



## Metro Outer Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Tuesday, 18 May 2021; 9:30am  
**Meeting Number:** MOJDAP/87  
**Meeting Venue:** Via Zoom

*This DAP meeting was conducted by electronic means open to the public rather than requiring attendance in person*

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**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



## Attendance

### DAP Members

Mr Ian Birch (Presiding Member)  
Ms Sheryl Chaffer (Deputy Presiding Member)  
Mr John Taylor (A/Third Specialist Member)  
Cr Chontelle Stone (Local Government Member, City of Cockburn)  
Cr Chamonix Terblanche (Local Government Member, City of Cockburn)

### Officers in attendance

Ms Chantala Hill (City of Cockburn)  
Mr Lorenzo Santoriello (City of Cockburn)

### Minute Secretary

Ms Megan Ventriss (DAP Secretariat)  
Ms Ashlee Kelly (DAP Secretariat)

### Applicants and Submitters

Mr Simon Blackwell (Taylor Burrell Barnett Planning)  
Mr Damien Forbes (Brown Falconer)  
Mr Michael Jorgensen (Brown Falconer)

### Members of the Public / Media

Mr Ben Smith from Community News was in attendance.

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:35am on 18 May 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

This meeting was convened via electronic means. Members were reminded to announce their name and title prior to speaking.

## 2. Apologies

Mr Jason Hick (Third Specialist Member)

Mr Ian Birch  
Presiding Member, Metro Outer JDAP



### 3. Members on Leave of Absence

DAP Member, Mr Jason Hick has been granted leave of absence by the Director General for the period of 14 May 2021 to 26 May 2021 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 Mr Michael Jorgensen (Brown Falconer) responded to questions from the panel regarding Item 8.1.

7.2 The City of Cockburn Officers responded to questions from the panel regarding Item 8.1.

### 8. Form 1 – Responsible Authority Reports – DAP Applications

#### 8.1 Lot 9004L & 805L Merevale Gardens, Beeliar

Development Description:	High Care Nursing Home
Applicant:	Taylor Burrell Barnett
Owner:	City of Cockburn
Responsible Authority:	City of Cockburn
DAP File No:	DAP/20/01855

### REPORT RECOMMENDATION

**Moved by:** Cr Chontelle Stone

**Seconded by:** Mr John Taylor

*With the approval of the Mover and Seconder, the following amendment was made:*

i. That condition no. 2 be amended to read as follows:

*This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval (this is ~~inclusive~~ **exclusive** of the additional two years available under 'Clause 78H Notice of Exemption from Planning Requirements during State of Emergency', issued by the Minister for Planning on 30 April 2020). If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



**Reason:** Recent amendment to the DAP Regulations extends the default period of planning approvals to 4 years.

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/20/01855 and accompanying 'Revised Development 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 4 years from the date of approval (this is exclusive of the additional two years available under 'Clause 78H Notice of Exemption from Planning Requirements during State of Emergency', issued by the Minister for Planning on 30 April 2020). If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development must be carried out in accordance with the details of this application herein, and any approved plans.
4. Prior to the initial occupation of the development, the subject lots (Lots 805 and 9004) being amalgamated.
5. A maximum of 42 staff members are permitted on site at any one time.
6. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.
7. Prior to the lodgement of a Building Permit, a schedule of the materials, finishes and colours shall be submitted to the City's satisfaction. 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.
8. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
9. Prior to the initial occupation of the building hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained, line marked, made available for use and thereafter maintained in accordance with AS2890.1 and the approved plans to the satisfaction of the City.
10. Prior to the initial occupation of the building hereby approved, the two (2) dual ambulance/accessible parking bays shall be appropriately marked and thereafter maintained in accordance with AS2890 and to the satisfaction of the City.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



