



Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 9 July 2024; 9:30am
Meeting Number: MODAP/23
Meeting Venue: 140 William Street, Perth
Public Observing: Online

A recording of the meeting is available via the following link: [MODAP/23 – 9 July 2024 – City of Rockingham – City of Wanneroo](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF ROCKINGHAM

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 8006 (No.38) Winderie Road, Golden Bay – Proposed High Support Accommodation and Service Centre – DAP/24/02651
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF WANNEROO

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 1631 (No. 73) & Lot 1632 (No. 75) Maritime Drive, Jindalee – Multiple Dwellings and Consulting Room – DAP/24/02662
 - 3.2 Lots 202, 203 & 204 (9, 15, 21) Herdsman Lane, Wanneroo – Proposed Four Fast Food Outlets and Slip Lane – DAP/24/02664
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. General Business
3. Meeting Closure

A handwritten signature in black ink that reads "Eugene Koltasz".

Eugene Koltasz
Presiding Member, Metro Outer DAP



Attendance	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Eugene Koltasz (Presiding Member)	Claire Ortlepp
Lindsay Baxter (Deputy Presiding Member)	Ashlee Kelly
Jacky Jurmann	
<i>Part B – City of Rockingham</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Mark Jones	Mike Ross
Cr Dawn Jecks	Chris Parlane
<i>Part C – City of Wanneroo</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Bronwyn Smith	Greg Bowering
Cr Jacqui Huntley	Rhiannon McQuillan

Eugene Koltasz
Presiding Member, Metro Outer DAP



Applicant and Submitters
<i>Part B – City of Rockingham</i>
Declan Creighan (Urbis) Alec Whyte (Parry + Whyte Architects) Steve Corbett (MSWA)
<i>Part C – City of Wanneroo</i>
Nick Grindrod (Rise Urban) David Chandler (Dale Alcock Projects) Samuel Grimes (Dale Alcock Projects) Dhruti Brahmbhatt (Dale Alcock Projects) Jaroslav Havel Josh Watson (Planning Solutions) Behnam Bordbar (Transcore) Greg Davis (Tactics 4) Craig Wallace (Lavan) Tristan Burton (Bella Build and Design)

Members of the Public / Media

There was 1 member of the public in attendance.

Observers via livestream

There were 11 persons observing the meeting via the livestream.

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:34am on 9 July 2024 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 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Cr Lorna Buchan (Local Government DAP Member, City of Rockingham)

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](#).

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART B – CITY OF ROCKINGHAM

1. Declaration of Due Consideration

The Presiding Member noted an addendum to the responsible authority report was published in Part B of the Related Information in relation to Item 3.1, received on 5 July 2024.

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

2. Disclosure of Interests

In accordance with section 2.4.9 of the DAP Code of Conduct 2024, DAP Member, Cr Mark Jones and Cr Dawn Decks, declared that they had participated in a prior Council meeting in relation to the application at item 3.1. However, under section 2.1.2 of the DAP Code of Conduct 2024, Cr Jones and Cr Decks acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the DAP executive director determined that the members listed above, who have disclosed an impartiality interest, are permitted to participate in the discussion and voting on the items.

3. Form 1 DAP Applications

3.1 Lot 8006 (No.38) Winderie Road, Golden Bay – Proposed High Support Accommodation and Service Centre – DAP/24/02651

Deputations and Presentations

Declan Creighan (Urbis) presenting in support of the recommendation for the application at Item 3.1.

The City of Rockingham addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

Eugene Koltasz
Presiding Member, Metro Outer DAP



REPORT RECOMMENDATION

Moved by: Lindsay Baxter

Seconded by: Cr Dawn Jecks

With the approval of the mover and seconder, the following amendments were made:

i) *That Condition No. 6 be amended to read as follows:*

*The Contractor shall be responsible for the protection of all existing services in the road reserve for the duration of the works. Upon completion of the proposed services installation and prior to building occupancy, affected areas in the road reserve shall be reinstated to the satisfaction of the ~~Manager Land Development and Infrastructure.~~ **City of Rockingham.***

ii) *That Condition No. 12 be amended to read as follows:*

*Prior to occupation of the development, the existing footpath and pram ramp adjacent to the proposed vehicle crossover in Winderie Road shall be extended 15m to the south-west in order to provide adequate vehicle sight distance to the satisfaction of the **City of Rockingham.***

iii) *That Condition No. 14 be amended to read as follows:*

*The Parking Control and Management Plan must be implemented prior to occupation of the development and continue to be applied thereafter to the satisfaction of the **City of Rockingham.***

REASON: *To change the wording to be consistent with other conditions.*

iv) *That Condition No. 16 be amended to read as follows:*

*Windows in the **Service Centre** building elevation facing Adelong Avenue and Warnbro Sound Avenue must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and an activated frontage is provided between the development and the public domain at all times.*

REASON: *Modification to the wording was supported by the panel on the basis of advice by the City of Rockingham officers, that the intention of the condition is to ensure that the Service Centre building presents an activated building frontage to both streets and not to diminish the privacy for occupants of the residential component.*

Eugene Koltasz
Presiding Member, Metro Outer DAP



That the Metro Outer Development Assessment Panel (MODAP) resolves to:

