



Minutes of the Metro South-West Joint Development Assessment Panel

Meeting Date and Time: Wednesday, 28 September 2016; 9.00am
Meeting Number: MSWJDAP/ 114
Meeting Venue: Department of Planning
140 William Street, Perth

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Stacey Towne (Deputy Presiding Member)
Mr Rob Nicholson (Specialist Member)
Cr Chris Elliott (Local Government Member, City of Rockingham)
Cr Joy Stewart (Local Government Member, City of Rockingham)

Officers in attendance

Mr Jason Bouwhuis (Department of Planning)
Mr Paul Sewell (Department of Planning)
Mr Ivan Zuvella (Department of Finance)
Ms Jade Lightbody (Department of Finance)
Ms Donna Shaw (City of Rockingham)
Mr Mike Ross (City of Rockingham)

Department of Planning Minute Secretary

Ms Dallas Downes (Department of Planning)
Mr Phil Goodwin (Department of Planning)

Applicants and Submitters

Mr Wai Kin Wong (Parry and Residential Architects)
Mr Jeff Malcolm (MGA Town Planning)
Mr Paul Nguyen (Department of Education)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Mr Ian Birch declared the meeting open at 9.00am on 28 September 2016 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.



The Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the Standing Orders 2012; No Recording of Meeting, which states: 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.' The Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Cr Kelly McManus (Local Government Member, City of Rockingham)

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro South-West meeting No.112 held on 19 September 2016 and meeting No.113 held on 23 September 2016 were noted by DAP members.

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 Paul Nguyen (Department of Education) addressed the DAP for the application at Item 8.1. Mr Nguyen answered questions from the panel.

7.2 Mr Jeff Malcolm (MGA Town Planners) and Mr Wai Kin Wong (Parry and Rosenthal Architects) addressed the DAP for the application and Item 8.1. Mr Malcolm and Mr Wong answered questions from the panel.

7.3 Ms Donna Shaw and Mr Mike Ross (City of Rockingham) answered questions from the panel. Mr Paul Sewell (Department of Planning) answered questions from the panel and tabled further information at the meeting for panel member consideration.



PROCEDURAL MOTION

Moved by: Mr Rob Nicholson

Seconded by: Cr Joy Stewart

That the meeting be adjourned by a period of 15 minutes.

REASON: To allow the panel to consider the new information tabled at the meeting by planning officers of the Department.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

The meeting was adjourned at 9.27am

The meeting reconvened at 9.45am

8. Form 1 - Responsible Authority Reports – DAP Application

- 8.1** Property Location: The southern portion of existing Lots 19, 20 and 21 Sixty Eight Road, Baldivis (with a total area of 9.47 hectares)
- Application Details: Proposed Secondary School (Stage 1)
- Applicant: Parry and Rosenthal Architects on behalf of the State Government Department of Building, Management and Works
- Owner: The Glow Development (WA) Pty Ltd (Lot 19), KEC Nominees Pty Ltd (Lot 20) and ABN Baldivis Pty Ltd (Lot 21)
- Responsible authority: Department of Planning
- DoP File No: DAP/16/01083

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Chris Elliott

Seconded by: Cr Joy Stewart

That the Metro South West Joint Development Assessment Panel (MSWJDAP) resolves to:

Approve DAP Application reference DP/16/01083 date stamped 25 July 2016 by the Department of Planning in accordance with the Metropolitan Region Scheme (MRS), subject to the following conditions:

Conditions

Administrative

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.

Transport

2. Satisfactory arrangements being made with the City of Rockingham for the upgrading of Sixty Eight Road to a Neighbourhood Connector A road



standard in the location as shown on the plan dates 13 April 2015 as per Figure 9 within the Uloth & Associates Transport Assessment Report.

Site Works

3. All earthworks shall be stabilised to prevent sand drift.
4. All stormwater shall be contained on-site.
5. The preparation, approval and implementation of a landscaping plan to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham. The landscaping plan is to identify the following:
 - The location, number and type of trees and shrubs planted; and
 - Any existing vegetation to be retained and reticulation thereof with particular focus to road frontages.
6. The preparation, approval and implementation of a Construction Management Plan to address traffic management, the storage of construction materials, waste management and suppression of dust to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham.

