



## **Metro Outer Joint Development Assessment Panel Minutes**

**Meeting Date and Time:** Thursday, 9 September 2021; 9:30am  
**Meeting Number:** MOJDAP/122  
**Meeting Venue:** Electronic means

*This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person.*

### **1 Table of Contents**

<b>1. Opening of Meeting, Welcome and Acknowledgement.....</b>	<b>3</b>
<b>2. Apologies.....</b>	<b>3</b>
<b>3. Members on Leave of Absence.....</b>	<b>3</b>
<b>4. Noting of Minutes.....</b>	<b>3</b>
<b>5. Declaration of Due Consideration.....</b>	<b>3</b>
<b>6. Disclosure of Interests.....</b>	<b>3</b>
<b>7. Deputations and Presentations.....</b>	<b>3</b>
<b>8. Form 1 – Responsible Authority Reports – DAP Applications.....</b>	<b>4</b>
8.1 Lot 1 (941) Whitfords Avenue, Woodvale.....	4
<b>9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval .....</b>	<b>12</b>
9.1 Lot 138 (7) Honeybee Parade, Banksia Grove.....	12
<b>10. State Administrative Tribunal Applications and Supreme Court Appeals ...</b>	<b>15</b>
<b>11. General Business.....</b>	<b>15</b>
<b>12. Meeting Closure .....</b>	<b>15</b>



## **Attendance**

### **DAP Members**

Mr Ian Birch (Presiding Member)  
Ms Sheryl Chaffer (Deputy Presiding Member)  
Mr Justin Page (A/Third Specialist Member)

#### *Item 8.1*

Cr Suzanne Thompson (Local Government Member, City of Joondalup)  
Cr Nige Jones (Local Government Member, City of Joondalup)

#### *Item 9.1*

Cr Frank Cvitan (Local Government Member, City of Wanneroo)  
Cr Vinh Nguyen (Local Government Member, City of Wanneroo)

### **Officers in attendance**

#### *Item 8.1*

Mr Chris Leigh (City of Joondalup)  
Mr Tim Thornton (City of Joondalup)

#### *Item 9.1*

Ms Catherine Temple (City of Wanneroo)  
Mr Nick Bertone (City of Wanneroo)

### **Minute Secretary**

Ms Zoe Hendry (DAP Secretariat)  
Ms Ashlee Kelly (DAP Secretariat)

### **Applicants and Submitters**

#### *Item 8.1*

Mr Robert Walker (Planning Solutions)  
Mr Josh Watson (Planning Solutions)  
Mr Larry Chantivong (Unique Thai Cuisine)  
Ms Suzanne Apps

#### *Item 9.1*

Mr Reece Hendy (Planning Solutions)  
Mr Behnam Bordbar (Transcore)  
Ms Fiona Garvey (Liberty Oil)

### **Members of the Public / Media**

There were 4 members of the public in attendance.  
Ms Tammie Dunn requested being recorded as attending.

Ms Tyler Brown from Perth Now was in attendance.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:35am on 9 September 2021 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 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

### 1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 which states 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.', the meeting would not be recorded.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

## 2. Apologies

Mr Jason Hick (Third Specialist Member)  
Cr Philippa Taylor (Local Government Member, City of Joondalup)

## 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](#).

## 5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

## 6. Disclosure of Interests

Nil

## 7. Deputations and Presentations

7.1 Mr Larry Chantivong (Unique Thai Cuisine) addressed the DAP against the recommendation for the application at Item 8.1.

7.2 Ms Suzanne Apps addressed the DAP against the recommendation for the application at Item 8.1.



**7.3** Mr Josh Watson (Planning Solutions) addressed the DAP in support of the recommendation for the application at Item 8.1. Mr Watson and Mr Benham Bordbar (Transcore) responded to questions from the panel.

**7.4** City of Joondalup officers addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

***The presentations at Items 7.2 - 7.3 were heard prior to the application at Item 8.1.***

**7.5** Mr Reece Hendy (Planning Solutions) addressed the DAP against the recommendation for the application at Item 9.1 and responded to questions from the panel.

**7.6** Mr Behnam Bordbar (Transcore) addressed the DAP against the recommendation for the application at Item 9.1 and responded to questions from the panel.