11. Prior to the initial occupation of the building hereby approved, the 14 bicycle racks indicated on the approved plans shall be installed and maintained thereafter in accordance with AS2890.3 and to the satisfaction of the City.
12. Crossovers are to be located and constructed to the City's specifications.
13. Prior to the initial occupation of the building hereby approved, the pram ramp is to be installed within the footpath to the specification and satisfaction of the City.
14. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points, where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres to the satisfaction of the City.
15. Prior to the lodgement of a Building Permit, an updated landscaping plan shall be submitted to and approved by the City.
16. Prior to the lodgement of a Building Permit, a Street Tree Management Plan shall be submitted to, and approved by, the City.
17. Prior to the initial occupation of the building hereby approved, landscaping including verge planting shall be installed and reticulated in accordance with the approved plan. Landscape areas are to be maintained thereafter in perpetuity and in good order to the satisfaction of the City.
18. All stormwater must be contained and disposed of on-site, to the satisfaction of the City.
19. Prior to the lodgement of a Building Permit, updated plans are to be provided which screen all mechanical plant and related hardware from view of adjoining properties and the respective street frontages. The details in respect of which are to be provided to the City's satisfaction/approval. The location of plant and equipment shall also minimise the impact of noise on future occupants of the development and adjoining residents.
20. Prior to the lodgement 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.
21. Prior to the lodgement of a Building Permit, a further Acoustic report addressing Noise Attenuation and Vibration shall be submitted to and approved by the City, and implemented thereafter, to the satisfaction of the City.
22. All noise attenuation measures, identified by the Lloyd George Acoustics Development Applications Acoustics Report (Ref 20035433-01a; dated 10 July 2020) and the further Acoustic Report required under Condition 21, are to be implemented prior to occupancy of the development and the requirements of the Acoustic Report are to be observed at all times.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



23. Prior to the lodgement of a Building Permit, written confirmation from the builder is required, confirming that all recommendations made in the Acoustic Report required under Condition 21 have been incorporated into the proposed development.
24. Prior to the initial occupation of the building hereby approved, written confirmation from the builder is required, confirming that all the requirements of the Acoustic Report referred to in Condition 21 have been incorporated into the completed development with the Form BA7 Completion Form.
25. 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.
26. Provisions identified in the Waste Management Plan provided by Dallywater Consulting and approved by the City on 13 November 2020, which include recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.
27. The recommendations contained in the updated Bushfire Management Plan prepared by Bushfire West (dated 19 October 2020) and approved by the City shall be implemented at all times to the satisfaction of the City.
28. Prior to the initial occupation of the development, a finalised Emergency Evacuation Plan shall be submitted to, and approved by, the City. The Emergency Evacuation Plan shall be implemented thereafter to the satisfaction of the City.
29. Prior to the initial occupation of the development, the Asset Protection Zone (APZ) must be established and the property thereafter maintained in accordance with the Bushfire Management Plan as approved by the City.
30. The recommendations within the approved Landscape Management Plan (dated 10 November 2020) shall be implemented at all times to the satisfaction of the City.
31. A Section 70A Notification pursuant to the *Transfer of Land Act 1893* (or as amended) must be placed on the titles of all lots, at the full cost of the applicant, alerting landowners to the existence of the approved Bushfire Fire Management Plan and advising landowners of their obligations in respect to the use and ongoing management of the land.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



32. Prior to the lodgement of a Building Permit, the owner/applicant shall:
- a. Submit to the City for approval a preliminary proposal for an art work designed be a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be to be located within the subject site as an integral part of the development;
  - b. Submit to the City for approval an 'Application for Art Work Design; and
  - c. enter into a contract with a professional artist/s to design and install (if appropriate) the art work approved by the City.

The artwork shall then be installed prior to the initial occupation of the building and maintained thereafter to the satisfaction of the City.

33. Prior to the lodgement of a Building Permit, a Fauna Management Plan and relocation program shall be provided to the satisfaction of the City and implemented thereafter.

### **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 installation of outdoor lighting shall be in accordance with the requirements of Australian Standard AS 4282 - 2019 "Control of the Obtrusive Effects of Outdoor Lighting".
- c) With regard to Condition 7, materials selected shall be of high quality to maximise longevity, in accordance with the advice of the Design Review Panel.
- d) With regard to Condition 12, copies of crossover specifications are available from the City's Engineering Services or from the City's website [www.cockburn.wa.gov.au](http://www.cockburn.wa.gov.au) .

