

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 25 JANUARY 2023**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	Nos. 212-214 Lake Street, Perth (DR 223 of 2021)	19 October 2021	Hanoze Park Pty Ltd	<p>Application for review of notice issued in accordance with the <i>Health (Miscellaneous Provisions) Act 1911</i> to address odour nuisance at 7 Grams Chicken Café. Hanoze Park Pty Ltd believes the notice to be invalid.</p> <p>*****</p> <p>SAT Directions Hearings were held on 5 and 11 November 2021, and a further directions hearing held 1 March 2022. The presiding member heard submissions from the City and from the Applicant. On 20 April 2022, the Tribunal handed down their decision, affirming the decision of the City that a Notice can be given under S.184 of the <i>Health (Miscellaneous Provisions) Act 1911</i> (for a nuisance not specifically mentioned in Section 182 of that Act). The matter proceeded to confidential mediation on 5 July 2022. The session centred on a practical solution proposed by the business. The business agreed to present plans for this solution to the City to review by 2 August 2022 with a further mediation hearing scheduled for 9 August 2022.</p> <p>SAT agreed to further adjournment to 21 September 2022. The applicant is required to submit mechanical drawings prior to the next SAT Hearing. The matter has been further adjourned to 17 November 2022 as the consultant contracted by Hanoze Park Pty Ltd passed away. Mechanical drawings have been submitted and it has been identified that a development application and building application would be required. SAT Directions hearing scheduled for early March. Development approval has been issued and building application is pending.</p> <p><i>Representation by: McLeods</i></p>
2.	Nos. 596-598 Newcastle Street, West Perth (DR 92 of 2022)	8 June 2022	Lateral Planning	<p>Application for review of Council decision to refuse an application for Proposed Amendment to Previous Approval: Billboard Signs (Unlisted Use) on 17 May 2022.</p> <p>*****</p> <p>Directions Hearing held on 17 June 2022. The mediation listed on 1 August 2022 was vacated and the matter is now listed for mediation on 1 September 2022. Following mediation the matter has been listed for a full hearing. Key dates for this are as follows:</p> <ul style="list-style-type: none"> • 14 October 2022 – City Statement of Issues, Facts and Contentions due to SAT. • 28 October 2022 – Applicant Statement of Issues, Facts and Contentions due to SAT. • 8 February 2023 – Witness statements and draft conditions due to SAT. • 23 and 24 February 2023 – SAT Hearing. <p>Subsequent to this the applicant confirmed withdrawal of matter on 19 October 2022. The applicant has since requested the matter be reopened and a Directions Hearing was held on 25 November 2022 and a further Directions Hearing on 16 December 2022 to consider this.</p>

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				<p>At the 16 December 2022 Directions Hearing, the SAT allowed for the appeal to be reinstated following the previous withdrawal, with the matter to be listed for full hearing. Directions Hearing scheduled for 13 January 2023 was vacated. The SAT issued Orders on 13 January 2023 with the following key dates associated with full hearing:</p> <ul style="list-style-type: none"> • 3 February 2023 – City’s Statement of Issues, Facts and Contentions due to SAT. • 24 February 2023 – Applicant Statement of Issues, Facts & Contentions due to SAT. • 17 March 2023 – Witness statements due to SAT. • 24 March 2023 – City’s draft conditions if approved due to SAT • 31 March 2023 – Applicant’s draft conditions if approved due to SAT • 25 and 26 May 2023 – SAT Hearing. <p><i>Representation by: Castledine Gregory</i></p>
3.	Nos. 338-340 Beaufort Street, Perth (DR 108 of 2022)	1 July 2022	Urbanista Town Planning	<p>Application for review of Administration decision to refuse an application for unauthorised signage on 31 May 2022. *****</p> <p>Directions Hearing held on 22 July 2022. Mediation held 25 August 2022. Matter listed for further mediation to discuss possible modifications to the proposal on 19 September 2022 which was deferred until 17 October 2022.</p> <p>At mediation the SAT invited a S.31 reconsideration of a modified proposal on or before 16 December 2022. Administration reconsidered a modified proposal submitted by the applicant and approved the development under delegated authority on 16 December 2022, subject to conditions. The City’s Compliance team are working with the applicant to modify signage on-site to be in-align with the approved plans. Subsequent to this the applicant confirmed withdrawal of matter on 19 December 2022. Completed.</p> <p><i>Representation by: Administration</i></p>
4.	Nos. 107-109 Summers Street, Perth (DR 167 of 2022)	30 September 2022	Urbanista Town Planning	<p>Application for review of Council decision to refuse an application for six grouped dwellings on 20 September 2022. *****</p> <p>Directions hearing listed for 14 October 2022. Directions hearing listed for 14 October 2022 was vacated and mediation listed for 3 November 2022, starting with a site visit. The Mayor and Elected Members invited to attend the SAT mediation in accordance with the SAT orders. Mediation held 3 November 2022. At mediation the SAT invited a S.31 reconsideration of an amended proposal on or before 20 December 2022. The applicant submitted the amended proposal to the City on 4 November 2022 and a directions hearing is listed for 21 December 2022. The application was presented to the December Ordinary Council Meeting for reconsideration and the application was approved subject to Conditions. Subsequent to this the applicant confirmed withdrawal of matter on 15 December 2022. Completed.</p> <p><i>Representation by: Administration</i></p>

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5.	No. 391 Lord Street, Mount Lawley (DR 192 of 2022)	31 October 2022	Urbanista Town Planning	<p>Application for review of a Joint Development Assessment Panel decision to refuse an application for a mixed-use development on 19 October 2022. *****</p> <p>Directions hearing was vacated and mediation was listed for 30 November 2022. Mediation held on 30 November 2022. Matter listed for further mediation to discuss modifications to the proposal on 1 February 2023. <i>Representation by: Administration</i></p>