



## Minutes of the Metro South West Joint Development Assessment Panel

**Meeting Date and Time:** Wednesday, 4 April 2018; 2:00pm  
**Meeting Number:** MSWJDAP/156  
**Meeting Venue:** Shire of Murray  
1915 Pinjarra Road, Pinjarra WA

### Attendance

#### DAP Members

Mr Ian Birch (Presiding Member)  
Mr Tony Arias (Deputy Presiding Member)  
Mr Andrew Mack (A/Specialist Member)  
Cr Casey Rose (Local Government Member, Shire of Murray)  
Cr David Bolt (Local Government Member, Shire of Murray)

#### Officers in attendance

Mr Rhys Bloxsidge (Shire of Murray)  
Mr Rod Peake (Shire of Murray)  
Mr Martin Harrop (Shire of Murray)

#### Minute Secretary

Ms Mary-Ann Toner (Shire of Murray)

#### Applicants and Submitters

Mr Jon Burgess (Burgess Design Group)  
Mr Martin Flint (Flint Legal)  
Mr Timothy McClements (Stroud Street Pty Ltd)

#### Members of the Public / Media

Nil

### 1. Declaration of Opening

The Presiding Member, Mr Ian Birch declared the meeting open at 2:06 pm on 4 April 2018 and acknowledged the past and present traditional owners and custodians 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; No Recording of Meeting, 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.



## 2. Apologies

Mr Peter Addison (Specialist Member)

## 3. Members on Leave of Absence

Panel member, Mr Peter Addison has been granted leave of absence by the Director General for the period of 1 November 2017 to 30 June 2018 inclusive.

## 4. Noting of Minutes

Minutes of the City of Fremantle meeting no.155 held on 28 March 2018 were not available for noting at the time of meeting.

## 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 Mr Martin Flint (Flint Legal) addressed the DAP in support of the application at Item 8.1. Mr Flint answered questions from the panel.

7.2 Mr Jon Burgess (Burgess Design Group) addressed the DAP in support of the application at Item 8.1. Mr Burgess and Mr McClements answered questions from the panel.

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

8.1 Property Location:	Lot 3 (1922) Pinjarra Road, Pinjarra
Application Details:	Proposed Liquor Store and Associated Car Parking Area
Applicant:	Mr Jon Burgess (Burgess Design Group)
Owner:	Mr Timothy McClements (Stroud Street Pty Ltd)
Responsible Authority:	Shire of Murray
DAP File No:	DAP/17/01333

## REPORT RECOMMENDATION

**Moved by:** Mr Tony Arias

**Seconded by:** Mr Andrew Mack

That the Metro South-West JDAP resolves to:

1. **Refuse** DAP Application reference DAP/17/01333 and the accompanying plans dated 16 March 2018 (site plan reference COL PIN 6-05b-07, elevation plan reference COL PIN 6-05b-08, floor plan reference COL PIN 6-05b-06, in accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the provisions of the Shire of Murray Town Planning Scheme No. 4 for the following reasons:



## Reasons

1. The proposed service and passenger vehicle access, egress and manoeuvrability arrangements of the site are manifestly inadequate as:
  - The three point turns needed to be undertaken by service and passenger vehicles at the rear of the site in order to access the loading dock and drive through component would cause conflict with pedestrian movements from the rear car park to the building, vehicles attempting to exit the car park and vehicles attempting to access the car park. This conflict would be further exacerbated if vehicles were stacked behind the drive through component, which has limited stacking capacity;
  - Vehicles exiting the drive through component to access Pinjarra Road would conflict with vehicles entering the site;
  - The crossover design permits a right turn in movement from Pinjarra Road, which is considered unsafe given that Pinjarra Road is a four lane, high volume environment. The right in movement will require a vehicle to travel across two traffic lanes to access the site, which is considered unsafe in a high volume environment. The safety of the right in movement will be compounded should westbound traffic cause vehicles to stack behind the vehicle attempting to turn into the site, increasing the risk for a rear end incident.
2. The drive-through component of the proposed liquor store is not consistent with the objectives and principles of the Shire's draft Pinjarra Town Centre Revitalisation Strategy and Activity Centre Plan, the Pinjarra Town Centre Precincts Local Planning Policy, draft Pinjarra Activity Centre Local Planning Policy, Liveable Neighbourhoods and State Planning Policy 4.2 Activity Centres for Perth and Peel in particular in that it discourages walkability and encourages the use of vehicle trips within a town centre environment.
3. The proposed crossover to the site is inconsistent with the amenity of the area (which includes future character) in that it compromises the future planned location of the pedestrian linkage between Pinjarra Junction Shopping Centre and the commercially-zoned landholdings to the south of Pinjarra Road that include the subject site.
4. The proposed access to Pinjarra Road is inconsistent with the objectives and requirement of Development Control Policy 5.1 Regional Roads (Vehicular Access) as its location has not been rationalised or planned to address traffic flow or safety in the area.

## AMENDING MOTION

**Moved by:** Mr Ian Birch

**Seconded by:** Nil

To amend reason 1 by deleting third bullet point and reason 4

**The Amended Motion LAPSED for want of a Seconder.**



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## PROCEDURAL MOTION

**Moved by:** Cr David Bolt                      **Seconded by:** Mr Tony Arias

That the JDAP Meeting be adjourned for a period of [22 minutes].

**REASON: To provide time to review an Alternative Recommendation provided at late notice.**

**The Procedural Motion was put and CARRIED UNANIMOUSLY.**

*The meeting was adjourned at 3.41pm.  
The meeting reconvened at 4.03pm.*

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

**REASON: In accordance with details contained in the Responsible Authority Report.**

For: Mr Ian Birch,  
Mr Tony Arias,  
Mr Andrew Mack,  
Cr David Bolt

Against: Cr Casey Rose

**9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval**

Nil

**10. Appeals to the State Administrative Tribunal**

Nil

**11. General Business / Meeting Close**

The Presiding Member reminded the meeting that in accordance with Section 7.3 of DAP Standing Order 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 4.05pm.