

Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 19 August 2026; 9:30am
Meeting Number: MODAP/154
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:

[MODAP/154 - 19 August 2026 - City of Gosnells - City of Cockburn](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Noting of Minutes

PART B – CITY OF GOSNELLS

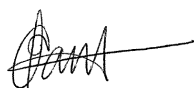
1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 31 (No.340) Railway Parade, Beckenham - Seventeen (17) Grouped Dwellings – DAP/26/03055
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF COCKBURN

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lots 1, 300, 4308, 7, and 99 Yangebup Road, Hammond Road and Beeliar Drive, Cockburn Central - Proposed Commercial Development (Neighbour Centre) – DAP/26/03070
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. Meeting Closure



Francesca Lefante
Presiding Member, Metro Outer DAP

DAP Members

Francesca Lefante (Presiding Member)

Clayton Highman (Deputy Presiding Member)

Mike Mouritz

Cr Mayor Terresa Lynes (Part B – City of Gosnells)

Cr Saiful Islam (Part B – City of Gosnells)

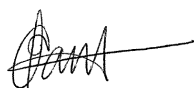
Cr Tom Widenbar (Part C – City of Cockburn)

Cr Chontelle Stone (Part C – City of Cockburn)

DAP Secretariat

Shanara Wijethunga

Tenielle Brownfield



Francesca Lefante
Presiding Member, Metro Outer DAP

Part B – City of Gosnells

Applicant

Liz Wong (Tuscom Subdivision Consultants Pty Ltd)
Nuri Widhi Wulandari (Tuscom Subdivision Consultants Pty Ltd)
Malcolm Mackay (Mackay Urban Design)

Officers/Technical Advisors in Attendance

Janni Curtis
Ridaah Gimildien

Part C – City of Cockburn

Applicant

George Hajigabriel (Rowe Group)
Greg Pearce (Windsor Knight Pty Ltd)
Tarryn Stain (Windsor Knight Pty Ltd)
Graham Taylor (Place Fabric)
Dawson Demassiet-Huning (Pracsys)

Officers/Technical Advisors in Attendance

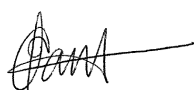
Tanya Wasley
Donna Di Renzo
Lucia Dunstan

Members of the Public / Media

There was 1 member of the public in attendance.

Observers via livestream

There were 8 persons observing the meeting via the livestream.



Francesca Lefante
Presiding Member, Metro Outer DAP

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:37am on 19 August 2026 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

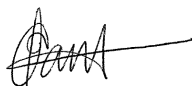
The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Nil

3. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).



Francesca Lefante
Presiding Member, Metro Outer DAP

PART B – CITY OF GOSNELLS

1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for services and responsible authority response in relation to Item 3.1, received on 19 August 2026 was published in Part B of the Related Information.

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

3.1 Lot 31 (No.340) Railway Parade, Beckenham - Seventeen (17) Grouped Dwellings – DAP/26/03055

Deputations

Liz Wong (Tuscom Subdivision Consultants Pty Ltd) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

The panel noted a written submission in support of the application at Item 3.1. was received from Malcolm Mackay (Mackay Urban Design).

The City of Gosnells addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

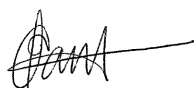
SUBSTANTIVE MOTION

Moved by: Mayor Teresa Lynes

Seconded by: Cr Saiful Islam

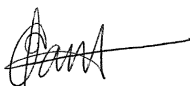
That the Metro Outer DAP resolves to **REFUSE** DAP Application reference DAP/26/03055 for seventeen (17) grouped dwellings at 340 (Lot 31) Railway Parade, Beckenham, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the City of Gosnells Local Planning Scheme No. 24, for the following reasons:

1. The proposed development is inconsistent with Residential zone objective No. 2 of Table 2 – Zone Objectives under Local Planning Scheme No. 24, as the proposal does not facilitate and encourage high-quality design, built form and streetscapes within a residential area.



Francesca Lefante
Presiding Member, Metro Outer DAP

2. The proposed development does not comply with clause 26(1) of Local Planning Scheme No. 24, as it is located within the Residential zone with a R100 coding and does not achieve a minimum density of R60.
3. The proposed development does not meet the following Deemed to Comply and associated Design Principles which results in an undesirable development and built form outcome within the locality:
 - a. Primary Garden Area (PGA) for units 6 to 17 does not satisfy deemed-to-comply provision C1.1.1 and/or demonstrate compliance with design principle P1.1.1 of Section 1.1 - Private Open Space under Part C, of the Residential Design Codes Volume 1.
 - b. The proposed storage areas for units 6 to 10, unit 11 and unit 17 do not satisfy deemed-to-comply provision C2.1.9 and/or demonstrate compliance with design principle P2.1.5 of 2.1 Size and Layout of dwellings under Part C, of the Residential Design Codes Volume 1.
 - c. The functional utilities for all proposed units are not demonstrated within the development application and therefore does not satisfy deemed to comply requirement C2.5.1 and/or demonstrate compliance with design principle P2.5.1 and P2.5.2 of Section 2.5 - Utilities under Part C, of the Residential Design Codes Volume 1.
 - d. The proposed site cover for units 2 to 17 does not satisfy deemed-to-comply provision C3.1.1 and/or demonstrate compliance with design principle P3.1.1 of Section 3.1 - Site Cover under Part C, of the Residential Design Codes Volume 1.
 - e. The proposed primary street setback to the Head Close lot boundary does not satisfy deemed-to-comply provision C3.3.1 and/or demonstrate compliance with design principles P3.3.1 and P3.3.2 of Section 3.3 - Street setbacks under Part C, of the Residential Design Codes Volume 1.
 - f. The proposed communal street setback does not satisfy deemed-to-comply provision C3.3.6 and/or demonstrate compliance with design principle P3.3.3 of Section 3.3 - Street setbacks under Part C, of the Residential Design Codes Volume 1.
 - g. The proposed boundary walls along the north-west and south-east boundaries of the subject site does not satisfy deemed-to-comply provision C3.4.4 and/or demonstrate compliance with design principle P3.4.4 of Section 3.4 - Lot boundary setbacks under Part C, of the Residential Design Codes Volume 1.
 - h. The proposed communal street design and width does not satisfy deemed-to-comply provisions C3.7.4 and C3.7.5 and/or demonstrate compliance with design principles P3.7.1, P3.7.4 and P3.7.5 of Section 3.7 - Access under Part C, of the Residential Design Codes Volume 1.



