Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Friday, 5 November 2026; 9:30am
Meeting Number: MODAP/167
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
MODAP/167 - 5 November 2026 - Shire of Serpentine-Jarrahdale

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Noting of Minutes

PART B – SHIRE OF SERPENTINE-JARRAHDALE

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications

   4.1 Lot 60, 394 Robertson Road, Cardup - Proposed Retrospective and Prospective Concrete Product Manufacturing Facility - General Industry - Amendment to conditions of approval relating to the intersection upgrade at Norman Road and South Western Highway – DAP/23/02462
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

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

Francesca Lefante
Presiding Member, Metro Outer DAP

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DAP Members
Francesca Lefante (Presiding Member) Karen Hyde (Deputy Presiding Member) John Syme
Cr Joel Chan (Part B – Shire of Serpentine-Jarrahdale)

DAP Secretariat
Kristen Gray
Ashlee Kelly

Francesca Lefante
Presiding Member, Metro Outer DAP

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Part B – Shire of Serpentine-Jarrahdale
Applicant
Brendan Foley (Thomsons)
Alberto Ferraro (Permacast)
Darren Hedley (Permacast)
Behnam Bordbar (Transcore)
Lucia Cronin (Regen Strategic)
Officers/Technical Advisors in Attendance
Heather O'Brien
Andrew Trosic

Members of the Public / Media

Nil

Observers via livestream

There were 6 persons observing the meeting via the livestream.

Francesca Lefante
Presiding Member, Metro Outer DAP

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 1:07pm on 5 November 2026 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 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

Shire President Rob Coales (Local Government DAP Member, Shire of Serpentine-Jarrahdale)
Cr Nathan Bishop (Local Government DAP Member, Shire of Serpentine-Jarrahdale)
Cr Reece Jerrett (Local Government DAP Member, Shire of Serpentine-Jarrahdale)

3. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the DAP website.

Francesca Lefante
Presiding Member, Metro Outer DAP

PART B – SHIRE OF SERPENTINE-JARRAHDALE

1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for services and responsible authority response in relation to Item 4.1, received on 4 November 2026 was published in Part B of the Related Information.

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

Nil

4. Form 2 DAP Applications

4.1 Lot 60, 394 Robertson Road, Cardup - Proposed Retrospective and Prospective Concrete Product Manufacturing Facility - General Industry - Amendment to conditions of approval relating to the intersection upgrade at Norman Road and South Western Highway – DAP/23/02462

Deputations

Brendan Foley (Thomsons) addressed the DAP in support of the application at Item 4.1 and responded to questions from the panel.

Behnam Bordbar (Transcore) addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel

The Shire of Serpentine-Jarrahdale addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.

SUBSTANTIVE MOTION 1

Moved by: Cr Joel Chan **Seconded by:** NIL

That the Metro Outer Development Assessment Panel resolves to:

A. **Accept** that the DAP Application reference DAP/23/02462 as detailed on the DAP Form 2 dated 24 March 2026 is appropriate for consideration in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and

B. **Refuse** to amend DAP application reference DAP/23/02462 for amendment to Conditions (j) and (k) of the retrospectively approved Concrete Manufacturing Facility at Lot 60, 394 Robertson Road, Cardup relating to the intersection upgrade at Norman Road and South Western Highway in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, for the following reasons:

1. The application has not demonstrated that the existing intersection can safely accommodate the additional vehicles associated with the retrospectively approved Concrete Manufacturing Facility, without the physical road intersection upgrades taking place (or the equivalent monetary contribution paid to Main Roads WA to undertake the upgrade).

2. The proposed financial contribution in lieu of the intersection upgrade does not provide sufficient certainty that the upgrade will be undertaken, which is directly precipitated by the retrospectively approved development.

3. It would be inconsistent with the principles of orderly and proper planning to allow a retrospectively approved development to continue operating without certainty that the infrastructure required will be delivered.

The Substantive Motion LAPSED for want of a seconder.

