



The Metro North-West JDAP (MNWJDAP) is undertaking a trial as part of a Planning Reform Initiative.

You will notice some updates to the agendas, reports and minutes published for the MNWJDAP.

Any comments and feedback on these documents are welcome by contacting the Planning Reform team on 6551 9915 or planningreform@dplh.wa.gov.au



Metro North-West Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 25 February 2020; 09:30AM
Meeting Number: MNWJDAP/281
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street, Perth

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Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Fred Zuideveld (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 Ryan Bailey (City of Joondalup)

Minute Secretary

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

Applicants and Submitters

Mr Ben Doyle (Planning Solutions)
Mr Jarrad Sizer (Bode Property)
Mr Brad Kelly (Bode Property)
Ms Nannette Brammer
Ms Shailee Desai

Members of the Public / Media

There were 5 members of the public in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 09:30am on 25 February 2020 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*.

1.1 Announcements by Presiding Member

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.



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 announced that the Metro North-West JDAP is currently undertaking a trial of revised templates to promote greater consistency and transparency of information published on the DAP website. During this time, changes to the content contained within the Agendas, Minutes and Responsible Authority Reports may be observed.

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, Cr Suzanne Thompson, declared an Impartiality Interest in item 9.1. Both submitters - Ms Nannette Brammer and Ms Shailee Desai are known to Cr Thompson. They have discussed their concerns regarding the development, prior to Cr Thompson being elected as a councillor

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 Ms Nannette Brammer addressed the DAP against the recommendation for the application at Item 9.1.
- 7.2 Ms Shailee Desai addressed the DAP against the recommendation for the application at Item 9.1.
- 7.3 Mr Ben Doyle (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.
- 7.4 Mr Jarrad Sizer (Bode Property) responded to questions from the panel.
- 7.5 Mr Chris Leigh (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 647 (11) Mykonos View, Illuka

- Development Description: 23 multiple dwellings (Iluka Plaza Site)
- Proposed Amendments:
- Reduction in number of dwellings from 24 to 23
 - Minor changes to the external façade.
 - Increase in boundary wall heights to eastern and southern lot boundaries.
 - Removal of three resident car parking bays.
 - Deletion of condition 11 which requires one visitor car parking bay on site.
 - Modification of condition 21 to allow clothes drying in private courtyards and balconies.

Applicant: Mykonos View Pty Ltd
Owner: Mykonos View Pty Ltd ATF Hastings 2 Trust
Responsible Authority: City of Joondalup
DAP File No: DAP/18/01544

REPORT RECOMMENDATION

Moved by: Cr Philippa Taylor

Seconded by: Cr Suzanne Thompson

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01544 as detailed on the DAP Form 2 dated 29 November 2019 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;



2. **Approve** the DAP Application reference DAP/18/01544 as detailed on the DAP Form 2 dated 29 November 2019 and accompanying plans (Attachment 3) 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 proposed minor amendment to the approved multiple dwellings at Lot 647 (11) Mykonos View, Iluka, subject to:

Amended Conditions:

1. This approval relates to the 23 multiple dwellings and associated works only. It does not relate to any other development on the lot.
11. [delete]
12. [delete]
21. Prior to occupation of the dwellings, each dwelling shall be provided with adequate clothes drying facilities which are screened from view from the street(s) to the satisfaction of the City. No clothes drying is permitted within courtyards/balconies of the dwellings, unless it is screened from the public realm by permanent, fixed screening (as defined under the Residential Design Codes) that is integrated with the building design to the satisfaction of the City.

New Conditions:

22. The infill panelling to the street fence indicated on the approved plans shall be visually permeable (as defined in the Residential Design Codes). No portion of the fence shall be solid higher than 1.8 metres from finish ground level of the courtyards.

All other conditions and requirements detailed on the previous approval dated 5 March 2019 shall remain unless altered by this application.

AMENDING MOTION 1

Moved by: Mr Fred Zuideveld

Seconded by: Cr Suzanne Thompson

That condition no. 22 be amended to read as follows:

The infill panelling to the street fence indicated on the approved plans shall be visually permeable (as defined in the Residential Design Codes). No portion of the fence shall be solid higher than ~~1.8~~ 1.2 metres from finish ground level of the courtyards.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To allow passive surveillance of the street from Unit 1.



