



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 24 August 2021; 9:30am
Meeting Number: MOJDAP/117
Meeting Venue: City of Kalamunda Council Chambers
2 Railway Road, Kalamunda

1 Table of Contents

1. Opening of Meeting, Welcome and Acknowledgement.....	2
2. Apologies.....	2
3. Members on Leave of Absence	3
4. Noting of Minutes.....	3
5. Declaration of Due Consideration.....	3
6. Disclosure of Interests.....	3
7. Deputations and Presentations.....	3
8. Form 1 – Responsible Authority Reports – DAP Applications.....	3
8.1 Lots 38-40 & Lot 9001 Abernethy Road, High Wycombe	3
9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	8
Nil.....	8
10. State Administrative Tribunal Applications and Supreme Court Appeals	8
11. General Business.....	9
12. Meeting Closure	9



Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Jason Hick (Third Specialist Member)
Cr Dylan O'Connor (Local Government Member, City of Kalamunda)

Officers in attendance

Ms Angie Dewar (City of Kalamunda)
Mr Andrew Fowler-Tutt (City of Kalamunda)
Mr Raktim Barua (City of Kalamunda)

Minute Secretary

Ms Sophie Tunstead (City of Kalamunda)

Applicants and Submitters

Ms Kareena May (SITE Planning + Design)
Ms Georgina Richmond (SITE Planning + Design)
Mr Aaron MacNish (Stantec Engineering)

Members of the Public / Media

Nil.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.31am on 24 August 2021 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 the meeting is being audio recorded 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Cr Brooke O'Donnell (Local Government Member, City of Kalamunda)
Cr Margaret Thomas (Local Government Member, City of Kalamunda)
Cr Lesley Boyd (Local Government Member, City of Kalamunda)



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 Andrew Fowler-Tutt & Mr Raktim Barua (City of Kalamunda) 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 Lots 38-40 & Lot 9001 Abernethy Road, High Wycombe

Development Description:	Warehouse/Storage, Motor Vehicle Repairs
Applicant:	SITE Planning + Design
Owner:	Australia Western Railroad Pty Ltd
Responsible Authority:	City of Kalamunda
DAP File No:	DAP/21/02002

REPORT RECOMMENDATION

Moved by: Cr Dylan O'Connor

Seconded by: Ms Sheryl Chaffer

With the agreement of the mover and seconder the following amendment was made;

- (i) **That condition no. 4(i) to be amended to read as follows;**

The provision and maintenance of a minimum of 81 ~~car~~ parking spaces comprising 64 car parking spaces and 17 motorcycle spaces, shall be designed, constructed sealed, kerbed, drained and line marked in accordance with the Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking Facilities, Part 1: Off street carparking.

REASON: To fix typographic error.



That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Approve** DAP application DAP/21/02002 and accompanying development plans, as referenced in condition 2, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of *the Planning and Development (Local Planning Schemes) Regulations 2015*, the Metropolitan Region Scheme, and the provisions of Clause 10.4 of the City of Kalamunda's Local Planning Scheme No. 3, subject to the following conditions:

Conditions

1. The decision constitutes planning approval only and is valid for a period of four 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 development being carried out in accordance with the plan(s)/drawings(s) and document(s) (including any recommendation made) listed below, including any amendments to those plans as shown in red

Plan No	Rev No	Title	Date	Prepared By
TP1 20.127	A	Site Plan	04/06/2021	Vaughan Constructions
TP1 20.127	B	Floor Plan	04/06/2021	Vaughan Constructions
TP1 20.127	C	Elevations	04/06/2021	Vaughan Constructions
TP1 20.127	E	Bunded Chemical & Truck Storage Areas	04/06/2021	Vaughan Constructions
TP1 20.127	F	Floor Plan	04/06/2021	Vaughan Constructions
10.7024	F	Landscape Plan	31/01/2021	LD Total
W195820	B	Transport Impact Assessment	28/01/2021	GTA Consultants
PC20239	D	Stormwater Management Plan	10/06/2021	Peritas Group

3. The development, the subject of this approval must comply with the approved plans at all times, unless otherwise varied in writing by the JDAP or the City of Kalamunda.
4. Prior to occupation of the development, all car parking areas must meet the following requirements:
 - i. The provision and maintenance of a minimum of 81 parking spaces comprising 64 car parking spaces and 17 motorcycle spaces, shall be designed, constructed sealed, kerbed, drained and line marked in accordance with the Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking Facilities, Part 1: Off street carparking.



