



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Friday, 23 February 2024; 9:30am
Meeting Number: MOJDAP/298
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person.

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Eugene Koltasz
Presiding Member, Metro Outer JDAP



Attendance

DAP Members

Eugene Koltasz (Presiding Member)
Karen Hyde (Deputy Presiding Member)
Neema Premji (A/Third Specialist Member)
Cr Adrian Hill (Local Government Member, City of Joondalup)
Cr Nige Jones (Local Government Member, City of Joondalup)

Officers in attendance

Tim Thornton (City of Joondalup)
Cathrine Temple (City of Joondalup)
Chris Leigh (City of Joondalup)

Minute Secretary

Claire Ortlepp (DAP Secretariat)

Applicants and Submitters

Jeremy Hofland (Rowe Group)
Greg Rowe (Rowe Group)
Ryan Tsen (Ryan Tsen Architects)
Donald Veal (DVC Consulting)
Steve Yapp (DVC Consulting)
Michael Hotchkin (Hotchkin Consulting)
Raju Batavia (Woodvale Boulevard Chemist & Newsagent)
Brian McCubbing (BMC Properties)
Mark Clohessy (Starbury Pty Ltd)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:32am on 23 February 2024 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*.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



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.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

Jason Hick (Third Specialist Member)

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

Nil.

7. Deputations and Presentations

- 7.1 Raju Batavia (Woodvale Boulevard Chemist & Newsagent) addressed the DAP against the recommendation for the application at Item 9.1 and responded to questions from the panel.
- 7.2 Brian McCubbing (BMC Properties) addressed the DAP against the recommendation for the application at Item 9.1 and responded to questions from the panel.
- 7.3 Mark Clohessy (Starbury Pty Ltd) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.
- 7.4 Michael Hotchkin (Hotchkin Consulting) addressed the DAP against the recommendation for the application at Item 9.1 and responded to questions from the panel.

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- 7.5** Jeremy Hofland (Rowe Group) addressed the DAP against the recommendation for the application at Item 9.1 and responded to questions from the panel.
- 7.6** Ryan Tsen (Ryan Tsen Architects) addressed the DAP against the recommendation for the application at Item 9.1 and responded to questions from the panel.
- 7.7** The City of Joondalup addressed the DAP in relation to the application at Item 9.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

Nil.

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

9.1 Lot 9 (937) Whitfords Avenue, Woodvale

Development Description: 3 Storey Medical Centre w/ Office, Restaurant and Shop

Proposed Amendments:

- Modifications to the basement car park.
- Reduction in number of on-site parking bays (42 in lieu of 50 previously approved).
- Relocation of waste collection to the north-eastern side of the building.
- Increased building setbacks to the side and rear boundaries.
- Removal of a building entry adjacent to the at-grade carpark on the building's eastern elevation.
- Modified pedestrian entry from the Whitfords Avenue frontage.
- Reconfiguration of floor areas.
- Minor modifications to the building facades.

Extension of time of two years.

Applicant: Jeremy Hofland (Rowe Group)
Owner: Citypride Holdings Pty Ltd
Responsible Authority: City of Joondalup
DAP File No: DAP/15/00832

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REPORT RECOMMENDATION

Moved by: Cr Adrian Hill

Seconded by: Cr Nige Jones

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/15/00832 as detailed on the DAP Form 2 dated 24 October 2023 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Defer** DAP Application reference DAP/15/00832 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*, for the proposed amendments to the approved Mixed Use Development at Lot 9 (937) Whitfords Avenue, for a period of 90 days to enable the applicant/landowner to engage with the owners of the Woodvale Shopping Centre in relation to the reciprocal parking and access arrangements between the subject land and the shopping centre.

PROCEDURAL MOTION

Moved by: Neema Premji

Seconded by: Cr Nige Jones

That the Metro Outer JDAP receive legal advice from representatives of the Department of Planning, Lands and Heritage and that such advice is received behind closed doors, in accordance with section 5.10.2g of the DAP Standing Orders 2020.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: To consider legal advice provided by the Department of Planning, Lands and Heritage legal.

The meeting was adjourned at 10:20am.

The meeting was reconvened at 10:32am.

