



Metro Outer Development Assessment Panel Related Information

Meeting Date and Time: Wednesday, 19 November 2025; 9:30am
Meeting Number: MODAP/115

PART B – CITY OF KWINANA

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 9501, No. 32 Meares Avenue, Kwinana Town Centre - Proposed Drive-In Takeaway Food Shop (McDonalds) – DAP/25/02957
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF WANNEROO

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 200 (51) Toreopango Avenue, Yanchep - Proposed Educational Establishment - Stage 1 – DAP/25/02953
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations



PART C – CITY OF WANNEROO

Applicant
Reegan Cake (Dynamic Planning) Brendan Foley (Thomson Geer) Scott Lambie (PTG Consulting)
Officers/Technical Advisors in Attendance
Ming Wai (Gaile) Chung Nick de Vecchis

1. Declarations of Due Consideration

2. Disclosure of Interests

Please note a standing declaration of interest, if the items on this agenda have been considered at the relevant local government council meeting or having attending a briefing session, the local government DAP members acknowledge that in accordance with section 2.4.5 of the DAP Code of Conduct 2025 they have declared that they had participated in a prior Council meeting in relation an item being determined at this meeting. However, under section 2.1.2 of the DAP Code of Conduct 2025, they 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.

3. Form 1 DAP Applications

3.1 Lot 200 (51) Toreopango Avenue, Yanchep - Proposed Educational Establishment - Stage 1 – DAP/25/02953

3.1.1 Deputations

Scott Lambie (PTG Consulting), Brendan Foley (Thomson Geer) and Reegan Cake (Dynamic Planning) speaking in support of the application at Item 3.1. The deputation will address support for the RAR recommendation for conditional approval and requests for condition changes.

The City of Wanneroo may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

3.1.2 Additional Information

Nil

4. Form 2 DAP Applications

Nil



5. Section 31 SAT Reconsiderations

Nil



Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2025 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

Before requesting to present to a DAP please review the Responsible Authority Report that has been published on the DAP website and consider whether any previous comments have been adequately addressed.

Your request will be determined by the Presiding Member based on relevance to the subject application, individual merit, other requests raising the same issues and likely contribution to the DAP's consideration and determination of the application.

Deputations are not to exceed **3 minutes**, unless otherwise approved by the Presiding Member. The Presiding Member may agree to or require combined deputations where the deputations are considered complementary to each other and would assist the efficiency and effectiveness of the DAP meeting.

In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your deputation request must be accompanied with a document setting out the deputation content.

Handouts or power points will not be accepted on the day.

In accordance with Clause 3.6.9 of the *DAP Standing Orders*, if your deputation request is not approved, the submitted content will be circulated to the DAP and published on the DAP website as a written submission.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Scott Lambie
Company (if applicable)	PTG Consulting
Relationship to proposed development	Applicant Representative
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.



Meeting Details

DAP Name	Metro Outer DAP
Meeting Date	19/11/2025
DAP Application Number	DAP/115
Property Location	Lot 200 (No. 51) Toreopango Avenue, Yanchep

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Will your deputation involve a presentation that requires power-point facilities?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Will you be attending in person or via electronic means	In person <input checked="" type="checkbox"/> Online <input type="checkbox"/>
I acknowledge that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant	YES <input checked="" type="checkbox"/>

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Expressing support for the RAR recommendation for conditional approval. However, to discuss some conditions requesting modifications.
--	--

Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-



Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2025 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

Before requesting to present to a DAP please review the Responsible Authority Report that has been published on the DAP website and consider whether any previous comments have been adequately addressed.

Your request will be determined by the Presiding Member based on relevance to the subject application, individual merit, other requests raising the same issues and likely contribution to the DAP's consideration and determination of the application.

Deputations are not to exceed **3 minutes**, unless otherwise approved by the Presiding Member. The Presiding Member may agree to or require combined deputations where the deputations are considered complementary to each other and would assist the efficiency and effectiveness of the DAP meeting.

In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your deputation request must be accompanied with a document setting out the deputation content.

Handouts or power points will not be accepted on the day.

In accordance with Clause 3.6.9 of the *DAP Standing Orders*, if your deputation request is not approved, the submitted content will be circulated to the DAP and published on the DAP website as a written submission.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Brendan Foley
Company (if applicable)	Thomson Geer
Relationship to proposed development	Applicant Representative
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.