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



- e) With regard to Condition 15, the updated landscaping plan shall include the following, in accordance with the City's Town Planning Scheme No. 3 and the advice of the Design Review Panel:
- a. Provision of eleven (11) street trees which will grow to at least 5 metres in height and develop a natural canopy which will provide shade to at least 25m<sup>2</sup> on the ground at some time during the day, between the months of December and February of each year. This is in accordance with the definition of a 'shade tree' in the City's Town Planning Scheme No. 3;
  - b. Consideration of seating (arm support, universal access etc) and childrens' play equipment;
  - c. Large endemic trees;
  - d. Maximised deep root zones to deliver a future urban tree canopy;
  - e. Attractive internal courtyards;
  - f. Retaining and/or relocating existing vegetation where possible, such as grass trees/macrozamia palms;
  - g. Integration with the built form (including pathways and legible walking routes for dementia patients; and
  - h. Planting along the eastern (railway) edge to assist with acoustic treatment and to provide a visual buffer
- f) A clearing permit from the Department of Environment and Conservation may be required prior to development under the provisions of the *Environmental Protection Act 1986*.
- g) The occupier of premises in which clinical waste is produced shall comply in all respects with the *Environmental Protection (Controlled Waste) Regulations 2004*. For further information please contact the Department of Environment and Conservation.
- h) 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.
- i) With regard to Condition 18, drainage is to be contained at a rate of 1 in 100 year storm event for a 24 hour period.
- j) With regard to Condition 20, 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:
- a. Access to and from the site;
  - b. Delivery of materials and equipment to the site;
  - c. Storage of materials and equipment on the site;
  - d. Parking arrangements for contractors and subcontractors;
  - e. Management of construction waste; and
  - f. Other matters likely to impact on the surrounding properties.

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Presiding Member, Metro Outer JDAP





- k) With regard to Condition 21, the acoustic report shall be prepared by a suitably qualified and recognised acoustic consultant and demonstrate that the design and location of plant and other sources of noise within the development will not exceed the assigned noise levels set out in the *Environmental Protection (Noise) Regulations 1997* (as amended).
- l) 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.
- m) Construction works are to be contained within the construction site boundary with management protocols for construction methods to ensure no building material is placed within the rail corridor boundary (e.g. concrete, sheet metal, cables, insulation, other materials).
- n) Should the developer require access across the rail corridor to enable construction works, this requires a separate application to Arc Third Party Projects.
- o) All food businesses shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only).
- p) An "Application to Construct or Alter a Food Premises" is required to be submitted to Health Services prior to construction. This is to be accompanied by detailed plans and specifications of the food preparation and storage area (including mechanical ventilation and hydraulics), sanitary conveniences and garbage room, demonstrating compliance with the mentioned legislation.
- q) If part of this development is defined as a 9b public building in accordance with the National Construction Code (NCC) it shall comply with the relevant provisions of the *Health (Miscellaneous Provisions) Act 1911* (as amended), and the *Health (Public Buildings) Regulations 1992*.
- r) The proposal shall comply in all respects with the *Hairdressing Establishment Regulations 1972*. An Application to Register a Hairdressing Premises must be submitted with payment of the relevant fee. The completed premises shall be inspected by one of the City of Cockburn's Environmental Health Officers and written approval issued under the above mentioned legislation prior to clients attending the premises.

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## AMENDING MOTION

**Moved by:** Cr Chamonix Terblanche

**Seconded by:** Cr Chontelle Stone

*The following amendments were made en bloc.*

i) That a new advice note s be added to read as follows:

***That, in addition to Condition 10, consideration be given to provide two additional ACROD parking bays in lieu of three normal bays***

**REASON:** There was concern that the minimum standard for universal access bays may not be adequate for a development of this type and scale.

ii) That a new advice note t be added to read as follows:

***That consideration be given to seed and sapling harvesting when undertaking the necessary clearing of vegetation on this relatively large parcel of undeveloped land.***

**REASON:** To encourage employment of this acknowledged sustainable practice.

iii) That a new advice note u be added to read as follows:

***Appropriate provisions should be considered within the building for the storage and charging of mobility scooters.***

**REASON:** To add to the service offered to residents.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

## REPORT RECOMMENDATION (AS AMENDED)

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/20/01855 and accompanying 'Revised Development 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.

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2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval (this is exclusive of the additional two years available under 'Clause 78H Notice of Exemption from Planning Requirements during State of Emergency', issued by the Minister for Planning on 30 April 2020). If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development must be carried out in accordance with the details of this application herein, and any approved plans.
4. Prior to the initial occupation of the development, the subject lots (Lots 805 and 9004) being amalgamated.
5. A maximum of 42 staff members are permitted on site at any one time.
6. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.
7. Prior to the lodgement of a Building Permit, a schedule of the materials, finishes and colours shall be submitted to the City's satisfaction. 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.
8. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
9. Prior to the initial occupation of the building hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained, line marked, made available for use and thereafter maintained in accordance with AS2890.1 and the approved plans to the satisfaction of the City.
10. Prior to the initial occupation of the building hereby approved, the two (2) dual ambulance/accessible parking bays shall be appropriately marked and thereafter maintained in accordance with AS2890 and to the satisfaction of the City.
11. Prior to the initial occupation of the building hereby approved, the 14 bicycle racks indicated on the approved plans shall be installed and maintained thereafter in accordance with AS2890.3 and to the satisfaction of the City.
12. Crossovers are to be located and constructed to the City's specifications.
13. Prior to the initial occupation of the building hereby approved, the pram ramp is to be installed within the footpath to the specification and satisfaction of the City.
14. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points, where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres to the satisfaction of the City.
15. Prior to the lodgement of a Building Permit, an updated landscaping plan shall be submitted to and approved by the City.

