



Metro North-West Joint Development Assessment Panel Minutes

Meeting Date and Time: 9 November 2018; 2pm
Meeting Number: MNWJDAP/234
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street, Perth

Attendance

DAP Members

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

Officers in attendance

Mr Ryan Bailey (City of Joondalup)
Mr Chris Leigh (City of Joondalup)
Mr Stevan Zecevic (City of Joondalup)

Minute Secretary

Ms Andrea Dawson (DAP Secretariat)

Applicants and Submitters

Mr Carlo Famiano (CF Town Planning & Development)
Mr Naim Jones (Jonescorp Pty Ltd)
Ms Jean Ireland
Ms Ann Marum-O'Donnell

Members of the Public / Media

There were 6 members of the public in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 2:04pm on 9 November 2018 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 DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017 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

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

DAP Member, Ms Karen Hyde, declared an impartiality interest in item 8.1. Taylor Burrell Barnett who is Ms Hyde's employer has been appointed by the City of Joondalup to advise on the future planning framework for Housing Opportunity Areas. Ms Hyde has had no involvement in the past planning framework, the context for which these applications are to be determined. Ms Hyde does not have a pecuniary interest in any of the applications.

In accordance with section 4.6.1 and 4.6.2 of the DAP Standing Orders 2017, the Deputy Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in discussion and voting on the items.

DAP Member, Ms Sheryl Chaffer, declared an impartiality interest in item 8.1. The applicant has stated that this development is intended to be in partnership with the Department of Communities Opening Doors Shared Equality Scheme (Land & Housing). Ms Chaffer's daughter is employed by the Department of communities but does not have any involvement with the above scheme or land and housing.

In accordance with section 4.6.1 and 4.6.2 of the DAP Standing Orders 2017, the Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in discussion and voting on the items.

7. Deputations and Presentations

7.1 Ms Jean Ireland addressed the DAP against the application at Item 8.1 and responded to questions from the panel.

7.2 Ms Ann Marum-O'Donnell on behalf of Mr Chris Walker addressed the DAP against the application at Item 8.1.

7.3 Mr Naim Jones (Jonescorp Pty Ltd) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.



7.4 Mr Carlo Famiano (CF Town Planning & Development) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.5 The City of Joondalup 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 Application

8.1 Property Location: Lot 33 and Lot 34 Tuart Trail, Edgewater
Development Description: Fourteen (14) Multiple Dwellings
Applicant: CF Town Planning & Development
Owner: Mr Edwin Cornelissen & Jonescorp Pty Ltd
Responsible Authority: City of Joondalup
DAP File No: DAP/18/01433

REPORT RECOMMENDATION

Moved by: Cr Philippa Taylor **Seconded by:** Cr Christine Hamilton-Prime

That the Metro North-West DAP resolves to:

Refuse DAP Application reference DAP/18/01433 and accompanying plans (Attachment 3) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015, Metropolitan Region Scheme* and the provisions of the City of Joondalup's *Local Planning Scheme No. 3* for the following reasons:

1. The proposed development is not consistent with Schedule 2, clause 67 (n) and (m) of the *Planning and Development (Local Planning Scheme) Regulations 2015, due to the following:*
 - 1.1 The development does not incorporate appropriate consideration of the local context and character of the area.
 - 1.2 The development is not appropriate in terms of its massing and design, and does not appropriately negotiate between the existing built form and the intended future character of the area.
2. In accordance with Schedule 2, clause 67 (b) and (e) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development is not consistent with Schedule 1 – Design Principles of draft *State Planning Policy 7: Design of the Built Environment* due to the following:
 - 2.1 The development does not provide passive environmental design measures which adequately respond to the site conditions and local climate of the area including, but not limited to, solar access to habitable rooms and outdoor living areas, thermal performance and access to natural ventilation.
 - 2.2 The development lacks an adequate level of internal amenity and provides limited views of amenity for some units.
 - 2.3 The design quality is lacking with limited creativity, design integrity and detail.



- 3 In accordance with Schedule 2, clause 67 (g) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development is not consistent with the objectives of the City of Joondalup's *Residential Development Local Planning Policy*, due to the following:
 - 3.1 The development does not provide an improved streetscape outcome.
 - 3.2 The proposal does not enhance or complement the visual character of the surrounding built form.
 - 3.3 The design does not provide a high-quality built form outcome in relation to its design and layout/positioning of some units.
4. In accordance with Schedule 2, clause 67 (g) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not comply with *Schedule 1 – Subdivision and development conditions* of the City of Joondalup's *Residential Development Local Planning Policy* as there is insufficient technical evidence to support the proposed location of the street trees and on-street bays within the Tuart Trail road reserve, due to the proximity of existing underground services. It is therefore unclear if the required number of street trees/car bays can be accommodated within the verge.
5. The proposed development is not consistent with Schedule 2, clause 67 (c) and (s) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, as the width of the internal vehicle access way does not comply with clause 6.3.4 (Design of car parking spaces) under *State Planning Policy 3.1: Residential Design Codes* and the relevant *Australian Standard AS2890.1* (as amended).

