

SHIRE OF PEPPERMINT GROVE

MINUTES OF THE

**HEALTH, BUILDING & TOWN PLANNING
COMMITTEE MEETING**

HELD ON

14 APRIL 2009

Health, Building & Town Planning Committee Meeting

14 April 2009

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MINUTES

Minutes of the Shire of Peppermint Grove Health, Building and Town Planning Committee held on 14 April 2009 in the Council Chambers, 1 Leake Street, Peppermint Grove, commencing at 4.38pm.

A1 DECLARATION OF OPENING AND RECORDING OF ATTENDANCE AND APOLOGIES

The Presiding Member declared the meeting open at 4.38pm and called for the recording of attendance and apologies.

Attendance: Cr D A C Ward, Presiding Member
 Cr P B Bacich, Member
 Cr B C Kavanagh, Shire President, Deputy Member
 Cr R L Thomas, Member

 G Simpson, Chief Executive Officer
 T Mayor, Manager of Development Services
 F Gerhard, Executive Officer

Apologies: Cr G T Vikingur

A2 DELEGATION /DEPUTATIONS

No delegations

A3 QUESTIONS BY MEMBERS OF THE PUBLIC

No questions by members of the public

A4 DECLARATION OF INTEREST

Cr Thomas declared a proximity interest in items SD1 and HOP2
Cr Bacich declared a pecuniary interest SD1 and proximity interest HOP2
Cr Kavanagh declared a proximity interest in item DA2

A5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved Bacich seconded Cr Thomas that:

The Minutes of the Health, Building and Town Planning Committee meeting held on 10 March 2009 be confirmed as a true and accurate record of proceedings.

CARRIED

A6 PROJECT REPORT LIST

Distributed with agenda papers.

EH ENVIRONMENTAL HEALTH

EH1 FOOD RECALLS

File Ref: HEA5
Author: T Mayor, Manager of Development Services
Date: 8 April 2009

Purpose

The purpose of this report is to inform Council of the action taken by the Shire's Manager of Development Services with regard to food recall notifications.

Background

The Health Department of Western Australia advises all Local Governments of any food products that have been recalled.

Report

One (1) Food Recall Notification was issued by the WA Department of Health for the reporting period which was a Category 2 and is a consumer level recall and does not require a response from the Shire's Environmental Health Officer. Consumers can return the product to the distributor and disposal/destruction is carried out by the retailer

The Food Recall Notification and details of the recall product are available from the Officer.

Policy Implications

Nil

Budget Implications

Nil

Committee Recommendation

Moved Cr Bacich seconded Cr Thomas it be recommended to Council that:

The information be received.

CARRIED

EH2 FOOD BUSINESS INSPECTIONS

File Ref: HEA5
Author: T Mayor, Manager of Development Services
Date: 8 April 2009

Purpose

The purpose of this report is to inform Council of the food businesses inspected during the reporting period.

Background

The surveillance and inspection of food businesses are carried out periodical and routinely to assess compliance with the Health (Food Hygiene) Regulations 1993, are conducted as a normal duty of the Environmental Health Officer.

Report

The following food businesses were inspected during the reporting period –

- Royal Freshwater Bay Yacht Club
- Peppermint Grove Bakery
- Woolworths Supermarket (small goods and delicatessen section)
- One for the Road Café
- Red Rooster
- Little Cloud
- Cappuccino by the River
- Cafissommo Café

A Schedule of these food businesses and the outcomes of the inspections was distributed for Council information with the agenda papers.

Although the above premises were structurally in good order, there were items relating the general cleaning and hygiene that were of concern and require follow-up inspections to be carried out by the Officer to ensure compliance with Food Safety Standards.

Budget Implications

Nil

Policy Implications

Nil

Committee Recommendation

Moved Cr Kavanagh seconded Cr Thomas it be recommended to Council that:

The information be received.

