



Southern Joint Development Assessment Panel Minutes

Meeting Date and Time: 26 March 2019, 10:00am
Meeting Number: SJDAP/43
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street
Perth

Attendance

DAP Members

Mr Robert Fenn (Presiding Member)
Mr Geoffrey Klem (Deputy Presiding Member)
Mr Andrew Mack (A/Specialist Member)
Cr Peter McCleery (Local Government Member, Shire of Capel) – *via teleconference*
Cr Michael Southwell (Local Government Member, Shire of Capel) – *via teleconference*

Officers in attendance

Mr Jack Hunter (Shire of Capel) – *via teleconference*
Mr Kim Muste (Shire of Capel) – *via teleconference*

Minute Secretary

Ms Michelle Tan (DAP Secretariat)
Ms Alyssa Burton (DAP Secretariat)

Applicants and Submitters

Mr Jeff Malcolm (MGA Town Planners)
Mr Robin Tan (RCP Property Australia Pty Ltd)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member declared the meeting open at 9:55am on 26 March 2019 and acknowledged the past and present traditional owners and custodians 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

Ms Shelley Shepherd (Specialist Member)

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 The Shire of Capel Officers responded to questions from the panel in relation to item 9.1.

8. Form 1 – Responsible Authority Reports – DAP Application

Nil

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

- 9.1 Property Location: Lot 5001 (#54) Tiffany Centre, Dalyellup
Development Description: Dalyellup District Activity Centre
Proposed Amendments: Removal or extension of the time-frame set out in Condition 19
Applicant: MGA Town Planners
Owner: RCP Property Australia Pty Ltd as trustee for the SLG Dalyellup Trust
Responsible Authority: Shire of Capel
DAP File No: DP/13/00569

REPORT RECOMMENDATION

With the agreement of the Mover and Seconder, the Presiding Member declared that the Report Recommendation be separated into two (2) parts in accordance with Section 5.5.3 of the DAP Standing Orders 2017.

Mr Robert Fenn
Presiding Member, Southern JDAP



SEQUENTIAL MOTION 1

Moved by: Mr Geoffrey Klem

Seconded by: Cr Peter McCleery

That the Southern Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/13/00569 as detailed on the DAP Form 2 dated 16 November 2018 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;

The Sequential Motion was put and CARRIED UNANIMOUSLY.

SEQUENTIAL MOTION 2

Moved by: Cr Michael Southwell

Seconded by: Cr Peter McCleery

2. **Approve** the DAP Application reference DAP/13/00569 as detailed on the DAP Form 2 dated 16 November 2018 and accompanying Parking Assessment, 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 Planning Scheme No. 7, for the proposed minor amendment to the approved development of Stage 1 Supermarket and Shopping Development on Lot 5001 Tiffany Centre, Dalyellup subject to:

Amended Condition

1. Amend Condition 19 to read:

This approval shall include approval to any of the uses listed as "P" in Precinct A of the Dalyellup District Centre Outline Development Plan, with the exception of the tenancy identified as 'Supermarket' on the approved plans, without the submission of separate applications for Planning Consent for changes of use pursuant to Town Planning Scheme No. 7, provided that no change to the façade or floor space area of the building is involved.

Advice Notes

1. All other conditions and requirements detailed on the previous approval dated 23 August 2013 shall remain unless altered by this application.

The Sequential Motion was put and CARRIED UNANIMOUSLY.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

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



10. Appeals to the State Administrative Tribunal

The Presiding Member noted the following State Administrative Tribunal Applications –

Current Applications		
LG Name	Property Location	Application Description
City of Bunbury	Lot 63 Sandridge Road; Lot 68-70 Pennant Road; and Lot 150 Strickland Street, East Bunbury	Proposed demolition (partial), extension and redevelopment of Bunbury Forum Shopping Centre
City of Busselton	Lot 182 (86) West Street, West Busselton	Market

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 10:01am.