



## **Metro North West Joint Development Assessment Panel Agenda**

**Meeting Date and Time:** Monday 8 August 2016; 09:30am  
**Meeting Number:** MNWJDAP/142  
**Meeting Venue:** Department of Planning - (*Via Teleconference*)  
140 William Street, Perth

### **Attendance**

#### **DAP Members**

Ms Karen Hyde (Presiding Member)  
Mr Paul Drechsler (Deputy Presiding Member)  
Mr Fred Zuideveld (Specialist Member)  
Cr Philippa Taylor (Local Government Member, City of Joondalup)  
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)

#### **Officers in attendance**

Ms Bronwyn Jenkins (City of Joondalup)

#### **Department of Planning Minute Secretary**

Ms Rachel Osborne

#### **Applicant and Submitters**

Ms Marieka van den Bergh (Urbis)

#### **Members of the Public**

Nil

### **1. Declaration of Opening**

The Presiding Member declares the meeting open and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.

### **2. Apologies**

Nil

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

Nil

### **4. Noting of Minutes**

Note the Minutes of the Metro North West JDAP meeting No.139 held on the 27 July 2016.



The Minutes of the Metro North West JDAP Meeting No.140 held on 1 August were not available at time of Agenda preparation.

**5. Declarations of Due Consideration**

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

**6. Disclosure of Interests**

Nil

**7. Deputations and Presentations**

Nil

**8. Form 1 - Responsible Authority Reports – DAP Application**

Nil

**9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval**

<b>9.1</b>	Property Location:	Lot 501 (470) Whitfords Avenue, Hillarys
	Application Details:	Minor Development of Westfield Whitford City
	Applicant:	Scentre Group – C/o Urbis
	Owner:	Westfield Management Ltd
	Responsible authority:	City of Joondalup
	DoP File No:	DAP/15/00868

**10. Appeals to the State Administrative Tribunal**

Nil

**11. General Business / Meeting Closure**

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.



## **Minutes of the Metro North West Joint Development Assessment Panel**

**Meeting Date and Time:** Wednesday, 27 July 2016; 2:00pm  
**Meeting Number:** MNWJDAP/139  
**Meeting Venue:** Department of Planning  
140 William Street, Perth

### **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**

Mr John Corbellini (City of Joondalup)  
Ms Renae Mather (City of Joondalup)

#### **Department of Planning Minute Secretary**

Ms Rachel Osborne

#### **Applicant and Submitters**

Mr David Caddy (TPG Town Planning, Urban Design & Heritage)  
Mr Greg Rowe (Rowe Group)  
Mr Jeremy Hofland (Rowe Group)  
Mr Steve Yapp (DVC Consultants)

#### **Members of the Public**

Nil

### **1. Declaration of Opening**

The Presiding Member, Ms Karen Hyde declared the meeting open at 2.05pm on 27 July 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.136 held on 11 July 2016 were noted by DAP members.

Minutes of the Metro North West JDAP meeting No.137 held on 13 July 2016 were noted by DAP members.

Minutes of the Metro North West JDAP meeting No.138 held on 15 July 2016 were not available for noting at the time of meeting.

**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 10.1. Mr Caddy answered questions from the panel.

**7.2** Mr Jeremy Hofland (Rowe Group) addressed the DAP for the application at Item 10.1. Mr Hofland answered questions from the panel.

**7.3** Mr Steve Yapp (DVC Consultants) addressed the DAP for the application at Item 10.1. Mr Yapp answered questions from the panel.

**8. Form 1 - Responsible Authority Reports – DAP Application**

Nil



**9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval**

Nil

**10. Appeals to the State Administrative Tribunal**

<b>10.1</b> 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:** Cr John Chester

**Seconded by:** Cr Philippa Taylor

The Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 86 of 2016, resolves to:

Set aside the decision dated 29 February 2016 and **refuse** DAP Application reference DAP/15/00832 and accompanying plans Job 818 pages 1-7 of Rev Di in accordance with Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reason:

**Reason**

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, and varies the approved car parking layout without first obtaining written consent of all parties subject to theses deeds.