Francesca Lefante
Presiding Member, Metro Outer DAP

4. Portions of proposed Units 1 and 17 are located within a registered easement for transmission line purposes.

The Substantive Motion was put and CARRIED UNANIMOUSLY.

REASON: Members noted that amended plans were submitted as part of the applicant's presentation but raised concerns regarding the built form, street interface and functionality of the on-site parking. The Panel noted the amended plan that was submitted with the applicant's deputation in an attempt to address the concerns raised in the RAR. The Panel also noted that while these plans had not been reviewed by the City officers it was evident that the proposed changes introduced new areas of concern and unlikely to change the recommendation of the officers upon a complete review.

A key concern was the lack of sufficient planning evidence to support the exercise of discretion for development below the minimum density, particularly given the recently gazetted scheme . and the density provisions applying to the site.

The site's location, approximately two minutes' walk from a railway station, reinforces the strategic intent for higher-density development within close walking distance of public transport. Significant weight was therefore given to the contemporary planning framework for high-density development near railway stations.

While potential design changes were discussed and the applicant's concerns regarding financial viability were considered, these matters were not considered to outweigh the planning outcomes and density provisions applicable to the site. As the proposed density represents a 20% reduction from the intensity sought under the scheme provisions and supported by the site's locational context, the proposal was refused.

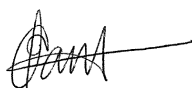
4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Mayor Teresa Lynes and Cr Saiful Islam (Local Government DAP Members, City of Gosnells) left the panel at 10.16am.



Francesca Lefante
Presiding Member, Metro Outer DAP

PART C – CITY OF COCKBURN

Cr Tom Widenbar and Cr Chontelle Stone (Local Government DAP Members, City of Cockburn) joined the panel at 10.19am.

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part C of the Agenda and Part C of the Related Information.

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

3.1 Lots 1, 300, 4308, 7, and 99 Yangebup Road, Hammond Road and Beeliar Drive, Cockburn Central - Proposed Commercial Development (Neighbour Centre) – DAP/26/03070

Deputations

George Hajigabriel (Rowe Group) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

The City of Cockburn addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

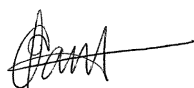
SUBSTANTIVE MOTION

Moved by: Cr Chontelle Stone

Seconded by: Mike Mouritz

With the agreement of the mover and seconder, an administrative change was made to Condition No. 2 to include the approval date, which is the date of the DAP meeting.

That the Metro Outer DAP resolves to **APPROVE** DAP Application reference DAP/26/03070 for Proposed Commercial Development (Neighbour Centre) at Lots 1, 300, 4308, 7, and 99 Yangebup Road, Hammond Road and Beeliar Drive, Cockburn Central 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, subject to the following conditions:



Francesca Lefante
Presiding Member, Metro Outer DAP

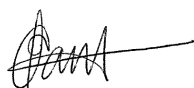
1. The development is to be undertaken in accordance with the approved plans and documents attached to this approval, as listed below, except where amended by subsequent conditions:

Plan/ Document Name	Reference	Date
1 Beeliar SC Development Application Plans	2433 260720 Rev C	07 2026
2 Combined DA Landscape Plan	0614-BEL-KD-100 Rev C	20 07 26
3 Existing Tree Protection Plan (amended)	0614-BEL-KD-100 Rev C	27.07.26

2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 19th August 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. Development shall be carried out in accordance with the approved plans.
4. The approved land uses apply to the various tenancies as outlined below:
 - a) T01, T03, T04, T05, T06, T07 & T09 – Shop
 - b) T02 – Liquor Store
 - c) T08 – Consulting Room
 - d) T10, T11, T12 & T13 – Restaurant/Fast Food
 - e) Pad Sites 1 and 2 – Fast Food Outlet
 - f) Fuel Site – Service Station
5. **Prior to the issue of a Building Permit** (excluding any forward/site works BP's) 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

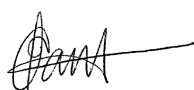
The art work shall then be installed prior to occupation of the building/development and maintained thereafter to the satisfaction of the City.

