



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 23 February 2023; 9.30am
Meeting Number: MINJDAP/173
Meeting Venue: Electronic Means

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

1 Table of Contents

1. Opening of Meeting, Welcome and Acknowledgement.....	2
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.....	3
8. Form 1 – Responsible Authority Reports – DAP Applications.....	4
8.1 House Numbers 432, 438 And 440 (Lots 23, 15 And 351) Scarborough Beach Road and House Number 57 (Lot 31) Howe Street, Osborne Park.....	4
9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	5
Nil.....	5
10. State Administrative Tribunal Applications and Supreme Court Appeals	6
11. General Business.....	7
12. Meeting Closure	7

Ms Francesca Lefante 
Presiding Member, Metro Inner-North JDAP



Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Ms Lee O'Donohue (Deputy Presiding Member)
Mr John Syme (Third Specialist Member)
Cr Suzanne Migdale (Local Government Member, City of Stirling)
Cr Elizabeth Re (Local Government Member, City of Stirling)

Officers in attendance

Mr Dean Williams (City of Stirling)
Ms Karina Bowater (City of Stirling)
Ms Amanda Sheers (City of Stirling)
Mr Blake Dickson (City of Stirling)
Mr Damian Pajagic (City of Stirling)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr Joshua Carmody (Planning Solutions)
Mr Jozef Ewing (Planning Solutions)
Mr Jarrad Nightingale (Meyer Shircore Architects)
Mr Scott Lambie (Stantec)
Mr John McKinlay (Honda North)

Members of the Public / Media

Mr Chris Tan from PerthNow was in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.30am on 23 February 2023 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.

Ms Francesca Lefante 
Presiding Member, Metro Inner-North JDAP



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

2. Apologies

Cr Felicity Farrelly (Local Government Member, City of Stirling)

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

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 22 February 2023.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1** Mr Joshua Carmody (Planning Solutions) and Mr Jarrad Nightingale (Meyer Shircore Architects) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2** Mr Scott Lambie (Stantec) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3** The City of Stirling 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 Applications

8.1 House Numbers 432, 438 And 440 (Lots 23, 15 And 351) Scarborough Beach Road and House Number 57 (Lot 31) Howe Street, Osborne Park

Development Description: Additions - Motor Vehicle, Boat or Caravan Sales and Motor Vehicle Repair to existing Automotive Sales
Applicant: Planning Solutions
Owner: Carriage Equity Pty Ltd
Responsible Authority: City of Stirling
DAP File No: DAP/22/02366

REPORT RECOMMENDATION

Moved by: Cr Suzanne Migdale

Seconded by: Cr Elizabeth Re

That the Metro Inner-North JDAP resolves to:

Refuse DAP Application reference DAP/22/02366 and accompanying plans (Attachment 1) 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 Stirling Local Planning Scheme No.3, and pursuant to Clause 24(1) and 26 of the Metropolitan Region Scheme, for Additions – Motor Vehicle, Boat or Caravan Sales and Motor Vehicle Repair to Existing Automotive Sales at Lot 23, 15 and 351 House Numbers 432, 438 and 440 Scarborough Beach Road and Lot 31 House Number 57 Howe Street, Osborne Park, for the following reasons:

- a. Pursuant to Schedule 2, Part 9, Clause 67(2)(a) and (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the development does not satisfy the objectives of the Development zone or future Mixed Use zone as per City of Stirling Local Planning Scheme No. 3 as the development does not achieve an active building edge to Scarborough Beach Road consistent with provisions of the Herdsman Glendalough Local Development Plan.
- b. Pursuant to Schedule 2, Part 9, Clause 67(2)(g) and (p) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed landscaping is insufficient and has not been appropriately designed to provide for the establishment and viability of trees or to positively contribute to the area.
- c. Pursuant to Schedule 2, Part 9, Clause 67(2)(h), (m) and (n)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the development does not satisfy the provisions of the Herdsman Glendalough Local Development Plan which requires an active building edge to Scarborough Beach Road with the proposed interface being detrimental to the desired future character of the locality, as the setback of the building to Scarborough Beach Road and demo vehicle car parking in front of the building does not provide for a pedestrian friendly and vibrant streetscape.

Ms Francesca Lefante 
Presiding Member, Metro Inner-North JDAP



PROCEDURAL MOTION

Moved by: Ms Francesca Lefante

Seconded by: Ms Lee O'Donohue

That the consideration of DAP Application DAP/22/02366 be deferred up to 60 days being on or before 24 April 2023, in accordance with section 5.10.1a of the DAP Standing Orders 2020, for the following reasons:

To allow further information to be provided on the following matters:

- Vehicle loading and site servicing including transports trucks.
- Safety and impact on road use and road function
- Frequency and timeframes associate and site servicing and vehicle transportation loading.
- Management plans or mitigation actions associated with the proposal servicing and loading activities.

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

For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr John Syme
Cr Elizabeth Re

Against: Cr Suzanne Migdale

REASON: The Panel was advised during presentations that the site use and operation requires car transportation delivery vehicles, up to 19 m in length, to the site. Information provided at the meeting included that this aspect is an important and crucial part of the use proposed and site operations. Various concerns were raised regarding the location, road usage and safety. Insufficient information is provided to make an informed determination, and accordingly the proposal was deferred from further information on various elements of the proposal in relation to the above.

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/21/02136 DR60/2022	City of Nedlands	No. 43 Esplanade, Nedlands	Proposed Mixed Use Development - One consulting room and three multiple dwellings	01/04/2022
DAP/20/01770 DR140/2022	City of Nedlands	97 (Lots 1-4) and 105 (Lot 500) Stirling Highway, Nedlands	Mixed use development comprising of basement car parking, restaurants, offices, motor vehicle sales and multiple dwellings.	23/08/2022
DAP/22/02229 DR172/2022	Town of Cambridge	413 (Lot 11) Vincent Street West, Leederville	Two-Storey Childcare Centre	04/10/2022
DAP/22/02191 DR192/2022	City of Vincent	No. 391 (Lot: 20) Lord Street, Mount Lawley	Proposed Mixed Use Development	31/10/2022
DAP/22/02276 DR194/2022	Town of Cottesloe	19 Napoleon Street (Lot 20) Cottesloe (Also Known As 19 & 21 Napoleon Street)	Four-Storey Office Building with Rooftop Terrace, and Change of Use of Existing Ground Floor Buildings To 'Restaurant and Small Bar)	04/11/2022
DAP/22/02219	City of Bayswater	589-591 (Lot 160-161) Morley Drive, Morley	Proposed Childcare Centre	14/09/2022
DAP/22/02218	City of Subiaco	No. 414 (Lot 27) Rokeby Road, Subiaco	Demolition Of Existing Building and Construction of a Six Storey Mixed Use Development (Ten Multiple Dwellings and Three Office Tenancies)	07/12/2022

Ms Francesca Lefante 
Presiding Member, Metro Inner-North JDAP



Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/22/02303	City of Vincent	Nos. 103 (Lot: 278) Alma Road & 367-373 (Lots 273-277) Fitzgerald Street, North Perth	Proposed Mixed Use Development	31/10/2023

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 11.17am.