



## Metro Outer Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 13 January 2022; 10:00am  
**Meeting Number:** MOJDAP/147  
**Meeting Venue:** Shire of Serpentine-Jarrahdale  
6 Paterson Street, Mundijong

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Mr Ian Birch  
Presiding Member, Metro Outer JDAP



## **Attendance**

### **DAP Members**

Mr Ian Birch (Presiding Member)  
Mr Gene Koltasz (A/Deputy Presiding Member)  
Ms Shelley Shepherd (A/Third Specialist Member)  
Cr Michelle Rich (Local Government Member, Shire of Serpentine-Jarrahdale)  
Cr Lauren Strange (Local Government Member, Shire of Serpentine-Jarrahdale)

### **Officers in attendance**

Ms Helen Maruta (Shire of Serpentine Jarrahdale)  
Mr Andrew Trosic (Shire of Serpentine Jarrahdale)  
Mr Haydn Ruse (Shire of Serpentine Jarrahdale)

### **Minute Secretary**

Ms Helen Ball (Shire of Serpentine Jarrahdale)

### **Applicants and Submitters**

Mr Alessandro Stagno (Apex Planning)  
Mr Benham Bordbar (Transcore)  
Mr Stefan Piruk (Jarra Property)  
Mr Scott Ferguson (Jarra Property)  
Mr Frits Grader (Jarra Property)

### **Members of the Public / Media**

Nil

## **1. Opening of Meeting, Welcome and Acknowledgement**

The Presiding Member declared the meeting open at 10:00am on 13 January 2022 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 panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

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



The Presiding Member advised that 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 meeting would not be recorded.

## **2. Apologies**

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

## **3. Members on Leave of Absence**

DAP Member, Ms Sheryl Chaffer has been granted leave of absence by the Director General for the period of 18 December 2021 to 2 February 2022 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**

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Members, Cr Michelle Rich and Cr Lauren Strange, declared that they participated in a prior Council meeting decision in relation to the application at item 8.1. However, under section 2.1.2 of the DAP Code of Conduct 2017, Cr Rich and Cr Strange acknowledged that they are not bound by any previous decision or resolution of the local government and they undertake to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the members listed above, who have disclosed an Impartiality Interest, are permitted to participate in the discussion and voting on the item.



## 7. Deputations and Presentations

- 7.1 Mr Alessandro Stagno (Apex Planning) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Benham Bordbar (Transcore) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Andrew Trosic (Shire of Serpentine-Jarrahdale Officer) 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 Lot 9074 Gordin Way, Byford

Development Description:	Byford Child Minding Centre
Applicant:	Apex Planning
Owner:	LWP Byford Syndicate Pty Ltd
Responsible Authority:	Shire of Serpentine-Jarrahdale
DAP File No:	DAP/21/02096

## REPORT RECOMMENDATION

**Moved by:** Nil

**Seconded by:** Nil

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/21/02096 and accompanying plans (dated 13 September 2021) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* of the Metropolitan Region Scheme, Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, 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 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.

Mr Ian Birch  
Presiding Member, Metro Outer JDAP



3. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

Plans and Specifications	Development Plans received at the Shire Offices on 29 September 2021;  Transport Impact Statement received at the Shire Offices on 29 September 2021;  Bushfire Management Plan received at the Shire's Offices on 29 September 2021; and  Environmental Noise Impact Assessment received at the Shire's Offices on 29 September 2021.
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4. The maximum number of children on the premises shall not exceed **75**.
5. The operating hours for clients shall be between 6:30am and 6:30pm, Monday to Friday.
6. The development shall include the full construction of Marchant Way to Granfell Way, including all associated intersection, footpath and on street carparking requirements, to the satisfaction of the Shire of Serpentine Jarrahdale. Plans submitted for a Building Permit are to include all details of this infrastructure, to the specifications and satisfaction of the Shire. This infrastructure must be completed prior to operation of the development.
7. Prior to issue of a Building Permit, the applicant shall submit a Noise Management Plan to the specifications and satisfaction of the Shire of Serpentine Jarrahdale. The Noise Management Plan shall be prepared to ensure appropriate measures are designed and implemented for the development to achieve compliance with the *Environmental Protection (Noise) Regulations 1997*, with particular regard to the following points:
- the design of the wall on the south side of the carpark;
  - the management of outdoor play areas;
  - the design and shielding of mechanical plant.

Once approved, the Noise Management Plan shall be implemented in its entirety to the satisfaction of the Shire. The plan shall demonstrate the development incorporating all design and operational recommendations as specified within the Environmental Noise Assessment, to the satisfaction of the Shire of Serpentine Jarrahdale.

8. Prior to the occupation of the development, vehicle parking areas, access ways and crossovers shall be designed, constructed, sealed, kerbed, drained and line marked in accordance with the approved plans and thereafter maintained to the satisfaction of the Shire of Serpentine Jarrahdale.