Approve DAP Application reference DAP/24/02651 and the accompanying plans contained within Attachment 1 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 Rockingham Town Planning Scheme No.2 (TPS2), subject to the following conditions:

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineer showing how stormwater will be contained on-site; those plans must be submitted to the City of Rockingham for approval.
4. All stormwater generated by the development must be managed in accordance with Local Planning Policy No.3.4.3 - Urban Water Management to the satisfaction of the City of Rockingham. The approved plans must be implemented and all works must be maintained for the duration of the development.
5. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
6. The Contractor shall be responsible for the protection of all existing services in the road reserve for the duration of the works. Upon completion of the proposed services installation and prior to building occupancy, affected areas in the road reserve shall be reinstated to the satisfaction of the City of Rockingham.
7. Prior to occupation of the development, the car parking area must:
 - (i) provide a minimum of 38 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 1A for staff parking and User Class 2 for visitors of Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking prior to applying for a Building Permit;
 - (iii) provide at least two (2) car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 4 of Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities and which are linked to the main entrance of the development

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Presiding Member, Metro Outer DAP



- by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;
- (iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; and
 - (v) comply with the above requirements for the duration of the development.
8. Prior to applying for a Building Permit, a revised Landscaping Plan must be submitted and approved to the satisfaction of the City of Rockingham and shall include the following detail:
- (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area inclusive of the verge;
 - (ii) any lawns to be established and areas to be mulched;
 - (iii) any natural landscape areas to be retained;
 - (iv) those areas to be reticulated or irrigated; and
 - (v) the provision of groundcovers and irrigated turf in the verges of Adelong Avenue, Yaramin Way and Winderie Road.
9. The landscaping (including all verge landscaping) must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham.
10. Existing street trees adjacent to the development site must be protected throughout the course of the project in accordance with Australian Standard AS 4970-2009 protection of trees on Development Sites.
11. In accordance with City of Rockingham Planning Policy No.3.3.14 - Bicycle Parking and End of Trip Facilities, four (4) long-term staff bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities and must be approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.
12. Prior to occupation of the development, the existing footpath and pram ramp adjacent to the proposed vehicle crossover in Winderie Road shall be extended 15m to the south-west in order to provide adequate vehicle sight distance to the satisfaction of the City of Rockingham.

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13. A Parking Control and Management Plan shall be prepared to the satisfaction of the City of Rockingham prior to applying for a Building Permit, which shall demonstrate how vehicle parking associated with the Residential Building and Service Centre uses will be effectively managed during business times and controlled to provide adequate car parking on-site for staff and customers.
14. The Parking Control and Management Plan must be implemented prior to occupation of the development and continue to be applied thereafter to the satisfaction of the City of Rockingham.
15. Prior to applying for a Building Permit, a schedule of the colours and textures of the building materials, must be provided to the satisfaction of the City of Rockingham. The development must be finished in accordance with the schedule provided and approved by the City of Rockingham, prior to occupation of the development and maintained for the duration of the use.
16. Windows in the Service Centre building elevation facing Adelong Avenue and Warnbro Sound Avenue must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and an activated frontage is provided between the development and the public domain at all times.

Advice Notes:

1. In regards to Condition No.6, the applicant is advised that an inspection of the existing infrastructure surrounding the proposed area of works needs to be identified and documented prior to works commencing. Particular interest is to be paid to the state of the existing road pavements. Any damage due to the works, will need to be repaired to the satisfaction of the City of Rockingham.
2. Regarding Condition No.8, the applicant is advised that any landscaping within the street verge areas must be in accordance with the City of Rockingham's *Verge Development Guidelines*, and utilise water wise plant sections where possible.
3. Future crossovers are to be designed and constructed in accordance with the City of Rockingham's *Residential Crossover Specifications*. The applicant is to liaise with the City's Technical Services department for construction details.
4. The development must comply with the *Health (Public Building) Regulations 1992*; the applicant and owner should liaise with the City of Rockingham Health and Building Services in this regard.
5. The development must comply with the *Food Act 2008*, the *Food Safety Standards* and Chapter 3 of the *Australian New Zealand Food Standards Code (Australia Only)*; the applicant and owner should liaise with the City's Health Services in this regard.

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Presiding Member, Metro Outer DAP



6. The development must not operate unless approval has been issued by the City's Health Services and the premises complies with the *Health (Miscellaneous Provisions) Act 1911* with respect to a lodging house.
7. The City of Rockingham has been advised that the site has been historically used as a construction depot/laydown yard and has been infilled. The applicant is therefore advised to consult with the Department of Water and Environmental Regulation (DWER) regarding appropriate investigations under the *Contaminated Sites Act 2003* to ensure the site is not contaminated and is suitable for the proposed land use.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The Panel was satisfied that the proposed High Support Accommodation and Service Centre is consistent with the provisions of the Planning Framework for the locality and site as outlined under the provisions of the City of Rockingham Town Planning Scheme No 2, Golden Bay Structure Plan and the Golden Bay Neighbourhood Centre LDP.

The Panel was satisfied with the assessment of perceived impacts on the development from the nearby service stations. This demonstrated that there was unlikely to be any adverse impacts on the development from any odours or fumes emanating from the service stations given the separation distance and the strict operating conditions imposed on those service stations.

