



## Metro Outer Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Monday, 20 March 2023; 9:30am  
**Meeting Number:** MOJDAP/234  
**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

1.	Opening of Meeting, Welcome and Acknowledgement.....	3
2.	Apologies.....	3
3.	Members on Leave of Absence.....	3
4.	Noting of Minutes.....	3
5.	Declaration of Due Consideration.....	3
6.	Disclosure of Interests.....	3
7.	Deputations and Presentations.....	4
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	4
	8.1 Lot 800 & Portion of Lot 801 Prinsep Road & Portion of Lot 9001 (#45) Knock Place, Jandakot.....	4
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval .....	13
	Nil.....	13
10.	State Administrative Tribunal Applications and Supreme Court Appeals ...	13
11.	General Business.....	14
12.	Meeting Closure .....	14

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



## **Attendance**

### **DAP Members**

Mr Eugene Koltasz (Presiding Member)  
Ms Karen Hyde (Deputy Presiding Member)  
Mr Jason Hick (Third Specialist Member)  
Cr Chontelle Stone (Local Government Member, City of Cockburn)  
Cr Phoebe Corke (Local Government Member, City of Cockburn)

### **Officers in attendance**

Ms Lucia Dunstan (City of Cockburn)  
Mr David King (City of Cockburn)

### **Minute Secretary**

Mr Stephen Haimes (DAP Secretariat)

### **Applicants and Submitters**

Mr Daniel Hollingworth (Lateral Planning)  
Mr Andrew Ross (Aventuur)  
Mr Nicholas Edelman (Aventuur)  
Mr Matt Middleton (MJA)  
Mr Jimmy Thompson (MJA)  
Mr Joel Barker (See Design)  
Mr David Sorgiovanni (Place Development)  
Ms Kathy Choo (Coterra)  
Ms Helen Brookes (Urbaqua)  
Mr Adam West (Department of Jobs, Tourism, Science and Innovation)  
Mr Victor Vermeer (Department of Jobs, Tourism, Science and Innovation)

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

There were 4 members of the public in attendance.

Ms Nadia Budihardjo from Business News and Ms Indigo Lemay-Conway from Perth Now were in attendance.

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:30am on 20 March 2023 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

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](#).

## 5. Declaration of Due Consideration

The Presiding Member noted an addendum to the agenda from the City of Cockburn was published in relation to Item 8.1, received on 13 March 2023.

All members declared that they had duly considered the documents.

## 6. Disclosure of Interests

DAP Member, Cr Phoebe Corke, declared an Impartiality Interest in item 8.1. Cr Corke met with Mr Andrew Ross from Aventuur in her capacity as an Elected Member at the City of Cockburn and spoke briefly about the project.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in the discussion and voting on the item.

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Presiding Member, Metro Outer JDAP



## 7. Deputations and Presentations

- 7.1 Mr Andrew Ross (Aventuur) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr Matt Middleton and Mr Jimmy Thompson (MJA) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Mr Joel Barker (See Design) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.4 Mr Daniel Hollingworth (Lateral Planning) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.5 Ms Helen Brookes (Urbaqua) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.6 The City of Cockburn addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

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

### 8.1 Lot 800 & Portion of Lot 801 Prinsep Road & Portion of Lot 9001 (#45) Knock Place, Jandakot

Development Description: Mixed Use Development (Recreation-Private,  
Restaurant, Hotel & Tourist Accommodation)  
Applicant: Lateral Planning  
Owner: WAPC  
Responsible Authority: City of Cockburn  
DAP File No: DAP/22/02324

### REPORT RECOMMENDATION

**Moved by:** Cr Chontelle Stone

**Seconded by:** Ms Karen Hyde

*With the agreement of the mover and the seconder, the following changes were made:*

- i) That Condition No. 7 be amended to read as follows:

*Prior to the Occupation of the related development hereby approved all landscaping, associated with the related development stage, indicated on the approved plans shall be installed on site. **The landscaping shall be maintained in perpetuity to the satisfaction of the City.***

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Presiding Member, Metro Outer JDAP



**REASON:** To ensure that the landscaping elements are maintained to their original standard after they are planted and installed.

ii) That a new Condition no. 36 be added to read as follows:

***Prior to the issue of the relevant Building Permit application, information shall be provided to the City which demonstrates the development achieves a 5-star, green star development.***

**REASON:** To ensure that the development achieves a high standard of sustainability.

iii) That a new Condition no. 37 be added to read as follows:

***Prior to the issue of the relevant Occupancy Permit application, the builder shall provide written confirmation that the requirements contained in the above condition have been incorporated in the development.***

**REASON:** To ensure that there is a mechanism to provide a trigger for checking that the 5-star green star rating is achieved.

iv) That a new Footnote No. jj. be added to read as follows:

***With regard to Condition 34, the revised Water Management Plan shall detail how salinity will be managed at the site.***

**REASON:** To ensure that there is a mechanism to inform the proponents that they are to provide detail in their revised Water Management Plan as to how the salinity level of the water body is to be monitored and managed to achieve ongoing appropriate environmentally acceptable levels if salinity becomes an issue.

