



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 26 April 2023; 9.30am
Meeting Number: MINJDAP/177
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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Ms Francesca Lefante 
Presiding Member, Metro Inner-North JDAP



Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Ms Gabriela Poezyn (A/Deputy Presiding Member)
Ms Diana Goldswain (A/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 Damian Pajagic (City of Stirling)
Mr Russell Jackson (City of Stirling)
Mr Adrian Di Nella (City of Stirling)
Ms Karina Bowater (City of Stirling)
Mr Austin Donaghey (City of Stirling)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

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

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.36am on 26 April 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.

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

2. Apologies

Ms Lee O'Donohue (Deputy Presiding Member)
Mr John Syme (Specialist Member)
Cr Felicity Farrelly (Local Government Member, City of Stirling)

3. Members on Leave of Absence

DAP Member, Mr John Syme has been granted leave of absence by the Director General for the period of 26 April 2023 to 17 May 2023 inclusive.

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 24 April 2023.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1 Mr Scott Lambie (Stantec) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Joshua Carmody (Planning Solutions) 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.

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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 Elizabeth Re

Seconded by: Cr Suzanne Migdale

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.

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- d. Pursuant to Schedule 2, Part 9, Clause 67(2)(g) and (s) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the development does not provide for safe and suitable service access for the loading and unloading of vehicles.
- e. Pursuant to Schedule 2, Part 9, Clause 67(2)(x) and (y) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, submissions received in relation to the proposed development raise valid concerns in relation to the proposed service access which will have an adverse impact on the amenity and functionality of surrounding properties.

AMENDING MOTION 1

Moved by: Ms Francesca Lefante

Seconded by: Ms Diana Goldswain

That reasons a, b, c & e be deleted, and the remaining reasons be re-alphabetised accordingly.

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

For: Ms Francesca Lefante
Ms Diana Goldswain

Against: Ms Gabriela Poezyn
Cr Suzanne Migdale
Cr Elizabeth Re

AMENDING MOTION 2

Moved by: Ms Gabriela Poezyn

Seconded by: Nil

That reasons a & c be deleted, and the remaining reasons be re-alphabetised accordingly.

The Amending Motion LAPSED for want of a seconder.

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

For: Ms Gabriela Poezyn
Cr Suzanne Migdale
Cr Elizabeth Re

Against: Ms Francesca Lefante
Ms Diana Goldswain

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REASON: The majority of Panel Members were of the opinion that the proposal was inconsistent with the planning framework. The onsite landscaping is predominantly located on the road frontages, and includes land, which is subject to PCA ceding, the total reduction in soft landscaping is considered to impact the amenity of the area. Whilst the proposal involves the redevelopment of the majority of the site, unloading of vehicles from car transporter trucks is proposed on Howe Street Road reserve. This aspect was not supported, given existing road parking restrictions, traffic movement, vehicle site lines and safety.

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

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Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
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 DR154/2022	City of Bayswater	589-591 (Lot 160-161) Morley Drive, Morley	Proposed Childcare Centre	14/09/2022
DAP/22/02218 DR216/2022	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

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 11.30am.

Ms Francesca Lefante 
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