**The Report Recommendation/Primary Motion was put and Lost ( 0/5 ).**

For: None

Against: Ms Karen Hyde  
Mr Paul Drechsler  
Mr Fred Zuideveld  
Cr John Chester  
Cr Philippa Taylor



## ALTERNATE RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr John Chester

**Seconded by:** Cr Philippa Taylor

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 86 of 2016, resolves to:

Set aside the decision dated 29 February 2016 and **approve** DAP Application reference DAP/15/00832 and accompanying plans Job 818 pages 1-7 of Rev Di in accordance with Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

1. A Construction Management Plan shall be submitted to and approved by the City prior to the commencement of development. The management plan shall detail how it is proposed to manage:

- (a) all forward works for the site;
- (b) the delivery of materials and equipment to the site;
- (c) the storage of materials and equipment on the site;
- (d) the parking arrangements for the contractors and subcontractors;
- (e) the management of sand and dust during the construction process;
- (f) the management of noise during the construction process; and
- (g) other matters likely to impact on the surrounding properties;

Works shall be undertaken in accordance with the approved plan.

2. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
3. The parking bays, driveways and access points to be designed in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and Off-street Parking for People with Disabilities (AS/NZS2890.6 2009). Such areas are to be constructed, drained and marked prior to the development first being occupied, and thereafter maintained, to the satisfaction of the City.
4. Detailed landscaping plans shall be submitted to and approved by the City, prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
  - (a) Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - (b) Provide all details relating to paving, treatment of verges and tree planting in the car park;
  - (c) Show spot levels and/or contours of the site;
  - (d) Be based on water sensitive urban design principles to the satisfaction of the City;
  - (e) Be based on Designing out Crime principles to the satisfaction of the City; and
  - (f) Show all irrigation design details.
5. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice



prior to the development first being occupied and thereafter maintained to the satisfaction of the City.

6. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted to and approved by the City prior to the commencement of development. Works shall be undertaken in accordance with the approved plan prior to the occupation of the development.
7. Lighting shall be installed along all car parking areas, communal open space areas, pedestrian pathways and in all common service areas prior to the development first being occupied, to the satisfaction of the City. A lighting plan shall be submitted for approval by City prior to the commencement of development. Works shall be undertaken in accordance with the approved plans prior to the occupation of the development.
8. A full schedule of colours and materials for all exterior parts to the building shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
9. A refuse management plan indicating the method of rubbish collection is to be submitted to the City prior to the commencement of development, and approved by the City prior to the development first being occupied. The refuse management shall then be undertaken in accordance with the approved plan.
10. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.
11. All development shall be contained within the property boundaries.
12. Basement car parking spaces 28 and 29 shall be marked and clearly signposted as dedicated for staff use only prior to occupation of the development, to the satisfaction of the City.
13. The applicant/landowner shall obtain written consent from the Parties of the 1991 deed applicable to the subject site for the proposed changes to the existing accessways and car parking layout, to the satisfaction of the City, prior to the commencement of development.
14. The General Practice, Medical Specialist, Dental, Radiology and Physio are approved for the purposes of a 'Medical Centre' as defined under the City of Joondalup Local Planning Scheme.
15. The Café is approved for the purposes of a 'Restaurant' as defined under the City of Joondalup Local Planning Scheme.





16. The Pharmacy is approved for the purposes of a 'Shop' as defined under the City of Joondalup Local Planning Scheme.
17. A signage strategy shall be submitted to and approved by the City prior to occupation of the development.

Advice notes:

1. Further to condition 3, the at-grade car bays to the south of the development shall meet the minimum width required under Australian Standard AS2890.1.
2. Car park ventilation to comply with the B.C.A. and Australian Standards 1668.2.
3. This approval relates to the proposed three storey mixed use development only, as indicated on the approved plans. It does not relate to any other development.
4. The City of Joondalup District Planning Scheme No. 2 defines 'Medical Centre' as meaning a "premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling)".
5. The City of Joondalup District Planning Scheme No. 2 defines 'Office' as meaning a "any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres".
6. The City of Joondalup District Planning Scheme No. 2 defines 'Shop' as meaning a "premises other than a bulky good showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services".
7. The City of Joondalup District Planning Scheme No. 2 defines 'Restaurant' as meaning "any premises where the predominant use is the preparation of food for sale and consumption within the building or portion thereof. The expression may include the sale of food for consumption off the premises, where local government is of the opinion that it is incidental to the business. The term may include an outdoor eating area which shall be treated as being within the building of the Restaurant. The expression excludes "Drive-Through Food Outlets".
8. Any signage shall be the subject of a separate development application.
9. Food business premises to comply with the requirements of the *Food Act 2008*.