Further, the development is appropriately designed to cater for the specific requirements of the proponents, MSWA, and the expectations of the surrounding residents.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Mark Jones & Cr Dawn Jecks (Local Government DAP Members, City of Rockingham) left the panel at 9:48am.

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART C – CITY OF WANNEROO

Cr Bronwyn Smith & Cr Jacqui Huntley (Local Government DAP Members, City of Wanneroo) joined the panel at 9:49am.

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part C of the Agenda and Part C of the Related Information.

2. Disclosure of Interests

Nil.

3. Form 1 DAP Applications

3.1 Lot 1631 (No. 73) & Lot 1632 (No. 75) Maritime Drive, Jindalee – Multiple Dwellings and Consulting Room – DAP/24/02662

Deputations and Presentations

Nick Grindrod (Rise Urban) and David Chandler (Dale Alcock Projects) presenting in support of the recommendation for the application at Item 3.1 and responded to questions from the panel.

The City of Wanneroo addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Cr Jacqui Huntley

Seconded by: Cr Bronwyn Smith

The following change was made administratively to Advice Note No. 2, to correct a typographical error:

With regards to Condition 16, it is noted that all waste associated with the apartment building is to be collected by a private contractor, in lieu of ~~the~~ by the City.

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference DAP/24/02662 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 Wanneroo District Planning Scheme No. 2, subject to the following conditions:

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Presiding Member, Metro Outer DAP



Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The use of the approved **Multiple Dwellings** is to be as defined in the Residential Design Codes and as follows:

“Multiple Dwelling: means a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:

- Does not include a grouped dwelling; and
- Includes any dwelling above the ground floor in a mixed use development.”

4. The use of the approved **Consulting Rooms** is to be as defined in the City of Wanneroo’s District Planning Scheme No. 2 and as follows:

“Consulting Room: means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.”

A change of use from that outlined above may require further development approval of the City.

5. An amended plan is to be provided which details deletion of one on-street car parking bay proposed immediately to the south of the northernmost access point. The City must be satisfied with the amended plan prior to lodgement of a building permit.
6. Lot 1631 and Lot 1632 Maritime Drive, Jindalee are to be formally amalgamated and the title issued accordingly prior to the occupancy of the development.
7. Parking areas, driveways and points of ingress and egress must be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS 2890) and must be drained, sealed, marked and maintained to the satisfaction of the City prior to occupation of the development.
8. Wheel stops must be provided in accordance with AS 2890 where the parking bays abuts a pathway.
9. The parking areas and associated access indicated on the approved plans must not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.

Eugene Koltasz
Presiding Member, Metro Outer DAP



10. Staff car parking spaces for the consulting room must be marked and clearly signposted as dedicated for staff use only to the satisfaction of the City.
11. An amended detailed landscaping plan shall be provided for the subject development sites and adjacent verge area to the satisfaction of the City – and prior to the lodgement of a building permit. The landscaping plan shall detail:
 - The plant species, density, planting locations and shade trees; and
 - How trees will not impede on pedestrian and vehicular accessibility through the development sites.

Planting and installation must then be in accordance with the approved landscaping plan, completed prior to occupation of the development and maintained thereafter, to the satisfaction of the City.

12. Detailed civil engineering drawings and specifications for works within the verge and road reserve must be lodged for approval to the City prior to commencement of construction works. Construction works are to be undertaken in accordance with the approved development application, engineering drawings and specifications to the satisfaction of the City.
13. An onsite stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) must be provided. Plans illustrating the system proposed must be submitted for approval when application is made for a building permit and the system must be installed during the construction of the development.
14. Lighting must be installed along all driveways, pedestrian pathways, car parking areas and in all common service areas prior to the occupancy of the development.
15. All storage areas, external fixtures and building plant, including air conditioning units and water tanks must be located so as to minimise any visual and noise impact on surrounding landowners and screened from view from streets, public places and adjacent properties to the satisfaction of the City.
16. Future operations on the lot must be undertaken in accordance with the approved Waste Management Plan prepared by Urbii dated May 2024 (amended 10 May 2024).
17. The applicant/landowner is required to seek tenure from the Department of Planning, Lands and Heritage to access and construct on the Unallocated Crown Land (Lot 8011, Crown Reserve 48306). This tenure is to be approved for the time period required prior to the lodging of a building permit.
18. Prior to the lodging of a building permit, the applicant/landowner shall reach an agreement with the City for access and works within the public open space and future pedestrian access way.

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Presiding Member, Metro Outer DAP



19. Prior to commencement of construction works, detailed civil engineering drawings and specifications for works within the adjoining public open space and public accessway must be lodged for approval to the City. Construction works are to be undertaken in accordance with the approved development application, engineering drawings and specifications to the satisfaction of the City.
20. The movement of trucks for waste collection and delivery purposes must occur between 7am and 7pm, Monday to Saturday only.
21. Any graffiti applied to the external surfaces of the building shall be removed within seven (7) days of it being applied to the satisfaction of the City of Wanneroo.
22. A Construction Management Plan must be submitted for approval when an application is made for a building permit. This plan is to detail how construction will be managed to minimise disruption in the area. The plan must address the following:
 - a) The delivery of and delivery times for materials and equipment to the site;
 - b) Storage of materials and the location and types of equipment on site;
 - c) Parking arrangements for contractors and sub-contractors;
 - d) The impact on traffic movement;
 - e) Construction times;
 - f) The relocation of public footpaths;
 - g) Measures to minimise impacts of noise and sand drift and dust from the site;
 - h) Tree protection zones to be established for trees identified to be retained in the approved landscaping plan (including any verge trees) where applicable;
 - i) The relocation/disruption of any public transport infrastructure;
 - j) How the coastal foreshore to the west of the development is to be protected during construction; and
 - k) Any other matter required by the City.