6. **Prior to the issue of a Building Permit**, a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction. The details as agreed by the City are to be implemented in the development.



Francesca Lefante
Presiding Member, Metro Outer DAP

7. **Prior to the issue of a Building Permit**, an updated Tree Protection Management Plan, prepared by a suitably qualified arborist and informed by Australian Standard AS 4970, the final approved site levels and the final development design, is to be submitted to and approved by the City. The Plan is to demonstrate the retention and protection measures for the four (4) nominated trees identified under Condition
8. **Prior to the issue of a Building Permit**, an updated Detailed Landscaping Plan is to be submitted to and approved by the City. The Plan is to include:
 - a) a minimum of one hundred and seventeen (117) new trees, in addition to the four (4) retained trees identified under Condition 7;
 - b) the location of up to eight (8) contingency replacement trees, in addition to the 117 trees required by point (a), to be provided in 1000L containers at a ratio of two (2) replacement trees for each of the four (4) retained trees, should any retained tree be lost, die, decline to the satisfaction of the City, or otherwise not be successfully retained;
 - c) roundabout landscaping designed in accordance with the requirements of Figure 19 of the Traffic Impact Statement;
 - d) the location, number, size and species of all proposed trees and shrubs;
 - e) calculations demonstrating the extent of landscaped areas;
 - f) updated site levels and tree retention annotations in accordance with Condition 7;
 - g) verge landscaping treatments; and
 - h) amended shade sail locations, where required, to accommodate retained and proposed trees.
9. Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with the/an approved plan and maintained thereafter to the satisfaction of the City. The landscaping shall be implemented prior to the initial occupation of the development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.
10. A geotechnical report prepared by an appropriately qualified consultant certifying that the ground is capable of accommodating the proposed development, shall be lodged with the City prior to the commencement of construction on site, at the cost of the owner/applicant, to the satisfaction of the City.
11. The applicant must implement all of the recommendations contained in the Bushfire Management Plan (Ref: BMP26108v3.0) prepared by WA Fire & Safety dated 16 July 2026 and approved by the Local Government for the duration of the development, including the implementation of all of the requirements outlined in Table 5 under Part 6.0 Roles and Responsibilities.
12. Crossovers are to be located and constructed to the City's Vehicle Crossover Specifications.
13. The development shall comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997.

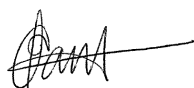


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Presiding Member, Metro Outer DAP

14. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.
15. All outdoor lighting shall be installed and maintained in accordance with Australian Standard AS 4282 - 1997 "Control of the Obtrusive Effects of Outdoor Lighting".
16. **Prior to the issue of a Building Permit**, a Construction Management Plan shall be submitted to and approved by the City for new buildings detailing management of:
 - a) access to and from the site;
 - b) the delivery of materials and equipment to the site;
 - c) the storage of materials and equipment on the site;
 - d) the parking arrangements for contractors and subcontractors;
 - e) other matters likely to impact on surrounding properties;
 - f) management of construction waste.

The Construction Management Plan shall be implemented at all times during the construction phase.

17. **Prior to the issue of a Building Permit**, an updated Acoustic Assessment is to be submitted to and approved by the City. The assessment is to be prepared by a suitably qualified acoustic consultant and include details of all proposed mechanical plant, including final plant specifications and locations, and demonstrate compliance with the requirements of the Environmental Protection (Noise) Regulations 1997.
18. The development site shall be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
19. The dimensions of all car parking bays, aisle widths, wheel stops, columns, ramps and circulation areas complying with the Australian Standards AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
20. All access ways, parking areas and hardstand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.
21. **Prior to the issue of a Building Permit**, engineering drawings and specifications are to be submitted to, and approved by, the City, for the following works to be completed at full cost to the applicant;
 - a) The upgrade of the Yangebup Road verge, including any required modifications to existing road infrastructure to accommodate safe access/egress to the development site; and
 - b) Yangebup Road upgrading works including kerbing, backfilling and draining using soakwells abutting the development; and
 - c) pedestrian connection along the Beeliar Drive and Yangebup Road that adequately connects to the existing footpaths, and
 - d) construction of the north-south private vehicle road and associated drainage. The approved works are required to be undertaken prior to the occupation of the development and to the satisfaction of the City.

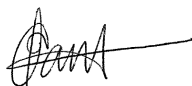


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Presiding Member, Metro Outer DAP

22. Prior to occupation of the approved development, the applicant/landowner shall make a financial contribution equivalent to 5% of the final cost of the future Hammond Road/Yangebup Road/Cooper Road intersection upgrade, estimated at \$2 million, to the satisfaction of the City.
23. **Prior to the issue of a Building Permit**, with regard to the existing stormwater sump on Lot 4308, the landowner/applicant, shall come to a satisfactory arrangement with the City to:
- a) Design and construct the driveway to protect the existing stormwater infrastructure from damage and ensure that the ongoing operation, structural integrity and maintenance access to the infrastructure are not compromised; or
 - b) Relocate the sump to a location acceptable to the City, without compromising the capacity or performance of the existing drainage infrastructure.