**REASON: The primary motion failed and there was no support from the panel to refuse the application.**





**The Alternate Recommendation / Primary Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Fred Zuideveld

**Seconded by:** Mr Paul Drechsler

To delete condition 13 and insert as advice note 10 to read as follows:

*"The applicant/landowner shall obtain written consent from the Parties of the 1991 deed applicable to the subject site for the proposed changes to the existing accessways and car parking layout."*

**REASON: Condition 13 is an invalid planning condition.**

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

**ALTERNATE RECOMMENDATION / PRIMARY MOTION (AS AMENDED)**

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 86 of 2016, resolves to:

Set aside the decision dated 29 February 2016 and **approve** DAP Application reference DAP/15/00832 and accompanying plans Job 818 pages 1-7 of Rev Di in accordance with Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

1. A Construction Management Plan shall be submitted to and approved by the City prior to the commencement of development. The management plan shall detail how it is proposed to manage:
  - (a) all forward works for the site;
  - (b) the delivery of materials and equipment to the site;
  - (c) the storage of materials and equipment on the site;
  - (d) the parking arrangements for the contractors and subcontractors;
  - (e) the management of sand and dust during the construction process;
  - (f) the management of noise during the construction process; and
  - (g) other matters likely to impact on the surrounding properties;

Works shall be undertaken in accordance with the approved plan.

2. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
3. The parking bays, driveways and access points to be designed in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and Off-street Parking for People with Disabilities (AS/NZS2890.6 2009). Such areas are to be constructed, drained and marked prior to the development first being occupied, and thereafter maintained, to the satisfaction of the City.



4. Detailed landscaping plans shall be submitted to and approved by the City, prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
  - (a) Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - (b) Provide all details relating to paving, treatment of verges and tree planting in the car park;
  - (c) Show spot levels and/or contours of the site;
  - (d) Be based on water sensitive urban design principles to the satisfaction of the City;
  - (e) Be based on Designing out Crime principles to the satisfaction of the City; and
  - (f) Show all irrigation design details.
5. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
6. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted to and approved by the City prior to the commencement of development. Works shall be undertaken in accordance with the approved plan prior to the occupation of the development.
7. Lighting shall be installed along all car parking areas, communal open space areas, pedestrian pathways and in all common service areas prior to the development first being occupied, to the satisfaction of the City. A lighting plan shall be submitted for approval by City prior to the commencement of development. Works shall be undertaken in accordance with the approved plans prior to the occupation of the development.
8. A full schedule of colours and materials for all exterior parts to the building shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
9. A refuse management plan indicating the method of rubbish collection is to be submitted to the City prior to the commencement of development, and approved by the City prior to the development first being occupied. The refuse management shall then be undertaken in accordance with the approved plan.
10. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.
11. All development shall be contained within the property boundaries.



12. Basement car parking spaces 28 and 29 shall be marked and clearly signposted as dedicated for staff use only prior to occupation of the development, to the satisfaction of the City.
13. The General Practice, Medical Specialist, Dental, Radiology and Physio are approved for the purposes of a 'Medical Centre' as defined under the City of Joondalup Local Planning Scheme.
14. The Café is approved for the purposes of a 'Restaurant' as defined under the City of Joondalup Local Planning Scheme.
15. The Pharmacy is approved for the purposes of a 'Shop' as defined under the City of Joondalup Local Planning Scheme.
16. A signage strategy shall be submitted to and approved by the City prior to occupation of the development.