The Construction Management Plan is to be submitted to and approved by the City prior to the commencement of any development.

Advice Notes

1. With regards to Condition 11, the amended landscaping plan is to include the removal of the trees abutting the rear of the townhouse garages.
2. With regards to Condition 16, it is noted that all waste associated with the apartment building is to be collected by a private contractor, in lieu of by the City.
3. The owner/applicant is to submit the "Certification of Compliance with Development Approval Conditions" form certifying that all of the conditions specified in the approval by the Council for the development of the land have been completed in accordance with the approved plans, and the certification is to be lodged with the Council within 14 days from the date of practical completion, and applies to all of the conditions, except for those conditions relating to on-going compliance.

Eugene Koltasz
Presiding Member, Metro Outer DAP



AMENDING MOTION 1

Moved by: Lindsay Baxter

Seconded by: Eugene Koltasz

That Condition No. 21 be amended to read as follows:

The materials of construction, including fencing, are to be graffiti resistant as far as practicable. Any graffiti applied to the external surfaces of the buildings, fences, and walls shall be removed within ~~seven (7)~~ fourteen (14) days of it being applied, to the satisfaction of the City of Wanneroo.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: This complex of buildings has three public interfaces, including public open space which is in effect regional open space. It is therefore important to ensure that graffiti vandalism is kept to a minimum. The timeframe of fourteen (14) days, in lieu of seven (7), allows for any necessary notifications, correspondence and corrective action to occur.

AMENDING MOTION 2

Moved by: Lindsay Baxter

Seconded by: Eugene Koltasz

That Advice Note No. 1 be deleted, and the remaining advice notes be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The Panel considered that the trees referred to in the original Advice Note No. 1 should be retained on the Landscaping Plan, for the benefit of users and to soften the appearance of the access area.

AMENDING MOTION 3

Moved by: Eugene Koltasz

Seconded by: Jacky Jurmann

That Condition No. 17 be deleted, and a new Condition No. 17 be added to read as follows:

Prior the commencement of works on the Unallocated Crown Land, the applicants are required to obtain approval to the tenure of the Unallocated Crown Land (Lot 8011, Crown Reserve 48306) for the works therein, to the satisfaction of the City of Wanneroo, on advice from the Department of Planning, Lands & Heritage.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The wording of the original condition relied on the approval of a third party which, in the opinion of the Panel, resulted in an invalid condition.

Eugene Koltasz
Presiding Member, Metro Outer DAP



AMENDING MOTION 4

Moved by: Jacky Jurmann

Seconded by: Lindsay Baxter

That Condition No. 18 be deleted, and added as a new Advice Note No. 3, with all other conditions renumbered accordingly.

REASON: The Panel considered that the wording of the original condition rendered it uncertain as it relies on approval of a third party, that being the Department of Planning Lands and Heritage. An advice note was considered more appropriate.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 5

Moved by: Eugene Koltasz

Seconded by: Jacky Jurmann

That Condition No. 11 be deleted, and a new Condition No. 11 be added to read as follows:

Planting and landscaping must be carried out in accordance with the plans, as submitted, prior to occupation of the building and thereafter maintained.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The Panel considered that the revised wording better reflected the approval, compliance and timing of completion with the submitted Landscaping Plans.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference DAP/24/02662 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 Wanneroo District Planning Scheme No. 2, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Eugene Koltasz
Presiding Member, Metro Outer DAP



3. The use of the approved **Multiple Dwellings** is to be as defined in the Residential Design Codes and as follows:

“Multiple Dwelling: means a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:

- *Does not include a grouped dwelling; and*
- *Includes any dwelling above the ground floor in a mixed use development.”*

4. The use of the approved **Consulting Rooms** is to be as defined in the City of Wanneroo’s District Planning Scheme No. 2 and as follows:

“Consulting Room: means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.”

A change of use from that outlined above may require further development approval of the City.

5. An amended plan is to be provided which details deletion of one on-street car parking bay proposed immediately to the south of the northernmost access point. The City must be satisfied with the amended plan prior to lodgement of a building permit.
6. Lot 1631 and Lot 1632 Maritime Drive, Jindalee are to be formally amalgamated and the title issued accordingly prior to the occupancy of the development.
7. Parking areas, driveways and points of ingress and egress must be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS 2890) and must be drained, sealed, marked and maintained to the satisfaction of the City prior to occupation of the development.
8. Wheel stops must be provided in accordance with AS 2890 where the parking bays abuts a pathway.
9. The parking areas and associated access indicated on the approved plans must not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.
10. Staff car parking spaces for the consulting room must be marked and clearly signposted as dedicated for staff use only to the satisfaction of the City.
11. Planting and landscaping must be carried out in accordance with the plans, as submitted, prior to occupation of the building and thereafter maintained.