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16. Prior to the lodgement of a Building Permit, a Street Tree Management Plan shall be submitted to, and approved by, the City.
17. Prior to the initial occupation of the building hereby approved, landscaping including verge planting shall be installed and reticulated in accordance with the approved plan. Landscape areas are to be maintained thereafter in perpetuity and in good order to the satisfaction of the City.
18. All stormwater must be contained and disposed of on-site, to the satisfaction of the City.
19. Prior to the lodgement of a Building Permit, updated plans are to be provided which screen all mechanical plant and related hardware from view of adjoining properties and the respective street frontages. The details in respect of which are to be provided to the City's satisfaction/approval. The location of plant and equipment shall also minimise the impact of noise on future occupants of the development and adjoining residents.
20. Prior to the lodgement 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.
21. Prior to the lodgement of a Building Permit, a further Acoustic report addressing Noise Attenuation and Vibration shall be submitted to and approved by the City, and implemented thereafter, to the satisfaction of the City.
22. All noise attenuation measures, identified by the Lloyd George Acoustics Development Applications Acoustics Report (Ref 20035433-01a; dated 10 July 2020) and the further Acoustic Report required under Condition 21, are to be implemented prior to occupancy of the development and the requirements of the Acoustic Report are to be observed at all times.
23. Prior to the lodgement of a Building Permit, written confirmation from the builder is required, confirming that all recommendations made in the Acoustic Report required under Condition 21 have been incorporated into the proposed development.
24. Prior to the initial occupation of the building hereby approved, written confirmation from the builder is required, confirming that all the requirements of the Acoustic Report referred to in Condition 21 have been incorporated into the completed development with the Form BA7 Completion Form.
25. 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.
26. Provisions identified in the Waste Management Plan provided by Dallywater Consulting and approved by the City on 13 November 2020, which include recycling measures and management of commercial and residential waste, are to be implemented and maintained thereafter to the satisfaction of the City.

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27. The recommendations contained in the updated Bushfire Management Plan prepared by Bushfire West (dated 19 October 2020) and approved by the City shall be implemented at all times to the satisfaction of the City.
28. Prior to the initial occupation of the development, a finalised Emergency Evacuation Plan shall be submitted to, and approved by, the City. The Emergency Evacuation Plan shall be implemented thereafter to the satisfaction of the City.
29. Prior to the initial occupation of the development, the Asset Protection Zone (APZ) must be established and the property thereafter maintained in accordance with the Bushfire Management Plan as approved by the City.
30. The recommendations within the approved Landscape Management Plan (dated 10 November 2020) shall be implemented at all times to the satisfaction of the City.
31. A Section 70A Notification pursuant to the *Transfer of Land Act 1893* (or as amended) must be placed on the titles of all lots, at the full cost of the applicant, alerting landowners to the existence of the approved Bushfire Fire Management Plan and advising landowners of their obligations in respect to the use and ongoing management of the land.
32. Prior to the lodgement of a Building Permit, the owner/applicant shall:
  - a. Submit to the City for approval a preliminary proposal for an art work designed by a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be located within the subject site as an integral part of the development;
  - b. Submit to the City for approval an 'Application for Art Work Design; and
  - c. enter into a contract with a professional artist/s to design and install (if appropriate) the art work approved by the City.

The artwork shall then be installed prior to the initial occupation of the building and maintained thereafter to the satisfaction of the City.

33. Prior to the lodgement of a Building Permit, a Fauna Management Plan and relocation program shall be provided to the satisfaction of the City and implemented thereafter.

#### **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 installation of outdoor lighting shall be in accordance with the requirements of Australian Standard AS 4282 - 2019 "Control of the Obtrusive Effects of Outdoor Lighting".