Advice notes:

1. Further to condition 3, the at-grade car bays to the south of the development shall meet the minimum width required under Australian Standard AS2890.1.
2. Car park ventilation to comply with the B.C.A. and Australian Standards 1668.2.
3. This approval relates to the proposed three storey mixed use development only, as indicated on the approved plans. It does not relate to any other development.
4. The City of Joondalup District Planning Scheme No. 2 defines 'Medical Centre' as meaning a "premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling)".
5. The City of Joondalup District Planning Scheme No. 2 defines 'Office' as meaning a "any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres".
6. The City of Joondalup District Planning Scheme No. 2 defines 'Shop' as meaning a "premises other than a bulky good showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services".
7. The City of Joondalup District Planning Scheme No. 2 defines 'Restaurant' as meaning "any premises where the predominant use is the preparation of food for sale and consumption within the building or portion thereof. The expression may include the sale of food for consumption off the premises, where local government is of the opinion that it is incidental to the business. The term may include an outdoor eating area which shall be treated as being



within the building of the Restaurant. The expression excludes "Drive-Through Food Outlets".

8. Any signage shall be the subject of a separate development application.
9. Food business premises to comply with the requirements of the *Food Act 2008*.
10. The applicant/landowner shall obtain written consent from the Parties of the 1991 deed applicable to the subject site for the proposed changes to the existing accessways and car parking layout.

**The Alternate Recommendation / Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.**

#### **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 3pm.



## Form 2 - Responsible Authority Report

(Regulation 17)

<b>Property Location:</b>	Lot 501 (470) Whitfords Avenue, Hillarys
<b>Application Details:</b>	Amendments to approved extensions and upgrade to existing shopping centre
<b>DAP Name:</b>	Metro North-West JDAP
<b>Applicant:</b>	Scentre Group Limited
<b>Owner:</b>	Westfield Management Ltd, Reco Whitford Pty Ltd and RE1 Ltd
<b>LG Reference:</b>	DA16/0657
<b>Responsible Authority:</b>	City of Joondalup
<b>Authorising Officer:</b>	Dale Page Director Planning and Community Development
<b>Department of Planning File No:</b>	DAP15/15/00868
<b>Report Date:</b>	29 July 2016
<b>Application Receipt Date:</b>	10 June 2016
<b>Application Process Days:</b>	50 Days
<b>Attachment(s):</b>	1. Location and zoning plan 2. Original JDAP decision and plans 3. Development plans 4. Previously approved development plans including revised annotations

### Officer Recommendation:

That the Metro North-West Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/15/00868 as detailed on the DAP Form 2 dated 10 June 2016 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/15/00868 as detailed on the DAP Form 2 date 10 June 2016 and accompanying plans DA01.5202 (Revision D), DA01.5203 (Revision D), DA01.5403 (Revision D), DA01.5404 (Revision D), DA01.5407 (Revision D), DA01.5406 (Revision D) in accordance with the provisions of Clause 77 (4) (a) of the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2 and the Metropolitan Region Scheme, for the amendments to the approved extensions and upgrade to existing shopping centre at Lot 501 (470) Whitfords Avenue, Hillarys.

### Amended Conditions

Nil.

### Advice Notes

1. All other conditions and requirements detailed on the previous approval dated 29 October 2015 shall remain unless altered by this application.

## Background:

Insert Property Address:	Lot 501 (470) Whitfords Avenue, Hillarys
Insert Zoning	MRS: Urban
	TPS: Commercial
Insert Use Class:	'Shop', 'Department Store', 'Recreation Centre', 'Office', 'Cinema', 'Markets (Retail)', 'Tavern', 'Restaurant'
Insert Strategy Policy:	Not applicable
Insert Development Scheme:	<i>City of Joondalup District Planning Scheme No.2</i>
Insert Lot Size:	19.78ha
Insert Existing Land Use:	'Shop', 'Service Station', 'Recreation Centre', 'Drive Through Food Outlet', 'Tattoo Studio', 'Office', 'Medical Centre', 'Restaurant', 'Tavern', 'Department Store'
Value of Development:	\$45 million

The subject site is the Westfield Whitford City Shopping Centre located at Lot 501 (470) Whitfords Avenue, Hillarys. It is bound by Marmion Avenue and a City owned site containing the Whitford Library and Senior Citizen's Centre to the east, Whitfords Avenue to the north, Banks Avenue to the south and Endeavour Road to the west (Attachment 1 refers).

