



## Metro Outer Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 15 April 2021; 9:30am  
**Meeting Number:** MOJDAP/81  
**Meeting Venue:** via Zoom

*This DAP meeting was conducted by electronic means open to the public rather than requiring attendance in person*

### 1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement.....	3
2.	Apologies.....	3
3.	Members on Leave of Absence.....	3
4.	Noting of Minutes.....	3
5.	Declaration of Due Consideration.....	3
6.	Disclosure of Interests.....	3
7.	Deputations and Presentations.....	4
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	5
	8.1 Lot 1 (16) Sunlander Drive, Currambine.....	5
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval.....	6
	Nil.....	6
10.	State Administrative Tribunal Applications and Supreme Court Appeals.....	7
11.	General Business.....	7
12.	Meeting Closure.....	7

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



## **Attendance**

### **DAP Members**

Mr Ian Birch (Presiding Member)  
Ms Karen Hyde (A/Deputy Presiding Member)  
Ms Diana Goldswain (A/Third Specialist Member)  
Cr Suzanne Thompson (Local Government Member, City of Joondalup)  
Cr Philippa Taylor (Local Government Member, City of Joondalup)

### **Officers in attendance**

Mr Chris Leigh (City of Joondalup)  
Mr Jeremy Thompson (City of Joondalup)  
Mr Tim Thornton (City of Joondalup)  
Ms Ashleigh Bryce (City of Joondalup)

### **Minute Secretary**

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

### **Applicants and Submitters**

Ms Mary O'Byrne  
Mr Joshua Carmody (Planning Solutions)  
Mr Gary Wrightson (APIL Group)  
Ms Aleisha O'Connor (SCA Property)  
Mr Nathan Stewart (Rowe Group)  
Mr Murray Casselton (element)  
Ms Kate Bainbridge (element)  
Mr David O'Brien (Taylor Robinson Chaney Broderick)  
Mr Darren Levey (Uloth and Associates)  
Ms Cassie Rodwell (Wallace PM)  
Ms Kelsie Davies (Kelsie Davies Landscape Architecture)  
Mr Aaron Arvela (Coles)  
Mr Tom Leeming – *Written Submission*  
Mr Stuart Erskine - *Written Submission*  
Mr Igor Talevski (Celebrations at Kinross) - *Written Submission*  
Mr Steve Koltarz - *Written Submission*

### **Members of the Public / Media**

There were 5 members of the public in attendance.

Ms Tyler Brown from Community News was in attendance.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 15 April 2021 and acknowledged the traditional owners and paid 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 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

### 1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 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.

In response to the COVID-19 situation, this meeting was convened via electronic means. Members were reminded to announce their name and title prior to speaking.

## 2. Apologies

Ms Sheryl Chaffer (Deputy Presiding Member)  
Mr Jason Hick (Third Specialist Member)

## 3. Members on Leave of Absence

DAP Member, Ms Sheryl Chaffer (Deputy Presiding Member) has been granted leave of absence by the Director General for the period of 29 March 2021 to 23 April 2021 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

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 8.1, received on 14 April 2021.

All members declared that they had duly considered the documents.

## 6. Disclosure of Interests

Nil

Mr Ian Birch  
Presiding Member, Metro Outer JDAP



## 7. Deputations and Presentations

- 7.1 Ms Mary O'Byrne addressed the DAP against the application but in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Joshua Carmody (Planning Solutions) addressed the DAP against the recommendation and application at Item 8.1.
- 7.3 Mr Gary Wrightson (APIL Group) addressed the DAP against the recommendation and application at Item 8.1.
- 7.4 Mr Nathan Stewart (Rowe Group) on behalf of Ms Aleisha O'Connor (SCA Property) addressed the DAP against the recommendation and application at Item 8.1.
- 7.5 Mr Nathan Stewart (Rowe Group) on behalf of the landowners of Currambine Central and Kinross Central Shopping Centres addressed the DAP against the recommendation and application at Item 8.1 and responded to questions from the panel.
- 7.6 Mr Darren Levey (Uloth and Associates) addressed the DAP against the report recommendation but in support of the application at item 8.1 and responded to questions from the panel.
- 7.7 Mr David O'Brien (Taylor Robinson Chaney Broderick) addressed the DAP against the report recommendation but in support of the application at item 8.1 and responded to questions from the panel.
- 7.8 Mr Murray Casselton (element) addressed the DAP against the report recommendation but in support of the application at item 8.1 and responded to questions from the panel.
- 7.9 Ms Kelsie Davies (Kelsie Davies Landscape Architecture) responded to questions from the panel in relation to item 8.1.
- 7.10 Written submissions from Mr Tom Leeming, Mr Stuart Erskine, Mr Igor Talevski (Celebrations at Kinross) and Mr Steve Koltarz were noted in relation to Item 8.1.
- 7.11 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 Lot 1 (16) Sunlander Drive, Currambine

