



Metro-Inner North Joint Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 17 March 2022; 9.00am
Meeting Number: MINJDAP/132
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) 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 Ashley Wallace (Local Government Member, City of Vincent)
Cr Jonathan Hallett (Local Government Member, City of Vincent)

Item 9.2

Cr Ryan Brown (Local Government Member, Town of Claremont)

Officers in attendance

Item 9.1

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

Item 9.2

Mr David Vinicombe (Town of Claremont)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)
Ms Zoe Hendry (DAP Secretariat)

Applicants and Submitters

Item 9.1

Mr Trent Durward (Megara Property)

Item 9.2

Mr Aaron Lohman (element WA)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.00am on 17 March 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.

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

2. Apologies

Cr Dan Loden (Local Government Member, City of Vincent)
Cr Susan Gontaszewski (Local Government Member, City of Vincent)
Cr Kate Main (Local Government Member, Town of Claremont)
Cr Paul Kelly (Local Government Member, Town of Claremont)
Cr Peter Telford (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 Trent Durward (Megara) 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 Item 7.1 – 7.2 were heard prior to the application at Item 9.1.

7.3 Mr Aaron Lohman (element) addressed the DAP in support of the recommendation for the application at Item 9.2.

The presentation at Item 7.3 was 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. 636-640 Newcastle Street, Leederville

Development Description: Mixed Use Development
Proposed Amendments: Signage Addition and Amendment to Condition 3.2
Applicant: Megara
Owner: Leederville Property Investment Pty Ltd
Responsible Authority: City of Vincent
DAP File No: DAP/18/01491

REPORT RECOMMENDATION

Moved by: Ms Lee O'Donohue

Seconded by: Cr Ashley Wallace

That the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01491 as detailed on the DAP Form 2 dated 12 November 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/18/01491 and accompanying plans (SK20 rev 1, SK21 rev 3, SK22 rev 2, SK23 rev 1 and SK24 rev 1) dated 14 February 2022 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. 636-640 Newcastle Street, Leederville, subject to the following conditions:

Amended Conditions

1. All conditions, requirements and advice notes detailed on development approval 5.2020.315.1 granted on 5 November 2020 continue to apply to this approval, except as follows:
 - 1.1. Condition 3.2 is amended to read as follows:
 - 3.2 A maximum of 109 persons (up to a maximum of 97 children) are permitted within the Child Care Premises at any one time.
 - 1.2. A new Condition 20 is added to read as follows:
 20. Signage



- 20.1. The two above roof signs shall not be illuminated unless further development approval is obtained.
- 20.2. If illuminated, the wall sign shall to the satisfaction of the City:
 - a. not cause a nuisance by way of light spillage to abutting sites;
 - b. not comprise flashing, intermittent or running lights, or images that change more than once in any five minute period;
 - c. not interfere with or be likely to be confused with, traffic control signals; and
 - d. have a minimum clearance of 2.75 metres from finished ground level to the lowest part of the sign.
- 20.3. All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site, to the satisfaction of the City.
- 20.4. All signage shall advertise products or services that are available on the site, for the duration of its display on-site, to the satisfaction of the City.

The Report Recommendation was put and LOST.

For: Ms Francesca Lefante
Ms Lee O'Donohue

Against: Mr John Syme
Cr Ashley Wallace
Cr Jonathan Hallett

ALTERNATE MOTION

Moved by: Mr John Syme

Seconded by: Cr Ashley Wallace

That the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01491 as detailed on the DAP Form 2 dated 12 November 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/18/01491 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. 636-640 Newcastle Street, Leederville, subject to the following conditions:



Amended Conditions

1. All conditions, requirements and advice notes detailed on development approval 5.2020.315.1 granted on 5 November 2020 continue to apply to this approval, except as follows:
 - 1.1. Condition 3.2 is amended to read as follows:
 - 3.2 A maximum of 109 persons (up to a maximum of 97 children) are permitted within the Child Care Premises at any one time.
3. **Refuse** new Condition No 20 relating to the Megara Signage for the following reasons:
 - The scale and design of the proposed signage is not appropriate to the building and the architectural detailing to which it relates;
 - The scale and design of the proposed signage is incompatible with existing surrounding development and is not appropriate to the general nature of land use in the area;

The Alternate Motion was put and CARRIED (3/2).

For: Mr John Syme
Cr Ashley Wallace
Cr Jonathan Hallett

Against: Ms Francesca Lefante
Ms Lee O'Donohue

REASON: The panel consider the merits of the proposed modifications and formed the opinion that the childcare components were minor changes that are consistent with the approval.

The majority of Panel Members were of the opinion that the proposed roof signage was not supported as the scale and design was considered to dominate the building and be not in context with the architectural detailing. In reaching a decision due consideration was given to the signage policy provisions and size and context of the proposal. On balance the majority of Panel Members did not support the signage changes.

PROCEDURAL MOTION

Moved by: Ms Francesca Lefante

Seconded by: Ms Lee O'Donohue

That the meeting be adjourned for a period of 1 minute.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: to swap panel members for Item 9.2

*Cr Ashley Wallace and Cr Jonathan Hallett (City of Vincent) left the panel at 9.55am.
Cr Ryan Brown (Town of Claremont) joined the panel at 9.56am.*



9.2 3 (508) Shenton Road, Claremont

Development Description:	Amendment to Development Approval
Proposed Amendments:	Minor modifications to design elements and reallocation of parking between commercial tenancies.
Applicant:	Element WA
Owner:	Iris 2015 No.2 Pty Ltd
Responsible Authority:	Town of Claremont
DAP File No:	DAP/18/01438

REPORT RECOMMENDATION

Moved by: Mr John Syme

Seconded by: Ms Lee O'Donohue

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

1. **Accept** that the DAP Application reference DAP/18/01438 as detailed on the DAP Form 2 dated 22 December 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/18/01438 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 amendments to the approved Mixed Use Development at 3 (Lot 508) Shenton Road, Claremont subject to the following conditions:

Amended Conditions

1. Condition 7 is amended to read as follows:
 7. Provision of 13 car parking bays for the proposed commercial and retail tenancies are to be allocated and marked as tenant and visitor bays as follows:
 - commercial 3 tenants and 6 visitors;
 - retail 1 tenant and 3 visitors; and
 - a minimum of nine of the 13 retail and commercial parking bays are to be provided in front of security to the satisfaction of the Town of Claremont.

All other conditions and requirements detailed on the previous SAT Approval dated 18 November 2019, shall remain unless altered by this application.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposed modifications are considered minor and are appropriate in the context of the original approved plans. The proposed minor changes including parking reallocation are considered improvements to the development. The JDAP supported the development changes consistent with the recommendation and 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/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
DAP/21/02084 DR9/2022	City of Nedlands	Lot 541 (99) Broadway, Nedlands	Mixed use development comprising 21 units and a cafe	14/01/2022

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 10.02am.