenance tree for every six (6) units as required by Clause 4.3.5.8 of the City's Local Planning Policy 3.1 - Residential Density Development; and,
 - g) One tree per unit in accordance with Clause 5.3.2 Landscaping of the Residential Design Codes.

All landscaping shall be installed prior to occupancy of the development and maintained as per the approved plan thereafter.
10. A Lighting Plan showing lighting to pathways, car parking and communal areas shall be submitted to and approved by the City of Armadale. All lighting shall be installed prior to commencement of the use and operated as per approved plan.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



11. Engineering drawings and specifications shall be submitted and approved prior to commencement of site works, and works shall be undertaken in accordance with the approved plan, engineering drawings and specifications prior to occupation of the development, to the satisfaction of the City of Armadale, for appropriate local traffic management devices to be designed and constructed at the main access point to the subject site.
12. Prior to occupation, to meet vehicle manoeuvring space requirements the developer/owner shall, to the specifications and satisfaction of the City of Armadale:
 - a) Construct/seal all such areas, including drainage and kerbing/markings where necessary, in accordance with the approved site plan;
 - b) Relocate/remove any services/infrastructure as necessary;
 - c) Remove any existing crossover(s) and reinstate all kerbing/footpaths/verge areas; and,
 - d) Arrange for continuous maintenance of all such areas thereafter.
 - e) In accordance with the requirements of Local Planning Policy PLN 3.12 - Percent for Public Art, prior to the occupancy of the development, the applicant and/or landowner is to: make a monetary contribution to the City of Armadale Public Art Reserve Account equal to \$100,000.00; or,
 - f) install public art work to the value of \$100,000.00 on site or within the adjacent Public Open Space.
13. The Noise Assessment submitted by Lloyd George Acoustics Pty Ltd (16/06/2023 attached) shall be implemented to the satisfaction of the City of Armadale.
14. Prior to the occupation of the development, certification from a qualified acoustic consultant is to be submitted confirming Condition 14 has been achieved. This certification must be provided to the City of Armadale.
15. No structures above or below ground shall encroach into the Armadale Road reserve.
16. No stormwater drainage is to be discharged onto the Armadale Road reserve.
17. No waste collection is permitted from Armadale Road reserve.
18. The proposed development shall be connected to the reticulated water and sewerage supply.
19. In accordance with 'Water Corporation Design Standard 63 – Water Reticulation Standard', fire hydrants shall be installed within the common property of the development in order to service all dwellings.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



Advice Notes:

1. Compliance with the Building Code of Australia is required. In this regard, a Building / Demolition Permit application shall be submitted to the City's Building Services and approved prior to the erection / demolition of any structures on the subject site.
2. The applicant/landowner should comply with the following as applicable:
 - a) The *Environmental Protection (Noise) Regulations 1997*;
 - b) Australian Standard 4282-1997 'Control of the obtrusive effects of outdoor lighting' or its equivalent and the City's Environment, Animals and Nuisance Local Laws;
 - c) Australian Standard 4970-2009 'Protection of Trees on Development Sites' and
 - d) Australian Standard 2419.1-2021 'Fire Hydrant Installations System Design, Installation and Commissioning'.
3. With regard to the bushfire Condition, the City notes that the establishment of an APZ does not require wholesale clearing. Please refer to the Western Australian Planning Commission's [Guidelines for Planning in Bushfire Prone Areas](#) – Schedule 1 Standards for Asset Protection Zones.

Additionally, it is highly recommended that ember protection screens be installed to any evaporative air conditioning units. Further information can be obtained at the [DFES website](#).

4. With regard to the Construction Management Plan condition, should the same contractors that are on site for the wider Wildflower subdivision be utilised for the Halcyon site, it would be acceptable to extend the existing Construction Management Plan to the subject site
5. With regard to the Condition on construction of vehicle manoeuvring spaces, the City's Technical Services Directorate should be contacted in order that the appropriate crossover application may be made.
6. With regard to part a) and b) of the Condition relating to the City's PLN 3.12 – Percent for Public Art, the arts approval process is outlined under section 4.2 and 5 of the policy and the proponent will be required to lodge a [Public Art Submission Form](#) to the City's Planning Services, which is available on the City's website.

The City acknowledges the applicant's query as to whether a public art contribution via part a) can be utilised for sponsorship of the Minnawarra Art Awards and will provide further advice on this matter separately.

7. Main Roads WA Specifications 908 Anti-Graffiti can be found on Main Roads website > Technical & Commercial > Technical Library > Specifications > Specification 908 Anti-Graffiti.

Eugene Koltasz
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8. The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The Panel considered that the proposed development was largely compliant with the provisions of the planning framework for the locality and site as identified under the provisions of City of Armadale Town Planning Scheme No.4 and the South-West Piara Waters Structure Plan.

The assessment by the City of Armadale identified a number of issues that required discretionary approval such as the Grouped Dwelling provisions of the Residential Planning Codes. These were approved by the Panel's decision.

The proposed development also identified through accompanying technical reports that waste, traffic, noise and bushfire risk can all be managed appropriately and conditions imposed will reinforce that management.

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

Nil.

10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

10. Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR75/2022 DAP/18/01543	City of Joondalup	Portion of 9040 (34) Kallatina Drive, Iluka	Mixed Commercial Centre (Iluka Plaza)	02/05/2022
DR98/2023 DAP/22/02379	City of Swan	Lot 31 (No.1487) Neaves Road, Bullsbrook	Proposed roadhouse	16/06/2023
DR135/2023 DAP/23/02447	City of Rockingham	Lot 622 (No.2) Aurea Boulevard, Golden Bay	Proposed mixed commercial development (Golden Bay Neighbourhood Centre)	11/08/2023
DR169/2023 DAP/23/02486	City of Swan	Lot 1 (No.9) Waterhall Road, South Guildford	Child Care Premises	13/11/2023
DR175/2023 DAP/22/02166	City of Joondalup	1 Lyell Grove (Lot 2), Woodvale	Child Care Premises	30/11/2023

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10. 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	575 (Lot 218) Abernethy Road, Oakford	Proposed Educational Establishment	19/12/2023

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

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 10:02am.

Eugene Koltasz
Presiding Member, Metro Outer JDAP