



Metro East Joint Development Assessment Panel Minutes

Meeting Date and Time: 12 March 2020, 9:30 AM
Meeting Number: MEJDAP/231
Meeting Venue: City of Gosnells
2120 Albany Highway
Gosnells

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Kym Petani (Deputy Presiding Member)
Mr Peter McNab (Specialist Member)
Cr Julie Brown (Local Government Member, City of Gosnells)

Officers in attendance

Mr Andrew Lefort (City of Gosnells)
Ms Stephanie Gladman (City of Gosnells)

Minute Secretary

Ms Caitlin Garrett (City of Gosnells)

Applicants and Submitters

Mr Nik Hidding (Peter Webb & Associates)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member declared the meeting open at 9:33am on 12th March 2020 and acknowledged the traditional owners and pay 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 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that the meeting is being audio recorded 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.



2. Apologies

Cr David Goode (Local Government Member, City of Gosnells)

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 9.1 and 9.2. GHD has been engaged by the City of Gosnells to undertake contract administration for a bridge refurbishment not related to this matter. Ms Petani is an employee and shareholder of GHD.

In accordance with section 6.2 and 6.3 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 the discussion and voting of the items.

7. Deputations and Presentations

Nil

8. Form 1 – Responsible Authority Reports – DAP Application

Nil

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

9.1	Property Location:	Lot 99 (1882) Albany Highway, Maddington
	Development Description:	Proposed Motor Vehicle Sales Dealership and Motor Vehicle Repair Workshop
	Proposed Amendments:	Form 2.1 - Extension of Time for Substantial Commencement
	Applicant:	Peter Webb & Associates
	Owner:	Intercoast Holdings Pty Ltd John Hirniak
	Responsible Authority:	City of Gosnells
	DAP File No:	DAP/17/01338

REPORT RECOMMENDATION

Moved by: Cr Julie Brown

Seconded by: Ms Kym Petani



That the Metro East JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/17/01338 as detailed on the DAP Form 2 dated 29 November 2019 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/17/01338 as detailed on the DAP Form 2 dated 29 November 2019 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 Gosnells Town Planning Scheme No. 6, for the proposed minor amendment to the approved Motor Vehicle, Boat or Caravan Sales and Motor Vehicle Repairs at 182 (Lot 99) Albany Highway, Maddington as follows:
 1. Amending the approval time period to 12 March 2022.

All other conditions and requirements detailed on the previous approval dated 12 March 2018 shall remain unless altered by this application.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

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

9.2a Property Location:	Lots 101 (1), 102 (3) and 13 (5) Sampson Street and Lots 1 (1878) and 92 Albany Highway, Maddington
Development Description:	Form 2.2 - Proposed extension of Time for Substantial Commencement
Proposed Amendments:	Form 2.1 - Extension of Time for Substantial Commencement
Applicant:	Peter Webb & Associates
Owner:	Gilwest Pty Ltd (Lots 102 and 13), Horseshoe Holdings Pty Ltd (Lot 92) Western Australian Planning Commission (Lots 101 and 91)
Responsible Authority:	City of Gosnells
DAP File No:	DAP/16/01156

REPORT RECOMMENDATION

Moved by: Cr Julie Brown

Seconded by: Mr Peter McNab

With the approval of the mover and seconder the approval time period was amended to 12th March 2022.

Reason: It was agreed that the approval period should more appropriately be the usual 2 years from the date of the decision and this aligns with the period recommended by the WAPC in 9.2b.

That the Metro East JDAP resolves to:



1. **Accept** that the DAP Application reference DAP/16/01156 as detailed on the DAP Form 2 dated 4 December 2019 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/16/01156 as detailed on the DAP Form 2 dated 4 December 2019 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 Gosnells Town Planning Scheme No. 6 by for the proposed minor amendment to the approved Convenience Store at 1 (Lot 101), 3 (Lot 102), 5 (Lot 13) Sampson Street and 1878 (Lot 1) and Lot 92 Albany Highway, Maddington as follows:
 1. Amending the approval time period to 12 March 2022.

All other conditions and requirements detailed on the previous approval dated 18 January 2018 and 11 November 2019 shall remain unless altered by this application.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

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

9.2b Property Location:	Lots 101 (1), 102 (3) and 13 (5) Sampson Street and Lots 1 (1878) and 92 Albany Highway, Maddington
Development Description:	Proposed Convenience Store and Lunch Bar
Proposed Amendment:	Form 2.2 - Proposed extension of Time for Substantial Commencement
Applicant:	Peter Webb and Associates
Owner:	Gilwest Pty Ltd (Lots 102 and 13), Horseshoe Holdings Pty Ltd (Lot 92) Western Australian Planning Commission (Lots 101 and 91)
Responsible Authority:	Western Australian Planning Commission
DAP File No:	DAP/16/01156

REPORT RECOMMENDATION

Moved by: Ms Kym Petani

Seconded by: Mr Peter McNab

That the Metro East JDAP resolve to:

1. **Accept** that the DAP Application reference DAP/16/01156 as detailed on the DAP Form 2.2 received by the Department of Planning Lands and Heritage 20 December 2019 is appropriate for consideration in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
2. **Approve** the DAP Application reference DAP/16/01156 as detailed on the DAP Form 2.2 Department of Planning Lands and Heritage 20 December 2019 and *accompanying* plans in accordance with the provisions of the Metropolitan Region



Scheme, to modify Condition 2 of the approval issued 18 January 2018 by the Metropolitan East Joint Development Assessment Panel as follows:

Modified Condition

2. *If the approved development is not substantially commenced within a period of two (2) years from 12 March 2020, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be commenced or carried out without the further approval of the responsible authority having first been sought and obtained.*

All other conditions and advice notes detailed on the previous approval dated 18 January 2018 and subsequent Form 2 Amendment dated 11 November 2019 shall remain unless altered by this application.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

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

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

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 9:44am.