



## **Metro West Joint Development Assessment Panel Minutes**

**Meeting Date and Time:** 30 January 2019, 9:00am  
**Meeting Number:** MWJDAP/219  
**Meeting Venue:** Town of Cambridge Council Chambers  
1 Bold Park Drive  
Floreat

### **Attendance**

#### **DAP Members**

Mr Eugene Koltasz (Presiding Member)  
Mr Brian Curtis (A/Deputy Presiding Member)  
Mr John Syme (A/Specialist Member)  
Cr Andres Timmermanis (Local Government Member, Town of Cambridge)  
Cr Rod Bradley (Local Government Member, Town of Cambridge)

#### **Officers in attendance**

Ms Karen Liddell (Town of Cambridge)  
Ms Jennifer Heyes (Town of Cambridge)  
Mr Frank Strever (Town of Cambridge)  
Mr Steven Piotrowski (SMEC)  
Mr Andrew Roberts (McLeods)

#### **Minute Secretary**

Mr John Carter (Town of Cambridge)

#### **Applicants and Submitters**

Mayor Keri Shannon (Town of Cambridge)  
Mr Julian Coyne  
Ms Adele Coyne  
Mr Daniel Martinovich (CLE Town Planning and Design)  
Mr Behnam Bordbar (Transcore)  
Ms Sharron Falconer  
Mr Mark Sweeney (Health Care Australia Pty Ltd)  
Mr Paul Lalich (HWL Ebsworth Lawyers)  
Mr Andrew Scully (HWL Ebsworth Lawyers)  
Ms Naomi Weber (KDC Pty Ltd)  
Mr Julian Tan (Meyer Shircore Architects)  
Mr Mark Baker (Meyer Shircore Architects)  
Ms Claire Smith (Flyt)

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

There were 9 members of the public in attendance.

**Mr Eugene Koltasz**  
Presiding Member, Metro West JDAP



Mr Ben Dickinson from The Post and Ms Victoria Rifici from Western Suburbs Weekly were in attendance.

## 1. Declaration of Opening

The Presiding Member declared the meeting open at 9.00am on 30 January 2019 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

Due to the unavailability of the Presiding Member and the conflict of interest of the Deputy Presiding Member, Mr Eugene Koltasz has been appointed as Presiding Member for this meeting in accordance with regulation 27(3A) of the *Planning and Development (Development Assessment Panel) Regulations 2011*.

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.

## 2. Apologies

Ms Francesca Lefante (Presiding Member)  
Mr Jarrod Ross (Deputy Presiding Member)  
Mr Jason Hick (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

DAP members, Mr Jarrod Ross and Mr Jason Hick declared an impartiality interest in item 8.1. Mr Ross' employer, Taylor Burrell Barnett, is employed by the Town of Cambridge to prepare their Local Planning Strategy, including community engagement, preparation of the required documentation and provision of advice on process. Mr Hick is an employee and shareholder of Emerge Environmental Services Pty Ltd (trading as Emerge Associates), who have been engaged by the Town of Cambridge to prepare a sustainability strategy for the Town. Mr Hick is

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not directly involved in this project and the work is expected to be completed by the end of January 2019.

In accordance with section 6.3.1 of the DAP Standing Orders 2017, the Presiding Member determined that the members listed above, who had disclosed impartiality interests, were not permitted to participate in the discussion or vote on the item.

## **7. Deputations and Presentations**

- 7.1** Mayor Keri Shannon (Town of Cambridge) addressed the DAP against the application at Item 8.1.
- 7.2** Mr Julian Coyne addressed the DAP against the application at Item 8.1 and responded to questions from the panel.
- 7.3** Ms Adele Coyne addressed the DAP against the application at Item 8.1.
- 7.4** Mr Daniel Martinovich (CLE Town Planning and Design) addressed the DAP against the application at Item 8.1 and responded to questions from the panel.
- 7.5** Mr Behnam Bordbar (Transcore) addressed the DAP against the application at Item 8.1 and responded to questions from the panel.
- 7.6** Ms Sharron Falconer addressed the DAP against the application at Item 8.1.
- 7.7** Mr Mark Sweeney (Health Care Australia Pty Ltd) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.
- 7.8** Mr Paul Lalich (HWL Ebsworth Lawyers) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.
- 7.9** Ms Jennifer Heyes (Town of Cambridge), Ms Karen Liddell (Town of Cambridge), Mr Steven Piotrowski (SMEC) and Mr Andrew Roberts (McLeods) responded to questions from the panel in relation to Item 8.1.

