



## Metro South-West Development Assessment Panel Minutes

**Meeting Date and Time:** 16 December 2019; 1pm  
**Meeting Number:** MSWJDAP/197  
**Meeting Venue:** Department of Planning, Lands and Heritage  
140 William Street  
Perth

### Attendance

#### DAP Members

Mr Tony Arias (Presiding Member)  
Ms Lee O'Donohue (Deputy Presiding Member)  
Mr Patrick Dick (A/Specialist Member)  
Cr Chamonix Terblanche (Local Government Member, City of Cockburn) – *via teleconference*  
Cr Kevin Allen (Local Government Member, City of Cockburn)

#### Officers in attendance

Mr Patrick Andrade (City of Cockburn)  
Mr Andrew Lefort (City of Cockburn)

#### Minute Secretary

Mr Phil Goodwin (DAP Secretariat)

#### Applicants and Submitters

Mr Alex Hemsley (Hemsley Planning Pty Ltd)  
Mr Jacob Kendall (Canute WA)  
Mr Anthony Rowe (Envision Bushfire Planning)  
Mr Owen Neal

#### Members of the Public / Media

There was 1 member of the public in attendance.

Mr Ben Smith from Community News was in attendance.

### 1. Declaration of Opening

The Presiding Member declared the meeting open at 1.04pm on 16 December 2019 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 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017 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**

Nil

**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 Alex Hemsley (Hemsley Planning Pty Ltd) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

**7.2** Mr Jacob Kendall (Canute WA) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

**7.3** Mr Owen Neal addressed the DAP against the application at Item 8.1 and responded to questions from the panel.

**7.4** Mr Andrew Lefort (City of Cockburn) responded to questions from the panel in relation to Item 8.1.



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

8.1 Property Location:	Lot 45 (2) Pinnacle Road, Coogee
Development Description:	Child Care Centre
Applicant:	Hemsley Planning Pty Ltd
Owner:	Canute Australia Pty Ltd
Responsible Authority:	City of Cockburn
DAP File No:	DAP/19/01661

### REPORT RECOMMENDATION

**Moved by:** Cr Kevin Allen

**Seconded by:** Ms Lee O'Donohue

That the South-West Metro JDAP resolves to:

1. **Refuse** DAP Application reference DAP/19/1661 and accompanying plans 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 City of Cockburn Town Planning Scheme No. 3, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme for the following reasons:

#### Reasons:

1. The proposal is inconsistent with Town Planning Scheme No.3 regarding the number of on-site parking bays provided.
2. The proposal, if approved, is likely to cause a detrimental impact on the amenity enjoyed by adjoining and nearby residents, particularly in relation to traffic and access which is inconsistent with the aims of Town Planning Scheme No.3.
3. Approval of the proposed development is contrary to orderly and proper planning within the locality.

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

**REASON:** In accordance with details contained in the Responsible Authority Report.

## 9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval

Nil

## 10. Appeals to the State Administrative Tribunal

Nil



## **11. General Business / Meeting Close**

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 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.

There being no further business, the Presiding Member declared the meeting closed at 1.58pm.