Meeting Details

DAP Name	Metro Outer DAP
Meeting Date	19/11/2025
DAP Application Number	DAP/115
Property Location	Lot 200 (No. 51) Toreopango Avenue, Yanchep

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Will your deputation involve a presentation that requires power-point facilities?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Will you be attending in person or via electronic means	In person <input checked="" type="checkbox"/> Online <input type="checkbox"/>
I acknowledge that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant	YES <input checked="" type="checkbox"/>

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Expressing support for the RAR recommendation for conditional approval. However, to discuss some conditions requesting modifications.
--	--

Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-



Click or tap here to enter text.



Deputation Request Form

Regulation 40(3) and DAP Standing Orders 2025 cl. 3.6

Must be submitted at least 72 hours (3 calendar days) before the meeting

Deputation Request Guidelines

Before requesting to present to a DAP please review the Responsible Authority Report that has been published on the DAP website and consider whether any previous comments have been adequately addressed.

Your request will be determined by the Presiding Member based on relevance to the subject application, individual merit, other requests raising the same issues and likely contribution to the DAP's consideration and determination of the application.

Deputations are not to exceed **3 minutes**, unless otherwise approved by the Presiding Member. The Presiding Member may agree to or require combined deputations where the deputations are considered complementary to each other and would assist the efficiency and effectiveness of the DAP meeting.

In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your deputation request must be accompanied with a document setting out the deputation content.

Handouts or power points will not be accepted on the day.

In accordance with Clause 3.6.9 of the *DAP Standing Orders*, if your deputation request is not approved, the submitted content will be circulated to the DAP and published on the DAP website as a written submission.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Reegan Cake
Company (if applicable)	Dynamic Planning and Developments
Relationship to proposed development	Applicant Representative
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: <small>Click or tap here to enter text.</small>



Meeting Details

DAP Name	Metro Outer DAP
Meeting Date	19/11/2025
DAP Application Number	DAP/115
Property Location	Lot 200 (No. 51) Toreopango Avenue, Yanchep

Deputation Details

I have read the contents of the Responsible Authority Report contained in the published DAP Meeting Agenda	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Is your deputation in support or against the <u>proposed development</u> ?	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Will your deputation involve a presentation that requires power-point facilities?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Will you be attending in person or via electronic means	In person <input checked="" type="checkbox"/> Online <input type="checkbox"/>
I acknowledge that my deputation content <u>will be</u> published on the DAP website and circulated to the local government and applicant	YES <input checked="" type="checkbox"/>

Deputation Content*

Brief sentence summarising your deputation (To be included in the Related Information part of the agenda)	<i>The deputation will address:</i> Expressing support for the RAR recommendation for conditional approval. However, to discuss some conditions requesting modifications.
--	--

Please provide your deputation content below or attach as a separate document. Any document must be provided in Microsoft word (.doc), PDF (.pdf), PowerPoint .pptx) or Image (.jpeg) format and be no more than 5MB.

If your deputation references documents that are contained within the Responsible Authority Report and/or its attachments, please consider referencing the document rather than including a duplication of documents:-



Click or tap here to enter text.

METRO OUTER DEVELOPMENT ASSESSMENT PANEL
PROPOSED EDUCATIONAL ESTABLISHMENT
LOT 200 (NO. 51) TOREOPANGO AVENUE, YANCHEP



Site Aerial - Masterplan/Stage 1 Extent Overlay



SITE CONTEXT



- 400m from the Yanchep Train Station
- Located in a recently established/developing urban area.