Development Description:	Proposed Commercial Development
Applicant:	Element WA
Owner:	Southern Cross Care (WA) Inc.
Responsible Authority:	City of Joondalup
DAP File No:	DAP/20/01921

### REPORT RECOMMENDATION

**Moved by:** Cr Philippa Taylor

**Seconded by:** Cr Suzanne Thompson

*With the agreement of the mover and seconder the following amendment was made;*

- (i) To amend the preamble to read as follows;

***Defer DAP Application reference DAP/20/01921 and accompanying plans (dated 4 December 2020) to be reconsidered within 90 days (being on or before 14 July 2021) 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, for the following reasons:***

**REASON:** To provide an appropriate time frame for the deferral period

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Defer** DAP Application reference DAP/20/01921 and accompanying plans (dated 4 December 2020) to be reconsidered within 90 days (being on or before 14 July 2021) 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, for the following reasons:

#### **Reasons:**

1. To enable the applicant to submit revised plans that:
  - a) Enhance the compatibility of the development with the adjoining site to the north by reviewing the overall architectural response to the development and providing a more cohesive appearance to the building. Specifically, treatment options to reduce the impact of the parapet wall including incorporating elements with increased setbacks.
  - b) Provide additional information/detail on internal requirements for the operation of the development, including alternative methods to achieve requirements (i.e. noise amelioration).

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



2. To enable the responsible authority's design reference panel to review design changes.
3. To enable the responsible authority to prepare a revised RAR following receipt and assessment of the submitted revised plans referred to above.

### **AMENDING MOTION**

**Moved by:** Cr Suzanne Thompson

**Seconded by:** Cr Philippa Taylor

- (i) Additional reason 1 (c)

*Improve Street activation of the site. This will include relocating the Click and Collect service to allow additional minor retail along the street frontage to Silver Fern Avenue.*

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

**For:** Cr Suzanne Thompson  
Cr Philippa Taylor

**Against:** Mr Ian Birch  
Ms Karen Hyde  
Ms Diana Goldswain

**The Report Recommendation was put and CARRIED (3/2).**

**For:** Cr Philippa Taylor  
Cr Suzanne Thompson  
Ms Diana Goldswain

**Against:** Mr Ian Birch  
Ms Karen Hyde

**REASON:** As outlined in the assessment in the Responsible Authority Report, the proposed uses for the site are in conformity with the zoning of the land and prescribed development standards are largely met. However, in accordance with the RAR recommendation, the variation sought to the rear (northern) setback wall is not supported and requires further design consideration to reduce its visual impact on the adjoining property and the area in general.

### **9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval**

Nil



## 10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01708 DR 138/2020	City of Kwinana	Lot 108 Kwinana Beach Road, Kwinana	Proposed Bulk Liquid Storage for GrainCorp Liquid Terminals	01/07/2020
DAP/01729 DR 176/2020	City of Kalamunda	Lot 130 (74) Warlingham Drive, Lesmurdie	Aged Residential Care Facility	28/8/2020
DAP/20/01764 DR 204/2020	City of Swan	Lot 780 (46) Gaston Road, Bullsbrook	Proposed Stock Feed Grain Mill	8/09/2020
DAP/20/01829 DR 001/2021	City of Swan	Lot 1 (42) Dale Road & Lot 4 (43) Yukich Close, Middle Swan	Aged care and community purpose	08/01/2021

## 11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 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.

## 12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 12:56pm.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP