



Metro South West Joint Development Assessment Panel Minutes

Meeting Date and Time: 24 February 2020; 10 am
Meeting Number: MSWJDAP/204
Meeting Venue: City of Mandurah
Mandurah Council Chambers
83 Mandurah Terrace, Mandurah

Attendance

DAP Members

Ms Lee O'Donohue (A/Presiding Member)
Ms Samantha Thompson (Deputy Presiding Member) – *via teleconference*
Mr John Syme (A/Specialist Member)
Cr Caroline Knight (Local Government Member, City of Mandurah)
Cr Darren Lee (Local Government Member, City of Mandurah) – *via teleconference*

Officers in attendance

Mr Tom Foulds (City of Mandurah)
Mr Aaron Lucas (City of Mandurah)
Mr Ben Dreckow (City of Mandurah)
Ms Victoria Johnson (Governance Officer, DAP Secretariat)

Minute Secretary

Ms Bethany Baker (City of Mandurah)

Applicants and Submitters

Ms Emma van der Linden (RobertsDay)
Mr Chris Fagri (Johnstaff)
Mr John Lorek (KPA Architects)
Mr Todd Paterson (KPA Architects)
Mr Mark Lederer (Opal Aged Care Specialists)

Members of the Public / Media

Nil

1. Declaration of Opening

The A/Presiding Member declared the meeting open at 10:01am on 24 February 2020 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.



The A/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 A/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 Tony Arias (Presiding Member)

3. Members on Leave of Absence

DAP Member, Mr Tony Arias has been granted leave of absence by the Director General for the period of 21 February 2020 to 28 February 2020 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

7. Deputations and Presentations

7.1 Ms Emma van der Linden (RobertsDay) addressed the DAP in support of the application and responded to questions from the panel.

7.2 The City of Mandurah responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

- 8.1
- | | |
|--------------------------|--|
| Property Location: | Lot 90 (87) Leisure Way, Halls Head |
| Development Description: | Three Storey Aged Care Facility with allied health and incidental café |
| Applicant: | Roberts Day |
| Owner: | Bordland Pty Ltd |
| Responsible Authority: | City of Mandurah |
| DAP File No: | DAP/19/01705 |



REPORT RECOMMENDATION

Moved by: Cr Caroline Knight

Seconded by: Cr Darren Lee

Officer Recommendation:

That the Metro South West JDAP resolves to:

1. **Approve** DAP Application reference 19/01705 and accompanying plans (Project No 19-037 SK01, SK02, SK03, SK04, SK05, SK06, SK07) dated 12 November 2019, Landscape Concept Master Plan (Plan 1907001 C1.101 Rev F) dated November 2019, Waste Management Plan dated 8 October 2019, Acoustic Report dated 21 November 2019 and Bushfire Management Plan dated November 2019 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 Mandurah Town Planning Scheme No. 3, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.
2. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah.
3. Prior to the issue of an occupancy permit, the proposed development shall be connected to sewer to the satisfaction of the City of Mandurah.
4. Prior to the occupation of the development, a vehicle crossover is to be constructed to the specification and satisfaction of the City of Mandurah. Once constructed, the vehicle cross over shall be maintained at all times to the satisfaction of the City of Mandurah. During construction, any existing landscaping, footpaths, infrastructure and associated brick paved areas within the road reserve shall be protected and/or re-instated to the satisfaction of the City of Mandurah.
5. All uncovered car parking bays, including any bays adjacent to kerbs or for those bays that are to be used for disabled parking shall be in accordance with the relevant Australian Standard.
6. The area to be used for the car parking in connection with the development hereby approved shall not be used for general storage or any other purpose other than the parking of motor vehicles to the satisfaction of the City of Mandurah.
7. All delivery vehicles must be located entirely on the site, and have their engines and refrigeration units turned off during loading and unloading of goods associated with the use of the site, and shall only access the site during the 'day period' of 7:00am to 7:00pm Monday to Saturday, and 9:00am to 7:00pm Sunday to the satisfaction of the City of Mandurah.