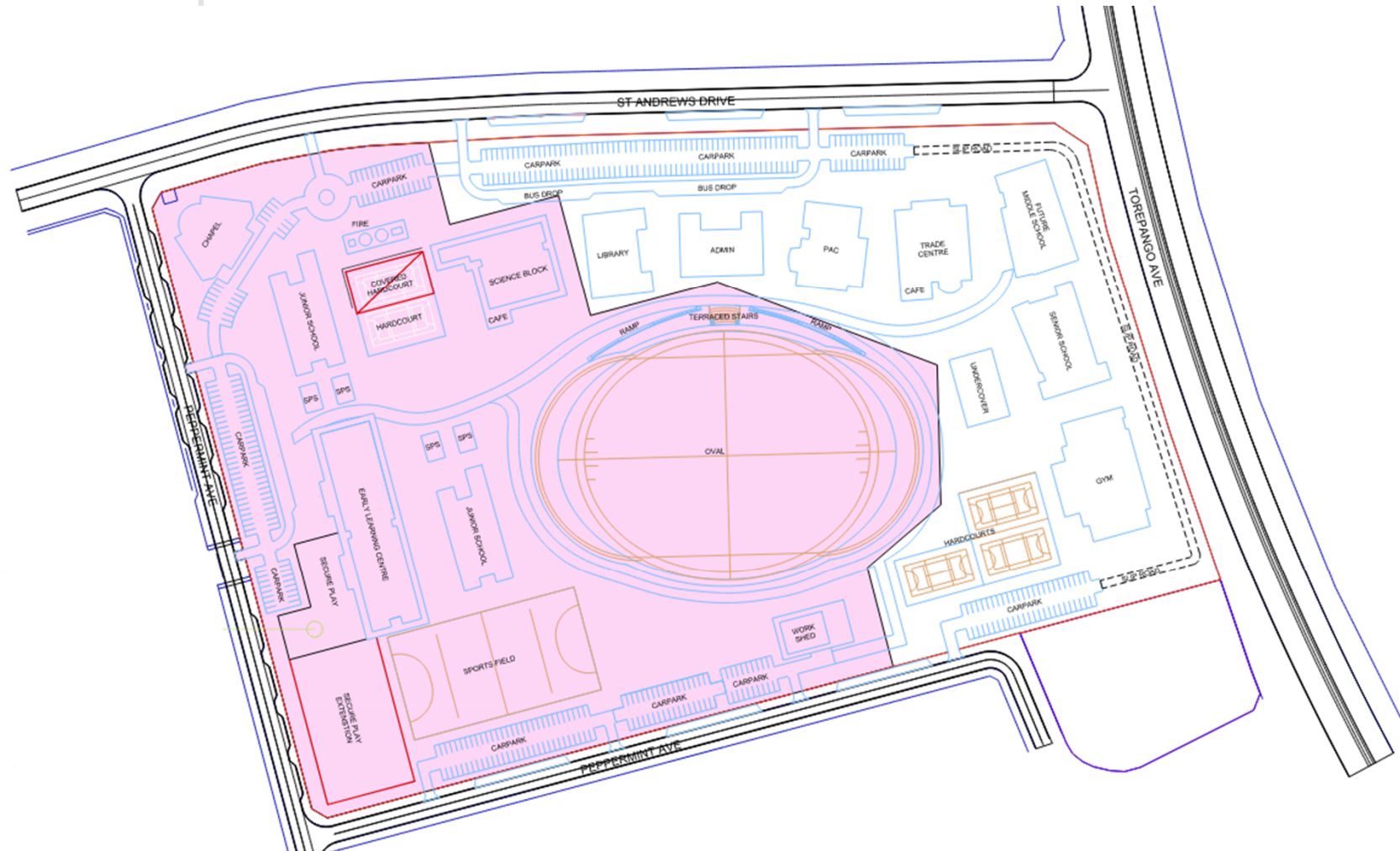
- Site is located adjacent to a planned Neighbourhood Centre around the train station
- Existing residential subdivisions being delivered around the site which is creating the surrounding road network



The site has been planned for a K-12 school since the inception of the structure planning. This application is a realisation of the LSP intent.

Proposed Development

- Development represents Stage 1 of the St Matthews Anglican School.
- Stage 1 is planned to accommodate 288 students based on St Matthews 10 year forward estimates. The built capacity of the Stage 1 works is 353 students.
- Subsequent stages of the school will be the subject of separate applications with Stage 2 likely to commence construction in 2028 to be ready for students in 2029.
- The overall capacity of the proposed school is expected to be 1200 students and 85 staff on a full-time equivalent basis.



Conditions 5 & 6 Notifications on Title

Deputation by Brendan Foley of Thomson Geer to address concerns with proposed conditions 5 & 6 (refer Thomson Geer letter dated 14 November 2025).

