



## Metro Inner-North Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Monday, 18 January 2021; 9.00am  
**Meeting Number:** MINJDAP/59  
**Meeting Venue:** via electronic means

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

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## **Attendance**

### **DAP Members**

Ms Francesca Lefante (Presiding Member)  
Ms Lee O'Donohue (Deputy Presiding Member)  
Mr John Syme (Third Specialist Member)

#### *Item 9.1*

Cr Dan Loden (Local Government Member, City of Vincent)  
Cr Joshua Topelberg (Local Government Member, City of Vincent)

#### *Item 9.2*

Cr Catherine Ehrhardt (Local Government Member, City of Bayswater)  
Cr Filomena Piffaretti (Local Government Member, City of Bayswater)

### **Officers in attendance**

#### *Item 9.1*

Mr Dan McCluggage (City of Vincent)  
Mr Jay Naidoo (City of Vincent)

#### *Item 9.2*

Ms Alisa Spicer (City of Bayswater)  
Ms Helen Smith (City of Bayswater)

### **Minute Secretary**

Ms Ashlee Kelly (DAP Secretariat)  
Ms Adele McMahon (DAP Secretariat)

### **Applicants and Submitters**

#### *Item 9.1*

Mr Adriano Piviali (Motus Architecture)

#### *Item 9.2*

Mr Paul Nguyen (Shawmac)  
Mr Jeremy Hofland (Rowe Group)

### **Members of the Public / Media**

There were 2 members of the public in attendance.



## **1. Opening of Meeting, Welcome and Acknowledgement**

The Presiding Member declared the meeting open at 9.04am on 18 January 2021 and acknowledged the traditional owners and pay 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.

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

## **2. Apologies**

Mayor Dan Bull (Local Government Member, City of Bayswater)

## **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 Adriano Piviali (Motus Architecture) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.

7.2 The City of Vincent Officers addressed the DAP in relation to the application at Item 9.1 and responded to questions from the panel.

***The presentations at Items 7.1 – 7.2 was heard prior to the application at Item 9.1.***

7.3 Mr Paul Nguyen (Shawmac) addressed the DAP against the recommendation for the application at Item 9.2 and responded to questions from the panel.

7.4 Mr Jeremy Hofland (Rowe Group) addressed the DAP against the recommendation for the application at Item 9.2 and responded to questions from the panel.

7.5 The City of Bayswater Officers addressed the DAP in relation to the application at Item 9.2 and responded to questions from the panel.

***The presentations at Items 7.3 - 7.5 were heard prior to the application at Item 9.2.***

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

Nil

## 9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

### 9.1 No 130 and 141 Lake Street, Perth

Development Description:	Mixed Use Development (Amendment to Approved)
Proposed Amendments:	Increase in height with change in levels
Applicant:	Motus Architecture
Owner:	Architectura II Pty Ltd
Responsible Authority:	City of Vincent
DAP File No:	DAP/18/01459

## REPORT RECOMMENDATION

**Moved by:** Cr Dan Loden

**Seconded by:** Cr Josh Topelberg

That the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01459 as detailed on the DAP Form 2 dated 26 October 2020 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.



2. **Approve** DAP Application reference DAP/18/01459 and accompanying plans A1-02 dated 15 December 2020, A2-01, A3-01 and A3-02 dated 26 October 2020, and A2-02 to A2-06 dated 30 November 2020 in accordance with Clause 77 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Vincent Local Planning Scheme No. 2, for the proposed minor amendment to the approved Mixed Use Development at No. 139 and 141 Lake Street, Perth, subject to the following conditions:

### **Amended Conditions**

1. All conditions, requirements and advice notes detailed on the development approval 5.2018.249.1, 5.2020.53.1 and 5.2020.401.1 granted on 3 December 2018, 23 March 2020 and 9 November 2020 continue to apply to this approval, except as follows:

- 1.1 Condition 14.1 relating to landscaping and reticulation plan is amended to read as follows:

14.1. A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated;
- The provision of a minimum of 15 percent planting area as defined by the City's Policy No. 7.1.1 - Built Form; and
- The appropriate selection of tree species (consistent with the City's Tree Selection Tool) to be located within the planting areas to maximise the provision of canopy coverage.

