



Metro East Joint Development Assessment Panel Minutes

Meeting Date and Time: 24 January 2020, 10:00 AM
Meeting Number: MEJDAP/228
Meeting Venue: City of Swan
Council Chambers
Midland Town Hall
312 Great Eastern Highway
Midland

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Kym Petani (Deputy Presiding Member)
Mr Patrick Dick (A/Specialist Member)
Cr Rod Henderson (Local Government Member, City of Swan)
Cr Mel Congerton (Local Government Member, City of Swan)

Officers in attendance

Mr Philip Russell (City of Swan)

Minute Secretary

Ms Debbie Crawford (City of Swan)

Applicants and Submitters

Ms Karen Wright (Urbis Pty Ltd)
Mr James Galluccio (Lord Street (WA) Pty Ltd)
Mr Stan Horsman (Lord Street (WA) Pty Ltd)
Ms Lydia Perisic (Lord Street (WA) Pty Ltd)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member declared the meeting open at 10.03am on 24 January 2020 and acknowledged the traditional owners and pay respect to Elders past and present of the land on which the meeting was being held.

Mr Ian Birch
Presiding Member, Metro East JDAP



The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017 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.

2. Apologies

Mr Peter McNab (Specialist Member)
Cr Kevin Bailey (Local Government Member, City of Swan)

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

DAP Member, Ms Kym Petani, declared an impartiality interest in Item 8.1 as she is an employee and shareholder in GHD which has been engaged by the City of Swan to undertake a design of safety barrier at Millhouse Road/West Swan Road, pavement assessment within City of Swan, traffic and road safety assessment for 3 intersections, bridge inspection, preparation of documentation for infrastructure requirements associated with Midland Oval Redesign and refurbishment of the City of Swan's operation building.

In accordance with section 4.6.1 and 4.6.2 of the DAP 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 Ms Karen Wright (Urbis Pty Ltd) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Philip Russell (City of Swan) responded to questions from the panel

Mr Ian Birch
Presiding Member, Metro East JDAP



8. Form 1 – Responsible Authority Reports – DAP Application

8.1	Property Location:	Lots 1, 3 & 4 Repton Street, Dayton
	Development Description:	Supermarket, Restaurant/Cafe, Pharmacy, Medical Centre, Liquor Store, Gym & Signage
	Applicant:	Urbis Pty Ltd
	Owner:	Lord Street (WA) Pty Ltd, Reward Investments Pty Ltd
	Responsible Authority:	City of Swan
	DAP File No:	DAP/19/01676

REPORT RECOMMENDATION:

Moved: Cr Rod Henderson

Seconded: Ms Kym Petani

With the approval of the mover and seconder Condition 2 was deleted and the remaining conditions were renumbered accordingly.

REASON: *The site is currently cleared and there is no notable vegetation visible on the site that is worthy of retention, hence the condition is void.*

That the Metro East JDAP resolves to:

1. **Approve** DAP Application reference DAP/19/01676 and accompanying plans in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 10.3 of the City of Swan Local Planning Scheme No. 17, subject to the following conditions:

Conditions

1. This approval is for 'Shop', 'Restaurant', 'Recreation - Private' and a 'Medical Centre' as shown on the approved plans and defined in the City of Swan Local Planning Scheme No. 17.
2. Prior to a building permit being issued, a detailed landscaping and reticulation plan for the subject site and/or road verge(s) must be submitted to, and approved to, the satisfaction of the City of Swan, and must include the following:
 - (a) The location, number and type of proposed trees and shrubs including planter and /or tree pit sizes and planting density;
 - (b) Any lawns to be established;
 - (c) Any existing vegetation and/or landscaped areas to be retained;
 - (d) Any verge treatments;
 - (e) Evidence that the proposed landscaping will not, at maturity, negatively impact the development and adjoining properties.

Mr Ian Birch
Presiding Member, Metro East JDAP



An acceptable Landscape Plan must be generally consistent with the approved plans, including the stormwater drainage plan.

