



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Friday, 29 January 2021; 11:00am
Meeting Number: MOJDAP/64
Meeting Venue: City of Cockburn
9 Coleville Crescent, Spearwood

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Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Jason Hick (Third Specialist Member)

Item 8.1

Mayor Carol Adams (Local Government Member, City of Kwinana)
Cr Wendy Cooper (Local Government Member, City of Kwinana)

Item 8.2

Cr Chontelle Stone (Local Government Member, City of Cockburn)
Cr Chamonix Terblanche (Local Government Member, City of Cockburn)

Officers in Attendance

Item 8.1

Ms Chloe Johnston (City of Kwinana)

Item 8.2a

Mr Lorenzo Santoriello (City of Cockburn)
Mr David King (City of Cockburn)

Item 8.2b

Mr Sam Lissiman (Western Australian Planning Commission)
Ms Alice Brown (Western Australian Planning Commission)

Minute Secretary

Ms Sue D'Agnone (City of Cockburn)

Applicants and Submitters

Item 8.1

Mr Scott Jeffrey (Department of Finance)
Mr Maciej Szczepaniak (Department of Finance)
Mr Joshua Bulloch (Cox Architecture)

Item 8.2

Ms Kareena May (SITE Planning + Design)
Ms Georgina Richmond (SITE Planning + Design)
Mr Steve Bennett (DevelopmentWA)

Members of the Public / Media

Nil



1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 11.02am on 29 January 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*.

2. Apologies

Cr Matthew Rowse (Local Government Member, City of Kwinana)

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

Nil.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 520 (No. 288) Orton Road, Casuarina

| | |
|--------------------------|--|
| Development Description: | Accommodation expansion to Casuarina Prison |
| Applicant: | Department of Finance |
| Owner: | Minister for Corrective Services - Department of Justice |
| Responsible Authority: | Western Australian Planning Commission |
| DAP File No: | DAP/20/01910 |

REPORT RECOMMENDATION

Moved by: Mayor Carol Adams

Seconded by: Cr Wendy Cooper

That the Metro Outer JDAP resolves to:

Approve DAP Application reference DAP/20/01910 and the accompanying plan dated 15 January 2021 by the Department of Planning, Lands and Heritage (drawing number:

Mr Ian Birch
Presiding Member, Metro Outer JDAP

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A-00-1000), pursuant to clause 30(1) of the Metropolitan Region Scheme subject to the following conditions:

Conditions

1. This decision constitutes planning approval only. If development has not substantially commenced within two years of this approval being granted, the approval shall lapse and be of no further effect.
2. All stormwater being suitably contained and disposed of onsite.

ADVICE:

1. The applicant is advised that this planning approval is not a building permit giving authority to commence construction. Prior to any building work commencing on site either a building permit must be issued or the applicant should apply to the state building permit authority for a building permit exemption under 70(2)(c) of the *Building Act 2011*.
2. Notwithstanding the BAL-Low rating for the proposed development, consideration should be given to upgrading construction to a minimum BAL-12.5 rating to improve the protection for occupants and the building's survivability, as recommended within the Bushfire Management Plan Addendum provided by Bushfire Prone Planning (20 October 2020).
3. Drainage systems should be designed and constructed consistent with the *Stormwater Management Manual for Western Australia* (DoW, 2004-2007). The first 15 mm of stormwater runoff from road and car park surfaces (1 Exceedance per year runoff) should undergo water quality treatment via bio-infiltration.
4. Gas mains exist within the property and ATCO request the proponent to commence early Dial Before You Dig applications to determine the impact of the project on the network. Anyone proposing to carry out construction or excavation works must contact 'Dial Before You Dig' (Ph 1100) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure at <https://www.atco.com/en-au/for-business/natural-gas/safety.html>.

AMENDING MOTION

Moved by: Ms Sheryl Chaffer

Seconded by: Cr Wendy Cooper

That a new advice note no. 5 be added to read as follows:

Consideration be given to ensure that the Bushfire Management Plan relates to Stage 1 and Stage 2.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: It is not clear that the Bushfire Management Plan prepared for Stage 1 has been updated to include Stage 2.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro Outer JDAP resolves to:

Mr Ian Birch
Presiding Member, Metro Outer JDAP



Approve DAP Application reference DAP/20/01910 and the accompanying plan dated 15 January 2021 by the Department of Planning, Lands and Heritage (drawing number: A-00-1000), pursuant to clause 30(1) of the Metropolitan Region Scheme subject to the following conditions:

Conditions

1. This decision constitutes planning approval only. If development has not substantially commenced within two years of this approval being granted, the approval shall lapse and be of no further effect.
2. All stormwater being suitably contained and disposed of onsite.