That the Metro Outer JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/22/02324 is appropriate for consideration as a "Recreation-Private, Hotel, Restaurant and Tourist Accommodation" land use and compatible with the objectives of the zoning table in accordance with the City of Cockburn Town Planning Scheme No. 3;
2. **Approve** DAP Application reference DAP/22/02324 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 Cockburn Town 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.

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



3. **Prior to the issue of a Building Permit application**, the landowner/applicant shall contribute towards development infrastructure provisions pursuant to the City's Town Planning Scheme No. 3, to the City's satisfaction.
4. Development shall be carried out in accordance with the approved plans contained herein.
5. All services and service related hardware, including clothes drying areas, antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.
6. **Prior to the issue of the relevant Building Permit application**, a revised landscaping plan shall be submitted to and approved by the City.
7. **Prior to the Occupation of the related development** hereby approved all landscaping, associated with the related development stage, indicated on the approved plans shall be installed on site. The landscaping shall be maintained in perpetuity to the satisfaction of the City.
8. **Prior to the issue of the relevant Occupancy Permit application**, the provision of kerb ramps/pram crossings along the footpaths crossing the three crossovers shall be constructed to the satisfaction of the City.
9. **Prior to the issue of the relevant Building Permit application**, stormwater management plans, calculations and compaction certificates shall be submitted to and approved by the City.
10. All stormwater must be contained and disposed of on-site. All stormwater infrastructure must be maintained for the duration of the development.
11. Crossovers shall meet the City's Vehicle Crossover Specification. A 2m x 2.5m sightline shall be provided at the intersection of the crossover and the front boundary for standard crossovers. All sightlines shall be maintained clear of obstructions above a height of 0.75m.
12. **Prior to the issue of the relevant Occupancy Permit application**, the car parking bays, points of ingress, egress and internal vehicle manoeuvring areas shall be sealed, drained and line marked, to the satisfaction of the City and maintained in perpetuity.
13. **Prior to the issue of a Building Permit application**, a Staging Management Plan is to be submitted to and approved by the City.
14. **Prior to the issue of the relevant Building Permit application**, a Construction Management Plan (CMP) shall be submitted to and approved by the City.
15. Delivery and/or loading bays inside a building adjacent to a suitable opening shall be marked, signed, easily accessible and available in perpetuity for deliveries to the building or tenancy.

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Presiding Member, Metro Outer JDAP



16. **Prior to the issue of the relevant Building Permit application**, a Revegetation Plan for the planting areas shall be submitted to and approved by the City.
17. **Prior to the issue of a Building Permit application**, a Native Fauna Management Plan shall be prepared by a suitably qualified person acceptable to the City on advice from DBCA, and submitted to and approved by the City. The approved plan shall be implemented to the satisfaction of the City.
18. **Prior to the issue of the relevant Building Permit**, the owner/applicant shall:
  - submit to the City for approval a preliminary proposal for an art work designed be a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be to be located within the subject site as an integral part of the development;
  - submit to the City for approval an 'Application for Art Work Design';
  - enter into a contract with a professional artist/s to design and install (if appropriate) the art work approved by the City.

The art work shall then be installed **prior to occupation** of the relevant building/development and maintained thereafter to the satisfaction of the City.