Our ref BRF:Tomahawk

14 November 2025

Clayton Higham
Presiding Member
Metro Outer Joint Development Assessment Panel
By Email: daps@dplh.wa.gov.au

Level 29, Central Park Tower
152-158 St Georges Terrace
Perth WA 6000 Australia

PO Box Z5025, St Georges Terrace
Perth WA 6831

T +61 8 9404 9100
F +61 8 9300 1338

Dear Mr Higham

MODAP/115 -19 November 2025

Item 3.1 – Lot 200 (51) Toreopango Avenue, Yanchep

Proposed Educational Establishment – Stage 1 – DAP/25/02953

Submission in opposition to Responsible Authority Recommendation Condition 5 and 6 – 70A notifications

- 1 I act for the Anglican Schools Commission Inc., the owner and future operator of the school contemplated by this application.
- 2 I have been instructed to oppose the Responsible Authority Recommendation conditions 5 and 6, both of which relate to the imposition of notifications pursuant to s.70A of the *Transfer of Land Act 1893 (TLA)*, and make submissions to the JDAP accordingly.
- 3 Proposed Condition 5 states:
 5. A notification, pursuant to Section 70A of the *Transfer of Land Act 1893*, is to be placed on the certificate of title of the lot advising that:

“The intersection of St Andrews Drive and Peppermint Avenue is subject to future modifications or upgrades, which may include conversion to a left-in / left-out access only arrangement.”

Notice of the notification is to be included on the diagram or plan of survey (deposited plan). The notification must be placed on the certificate of title of the lot prior to the commencement of the use on the site.
- 4 Proposed Condition 6 states:
 6. A notification, pursuant to Section 70A of the *Transfer of Land Act 1893*, is to be placed on the certificate of title of the lot advising that:

“The lot is situated in the vicinity of transport corridor and is currently affected or may in future be affected by transport noise.”

Notice of the notification is to be included on the diagram or plan of survey (deposited plan). The notification must be placed on the certificate of title of the lot prior to the commencement of the use on the site.

Issue with the wording of both conditions

- 5 Both conditions, as drafted, are inconsistent with caselaw in respect of the correct wording of s.70A notifications conditions.
- 6 This type of wording was considered by the Supreme Court in the matter of ***Presiding Member of the Metropolitan Central Joint Development Assessment Panel v 43 McGregor Road Pty Ltd*** [2018] WASC 98 at [35-36] & [45] (**43 McGregor Road**).
- 7 The Supreme Court confirmed that only a local government or a public authority has power to cause a notification to be prepared and lodged with the Registrar under s 70A of the TLA. As the JDAP is not a public authority it does not have power to cause a notification to be lodged under s 70A. The proper construction of the TLA s 70A is that the lodging party must be the responsible local government or a public authority.

- 8 The local government or the JDAP have should therefore not impose a condition requiring or directing an owner to lodge a s.70A notification prior to occupation, because it is not within an owner's power to do so.
- 9 The relevant power, if any, is to make a condition of development approval that the owner provide consent to the local government to enable the lodging of a notification (not that it be lodged or registered).

Particular issue with Proposed Condition 5

- 10 The purpose of a notification under s.70A of the TLA is to give notice to prospective future owners of property of hazards or factors which may affect the amenity or enjoyment of the land.
- 11 The Western Australian Planning Commission (**WAPC**) has published a fact sheet dealing with notification on titles to guide decision makers and to ensure consistency of decision making (**WAPC's Guide**).
- 12 The WAPC's Guide provides that notifications on title should only be imposed where development of land is impacted by hazards or other factors that seriously affect the use and enjoyment of the land.
- 13 The WAPC's Guide provides that the following matters are relevant when considering the imposition of a notification condition:

- the permanency of the hazard or other factor impacting the use and enjoyment of the land
- the significance of the hazard or other factor in terms of its effect on the use or enjoyment of the land
- whether the hazard or other factor is apparent or obvious on inspection of the land
- indication of the hazard would not normally be found in other documentation relating to the land, such as a local planning scheme.

- 14 The WAPC's Guide explains this further, by providing that decision makers should take the following factors into consideration:

(i) Planning justification

Notifications should only be considered following a planning assessment which concludes that a notification on title is desirable on planning grounds and is supported by a policy position.

(ii) Purpose

A notification is an instrument used to advise current and prospective owners of land of a hazard or other factor; it is not a means of rendering acceptable a situation which in terms of the use or enjoyment of the land is clearly not acceptable.