The mover withdrew support for the Report Recommendation and accordingly the Report Recommendation LAPSED.

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ALTERNATE MOTION

Moved by: Karen Hyde

Seconded by: Neema Premji

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/15/00832 as detailed on the DAP Form 2 dated 24 October 2023 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/15/00832 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*, for the proposed amendments to the approved Mixed Use Development at Lot 9 (937) Whitfords Avenue, Woodvale subject to the following conditions:

Deleted Conditions

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.

(and renumber all subsequent conditions accordingly)

Amended conditions

9. A refuse management plan indicating the method of rubbish collection, including signage and/or line marking to advise of collection times from the adjoining car park, 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.
14. The Café is approved for the purposes of a 'Restaurant/café' as defined under the City of Joondalup Local Planning Scheme.

New Conditions

16. The gross leasable retail floorspace associated with the development shall not exceed 180m².
17. Amended plans shall be submitted to and approved by the City prior to commencement of construction to address the following:
 - a. Improved pedestrian access into the development from the shopping centre to the north and north-east;
 - b. Improved pedestrian access in the vicinity of the slip road access from Whitfords Avenue;

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- c. Improved vehicle sightlines for vehicles exiting the adjacent fast food outlet on Lot 10;
- d. Modifications to existing and additional linemarking, kerbing and signage to improve vehicle access and manoeuvrability in the vicinity of the slip road access to the site from Whitfords Avenue and entrance to the eastern most parking bays associated with the proposed development; and
- e. Accessibility for bays 1 and 20 within the basement carpark.

Construction shall be undertaken in accordance with the approved plans:

New Advice Notes

11. The applicant/landowner is strongly encouraged to proactively liaise with the shopping centre landowner/manager in relation to installation of signage.
12. Further to condition 17, it is noted the submitted plans did not include the eastern pedestrian entrance which formed part of the 2016 approved plans. This pedestrian entrance was considered to address the previous reason for refusal relating to pedestrian linkages. In addition, the applicant/landowner is strongly encouraged to proactively liaise with the shopping centre landowner/manager in order to provide a coordinated, logical and safe pedestrian experience to the subject development from the shopping centre lot.

All other conditions and requirements detailed on the previous approval dated 27 July 2016 shall remain unless altered by this application.

The Alternate Motion was put and CARRIED (4/1).

For: Eugene Koltasz
Karen Hyde
Neema Premji
Cr Adrian Hill

Against: Cr Nige Jones

REASON:

The majority of the Panel considered that the proposed amendments to the previously approved plans were generally acceptable and in keeping with the previous development. They would primarily reinforce the basement parking arrangements and the proposed waste management plan.

The Panel was mindful of the matters relating to the historical reciprocal car parking and access arrangements with the adjoining shopping centre, but it is not considered to be a matter that is within the scope of the Panel to determine.

Accordingly, the majority of the Panel also considered it appropriate to grant the extension of time as applied for substantial commencement.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



10. State Administrative Tribunal Applications and Supreme Court Appeals

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR75/2022 DAP/18/01543	City of Joondalup	Portion of 9040 (34) Kallatina Drive, Iluka	Mixed Commercial Centre (Iluka Plaza)	02/05/2022
DR135/2023 DAP/23/02447	City of Rockingham	Lot 622 (No.2) Aurea Boulevard, Golden Bay	Proposed mixed commercial development (Golden Bay Neighbourhood Centre)	11/08/2023
DR169/2023 DAP/23/02486	City of Swan	Lot 1 (No.9) Waterhall Road, South Guildford	Child Care Premises	13/11/2023
DR175/2023 DAP/22/02166	City of Joondalup	1 Lyell Grove (Lot 2), Woodvale	Child Care Premises	30/11/2023
DR193/2023 DAP/23/02545	Shire of Serpentine Jarrahdale	575 (Lot 218) Abernethy Road, Oakford	Proposed Educational Establishment	19/12/2023

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/23/02496 CIV 2251 of 2023	City of Swan	Lot 2 & 67 (No.163) and Lot 18 (No.159) James Street, Guildford	Proposed redevelopment of Vaudeville Theatre	03/11/2023

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 10:46am.

Eugene Koltasz
Presiding Member, Metro Outer JDAP