ADVICE:

1. The applicant is advised that this planning approval is not a building permit giving authority to commence construction. Prior to any building work commencing on site either a building permit must be issued or the applicant should apply to the state building permit authority for a building permit exemption under 70(2)(c) of the *Building Act 2011*.
2. Notwithstanding the BAL-Low rating for the proposed development, consideration should be given to upgrading construction to a minimum BAL-12.5 rating to improve the protection for occupants and the building's survivability, as recommended within the Bushfire Management Plan Addendum provided by Bushfire Prone Planning (20 October 2020).
3. Drainage systems should be designed and constructed consistent with the *Stormwater Management Manual for Western Australia* (DoW, 2004-2007). The first 15 mm of stormwater runoff from road and car park surfaces (1 Exceedance per year runoff) should undergo water quality treatment via bio-infiltration.
4. Gas mains exist within the property and ATCO request the proponent to commence early Dial Before You Dig applications to determine the impact of the project on the network. Anyone proposing to carry out construction or excavation works must contact 'Dial Before You Dig' (Ph 1100) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure at <https://www.atco.com/en-au/for-business/natural-gas/safety.html>
5. Consideration be given to ensure that the Bushfire Management Plan relates to Stage 1 and Stage 2.

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

REASON: The development is consistent with the Public Purposes - Prison reservation under the Metropolitan Region Scheme, and integrates with existing infrastructure on the site. Approval as recommended in the Responsible Authority Report is supported.

Cr Carol Adams and Cr Wendy Cooper left the panel at 11.14am.

Cr Chamonix Terblanche and Cr Chontelle Stone joined the panel at 11.14am.



8.2a Lots 19 and 9001 Clarence Beach Road, Henderson

Development Description: Marine Engineering Facility
Applicant: SITE Planning and Design
Owner: Western Australian Land Authority
Responsible Authority: City of Cockburn
DAP File No: DAP/20/01893

REPORT RECOMMENDATION

Moved by: Cr Chontelle Stone

Seconded by: Cr Chamonix Terblanche

With the approval of the mover and seconder, the following amendments were made:

- (i) That condition no. 12 be amended to read as follows:

*Prior to ~~the commencement of the approved use~~ **issue of the building permit**, a detailed stormwater drainage plan shall be submitted to and approved by the City. The development shall thereafter be maintained in accordance with the approved stormwater drainage plan.*

REASON: The matter should be addressed at an earlier stage.

- (ii) That condition no. 13 be amended to read as follows:

*Prior to ~~the commencement of the approved use~~ **occupancy**, a compaction certificate shall be submitted to and approved by the City.*

REASON: For greater clarity.

- (iii) That condition no. 18 be deleted and inserted as advice note n.

All abrasive blasting and/or spray painting activities shall be carried out within a suitable booth/enclosure in accordance with the requirements of the Australian Standard for spray painting booths and the Environmental protection (Abrasive Blasting) Regulations 1998.

REASON: This matter is covered by separate legislation.

- (iv) That a new advice note no. o be added to read as follows:

Consideration be given to the provision of dedicated motorcycle parking.

REASON: To promote and support sustainable transport methods.

- (v) That a new advice note no. p be added to read as follow:

Consideration be given to the provision of electronic car charging stations

REASON: To promote sustainable practices.



REPORT RECOMMENDATION (AS AMENDED)