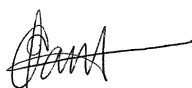
Engineering drawings and specifications are to be submitted to, and approved by, the City

24. All stormwater to be contained on site. Stormwater drainage to be able to contain a 1 in 100 year, critical storm event.
25. Prior to the issue of Building Permit, details about the stormwater drainage design intended for the proposed development shall be submitted to the City for review and approval. Details should include information on storage volumes to be contained within the drainage cells and soakwells, drainage calculations with catchment area and rainfall intensity.
26. Prior to occupancy, installation of pedestrian crossing markings, vehicular guide signs, and pavement markings should be provided to ensure safe movement throughout the site, in accordance with AS 2890.1, AS 1742.1, and AS 1742.10. Where pedestrians, including people with disabilities, are expected to cross, they shall be guided to an accessible travel path and a safe crossing point that provides that provides adequate sight distance and is clearly marked with appropriate signage and pavement markings.
27. Prior to the initial occupation of the development, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City.
28. Prior to occupation of the development, a Service and Delivery Access Plan (SDAP) is to be submitted to and approved by the Local Government. The Plan is to detail delivery scheduling, servicing arrangements, loading bay management, waste collection operations and measures to minimise conflicts between service vehicles and customer traffic. The approved Plan is to be implemented and maintained thereafter to the satisfaction of the City.
29. Prior to occupation of the development, bicycle parking facilities are to be installed in accordance with the approved plans and thereafter maintained to the satisfaction of the City.



Francesca Lefante
Presiding Member, Metro Outer DAP

30. The approved development must clearly display the street number/s.
31. All services areas and service related hardware, including antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.
32. Prior to the occupation of the approved development, the owner of Lots 1 and 300 Yangebup Road ("the Owner") shall enter into an agreement with the City of Cockburn ("the City") to ensure that an easement is created over Lots 1 and 300 for the benefit of Lot 803 for access purposes in accordance with the specifications of and to the satisfaction of the City. The agreement shall be prepared by the City's solicitors to the satisfaction of the City. The owner shall be responsible to pay all costs of and incidental to the preparation of (including all drafts) and stamping of the agreement and lodgement at Landgate.
33. Prior to occupation of the approved development, a public access easement pursuant to Section 196 of the Land Administration Act 1997 is to be created over Lot 4308 to provide for vehicular access by the general public within the area shown on the plan as 'Alessandrini Drive (road between Beeliar Drive and Yangebup Road)'. The easement is to be registered on the Certificate of Title and noted on the deposited plan. The owner shall be responsible to pay all costs of and incidental to the preparation of (including all drafts) and stamping of the agreement and lodgement at Landgate.
34. Prior to occupation of the approved development, the landowner/applicant shall, at their cost, register an easement in gross in favour of the City over the drainage infrastructure for the purposes of access, inspection, maintenance, repair, replacement and renewal of the drainage infrastructure, to the satisfaction of the City.
35. Prior to occupation of the approved development, the landowner/applicant is to implement the sustainability initiatives as outlined in the Sustainable Design Assessment Report dated 13 January 2026 and maintained thereafter to the satisfaction of the City.
36. All alfresco dining areas approved herein are to comply with the requirements set out in Part 4 of Local Planning Policy 3.5 – Alfresco dining and maintained thereafter to the satisfaction of the City.
37. If chicks are found within a nest or hollow in a tree proposed for removal, a Fauna Relocation Management Plan must be submitted to and approved by the Local Government prior to clearing, in accordance with the City's Fauna Relocation Management Plan Guidelines.



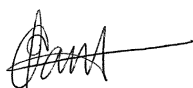
Francesca Lefante
Presiding Member, Metro Outer DAP

38. Fuel deliveries to occur outside of normal shopping centre hours to avoid conflicts with customer traffic and outside of peak service station customer hours:
- 7.30am to 9am and 2:30pm to 4pm on weekdays; and
 - 11am to 1pm Saturday and Sundays.

The SDAP as required under Condition 28 is to be updated as required.

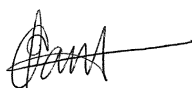
Advice Notes

1. This is a Development 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.
2. Please be advised that the development must comply with the requirements of the Building Codes of Australia.
3. With regard to condition 5, the art work shall be in accordance with Council' Local Planning Policy 5.13 Percent for Art and the 'Application for Art Work Design' and shall include a contract between the owner/applicant and the artists full working drawings (including an indication of where the art work is located) and a detailed budget being submitted to and approved by the City. Further information regarding the provision of art work can be obtained from the City's Community Arts Officer on 9411 3444.
4. With regards to Condition 8. the landscaping plan is to exclude species that may be detrimental to the adjoining nature reserve, including PSHB host species. Proposed trees are to be suitable for roadside and shade sail locations, with a preference for Western Australian native species, to the satisfaction of the City's Environmental Team.
5. With regard to condition 12, Please submit a crossover application on City's website with a detailed site plan. A 2m x 2.5m sightline shall be provided at the intersection of the crossover(s) and road boundary. All sightlines shall be maintained clear of obstructions above a height of 0.75m. Copies of crossover specifications are available from the City's Engineering Services or from the City's website www.cockburn.wa.gov.au.
6. With regard to condition 16, the Construction Management Plan (CMP) shall be prepared in accordance with the 'City of Cockburn Construction Management Plan Guidelines' (available on the City's website) and shall include the provision of a completed CMP checklist. Please note that in accordance with the Guidelines, a Dust Management Plan and/or Traffic Management Plan may be required to form part of the CMP. You are advised to contact the City's Environmental Health team and Traffic & Transport team to discuss whether these are required.