Eugene Koltasz
Presiding Member, Metro Outer DAP



12. Detailed civil engineering drawings and specifications for works within the verge and road reserve must be lodged for approval to the City prior to commencement of construction works. Construction works are to be undertaken in accordance with the approved development application, engineering drawings and specifications to the satisfaction of the City.
13. An onsite stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) must be provided. Plans illustrating the system proposed must be submitted for approval when application is made for a building permit and the system must be installed during the construction of the development.
14. Lighting must be installed along all driveways, pedestrian pathways, car parking areas and in all common service areas prior to the occupancy of the development.
15. All storage areas, external fixtures and building plant, including air conditioning units and water tanks must be located so as to minimise any visual and noise impact on surrounding landowners and screened from view from streets, public places and adjacent properties to the satisfaction of the City.
16. Future operations on the lot must be undertaken in accordance with the approved Waste Management Plan prepared by Urbii dated May 2024 (amended 10 May 2024).
17. Prior the commencement of works on the Unallocated Crown Land, the applicants are required to obtain approval to the tenure of the Unallocated Crown Land (Lot 8011, Crown Reserve 48306) for the works therein, to the satisfaction of the City of Wanneroo, on advice from the Department of Planning, Lands & Heritage.
18. Prior to commencement of construction works, detailed civil engineering drawings and specifications for works within the adjoining public open space and public accessway must be lodged for approval to the City. Construction works are to be undertaken in accordance with the approved development application, engineering drawings and specifications to the satisfaction of the City.
19. The movement of trucks for waste collection and delivery purposes must occur between 7am and 7pm, Monday to Saturday only.
20. The materials of construction, including fencing, are to be graffiti resistant as far as practicable. Any graffiti applied to the external surfaces of the buildings, fences, and walls shall be removed within fourteen (14) days of it being applied, to the satisfaction of the City of Wanneroo.
21. A Construction Management Plan must be submitted for approval when an application is made for a building permit. This plan is to detail how construction will be managed to minimise disruption in the area. The plan must address the following:
 - a) The delivery of and delivery times for materials and equipment to the site;
 - b) Storage of materials and the location and types of equipment on site;

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- c) Parking arrangements for contractors and sub-contractors;
- d) The impact on traffic movement;
- e) Construction times;
- f) The relocation of public footpaths;
- g) Measures to minimise impacts of noise and sand drift and dust from the site;
- h) Tree protection zones to be established for trees identified to be retained in the approved landscaping plan (including any verge trees) where applicable;
- i) The relocation/disruption of any public transport infrastructure;
- j) How the coastal foreshore to the west of the development is to be protected during construction; and
- k) Any other matter required by the City.

The Construction Management Plan is to be submitted to and approved by the City prior to the commencement of any development.

Advice Notes

1. With regards to Condition 16, it is noted that all waste associated with the apartment building is to be collected by a private contractor, in lieu of by the City.
2. The owner/applicant is to submit the "Certification of Compliance with Development Approval Conditions" form certifying that all of the conditions specified in the approval by the Council for the development of the land have been completed in accordance with the approved plans, and the certification is to be lodged with the Council within 14 days from the date of practical completion, and applies to all of the conditions, except for those conditions relating to on-going compliance.
3. Prior to the lodging of a building permit, the applicant/landowner shall reach an agreement with the City for access and works within the public open space and future pedestrian access way.

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

REASON: The Panel was satisfied that approval of the proposed development is appropriate, given that it generally complies with the relevant Planning Framework for the site and locality.

The proposed development was assessed against the Planning Framework provisions as outlined in the City of Wanneroo District Planning Scheme No 2, Agreed Structure Plans 36 and 78 and LPP 4.27 and exhibited general compliance with the requirements of those instruments.

It was also assessed by the City's Design Review Panel who gave qualified support for the building height and scale as well as other relevant building features.

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Matters of concern raised by objectors to the proposal such as adequacy of parking, increased traffic flow on adjoining streets and building height have been adequately addressed by the proponents and supported by the City's officers.

3.2 Lots 202, 203 & 204 (9, 15, 21) Herdsman Lane, Wanneroo – Proposed Four Fast Food Outlets and Slip Lane – DAP/24/02664

Deputations and Presentations

Jaroslav Havel addressed the DAP against the application at Item 3.2 and responded to questions from the panel.

Josh Watson (Planning Solutions) addressed the DAP against the recommendation for the application at Item 3.2 and responded to questions from the panel.

Behnam Bordbar (Transcore) presenting against the recommendation for the application at Item 3.2 and responded to questions from the panel.

Greg Davis (Tactics 4) presenting against the recommendation for the application at Item 3.2.

Craig Wallace (Lavan) presenting against the recommendation for the application at Item 3.2 and responded to questions from the panel.

