



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: 29 February 2016; 10:00am
Meeting Number: MNWJDAP/118
Meeting Venue: Conference Room 1
City of Joondalup Civic Centre,
Boas Avenue,
Joondalup

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr John Chester (Local Government Member, City of Joondalup)
Cr Philippa Taylor (Local Government Member, City of Joondalup)

Officers in attendance

Ms Dale Page (City of Joondalup)
Ms Lydia Dwyer (City of Joondalup)
Ms Renae Mather (City of Joondalup)

Local Government Minute Secretary

Mr John Byrne (City of Joondalup)

Applicant and Submitters

Mr Jeremy Hofland (Rowe Group)
Mr Paul Ghantous (Transcore)
Mr David Caddy (TPG Town Planning, Urban Design and Heritage)

Members of the Public

There were eight members of the public in attendance.

1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 10:00am on 29 February 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

Nil

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro North-West JDAP meeting no.116 held on 8 February 2016 and the minutes of meeting no. 117 held on 15 February 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 David Caddy (TPG Town Planning, Urban Design and Heritage) addressed the DAP against the application at Item 8.1. Mr Caddy answered questions from the panel.

7.2 Mr Jeremy Hofland (Rowe Group) addressed the DAP for the application at Item 8.1. Mr Hofland answered questions from the panel.

7.3 Mr Paul Ghantous (Transcore) addressed the DAP for the application at Item 8.1. Mr Ghantous answered questions from the panel.



8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 9 (937) Whitfords Avenue, Woodvale
Application Details:	Three Storey Medical Centre
Applicant:	Rowe Group
Owner:	Citypride Holdings Pty Ltd
Responsible authority:	City of Joondalup
DoP File No:	DAP/15/00832

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Fred Zuideveld

Seconded by: Mr Paul Drechsler

That the Metro North-West JDAP resolves to:

Refuse DAP Application reference (DAP/15/00832) and accompanying plans (Job 818 pages 1-8 of Rev Di) in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, for the following reasons:

Reasons:

1. Having due regard to the matters set out in of clauses 67 (m), (s) and (za) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the obligations under the 1991 and 1992 deeds applicable to the site, the proposed development is not considered to appropriately accommodate the required access arrangements for the Woodvale district centre as the proposal will remove reciprocal rights of access from Whitfords Avenue to Lot 66.
2. The proposed development does not meet the obligations of the 1991 and 1992 deeds applicable to the site as the application proposes to vary the approved car parking layout without first obtaining the written consent of all parties subject to these deeds and will restrict access to the basement car park outside trading hours.
3. The proposed development does not meet the requirements of the *City of Joondalup District Planning Scheme No. 2* in relation to the amount of on-site car parking required, being 50 bays in lieu of 94 bays. There is considered insufficient car parking on-site to accommodate the demand of the development.
4. Having due regard to the matters set out in of clauses 67 (m), (s), (y) and (za) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the proposal is not considered to provide adequate access or egress to the development as the design of the basement access does provide for adequate vehicle sightlines, and the northern pedestrian entrance is not integrated with the surrounding access network.



Advice Note

1. Further to 3. the applicant has not provided adequate justification to demonstrate that the number of on-site car parking bays is sufficient to cater for the demand of the proposed development. Further to this, the development is not suitably integrated with the adjoining site to the north in terms of functionality and accessibility to warrant its reliance on a 50% cross-trade with the development.

AMENDING MOTION

Moved by: Ms Karen Hyde

Seconded by: Mr Fred Zuideveld

That reason 2 be deleted.

REASON: It was considered that written consent to vary deeds of agreement in relation to the car parking layout was not required prior to the issue of development approval and would be better managed if development approval was issued and then written agreement gained on variations to the deeds of agreement in relation to the car parking layout.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Fred Zuideveld

Seconded by: Cr John Chester

That reason 3 be amended by replacing the numerals "94" with "80".

REASON: The amended figures reflect the proposed new car parking requirements as per Scheme Amendment No. 65.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

Refuse DAP Application reference (DAP/15/00832) and accompanying plans (Job 818 pages 1-8 of Rev Di) in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, for the following reasons:

Reasons:

1. Having due regard to the matters set out in of clauses 67 (m), (s) and (za) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the obligations under the 1991 and 1992 deeds applicable to the site, the proposed development is not considered to appropriately accommodate the required access arrangements for the Woodvale district centre as the proposal will remove reciprocal rights of access from Whitfords Avenue to Lot 66.



2. The proposed development does not meet the requirements of the *City of Joondalup District Planning Scheme No. 2* in relation to the amount of on-site car parking required, being 50 bays in lieu of 80 bays. There is considered insufficient car parking on-site to accommodate the demand of the development.
3. Having due regard to the matters set out in of clauses 67 (m), (s), (y) and (za) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the proposal is not considered to provide adequate access or egress to the development as the design of the basement access does provide for adequate vehicle sightlines, and the northern pedestrian entrance is not integrated with the surrounding access network.

Advice Note

1. Further to 2. the applicant has not provided adequate justification to demonstrate that the number of on-site car parking bays is sufficient to cater for the demand of the proposed development. Further to this, the development is not suitably integrated with the adjoining site to the north in terms of functionality and accessibility to warrant its reliance on a 50% cross-trade with the development.

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 10:50am.