Francesca Lefante
Presiding Member, Metro Outer DAP

7. No signage forms part of this approval. Any proposed signage that is not exempt under Town Planning Scheme No. 3 is required to be submitted to and approved by the City prior to installation. The applicant is advised to consult with the City's Planning Services to determine whether approval is required.
8. 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.
9. A clearing permit from the Department of Water and Environmental Regulation is required prior to any clearing for the development under the provisions of the Environmental Protection Act 1986.
10. Retaining wall(s) 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.
11. 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.
12. All food businesses shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only).
13. 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.
14. Street trees are a Council Asset and shall not be removed, altered in any way or pruned, without prior approval of the City of Cockburn. The City shall seek compensation for any damages to street trees as a result of the development and the applicant is advised to ensure all contractors are made of aware of this requirement.
15. No wash-down of plant, vehicles or equipment is permitted on the premises. Industrial, commercial or wash-down wastes shall not enter stormwater disposal systems or otherwise be discharged to the environment.
16. A 'Shop' is defined under the City's Town Planning Scheme No. 3 as 'premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom, fast food outlet, bank, farm supply centre, garden centre, hardware store, liquor store or nursery'.



Francesca Lefante
Presiding Member, Metro Outer DAP

17. A 'Fast Food Outlet' is defined under the City's Town Planning Scheme No. 3 as 'premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises but does not include a lunch bar'.
18. A 'Liquor Store' is defined under the City's Town Planning Scheme No. 3 as 'a building the subject of a Store Licence granted under the provisions of the Liquor Act'.
19. A 'Restaurant' is defined under the City's Town Planning Scheme No. 3 as 'premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Licensing Act 1988.'

AMENDING MOTION 1

Moved by: Mike Mouritz

Seconded by: Cr Chontelle Stone

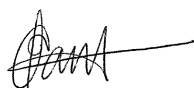
That Condition No. 8 b) be amended to read as follows:

Prior to the issue of a Building Permit, an updated Detailed Landscaping Plan is to be submitted to and approved by the City. The Plan is to include:

- a) *a minimum of one hundred and seventeen (117) new trees, in addition to the four (4) retained trees identified under Condition 7;*
- b) *the location of up to eight (8) contingency replacement trees, in addition to the 117 trees required by point (a), to be provided in 1000L containers at a ratio of two (2) replacement trees for each of the four (4) retained trees, should any retained tree be lost, die, or decline to the ~~satisfaction~~ **determination** of the City, or otherwise not be successfully retained;*
- c) *roundabout landscaping designed in accordance with the requirements of Figure 19 of the Traffic Impact Statement;*
- d) *the location, number, size and species of all proposed trees and shrubs;*
- e) *calculations demonstrating the extent of landscaped areas;*
- f) *updated site levels and tree retention annotations in accordance with Condition 7;*
- g) *verge landscaping treatments; and*
- h) *amended shade sail locations, where required, to accommodate retained and proposed trees.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To improve clarity and ensure the condition provides an objective mechanism for determining whether a retained tree has declined and requires replacement, thereby assisting with the consistent administration and enforcement of the condition.



Francesca Lefante
Presiding Member, Metro Outer DAP

AMENDING MOTION 2

Moved by: Clayton Higham

Seconded by: Cr Chontelle Stone

With the agreement of the mover and seconder, the following amendments were made en bloc:

- (i) That Condition No. 11 be amended to read as follows:

*The applicant must implement all of the recommendations contained in the Bushfire Management Plan (Ref: BMP26108v3.0) prepared by WA Fire & Safety dated 16 July 2026 and approved by the ~~Local Government~~ **City** for the duration of the development, including the implementation of all of the requirements outlined in Table 5 under Part 6.0 Roles and Responsibilities.*

- (ii) That Condition No. 28 (now Condition No. 27) be amended to read as follows:

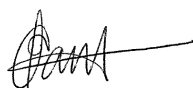
*Prior to occupation of the development, a Service and Delivery Access Plan (SDAP) is to be submitted to and approved by the ~~Local Government~~ **City**. The Plan is to detail delivery scheduling, servicing arrangements, loading bay management, waste collection operations and measures to minimise conflicts between service vehicles and customer traffic. The approved Plan is to be implemented and maintained thereafter to the satisfaction of the City.*

- (iii) That Condition No. 37 (now Condition No. 36) be amended to read as follows:

*If chicks are found within a nest or hollow in a tree proposed for removal, a Fauna Relocation Management Plan must be submitted to and approved by the ~~Local Government~~ **City** prior to clearing, in accordance with the City's Fauna Relocation Management Plan Guidelines.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To provide consistency in the naming of the responsible authority throughout the conditions.



Francesca Lefante
Presiding Member, Metro Outer DAP

AMENDING MOTION 3

Moved by: Clayton Higham

Seconded by: Mike Mouritz

With the agreement of the mover and seconder, the following amendments were made en bloc:

- (i) That Condition No. 13 be deleted and the remaining conditions be renumbered accordingly.
- (ii) That a new Advice Note No. 20 be added to read as follows:

The development shall comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The provision requires compliance with noise requirements governed by separate legislation.