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- c) With regard to Condition 7, materials selected shall be of high quality to maximise longevity, in accordance with the advice of the Design Review Panel.
- d) With regard to Condition 12, copies of crossover specifications are available from the City's Engineering Services or from the City's website [www.cockburn.wa.gov.au](http://www.cockburn.wa.gov.au).
- e) With regard to Condition 15, the updated landscaping plan shall include the following, in accordance with the City's Town Planning Scheme No. 3 and the advice of the Design Review Panel:
- a. Provision of eleven (11) street trees which will grow to at least 5 metres in height and develop a natural canopy which will provide shade to at least 25m<sup>2</sup> on the ground at some time during the day, between the months of December and February of each year. This is in accordance with the definition of a 'shade tree' in the City's Town Planning Scheme No. 3;
  - b. Consideration of seating (arm support, universal access etc) and childrens' play equipment;
  - c. Large endemic trees;
  - d. Maximised deep root zones to deliver a future urban tree canopy;
  - e. Attractive internal courtyards;
  - f. Retaining and/or relocating existing vegetation where possible, such as grass trees/macrozamia palms;
  - g. Integration with the built form (including pathways and legible walking routes for dementia patients; and
  - h. Planting along the eastern (railway) edge to assist with acoustic treatment and to provide a visual buffer
- f) A clearing permit from the Department of Environment and Conservation may be required prior to development under the provisions of the *Environmental Protection Act 1986*.
- g) The occupier of premises in which clinical waste is produced shall comply in all respects with the *Environmental Protection (Controlled Waste) Regulations 2004*. For further information please contact the Department of Environment and Conservation.
- h) 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.
- i) With regard to Condition 18, drainage is to be contained at a rate of 1 in 100 year storm event for a 24 hour period.

**Mr Ian Birch**  
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- j) With regard to Condition 20, 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:
- a. Access to and from the site;
  - b. Delivery of materials and equipment to the site;
  - c. Storage of materials and equipment on the site;
  - d. Parking arrangements for contractors and subcontractors;
  - e. Management of construction waste; and
  - f. Other matters likely to impact on the surrounding properties.
- k) With regard to Condition 21, the acoustic report shall be prepared by a suitably qualified and recognised acoustic consultant and demonstrate that the design and location of plant and other sources of noise within the development will not exceed the assigned noise levels set out in the *Environmental Protection (Noise) Regulations 1997* (as amended).
- l) 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.
- m) Construction works are to be contained within the construction site boundary with management protocols for construction methods to ensure no building material is placed within the rail corridor boundary (e.g. concrete, sheet metal, cables, insulation, other materials).
- n) Should the developer require access across the rail corridor to enable construction works, this requires a separate application to Arc Third Party Projects.
- o) All food businesses shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only).
- p) An "Application to Construct or Alter a Food Premises" is required to be submitted to Health Services prior to construction. This is to be accompanied by detailed plans and specifications of the food preparation and storage area (including mechanical ventilation and hydraulics), sanitary conveniences and garbage room, demonstrating compliance with the mentioned legislation.
- q) If part of this development is defined as a 9b public building in accordance with the National Construction Code (NCC) it shall comply with the relevant provisions of the *Health (Miscellaneous Provisions) Act 1911* (as amended), and the *Health (Public Buildings) Regulations 1992*.
- r) The proposal shall comply in all respects with the *Hairdressing Establishment Regulations 1972*. An Application to Register a Hairdressing Premises must be submitted with payment of the relevant fee. The completed premises shall be inspected by one of the City of Cockburn's Environmental Health Officers and written approval issued under the above mentioned legislation prior to clients attending the premises.
- s) That, in addition to Condition 10, consideration be given to provide two additional ACROD parking bays in lieu of three normal bays.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



- t) That consideration be given to seed and sapling harvesting when undertaking the necessary clearing of vegetation on this relatively large parcel of undeveloped land.
- u) Appropriate provisions should be considered within the building for the storage and charging of mobility scooters.

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

**REASON:** As outlined in the planning assessment in the Responsible Authority Report, this unlisted use is considered appropriate for the site. Development standards applied are consistent with the planning framework for the Local Centre zone and matters relating to ongoing protection and amenity of the residents of the facility and the area in general are adequately covered by conditions of approval.

**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 -

<b>Current SAT Applications</b>				
<b>File No. &amp; SAT DR No.</b>	<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>	<b>Date Lodged</b>
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

**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.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP





## 12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:54am.

A handwritten signature in black ink, appearing to read 'Ian Birch'.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP