



City of
Melville

MINUTES

DEVELOPMENT ADVISORY UNIT MEETING

9:30 AM Monday, 1 September 2025

Held in the Melville Civic Centre, 10 Almondbury
Road, Booragoon

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners and custodians of the lands on which the City stands today and pays its respect to the Whadjuk people, and Elders both past, present and emerging.



Development Advisory Unit

1. The DAU is not a decision making forum – it is an operational meeting to inform the recommendation to the Manager Statutory Planning on Development Applications and other planning proposals.
2. Should any Elected Member wish to discuss the content of any item included as part of the attached agenda, please contact Kate Bainbridge, Manager Statutory Planning and Building. Contact should be established as soon as possible after the publication of the agenda to the City of Melville website. Contact details are as follows: Tel 9364 0626 or via the Elected Members Portal.
3. Should an Elected Member propose that an item on this agenda be referred to Council for determination, a request to that effect must be made to the Chief Executive Officer (CEO). This request shall be made in accordance with the requirements set out by DAU Terms of Reference contained within Local Planning Policy LPP 1.1 'Planning Process and Decision Making'.
4. Should any applicant or adjoining property owner object to any proposal included as part of this DAU agenda, then an opportunity exists to request that the application be determined by Council. All such requests should be referred to an Elected Member of Council for the Ward within which the development application is located. An Elected Member may request that the application be determined by Council. Any call up request from an Elected Member shall be made in accordance with the requirements set out by DAU Terms of Reference contained within Local Planning Policy LPP 1.1 'Planning Process and Decision Making'.
5. In the absence of any referral request, a decision on any application included as part of this DAU agenda can take place under delegated authority to the Manager Statutory Planning and Building, after midday on the second Monday after the Friday publication of the minutes to the City's website. In the event that the DAU Agenda is not published to the City's website until the Monday after the DAU meeting, a decision on the application can still take place the following Monday.

DISTRIBUTED: 16 SEPTEMBER 2025

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1 ATTENDANCE AND APOLOGIES

In Attendance

Members

Ms K Bainbridge	Manager Statutory Planning
Mr T Cappellucci	Principal Statutory Planner
Mr D Hinge	Statutory Planner
Mr J Caracciolo	Senior Statutory Planner
Mr L Johnson	Senior Statutory Planner
Mr A Asad	Statutory Planning Assistant

2 BUSINESS

	Matters for consideration	Notes from meeting
UP25/86	DA-2025-530 - Home Business (Pilates and Tutoring) at Existing Single House at No. 21 (Lot 16) Palmer Street, Attadale	

3 OUTCOMES

The following items are to have recommendations created and included in the next agenda:

- N/A

The following items are to be deferred to the next DAU and represented with more information:

- N/A

4 ITEMS

UP25/86 Home Business (Pilates and Tutoring) at Existing Single House at No. 21 (Lot 16) Palmer Street, Attadale

Ward	Bicton – Attadale – Alfred Cove
Category	Operational
File Number:	N/A
Responsible Officer:	Manager Development Approvals
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	None
Application Number:	DA-2025-530

Applicant:	Mrs J M Cooksey
Owner:	Mr P R Cooksey
Proposal:	Home Business (Pilates and Tutoring) at Existing Single House
Attachments:	1. Development Plans ↓

COUNCIL'S ROLE

Quasi-Judicial: When the Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice.

SUMMARY

- Development approval is sought for a sought for a "Home Business" within a single house at No. 21 (Lot 16) Palmer Street, Attadale.
- The proposed Home Business is for Pilates, Education Tutoring and Self Mastery Sessions to occur within the dining and living rooms of the subject property.
- This development application has been assessed against the zone objectives for the residential zone and the definition of "Home Business" as contained within LPS6.
- As a result of the initial assessment of the proposal, the applicant rationalised the proposed client numbers and operation hours to ensure that the proposal meets the definition of a Home Business and the objectives of the Residential zone.
- A "Home Business" as defined under LPS6 which is an 'A' permissible land use in the Residential zone which is a use not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions.
- The proposal was advertised for public comment as outlined above. In response, one submission was received (an objection) which raised concerns about traffic and impacts on neighbourhood amenity.
- The proposal was presented to a Development Advisory Unit (DAU) Meeting held on 1st September 2025 in accordance with Local Planning Policy 1.1 – Planning Processes and Decision Making (LPP 1.1).
- Notwithstanding the objection received the proposal is considered to meet the definition of "Home Business" as defined in LPS6 and is considered to meet the LPS6 zone objectives of the Residential zone, therefore recommended for conditional approval by the City.
- The City recommends conditions relating to restriction of operating hours, cap on the maximum number of clients, intervals between sessions and ensuring the proposal complies with the definition of "Home Business" as per LPS6.

OFFICER RECOMMENDATION

That the Development Advisory Unit recommend approval of the Home Business (Pilates and Tutoring) at Existing Single House at No. 21 (Lot 16) Palmer Street, Attadale, subject to the following conditions and advice notes:

Conditions

1. This Development Approval requires the use to be operated in accordance with the approved plans and information (Attachment 1) at all times unless otherwise approved in writing by the City.
2. The use is to comply with the Home Business definition within the City's Local Planning Scheme No. 6.
3. A maximum of three clients for any session, at any one time are permitted to visit the property.
4. The Home Business shall only operate between the hours of 7.30am to 5pm Monday to Saturday.
5. The sessions associated with the Home Business are to be spaced 15 minutes apart.
6. No retail sale, display or hire of goods of any nature is to occur.
7. All materials and/or equipment used in relation to the Home Business must be stored within the dedicated 50m2 area for the homes business.

PURPOSE

The purpose of this report is to provide an outline of the key matters of consideration for the proposed development, outline where discretion is required to be exercised and alignment against the relevant performance criteria and explain the rationale for the officer recommendation.

STRATEGIC ALIGNMENT

Outcome	3	Sustainable, connected development and transport infrastructure across our City.
Objective	3 3.1 3.4	Sustainable and Connected Development Facilitate enhanced and sustainable urban development and amenity. Protect and promote the City's character and heritage.

BACKGROUND

The development application seeks approval of a Home Business at No. 21 Palmer Street, Attadale, which comprises of the following:

- Pilates classes;
- Education and tutoring for Pilates instructors; and
- Self-mastery sessions in Pilates.

Classes will run like a physiotherapy session which includes movement analysis and movement facilitation with classes conducted within the dining and living rooms of the dwelling.

The subject site is zoned Residential under LPS6 and "Home Business" is an 'A' land use under LPS6 which is not permitted unless the local government has exercised its discretion by granting development approval.

Following a preliminary assessment of the development application, communication with the applicant led to a further information request for amendments to the proposed Home Business to better align with the Residential zone objectives of LPS6.

The nature of the use now proposed is considered consistent the definition of "Home Business", which will be discussed in more detail later in this report.



Figure 1: Aerial View of Subject Site marked in red



Figure 2: LPS6 Zoning Map Context with subject site marked in red

Scheme Provisions

MRS Zoning	Urban
LPS Zoning	Residential
R-Code	R15
Use Type	Home Business
Use Class	A ₁

Site Details

Lot Area	893m ²
Retention of Existing Vegetation	N/A
Street Tree(s)	Tree not affected by proposal
Street Furniture (drainage pits etc.)	Not affected by proposal
Site Details	Existing Single House

CONSIDERATION

The application has been assessed against the provisions of LPS6, the R-Codes and relevant Local Planning and Council Policies. The proposal complies with all the relevant development requirements except for those matters listed below, for which a performance assessment is required.

Local Planning Scheme and Local Policy RequirementsCity of Melville Local Planning Scheme No. 6

Scheme Provision	Scheme Requirement	Proposed	Comments	Delegation to approve
Land Use Classification	<p>Home Business – 'A' Class Use</p> <p>LPS6 Home Business definition</p> <p>(b) That the home business "will not cause injury to or adversely affect the amenity of the neighbourhood"</p> <p>(e) That the home business "does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes to the neighbourhood."</p>	<p>Home Business</p> <p>Hours of operation to be from 7.30am to 5pm Monday to Saturday</p> <p>There is a maximum of 2 clients at any one time during weekdays and 3 clients at any one time on Saturday. There is a minimum of 15 minutes space between session times.</p>	Refer to discussion below.	Manager Development Approvals following Development Advisory Unit (DAU) process.

In considering the discretionary nature of the use proposed, it is necessary to take into consideration the zone objectives table of LPS6, the other matters for consideration under Clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and which includes any relevant state and local planning policies.

The proposed Home Business comprises a 'A' class use in the Residential Zone as per LPS6. As such the use is not permitted unless the City has exercised its discretion by granting development approval. In considering the appropriateness of the use, the City is to assess the use in the context of the listed objectives applicable to the zone. The listed zone objectives and the City's comments regarding the appropriateness of the use are below:

Residential Zone Objectives	Assessment
<ul style="list-style-type: none"> To provide for a range of housing and a choice of residential densities to meet the needs of the community. To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. To provide for a range of non-residential uses, which are compatible with and complementary to residential development to promote sustainable residential development. To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades. 	<ul style="list-style-type: none"> The development does not impact housing typology, or choice and remains consistent with the current context of the area. The proposed home business does not propose modifications to the existing single house. The proposal demonstrates that any potential amenity impacts will be managed through restricting the scale and operation of the business in consideration of adjoining properties. When it comes to traffic and vehicle movements, the proposed maximum of 3 clients per session, limited operating hours and 15-minute staggering times between sessions is cumulatively seen to be compatible for the streetscape as it is deemed not excessive and reasonable. In considering the fourth objective, it is noted the existing buildings compatibility with the streetscape will be maintained as no changes are proposed to the single house. The proposed home business does not contain any built form elements.

Hours of Operation

Following a further information request for updated operating hours to meet the objectives of LPS6, the proposed operating hours are seen to be compatible for the Residential zone. The proposal seeks operating hours from 7.30am – 5pm Monday to Saturday. Given the nature of the Home Business being for Pilates and tutoring within the living and dining rooms of the house, the proposed operating hours are supportable on the basis it will be quiet and low intensity to not negatively impact adjoining properties, i.e. no music or outdoor activities and therefore generally consistent with other Home Business uses across the City.

Number of Clients

No more than four clients are permitted on site at any given time with a minimum 15-minute interval between sessions to manage parking and traffic concerns. Conditions have been recommended to reinforce these arrangements.

These arrangements are seen to be appropriate by limiting the number of traffic flows per session and during operating days. With a maximum of eight client vehicle movements per day associated with the Home Business and available parking on site and within the crossover, this is not expected to adversely impact the amenity of the neighbourhood.

Parking Management Plan

The applicant has provided a parking plan which shows that two parking bays are available for clients which will be contained within the subject site, in front of the existing garage with a third car parking space partially on site and in the verge contained within the driveway/crossover noting that there is not a footpath in the verge adjacent to the site. Additionally there is space on the verge and on street to accommodate additional parking if required, noting that there are no street parking restrictions along Palmer Street. On this basis along with the spacing between classes and lower number of students, a parking management plan is not deemed to be necessary as conflict between normal residential traffic is not likely.

ENGAGEMENT

Advertising Required	Yes
Neighbour's Comment Supplied	Yes
Reason	Required pursuant to LPP1.1 Planning Process and Decision Making Clause 1.7.6 and the Deemed Provisions of the Regulations
Support/Object	One Objection

A summary of the content of the objection received and a response is provided in the table below:

Submission Number	Summary of Submission	Support / Objection	Officer's Comment	Action (Condition / Uphold / Not Uphold)
1	Concern over non-resident traffic, excessive operating hours, parking and congestion and precedent setting.	Objection	<p>The nature of the business, operating hours and capped number of clients is considered to address concerns and not result in adverse impact on the residential amenity of the neighbourhood.</p> <p>Refer to the Consideration section of this report above which discusses the proposed use of the home business and its compatibility with LPS6 zone objectives.</p>	Not Uphold

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications presented as part of this report.

LEGISLATIVE AND POLICY ALIGNMENT

The proposal has been assessed in accordance with the Regulations, LPS6 and LPP 1.1. The requirements of the Regulations and LPP 1.1 necessitated the advertising of the application.

FINANCIAL IMPLICATIONS

There are no direct financial implications for the City relating to this proposal.

CONSEQUENCE

As a valid planning objection has been received regarding the proposal, the development application has been referred through the Development Assessment Unit (DAU) process which publishes the report for Council's consideration. If an elected member wishes to 'call up' the development application, this application will be referred to the next available Ordinary Meeting of Council for determination. If there is no call up during the period specified (prior to the 15th September 2025), the application will be determined by officers under delegation.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following consideration at an Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

OFFICER RECOMMENDATION

That the Development Advisory Unit recommend approval of the Home Business (Pilates and Tutoring) at Existing Single House at No. 21 (Lot 16) Palmer Street, Attadale, subject to the following conditions and advice notes:

Conditions

1. This Development Approval requires the use to be operated in accordance with the approved plans and information (Attachment 1) at all times unless otherwise approved in writing by the City.
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7. All materials and/or equipment used in relation to the Home Business must be stored within the dedicated 50m² area for the homes business.

5 OUTCOMES FOLLOWING CALL UP PERIOD

Following the call up period – there were no requests to call up items:

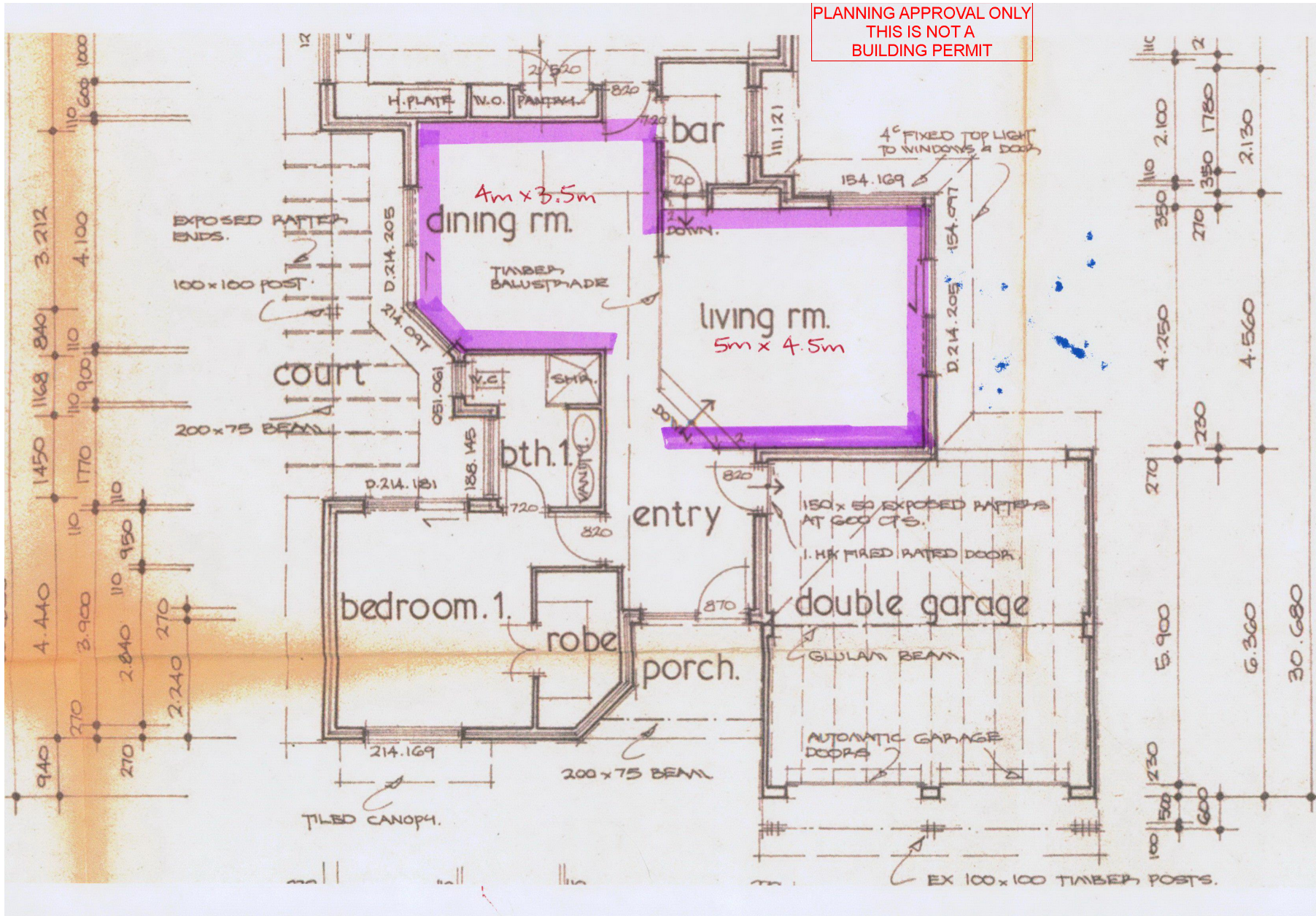
- N/A

by Elected Members and therefore the application will be determined under delegation in accordance with the officer recommendation from the DAU meeting dated Type date.

6 CLOSURE

There being no further business, the meeting was closed at 10.00 am.

UNCONFIRMED





APPLICANT'S COPY

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