



Metro North West Joint Development Assessment Panel Minutes

Meeting Date and Time: 23 September 2019, 9:30 AM
Meeting Number: MNWJDAP/268
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 Jeremy Thompson (City of Joondalup)
Mr Chris Leigh (City of Joondalup)

Minute Secretary

Ms Adele McMahon (DAP Secretariat)
Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr Josh Watson (Planning Solutions)
Mr Oliver Basson (Planning Solutions)
Mr Ben Doyle (Planning Solutions)
Mr Daniel Hazebroek (BP Australia Pty Ltd)
Ms Karen Browne (Hopgood Ganim Lawyers)
Ms Shona Shah (Hopgood Ganim Lawyers)

Members of the Public / Media

There were 3 members of the public in attendance. One of which attended via teleconference.

1. Declaration of Opening

The Presiding Member declared the meeting open at 9:29am on 23 September 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 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.

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

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, Mr Fred Zuideveld, declared an impartiality interest in item 8.1. Fred was employed in 2006 - 2009 by Australian Development Consultants, who were acting on behalf of BP, as owners of the subject land, to prepare schematic designs for a 5-storey mixed use development. This design was in support of a structure plan application for the rezoning of the site. Mr Zuideveld is not currently employed, directly or indirectly in connection with the subject site

In accordance with section 6.2 and 6.3 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 the discussion and voting on the item.

7. Deputations and Presentations

7.1 Mr Ben Doyle (Planning Solutions) addressed the DAP in support of the application at 8.1 and responded to questions from the panel.

7.2 Ms Karen Browne (Hopgood Ganim Lawyers) addressed the DAP in support of the application at 8.1.



- 7.3 Mr Daniel Hazebroek (BP Australia Pty Ltd) addressed the DAP in support of the application at 8.1 and responded to questions from the panel.
- 7.4 Mr Josh Watson (Planning Solutions) addressed the DAP in support of the application at 8.1 responded to questions from the panel.
- 7.5 City of Joondalup Officers 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 153 (128) West Coast Drive and Lot 154 (1) Raleigh Road, Sorrento
- Development Description: Redevelopment of existing BP service station with associated access, signage, landscaping and parking
- Applicant: Planning Solutions
- Owner: BP Australia Pty Ltd
- Responsible Authority: City of Joondalup
- DAP File No: DAP/19/01628

REPORT RECOMMENDATION

Moved by: NIL

Seconded by: NIL

That the Metro North-West JDAP resolves to:

Refuse DAP Application reference DAP/19/01628 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Joondalup *Local Planning Scheme No. 3*, and pursuant to clause 24(1) and 26 of the *Metropolitan Region Scheme* for the following reasons:

1. In accordance with Schedule 2, clause 67 (h) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the proposed development does not meet the requirements of the *Sorrento Activity Centre Plan* as:
 - a. The proposed development does not meet the minimum development standards and therefore does not achieve the intent of providing a consistent built form outcome within the activity centre.
 - b. The retention of the vehicle access point to West Coast Drive, lack of active building frontage to the street and visibility of car parking to the street does not enhance the public realm and pedestrian environment.
 - c. The lack of landscaping along the northern boundary does not provide an appropriate buffer between the commercial development and adjoining residential property to the north.

The Report Recommendation LAPSED for want of a mover and a seconder.

PROCEDURAL MOTION



Moved by: Ms Sheryl Chaffer

Seconded by: Cr Christine Hamilton-Prime

That the consideration of DAP Application DAP/19/01628 be deferred until 15 November 2019, in accordance with section 5.10.1a of the DAP Standing Orders 2017, for the following reasons:

- 1) To enable the applicant to submit revised plans that;
 - a) Adequately address the development standards and intent of the Sorrento Activity Centre Plan in particular, by providing a more consistent built form;
 - b) Enhances the public realm and pedestrian environment by providing a wider active building frontage or frame to the street and softens the visibility of cars parked on the site;
 - c) Provides landscaping along the northern boundary as a buffer between the commercial development and adjoining residential property to the east (lot 155) and to create a more notable landmark feature at the corner of West Coast Drive and Raleigh Road; and
 - d) Consideration of the location of the disabled parking bays.
- 2) To enable the applicant to consult with the owner of the adjacent commercial land with a view to consider formalising shared access arrangement; and
- 3) To enable the responsible authority to prepare a revised RAR following receipt and assessment of the submitted revised plans referred to above.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: As outlined in the procedural motion above.

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 Application

Current Applications		
LG Name	Property Location	Application Description
City of Joondalup	Lot 96 & 97 (9 & 11) Davallia Road, Duncraig	13 Multiple Dwellings
City of Joondalup	Lot 104 & 105 (8 & 10) Brechin Court, Duncraig	3 Levels, 16 Apartments, 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

11. General Business / Meeting Close

The Presiding Member announced that in accordance with Section 7.3 of the DAP

Karen Hyde



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 10:46AM.