- ii. The provision and maintenance of two accessible car parking spaces, that are designed, constructed, sealed, kerbed, drained and line marked that are dedicated to people with disabilities that are designed in accordance with the Australian/New Zealand Standard AS/NZ 2890.6:2009, Parking Facilities Part 6 off street parking.
 - iii. Vehicle parking, manoeuvring and circulation areas are to be suitable constructed, sealed, kerbed, drained and line marked to the specification and satisfaction of the City of Kalamunda and Australian Standard AS AS2890.
5. Prior to occupation of the development, the landowner/applicant contributing towards public art, pursuant to the City of Kalamunda's Local Planning Policy – 26.
6. Prior to occupation, the development shall be connected to reticulated sewer.
7. The chemical and fuel areas are required to be enclosed and bunded.
8. The automatic wash down bays must drain into the sewer line via a sediment trap and oil separator.
9. A Basic Left Hand Turn Facility (BAL) on Abernethy Road shall be constructed in accordance with engineering drawings and specifications being submitted to and approved by the City of Kalamunda in consultation with Main Roads WA and the Department of Planning Lands Heritage.
10. The Transport Impact Assessment shall be implemented to the satisfaction of the City of Kalamunda.
11. For the duration of the development, all stormwater drainage from roofed and paved areas are to be disposed of on site in accordance with the approved Stormwater Management Plan.
12. The landscaping plan shall be amended to include a minimum of twenty (20) shade trees for the car parking areas. Landscaping areas shall be planted in accordance with the approved landscape plan, prior to occupation of the development and shall be reticulated and maintained thereafter by the owner/occupier to the satisfaction of the City of Kalamunda.
13. Prior to occupation of the development, crossovers must be designed and constructed to the specification and satisfaction of the City of Kalamunda.



14. Prior to applying for a building permit, a Construction Management Plan must be prepared by the applicant/landowner to the satisfaction of the City of Kalamunda. The Construction Management Plan shall detail how construction of the development will be maintained including the following:
- i. Public safety and security.
 - ii. Hours of construction.
 - iii. Traffic management plans during construction, including any proposed road closures.
 - iv. Toilet facilities.
 - v. How materials and equipment will be delivered to and removed from the site.
 - vi. How materials and equipment will be stored on site.
 - vii. Parking arrangements for staff, contractors, and visitors.
 - viii. Construction and Waste disposal strategy and location of waste bins
 - ix. How dust, noise, erosion, lighting and environmental hazards will be managed during the stages of construction.
 - x. Complaint management procedure.
 - xi. Other matters likely to impact on surrounding properties.
 - xii. Protection of public infrastructure including any verge trees.

The Construction Management Plan must be implemented prior to commencement of works and thereafter maintained for the duration of works to the satisfaction of the City of Kalamunda.

15. Any damages to public assets arising during the development activity are to be repaired and restored in accordance with the "Local Government Guidelines for Restoration and Reinstatement in WA" and to the satisfaction of the City of Kalamunda.
16. Car parking areas must always be available for their intended purpose and must not be used for any alternative purpose at any time.

Advice Notes

- A. A building permit is required to be submitted prior to the commencement of works.
- B. The submitted building permit application plans shall be consistent with the plans that form part of the relevant planning approval, to the satisfaction of the City of Kalamunda.
- C. In relation to condition 5, the landowner(s) are advised that a public art contribution of \$115,000 applies to this approval. which can be provided through either a public art contribution within the subject site or within a public area within the vicinity of the subject site equal to \$115,000, or alternatively the provision of \$115,000 cash-as in-lieu payment to the City of Kalamunda's public art fund.
- D. In relation to condition 5, the City of Kalamunda's Local Planning Policy – 26 - Public Art Contributions) provides for consistent management and transparent process by the City.