That the Metro Outer JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/20/01893 is appropriate for consideration as a “Marine Engineering” land use and compatible with the objectives of the zoning table in accordance with Clause 3.4.2 of the City of Cockburn Town Planning Scheme No. 3.
2. **Approve** DAP Application reference DAP/20/01893 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 Cockburn Town Planning Scheme No. 3, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 2 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.
3. **Prior to the issue of a Building Permit**, a construction management plan (CMP) shall be submitted to and approved by the City. The CMP shall be implemented to the satisfaction of the City.
4. **Prior to the lodgement of a Building Permit**, a schedule of the materials finishes and colours shall be submitted to and approved by the City. The schedule shall include details of the type of materials proposed to be used, including their colour and texture. The development shall thereafter be maintained in accordance with the approved materials schedule.
5. All services and service related hardware, including antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.
6. **Prior to the initial occupation of the building hereby approved**, the 44 parking bays, driveways and points of ingress and egress in the eastern carpark and the 257 parking bays, driveways and points of ingress and egress in the western carpark shall be sealed, kerbed, drained, line marked and made available for use in accordance with the approved plans.
7. Crossovers are to be located and constructed to the City’s specifications. Redundant crossovers shall be removed and the verge reinstated prior to or at the time of the installation of the approved new crossover(s).
8. Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with the/an approved plan and maintained thereafter to the satisfaction of the City. The landscaping shall be implemented during the first available planting



- season post completion of development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.
9. The car parking areas, access ways and landscaping located in front of the building shall be maintained to the satisfaction of the City, and shall not to be used for storage of any type.
 10. Where a driveway and/or parking bay abuts a public street, associated walls, fences and/or adjacent landscaping areas shall be truncated within 1.5 metres thereof or limited in height to 0.75 metres.
 11. Industrial liquid wastes, including wash-down wastes, are not permitted to enter any stormwater system.
 12. **Prior to issue of the building permit**, a detailed stormwater drainage plan shall be submitted to and approved by the City. The development shall thereafter be maintained in accordance with the approved stormwater drainage plan.
 13. **Prior to occupancy**, compaction certificate shall be submitted to and approved by the City.
 14. **Prior to the lodgement of a building permit** details of a minimum of 10 bicycle stands/racks that conform to Australian Standard 2890.3 shall be provided in close proximity to the entrance. The bicycle parking shall be installed prior to the occupation of the building.
 15. The street number, or where there is no street number, the lot number, shall be clearly displayed on the façade of the building prior to occupation of the building hereby approved and remain in perpetuity to the satisfaction of the City.
 16. **Prior to the issue of a building permit**, a Waste Management Plan (WMP) shall be submitted to and approved by the City. Provisions included within the WMP, shall include the size and location of the bin store, and are to be implemented and maintained thereafter to the satisfaction of the City.
 17. All waste and recycling materials must be contained within bins. These must be stored in an internal enclosure within the buildings or within an external enclosure located and constructed to the satisfaction of the City. This information shall be submitted to and approved by the City prior to the lodgement of a Building Permit Application.

Advice Notes

- a. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency.
- b. The Construction Management Plan (CMP) shall be in accordance with the City's CMP guidelines accessed on the City's Website and shall address the following items:
 - i. Access to and from the site;
 - ii. Delivery of materials and equipment to the site;
 - iii. Storage of materials and equipment on the site;



- iv. Parking arrangements for contractors and subcontractors;
 - v. Management of construction waste; and
 - vi. Other matters likely to impact on the surrounding properties.
- c. Any wash-down of plant, vehicles or equipment must be carried out over a wash down pad with waste water treated to remove solids and hydrocarbons prior to discharge to the environment. A Health Act application including detailed plans and specifications of the facility and the appropriate fee must be submitted together with building plans to the City's Health Services prior to the lodgement of a Building Permit Application.
- d. With regard to Condition 6, copies of crossover specifications are available from the City's Engineering Services or from the City's website www.cockburn.wa.gov.au.
- e. With regard to Condition 12, the detailed stormwater plan shall be discussed with DWER and ensure that discharge into the ocean avoids any contaminants/pollutants.
- f. With regard to Condition 15, the bin store shall be proposed internal or external to the building and the external enclosure must be and of an adequate size to contain all waste bins, at least 1.8 m high, fitted with a gate and graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. The minimum provisions for internal bin storage is a concrete wash-down pad of at least 1m² graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. This can be centrally located within the development.
- g. With regard to Condition 17, the booth/enclosure for spray painting should be constructed in accordance with AS 4114.1:2003 entitled "*Spray painting booths, designated spray painting areas and paint mixing rooms*". In respect to Abrasive Blasting the booth/enclosure should be constructed in accordance with the provisions of the Environmental Protection (Abrasive Blasting) Regulations 1998. The completed premises shall be inspected by one of the City of Cockburn's Environmental Health Officers prior to use of the booth/enclosure.
- h. The development shall comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997. The installation of equipment within the development including air-conditioners, spas, pools and similar equipment shall not result in noise emissions to neighbouring properties exceeding those imposed by the *Environmental Protection (Noise) Regulations 1997* (as amended).
- i. The City's Health Services advises that it will require the cessation of any process, activity or equipment employed on the site if it is causing a dust nuisance, until such time as the process, activity or equipment has been satisfactorily modified.
- j. A plan and description of any signage and advertising not exempt under Town Planning Scheme No. 3 shall be submitted to and approved by the City prior to the erection of any signage on the site/building. It is strongly advised to liaise with the City's Planning Services prior to any installation of signage to confirm what approvals, if any, are required.