(iii) Relevancy

The notification must relate to hazards or other factors that the WAPC has determined would seriously affect the use or enjoyment of the land.

(iv) Permanency

The hazard or other factor is permanent or likely to remain in place for an extended period of time.

(v) Necessity

Where it is established under normal circumstances a hazard or other factor would not be obvious on an inspection of the land, such as aircraft noise or unexploded ordnance.

- 15 Consistent with caselaw on the matter, the WAPC's Guide also lists the matters that may be the subject of a notification as follows:

- bushfire prone areas
- unexploded ordnance
- areas vulnerable to coastal erosion and/or inundation
- noise (aircraft, transport noise from the proximity of a transport corridor and entertainment precincts)
- mosquito impact (from proximity to mosquito breeding areas)
- emissions from industrial activities (such as dust, odour, noise, light pollution, vibration).

- 16 The City of Wanneroo (**City**) also produce an information sheet regarding section 70A notifications, and provides a list of examples to which notifications may be directed as follows:

Bushfire Management Plans	The site or part of the site is subject to a Bushfire Management Plan.
Bushfire Prone Areas	The site or part of the site falls within a 'bushfire prone area' as designed by an Order managed by the Fire and Emergency Services Commissioner under 18P of the <i>Fire and Emergency Services Act 1998</i> .
Local Development Plans	The site is subject to a Local Development Plan.
Transport Corridor	The site or part of the site is situated in the vicinity of a transport corridor and is currently effected, or may in the future be affected by transport noise.
Contaminated Site	The site or part of the site is contaminated.
Hazards	A hazard may affect the land, e.g. residential lots on land previously used as explosive depots.
Pollution	The land may be affected by emissions from a nearby land use, e.g. transport, noise, odour from poultry farm, dust from farms, noise from kennels.
Water Supplies	To advise that no reticulated water supply can be provided to the land by a licensed water services supplier and as a consequence, the owner will be required to make their own arrangements to provide an adequate water supply to the property.

- 17 In this case, potential future roadworks in a newly developing area is not a matter to which a s.70A notification would ordinarily be directed, required or imposed.
- 18 The State Administrative Tribunal (**Tribunal**) has commented on the incorrect use and application of s.70A notifications, and refused to impose such conditions in a number of matters (see eg: ***Miragliotta v Town of Vincent*** [2008] WASAT 207 (**Miragliotta**), ***Real Estate Institute of Western Australia v City of Subiaco*** [2009] WASAT 111 (**REI v Subiaco**), ***L R Archibald & Co Pty Ltd v Western Australian Planning Commission*** [2010] WASAT 129, ***Firkins v Town of Claremont*** [2011] WASAT 207; ***Moore v Town of Cottesloe*** [2016] WASAT 58).
- 19 Consistent with those decisions, in order for a s.70A condition to be reasonably required, the matter to be alerted to must be unusual, seasonal or hidden.
- 20 In this case, the potential for future road works/ upgrades in a newly developing area is not unusual, seasonal or hidden, and therefore should not be imposed.
- 21 As was also noted by the Tribunal in ***Miragliotta*** at [25], and cited with approval in later cases, as to why such conditions should not be imposed from a policy and administration perspective. it was said:

"...to require typical or usual [matters] to be notified on title would impose a significant and unnecessary burden on the carrying out of development in Western Australia and would be contrary to the purpose of the PD Act to 'provide for an efficient and effective land use planning system in the State' (s 3(1)(b))."

Furthermore, if typical or usual [matters] were required to be notified on title, and if a use were regulated by a development approval granted before the introduction of s 70A of the TL Act, or if a planning authority failed to impose a condition requiring notification in a particular case, proprietors or prospective proprietors of land may be misled into thinking that the absence of notification of conditions on title means that there are no [matters which may impact the ultimate or long term] use of the land."

- 22 There is nothing unusual in the particular circumstances of this case that might make future purchasers of the site mistakenly believe that further intensification of land use, development and road works surrounding the development will or may not occur in the future. Proposed Condition 5 should not therefore be imposed.