- E. In relation to condition 1, this application qualifies for an exemption from the substantial commencement period under Clause 78H 'Notice of Exemption from planning requirements during State of Emergency', issued by the Minister for Planning on the 8th of April 2020.
- F. In relation to condition 9, the applicant/landowner is required to liaise with the City's Engineering Department regarding the timing for constructing the Basic Left Turn Facility.
- G. The applicant is required to manage noise and vibration during the works in accordance with Australian Standard AS 2436 "Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites".
- H. The applicant is required to manage and minimise dust during the works and after completion in accordance with the Department of Environment and Conservation's "Guideline for Managing the Impacts of Dust and Associated Contaminants from Land Development Sites, Contaminated Sites Remediation and Other Related Activities".
- I. The applicant is required to manage and minimise erosion and sediment loss during the works and after completion in accordance with the Eastern Metropolitan Regional Council's policy 5.1.2 "Erosion and Sediment Control".
- J. The applicant is reminded of their obligations to comply with the "Land development sites and impacts on air quality: a guideline for the prevention of dust and smoke pollution from land development sites in Western Australia", prepared by the Department of Water and Environmental Regulation.
- K. The development shall comply with the *Environmental Protection (Noise) Regulations 1997*.
- L. The applicant is advised that failure to comply with the relevant water quality protection notes may lead to a breach of the *Environmental Protection (Unauthorised Discharges) Regulations 2004*.
- M. The applicant is advised they must obtain the relevant dangerous goods approvals from the Department of Mines, Industry Regulation & Safety.
- N. Due to the presence of residual hydrocarbon-impacted soils (such as from diesel or oil), the Department of Water and Environmental Regulation recommends that ground disturbing works should be undertaken in accordance with a management plan that identifies the presence of this residual contamination and sets out any necessary management actions (e.g. waste management). It is also recommended that further assessment of soil be conducted in accordance with the department's contaminated sites guidelines following removal of the decommissioned underground fuel storage tank adjacent to the clock tower building.
- O. The development shall not exceed a maximum height of 43m AHD.
- P. The site is located within the Australian Noise Exposure Forecast (ANEF) contours and further information on aircraft noise can be obtained from Perth Airport.



- Q. The applicant is required to obtain approval from Perth Airport prior to the erection of a crane on site.
- R. With regard to condition 8, sediment traps and oil associated with wash down bays are to be constructed to the satisfaction of Water Corporation’s requirements and must comply with Department of Water and Environmental Regulation: Water Quality Protection Note: Mechanical Equipment Wash-down.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposed land use is compliant with the General Industry Zoning of the land and complementary with the broader planning intent of this strategic transport hub. As outlined in the Responsible Authority Report, together with appropriate conditions, the development is assessed as satisfying the overall development requirements for the site.

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 –

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01708 DR 138/2020	City of Kwinana	Lot 108 Kwinana Beach Road, Kwinana	Proposed Bulk Liquid Storage for GrainCorp Liquid Terminals	01/07/2020
DAP/01729 DR 176/2020	City of Kalamunda	Lot 130 (74) Warlingham Drive, Lesmurdie	Aged Residential Care Facility	28/8/2020
DAP/20/01764 DR 204/2020	City of Swan	Lot 780 (46) Gaston Road, Bullsbrook	Proposed Stock Feed Grain Mill	8/09/2020
DAP/20/01829 DR 001/2021	City of Swan	Lot 1 (42) Dale Road & Lot 4 (43) Yukich Close, Middle Swan	Aged care and community purpose	08/01/2021
DAP/21/01952 DR 096/2021	City of Rockingham	Lot 265 (40) Talisker Bend, Golden Bay	Mixed commercial development	14/05/2021



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 9:44am.