AMENDING MOTION 1

Moved by: Mr Fred Zuideveld

Seconded by: Nil

That refusal reason 2.2 be deleted and remaining reasons be renumbered accordingly.

The Amending Motion LAPSED for want of a seconder.

AMENDING MOTION 2

Moved by: Ms Sheryl Chaffer

Seconded by: Ms Karen Hyde

That refusal reason 2.3 be amended to read as follows:

*The design quality is **inadequate** with **regard to creativity**, design integrity and detail.*

REASON: The panel determined that whilst a level of information had been provided with the application in terms of design and detail that the application was still inadequate to meet the requirements of the City's policy.

The Amending Motion was put and CARRIED UNANIMOUSLY



AMENDING MOTION 3

Moved by: Ms Sheryl Chaffer

Seconded by: Mr Fred Zuideveld

That refusal reason 4 be deleted and remaining reasons be renumbered accordingly.

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

For: Ms Sheryl Chaffer
Mr Fred Zuideveld

Against: Ms Karen Hyde
Cr Christine Hamilton-Prime
Cr Philippa Taylor

REPORT RECOMMENDATION (AS AMENDED)

Refuse DAP Application reference DAP/18/01433 and accompanying plans (Attachment 3) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015, Metropolitan Region Scheme* and the provisions of the City of Joondalup's *Local Planning Scheme No. 3* for the following reasons:

1. The proposed development is not consistent with Schedule 2, clause 67 (n) and (m) of the *Planning and Development (Local Planning Scheme) Regulations 2015, due to the following:*
 - 1.1 The development does not incorporate appropriate consideration of the local context and character of the area.
 - 1.2 The development is not appropriate in terms of its massing and design, and does not appropriately negotiate between the existing built form and the intended future character of the area.
2. In accordance with Schedule 2, clause 67 (b) and (e) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development is not consistent with Schedule 1 – Design Principles of draft *State Planning Policy 7: Design of the Built Environment* due to the following:
 - 2.1 The development does not provide passive environmental design measures which adequately respond to the site conditions and local climate of the area including, but not limited to, solar access to habitable rooms and outdoor living areas, thermal performance and access to natural ventilation.
 - 2.2 The development lacks an adequate level of internal amenity and provides limited views of amenity for some units.
 - 2.3 The design quality is inadequate with regard to creativity, design integrity and detail.
3. In accordance with Schedule 2, clause 67 (g) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development is not consistent with the objectives of the City of Joondalup's *Residential Development Local Planning Policy*, due to the following:
 - 3.1 The development does not provide an improved streetscape outcome.



- 3.2 The proposal does not enhance or complement the visual character of the surrounding built form.
- 3.3 The design does not provide a high-quality built form outcome in relation to its design and layout/positioning of some units.
- 4. In accordance with Schedule 2, clause 67 (g) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not comply with *Schedule 1 – Subdivision and development conditions* of the City of Joondalup’s *Residential Development Local Planning Policy* as there is insufficient technical evidence to support the proposed location of the street trees and on-street bays within the Tuart Trail road reserve, due to the proximity of existing underground services. It is therefore unclear if the required number of street trees/car bays can be accommodated within the verge.
- 5. The proposed development is not consistent with Schedule 2, clause 67 (c) and (s) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, as the width of the internal vehicle access way does not comply with clause 6.3.4 (Design of car parking spaces) under *State Planning Policy 3.1: Residential Design Codes* and the relevant *Australian Standard AS2890.1* (as amended).

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motion.

The Report Recommendation (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

The Presiding Member noted the following State Administrative Tribunal Applications –

Current Applications		
LG Name	Property Location	Application Description
City of Joondalup	Lots 348 and 347 (50 and 52) Littorina Avenue, Heathridge	Construction of fourteen (14) multiple dwellings
City of Joondalup	Lot 125 (1) & 126 (3) Chipala Court, Edgewater	Fourteen (14) Multiple Dwellings
City of Stirling	Lot 18 (6) Wanneroo Road, Yokine	Extension to the Shopping Centre (Dog Swamp)
City of Stirling	Lot 157 (2A) Sanderling Street, and Lot 604 (114) Cedric Street Stirling WA 6021	Mixed Use Development
City of Stirling	Lot 14691 (2) Plantation Street, Menora	Retirement Complex (Bethanie Aged Care)

Karen Hyde



Current Applications		
LG Name	Property Location	Application Description
City of Stirling	Lot 100 (304) Scarborough Beach Road, Osborne Park	Motor Vehicle Sales and Repair
City of Stirling	Lot 101 (191) Balcatta Road, Balcatta	Extension to the Existing Bunnings Warehouse
City of Wanneroo	Lot 140 (81) Ghost Gum Boulevard, Banksia Grove	Proposed Child Care, Service Station, Showrooms, Veterinary Consulting, Drive Through and Take Away Food Outlets

11. General Business / Meeting Close

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 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 3:19pm.