8. Prior to the commencement of site works, a Construction Management Plan shall be submitted to and approved by the City of Mandurah. The Plan must detail how the site will be managed during and after works are completed, in order to minimise issues associated with dust/sand, erosion, noise, vibration, traffic and general construction issues. The approved plan must thereafter be implemented to the satisfaction of the City of Mandurah.
9. The approved Landscaping Plan, dated November 2019, must be fully implemented and maintained to the satisfaction of the City of Mandurah, unless otherwise agreed in writing.
10. The approved Waste Management Plan, dated 8 October 2019, shall be fully implemented to the satisfaction of the City of Mandurah, unless otherwise agreed in writing.
11. The approved Acoustic Report, dated 21 November 2019, shall be fully implemented to the satisfaction of the City of Mandurah.
12. The approved Bushfire Management Plan, dated November 2019, must be fully implemented for the duration of the development to the satisfaction of the City of Mandurah, unless otherwise agreed in writing.

AMENDING MOTION

Moved by: Ms Samantha Thompson

Seconded by: Mr John Syme

The following amendments were made en bloc:

- (i) That Condition 9 be amended to read as follows:

Prior to the issue of an occupancy permit, the approved Landscaping Plan dated November 2019, must be fully implemented and ***thereafter*** maintained to the satisfaction of the City of Mandurah, unless otherwise agreed in writing.

- (ii) That Condition 10 be amended to read as follows:

Prior to the issue of an occupancy permit, the approved Waste Management Plan dated 8 October 2019, must be fully implemented and ***thereafter*** maintained to the satisfaction of the City of Mandurah, unless otherwise agreed in writing.

- (iii) That Condition 11 be amended to read as follows:

Prior to the issue of an occupancy permit, the approved Acoustic Report dated 21 November 2019, must be fully implemented and ***thereafter*** maintained to the satisfaction of the City of Mandurah, unless otherwise agreed in writing.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Clarity in timeframes required to fulfil conditions and to ensure that ongoing maintenance of specific aspects of the development approval is achieved.



REPORT RECOMMENDATION (AS AMENDED)

Officer Recommendation:

That the Metro South West JDAP resolves to:

1. **Approve** DAP Application reference 19/01705 and accompanying plans (Project No 19-037 SK01, SK02, SK03, SK04, SK05, SK06, SK07) dated 12 November 2019, Landscape Concept Master Plan (Plan 1907001 C1.101 Rev F) dated November 2019, Waste Management Plan dated 8 October 2019, Acoustic Report dated 21 November 2019 and Bushfire Management Plan dated November 2019 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 Mandurah Town Planning Scheme No. 3, subject to the following conditions:

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1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.
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5. All uncovered car parking bays, including any bays adjacent to kerbs or for those bays that are to be used for disabled parking shall be in accordance with the relevant Australian Standard.
6. The area to be used for the car parking in connection with the development hereby approved shall not be used for general storage or any other purpose other than the parking of motor vehicles to the satisfaction of the City of Mandurah.
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8. Prior to the commencement of site works, a Construction Management Plan shall be submitted to and approved by the City of Mandurah. The Plan must detail how the site will be managed during and after works are completed, in order to minimise issues associated with dust/sand, erosion, noise, vibration, traffic and general construction issues. The approved plan must thereafter be implemented to the satisfaction of the City of Mandurah.
9. Prior to the issue of an occupancy permit, the approved Landscaping Plan dated November 2019, must be fully implemented and thereafter maintained to the satisfaction of the City of Mandurah unless otherwise agreed in writing.
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11. Prior to the issue of an occupancy permit, the approved Acoustic Report dated 21 November 2019, must be fully implemented and thereafter maintained to the satisfaction of the City of Mandurah unless otherwise agreed in writing.
12. The approved Bushfire Management Plan, dated November 2019, must be fully implemented for the duration of the development to the satisfaction of the City of Mandurah, unless otherwise agreed in writing.

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

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

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

Nil

10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Close

The A/Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 only the A/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 A/Presiding Member declared the meeting closed at 10:29 am.