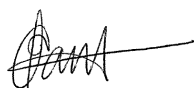
SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Outer DAP resolves to **APPROVE** DAP Application reference DAP/26/03070 for Proposed Commercial Development (Neighbour Centre) at Lots 1, 300, 4308, 7, and 99 Yangebup Road, Hammond Road and Beeliar Drive, Cockburn Central 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, subject to the following conditions:

1. The development is to be undertaken in accordance with the approved plans and documents attached to this approval, as listed below, except where amended by subsequent conditions:

Plan/ Document Name	Reference	Date
1 Beeliar SC Development Application Plans	2433 260720 Rev C	07 2026
2 Combined DA Landscape Plan	0614-BEL-KD-100 Rev C	20 07 26
3 Existing Tree Protection Plan (amended)	0614-BEL-KD-100 Rev C	27.07.26

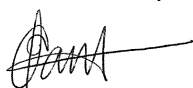
2. This decision constitutes planning approval only and is valid for a period of four years from the date of approval, being 19th August 2026. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. Development shall be carried out in accordance with the approved plans.



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4. The approved land uses apply to the various tenancies as outlined below:
 - a) T01, T03, T04, T05, T06, T07 & T09 – Shop
 - b) T02 – Liquor Store
 - c) T08 – Consulting Room
 - d) T10, T11, T12 & T13 – Restaurant/Fast Food
 - e) Pad Sites 1 and 2 – Fast Food Outlet
 - f) Fuel Site – Service Station
5. **Prior to the issue of a Building Permit** (excluding any forward/site works BP's) 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 building/development and maintained thereafter to the satisfaction of the City.
6. **Prior to the issue of a Building Permit**, a detailed material, colours and finishes schedule for the development, to be provided to the City's satisfaction. The details as agreed by the City are to be implemented in the development.
7. **Prior to the issue of a Building Permit**, an updated Tree Protection Management Plan, prepared by a suitably qualified arborist and informed by Australian Standard AS 4970, the final approved site levels and the final development design, is to be submitted to and approved by the City. The Plan is to demonstrate the retention and protection measures for the four (4) nominated trees identified under Condition
8. **Prior to the issue of a Building Permit**, an updated Detailed Landscaping Plan is to be submitted to and approved by the City. The Plan is to include:
 - a) a minimum of one hundred and seventeen (117) new trees, in addition to the four (4) retained trees identified under Condition 7;
 - b) the location of up to eight (8) contingency replacement trees, in addition to the 117 trees required by point (a), to be provided in 1000L containers at a ratio of two (2) replacement trees for each of the four (4) retained trees, should any retained tree be lost, die or decline to the determination of the City, or otherwise not be successfully retained;
 - c) roundabout landscaping designed in accordance with the requirements of Figure 19 of the Traffic Impact Statement;
 - d) the location, number, size and species of all proposed trees and shrubs;
 - e) calculations demonstrating the extent of landscaped areas;
 - f) updated site levels and tree retention annotations in accordance with Condition 7;
 - g) verge landscaping treatments; and
 - h) amended shade sail locations, where required, to accommodate retained and proposed trees.

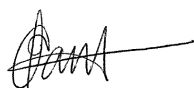


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9. Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with the/an approved plan and maintained thereafter to the satisfaction of the City. The landscaping shall be implemented prior to the initial occupation of the development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.
10. A geotechnical report prepared by an appropriately qualified consultant certifying that the ground is capable of accommodating the proposed development, shall be lodged with the City prior to the commencement of construction on site, at the cost of the owner/applicant, to the satisfaction of the City.
11. The applicant must implement all of the recommendations contained in the Bushfire Management Plan (Ref: BMP26108v3.0) prepared by WA Fire & Safety dated 16 July 2026 and approved by the City for the duration of the development, including the implementation of all of the requirements outlined in Table 5 under Part 6.0 Roles and Responsibilities.
12. Crossovers are to be located and constructed to the City's Vehicle Crossover Specifications.
13. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.
14. All outdoor lighting shall be installed and maintained in accordance with Australian Standard AS 4282 - 1997 "Control of the Obtrusive Effects of Outdoor Lighting".
15. **Prior to the issue of a Building Permit**, a Construction Management Plan shall be submitted to and approved by the City for new buildings detailing management of:
 - a) access to and from the site;
 - b) the delivery of materials and equipment to the site;
 - c) the storage of materials and equipment on the site;
 - d) the parking arrangements for contractors and subcontractors;
 - e) other matters likely to impact on surrounding properties;
 - f) management of construction waste.

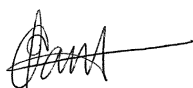
The Construction Management Plan shall be implemented at all times during the construction phase.

16. **Prior to the issue of a Building Permit**, an updated Acoustic Assessment is to be submitted to and approved by the City. The assessment is to be prepared by a suitably qualified acoustic consultant and include details of all proposed mechanical plant, including final plant specifications and locations, and demonstrate compliance with the requirements of the Environmental Protection (Noise) Regulations 1997.
17. The development site shall be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.