The City of Wanneroo addressed the DAP in relation to the application at Item 3.2 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: NIL

Seconded by: NIL

That the Metro Outer DAP resolves to:

1. **Refuse** DAP Application reference DAP/24/02664 and accompanying plans (DA02A-RevF, DA02B-RevB, DA03-RevC, DA04-RevC, DA05-RevC, DA07-RevB, DA08-RevB and MRWA Drawings 202048-3194-1 to 202048-3207-2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the City of Wanneroo District Planning Scheme No. 2, for the following reasons:

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Reasons

1. The proposal does not meet the requirements of Schedule 2, Clause 67(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the proposal is considered to be an 'out-of-centre' development pursuant to State Planning Policy 4.2 – Activity Centres (SPP 4.2) and will result on impacts on surrounding centres. The proposal is not considered appropriate pursuant to Clause 7.9(g) of SPP 4.2 due to the following:
 - a. It does not achieve an appropriate separation from the developing Tapping Neighbourhood Centre located nearby; and as a result, would likely detract from the intent and operation of that centre;
 - b. It is not located in proximity to existing housing at an average density of 25 dwellings per hectare; and
 - c. The type of development does not promote walking and cycling as the uses proposed and the configuration of the development promote access via motor vehicles.
2. The proposal does not meet the requirements of Schedule 2, Clause 67(2)(g) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the design of pylon signage and a roof sign included in the proposal do not meet the requirements of the City's Local Planning Policy 4.6 – Signs (LPP 4.6).
3. The proposal does not meet the requirements of Schedule 2, Clause 67(2)(h) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as aspects of the proposal (particularly Tenancy 3) have not been designed in accordance with the requirements of the City of Wanneroo's Drovers Place Central Precinct Detailed Area Plan.
4. The proposal does not meet the requirements of Schedule 2, Clause 67(2)(s)(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as access into the development crosses an access restriction along the eastern lot boundary adjoining Wanneroo Road.
5. The internal road network proposed for the development does not align with public access easements registered on the properties subject of this application.

The Report Recommendation LAPSED for want of a mover and a seconder.

Eugene Koltasz
Presiding Member, Metro Outer DAP



ALTERNATE MOTION

Moved by: Lindsay Baxter

Seconded by: Cr Jacqui Huntley

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference DAP/24/02664 and accompanying plans (DA02A-RevF, DA02B-RevB, DA03-RevC, DA04-RevC, DA05-RevC, DA07-RevB, DA08-RevB and MRWA Drawings 202048-3194-1 to 202048-3207-2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the City of Wanneroo District Planning Scheme No. 2, subject to the following conditions:

Conditions

1. This approval only relates to the four (4) proposed Fast Food Outlets and associated access from Wanneroo Road as indicated on the approved plans. It does not relate to any other development on the subject lots.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. This approval does not relate to the 'roof sign' as indicated on the approved plans.
4. The use of the approved **Fast Food Outlet** must conform to the District Planning Scheme No. 2 definition which states:

"Fast Food Outlet: means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –

- a) *Without further preparation; and*
- b) *Primarily off the premises."*

A change of use from that outlined above may require further development approval of the City.

5. The three (3) lots subject to this application (Lot 202 (9), Lot 203 (15) and Lot 204 (21) Herdsman Lane) are required to be amalgamated, and a copy of the Certificate of Title for the amalgamated land is to be submitted prior to the occupation of the approved development.

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Presiding Member, Metro Outer DAP



6. The vehicle access restriction along the Wanneroo Road frontage, imposed pursuant to Section 150 of the *Planning and Development Act 2005* and *Division 3 of the Planning and Development Regulations 2009*, is to be modified to permit legal access from Wanneroo Road to the subject site as shown on the approved plans. The approved development shall not be occupied until such time that the access restriction has been modified, and a revised deposited plan submitted to the City.
7. The Public Access Easement pursuant to Section 195 & 196 of the *Land Administration Act 1997*, as identified as easements 'D', 'E' and 'F' of DP 417273, is to be modified to align with the proposal internal roadways and connection to Herdsman Lane and to provide connection to the slip lane off Wanneroo Road. No works are to be undertaken until such time that the easement has been modified, and a revised deposited plan submitted to the City.
8. The proposed pylon signs for Tenancy 1, Tenancy 3 and Tenancy 4 are to be reduced to be no higher than 6m above natural ground level.
9. Modified floor plans and elevation plans being submitted for Tenancy 3 that activates the frontage of the building toward Wanneroo Road by way of glazing and building articulation, in accordance with the City of Wanneroo's Drovers Place Central Precinct Detailed Area Plan.
10. The applicant/owner must ensure that all illuminated signage must have any boxing or casing in which it is enclosed constructed of incombustible materials, must not comprise of flashing, pulsating, chasing or running lights and must not have such intensity as to cause annoyance to the public or illuminate beyond the extent of the lot boundaries.
11. All signage is to be contained entirely within the allotment.
12. Parking areas, driveways and points of ingress and egress must be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS 2890) and must be drained, sealed, marked and maintained to the satisfaction of the City prior to occupation of the development.
13. Wheel stops must be provided in accordance with AS2890 where the parking bays abuts a concrete path.
14. The parking areas and associated access indicated on the approved plans must not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.
15. An onsite stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) must be provided. Plans illustrating the system proposed must be submitted for approval when application is made for a building permit and the system must be installed during the construction of the development.