19. The provisions identified within the Waste Management Plan prepared by Talis Consultants (project number TW22059) and dated 25 November 2022, shall be implemented throughout the duration of development, to the satisfaction of the City.
20. **Prior to the issue of the relevant Building Permit application**, a revised Waste Management Plan, if necessary, shall be submitted to and approved by the City.
21. **Prior to the issue of the relevant Building Permit application**, a Dust Management Plan shall be submitted to and approved by the City. The approved Dust Management Plan shall be implemented in perpetuity, to the satisfaction of the City.
22. **Prior to the issue of the relevant Building Permit application**, a further Acoustic Report and Noise Management Plan shall be submitted to and approved by the City.
23. All noise attenuation measures, identified by the Herring Storer Acoustic Reports "Aventuur Perth Surf Park, Jandakot Proposed Development Preliminary SPP 5.3 and SPP 5.4 Acoustic Assessment" (Ref 29499-5-22111; dated 29/11/22) and "Aventuur Perth Surf Park Jandakot Preliminary Acoustic Assessment" (Ref 29443-2-2211; dated 5/8/22) and the further acoustic report required under (22), are to be implemented prior to occupancy of the development and the requirements of the Acoustic Report are to be observed at all times.
24. **Prior to the issue of the relevant Building Permit application**, written confirmation from the builder that all recommendations made in approved Acoustic Report referred to in Condition 22, have been incorporated into the proposed development.

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



25. **Prior to the issue of the relevant Occupancy Permit application**, the builder shall provide written confirmation that the requirements of the Acoustic Report referred to in Condition 22 have been incorporated into the completed development with the Form BA7 Completion Form.
26. **Prior to issue of the relevant Building Permit application**, a Mosquito Management Plan is to be submitted to and approved by the City. The approved plan shall be maintained in perpetuity to the satisfaction of the City.
27. **Prior to the issue of the relevant Building Permit application**, an Operational Management Plan shall be submitted to and approved by the City. The approved plan shall be maintained in perpetuity to the satisfaction of the City.
28. **Prior to the issue of the relevant Building Permit application**, a Parking Management Plan shall be submitted to and approved by the City. The approved plan shall be maintained in perpetuity to the satisfaction of the City.
29. **Prior to the issue of the relevant Building Permit application**, a Travel Management Plan shall be submitted to and approved by the City in consultation with the Public Transport Authority. The approved plan shall be maintained in perpetuity to the satisfaction of the City.
30. **Prior to the issue of the relevant Occupancy Permit application**, the recommendations contained within the *Eco Logical Australia, 2022. Bushfire Management Plan: Development Application: for Lot 800 Prinsep Road & 45 Knock Way, Jandakot 6164 – Perth Surf Park* dated 1 September 2022, shall be implemented, and maintained throughout the duration of the development, to the satisfaction of the City.
31. **Prior to the issue of the relevant Occupancy Permit application**, a Bushfire Emergency Evacuation Plan shall be submitted to and approved by the City. The approved plan shall be maintained in perpetuity to the satisfaction of the City.
32. **Prior to the issue of the relevant Building Permit application**, a Risk Management Plan shall be submitted to and approved by the City. The approved plan shall be maintained in perpetuity to the satisfaction of the City.
33. **Prior to the issue of the relevant Building Permit application**, a revised Traffic Impact Assessment shall be submitted to and approved by the City. The approved plan shall be maintained in perpetuity to the satisfaction of the City.
34. **Prior to the issue of the relevant Building Permit application**, a revised Water Management Plan shall be submitted to and approved by the City.
35. **Prior to the issue of the relevant Building Permit application**, 51 bicycle bays shall be shown on the development plans and installed prior to occupancy of the related development.
36. **Prior to the issue of the relevant Building Permit application**, information shall be provided to the City which demonstrates the development achieves a 5 star, green star development.

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP





37. **Prior to the issue of the relevant Occupancy Permit application**, the builder shall provide written confirmation that the requirements contained in the above condition have been incorporated in the development.

## FOOTNOTES

- a. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency.
- b. The applicant/owner is advised that the approval will generate the requirement for an Occupancy Permit to be obtained from the City's Building Services Department prior to commencement of use. In this regard, please contact the City's Building Services on 9411 3444 to confirm.
- c. The City's Building Services advise that a certified Building Permit applications will be required and anticipate a Class 9b, Class 6 and Class 3 of building. An application to DFES will be required to show hydrants, pumps, tanks and sprinkler system in the accommodation. A Building Occupancy warning system in the Class 3 and the whole site to be accessible including access to viewing stage and performance area.
- d. With regard to Condition 3, the applicant is advised Development Contribution Area 8 applies to the development under the City of Cockburn Town Planning Scheme No. 3.
- e. With regard to Condition 6, the revised landscaping plans shall include:
  - i. the location, number, size and species type of existing and proposed trees and shrubs, including calculations for the landscaping area;
  - ii. any lawns to be established;
  - iii. any existing landscape areas to be retained;
  - iv. those areas to be reticulated or irrigated; and
  - v. verge treatments.
- f. With regard to Condition 8, kerb ramps should have Tactile Ground Surface Indicators (TGSIs) for the purpose of providing sensory information for people with vision impairment or blindness as per the requirements outlined within the BCA and AS1428.4.1 – 2009.
- g. With regard to Condition 9 and 10, all stormwater drainage shall be designed in accordance with the document entitled "Australian Rainfall and Runoff" 2019 produced by the Commonwealth of Australia (Geoscience Australia). The design is to be certified by a suitably qualified practicing Engineer on the basis of a 1% AEP (annual exceedance probability) critical event, to the satisfaction of the City. Details of the stormwater drainage are also to be provided with the associated Building Permit Application where applicable.
- h. With regard to Condition 11, Crossovers are to be located and constructed to the City's specifications. Copies of crossover specifications are available from the City's website [www.cockburn.wa.gov.au](http://www.cockburn.wa.gov.au)

