



Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 11 February 2025; 9:30am
Meeting Number: MODAP/62
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link: [MODAP/62 – 11 February 2025 – City of Wanneroo – City of Cockburn](#)

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 WANNEROO

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 3128 (1K) Expedition Drive, Clarkson – Proposed Neighbourhood Centre – DAP/24/02758
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF COCKBURN

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 9043, 9053 and 305 Whadjuk Drive, Hammond Park – Hammond Park Neighbourhood Centre – DAP/23/02556
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

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

Clayton Higham
Presiding Member, Metro Outer DAP



Attendance	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Clayton Higham (Presiding Member) Karen Hyde (Deputy Presiding Member) Agata Cabanek	Claire Ortlepp Ashlee Kelly
<i>Part B – City of Wanneroo</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Bronwyn Smith Cr Jacqui Huntley	Greg Bowering Aaron Jones
<i>Part C – City of Cockburn</i>	
<i>Local Government DAP Members</i>	<i>Officers in Attendance</i>
Cr Tom Widenbar Cr Tarun Dewan	Lucia Dunstan Riley Brown Tanya Wasley

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Presiding Member, Metro Outer DAP



Applicant and Submitters
<i>Part B – City of Wanneroo</i>
Matthew Cain (Planning Solutions) George Naoum (Lightpoint Nominees Pty Ltd)
<i>Part C – City of Cockburn</i>
Kris Kennedy (Aigle Royal Group) Matthew Pears (Aigle Royal Group) Glen Fowler (Woolworths Group) – <i>written submission</i>

Members of the Public / Media

Nil.

Observers via livestream

There were 4 persons observing the meeting via the livestream.

Clayton Higham
Presiding Member, Metro Outer DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:30am on 11 February 2025 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

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

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](#).

Clayton Higham
Presiding Member, Metro Outer DAP



PART B – CITY OF WANNEROO

1. Declaration of Due Consideration

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

Nil.

3. Form 1 DAP Applications

3.1 Lot 3128 (1K) Expedition Drive, Clarkson – Proposed Neighbourhood Centre – DAP/24/02758

Deputations and Presentations

Matthew Cain (Planning Solutions) addressed the DAP 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: Karen Hyde

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference DAP/24/02758 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.

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Presiding Member, Metro Outer DAP



2. The approved uses must conform to the District Planning Scheme No. 2 definition. The following uses are approved:

Tenancy	Approved Use
1 – 4	Fast Food Outlet
5 – 8	Shop
9	Fast Food Outlet
10 – 11	Shop
12	Veterinary Centre
13	Medical Centre
14	Recreation – Private (Gym)
15	Restaurant/Café
Childcare	Child Care Premises
Supermarket	Shop
Fast Food 1 & 2	Fast Food Outlet

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

3. A maximum of **90 Children and 10 Staff** are permitted within the **Child Care Premises** at any one time.
4. The hours of operation of the **Child Care Premises** is restricted to between the hours of **7:00am to 7:00pm Monday to Friday**.
5. No more than **three (3)** veterinary surgeons or veterinarians may practice within the **Veterinary Centre** at any one time.
6. No more than **five (5)** practitioners or medical professionals may practice within the **Medical Centre** at any one time.
7. A maximum of **42 persons** are permitted within the **Recreation – Private (Gym)** at any one time.
8. A maximum of **35 persons** are permitted within the **Restaurant/Café** at any one time.
9. All signage is to be contained entirely within the allotment.
10. 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.
11. Pedestrian Pram Ramps or Kerb Ramps are to be provided along all footpaths and widths to be provided to access to all parts of the development through the carpark to comply with AS 2890.1:2004.

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Presiding Member, Metro Outer DAP



12. 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.
13. Staff car parking spaces for the **Child Care Premises** must be marked and clearly signposted as dedicated for staff use only, to the satisfaction of the City.
14. Detailed landscaping plans for the subject site which include specifications for the planter boxes, a plant legend which includes botanical and common names and plant quantities, and confirmation of mulch details, must be lodged for approval by the City prior to lodging a building permit. Planting and installation must be in accordance with the approved landscaping and reticulation plans and completed prior to occupation of the development and maintained thereafter, to the satisfaction of the City.
15. Detailed civil engineering drawings and specifications for proposed works within the road reserve for the modification to the median, 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.
16. 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.
17. A revised Acoustic Report from a suitability qualified acoustic (noise) consultant must be provided prior to the submission of a building permit, approved by the City and development undertaken with the recommendations and findings of the report, to the satisfaction of the City.

The revised report must include, but not be limited to the following:

- a) Noise generated from car doors;
- b) Noise emissions from delivery trucks and queuing vehicles for the Fast Food Outlets;
- c) Noise modelling for front truck mounted refrigeration units;
- d) Full capacity modelling for the Child Care Premises; and
- e) Noise generated from all tenancies within the development.