- 1.2 Condition 18.1 relating to public art is amended to read as follows:

18.1. Percent for public art contribution of \$88,000 being one percent of the total \$8.8 million value of the development shall be allocated towards public art prior to the commencement of the development.

### **The Report Recommendation was put and CARRIED UNANIMOUSLY**

**REASON:** The JDAP supported the minor variation to the basement levels for the reasons contained in the RAR and adopted the recommendation without modifications.

*Cr Dan Loden and Cr Joshua Topelberg left the panel at 9.29am.*

*Cr Catherine Ehrhardt and Cr Filomena Piffaretti joined the panel at 9.29am.*



## 9.2 Lot 100, 293 Guildford Road, Maylands

Development Description:	Three (3) Storey Mixed Use Development One (1) Restaurant, Nine (9) Offices, and 18 Multiple Dwellings - Modification to JDAP Approval
Proposed Amendments:	Reconsideration of Condition 3(c) & Change of Use to Restaurant (Tenancy 3)
Applicant:	Rowe Group
Owner:	Luminous Holdings Pty Ltd
Responsible Authority:	City of Bayswater
DAP File No:	DAP/15/00712

### REPORT RECOMMENDATION

**Moved by:** Cr Catherine Ehrhardt

**Seconded by:** Mr John Syme

That the Metro Inner-North JDAP resolves to:

1. **Refuse** that the DAP Application reference DAP/15/00712 as detailed on the DAP Form 2 dated 20 October 2020 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Refuse** DAP Application reference DAP/15/00712 and accompanying plan dated 14th October 2020 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause No. 1.6 of the City of Bayswater Town Planning Scheme No. 24, for the proposed minor amendment to the approved Three Storey Mixed Use Development at Lot 100 (293) Guildford Road, Maylands, for the following reasons:

### Reasons

1. The proposal does not comply with Table 2 of the City of Bayswater Town Planning Scheme No 24 relating to car parking.
2. The proposal results in an undue impact on the amenity of the area.
3. The proposal is inconsistent with the purpose of Special Control Area 9 as it results in an undue impact on the amenity of the adjacent residential development.
4. The proposal does not provide adequate parking of vehicles in accordance with clause 67(s) of the deemed provisions under the Planning and Development (Local Planning Schemes) Regulations 2015.
5. The proposal does not ameliorate concerns raised by submissions received by the surrounding landowners and occupiers in accordance with clause 67(y) of the deemed provisions under the Planning and Development (Local Planning Schemes) Regulations 2015.



6. The proposal is inconsistent with the orderly and proper planning of the locality in accordance with clause 67(b) of the deemed provisions under the Planning and Development (Local Planning Schemes) Regulations 2015.

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

For: Mr John Syme  
Cr Catherine Ehrhardt  
Cr Filomena Piffaretti

Against: Ms Francesca Lefante  
Ms Lee O'Donohue

**REASON:** The JDAP considered the RAR and resolved to refuse the proposal due to concerns regarding the lack of on-site parking and noise impacts on the surrounding residential properties.

## 10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following State Administrative Tribunal Applications –

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01600 DR161/2019	Town of Claremont	Lots 18 (164) and 19 (162) Alfred Road, Swanbourne	Proposed Childcare Centre	07/10/2019
DAP/20/01770 DR161/2020	City of Nedlands	Lot 100 (97) and Lot 500 (105) Stirling Highway, Nedlands	Mixed Use Development	21/07/2020
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/19/01722 DR155/2020	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	4 Storey Mixed Use Development	16/07/2020

## 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 10.06am.