**7.7** City of Wanneroo officers addressed the DAP in relation to the application at Item 9.1 and responded to questions from the panel.

***The presentations at Items 7.2 - 7.3 were heard prior to the application at Item 9.1.***

## **8. Form 1 – Responsible Authority Reports – DAP Applications**

### **8.1 Lot 1 (941) Whitfords Avenue, Woodvale**

Development Description:	Redevelopment of Existing Service Station and Fast Food Outlet Addition
Applicant:	Planning Solutions
Owner:	Bass Management Pty Ltd
Responsible Authority:	City of Joondalup
DAP File No:	DAP/21/02012

### **REPORT RECOMMENDATION**

**Moved by:** Ms Sheryl Chaffer

**Seconded by:** Cr Nige Jones

That the Metro Outer JDAP resolves to:

- 1. Approve** DAP Application reference DAP/21/02012 and accompanying plans (Attachment 2) 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 Joondalup *Local Planning Scheme No.3*.

### **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.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



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. This approval only relates to the service station, fast food outlet, signage and associated works as indicated on the approved plans. Development shall be undertaken in accordance with the approved plan(s), any other supporting information and conditions of approval. It does not relate to any other development on the lots.
4. A Construction Management Plan shall be submitted to and approved by the City prior to the commencement of development. The management plan shall include details regarding mitigation measures to address impacts associated with construction works and shall be prepared to the specification and satisfaction of the City. The construction works shall be undertaken in accordance with the approved Construction Management Plan.
5. A schedule of colours and materials for all exterior parts to the development, including the transformer shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
6. The proposed 1.5-metre-wide awning shall extend for the length of the Fast-food Outlet building along the eastern elevation. Details shall be submitted to and approved by the City prior to commencement of development. Development shall be in accordance with these approved details.
7. Any proposed building plant and equipment, including air conditioning units piping, ducting and water tanks shall be located to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings. Details shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with these approved details.
8. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
9. The five proposed car parking bays located on the northern side of the site, adjacent the shared accessway, shall be for used for staff parking only, and shall be sign posted or marked accordingly.
10. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



11. Detailed landscaping plans shall be submitted to and approved by the City prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of both sites and the adjoining road verge(s), and shall:
  - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - Provide all details relating to paving, treatment of verges and tree planting in the car park;
  - Include the required shade trees within new car parking areas;
  - Show spot levels and/or contours of the site;
  - Be based on water sensitive urban design principles to the satisfaction of the City;
  - Outline what works are required within the subject sites and adjacent verges to ensure compliance with AS3959;
  - Be based on Designing out Crime principles to the satisfaction of the City; and,
  - Show all irrigation design details.
12. Landscaping and reticulation within the subject site and the adjacent verge areas shall be established and thereafter maintained by and at the cost of, the landowner/applicant in accordance with the approved landscaping plans, Australian Standards (including AS3959) and best trade practice prior to the development first being occupied to the satisfaction of the City.
13. A Waste Management Plan shall be submitted to and approved by the City prior to the commencement of development. The waste management plan shall include the method of rubbish collection for the development and the management of potential litter from the fast food outlet. All waste management shall be in accordance with the approved Waste Management Plan.
14. A Lighting Plan shall be submitted to the City for approval prior to the commencement of construction. The Lighting Plan shall include details on how any lighting, including lighting associated with any signage, has been designed and managed to minimise the impact on any surrounding residential development. Lighting shall be maintained in accordance with the Lighting Plan to the satisfaction of the City.
15. Signage is to be established and thereafter maintained to a high standard to the satisfaction of the City and shall:
  - not include fluorescent, reflective or retro reflective colours; and,
  - use low illumination that does not flash, pulsate or chase.
16. All development shall be contained within the property boundaries.
17. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.