The shopping centre originally opened in 1978 and was comprised of a department store, discount department store, supermarket and other retail stores totalling 22,307m<sup>2</sup> net lettable area (NLA). Since the opening of the shopping centre, a number of major expansion proposals have been determined. A summary of recent development applications is provided below:

- Refusal by the Metro North-West Joint Development Assessment Panel (JDAP) in 2013 for the redevelopment of, and expansions to, the existing shopping centre. This application proposed an additional 31,461m<sup>2</sup> of retail NLA, inclusive of a two level department store, new supermarket and retail space, which would result in a proposed total retail NLA of 81,451m<sup>2</sup>. The decision to refuse this development application was subject to review by the State Administrative Tribunal (SAT), which was subsequently withdrawn.
- Approval by the JDAP on 3 December 2014 for the extensions to and upgrade of the existing shopping centre inclusive of 4,5731.1m<sup>2</sup> of additional retail NLA, bringing the total retail NLA of the centre to 54,761.7m<sup>2</sup>. The various additions included within this application proposed a total shopping centre NLA of 72,942.3m<sup>2</sup>.

In addition to the shopping complex, three free-standing drive-through food outlets and a two storey office complex have been developed on the western portion of the site. While these developments need to be considered for the purposes of calculating the car parking requirement across the site, they are not directly impacted by this proposal and therefore the detailed background to their development has not been included.

The site is currently comprised of:

- Big W and Target discount department stores;
- Woolworths and Coles supermarkets;



- Cinema complex;
- Mini-majors including Lincraft, JB Hi-Fi, Best & Less, Rebel Sport, City Beach and Dick Smith;
- 250 speciality stores and fast food outlets, including a food hall;
- Tavern;
- State Swim Centre;
- Service station; and
- Endeavour Business Centre office complex.

Most recently, approval was granted by the JDAP on 29 October 2015 for extensions to and upgrades of the existing shopping centre. This development application replaced the 3 December 2014 development approval and was inclusive of 3,829m<sup>2</sup> of additional retail NLA and a total retail NLA of 54,018m<sup>2</sup>. The expansion to the existing Shopping Centre proposed a total shopping centre NLA of 76,488m<sup>2</sup> and entails the follow elements:

**Zone A** - The existing store room at the western end of the centre (upper level) converted to a café with associated alfresco dining and informal landscaped seating areas. This will create a vibrant and active entrance to centre from the western car park (level 1).

**Zone B** - The piazza is to be re-developed to incorporate new retail offers including food and beverage, entertainment and commercial activities spanning over two storeys as well as significant landscape treatment and pedestrian connection enhancements. This will be anchored by the expansion of the existing cinemas to provide a more contemporary cinema offering. New pedestrian entrances will promote a clear sense of direction to the centre and create an active edge to Whitfords Avenue. Modifications to the existing basement level include a new mini major, minor modifications to the existing internal basement level loading dock, secure end of trip facilities and an additional 36 car bays.

**Zone C** - The existing Coles tenancy expanded to accommodate a variety of retail options including a new major tenancy ('Department Store'), a variety of mini majors and/or other specialty retail shops. The final tenant mix is subject to negotiation, however is expected to provide suitable fashion anchors and may include established or new-to-market operators (i.e. internationals).

The JDAP decision of 29 October 2015, including the approved plans, is included at Attachment 2.

This development application is for amendments to various components of proposed Zone B only, and further details are provided in the planning assessment section of this report.

#### Access easement

A private road extending from Banks Avenue into the shopping centre, at the eastern edge of the centre is the subject of an easement created in 1979 between the City and the owners of the shopping centre site. This easement provides unlimited rights of access for the shopping centre and the adjoining City owned site which is the location of the Whitfords Library and Whitford Senior Citizen's Centre. Scentre Group is responsible for the maintenance of the road.



No development is proposed within the vicinity of the area affected by the easement.

#### Whitford Activity Centre Structure Plan

Council at its meeting held on 15 September 2015 considered a new draft *Whitford Activity Centre Structure Plan* (WACSP) to be satisfactory and authorised the submission of the WACSP to the Western Australian Planning Commission for adoption and certification. The Structure Plan was approved by the Western Australian Planning Commission on 27 July 2016.