9. A minimum of one car parking bay is to be provided and marked for the exclusive use of vehicles displaying government issued disabled parking permits. Such bay shall be located conveniently to the principal building entrance and designed in accordance with the relevant Australian Standard.
10. Prior to issue of a Building Permit, a Waste Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the Waste Management Plan shall be implemented in its entirety to the satisfaction of the Shire.
11. Prior to the issue of a Building Permit, a Landscape and Revegetation Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the Landscape and Revegetation Plan shall be implemented in its entirety and maintained thereafter to the Shire's satisfaction.
12. All stormwater shall be directed so stormwater is disposed of within the property. Direct disposal of stormwater onto the road, neighbouring properties, watercourses and drainage lines is not permitted. A Stormwater Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Stormwater may be managed through either soak wells, raingardens or a combination of the two.
13. Prior to issuing of a Building Permit, a Signage Strategy must be submitted to and approved by the Shire of Serpentine Jarrahdale. The Strategy shall demonstrate compliance with Local Planning Policy No 4.11 - Advertising Signs. Once approved, signage shall be displayed and maintained in accordance with the strategy.
14. Prior to occupation of the development, the provision of public art being provided in accordance with Local Planning Policy 1.6 – Public Art for Major Developments to the satisfaction of the Shire.
15. Prior to issue of a Building Permit, the landowner/applicant contributing towards development infrastructure, pursuant to the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2.
16. Arrangements being made with the Shire of Serpentine Jarrahdale for the landowner/applicant to contribute towards the costs of providing common infrastructure, as established through Amendment 208 (once gazetted) to Shire of Serpentine Jarrahdale Town Planning Scheme No. 2.
17. Prior to issue of a Building Permit, a Construction Management Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale. The plan should address the following matters:
  - Management of car parking, delivery vehicles and traffic associated with the construction of the development. Construction and delivery vehicles should not utilise the bays within and surrounding the Byford Secondary College site during peak drop-off/pick-up times.
  - Management of dust and noise.



18. Prior to issue of a Building Permit, an amended Bushfire Management Plan must be submitted to and approved by the Shire of Serpentine Jarrahdale. The plan shall address the following:

- Correct the classification of vegetation plots that are excluded under AS3959-2018
- Inclusion of Emergency Evacuation Plan

Once approved, the updated Bushfire Management Plan shall be implemented to the satisfaction of the Shire.

**The Report Recommendation LAPSED for want of a mover and a seconder.**

#### **ALTERNATE RECOMMENDATION**

**Moved by:** Cr Michelle Rich

**Seconded by:** Mr Gene Koltasz

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/21/02096 and accompanying plans (dated 13 September 2021) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* of the Metropolitan Region Scheme, Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2, 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 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.
3. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

Plans and Specifications	Development Plans received at the Shire Offices on 29 September 2021; Transport Impact Statement received at the Shire Offices on 29 September 2021; Bushfire Management Plan received at the Shire's Offices on 29 September 2021; and Environmental Noise Impact Assessment received at the Shire's Offices on 29 September 2021.
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**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP





4. The maximum number of children on the premises shall not exceed 106.
  5. The operating hours for clients shall be between 6:30am and 6:30pm, Monday to Friday.
  6. The development shall include the full construction of Marchant Way to Granfell Way, including all associated intersection, footpath and on street carparking requirements, to the satisfaction of the Shire of Serpentine Jarrahdale. Plans submitted for a Building Permit are to include all details of this infrastructure, to the specifications and satisfaction of the Shire. This infrastructure must be completed prior to operation of the development.
  7. Prior to issue of a Building Permit, the applicant shall submit a Noise Management Plan to the specifications and satisfaction of the Shire of Serpentine Jarrahdale. The Noise Management Plan shall be prepared to ensure appropriate measures are designed and implemented for the development to achieve compliance with the *Environmental Protection (Noise) Regulations 1997*, with particular regard to the following points:
    - the design of the wall on the south side of the carpark;
    - the management of outdoor play areas;
    - the design and shielding of mechanical plant.
- Once approved, the Noise Management Plan shall be implemented in its entirety to the satisfaction of the Shire. The plan shall demonstrate the development incorporating all design and operational recommendations as specified within the Environmental Noise Assessment, to the satisfaction of the Shire of Serpentine Jarrahdale.
8. Prior to the occupation of the development, vehicle parking areas, access ways and crossovers shall be designed, constructed, sealed, kerbed, drained and line marked in accordance with the approved plans and thereafter maintained to the satisfaction of the Shire of Serpentine Jarrahdale.
  9. A minimum of one car parking bay is to be provided and marked for the exclusive use of vehicles displaying government issued disabled parking permits. Such bay shall be located conveniently to the principal building entrance and designed in accordance with the relevant Australian Standard.
  10. Prior to issue of a Building Permit, a Waste Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the Waste Management Plan shall be implemented in its entirety to the satisfaction of the Shire.
  11. Prior to the issue of a Building Permit, a Landscape and Revegetation Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the Landscape and Revegetation Plan shall be implemented in its entirety and maintained thereafter to the Shire's satisfaction.