Particular issue with Proposed Condition 6

- 23 As noted at paragraphs 5 – 9 above, the SAT and Supreme Court have consistently found that wording similar to Proposed Condition 6 to be invalid, because the owner of the land cannot actually lodge a s.70A notification.
- 24 As was confirmed by the Supreme Court in *43 McGregor Road* at [32], only a local government or a public authority has power to cause a notification to be prepared and lodged with the Registrar under s 70A of the TLA.
- 25 Where unusual significant matters impacting the use or enjoyment of the land are likely to occur and a s.70A notification has first been found to be appropriate, the SAT has imposed a condition simply requiring the owner to provide its consent to the imposition of the s.70A notification to the local government (ie. the condition does not require the actual imposition).

Yours sincerely



Brendan Foley

Special Counsel

T +61 8 9404 9126

M +61 402 577 770

E bfoley@tglaw.com.au

Condition 3

Amending the wording of Condition 3 to modify the capacity of Stage 1 to 353 students.

- This would align with the built capacity / limits as opposed to the schools strategic planning.
- The increase in the capacity of Stage 1, should it be realised, will have an immaterial impact on the surrounding road network and intersection function as modelled by PTG who will explain the findings of the remodeling.

PTG – Traffic Modelling Analysis

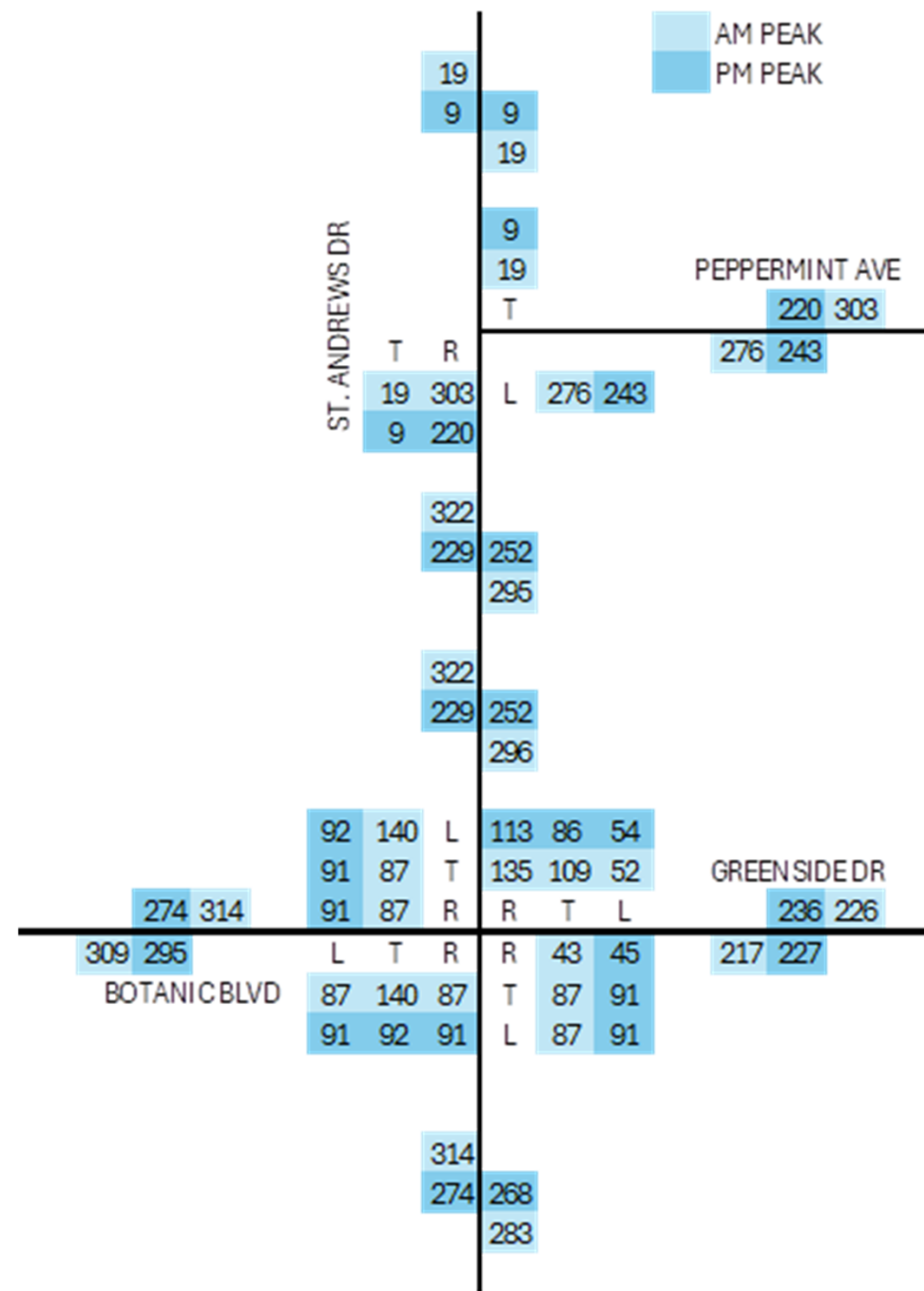
PTG has re-run the SIDRA for the school based on an increase in student numbers which concludes the intersection performance is still fine.