The WACSP encompasses the Whitford City Shopping Centre and surrounds, extending to the St Marks School site to the west, residential properties along Banks Avenue and 11 other adjoining residential zoned properties. The area is broken into four character districts as follows:

- Retail District.
- Endeavour District.
- Banks District.
- Education and Civic District.

The modifications to the existing shopping centre as detailed in this development application are to be located wholly within the Retail District of the WACSP.

The Retail District is to provide for a main street environment on Endeavour Road and improved vehicle connections through the Retail and Endeavour Districts. The structure plan also includes provisions relating to building height, setbacks, facade treatments as well as specific character district car parking standards.

The Retail District vehicle car parking development standard requires 4.5 bays per 100m<sup>2</sup> of net lettable area.

A total maximum retail floor space allowed for the structure plan area is 77,500m<sup>2</sup>, of which a maximum of 75,000m<sup>2</sup> is permitted in the Retail District.

#### Joondalup Design Reference Panel

The purpose of the Joondalup Design Reference Panel (JDRP) is to provide advice on the design of development with a particular focus on the impact of buildings on the streetscape and the environmentally sustainable design features. Council at its meeting held on 24 June 2014 adopted amendments to the Terms of Reference for the JDRP which extended the requirement for applications determined by the JDAP to be referred to the JDRP where it relates to new commercial development and major additions to existing development that impact on the streetscape.

The application was not referred to the JDRP as the proposed modifications are considered to be minor and have a negligible impact upon on the streetscape.

#### **Details: outline of development application**

The applicant seeks approval for modifications to Zone B, previously approved by the JDAP at its meeting held on 29 October 2015 (Attachment 2 refers).

The amendments proposed by this application are as follows (see revised development plans and previously approved development plans including revised annotations within Attachments 3 and 4):

- Expansion of the cinema at level 2 towards Whitfords Avenue and an area previously depicted as 'roof' on the approved plans has been converted to cinema floor space in order to meet functional requirements of the cinema operator. The expansion of the cinema results in a 172m<sup>2</sup> increase in shopping centre NLA.
- The reconfiguration of the external wall within the western side of the piazza, realignment of retail shopfronts and additional glazing within the piazza. The reconfiguration of the piazza shopfronts result in a 133m<sup>2</sup> reduction to the total retail NLA, resulting in a 39m<sup>2</sup> net gain in total shopping centre NLA.
- Modified central landscape design to include additional covered areas, reconfiguration of landscape and childrens play areas and an improved layout to integrate with the edge of adjoining retail tenancies.
- Removal of a terrace indicated on the approved plans to be located in association with the mini major at the western end of the piazza on level 1.
- Inclusion of a roof structure over the terrace indicated on the approved plans to be located in association with the new mini major at the western end of the piazza on level 2.
- Modifications to the proposed external colours and finishes to the Whitfords Avenue facade.
- Modification to the Whitfords Avenue elevation to correctly depict the cinema box structure which was omitted by error on the approved elevation and removal of glazing areas at the basement level.
- Relocation of previously approved 'Westfield' corporate and 'indicative' signage
- Modifications to the fire access and egress.
- Reconfiguration of internal stairs and escalator relocation.
- Internal tenancy reconfiguration and new corridor.
- Revised roof plant configuration.

## **Legislation & policy:**

### Legislation

*Planning and Development Act 2005*

*Metropolitan Region Scheme (MRS)*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*City of Joondalup District Planning Scheme No.2 (DPS2)*

### State Government Policies

*State Planning Policy 4.2 Activity Centres for Perth and Peel*

## **Local Policies**

### *Council Policy – Signs*

This policy provides guidance on the extent and location of various forms of signage that are not exempt from planning approval under DPS2. The policy aims to protect the quality of the streetscape and the amenity of adjoining and nearby residents by minimising the visual impact of signs and encouraging well-designed signs that enhance visual quality and safety of the City of Joondalup.

### **Consultation:**

#### Public Consultation

The development application was not advertised as the modifications proposed from the JDAP approval issued on 29 October 2015 are not considered to result in any additional impact on surrounding landowners.