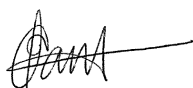
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18. The dimensions of all car parking bays, aisle widths, wheel stops, columns, ramps and circulation areas complying with the Australian Standards AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
 19. All access ways, parking areas and hardstand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.
 20. **Prior to the issue of a Building Permit**, engineering drawings and specifications are to be submitted to, and approved by, the City, for the following works to be completed at full cost to the applicant;
 - a) The upgrade of the Yangebup Road verge, including any required modifications to existing road infrastructure to accommodate safe access/egress to the development site; and
 - b) Yangebup Road upgrading works including kerbing, backfilling and draining using soakwells abutting the development; and
 - c) pedestrian connection along the Beeliar Drive and Yangebup Road that adequately connects to the existing footpaths, and
 - d) construction of the north-south private vehicle road and associated drainage. The approved works are required to be undertaken prior to the occupation of the development and to the satisfaction of the City.
 21. Prior to occupation of the approved development, the applicant/landowner shall make a financial contribution equivalent to 5% of the final cost of the future Hammond Road/Yangebup Road/Cooper Road intersection upgrade, estimated at \$2 million, to the satisfaction of the City.
 22. **Prior to the issue of a Building Permit**, with regard to the existing stormwater sump on Lot 4308, the landowner/applicant, shall come to a satisfactory arrangement with the City to:
 - a) Design and construct the driveway to protect the existing stormwater infrastructure from damage and ensure that the ongoing operation, structural integrity and maintenance access to the infrastructure are not compromised; or
 - b) Relocate the sump to a location acceptable to the City, without compromising the capacity or performance of the existing drainage infrastructure.
- Engineering drawings and specifications are to be submitted to, and approved by, the City
23. All stormwater to be contained on site. Stormwater drainage to be able to contain a 1 in 100 year, critical storm event.
 24. Prior to the issue of Building Permit, details about the stormwater drainage design intended for the proposed development shall be submitted to the City for review and approval. Details should include information on storage volumes to be contained within the drainage cells and soakwells, drainage calculations with catchment area and rainfall intensity.



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25. Prior to occupancy, installation of pedestrian crossing markings, vehicular guide signs, and pavement markings should be provided to ensure safe movement throughout the site, in accordance with AS 2890.1, AS 1742.1, and AS 1742.10. Where pedestrians, including people with disabilities, are expected to cross, they shall be guided to an accessible travel path and a safe crossing point that provides that provides adequate sight distance and is clearly marked with appropriate signage and pavement markings.
26. Prior to the initial occupation of the development, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City.
27. Prior to occupation of the development, a Service and Delivery Access Plan (SDAP) is to be submitted to and approved by the City. The Plan is to detail delivery scheduling, servicing arrangements, loading bay management, waste collection operations and measures to minimise conflicts between service vehicles and customer traffic. The approved Plan is to be implemented and maintained thereafter to the satisfaction of the City.
28. Prior to occupation of the development, bicycle parking facilities are to be installed in accordance with the approved plans and thereafter maintained to the satisfaction of the City.
29. The approved development must clearly display the street number/s.
30. All services areas and service related hardware, including antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.
31. Prior to the occupation of the approved development, the owner of Lots 1 and 300 Yangebup Road ("the Owner") shall enter into an agreement with the City of Cockburn ("the City") to ensure that an easement is created over Lots 1 and 300 for the benefit of Lot 803 for access purposes in accordance with the specifications of and to the satisfaction of the City. The agreement shall be prepared by the City's solicitors to the satisfaction of the City. The owner shall be responsible to pay all costs of and incidental to the preparation of (including all drafts) and stamping of the agreement and lodgement at Landgate.
32. Prior to occupation of the approved development, a public access easement pursuant to Section 196 of the Land Administration Act 1997 is to be created over Lot 4308 to provide for vehicular access by the general public within the area shown on the plan as 'Alessandrini Drive (road between Beeliar Drive and Yangebup Road)'. The easement is to be registered on the Certificate of Title and noted on the deposited plan. The owner shall be responsible to pay all costs of and incidental to the preparation of (including all drafts) and stamping of the agreement and lodgement at Landgate.



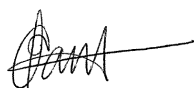
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33. Prior to occupation of the approved development, the landowner/applicant shall, at their cost, register an easement in gross in favour of the City over the drainage infrastructure for the purposes of access, inspection, maintenance, repair, replacement and renewal of the drainage infrastructure, to the satisfaction of the City.
34. Prior to occupation of the approved development, the landowner/applicant is to implement the sustainability initiatives as outlined in the Sustainable Design Assessment Report dated 13 January 2026 and maintained thereafter to the satisfaction of the City.
35. All alfresco dining areas approved herein are to comply with the requirements set out in Part 4 of Local Planning Policy 3.5 – Alfresco dining and maintained thereafter to the satisfaction of the City.
36. If chicks are found within a nest or hollow in a tree proposed for removal, a Fauna Relocation Management Plan must be submitted to and approved by the City prior to clearing, in accordance with the City's Fauna Relocation Management Plan Guidelines.
37. Fuel deliveries to occur outside of normal shopping centre hours to avoid conflicts with customer traffic and outside of peak service station customer hours:
 - 7.30am to 9am and 2:30pm to 4pm on weekdays; and
 - 11am to 1pm Saturday and Sundays.

The SDAP as required under Condition 28 is to be updated as required.