## Advice Notes

1. The City of Joondalup *Local Planning Scheme No. 3* defines:
  - ‘Service station’ as:  
“premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for:
    - (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience retail nature; and/or
    - (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.”
  - ‘Fast food outlet’ as:  
“premises other than a lunch bar, 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.
2. Any existing footpath and kerbing shall be retained and protected during construction of the development and shall not be removed or altered for the purposes of a vehicle crossover. Should the footpath/kerb be damaged during the construction of the development, it shall be reinstated to the satisfaction of the City.
3. The applicant/owner is advised that verge treatments are required to comply with the City’s Street Verge Guidelines. A copy of the Guidelines can be obtained at <http://www.joondalup.wa.gov.au/Live/Streetscapes/StreetVergeGuidelines.aspx>.
4. In regard to condition 4, the construction management plan shall be prepared using the City’s Construction Management Plan template which can be provided upon request.
5. All lighting to the centre is to be designed to minimise light spillage onto the surrounding residential properties and be in accordance with the requirements of Australian Standard AS1158.
6. With regard to the landscaping plan required by condition 11, it is advised that a third shade tree is required adjacent to the eastern row of car parking bays.



## AMENDING MOTION

**Moved by:** Mr Justin Page

**Seconded by:** Ms Sheryl Chaffer

That two new conditions No.18 and 19 be added to read as follows:

18. *A Delivery Management Plan indicating the timing of deliveries, waste collection and fuel delivery is to be submitted to and approved by the City prior to the commencement of development. Consideration shall be given to deliveries avoiding peak usage of the premises. Deliveries shall to be undertaken in accordance with the approved Delivery Management Plan to the satisfaction of the City.*
19. *A Noise Management Plan shall be submitted to and approved by the City prior to the commencement of development. Noise management shall be undertaken in accordance with the approved Noise Management Plan to the satisfaction of the City.*

**The Amending Motion was put and CARRIED UNANIMOUSLY**

**REASON:** To ensure that concerns raised regarding potential impact on traffic conditions and amenity of nearby residents are addressed.

### REPORT RECOMMENDATION (AS AMENDED)

That the Metro Outer JDAP resolves to:

1. **Approve** DAP Application reference DAP/21/02012 and accompanying plans (Attachment 2) 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 Joondalup *Local Planning Scheme No.3*.

### 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. This approval only relates to the service station, fast food outlet, signage and associated works as indicated on the approved plans. Development shall be undertaken in accordance with the approved plan(s), any other supporting information and conditions of approval. It does not relate to any other development on the lots.

Mr Ian Birch  
Presiding Member, Metro Outer JDAP



4. A Construction Management Plan shall be submitted to and approved by the City prior to the commencement of development. The management plan shall include details regarding mitigation measures to address impacts associated with construction works and shall be prepared to the specification and satisfaction of the City. The construction works shall be undertaken in accordance with the approved Construction Management Plan.
5. A schedule of colours and materials for all exterior parts to the development, including the transformer shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
6. The proposed 1.5-metre-wide awning shall extend for the length of the Fast-food Outlet building along the eastern elevation. Details shall be submitted to and approved by the City prior to commencement of development. Development shall be in accordance with these approved details.
7. Any proposed building plant and equipment, including air conditioning units piping, ducting and water tanks shall be located to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings. Details shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with these approved details.
8. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
9. The five proposed car parking bays located on the northern side of the site, adjacent the shared accessway, shall be for used for staff parking only, and shall be sign posted or marked accordingly.
10. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Off-street Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.



11. Detailed landscaping plans shall be submitted to and approved by the City prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of both sites and the adjoining road verge(s), and shall:
  - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - Provide all details relating to paving, treatment of verges and tree planting in the car park;
  - Include the required shade trees within new car parking areas;
  - Show spot levels and/or contours of the site;
  - Be based on water sensitive urban design principles to the satisfaction of the City;
  - Outline what works are required within the subject sites and adjacent verges to ensure compliance with AS3959;
  - Be based on Designing out Crime principles to the satisfaction of the City; and,
  - Show all irrigation design details.
12. Landscaping and reticulation within the subject site and the adjacent verge areas shall be established and thereafter maintained by and at the cost of, the landowner/applicant in accordance with the approved landscaping plans, Australian Standards (including AS3959) and best trade practice prior to the development first being occupied to the satisfaction of the City.
13. A Waste Management Plan shall be submitted to and approved by the City prior to the commencement of development. The waste management plan shall include the method of rubbish collection for the development and the management of potential litter from the fast food outlet. All waste management shall be in accordance with the approved Waste Management Plan.
14. A Lighting Plan shall be submitted to the City for approval prior to the commencement of construction. The Lighting Plan shall include details on how any lighting, including lighting associated with any signage, has been designed and managed to minimise the impact on any surrounding residential development. Lighting shall be maintained in accordance with the Lighting Plan to the satisfaction of the City.
15. Signage is to be established and thereafter maintained to a high standard to the satisfaction of the City and shall:
  - not include fluorescent, reflective or retro reflective colours; and,
  - use low illumination that does not flash, pulsate or chase.
16. All development shall be contained within the property boundaries.
17. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
18. A Delivery Management Plan indicating the timing of deliveries, waste collection and fuel delivery is to be submitted to and approved by the City prior to the commencement of development. Consideration shall be given to deliveries avoiding peak usage of the premises. Deliveries shall be undertaken in accordance with the approved Delivery Management Plan to the satisfaction of the City.