#### Consultation with other Agencies or Consultants

The development application was not referred to any external agencies as the application is for modifications to an existing authorised development which do not propose to encroach upon the road reservation or alter existing access arrangements.

### **Planning assessment:**

The applicant seeks approval for amendments to the extensions to and upgrades of the existing shopping centre that was approved by the JDAP at its meeting held on 29 October 2015 (Attachment 2 refers). The amendments to the original approval which are the subject of this application are indicated on previously approved development plans including revised annotations within Attachment 4.

The previous approval included some deviations from the standards of DPS2 and the then draft WACSP which were considered appropriate and approved by the JDAP on 29 October 2015. The following comments relate only to aspects of the proposed amendments to Zone B which differ from the original approval.

#### Retail floor space

Within the western side of the piazza, the reconfiguration of the external wall and retail shopfronts has been modified as a detailed design response, in order to improve the retail shopfronts within the piazza and enhance customer experience. The abovementioned modifications in addition to internal retail tenancy adjustments within Zone B result in a 133m<sup>2</sup> reduction to the total retail NLA of the shopping centre which is to be 53,885m<sup>2</sup>.

It should be noted that the total retail NLA of 53,885m<sup>2</sup> remains well below the 75,000m<sup>2</sup> retail NLA threshold, as outlined in the WACSP.

### Modifications to the external facade and elevations

Further detailed design has been undertaken for the external facade to determine the final schedule of materials and finishes to the Whitfords Avenue building facade. The proposed changes primarily relate to colour palette and finishes of the external walls and correcting elements of the elevations that have been affected by internal changes to the building and piazza.

The Whitfords Avenue elevation has been modified to correctly depict the extent of level 2 cinema building on the western side of the piazza which was omitted by error on the approved elevations. It should be noted that this does not introduce any new NLA associated with the cinema as it was already indicated on Zone B retail level floor plans which were approved on 29 October 2015.

Several areas of glazing along the basement level of the Whitfords Avenue facade were incorrectly depicted on the approved elevation and have been removed and replaced by relevant facade treatments.

The modifications to the proposed materials associated with the Whitfords Avenue facade are of an equal standard to that of those originally approved. As such, despite the removal of glazing areas it is considered that the replacement materials provide an adequate amount of articulation to the facade which is considered to aid in the creation of an active and unique built form that is considered to be appropriate when viewed from surrounding public realm.

### Street setback

A building setback of nine metres was previously required to the Whitfords Avenue and Banks Avenue street boundaries under DPS2. The expansion of the level 2 cinema building at the eastern side of the piazza towards Whitfords Avenue is to be setback a minimum of seven metres which is compliant with the approved WACSP minimum setback requirement of three metres.

### Modifications to the central landscape design

As a result of comments made by the Joondalup Design Reference Panel during the assessment process and the subsequent inclusion of condition 7 on the original development approval; additional shade structures have been included throughout the piazza area in order to provide relief not only to summer sunlight but also to provide cover during winter months.

The applicant has also indicated that as result of the reconfiguration of the external wall within the western side of the piazza and realignment of retail shopfronts, the central landscaped area has been reconfigured and improved to be better integrated with the edge to retail tenancies as modifications to the proposed children's play area.

Detailed landscaping plans for the central landscaped area are still required to be submitted and approved by the City in response to condition 8 of the original approval.

### Signage

The applicant is proposing the relocation of previously approved corporate and 'indicative' wall signs on the Whitfords Avenue building facade; no additional signage is proposed. Condition 10 of the original approval issued on 29 October 2015 requires the submission of a signage strategy and approval by the City prior to occupation of the development which will provide further details on the content of the 'indicative' signage.