3. Prior to a building permit being issued, 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 a cash-in-lieu amount equal to the sum of the 1% contribution amount (\$50,000). This must be paid to the City prior to the date specified in an invoice issued by the City, 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 (\$50,000). 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 for a specific Public Art work including the artist proposed to undertake the work to the satisfaction of the City in accordance with POL-LP-1.10 and the *Developers' Handbook for Public Art* (as amended). The City 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; and,
 - iii. the approved Public Art must be maintained in compliance with the approval granted by the City and any conditions thereof, to the satisfaction of the City.
4. Prior to the initial occupation of the development bicycle parking facilities capable accommodating a minimum of seven (7) bicycles shall be provided on site. Bicycle parking facilities must be designed and constructed in accordance with AS 2890.
5. Prior to occupation or use of the development car parking facilities capable of parking 123 cars shall be provided on-site in accordance with the approved plans. Car parking, access and manoeuvring areas shall be designed and constructed in accordance with AS 2890 and signed/ line marked to give clear direction to users.
6. Vehicle parking, access and circulation areas shall be sealed, kerbed, drained and maintained to the satisfaction of the City of Swan, in accordance with the approved plans.
7. Prior to occupation or use of the development, a total of twenty-seven (27) on-street parking bays shall be constructed, twenty (20) of which within the Isoodon Street road reserve and seven (7) within the Repton Street road reserve. The on-

Mr Ian Birch
Presiding Member, Metro East JDAP



street parking bays shall be designed and constructed in accordance with the City's specifications and at the full cost of the applicant/ owner.

8. Prior to the occupation or use of the development, the applicant is to upgrade the section of Repton Street from its connection with Isoodon Street to the north up to where it adjoins Lot 4 to its south by widening the road carriageway to a width of 7.4 metres and installing kerbing and drainage to the City's specifications.
9. Prior to the occupation or use of the development, a footpath to the specification of the City of Swan shall be constructed within the eastern section of the Repton Street road reserve that abuts the development site.
10. Prior to the occupation of the development, the applicant/owner is to enter into satisfactory arrangements with the City of Swan for the provision of street lighting to Repton Street.
11. Prior to the occupation of the development, the applicant/owner is to enter into satisfactory arrangements with the City of Swan for the upgrade of Isoodon Street.
12. Prior to the lodgement of a building permit for the development, the landowner/applicant is required to make a cost contribution in accordance with the Development Contribution Plan for Dayton.
13. All stormwater produced on site shall be retained on site and disposed of in accordance with the approved stormwater management plans.
14. No fluid other than uncontaminated stormwater shall enter the local drainage system.
15. External lighting shall comply with the requirements of the Australian Standard AS 4282.
16. All areas used for storage of goods must be screened from view from any public street to the satisfaction of the City of Swan.
17. Earthworks over the site and batters must be stabilised to prevent sand blowing, and appropriate measures must be implemented within the time and in the manner directed by the City in the event that sand is blown or drifts from the site.
18. Prior to the occupation or use of the development, the lots that are the subject of this application shall be subdivided to facilitate amalgamation of the development, (the subject of this approval) as well as the creation of a separate lot for the existing child care premises on Lot 4 and the proposed area for public open space being shown on the diagram or plan of survey (deposited plan) as reserve(s) for Recreation and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown.

Mr Ian Birch
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The Report Recommendation was put and CARRIED UNANIMOUSLY.

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

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

Nil

10. Appeals to the State Administrative Tribunal

Current SAT Applications		
LG Name	Property Location	Application Description
City of Gosnells	Lot 11 Southern River Road, Southern River	Development of Shopping Centre
City of Swan	Lot 357 (227) Morrison Road, Midvale	Proposed Shopping Centre, Service Station, Consulting Rooms, Recreation – Private and Fast Food Outlet
City of Kalamunda	Lot 200 (584) Kalamunda Road, High Wycombe	Proposed Storage and Hardstand Development
City of Armadale	Lot 9007 (76) Southampton Drive, Piara Waters	Lifestyle Village (Piara Waters Lifestyle Village)
City of Swan	Lot 121 (3241) Great Northern Highway, Bullsbrook	Transport Depot, Warehouse, Storage & Incidental Office
City of Armadale	Lot 44 (2888) Albany Highway, Kelmscott	Convenience Store and Fast Food Outlet

11. General Business / Meeting Close

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 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 10.51am.

Mr Ian Birch
Presiding Member, Metro East JDAP