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16. Lighting must be installed along all driveways, pedestrian pathways, car parking areas and in all common service areas prior to the development first being occupied.
17. All storage areas, external fixtures and building plant, including air conditioning units and water tanks must be located so as to minimise any visual and noise impact on surrounding landowners and screened from view from streets, public places and adjacent properties to the satisfaction of the City.
18. All waste must be stored within the designated bin enclosure and collected from the site by a private contractor at the cost of the owner/occupier. Bin servicing must occur between 7.00am and 7.00pm Monday to Saturday only.
19. Any graffiti applied to the external surfaces of the building shall be removed within seven (7) days of it being applied to the satisfaction of the City of Wanneroo.
20. A Construction Management Plan must be submitted for approval when an application is made for a building permit. This plan is to detail how construction will be managed to minimise disruption in the area and to adjoining landowners. The plan must address the following:
 - a) The delivery of and delivery times for materials and equipment to the site;
 - b) Storage of materials and the location and types of equipment on site;
 - c) Parking arrangements for contractors and sub-contractors;
 - d) The impact on traffic movement;
 - e) Construction times;
 - f) The relocation of public footpaths;
 - g) Measures to minimise impacts of noise and sand drift and dust from the site;
 - h) Tree protection zones to be established for trees identified to be retained in the approved landscaping plan (including any verge trees) where applicable;
 - i) The relocation/disruption of any public transport infrastructure; and
 - j) Any other matter required by the City.

The Construction Management Plan is to be submitted to and approved by the City prior to the commencement of any development.

AMENDING MOTION 1

Moved by: Lindsay Baxter

Seconded by: Cr Jacqui Huntley

That a new Condition No. 1 be added to read as follows and the remaining conditions be renumbered accordingly:

Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.

Eugene Koltasz
Presiding Member, Metro Outer DAP



The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The Panel was of the view that it was appropriate to determine the application under the provisions of both the Metropolitan Region Scheme and the local planning scheme.

AMENDING MOTION 2

Moved by: Lindsay Baxter

Seconded by: Cr Jacqui Huntley

That Condition No. 5 (now Condition No. 6) be amended to read as follows:

*The three (3) lots subject to this application (Lot 202 (9), Lot 203 (15) and Lot 204 (21) Herdsman Lane) are required to be **either re-subdivided to accord with the buildings, or amalgamated**, and a copy of the Certificate of Title for the amalgamated land is to be submitted prior to the occupation of the approved development.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To allow flexibility for the individual operation of the four fast food outlets if required to be on different lots for financing and construction purposes.

AMENDING MOTION 3

Moved by: Lindsay Baxter

Seconded by: Cr Bronwyn Smith

That Condition No. 19 (now Condition No. 20) be amended to read as follows:

The materials of construction are to be as graffiti resistant as practicable, and any graffiti applied to the external surfaces of the building shall be removed within ~~seven (7)~~ fourteen (14) days of it being applied to the satisfaction of the City of Wanneroo.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: This complex of buildings is prominent on Wanneroo Road and should be maintained free of graffiti in the interest of the urban environment. Timeframe of fourteen (14) days, in lieu of seven (7), allows for any necessary notification, correspondence and corrective action to occur.

Eugene Koltasz
Presiding Member, Metro Outer DAP



AMENDING MOTION 4

Moved by: Lindsay Baxter

Seconded by: Cr Bronwyn Smith

That a new Condition No. 22 be added to read as follows:

A landscaping plan is to be prepared, submitted, and implemented to the satisfaction of the City.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Landscaping is required to soften the appearance of building and hardstand areas and to provide pedestrian refuge and shade.

AMENDING MOTION 5

Moved by: Cr Jacqui Huntley

Seconded by: Lindsay Baxter

That Condition No. 8 (now No. 9) be deleted, and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The Panel was satisfied that the proponents plans showing pylon signs is appropriate given the varying distance between the signs, the existing screening vegetation within the adjacent road verge and the varying levels of the fast food outlets requiring the varied height of signs.

ALTERNATE MOTION (AS AMENDED)

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference DAP/24/02664 and accompanying plans (DA02A-RevF, DA02B-RevB, DA03-RevC, DA04-RevC, DA05-RevC, DA07-RevB, DA08-RevB and MRWA Drawings 202048-3194-1 to 202048-3207-2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the City of Wanneroo District Planning Scheme No. 2, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This approval only relates to the four (4) proposed Fast Food Outlets and associated access from Wanneroo Road as indicated on the approved plans. It does not relate to any other development on the subject lots.

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Presiding Member, Metro Outer DAP



3. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
4. This approval does not relate to the 'roof sign' as indicated on the approved plans.
5. The use of the approved **Fast Food Outlet** must conform to the District Planning Scheme No. 2 definition which states:

"Fast Food Outlet: means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –

- a) Without further preparation; and*
- b) Primarily off the premises."*

A change of use from that outlined above may require further development approval of the City.