- k. The operations shall comply with all environmental standards as specified in any works approvals, licence, conditions of approval applied under the *Environmental Protection Act 1986*. The applicant is advised to refer to the information and Guideline: Industry Regulation Guide to licensing available at [http://der.wa.gov/our-work/licenses-and-works-approvals and/](http://der.wa.gov/our-work/licenses-and-works-approvals-and/) and/or to contact the Department of Water and Environment Regulation for information on applications for works approval.
- l. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use. An approval by the Water Corporation's Building Services section prior to the commencement of works on site will be required and standard infrastructure contributions and fees may be required. The applicant is encouraged to contact the Water Corporation to complete the relevant approvals.
- m. Due to the nature and extent of soil contamination identified at the site, the Department of Water and Environment Regulation recommends that development works are undertaken in accordance with an appropriate site specific health and environmental management plan.
- n. All abrasive blasting and/or spray painting activities shall be carried out within a suitable booth/enclosure in accordance with the requirements of the Australian Standard for spray painting booths and the Environmental protection (Abrasive Blasting) Regulations 1998.
- o. Consideration be given to the provision of dedicated motorcycle parking.
- p. Consideration be given to the provision of electronic car charging stations.

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

REASON: As outlined in the Responsible Authority Report, the proposal is consistent with the intended use for the land and satisfies the development requirements through acceptable design solutions.

8.2b Lots 19 and 9001 Clarence Beach Road, Henderson

| | |
|--------------------------|--|
| Development Description: | Marine Engineering Facility |
| Applicant: | SITE Planning and Design |
| Owner: | Western Australian Land Authority |
| Responsible Authority: | Western Australian Planning Commission |
| DAP File No: | DAP/20/01893 |

REPORT RECOMMENDATION

Moved by: Cr Chontelle Stone

Seconded by: Cr Chamonix Terblanche

That the Metro Outer Joint Development Assessment Panel resolve to:

Approve Development Assessment Panel application reference DAP/20/01893 and the accompanying plans dated 2 October 2020 (Attachment 3), pursuant to clause 30(1) of the Metropolitan Region Scheme, subject to the following condition:

Condition

Mr Ian Birch
Presiding Member, Metro Outer JDAP



1. This decision constitutes planning approval only. If development has not substantially commenced within two years of this approval being granted, the approval shall lapse and be of no further effect.

Advice

1. This decision constitutes planning approval under the Metropolitan Region Scheme only. It is the applicant's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
2. Due to the nature and extent of soil contamination identified at the site, the Department of Water and Environmental Regulation recommends works be undertaken in accordance with an appropriate site-specific health and environmental management plan.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: As outlined in the Responsible Authority Report, the works proposed within the Waterways reservation are consistent with the Metropolitan Region Scheme and WAPC policy and practice.

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 |

| Finalised SAT Applications* | | | | |
|-----------------------------|-----------------|----------------------------|-------------------------|-------------|
| File No. & SAT DR No. | LG Name | Property Location | Application Description | Date Lodged |
| DAP/20/01738 DR 225/2020 | City of Kwinana | Lot 15 Mason Road, Kwinana | Proposed Lithium Plant | 6/10/2020 |



| Finalised SAT Applications* | | | | |
|------------------------------------|-------------------|---|---|--------------------|
| File No. & SAT DR No. | LG Name | Property Location | Application Description | Date Lodged |
| DAP/20/01803 DR 226/2020 | City of Joondalup | Lots 208 & 207 (122 & 124) Coolibah Drive, Greenwood | Development and use of a Child Care Premise and associated car parking, access, and signage | 6/10/2020 |

* Matters finalised during the last meeting cycle.

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 11.42am.