



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Friday, 28 January 2022; 9.00am
Meeting Number: MINJDAP/127
Meeting Venue: Electronic Means

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

1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement.....	2
2.	Apologies.....	2
3.	Members on Leave of Absence	2
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
	Nil.....	3
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	3
	9.1 1 (Lot 412) Airlie Street, Claremont.....	3
10.	State Administrative Tribunal Applications and Supreme Court Appeals	7
11.	General Business.....	8
12.	Meeting Closure	8



Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Ms Lee O'Donohue (Deputy Presiding Member)
Mr John Syme (Third Specialist Member)
Cr Kate Main (Local Government Member, Town of Claremont)

Officers in attendance

Ms Kym Petani (Town of Claremont)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr Ben Doyle (Planning Solutions)
Mr Reece Hendy (Planning Solutions)
Mr James Thompson (MJA Studio)

Members of the Public / Media

Ms Claire Tyrell from Business News and Ms Nadia Budihardjo from Community News were in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.00am on 28 January 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*.

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 Paul Kelly (Local Government Member, Town of Claremont)

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 James Thompson (MJA Studio) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.

7.2 Mr Reece Hendy (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.

7.3 The Town of Claremont Officer addressed the DAP in relation to the application at Item 9.1.

8. Form 1 – Responsible Authority Reports – DAP Applications

Nil

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

9.1 1 (Lot 412) Airlie Street, Claremont

Development Description:	Mixed Use Development
Proposed Amendments:	Modifications to façade articulation, building heights, building setbacks, apartment configuration, parking, storage areas and landscape elements
Applicant:	Planning Solutions
Owner:	1 Airlie Street Claremont Pty Ltd
Responsible Authority:	Town of Claremont
DAP File No:	DAP/20/01768

REPORT RECOMMENDATION

Moved by: Ms Lee O'Donohue

Seconded by: Ms Francesca Lefante



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

1. **Accept** that the DAP Application reference DAP/20/01768 as detailed on the DAP Form 2 dated 13 October 2021 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/20/01768 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Part V of the Town of Claremont Local Planning Scheme No. 3, for the proposed minor amendment to the approved Mixed Use Development at 1 (Lot 412) Airlie Street, Claremont subject to the following conditions:

Amended Conditions

3. Condition 1 is amended to read as follows:
 1. Development is to occur in accordance with the drawings submitted with the application for development approval (Development Application 2021.00120) date stamped 18 October 2021, as amended by these conditions, with the exception of the Landscaping Plans prepared by Aspect Studios and the following proposed modifications which are not approved:
 - a. The reduced width of the Airlie Park steps from 9.0m to 5.4m.
 - b. The reduction of landscaping between the Airlie Park steps.
 - c. The change to the colour finishes to Building 5 Stirling Highway façade from white to charcoal.
 - d. The charcoal colour finish to the proposed dividing wall between new apartment types on the Building 5 Airlie Street façade.
 - e. The additional charcoal colour finish to Building 4 southern and western internal façade fronting Brighton Park.

New Condition

4. Condition 34 is added to read as follows:
 34. The glass façade to the western elevation of Levels 10 and 11 to Building 4 are to be broken up with non-transparent and/or heat reducing elements to provide interest and improve environmental sustainability to the satisfaction of the Town of Claremont, and in consultation with the State Design Review Panel.

All other conditions and requirements detailed on the previous approval dated 14 July 2020, as amended by the Development Approval dated 2 September 2021, shall remain unless altered by this application.



AMENDING MOTION 1

Moved by: Ms Lee O'Donohue

Seconded by: Mr John Syme

That Condition No. 1 be amended to read as follows:

Development is to occur in accordance with the drawings submitted with the application for development approval (Development Application 2021.00120) date stamped 18 October 2021, as amended by these conditions, with the exception of the Landscaping Plans prepared by Aspect Studios and the following proposed modifications which are not approved:

- a. *The reduced width of the Airlie Park steps from 9.0m to 5.4m.*
- b. *The reduction of landscaping between the Airlie Park steps.*
- c. ~~*The change to the colour finishes to Building 5 Stirling Highway façade from white to charcoal.*~~
- d. ~~*The charcoal colour finish to the proposed dividing wall between new apartment types on the Building 5 Airlie Street façade.*~~
- e. ~~*The additional charcoal colour finish to Building 4 southern and western internal façade fronting Brighton Park.*~~

The Amending Motion was put and CARRIED (3/1).

For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr John Syme

Against: Cr Kate Main

REASON: Proposed external colour changes and use of charcoal is considered to improve the visual and vertical elements of the building. The use of the darker colours is considered to make certain elements recede and complement the overall building design.

AMENDING MOTION 2

Moved by: Ms Francesca Lefante

Seconded by: Mr John Syme

That Condition No. 34 be amended to read as follows:

The glass façade to the western elevation of Levels 10 and 11 to Building 4 are to be broken up with non-transparent and/or heat reducing elements to provide interest and improve environmental sustainability to the satisfaction of the Town of Claremont, and in consultation with the State Design Review Panel.

The Amending Motion was put and CARRIED (3/1).

For: Ms Francesca Lefante
Ms Lee O'Donohue
Mr John Syme

Against: Cr Kate Main



REASON: Specific further consultation on environmental elements is not considered necessary.

REPORT RECOMMENDATION (AS AMENDED)

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

1. **Accept** that the DAP Application reference DAP/20/01768 as detailed on the DAP Form 2 dated 13 October 2021 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/20/01768 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Part V of the Town of Claremont Local Planning Scheme No. 3, for the proposed minor amendment to the approved Mixed Use Development at 1 (Lot 412) Airlie Street, Claremont subject to the following conditions:

Amended Conditions

3. Condition 1 is amended to read as follows:
 1. Development is to occur in accordance with the drawings submitted with the application for development approval (Development Application 2021.00120) date stamped 18 October 2021, as amended by these conditions, with the exception of the Landscaping Plans prepared by Aspect Studios and the following proposed modifications which are not approved:
 - a. The reduced width of the Airlie Park steps from 9.0m to 5.4m.
 - b. The reduction of landscaping between the Airlie Park steps.

New Condition

4. Condition 34 is added to read as follows:
 34. The glass façade to the western elevation of Levels 10 and 11 to Building 4 are to be broken up with non-transparent and/or heat reducing elements to provide interest and improve environmental sustainability to the satisfaction of the Town of Claremont.

All other conditions and requirements detailed on the previous approval dated 14 July 2020, as amended by the Development Approval dated 2 September 2021, shall remain unless altered by this application.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.



REASON: The building changes are considered appropriate in the context of the approved plans. With regard to the exterior material treatment, the colour changes and use of charcoal is considered to improve the visual and vertical elements of the building. The use of the darker colours is considered to make certain elements recede and complement the overall building design. Overall, the JDAP supported the minor changes inclusive of exterior colour, predominantly for the reasons outlined in the RAR.

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
DAP/21/02050 DR21/1245	City of Stirling	Lot 3 (No.27) Pimlott Street & Lot 4 (No.1) Greenacre Street, Dianella	Child Care Premises	21/12/2021

The Presiding Member noted the following Supreme Court Appeals –

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/20/01884 CIV 1791 of 2021	City of Stirling	Lot 100 Field Street, Mount Lawley	24 multiple dwellings and six (6) grouped dwellings	11 February 2021
DAP/19/01722 CIV 2311 of 2021	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	Mixed Use Development – Six (6) Multiple Dwellings and One (1) Commercial Tenancy	3 December 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 9.42am.