6. The three (3) lots subject to this application (Lot 202 (9), Lot 203 (15) and Lot 204 (21) Herdsman Lane) are required to be either re-subdivided to accord with the buildings, or amalgamated, and a copy of the Certificate of Title for the amalgamated land is to be submitted prior to the occupation of the approved development.
7. The vehicle access restriction along the Wanneroo Road frontage, imposed pursuant to Section 150 of the *Planning and Development Act 2005* and *Division 3 of the Planning and Development Regulations 2009*, is to be modified to permit legal access from Wanneroo Road to the subject site as shown on the approved plans. The approved development shall not be occupied until such time that the access restriction has been modified, and a revised deposited plan submitted to the City.
8. The Public Access Easement pursuant to Section 195 & 196 of the *Land Administration Act 1997*, as identified as easements 'D', 'E' and 'F' of DP 417273, is to be modified to align with the proposal internal roadways and connection to Herdsman Lane and to provide connection to the slip lane off Wanneroo Road. No works are to be undertaken until such time that the easement has been modified, and a revised deposited plan submitted to the City.
9. Modified floor plans and elevation plans being submitted for Tenancy 3 that activates the frontage of the building toward Wanneroo Road by way of glazing and building articulation, in accordance with the City of Wanneroo's Drovers Place Central Precinct Detailed Area Plan.

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10. The applicant/owner must ensure that all illuminated signage must have any boxing or casing in which it is enclosed constructed of incombustible materials, must not comprise of flashing, pulsating, chasing or running lights and must not have such intensity as to cause annoyance to the public or illuminate beyond the extent of the lot boundaries.
11. All signage is to be contained entirely within the allotment.
12. Parking areas, driveways and points of ingress and egress must be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS 2890) and must be drained, sealed, marked and maintained to the satisfaction of the City prior to occupation of the development.
13. Wheel stops must be provided in accordance with AS2890 where the parking bays abuts a concrete path.
14. The parking areas and associated access indicated on the approved plans must not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.
15. An onsite stormwater drainage system, sufficient to contain a 1:100 year storm event (over 24 hours) must be provided. Plans illustrating the system proposed must be submitted for approval when application is made for a building permit and the system must be installed during the construction of the development.
16. Lighting must be installed along all driveways, pedestrian pathways, car parking areas and in all common service areas prior to the development first being occupied.
17. All storage areas, external fixtures and building plant, including air conditioning units and water tanks must be located so as to minimise any visual and noise impact on surrounding landowners and screened from view from streets, public places and adjacent properties to the satisfaction of the City.
18. All waste must be stored within the designated bin enclosure and collected from the site by a private contractor at the cost of the owner/occupier. Bin servicing must occur between 7.00am and 7.00pm Monday to Saturday only.
19. The materials of construction are to be as graffiti resistant as practicable, and any graffiti applied to the external surfaces of the building shall be removed within fourteen (14) days of it being applied to the satisfaction of the City of Wanneroo.
20. A Construction Management Plan must be submitted for approval when an application is made for a building permit. This plan is to detail how construction will be managed to minimise disruption in the area and to adjoining landowners. The plan must address the following:
 - a) The delivery of and delivery times for materials and equipment to the site;

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- b) Storage of materials and the location and types of equipment on site;
- c) Parking arrangements for contractors and sub-contractors;
- d) The impact on traffic movement;
- e) Construction times;
- f) The relocation of public footpaths;
- g) Measures to minimise impacts of noise and sand drift and dust from the site;
- h) Tree protection zones to be established for trees identified to be retained in the approved landscaping plan (including any verge trees) where applicable;
- i) The relocation/disruption of any public transport infrastructure; and
- j) Any other matter required by the City.

The Construction Management Plan is to be submitted to and approved by the City prior to the commencement of any development.

21. A landscaping plan is to be prepared, submitted, and implemented to the satisfaction of the City.

The Alternate Motion (as amended) was put and CARRIED UNANIMOUSLY.

REASON: The Panel was satisfied that the proposed development of the four fast food outlets is appropriate for the Planning Framework for the locality and Site as outlined within the City of Wanneroo DPS 2 and the Drovers Place Central Precinct Detailed Area Plan.

The Panel was also satisfied with the design and location of the buildings on the sites and the vehicular access from Wanneroo Road given it was previously approved and constructed to the requirements of Main Roads WA (MRWA).

As a result of the previous approvals by MRWA, the Panel considered that the proponents and MRWA can resolve the statutory approvals for changes to easements and access restrictions to the satisfaction of the City.

The proponent's signage plan was supported given the varying site levels and the existing vegetation screening the sites from Wanneroo Road verge necessitating higher signs to ensure they can be seen from Wanneroo Road by patrons in a timely manner.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR179/2023 DAP/22/02358	Shire of Serpentine Jarrahdale	Lot 806 South Western Highway, Byford	Proposed Showroom and Fast Food/Takeaway Development	4/12/2023
DAP/23/02545 PA23/588	Shire of Serpentine Jarrahdale	Lot 218 (No.575) Abernethy Road, Oakford	Proposed Educational Establishment	19/12/2023

Finalised SAT Applications*				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR169/2023 DAP/23/02486	City of Swan	Lot 1 (No.9) Waterhall Road, South Guildford	Child Care Premises	13/11/2023

The Presiding Member noted the following Supreme Court Appeal -

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/23/02496 CIV 2251 of 2023	City of Swan	Lot 2 & 67 (No.163) and Lot 18 (No.159) James Street, Guildford	Proposed redevelopment of Vaudeville Theatre	03/11/2023

* Matters finalised during the last meeting cycle.

2. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2024 a DAP member must not publicly comment on any action or determination of a DAP.

Eugene Koltasz
Presiding Member, Metro Outer DAP



3. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:51am.

A handwritten signature in black ink that reads "Eugene Koltasz".

Eugene Koltasz
Presiding Member, Metro Outer DAP