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



- i. All earthworks and/or associated drainage details shall be in accordance AS3500 with plans and specifications certified by a suitably qualified practicing Engineer to the satisfaction of the City.
- j. Retaining walls being constructed in accordance with a suitably qualified Structural Engineer's design and a Building Permit being obtained prior to construction. Retaining walls are required for any cut and/or fill greater than 150mm in height. In this regard, any fill above or below natural ground level at the lot boundaries is to be suitably retained or have a compliant stabilised embankment.
- k. With regard to Condition 12, hardstand is to be constructed and maintained to City's Paving and Drainage Specification for trafficable areas available on the City's website. The dimensions of all car parking bays, aisle widths, wheel stops, columns, ramps and circulation areas complying with AS2890.1 and AS2890.6.
- l. With regard to Condition 13, the Staging Management Plan shall detail how the construction of the development will be managed including the following:
  - i. Indicative staging;
  - ii. Management of Stages;
  - iii. Demolition;
  - iv. Building Construction;
  - v. Pedestrian and Vehicle Access;
  - vi. Road and intersection upgrades;
  - vii. Stormwater Management;
  - viii. Public Art; and
  - ix. Further required Development Approvals.
- m. With regard to Condition 14, The Construction Management Plan (CMP) shall be in accordance with the City's CMP guidelines available on the City's Website and shall address the following items:
  - i. Access to and from the site;
  - ii. Delivery of materials and equipment to the site;
  - iii. Storage of materials and equipment on the site;
  - iv. Parking arrangements for contractors and subcontractors;
  - v. Management of construction waste; and
  - vi. Other matters likely to impact on the surrounding properties.
- n. All outdoor lighting shall be installed and maintained in accordance with Australian Standard AS 4282 - 1997 "*Control of the Obtrusive Effects of Outdoor Lighting*".
- o. With regard to Condition 16, the revegetation works shall be implemented in the first available planting season, or as otherwise agreed by the City, prior to the occupation of the relevant development stage.
- p. With regard to Condition 20, the revised Waste Management Plan will only be required if the bin store is not constructed within the first built form stage of development.
- q. With regard to Condition 21, the City's Dust Management Guidelines are available on the City's website.

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



- r. With regard to Condition 22, the acoustic report shall be prepared by a suitably qualified and recognised acoustic consultant and demonstrate that the design of the development meets the following requirements:
- i. The design of the development when assessed against the criteria within the WAPC State Planning Policy 5.4 entitled “Road and Rail Transport Noise and Freight Considerations in Land Use Planning”, will result in acceptable indoor noise levels and at least one outdoor living area exposed to noise which meets the criteria for outdoor living areas identified in Table 1 of the Policy;
    - i. State Planning Policy 5.4 requires that the provision of suitable mechanical ventilation or air conditioning with fresh air intakes must be included as part of the Building Permit Application to protect occupants from noise intrusion. The provision of air conditioning or mechanical ventilation and noise emissions from these services must be addressed within the acoustic report.
    - ii. The development shall comply with the requirements of Draft WAPC State Planning Policy 5.3: “Land Use Planning in the Vicinity of Jandakot Airport” (2013); and
    - iii. The design and location of plant and other sources of noise within the development (such as air-conditioners, entry gates, music, events, announcement systems and break out noise) will not exceed the assigned noise levels set out in the Environmental Protection (Noise) Regulations 1997 (as amended); and
    - iv. The proposed design and construction of the habitable areas of the development will comply with the City of Cockburn Noise Attenuation Policy (LPP 1.12), with particular regard to industrial noise sources in the proximity; and
    - v. Indoor noise levels will comply with the requirements of the National Construction Code (Building Code of Australia) with regard to sound transmission between units and floors of the development.
- s. With regard to Condition 26, the Mosquito Management Plan must be separate to any management plan for midge or other nuisance insects, and must ensure that proposed infrastructure and site works do not create additional mosquito breeding habitat. Guidance on the appropriate location and design of project infrastructure to prevent mosquito breeding is contained in the publication “Chironomid Midge and Mosquito Risk Assessment Guide for Constructed Water Bodies” available from the Department of Health website.
- t. The development shall be connected to scheme water and reticulated sewerage prior to the commencement of use.
- u. This development has been defined as a public building and shall comply with the relevant provisions of the Health (Miscellaneous Provisions) Act 1911 (as amended), and the Health (Public Buildings) Regulations 1992.
- v. All food businesses shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only).