Recommended works must be completed prior to the commencement of the use.

18. 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, in accordance with the relevant standard (AS 1158.1.2.2010), to the satisfaction of the City.

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Presiding Member, Metro Outer DAP



19. 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 be screened from view from streets, public places and adjacent properties to the satisfaction of the City.
20. This development must operate in accordance with the Waste Management Plan (Ref **wmp01c**) prepared by **Transcore** dated **July 2024**.
21. A minimum of 50% transparent glazing is to be provided along all tenancies abutting Kuranda Drive at all times, unless further development approval is granted by the City to ensure the development maintains an interactive façade to the street.
22. 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.
23. A Construction Management Plan shall 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.

Advice Notes

1. 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.

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2. In relation to condition 15, the landscaping plan is to detail plant species which will provide, at minimum, a 1-metre high buffer screening parking areas from view of the street.

AMENDING MOTION 1

Moved by: Karen Hyde

Seconded by: Cr Jacqui Huntley

That Condition No. 3 be amended to read as follows:

A maximum of 90 Children ~~and 10 Staff~~ are permitted within the Child Care Premises at any one time.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: the number of staff in any Child Care Premises is governed by other legislation beyond the planning framework and may vary from time to time as a result. This amendment also catered for increased staff during roster changes. The panel therefore considered that the condition did not need to refer to a prescriptive number to manage staff.

AMENDING MOTION 2

Moved by: Karen Hyde

Seconded by: Cr Jacqui Huntley

That Condition No. 4 be amended to read as follows:

The hours of operation of the Child Care Premises is restricted to between the hours of ~~7:00am~~ 6:30am to 7:00pm Monday to Friday.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The panel regarded the change of operating hours to allow for earlier commencement to be beneficial to the customers of the Child Care premises as it would allow for a more staggered start to the day and provide for those families who commute to work. The Amendment responded to the operators request. Further consideration of noise management was foreshadowed for other conditions of approval to ensure consistency.

AMENDING MOTION 3

Moved by: Karen Hyde

Seconded by: Cr Jacqui Huntley

That Condition No. 13 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

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Presiding Member, Metro Outer DAP



REASON: The panel considered that there was opportunity and likelihood that staff may park elsewhere within the Centre and not just at the Child Care Premises and therefore there was no need to allocate specific bays for this purpose on the lot. Providing some flexibility for staff and customer parking within the lot was regarded as beneficial and a prescriptive allocation was not required.

AMENDING MOTION 4

Moved by: Karen Hyde

Seconded by: Cr Jacqui Huntley

That Condition No. 22 (now Condition No. 21) be amended to read as follows:

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.

The Amending Motion was put and CARRIED (4/1).

For: Clayton Higham
Karen Hyde
Agata Cabanek
Cr Jacqui Huntley

Against: Cr Bronwyn Smith

REASON: The panel regarded the removal of any graffiti as soon as possible to be of importance and a condition for this purpose was fitting within the context of the planning framework concerning materiality and amenity. The majority of the panel however felt that some flexibility was required to enable the property owner and operator to consider the method and materials appropriate for graffiti removal.

AMENDING MOTION 5

Moved by: Karen Hyde

Seconded by: Cr Jacqui Huntley

That Condition No. 17 (now Condition No. 16) be amended to read as follows:

A revised Acoustic Report from a suitability qualified acoustic (noise) consultant must be provided prior to the submission of a building permit, approved by the City and development undertaken with the recommendations and findings of the report, to the satisfaction of the City.

The revised report must include, but not be limited to the following:

- a) Noise generated from car doors;
- b) Noise emissions from delivery trucks and queuing vehicles for the Fast Food Outlets;
- c) Noise modelling for front truck mounted refrigeration units;
- d) Full capacity modelling for the Child Care Premises; and

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- e) *Noise generated from all tenancies within the development.*
- f) **Operating hours of the Child Care Premises**

Recommended works must be completed prior to the commencement of the use.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The panel were supportive of adding a requirement for the revised Acoustic Report, required by Condition No. 17 (now No. 16), to include consideration and appropriate noise management responses consistent with the revised hours of operation of the Child Care Premises as amended in condition 4.

REPORT RECOMMENDATION (AS AMENDED)

An administrative change was made to amend the reference in Advice Note No. 2 to refer to the correct condition, Condition No. 13.