12. All stormwater shall be directed so stormwater is disposed of within the property. Direct disposal of stormwater onto the road, neighbouring properties, watercourses and drainage lines is not permitted. A Stormwater Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Stormwater may be managed through either soak wells, raingardens or a combination of the two.
13. Prior to issuing of a Building Permit, a Signage Strategy must be submitted to and approved by the Shire of Serpentine Jarrahdale. The Strategy shall demonstrate compliance with Local Planning Policy No 4.11 - Advertising Signs. Once approved, signage shall be displayed and maintained in accordance with the strategy.
14. Prior to occupation of the development, the provision of public art being provided in accordance with Local Planning Policy 1.6 – Public Art for Major Developments to the satisfaction of the Shire.
15. Prior to issue of a Building Permit, the landowner/applicant contributing towards development infrastructure, pursuant to the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2.
16. Arrangements being made with the Shire of Serpentine Jarrahdale for the landowner/applicant to contribute towards the costs of providing common infrastructure, as established through Amendment 208 (once gazetted) to Shire of Serpentine Jarrahdale Town Planning Scheme No. 2.
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  - Management of car parking, delivery vehicles and traffic associated with the construction of the development. Construction and delivery vehicles should not utilise the bays within and surrounding the Byford Secondary College site during peak drop-off/pick-up times.
  - Management of dust and noise.
18. Prior to issue of a Building Permit, an amended Bushfire Management Plan must be submitted to and approved by the Shire of Serpentine Jarrahdale. The plan shall address the following:
  - Correct the classification of vegetation plots that are excluded under AS3959-2018
  - Inclusion of Emergency Evacuation Plan

Once approved, the updated Bushfire Management Plan shall be implemented to the satisfaction of the Shire.



## AMENDING MOTION

**Moved by:** Ms Shelley Shepherd

**Seconded by:** Cr Lauren Strange

That Condition No. 12 be amended to read as follows:

~~All stormwater shall be directed so stormwater is disposed of within the property. Direct disposal of stormwater onto the road, neighbouring properties, watercourses and drainage lines is not permitted. Prior to the issue of a Building Permit, a Stormwater Management Plan shall be prepared in accordance with the Stormwater Management Manual for Western Australia as referenced in State Planning Policy 2.9, and be submitted to and approved by the Shire of Serpentine Jarrahdale. Stormwater may be managed through either soak wells, rain gardens or a combination of the two.~~

**The Amending Motion was put and carried UNANIMOUSLY**

**REASON:** To reference a Stormwater Management Plan being prepared in accordance with the appropriate State Government policy and criteria.

## ALTERNATE RECOMMENDATION (AS AMENDED)

That the Metro Outer Joint Development Assessment Panel resolves to:

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4. The maximum number of children on the premises shall not exceed 106.
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  - the design and shielding of mechanical plant.

Once approved, the Noise Management Plan shall be implemented in its entirety to the satisfaction of the Shire. The plan shall demonstrate the development incorporating all design and operational recommendations as specified within the Environmental Noise Assessment, to the satisfaction of the Shire of Serpentine Jarrahdale.

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12. Prior to the issue of a Building Permit, a Stormwater Management Plan shall be prepared in accordance with the Stormwater Management Manual for Western Australia as referenced in State Planning Policy 2.9, and be submitted to and approved by the Shire of Serpentine Jarrahdale.
13. Prior to issuing of a Building Permit, a Signage Strategy must be submitted to and approved by the Shire of Serpentine Jarrahdale. The Strategy shall demonstrate compliance with Local Planning Policy No 4.11 - Advertising Signs. Once approved, signage shall be displayed and maintained in accordance with the strategy.
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  - Management of dust and noise.



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- Correct the classification of vegetation plots that are excluded under AS3959-2018
- Inclusion of Emergency Evacuation Plan

Once approved, the updated Bushfire Management Plan shall be implemented to the satisfaction of the Shire.

**The Alternate Recommendation (as amended) was put and carried UNANIMOUSLY.**

**REASON:** Having regard for the assessment in the Responsible Authority Report, the panel was satisfied that the application could be approved, with appropriate conditions, accommodating 106 children as requested. All relevant planning standards have been appropriately addressed and traffic, noise and bushfire considerations have been professionally presented and reviewed as acceptable by the Shire's technical officers.

**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/21/02000 DR203/2021	City of Joondalup	Lot 642 (104) Mullaloo Drive & Lot 643 (20) Stanford Road, Kallaroo	Proposed Child Care Centre	28/09/2021
DAP/21/02016 DR207/2021	City of Joondalup	centre Lot 667 (73) Kingsley Drive & Lot 666 (22) Woodford Wells Way, Kingsley	Child Care Centre	28/09/2021
DAP/21/02047 DR	City of Swan	Lots 136 (26) & 3235 (34) Asturian Drive and Lots 137 (238) & 138 (230) Henley Street, Henley Brook	Proposed education facility	03/12/2021



## **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 10:48am.

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