19. A Noise Management Plan shall be submitted to and approved by the City prior to the commencement of development. Noise management shall be undertaken in accordance with the approved Noise Management Plan to the satisfaction of the City.

### Advice Notes

1. The City of Joondalup *Local Planning Scheme No. 3* defines:
  - ‘Service station’ as:  
“*premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for:*
    - (a) *the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience retail nature; and/or*
    - (b) *the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.”*
  - ‘Fast food outlet’ as:  
“*premises other than a lunch bar, 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.*
2. Any existing footpath and kerbing shall be retained and protected during construction of the development and shall not be removed or altered for the purposes of a vehicle crossover. Should the footpath/kerb be damaged during the construction of the development, it shall be reinstated to the satisfaction of the City.
3. The applicant/owner is advised that verge treatments are required to comply with the City’s Street Verge Guidelines. A copy of the Guidelines can be obtained at <http://www.joondalup.wa.gov.au/Live/Streetscapes/StreetVergeGuidelines.aspx>.
4. In regard to condition 4, the construction management plan shall be prepared using the City’s Construction Management Plan template which can be provided upon request.
5. All lighting to the centre is to be designed to minimise light spillage onto the surrounding residential properties and be in accordance with the requirements of Australian Standard AS1158.



6. With regard to the landscaping plan required by condition 11, it is advised that a third shade tree is required adjacent to the eastern row of car parking bays.

**The Report Recommendation (as amended) was put and CARRIED (4/1).**

For: Mr Ian Birch  
Ms Sheryl Chaffer  
Mr Justin Page  
Cr Nige Jones

Against: Cr Suzanne Thompson

**REASON:** Having regard for the assessment in the Responsible Authority Report and noting that in part the application is to replace an existing service station, by majority, with suitable conditions of approval, the panel accepted that the application was consistent with the overall planning objectives and satisfied development requirements for the Woodvale District Centre Commercial Zone.

*Cr Nige Jones and Cr Suzanne Thompson (City of Joondalup) left the panel at 11:10am.*

*Cr Frank Cvitan and Cr Vinh Nguyen (City of Wanneroo) joined the panel at 11:10am*

**9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval**

**9.1 Lot 138 (7) Honeybee Parade, Banksia Grove**

Development Description:	Modifications to Service Station and Showrooms (Pylon Sign)
Proposed Amendments:	Modifications to an existing Service Station Pylon Sign
Applicant:	Planning Solutions
Owner:	Accord Perth Eden Beach Pty Ltd
Responsible Authority:	City of Wanneroo
DAP File No:	DAP/19/01700

**PROCEDURAL MOTION**

**Moved by:** Cr Frank Cvitan

**Seconded by:** Cr Vinh Nguyen

That the consideration of DAP Application DAP/19/01700 be deferred until no later than 29 October 2021, in accordance with section 5.10.1a of the DAP Standing Orders 2020, for the following reasons:

- That the City of Wanneroo investigate further options for signage at 6 metres and options for the removal of trees