## **8. Form 1 – Responsible Authority Reports – DAP Application**

- 8.1** Property Location: Lot 181 (No. 61-69) Cambridge Street, West Leederville  
Development Description: Expansion of Abbotsford Private Hospital including the construction of a six (6) storey addition to accommodate a total of 78 beds on site (as amended)  
Applicant: KDC Pty Ltd C/o Health Care Australia Pty Ltd  
Owner: Vital Healthcare Investment Trust  
Responsible Authority: Town of Cambridge  
DAP File No: DAP/18/01445

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Presiding Member, Metro West JDAP



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## REPORT RECOMMENDATION

**Moved by:** Cr Andres Timmermanis

**Seconded by:** Cr Rod Bradley

That the Metro West JDAP resolves to:

1. **Refuse** DAP Application reference DAP/18/01445 and accompanying plans dated June and August 2018 (SK014 DA1, SK014 DA6, SK014 DA7, SK014 DA10, SK014 DA11, SK014 DA13, SK014 DA18, SK014 DA19, SK014 DA20, SK014 DA21, SK015 DA22) and amended plans (Attachment 1) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Town of Cambridge Local Planning Scheme No. 1, for the expansion of Abbotsford Private Hospital including the construction of a six (6) storey addition to accommodate a total of 78 beds on site, for the following reasons:

### Reasons

1. The proposal does not satisfy the Town's Local Planning Policy 5.1: Parking, Table 1 - Parking Ratios, with respect to the provision of the required number of on-site car parking spaces for Hospital and Consulting Rooms.

Section 3.1 of the Policy allows for a 5% reduction of parking requirements where there is provision of parking spaces for motorcycle, scooters and gophers.

With a shortfall of 28 on-site car parking spaces, including inadequate drop-off/pick-up facilities, there is insufficient on-site parking to meet the operational demands of the proposed development. Furthermore, the considerable reliance on public parking to service the proposed development is inconsistent with orderly and proper planning.

2. The proposal does not satisfy the building height and subsequent setback requirements of the Town's West Leederville Activity Centres Plan (WLACP). The WLACP imposes a three (3) storey building height along street frontages with additional floors being setback, excluding those portions of the street frontage subject to corner treatment.

The development does not meet the requirement for a 'stepped' building profile along the southern portion of the Abbotsford Street frontage. Instead, it proposes a building height of 5 storeys designed in a 'flat' building profile.

As a consequence the non-complaint building height along Abbotsford Street increases the developments bulk and scale and does not meet the WLACP's built form and urban design planning principles to maintain human scale buildings along street frontage.

3. The proposal does not satisfy the Town's Local Planning Policy 3.10: Non-Residential Development in Residential Areas, Point 3. The reduced landscaping provided is considered to impact on the amenity of the surrounding neighbourhood as it will detract from the visual amenity.

The Town does not support the proposal for vertical landscaping. The current proposal is likely to fail or create minimal impact due to the nature of the design

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and operational constraints, and it is not considered to contribute significantly to the overall landscaping requirement of the site.

4. The proposal does not satisfy Schedule 2, Part 9, Clause 67 (m) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the overshadowing resulting from the development's bulk and scale is not considered to be compatible with the adjoining residential land.
5. The proposal does not satisfy Schedule 2, Part 9, Clause 67 (n) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the Town does not have sufficient information from the operators of the hospital to determine that the proposed strategies outlined in the Social Impact Statement will adequately mitigate any adverse impact on the amenity of the locality.

**The Report Recommendation was put and CARRIED (4/1).**

For: Mr Eugene Koltasz  
Mr Brian Curtis  
Cr Andres Timmermanis  
Cr Rod Bradley

Against: Mr John Syme

**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 Vincent	Lot 10 (125) Richmond Street, Leederville	Modifications to the external façade of a Three Storey Multiple Dwelling Development
City of Vincent	Lot 1 (308) and Lot 2 (310) Oxford Street, Leederville	Five Storey Mixed Use Development
Town of Cambridge	Lot 2 (130) and Lot 3 (132) Brookdale Street, Floreat	Child Care Centre
Town of Claremont	Lot 508 (3) Shenton Road, Claremont	Eight Storey Mixed Use Development
Town of Claremont	Lot 510 (58-62) Bay View Terrace, Claremont	Third storey additions and refurbishment of commercial tenancies and illuminated large format LED signage

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## **11. General Business / Meeting Close**

There being no further business, the Presiding Member declared the meeting closed at 11.33am.

A handwritten signature in cursive script that reads "Eugene Koltasz".

**Mr Eugene Koltasz**  
Presiding Member, Metro West JDAP