



# Metro-Inner North Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Tuesday, 6 September 2022; 9:30am  
**Meeting Number:** MIJDAP/152  
**Meeting Venue:** Town of Cambridge  
1 Bold Park Drive, Floreat

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**Ms Francesca Lefante**  
Presiding Member, JDAP



## Attendance

### DAP Members

Ms Francesca Lefante (Presiding Member)  
Ms Lindsay Baxter (A/Deputy Presiding Member)  
Mr John Syme (Third Specialist Member)  
Cr Alaine Haddon-Casey (Local Government Member, Town of Cambridge)

### Officers in attendance

Mr Steven Laming (Town of Cambridge)  
Mr Graeme Bissett (Town of Cambridge)  
Mr Paul Edward (Town of Cambridge)  
Ms Jennifer Heyes (Town of Cambridge)

### Minute Secretary

Ms Nancy Vanden Bergh (Town of Cambridge)  
Ms Amanda Decke (Town of Cambridge)

### Applicants and Submitters

Mr Anthony Imison  
Mayor Keri Shannon (Town of Cambridge)  
Mr Bruce Henderson  
Mr Clayton Plug (Harley Dykstra)  
Mr Jacob Martin (Santec)  
Mr Tim Reynolds (Herring Storer Acoustics)

### Members of the Public / Media

Nil

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:34am on 6 September 2022 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*.

Ms Francesca Lefante  
Presiding Member, JDAP



## **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**

Ms Lee O'Donohue (Deputy Presiding Member)

## **3. Members on Leave of Absence**

DAP Member, Ms Lee O'Donohue has been granted leave of absence by the Director General for the period of 1 September 2022 to 28 September 2022 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**

All members declared that they had duly considered the documents.

## **6. Disclosure of Interests**

Nil.



## 7. Deputations and Presentations

- 7.1 Mr Anthony Imison addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.2 Mayor Keri Shannon (Town of Cambridge) addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.3 Mr Bruce Henderson addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.4 Mr Clayton Plug (Harley Dykstra) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.5 Mr Jacob Martin (Santec) addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.6 Mr Tim Reynolds (Hearing Storer Acoustics) addressed the DAP against the recommendation for the application at Item 8.1.
- 7.7 The Town of Cambridge 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

### 8.1 413 (Lot 11) Vincent Street West, West Leederville

Development Description: Two-Storey Childcare Centre  
Applicant: Harley Dykstra  
Owner: Acquwest Investments Pty Ltd  
Responsible Authority: Town of Cambridge  
DAP File No: DAP/22/02229

### REPORT RECOMMENDATION

**Moved by:** Ms Lindsay Baxter

**Seconded by:** Cr Alaine Haddon-Casey

That the Metro West JDAP resolves to:

Refuse DAP Application reference DAP/22/0229 and accompanying plans (A100 – 12/09/2021, A101 – 04/04/2022, A102 – 03/12/2021, A103 – 03/12/2021, A104 – 03/12/2021, A105 – 03/12/2022, A106 – 06/12/2021) 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 Cambridge Local Planning Scheme No. 1, for the following reasons:

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Presiding Member, JDAP



1. The proposal does not meet the objective of the Town's Local Planning Scheme No.1, as the scale and intensity of the proposal will not be compatible, and complimentary to, the surrounding residential development.
2. The proposal does not meet the objective and provisions of the Town's Local Planning Policy 3.6: Childcare Premises to be compatible with, and avoid adverse impacts on the amenity of adjoining and surrounding areas as it:
  - i) is not appropriately located in an existing commercial area, centre zone or near other non-residential uses (cl1.1 and cl1.2), instead it is located in an area surrounded only by residential homes;
  - ii) has an increased number of children which will increase the impact of noise, traffic and building bulk on the residential amenity(cl1.3);
  - iii) has a site area significantly less than 1,000m<sup>2</sup> (site area 644m<sup>2</sup>), resulting in an over-development of the site due to the increased building area required for the increased number of children. Reduced side setback, increase plot ratio, increased site coverage, increased height and reduced landscaping, therefore, impacting on the character of the area (cl1.4);
  - iv) does not demonstrate that in terms of noise, location of car parking, increased traffic and building scale, that it will not have an undue impact on adjoining residential properties(cl1.5);
  - v) does not enter/exit from the site separately, resulting in an intensification of traffic impact in one location adjoining and adjacent to existing residential sites(cl3(c));
  - vi) has outdoor play areas located within close proximity of its direct residential neighbours and the development has a site coverage greater than 50% (cl5.1.3 and cl 5.1.4);
  - vii) has noise-generating activities such as play areas and car parking which are located next to residences, and has operating hours before 7 am and after 6pm on weekdays, which will detrimentally impact on neighbouring residences;
  - viii) has an appearance that will have a detrimental impact on the character of the existing streetscape, as a result of the reduced side setback and increased plot ratio, height and site coverage (cl5.3);
  - ix) has a reduced landscaping strip to all street boundaries, reducing the potential for this area to provide suitable landscape amenity for the streetscape (cl6).
3. The proposal does not satisfy the aim of the Town's Local Planning Policy 3.9: Non-Residential Development in Residential Areas, as:
  - i) increased traffic generation, demand for parking, and noise generated from the use will be undesirable and incompatible with the existing residential uses;
  - ii) the reduced side setback, increased height and plot ratio and reduced landscaping contribute to an over-development of the site, detracting from the amenity of the adjacent residential areas.
4. The proposal does not satisfy the aim of the Town's Local Planning Policy 3.10 Design of Non-Residential Development, as it will not enhance the amenities of the area due to the building scale, traffic and noise impacts.

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Presiding Member, JDAP



5. Having due consideration to Part 9, Cl67(m), (n) and (s) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the development will have a detrimental impact on the adjoining residential locality and not be compatible with the future character of the area, due to the likely effect of the noise, traffic, car parking, means of ingress and egress, scale and appearance of the proposal.

**The Report Recommendation was put and CARRIED (3/1).**

For: Ms Francesca Lefante  
Ms Lindsay Baxter  
Cr Alaine Haddon-Casey

Against: Mr John Syme

**REASON:** The majority of panel members were of the opinion that the proposal is inconsistent with the planning framework and scheme provisions. Due consideration was given to the policy provisions and appropriateness of the location of the site for a Child Care Centre which is a discretionary use in the Residential zone. Significant regard was given to the scale, bulk and form of the proposed development. Concern was expressed as to the proposal design, streetscape, exterior treatments and interaction, in the context and character of the surrounding locality. Vehicle movement and parking on the site was considered insufficient and inefficient given the parking constraints in the immediate area and road network. On balance the proposal was not supported having regard to the above and the reasons as given in the RAR.

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Presiding Member, JDAP



**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 -

<b>Current SAT Applications</b>				
<b>File No. &amp; SAT DR No.</b>	<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>	<b>Date Lodged</b>
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/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/18/01491 DR61/2022	City of Vincent	No. 636-640 Newcastle Street, Leederville	Mixed Use Development comprising of 32 Multiple Dwellings, 10 Offices, One Restaurant/Café and One Shop	04/04/2022

**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 11:35am.

**Ms Francesca Lefante**  
Presiding Member, JDAP