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference DAP/24/02758 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. The approved uses must conform to the District Planning Scheme No. 2 definition. The following uses are approved:

Tenancy	Approved Use
1 – 4	Fast Food Outlet
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15	Restaurant/Café
Childcare	Child Care Premises
Supermarket	Shop
Fast Food 1 & 2	Fast Food Outlet

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Presiding Member, Metro Outer DAP



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

3. A maximum of **90 Children** are permitted within the **Child Care Premises** at any one time.
4. The hours of operation of the **Child Care Premises** is restricted to between the hours of **6:30am to 7:00pm Monday to Friday**.
5. No more than **three (3)** veterinary surgeons or veterinarians may practice within the **Veterinary Centre** at any one time.
6. No more than **five (5)** practitioners or medical professionals may practice within the **Medical Centre** at any one time.
7. A maximum of **42 persons** are permitted within the **Recreation – Private (Gym)** at any one time.
8. A maximum of **35 persons** are permitted within the **Restaurant/Café** at any one time.
9. All signage is to be contained entirely within the allotment.
10. 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.
11. Pedestrian Pram Ramps or Kerb Ramps are to be provided along all footpaths and widths to be provided to access to all parts of the development through the carpark to comply with AS 2890.1:2004.
12. 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.
13. Detailed landscaping plans for the subject site which include specifications for the planter boxes, a plant legend which includes botanical and common names and plant quantities, and confirmation of mulch details, must be lodged for approval by the City prior to lodging a building permit. Planting and installation must be in accordance with the approved landscaping and reticulation plans and completed prior to occupation of the development and maintained thereafter, to the satisfaction of the City.

Clayton Higham
Presiding Member, Metro Outer DAP



14. Detailed civil engineering drawings and specifications for proposed works within the road reserve for the modification to the median, 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.
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. A revised Acoustic Report from a suitability qualified acoustic (noise) consultant must be provided prior to the submission of a building permit, approved by the City and development undertaken with the recommendations and findings of the report, to the satisfaction of the City.

The revised report must include, but not be limited to the following:

- a) Noise generated from car doors;
- b) Noise emissions from delivery trucks and queuing vehicles for the Fast Food Outlets;
- c) Noise modelling for front truck mounted refrigeration units;
- d) Full capacity modelling for the Child Care Premises; and
- e) Noise generated from all tenancies within the development.
- f) Operating hours of the Child Care Premises

Recommended works must be completed prior to the commencement of the use.

17. 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, in accordance with the relevant standard (AS 1158.1.2.2010), to the satisfaction of the City.
18. 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 be screened from view from streets, public places and adjacent properties to the satisfaction of the City.
19. This development must operate in accordance with the Waste Management Plan (Ref **wmp01c**) prepared by **Transcore** dated **July 2024**.
20. A minimum of 50% transparent glazing is to be provided along all tenancies abutting Kuranda Drive at all times, unless further development approval is granted by the City to ensure the development maintains an interactive façade to the street.
21. Any graffiti applied to the external surfaces of the building shall be removed, to the satisfaction of the City of Wanneroo.

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22. A Construction Management Plan shall 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.

Advice Notes

1. 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.
2. In relation to condition 14, the landscaping plan is to detail plant species which will provide, at minimum, a 1-metre high buffer screening parking areas from view of the street.

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

REASON: The panel considered the development application to be generally consistent with the planning framework and of an appropriate scale and land use mix for the location context. The design had been reviewed by the City's DRP and sufficiently modified by the applicant in response to comments received.

The parking provision was considered in the context of the Scheme, and also the WAPC guidance, and therefore discretion was applied whereby the shortfall under the Scheme provisions was considered to be of a moderate nature and not likely to create an amenity or operational impact given the opportunity for reciprocity across the Centre.

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Presiding Member, Metro Outer DAP



Technical reporting on matters of waste and noise management were adequately covered by conditions of approval. Overall, the proposal was regarded as fitting in terms of land use, design and operation within the Centre and surrounding residential context.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Bronwyn Smith & Cr Jacqui Huntley (Local Government DAP Members, City of Wanneroo) left the panel at 10:11am.

Clayton Higham
Presiding Member, Metro Outer DAP



PART C – CITY OF COCKBURN

Cr Tom Widenbar & Cr Tarun Dewan (Local Government DAP Members, City of Cockburn) joined the panel at 10:12am.

1. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 4.1, received on 6 February 2025.

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

Nil.

4. Form 2 DAP Applications

4.1 9043, 9053 and 305 Whadjuk Drive, Hammond Park – Hammond Park Neighbourhood Centre – DAP/23/02556

Deputations and Presentations

Kris Kennedy (Aigle Royal Group) addressed the DAP against the recommendation for the application at Item 4.1 and responded to questions from the panel.

Matthew Pears (Aigle Royal Group) responded to questions from the panel in relation to the application at Item 4.1.