### **Conclusion:**

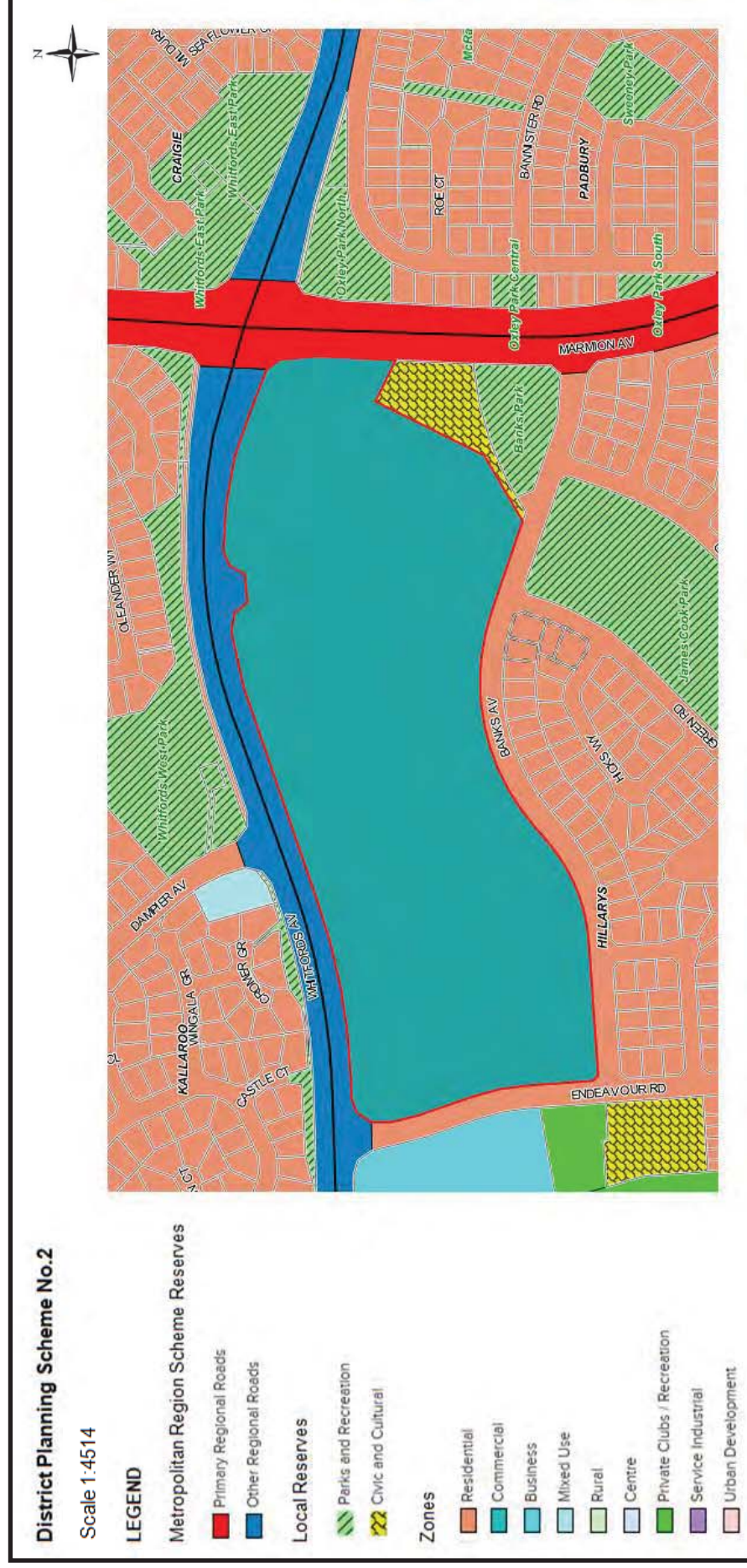
The proposed modifications to the original JDAP approved development application are considered appropriate, and do not detrimentally alter the overall presentation of the Whitfords Avenue facade nor impact on the locality.

It is recommended that the application be approved with no additional conditions.











## Original JDAP decision and plans

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PROPOSED SCOPE OF WORK - RETAIL LEVEL 1

PROPOSED VERTICAL TRANSPORT

PROPOSED SCOPE OF WORK (RETAIL LEVEL 1)  
DEVELOPMENT APPLICATION  
WESTFIELD WHITFORD CITY

Note:  
Refer to latest project documentation for  
existing plans, sections, elevations, RLs,  
survey and details

Scale	Project No.
1:1000@B1	11314
	Date
	JUNE 2015
Drawing no.	Revision
DAO1.5202	D