SUBSTANTIVE MOTION 2

Moved by: Cr Joel Chan **Seconded by:** Karen Hyde

A. **Accept** that the DAP Application reference DAP/23/02462 as detailed on the DAP Form 2 dated 24 March 2026 is appropriate for consideration in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and

B. **Approve** to amend DAP application reference DAP/23/02462 by way of **deleting** Conditions (j) and (k) and not substituting with any other conditions, of the retrospectively **approved** Concrete Manufacturing Facility at Lot 60, 394 Robertson Road, Cardup relating to the intersection upgrade at Norman Road and South Western Highway in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011.*

C. **Request that** MRWA consider prioritising funding and delivery of the intersection upgrade, as part of its forward capital works plan.

All other conditions and requirements detailed on the previous approval dated 6 March 2024 shall remain unless altered by this application.

Francesca Lefante
Presiding Member, Metro Outer DAP

AMENDING MOTION 1

Moved by: Karen Hyde **Seconded by:** John Syme

That Condition No. C. be deleted and added as a New Advice Note that reads as follows:

> ***The applicant is advised that the Applicant and/or Shire may request that MRWA consider prioritising funding and delivery of the intersection upgrade, as part of its forward capital works plan.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The requirement is not a valid statutory condition and can only operate as an advice note.

SUBSTANTIVE MOTION (AS AMENDED)

A. **Accept** that the DAP Application reference DAP/23/02462 as detailed on the DAP Form 2 dated 24 March 2026 is appropriate for consideration in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and

B. **Approve** to amend DAP application reference DAP/23/02462 by way of **deleting** Conditions (j) and (k) and not substituting with any other conditions, of the retrospectively **approved** Concrete Manufacturing Facility at Lot 60, 394 Robertson Road, Cardup relating to the intersection upgrade at Norman Road and South Western Highway in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011.*

Advice Notes

1. The applicant is advised that the Applicant and/or Shire may request that MRWA consider prioritising funding and delivery of the intersection upgrade, as part of its forward capital works plan.

All other conditions and requirements detailed on the previous approval dated 6 March 2024 shall remain unless altered by this application.

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

REASON: The Panel was satisfied that the Form 2 modifications to Conditions (j) and (k), concerning the Norman Road and South Western Highway intersection upgrade, meet the requirements of Regulation 17 and do not alter the form or function of the proposal. The Panel also found that there had been no changes to the planning framework affecting the existing approval.

Francesca Lefante
Presiding Member, Metro Outer DAP

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Members noted that ongoing development, including the Tonkin Highway extension and amendments to the Mundijong District Structure Plan, will alter future traffic patterns on Norman Road and in the surrounding area. As a result, the development's proportionate use of the intersection is expected to decrease over time.

Having considered all documentation and submissions, including the traffic survey data, members concluded that requiring the applicant to fund the entire upgrade would be unreasonable and disproportionate to the development's traffic impacts, as demonstrated by the technical evidence. The applicant predominantly uses the road and intersection with 19-metre and 12-metre vehicles classified as "as of right". Other vehicle movements operate under licence with the necessary safeguards.

Members therefore found that the wording of the conditions and the agencies' interpretation of the requirements, including Main Roads' design details and quantities, placed a disproportionate burden on the applicant to deliver the road upgrades.

Members considered that the applicant's preparation of a road design in consultation with Main Roads, together with the offer of a financial contribution, represented a reasonable attempt to resolve the impasse and satisfy the conditions relating to the design and implementation of the road upgrade. However, the local government's unwillingness to assume responsibility for the funds left no clear means by which the applicant could comply. Members therefore considered that deleting the conditions in full was the relevant course of action.

5. Section 31 SAT Reconsiderations

Nil

Francesca Lefante
Presiding Member, Metro Outer DAP

PART C – 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**
DR79/2026	City of Cockburn	Lot 168 (81) Quill Way, Henderson	Mixed Commercial Development Henderson Business	28/05/2026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 2:07pm.

Francesca Lefante
Presiding Member, Metro Outer DAP

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