Trip generation has been estimated based on an enrolment of 353 students, and the updated trip generation summary is provided below:

Year	AM Peak		PM Peak	
	IN	OUT	IN	OUT
2028	193	147	94	108
Total	340		202	

The figure below presents the revised 2032 traffic volumes, exiting road network and the corresponding SIDRA analysis results are provided in the following:

PTG – Traffic Modelling Analysis



PTG – Traffic Modelling Analysis

SIDRA Results - St. Andrews Drive / Botanic Boulevard / Greenside Drive – (2032)

Intersection Approach	Turn	AM Peak				PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
St. Andrews Drive (South)	L2	0.1	5	LOS A	4.2	0.097	4.8	LOS A	4.1
	T1	0.19	4.2	LOS A	8.8	0.151	4	LOS A	6.7
	R2	0.19	10	LOS A	8.8	0.151	9.8	LOS A	6.7
Greenside Drive (East)	L2	0.235	6.1	LOS A	10.3	0.237	5.8	LOS A	10.3
	T1	0.235	6.2	LOS A	10.3	0.237	6	LOS A	10.3
	R2	0.235	10.9	LOS B	10.3	0.237	10.6	LOS B	10.3
St. Andrews Drive (North)	L2	0.307	5.2	LOS A	15.6	0.265	5.2	LOS A	12.9
	T1	0.307	4.8	LOS A	15.6	0.265	4.8	LOS A	12.9
	R2	0.307	9.3	LOS A	15.6	0.265	9.3	LOS A	12.9
Botanic Boulevard (West)	L2	0.328	5	LOS A	17	0.274	4.5	LOS A	13.5
	T1	0.328	6.2	LOS A	17	0.274	5.8	LOS A	13.5
	R2	0.328	9.4	LOS A	17	0.274	9	LOS A	13.5

SIDRA Results - St. Andrews Drive / Peppermint Avenue – (2032)

Intersection Approach	Turn	AM Peak				PM Peak			
		DOS	Delay (s)	LOS	95% Queue (m)	DOS	Delay (s)	LOS	95% Queue (m)
St. Andrews Drive (South)	T1	0.197	0.1	LOS A	8.3	0.139	0	LOS A	5.5
	R2	0.197	5	LOS A	8.3	0.139	4.9	LOS A	5.5
Peppermint Avenue (East)	L2	0.186	4.7	LOS A	6.8	0.162	4.6	LOS A	5.8
St. Andrews Drive (North)	T1	0.011	0	LOS A	0	0.005	0	LOS A	0

Condition 13

Modify wording of Condition 13 to read *'Prior to occupancy, a revised detailed landscaping plan for the subject site and the adjoining verges must be lodged, approved, implemented and maintained thereafter, to the satisfaction of the City. The landscaping plan must include a plant legend outlining botanical and common names and plant quantities, densities, confirmation of mulch details, and planting location and shade trees'*.

- Landscaping is one of the final elements of the construction process and modifying the timing of this condition will allow a building permit to be issued for the earlier phases of the build prior to resolving the landscaping outcome.

Condition 18

Modify wording of Condition 18 to read *'Prior to occupancy, a lighting plan is to be submitted for approval and thereafter installed along all driveways, pedestrian paths, car parking areas and in all common service areas in accordance with the approved plan.'*

- Similar to landscaping, lighting is one of last elements of the construction process and modifying the timing of this condition will allow a building permit to be issued for the earlier phases of the build prior to resolving the proposed lighting.