**The Procedural Motion was put and LOST (2/3).**

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



For: Cr Frank Cvitan  
Cr Vinh Nguyen

Against: Mr Ian Birch  
Ms Sheryl Chaffer  
Mr Justin page

## REPORT RECOMMENDATION

**Moved by:** Cr Frank Cvitan

**Seconded by:** Cr Vinh Nguyen

That the Metro Outer JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/19/01700 as detailed on the DAP Form 2 dated 29 June 2021 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/19/01700 and accompanying plans accompanying plans provided in **Attachment 2** 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 68 of the City of Wanneroo District Planning Scheme No. 2, for the proposed modification to the approved Service Station and Showrooms at Lot 138 (7) Honeybee Parade, Banksia Grove for the following reasons:

### Reason

1. The proposed signage is inconsistent with the objectives of the City's Local Planning Policy 4.6 – Signage, by way of height, prominence and scale, thereby negatively impacting on the amenity of the area.

*Ms Sheryl Chaffer left the panel at 12:35pm*

## PROCEDURAL MOTION

**Moved by:** Cr Frank Cvitan

**Seconded by:** Mr Justin Page

That the meeting be adjourned for 5 minutes.

**The Procedural Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** To allow the panel members a comfort break

The meeting adjourned at 11:36pm  
The meeting reconvened at 11:41pm

*Ms Sheryl Chaffer re-joined the panel at 12:41pm*

*Ms Sheryl Chaffer left the panel at 12:42pm*

Mr Ian Birch  
Presiding Member, Metro Outer JDAP



**The Report Recommendation was put and LOST WITH THE CASTING VOTE (2/2).**

For: Cr Frank Cvitan  
Cr Vinh Nguyen

Against: Mr Ian Birch  
Mr Justin Page

*Due to the equality of votes, the Presiding Member exercised a casting vote in accordance with Section 5.13.1 of the Standing Orders 2020.*

**ALTERNATE MOTION**

**Moved by:** Mr Justin Page

**Seconded by:** Mr Ian Birch

That the Metro Outer JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/19/01700 as detailed on the DAP Form 2 dated 29 June 2021 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve DAP** Application reference DAP/19/01700 and accompanying plans provided in **Attachment 2** 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 68 of the City of Wanneroo District Planning Scheme No. 2, for the proposed modification to the approved Service Station and Showrooms at Lot 138 (7) Honeybee Parade, Banksia Grove for the following condition:

**Additional Condition**

23. The replacement pylon sign is to be established and thereafter maintained to a high standard to the satisfaction of the City and shall:
  - a) Not include fluorescent, reflective or retro reflective colours; and
  - b) Use low illumination that does not flash, pulsate or chase.

**The Alternate Motion was put and CARRIED WITH THE CASTING VOTE (2/2).**

For: Mr Ian Birch  
Mr Justin Page

Against: Cr Frank Cvitan  
Cr Vinh Nguyen

*Due to the equality of votes, the Presiding Member exercised a casting vote in accordance with Section 5.13.1 of the Standing Orders 2020.*



**REASON:** Having regard for concern raised in the independent Road Safety Audit over the visibility of the existing sign for motorists travelling along Pinjar Road, by majority, the panel considered that increasing the height of the sign was the best solution in dealing with this safety problem. In reaching this conclusion, it was noted that opportunities to relocate the sign were limited and would appear unlikely to resolve the problem and that clearing of existing verge trees was not favoured by city administration and was considered to be a less favourable outcome in terms of overall visual amenity.

## 10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications –

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01708 DR 138/2020	City of Kwinana	Lot 108 Kwinana Beach Road, Kwinana	Proposed Bulk Liquid Storage for GrainCorp Liquid Terminals	01/07/2020
DAP/01729 DR 176/2020	City of Kalamunda	Lot 130 (74) Warlingham Drive, Lesmurdie	Aged Residential Care Facility	28/8/2020
DAP/20/01764 DR 204/2020	City of Swan	Lot 780 (46) Gaston Road, Bullsbrook	Proposed Stock Feed Grain Mill	8/09/2020
DAP/20/01829 DR 001/2021	City of Swan	Lot 1 (42) Dale Road & Lot 4 (43) Yukich Close, Middle Swan	Aged care and community purpose	08/01/2021
DAP/21/01952 DR 096/2021	City of Rockingham	Lot 265 (40) Talisker Bend, Golden Bay	Mixed commercial development	14/05/2021

## 11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

## 12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 12:53pm.