



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 13 June 2023; 9:30am
Meeting Number: MINJDAP/185
Meeting Venue: Town of Cottesloe
109 Broome Street, Cottesloe

1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement.....	2
3.	Members on Leave of Absence.....	3
4.	Noting of Minutes.....	3
5.	Declaration of Due Consideration.....	3
6.	Disclosure of Interests.....	3
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	3
	Nil.....	3
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval.....	3
	Nil.....	3
10.	State Administrative Tribunal Applications and Supreme Court Appeals	4
	10.1 19 (Lot 20) Napoleon Street, Cottesloe	4
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 Paul MacFarlane (Local Government Member, Town of Cottesloe)
Cr Craig Masarei (Local Government Member, Town of Cottesloe)

Officers in attendance

Mr Matthew Scott (Town of Cottesloe)
Ms Freya Ayliffe (Town of Cottesloe)
Mr Ed Drewett (Town of Cottesloe)
Mr Wayne Zimmerman (Town of Cottesloe)

Minute Secretary

Ms Jacquelyne Pilkington (Town of Cottesloe)

Applicants and Submitters

Ms Bianca Sandri (Urbanista Town Planning)
Mr Adam Zorzi (ADC)

Members of the Public / Media

Ms Sarah Makse from PerthNow was in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:30 am on 13 June 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



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

Nil

7. Deputations and Presentations

7.1 Ms Bianca Sandri (Urbanista Town Planning) addressed the DAP against the recommendation but in support of the application at Item 10.1 and responded to questions from the panel.

7.2 Town of Cottesloe officers addressed the DAP in relation to the application at Item 10.1 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

Nil

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10. State Administrative Tribunal Applications and Supreme Court Appeals

10.1 19 (Lot 20) Napoleon Street, Cottesloe

Development Description:	Sat Review of Condition (d) Provided in the JDAP Decision for a Mixed-Use Development
Summary of Modifications:	Reconsideration of Condition (d) in order to reduce the number of car bays necessitating a cash-in-lieu payment.
Applicant:	Urbanista Town Planning
Owner:	Stirling Cooper Collective 3 Pty Ltd
Responsible Authority:	Town of Cottesloe
DAP File No:	DAP/22/02276

REPORT RECOMMENDATION

Moved by: Cr Craig Masarei

Seconded by: Cr Paul MacFarlane

That the Metro Inner North Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 194 of 2022, resolves to:

Reconsider its decision dated 27 October 2022 and **AFFIRM its** decision for DAP Application reference DAP/22/02276 and accompanying plans 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 Town of Cottesloe Local Planning Scheme No. 3, for the following reason:

Reason

1. The proposal to amend Condition (d) does not satisfy Part 9A, Clause 77D(2) in the *Planning and Development (Local Planning Schemes) Regulations 2015* as a lower number of car parking spaces would not be adequate for the demands of the development, having regard to the proposed uses, the availability of off-site parking facilities, and the likely use of alternative means of transport.

Advice Notes

1. The Town has no objection to rewording the existing Condition (d) in the DAP decision letter of 27 October 2022 to read:

Prior to the commencement of development, payment of \$180,810 shall be made to the Town of Cottesloe for Payment in Lieu of 7 car parking bays which have not been provided on site or in a shared parking arrangement.

Ms Francesca Lefante
Presiding Member, Metro Inner-North JDAP



AMENDING MOTION 1

Moved by: Mr John Syme

Seconded by: Ms Lee O'Donohue

That Advice Note No 1. be modified to read as follows;

*Prior to the commencement of development, payment of \$180,810 **\$174,352.50** shall be made to the Town of Cottesloe for Payment in Lieu of ~~7~~ **6.75** car parking bays which have not been provided on site or in a shared parking arrangement.*

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

For: Mr John Syme
Ms Lee O'Donohue

Against: Ms Francesca Lefante
Cr Paul MacFarlane
Cr Craig Masarei

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Advice Notes

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

Ms Francesca Lefante 
Presiding Member, Metro Inner-North JDAP



For: Ms Francesca Lefante
Cr Paul MacFarlane
Cr Craig Masarei

Against: Mr John Syme
Ms Lee O'Donohue

REASON: Due consideration was given to the applicant's submission, local planning policy and legislative provisions. The majority of Panel Members did not support additional parking reduction for the development and were satisfied that the parking requirement including cash-in-lieu for 7 bays reflected the development use, site locational context, off-site parking availability and demand in the immediate area, and transport means.

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/22/02219 DR154/2022	City of Bayswater	589-591 (Lot 160-161) Morley Drive, Morley	Proposed Childcare Centre	14/09/2022
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/22/02218 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
DAP/22/02366 DR74/2023	City of Stirling	House Numbers 432, 438 And 440 (Lots 23, 15 And 351) Scarborough Beach Road and House Number 57 (Lot 31) Howe Street, Osborne Park	Additions - Motor Vehicle, Boat or Caravan Sales and Motor Vehicle Repair to existing Automotive Sales	22/05/2023
DAP/22/02364 DR75/2023	City of Bayswater	504A & 504-508 (Lot 30,4) Guildford Road, Bayswater	Proposed service station, fast food outlet and showroom development	23/05/2023
DAP/22/02248	City of Vincent	No. 129 (Lot: 62; D/P: 956) Loftus Street, Leederville	Proposed Child Care Premises	24/05/2023

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 11:02 am.


Ms Francesca Lefante
Presiding Member, Metro Inner-North JDAP