

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS  
AS AT 17 MARCH 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. Mediation listed for 17 November 2022 was vacated, and matter is listed for hearing on 3 March 2023. A development approval has been issued for external fixtures, and the City is awaiting submission of a building application for solution.</p> <p>The SAT mediation hearing that was schedule for 3 March 2023, was adjourned, with the matter relisted for a Directions Hearing on 14 April 2023. The City is advised the installation of the new exhaust system at the premises is imminent.</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"> <li>• 14 October 2022 – City Statement of Issues, Facts and Contentions due to SAT.</li> <li>• 28 October 2022 – Applicant Statement of Issues, Facts and Contentions due to SAT.</li> <li>• 8 February 2023 – Witness statements and draft conditions due to SAT.</li> <li>• 23 and 24 February 2023 – SAT Hearing.</li> </ul> <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"> <li>• 3 February 2023 – City’s Statement of Issues, Facts and Contentions due to SAT.</li> <li>• 24 February 2023 – Applicant Statement of Issues, Facts &amp; Contentions due to SAT.</li> <li>• 17 March 2023 – Witness statements due to SAT.</li> <li>• 24 March 2023 – City’s draft conditions if approved due to SAT</li> <li>• 31 March 2023 – Applicant’s draft conditions if approved due to SAT</li> <li>• 25 and 26 May 2023 – SAT Hearing.</li> </ul> <p>On 10 March 2023, the SAT issued orders with the following key revised dates associated with the full hearing:</p> <ul style="list-style-type: none"> <li>• 7 April 2023 – Witness statements due to SAT and the City’s draft conditions if approved due to SAT.</li> <li>• 14 April 2023 – Applicant’s draft conditions if approved due to SAT.</li> <li>• 25 and 26 May 2023 – SAT Hearing.</li> </ul> <p><i>Representation by: Castledine Gregory</i></p>
3.	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. A second mediation was held on 1 February 2023 to discuss modifications to the proposal. Matter listed for third mediation on 3 April 2023 to discuss further modifications to the proposal, with further information provided to the Respondent on 7 March 2023. <i>Representation by: JDAP Presiding Member</i></p>
4.	No. 103 Alma Road and 367-373 Fitzgerald Street, North Perth (DR 14 of 2023)	2 February 2023	Element Advisory	<p>Application for review of a Joint Development Assessment Panel decision to refuse an application for a mixed-use development on 18 December 2022. *****</p> <p>Directions hearing was vacated and mediation is listed for 29 March 2023. <i>Representation by: JDAP Presiding Member</i></p>

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5.	No. 109 Palmerston Street, Perth (DR 28 of 2023)	14 February 2023	Urbanista Town Planning	<p>Application for review of a Deemed Refusal for Four Grouped Dwellings. The development application was lodged 29 July 2022 and was deferred by Council on 15 November 2022 for a period of 90 days to allow applicant to consider Council's reasons for deferral and changes to the proposal.</p> <p>*****</p> <p>Application to be presented to the 14 March 2023 Ordinary Council Meeting. Directions Hearing scheduled for 17 March 2023 to allow consideration of outcome of determination of the application by Council. Application approved by Council at its 14 March 2023 Meeting. SAT application withdrawn on 15 March 2023. <b>Completed.</b></p> <p><i>Representation by: Administration</i></p>