The panel noted a written submission against the recommendation for the application at Item 4.1 was received from Glen Fowler (Woolworths Group).

The City of Cockburn addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.

Clayton Higham
Presiding Member, Metro Outer DAP



REPORT RECOMMENDATION

Moved by: Cr Tarun Dewan

Seconded by: Cr Tom Widenbar

That the Metro Outer DAP resolves to:

1. **Accept** that the DAP Application reference DAP/23/02556 as detailed on the DAP Form 2 dated 12 November 2024 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Refuse** DAP Application reference DAP/23/02556 and accompanying plans (dated 11 October 2024) 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, for the proposed amendments to the Entry mall kiosk and modifications to condition 5 relating to pylon signage to the approved Hammond Park Neighbourhood Centre at 9043, 9053, and 305 Whadjuk Drive, for the following reasons:

Reasons

1. The development is not consistent with orderly and proper planning and the preservation of the amenity of the locality if approved by the virtue of:
 - a. The proposed amendment to the approved signage and conditions of DAP/23/02556 is inconsistent with the objectives of Local Planning Policy 3.7 Signs and Advertising; and
 - b. Concerns such as the compatibility of the development due to the proposed height and scale; and
 - c. Concerns such as the visual amenity impact.
2. The proposal is inconsistent with the City of Cockburn Town Planning Scheme No.3 as it is contrary to:
 - a. Clause 4.6.3 Variations to Site and Development Requirements, whereby the City is not satisfied the non-compliance will not have an adverse effect upon the inhabitants of the locality; and
 - b. Clause 4.9.3 Amenity, sub section d) point (iii), the advertising signs are considered to detract from the streetscape; and
 - c. Clause 4.9.4 Convenience and Functionality, sub section a) the proposal is considered to impact the use and enjoyment of adjoining lots by way of visual amenity impacts.
3. Should the proposal be approved, it is considered to establish an undesirable precedent for future developments of a similar nature.

The Report Recommendation was put and LOST UNANIMOUSLY.

Clayton Higham
Presiding Member, Metro Outer DAP



ALTERNATE MOTION

Moved by: Karen Hyde

Seconded by: Cr Tarun Dewan

That the Metro Outer Development Assessment Panel resolves to:

Accept that the DAP Application reference DAP/23/02556 as detailed on the DAP Form 2 dated 12 November 2024 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;

Approve DAP Application reference DAP/23/02556 and accompanying plans (dated October 2024) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 3.4.2 of the City of Cockburn Town Planning Scheme No. 3, for the proposed minor amendment to the approved Hammond Park Neighbourhood Centre at 9043, 9053, and 305 Whadjuk Drive, subject to the following condition:

1. This approval varies the previous approval DAP/23/02556 issued on 14 December 2023 to the extent of the works shown on the development plans only. The conditions of DAP/23/02556 remain valid and continue to have effect, except that condition 5 is amended as per the below:

Amended Condition

Prior to issue of a Building Permit, plans and signage strategy are to be updated to amend the pylon signs as follows;

- Whadjuk Drive 12m pylon reduced to 6m in height; and
- Wattleup Road 10m Pylons reduced to 4m in height; and
- Wattleup Road 6m (central pylon) to be removed.

The Alternate Motion was put and CARRIED UNANIMOUSLY.

REASON: The modifications proposed to the development, in terms of the addition of a Kiosk and other minor modifications to floor plates was regarded as appropriate for a Form 2 application. These modifications were regarded as consistent with the previous approvals and provided contemporary inclusions to the development mix. These additions were therefore supportable and in providing an approval, the panel were providing clarity and certainty for the development as it moved through further assessment and building permits.

However, whilst the modifications proposed to the signage, including additional signage and height along the primary and secondary street facades, was included in the application, the panel felt that the modifications were of a significant nature that were inconsistent with the scale and amenity of the adjacent residential character.

Clayton Higham
Presiding Member, Metro Outer DAP



The current approval for signage already exceeded the Local Planning Policy and allowed for a scale of signage fitting the character of the neighbourhood. The approved signage could be viewed unobscured from the streetscapes and therefore additional height and scale, which could impact the overall 1-2 storey residential neighbourhood, was not justified.

5. Section 31 SAT Reconsiderations

Nil.

A handwritten signature in black ink, appearing to read 'Clayton Higham'.

Clayton Higham
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
DR146/2024 DAP/23/02523	City of Gosnells	65 (Lot 98) Mills Road West, Gosnells	Place of Worship	30/09/2024
DR148/2024 DAP/24/02696	City of Gosnells	Lot 8 (1510) Albany Highway, Beckenham	Service Station, Convenience Store and Signage	30/10/2024

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:55am.

Clayton Higham
Presiding Member, Metro Outer DAP