



Minutes of the Southern Joint Development Assessment Panel

Meeting Date and Time: 7 December 2015; 2pm
Meeting Number: SJDAP/6
Meeting Venue: Shire of Dardanup
1 Council Drive
Eaton

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Tony Casella (Specialist Member)
Cr Michael Bennet (Local Government Member, Shire of Dardanup)
Cr Peter Robinson (Local Government Member, Shire of Dardanup)

Officers in attendance

Mr Steve Potter (Shire of Dardanup)
Mr Jake Whistler (Shire of Dardanup)
Mr Robert Quinn (Shire of Dardanup)
Ms Barbara Macaulay (Shire of Dardanup)
Mr Luke Botica (Shire of Dardanup)

Local Government Minute Secretary

Ms Donna Bailye (Shire of Dardanup)

Applicants and Submitters

Ms Megan Gammon (Urbis)
Mr Andre Van Der Westhuizen (McDonalds Australia)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Mr Ian Birch declared the meeting open at 2.00pm on 7 December 2015 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*.

Mr Ian Birch
Presiding Member, Southern JDAP



The Presiding Member advised that 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 meeting would not be recorded.

2. Apologies

Nil

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Southern JDAP meeting No. 5 held on 16 November 2015 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 Andre van der Westhuizen (McDonald's Australia) addressed the DAP for the application at Item 8.1.

The presentation at Item 7.1 was heard prior to the application at Item 8.1



8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location:	Lots 1, 2 and 3 Albatross Crescent, Eaton
Application Details:	Proposed McDonald's Restaurant
Applicant:	McDonald's Australia, C/- Urbis Pty Ltd
Owner:	Oasis Holdings Pty Ltd (Lot 1); J.W.J. Cross, R.D. Cross, M.K. Cross, G.T. Cross (Lots 2 & 3)
Responsible authority:	Shire of Dardanup
DoP File No:	DAP/15/00884

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Michael Bennett

Seconded by: Cr Peter Robinson

That the Southern Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/15/00884 and accompanying plans DA02 Rev A; DA04; DA05; DA06; DA07; S01; S02; S03; S04; S05 in accordance with Clause 7.3.1 of the Shire of Dardanup Town Planning Scheme No. 3 subject to the following conditions:

General Conditions:

1. The layout of the site and the size, design and location of the works permitted must always accord with the endorsed plan(s) and must not be altered or modified without the further written consent of Council.

Prior to Commencement of Development Conditions:

2. Prior to development commencing the shared access way and crossover to Albatross Crescent shall be designed, approved in writing by the Council, and constructed in accordance with Council's specifications (Policy ENG 10 – Crossovers in Townsites and Rural Areas), to the satisfaction of the Council.
3. Prior to development commencing detailed design of the required modifications to the median strip on Albatross Crescent adjacent to the development site shall be submitted and approved in writing by the Council.
4. Prior to development commencing a Stormwater Management Plan indicating the retention of all stormwater on-site in accordance with Shire Policy (ENG 20 - Stormwater Discharge from Buildings) shall be submitted and approved in writing by the Council.
5. Prior to development commencing a Construction Management Plan shall be submitted for assessment and approved in writing by the Council.



Prior to Occupation and/or Use of the Proposed Development:

6. A Landscaping Plan shall be submitted for assessment and approved in writing by the Council prior to the use and/or occupation. The Landscaping Plan is to include provision for a minimum of nineteen (19) canopy shade trees and landscaping of the Albatross Crescent verge. The Landscaping Plan is to be implemented and maintained for the life of the development, to the satisfaction of Council.
7. A schedule of materials, colours and finishes shall be submitted with the Building Permit application for assessment and approved in writing by the Council.
8. A Lighting Plan shall be submitted for assessment and approved in writing by the Council to indicate suitable lighting of the front setback area in accordance with the *Eaton Commercial Centre Design Guidelines*. Such lighting is to be installed in accordance with the approved plan prior to the use and/or occupation of the proposed development.
9. A Waste Management and Recycling Plan shall be submitted and approved in writing by the Council prior to the use and/or occupation of the proposed development and implemented thereafter to the satisfaction of the Council.
10. The provision of 59 fixed car parking bays (including two (2) disabled accessible bays). All carparking bays and internal accessways shall be compliant with Australian Standard 2890.1 and constructed, drained and marked to the satisfaction of the Council prior to the use and/or occupation of the proposed development.
11. Internal vehicle directional markings shall be provided throughout the development site to the satisfaction of the Council prior to the use and/or occupation of the proposed development.
12. The existing southern crossover to Lot 1 Albatross Crescent, Eaton shall be removed as indicated on the approved plans and the verge reinstated to the satisfaction of the Council prior to the use and/or occupation of the proposed development.
13. Approved modifications to the median strip on Albatross Crescent shall be undertaken to the satisfaction of the Council at the full cost of the proponent prior to the use and/or occupation of the proposed development.
14. A 1.8 metre high permeable fence shall be constructed on the entire western boundaries of Lots 2 and 3 Albatross Crescent, Eaton in accordance with the *Eaton Commercial Centre Design Guidelines*, to the satisfaction of the Council, prior to the use and/or occupation of the proposed development.
15. The approved amalgamation of Lots 2 and 3 shall be finalised with the Certificate of Title issued, prior to the use and/or occupation of the proposed development.



Ongoing Conditions

16. All light spill generated from the development site shall comply with Australian Standard 4282-1997 – *Control of the Obtrusive Effects of Outdoor Lighting* at all times.
17. All stormwater from the proposed building(s) and hardstand area(s) shall be contained on site as detailed in the approved Stormwater Management Plan.

Advice Notes:

1. This decision constitutes Development Approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.
2. The Construction Management Plan shall detail how the following matters are to be managed:
 - 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) other matters likely to impact on surrounding properties;
 - e) parking arrangements for contractors and subcontractors;
 - f) management of construction waste; and
 - g) dust mitigation.
3. The Landscaping Plan shall detail the following:
 - a) provision of a minimum of nineteen (19) canopy shade trees;
 - b) plant species and planting rates;
 - c) reticulation measures;
 - d) landscaping of the Albatross Crescent verge adjacent to the development site;
 - e) lighting to pathways, communal space and parking areas;
 - f) outdoor furniture, bin enclosures and pavement treatments;
 - g) management measures to ensure that trees and shrubs planted will thrive and be maintained in a healthy state for the life of the development; and
 - h) pedestrian path linkages.
4. The Waste Management and Recycling Plan shall detail the following:
 - a) location of bin storage areas and bin collection areas;
 - b) number, volume and type of bins, and the type of waste to be placed in the bins. This is to include measures that will support recycling;
 - c) management of the bins and the bin storage areas, including cleaning, rotation, moving bins to and from the bin collection areas and actions to contain and clean any spillage of waste or other materials;
 - d) frequency of bin collections; and
 - e) measures to reduce patrons littering, both within and surrounding the development site.



5. The proponent is advised that this is not a Building Permit. A Building Permit will be required to be obtained from the Shire of Dardanup prior to the commencement of construction.
6. The proponent is required to comply with the *Environmental Protection (Noise) Regulations 1997* at all times.
 7. The proponent is required to obtain a Food Business Certificate from the Shire of Dardanup in compliance with the *Food Act 2008* prior to the proposed development commencing operation.
8. The exhaust equipment associated with the development shall comply with relevant Australian Standards, and be constructed in accordance with the *Building Code of Australia – National Construction Code*.
9. The applicant is advised that the existing fencing on the western boundary of Lot 2 is considered to be satisfactory in its present state to satisfy condition 14.

The Report Recommendation/Primary Motion 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 2.16pm.