



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 30 November 2021; 9:00AM
Meeting Number: MINJDAP/117
Meeting Venue: Town of Cottesloe
109 Broome Street
Cottesloe

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.....	3
8.1	28 (Lot 1) Station Street Cottesloe.....	3
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	6
	Nil.....	6
10.	State Administrative Tribunal Applications and Supreme Court Appeals	6
11.	General Business.....	7



Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Ms Lee O'Donohue (Deputy Presiding Member)
Mr John Syme (Third Specialist Member)
Cr Craig Masarei (Local Government Member, Town of Cottesloe)
Cr Paul MacFarlane (Local Government Member, Town of Cottesloe)

Officers in attendance

Mr Ed Drewett (Town of Cottesloe)
Mr Matthew Scott (CEO, Town of Cottesloe)
Mr Wayne Zimmermann (Town of Cottesloe)
Ms Jennifer Bender (Town of Cottesloe)

Minute Secretary

Ms Juliane Markham (Town of Cottesloe)

Applicants and Submitters

Ms Sara Tarawn (Planning Solutions)
Mr Ben Doyle (Planning Solutions)
Mr Greg Ewart (Design Management Group)
Mr Vladimir Baltic (Transcore)
Mr Adam Wheeler (Pivot PCS)
Mr Liam Jones (Design Management Group)

Members of the Public / Media

Ms Nadia Budihardjo from Perth Now was in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:07am on Tuesday, 30 November 2021 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.



2. Apologies

Cr Lorraine Young (Local Government Member, Town of Cottesloe)

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 Mr Ben Doyle (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to question from the panel.

7.2 The Town of Cottesloe addressed the DAP in relation to the application at Item 8.1 and responded to question from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 28 (Lot 1) Station Street Cottesloe

Development Description:	Office Development
Applicant:	Planning Solutions
Owner:	533 Stirling Hwy Pty Ltd
Responsible Authority:	Town of Cottesloe
DAP File No:	DAP/21/02073

REPORT RECOMMENDATION

Moved by: Nil

Seconded by: Nil

That the Metro Inner-North Joint Development Assessment Panel resolves to:

DEFER the DAP Application reference 21/02073 for a 3-storey office development on Lot 1 (28) Station Street, Cottesloe, to allow further discussion with the MRWA in respect of its advice dated 18 November 2021.



Advice Notes

1. The applicant/owner is advised that the Town is unable to agree to Condition 1 in the MRWA letter dated 18 November 2021 which requires the conversion of Bullen Lane to 'one-way traffic' as the lane is vested in the Town and outside the control of the applicant. It would also have wider strategic implications which would require a separate traffic assessment and approval by Council.
2. The applicant/owner is advised that Condition 4 may have design implications affecting the comments of Council and Design Review Panel recommendations.

The Report Recommendation LAPSED for want of a mover and a seconder.

ALTERNATE MOTION

Moved by: Mr John Syme

Seconded by: Cr Paul MacFarlane

With the agreement of the mover and seconder the following amendments were made to the report recommendation;

- (i) To amend Condition (d) to read as follows:

The development shall comply with Conditions 2 to 7 8 (inclusive) in the Main Roads Western Australia (MRWA) letter dated ~~18~~ 26 November 2021.

REASON: No evidence the development creates the nexus for this condition relating to changes and any works to the full length of Bullen Lane accordingly MRWA Condition 1 is not considered appropriate.

That the Metro Inner-North Joint Development Assessment Panel resolves to:

Approve DAP Application reference 21/02073 and accompanying plans A01.00 - Issue F; A01.01 - Issue B; A01.02 - Issue E; A01.03 - Issue G; A02.01 - Issue H; A02.02 - Issue J; A02.03 - Issue k; A02.04 - Issue J; A02.06 - Issue K; A06.01 - Issue E; A06.02 - Issue C; A06.02 - Issue B; A07.01 - Issue K; A07.02 - Issue A; 10.01 - Issue B, dated 4 & 8 November 2021 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Town of Cottesloe Local Planning Scheme No. 3 for a 3-storey office development on Lot 1 (28) Station Street, Cottesloe, subject to the following conditions:

Conditions

- (a) All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site, where climatic and soil conditions allow for the effective retention of stormwater on-site.
- (b) Plant and equipment, including air-conditioning units, shall be designed, positioned and screened so as to not be visible from the street; designed to integrate with the building; or located so as not to be visually obtrusive.



- (c) The driveways shall include the installation and maintenance of a system to warn entering vehicles of vehicles exiting the basement and ground floor car parking areas, to the satisfaction of the Town.
- (d) The development shall comply with Conditions 2 to 8 (inclusive) in the Main Roads Western Australia (MRWA) letter dated 26 November 2021.
- (e) A minimum 20 car bays shall be provided on-site together with end-of-trip facilities to the satisfaction of the Town.
- (f) The bin storeroom doors shall not open on to Bullen Lane.
- (g) Arrangements shall be made with the Town to provide landscaping on the adjoining lot along the western elevation at the applicant/owner's cost, to the satisfaction of the Town. Details to be submitted at the Building Permit stage.
- (h) Any screens projecting over Bullen Lane shall have adequate vehicle clearance to the Town's specifications. Details to be submitted at the Building Permit stage.
- (i) The external profile of the development as shown on the approved plans not being changed, except with the written consent of the Town.
- (j) All external glazing to the ground floor office tenancy shall be visually permeable (clear glass) to provide visual interest to the building at street level. Details to be submitted at the Building Permit stage to the satisfaction of the Town.

Advice Notes:

- (a) The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development is constructed entirely within the owner's property.
- (b) The owner/applicant is responsible for applying to the Town for a Building Permit and to obtain approval prior to undertaking construction of the development.
- (c) The existing redundant crossover(s) shall be removed and the verges, kerbs and all surfaces made good at the applicant's expense to the satisfaction of the Town.
- (d) Signage does not form part of this approval and may require a separate approval.
- (e) Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.



- (f) This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

The Alternate Motion was put and CARRIED UNANIMOUSLY.

REASON: The JDAP supported the proposal and are of the opinion that the development is a well- design development which satisfies the Town’s strategic and statutory planning requirements and meets the aims and objectives of the Town Centre locality. The variations to policy proposed for parking and plot ratio are considered to be minor and can be supported under the Town’s Local Planning Scheme No. 3 provisions and Parking Matters Policy. Overall the proposal is considered consistent and compliant with the zoning and planning framework. The JDAP did not support MRWA condition 1 as they were of the opinion that there is no evidence the development creates the nexus for this condition.

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/19/01651 DR160/2020	City of Nedlands	Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands	Shopping Centre	21/07/2020
DAP/19/01655 DR178/2021	City of Nedlands	Lot 684 (135) Broadway, Nedlands	Mixed Use Development (26 Serviced Apartments and Café)	30/08/2021



The Presiding Member noted the following Supreme Court Appeal/s -

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/20/01884 CIV 1791 of 2021	City of Nedlands	Lot 100 Field Street, Mount Lawley	24 multiple dwellings and six (6) grouped dwellings	11 February 2021

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 9:41AM.