Fire and Emergency

7. The implementation of the Baldivis South Secondary School Bushfire Management Plan prepared by Rural Fire Risk Consultancy dated 1 August 2016 (Version 1.5 Reference: 5179).

The above implementation requires amended plans for proposed Buildings 3 and 4 to be submitted and approved by the City of Rockingham that demonstrate construction to BAL-12.5 as per Australian Standard AS3959-2009: Construction of Buildings in Bushfire-Prone Areas.

AMENDING MOTION

Moved by: Mr Rob Nicholson

Seconded by: Nil

To amend condition 2 so as to read as follows:

*"Satisfactory arrangements being made with the City of Rockingham for the upgrading of Sixty Eight Road to a Neighbourhood Connector **B** road as referenced by **the drawing contained on page 2 of the Shawmac technical note.**"*

The Amending Motion lapsed for want of seconder

AMENDING MOTION

Moved by: Ms Stacey Towne

Seconded by: Mr Ian Birch

To amend condition 2 so as to read as follows:

*"Satisfactory arrangements being made with the **Western Australian Planning Commission on advice from the City of Rockingham for the full***



cost of upgrading Sixty Eight Road to an urban standard where it abuts the subject land."

REASON: 1. The agreements are to be made with the WAPC as there cannot be a third party clearance on conditions.

2. The panel notes that conflicting traffic engineering advice has been received by the DAP with regard to the requirement of the standard of the road. There also remains an outstanding condition of subdivision in relation to the road which needs to be cleared irrespective of the DAP decision.

The Amending Motion was put and **CARRIED (3/2)**.

For: Ms Stacey Towne
Mr Ian Birch
Mr Rob Nicholson

Against: Cr Chris Elliott
Cr Joy Stewart

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Ms Stacey Towne

To amend condition 7 so as to read as follows:

"The implementation of the Baldivis South Secondary School Bushfire Management Plan prepared by Rural Fire Risk Consultancy dated 1 August 2016 (Version 1.5 Reference: 5179).

*The above implementation requires amended plans for proposed Buildings 3 and 4 to be submitted and approved by the **Western Australian Planning Commission on advice from the City of Rockingham** that demonstrate construction to BAL-12.5 as per Australian Standard AS3959-2009: Construction of Buildings in Bushfire-Prone Areas."*

REASON: There cannot be a third party clearance on conditions.

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

PRIMARY MOTION (AS AMENDED)

That the Metro South West Joint Development Assessment Panel (MSWJDAP) resolves to:

Approve DAP Application reference DP/16/01083 date stamped 25 July 2016 by the Department of Planning in accordance with the Metropolitan Region Scheme (MRS), subject to the following conditions:

Conditions

Administrative



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.

Transport

2. Satisfactory arrangements being made with the Western Australian Planning Commission on advice from the City of Rockingham for the full cost of upgrading Sixty Eight Road to an urban standard where it abuts the subject land.

Site Works

3. All earthworks shall be stabilised to prevent sand drift.
4. All stormwater shall be contained on-site.
5. The preparation, approval and implementation of a landscaping plan to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham. The landscaping plan is to identify the following:
 - The location, number and type of trees and shrubs planted; and
 - Any existing vegetation to be retained and reticulation thereof with particular focus to road frontages.
6. The preparation, approval and implementation of a Construction Management Plan to address traffic management, the storage of construction materials, waste management and suppression of dust to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham.

Fire and Emergency

7. The implementation of the Baldvis South Secondary School Bushfire Management Plan prepared by Rural Fire Risk Consultancy dated 1 August 2016 (Version 1.5 Reference: 5179).

The above implementation requires amended plans for proposed Buildings 3 and 4 to be submitted and approved by the Western Australian Planning Commission on advice from the City of Rockingham that demonstrate construction to BAL-12.5 as per Australian Standard AS3959-2009: Construction of Buildings in Bushfire-Prone Areas.

The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

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 Presiding Member reminded the meeting that in accordance with Standing Order 7.3 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.

There being no further business, the Presiding Member declared the meeting closed at 10.33am.