AMENDING MOTION 2

Moved by: Cr Suzanne Thompson

Seconded by: Cr Philippa Taylor

The following amendments were made en bloc:

- (i) That condition 11 be reinstated:

One visitor car parking bay shall be provided within the onsite car park and clearly delineated (marked/signed), prior to the occupation of the development.

- (ii) That condition 12 be reinstated:

A Security and Access Management Plan detailing security gate operation, management of intercom controls, signage and other methods to direct and enable visitor access to private areas shall be submitted to the City for approval prior to occupation of the development, and shall be implemented in accordance with the approved plan.

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

For: Cr Suzanne Thompson
Cr Philippa Taylor

Against: Ms Karen Hyde
Ms Sheryl Chaffer
Mr Fred Zuideveld

AMENDING MOTION 3

Moved by: Cr Suzanne Thompson

Seconded by: Cr Philippa Taylor

That condition 21 be reinstated:

Prior to occupation of the dwellings, each dwelling shall be provided with adequate clothes drying facilities which are screened from view from the street(s) to the satisfaction of the City. No clothes drying is permitted within the courtyards/balconies of the dwellings.

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

For: Cr Suzanne Thompson
Cr Philippa Taylor

Against: Ms Karen Hyde
Ms Sheryl Chaffer
Mr Fred Zuideveld



AMENDING MOTION 4

Moved by: Mr Fred Zuideveld

Seconded by: Cr Suzanne Thompson

That condition no. 22 be amended to read as follows:

The infill panelling to the street fence indicated on the approved plans shall be visually permeable (as defined in the Residential Design Codes). No portion of the fence along the Burns Beach Road frontage of Apartment 1, shall be solid higher than 1.2 metres from finish ground level of the courtyards.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To provide clarity regarding the condition which should relate to the fence along the Burns Beach frontage of apartment 1. This further amendment to condition 22 is consistent with the earlier amendment to enable passive surveillance from apartment 1

REPORT RECOMMENDATION (AS AMENDED)

That the Metro North-West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01544 as detailed on the DAP Form 2 dated 29 November 2019 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/18/01544 as detailed on the DAP Form 2 dated 29 November 2019 and accompanying plans (Attachment 3) 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 proposed minor amendment to the approved multiple dwellings at Lot 647 (11) Mykonos View, Iluka, subject to:

Amended Conditions:

1. This approval relates to the 23 multiple dwellings and associated works only. It does not relate to any other development on the lot.
11. [delete]
12. [delete]
21. Prior to occupation of the dwellings, each dwelling shall be provided with adequate clothes drying facilities which are screened from view from the street(s) to the satisfaction of the City. No clothes drying is permitted within courtyards/balconies of the dwellings, unless it is screened from the public realm by permanent, fixed screening (as defined under the Residential Design Codes) that is integrated with the building design to the satisfaction of the City.



New Conditions:

22. The infill panelling to the street fence indicated on the approved plans shall be visually permeable (as defined in the Residential Design Codes). No portion of the fence along the Burns Beach Road frontage of Apartment 1, shall be solid higher than 1.2 metres from finish ground level of the courtyards.

All other conditions and requirements detailed on the previous approval dated 5 March 2019 shall remain unless altered by this application.

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

For: Ms Karen Hyde
Ms Sheryl Chaffer
Mr Fred Zuideveld

Against: Cr Suzanne Thompson
Cr Philippa Taylor

REASON: Having reviewed the RAR, presentation materials and following clarification on outstanding matters provided by the city officers during question time, the majority of the panel felt that this Form 2 application could be approved subject to the amendment of various conditions. On merit and given the context of the minor changes being sought in this application the reduction of one unit and one visitor parking bay, (still allowing more than the required standard of overall parking on site for the development) and the amendments to the wall treatments were not changing the overall development as previously approved under form 1. It was noted that the remaining conditions associated with the form 1 decision prevailed and matters of landscape, particularly boundary landscape treatments would ensure the development remained consistent with the approved form 1. Furthermore, the panel was satisfied that the overall scheme requirements relating to any future changes of use would control the use of any changes of use beyond small scale home based businesses.

10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following State Administrative Tribunal Application:

Current SAT Applications					
File No.	SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01557	DR159/2019	City of Joondalup	Lot 104 & 105 (8 & 10) Brechin Court, Duncraig	3 Levels, 16 Apartments, Multiple Dwellings	01/08/2019



11. General Business

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.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:58am.