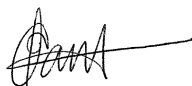
Advice Notes

1. This is a Development 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.
2. Please be advised that the development must comply with the requirements of the Building Codes of Australia.
3. With regard to condition 5, the art work shall be in accordance with Council' Local Planning Policy 5.13 Percent for Art and the 'Application for Art Work Design' and shall include a contract between the owner/applicant and the artists full working drawings (including an indication of where the art work is located) and a detailed budget being submitted to and approved by the City. Further information regarding the provision of art work can be obtained from the City's Community Arts Officer on 9411 3444.



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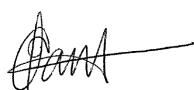
4. With regards to Condition 8. the landscaping plan is to exclude species that may be detrimental to the adjoining nature reserve, including PSHB host species. Proposed trees are to be suitable for roadside and shade sail locations, with a preference for Western Australian native species, to the satisfaction of the City's Environmental Team.
5. With regard to condition 12, Please submit a crossover application on City's website with a detailed site plan. A 2m x 2.5m sightline shall be provided at the intersection of the crossover(s) and road boundary. All sightlines shall be maintained clear of obstructions above a height of 0.75m. Copies of crossover specifications are available from the City's Engineering Services or from the City's website www.cockburn.wa.gov.au.
6. With regard to condition 16, the Construction Management Plan (CMP) shall be prepared in accordance with the 'City of Cockburn Construction Management Plan Guidelines' (available on the City's website) and shall include the provision of a completed CMP checklist. Please note that in accordance with the Guidelines, a Dust Management Plan and/or Traffic Management Plan may be required to form part of the CMP. You are advised to contact the City's Environmental Health team and Traffic & Transport team to discuss whether these are required.
7. No signage forms part of this approval. Any proposed signage that is not exempt under Town Planning Scheme No. 3 is required to be submitted to and approved by the City prior to installation. The applicant is advised to consult with the City's Planning Services to determine whether approval is required.
8. 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.
9. A clearing permit from the Department of Water and Environmental Regulation is required prior to any clearing for the development under the provisions of the Environmental Protection Act 1986.
10. Retaining wall(s) 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.
11. 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.
12. All food businesses shall comply with the Food Act 2008 and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only).



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Presiding Member, Metro Outer DAP

13. 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.
14. Street trees are a Council Asset and shall not be removed, altered in any way or pruned, without prior approval of the City of Cockburn. The City shall seek compensation for any damages to street trees as a result of the development and the applicant is advised to ensure all contractors are made aware of this requirement.
15. No wash-down of plant, vehicles or equipment is permitted on the premises. Industrial, commercial or wash-down wastes shall not enter stormwater disposal systems or otherwise be discharged to the environment.
16. A 'Shop' is defined under the City's Town Planning Scheme No. 3 as 'premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom, fast food outlet, bank, farm supply centre, garden centre, hardware store, liquor store or nursery'.
17. A 'Fast Food Outlet' is defined under the City's Town Planning Scheme No. 3 as 'premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises but does not include a lunch bar'.
18. A 'Liquor Store' is defined under the City's Town Planning Scheme No. 3 as 'a building the subject of a Store Licence granted under the provisions of the Liquor Act'.
19. A 'Restaurant' is defined under the City's Town Planning Scheme No. 3 as 'premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Licensing Act 1988.'
20. The development shall comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997.

The Substantive Motion (as amended) was put and CARRIED UNANIMOUSLY.



Francesca Lefante
Presiding Member, Metro Outer DAP

REASON: Panel members were satisfied that the proposal and proposed land uses are consistent with the applicable planning framework, including Cockburn Local Planning Scheme No. 3, the Development zone and the Hammond Road North Structure Plan, which supports the development of a neighbourhood centre. The proposal provides a mix of commercial land uses, with the retail component remaining below the applicable floor-space cap. Members were satisfied that the proposal aligns with the purpose of the structure plan and exercised discretion to support it.

Although members noted current actions to amend the structure plan, no weight was given to potential changes due to their current status.

The proposal was reviewed by the City's Design Review Panel and was modified to incorporate the suggested changes. The City concluded that the proposal satisfies the design principles of State Planning Policy 7.0. The proposal also incorporates significant tree replacement in terms of both the number and size of trees. Members concurred with the conclusions of the responsible authority report and supported the proposed built form, land-use mix, scale and street interface.

Members gave due regard to the submissions and were satisfied that the fast-food land use is compatible with the neighbourhood centre. Members were also satisfied that the on-site parking assessment demonstrated that sufficient parking would be available during the estimated peak period.

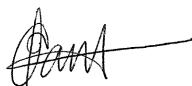
The Traffic Impact Statement provides sufficient detail and analysis to demonstrate that the proposed layout will operate without adversely affecting the safe functioning of the road network. The Panel also noted that the City's technical experts were satisfied that the road network changes could accommodate the traffic generated by the proposal. The proposal, including the minor modifications to the conditions, was therefore supported.

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil



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Presiding Member, Metro Outer DAP

PART D – OTHER BUSINESS

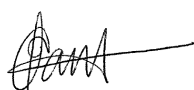
1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR 79/2026	City of Cockburn	Lot 168 (81) Quill Way, Henderson	Mixed Commercial Development (Henderson Business Hub)	28/05/2026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10.58am.



Francesca Lefante
Presiding Member, Metro Outer DAP