

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 7 MARCH 2025**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	Nos. 41-43 & 45 Angove Street, North Perth (DR 81 of 2023)	1 June 2023	Hidding Urban Planning/Lavan	<p>Application for review of a Development Assessment Panel decision to refuse an application for a Service Station on 3 May 2023. *****</p> <p>Directions hearing held on 16 June 2023. Mediation held on 4 July 2023, with Mayor Cole and interested community members in attendance to make a presentation. A second mediation was scheduled for 14 August 2023 and was vacated. Mediation was rescheduled to 10 October 2023 and was subsequently vacated. The matter was listed for a directions hearing on 10 November 2023 to schedule a new date for mediation. This was vacated. The matter has been listed for a directions hearing on 2 February 2024 with the applicant to provide additional information by 11 January 2024. The applicant has yet to provide any additional information and the matter is still proceeding to the directions hearing on 2 February 2024. The directions hearing has been vacated and the matter has been listed to a further mediation on 27 February 2024. This mediation was scheduled for 6 May 2024. Following this the matter has been listed for a further mediation to be held on 2 July 2024. This was vacated and has been rescheduled to 2 September 2024. The mediation was cancelled on 30 August 2024 and the matter was listed for a further directions hearing on 27 September 2024. Following this the matter has been listed for a further directions hearing on 1 November 2024. Following this the SAT made orders for a further directions hearing on 17 January 2024, with the applicant to provide additional information by 13 December 2024. The matter has been scheduled for a further directions hearing on 14 February 2025 with the applicant to provide additional information by 31 January 2025. This information was received by the DAP Executive Director but was not provided to the City. The matter has been listed for a mediation on 9 April 2025. <i>Representation by: DAP Executive Director</i></p>
2.	No. 5 Berryman Street, Mount Hawthorn (DR 71 of 2024)	22 May 2024	George Seal	<p>Application for review of conditions of a Council decision to approve an application for a Change of Use from Single House to Single House and Restaurant/Cafe on 23 April 2024. *****</p> <p>The matter was listed for a directions hearing on 7 June 2024, which on agreement between the parties, was vacated and rescheduled for 5 July 2024. Following the directions hearing on 5 July 2024 the SAT issued orders inviting Council to reconsider the application pursuant to s.31(1) of the <i>State Administrative Tribunal Act 2004</i>, on or before 29 October 2024. The matter was also listed for a further Directions Hearing on 1 November 2024.</p> <p>The Applicant requested an extension to the reconsideration dates. The reconsideration date for this matter has been amended to be on or before 28 February 2025 and a further Directions Hearing has been scheduled for 7 March 2025.</p> <p>The applicant formally requested to withdraw the appeal on 19 February 2025 and orders were made by the SAT at the Directions Hearing held on 7 March 2025 to withdraw the appeal. <i>Representation by: Administration</i></p>

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NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
3.	No. 120 Claisebrook Road, Perth (DR 110 of 2024)	30 July 2024	Allerding and Associates	<p>Application for review of conditions of Western Australian Planning Commission decision to approve the Holcim Concrete Batching Plant to continue to operate until 30 December 2027 on 27 June 2024.</p> <p>*****</p> <p>The matter was listed for a directions hearing on 30 August 2024 and was listed for a mediation on 12 November 2024. The City was not invited to take part in this mediation. The matter has been listed for a further mediation on 6 February 2025. This has been rescheduled for 10 March 2025. The City has not been invited to take part in this mediation.</p> <p><i>Representation by: DPLH Director Planning Appeals</i></p>
4.	No. 235 Brisbane Street, Perth (DR 122 of 2024)	21 August 2024	Michael Cao	<p>Application for review of a Council decision to refuse an application for a Change of Use from Family Day Care to Child Care Premises on 23 July 2024.</p> <p>*****</p> <p>Directions hearing held on 4 October 2024. A further directions hearing was held on 11 October 2024 at which interested residents were invited to make a presentation to the SAT at the commencement of the following mediation.</p> <p>Mediation was held on 7 November 2024 and included interested community members presenting to the SAT. A directions hearing was scheduled for 22 November 2024. The directions hearing was vacated, and the matter was listed for a directions hearing on 17 January 2025. At the 17 January 2025 directions hearing the parties agreed for the matter to be scheduled for a further mediation.</p> <p>Mediation was held on 25 February 2025 with the SAT issuing orders setting out:</p> <ul style="list-style-type: none"> • The applicant to provide an amended application to the City on or before 25 March 2025; • Pursuant to s.31(1) of the <i>State Administrative Tribunal Act 2004</i>, Council is invited to reconsider its decision on or before 20 May 2025; • The matter is listed for a directions hearing on 30 May 2025; and • A copy of the orders being provided to the interested residents and their representative that previously presented to the SAT. <p><i>Representation by: Administration</i></p>

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NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
5.	Nos. 41-43 Angove Street, North Perth (DR 138 of 2024)	11 October 2024	Lavan	<p>Application for review of a Council decision to refuse an application for Alterations and Additions to Service Station on 20 August 2024. *****</p> <p>The matter was listed for a directions hearing on 11 October 2024. On 10 October 2024 the directions hearing was vacated and rescheduled to 20 December 2024. The purpose of rescheduling the directions hearing is to allow the parties to prepare a Statement of Issues Facts and Contentions (SIFC) to define the issues under contention and inform future programming for the matter. The SAT issued orders on 10 October 2024 with the following key dates prior to the directions hearing:</p> <ul style="list-style-type: none"> • 22 November 2024 – Respondent’s Statement of Issues, Facts and Contentions due to SAT. • 13 December 2024 – Applicant’s Statement of Issues, Facts and Contentions due to SAT. <p>On 11 December the SAT made orders to extend the time in which the Applicants SIFC is due to the SAT to 20 December 2024 and listed the matter for a Directions Hearing on 7 February 2025. The date for the Applicants SIFC was subsequently extended until 17 January 2025 and was submitted. Following this Directions Hearing the matter has been listed for a preliminary hearing on 22 and 23 July 2025. The purpose of the preliminary hearing is to deal with the legal issues relating to the application being:</p> <ul style="list-style-type: none"> • Issue 1: Does the subject site have the benefit of existing use rights or non-conforming use rights for use as a ‘service station’? • Issue 2: If the answer to Issue 1 is yes, is clause 23 of the City of Vincent Local Planning Scheme No. 2 engaged or is clause 60 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> engaged, such that development approval is required? <p>The outcome of this preliminary hearing would determine whether a further hearing would be needed to deal with the planning merits of Council’s refusal. <i>Representation by: Administration & McLeods</i></p>
6.	No. 40 Guildford Road, Mount Lawley	13 December 2024	Western Australian Planning Commission	<p>Application for review of a Council decision to issue a Heritage Conservation Notice for the property on 23 April 2024, with the notice having been issued on 15 November 2024. *****</p> <p>The matter was listed for a directions hearing on 7 February 2025. Following this the matter was listed for a mediation on 13 March 2025. <i>Representation by: Administration & McLeods</i></p>