**Mr Eugene Koltasz**  
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- w. An “Application to Construct or Alter a Food Premises” is required to be submitted to Health Services prior to construction. This is to be accompanied by detailed plans and specifications of the food preparation and storage area (including mechanical ventilation and hydraulics), sanitary conveniences and garbage room, demonstrating compliance with the mentioned legislation.
- x. The City request a copy of the approval issued by the Department of Water and Environment Regulation (DWER) to undertake Managed Aquifer Recharge being provided to the City prior to the commencement of works.
- y. A clearing permit from the DWER will be required prior to development under the provisions of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.
- z. A license will be required from the DWER under the provisions of the *Rights in Water and Irrigation Act 1914*.
- aa. The Department of Health advise an application for the construction of an Aquatic Facility is required.
- bb. The Public Transport Authority advise an approval is required prior to the commencement of works due to the proximity to the Mandurah Railway Line.
- cc. A plan and description of any signage and advertising not exempt under Town Planning Scheme No. 3 shall be submitted to and approved by the City prior to the erection of any signage on the site/building. It is strongly advised to liaise with the City’s Development Services prior to any installation of signage to confirm what approvals, if any, are required.
- dd. With regard to Condition 27, the Operational Management Plan shall detail the following:
- i. Further details as to the use of the event space including, but not limited to, frequency of events and intended occupancy numbers;
  - ii. Operating hours of the Surf Park;
  - iii. Management of the Tourist Accommodation (Glamping) including length of stay
- ee. With regard to Condition 28, the Parking Management Plan shall detail the following:
- i. Staff parking;
  - ii. Allocation of carparking bays assigned to each use.
- ff. With regard to Condition 29, the Travel Management Plan shall detail the following:
- i. General measures to be undertaken to encourage alternate forms of transport to the site;
- gg. With regard to Condition 31, The Bushfire Emergency Evacuation Plan is required to address the accommodation uses of Hotel and Tourist Accommodation.

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



- hh. With regard to Condition 32, the Risk Management Plan is required to address comments from the Department of Fire and Emergency Services relating to the storage of dangerous chemicals and goods.
- ii. With regard to Condition 33, the revised Traffic Impact Assessment shall detail the specific issues identified with the existing TIA on page 18 (see Attachment 10 – Traffic Impact Assessment).
- jj. With regard to Condition 34, the revised Water Management Plan shall detail how salinity will be managed at the site.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** The Panel agreed that the proposal was for a high standard mixed use recreational facility that was well suited to the location and would benefit the State and City of Cockburn from a tourism and employment aspect.

The location is well served by high frequency public transport infrastructure and is beside a major Freeway which provides superior transport accessibility.

The proposed development complies with the planning framework both at the Regional and Local level and with the adopted conditions of approval will ensure that the development is appropriately developed and monitored for ongoing compliance with the relevant planning and environmental criteria.

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

Nil.

**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/18/01543 DR 75/2022	City of Joondalup	Lot 649 (98) O'Mara Boulevard, Iluka	Commercial development	02/05/2022
DAP/22/02159 DR163/2022	Shire of Murray	No. 630 (Lot 137) Pinjarra Road, Furnissdale	Proposed Petrol Filling Station	28/09/2022
DAP/21/02036 DR236/2022	City of Swan	Lot 97 (31) & 817 (47) Lakes Road, Hazelmere	Proposed Construction of a Logistics Depot with Ancillary Office Area	23/12/2022

  
**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP



## **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 10:57am.

A handwritten signature in cursive script that reads "Eugene Koltasz".

**Mr Eugene Koltasz**  
Presiding Member, Metro Outer JDAP