



Metro North-West Joint Development Assessment Panel Minutes

Meeting Date and Time: 23 July 2019; 9:00AM
Meeting Number: MNWJDAP/264
Meeting Venue: City of Joondalup
90 Boas Avenue, Joondalup

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Brian Curtis (A/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 Chris Leigh (City of Joondalup)
Ms Alisa Spicer (City of Joondalup)
Ms Renae Mather (City of Joondalup)
Ms Katherine McKelvie (Department of Planning, Lands and Heritage)

Minute Secretary

Ms Wendy Cowley (City of Joondalup)

Applicants and Submitters

Mr Gerry Carey
Ms Suzanne Thompson
Mr Carlo Famiano (CF Town Planning & Development)
Mr Giles Harden Jones (HJ Architects)

Members of the Public / Media

There were 28 members of the public in attendance.

Ms Tyler Brown from Community News was in attendance.



1. Declaration of Opening

The Presiding Member declared the meeting open at 9.00am on 23 July 2019 and acknowledged the traditional owners and pay respect to Elders past and present 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 the meeting is being audio recorded 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

2. Apologies

Ms Sheryl Chaffer (Deputy Presiding Member).

3. Members on Leave of Absence

DAP Member, Ms Sheryl Chaffer has been granted leave of absence by the Director General for the period of 22 July 2019 to 29 July 2019 inclusive.

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 (TBB), the firm Ms Hyde is a consultant for, was appointed by the City of Joondalup in 2018 to advise on the future planning framework for the Housing Opportunity Areas. This work was completed at the beginning of 2019 and TBB is not engaged by the City currently on this project.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2017, the A/Deputy Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in the discussion and voting on the item.



7. Deputations and Presentations

- 7.1 Mr Gerry Carey addressed the DAP against the application at Item 8.1.
- 7.2 Ms Suzanne Thompson addressed the DAP against the application at Item 8.1.
- 7.3 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.
- 7.4 Mr Giles Harden Jones (HJ Architects) 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 responded to questions from the panel in relation to the application at Item 8.1.

8. Form 1 – Responsible Authority Reports – DAP Application

- 8.1 Property Location: Lots 104 and 105 (8 and 10) Brechin Court, Duncraig
Development Description: 16 Multiple Dwellings
Applicant: Harden Jones Architects
Owner: Mr Heinrich Arnoldus Kuenen
Responsible Authority: City of Joondalup
DAP File No: DAP/19/01557

REPORT RECOMMENDATION

Moved by: Cr Christine Hamilton-Prime

Seconded by: Cr Philippa Taylor

Refuse DAP Application reference DAP/19/01557 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the *Metropolitan Region Scheme* and the provisions of the *City of Joondalup Local Planning Scheme No. 3*, for the following reasons:

1. The proposal does not satisfy the matters to be considered under clause 67(c), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as:
 - i. The proposal does not satisfy the 2.4 *Side and rear setbacks* element objectives of State Planning Policy 7.3, as the setbacks do not provide adequate separation between neighbouring properties and the development does not provide an appropriate transition between sites with different intensity of development.
 - ii. The proposal does not satisfy 2.5 *Plot Ratio* element objective of *State Planning Policy 7.3*, as building bulk and scale of the development is inappropriate for the existing and planned character of the area.



- iii. The proposal does not satisfy *2.6 Building depth* element objectives of *State Planning Policy 7.3*, as it results in undue amenity impacts for future occupants due to the building depth not providing apartment layouts and room depths to optimise daylight and solar access, and built form is not appropriately articulated to allow sufficient access of daylight.
- iv. The proposal does not satisfy *2.7 Building separation* element objectives of *State Planning Policy 7.3*, as it results in undue impacts to residential amenity of neighbouring properties including visual privacy impacts and sunlight and daylight access.
- v. The proposal does not satisfy *3.2 Orientation* element objective of *State Planning Policy 7.3*, as the building form and orientation does not minimise overshadowing of open space of the neighbouring property.
- vi. The proposal does not satisfy *3.3 Tree canopy and deep areas* element objective of *State Planning Policy 7.3*, as inadequate measures have been taken to improve tree canopy (long term).
- vii. The proposal does not satisfy *3.4 Communal open space* element objectives of *State Planning Policy 7.3*, as the communal open space does not enhance or provide a high level of amenity for residents.
- viii. The proposal does not satisfy *3.5 Visual privacy* element objective of *State Planning Policy 7.3*, as the orientation and design of the building's windows do not minimise direct overlooking of private outdoor living areas of neighbouring sites.
- ix. The proposal does not satisfy *3.6 Public domain interface* element objectives of *State Planning Policy 7.3*, as there is an inappropriate transition between private and public domain and does not enhance the privacy and safety of residents.
- x. The proposal does not satisfy *3.9 Car and bicycle parking* element objective of *State Planning Policy 7.3*, as the provision of carparking is not appropriate for the site's location and the positioning of visitor car parking does not minimise negative visual and environmental impacts on amenity and the streetscape.
- xi. The proposal does not satisfy *4.1 Solar and daylight access* element objectives of *State Planning Policy 7.3*, as the development is not sited or designed to optimise the number of dwellings receiving winter sunlight via windows to habitable rooms.
- xii. The proposal does not satisfy *4.3 Size and layout of dwellings* element objective of *State Planning Policy 7.3*, as room designs do not facilitate good daylight access.



- xiii. The proposal does not satisfy *4.9 Universal design* element objective of *State Planning Policy 7.3*, as inadequate universal design features are provided for people living with disabilities or limited mobility and the design does not facilitate ageing in place.
 - xiv. The proposal does not satisfy *4.12 Landscape design* element objectives of *State Planning Policy 7.3*, as insufficient landscaping is provided to enhance the streetscape, improve the visual appeal and comfort of open space areas, or provide an attractive outlook for habitable rooms.
2. The proposal does not satisfy the matters to be considered under clause 67(m), clause(p) and clause 67(u) of Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as:
- i. the bulk and scale of the development is not compatible with its setting particularly the relationship of development to development on adjoining land.
 - ii. Inadequate provision made for the landscaping of the land to which the application relates.
 - iii. Inadequacy of the development to provide means of access by older people and people with disability.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

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

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	Lot 96 & 97 (9 & 11) Davallia Road, Duncraig	13 Multiple Dwellings
City of Stirling	Lot 101 (191) Balcatta Road, Balcatta	Extension to the Existing Bunnings Warehouse
City of Stirling	Lot 90 (38) Geneff Street & Lot 89 (59) Hertha Road, Innaloo	Multiple Dwelling Development

Finalised Applications		
LG Name	Property Location	Application Description
City of Joondalup	Portion of 9040 (34) Kallatina Drive, Iluka	Mixed Commercial Centre (Iluka Plaza)

Karen Hyde



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 10.02am.