CARRIED

EH3 FOOD SAMPLES

No reports for the reporting period

AM AMALGAMATIONS

No reports for the reporting period

SD SUBDIVISIONS

**SD1 ENDORSEMENT OF DEPOSITED PLAN FOR SUBDIVISION/AMALGAMATION
(WAPC APPLICATION NO. 139181) – LOT 2 (1B) VENN STREET & LOT 1 (18)
IRVINE STREET PEPPERMINT GROVE**

Note: Crs Bacich and Thomas declared a pecuniary and proximity interest in the item under consideration and retired from the meeting at 4.57pm without taking part in discussion or voting on the subdivision.

File Ref: TPL1

Author: T Mayor, Manager of Development Services

Date: 8 April 2009

Background

Applicant: Bennett Grogan and Associates
Owner: Olympic Holdings Pty Ltd and T & C Walsh
TPS No 3 Zoning: R12.5
Land Use: Single dwelling
Lot Area: 1843 m²

Report

At the Ordinary Meeting of Council held on 17 February 2009, Council was advised by the WA Planning Commission that an application for subdivision had been lodged with the WAPC for a minor subdivision/amalgamation of lot 2 (1B) Venn Street and lot 1 (18) Irvine Street Peppermint Grove. At the time of the advice from the WAPC the State Administrative Tribunal was deliberating on a request for review that involved these properties. Subsequently, it was resolved that -

Council advises the Western Australian Planning Commission that as the State Administrative Tribunal is currently considering a request for the review of a Council's decision to refuse a development application at lot 1 (18) Irvine Street Peppermint Grove, it would be inappropriate for Council to make any recommendations or comments to the Commission on the proposed subdivision. Any statements may have the potential to prejudice the decision of the Tribunal, subsequently the Shire Council has made the decision to defer

consideration on the subdivision application until the matter is resolved by the State Administrative Tribunal.

The Planning Commission noted the response and invited the Shire of Peppermint Grove to prepare conditions that could be imposed should the Commission decide to approve the subdivision.

Council has recently received advice that the WA Planning Commission has approved the subdivision. A deposited plan has subsequently been submitted by the subdivision applicant, Bennetti Grogan and Associates, seeking clearance of the approval conditions.

The new subdivision/amalgamation has created a minor variation to shape of the common property boundary between the two existing lots however, the lots will remain as two lots. Essentially, the subdivision/amalgamation will increase the land area of lot 1 (currently 671m²) to 689m² whilst lot 2 (currently 1172m²) will be marginally reduced to a land area of 1153m². The variation in land areas will not affect the existing residential density coding of lots 1 & 2 and will remain unchanged as R12.5.

Committee Recommendation

Moved Cr Kavanagh seconded Cr Ward it be recommended to Council that:

Council notes the information.

CARRIED

Note: Crs Bacich and Thomas rejoined the meeting at 5.05pm.

DA DEVELOPMENT APPLICATIONS

ADDITIONS/ALTERATIONS/REFURBISHMENTS/EXTENSIONS

DA1 UPPER LEVEL ADDITION AND INTERNAL ALTERATIONS AND REFURBISHMENTS TO RESIDENCE – LOT 50 (3) KEANE STREET PEPPERMINT GROVE (PC APPLIC NO. 009 – 36)

File Ref: TPL1
Author: T Mayor, Manager of Development Services
Date: 8 April 2009

Background

Applicant: Dale Alcock Home Improvements
Owner: G & K Crawford
TPS No 3 Zoning: R12.5
Land Use: Single dwelling
Lot Area: 781 m²

Report

An application has been received seeking approval for an upper level addition, external restorations and internal (minor) alterations and refurbishments to the existing single storey residence at the above property.

The proposed addition contains additional bedrooms, bathroom facilities and access stairs to serve the upper level. The remaining work is the restoration of the existing heritage residence and minor internal renovations.

This report recommends approval for the proposed development at 3 Keane Street.

Heritage

This property is listed in the Shire of Peppermint Grove Municipal Heritage Inventory as Category 1.

“Category 1

Buildings, which due to their character create the atmosphere of Peppermint Grove, therefore should be retained, but may be altered and extended in a manner which is both discrete and sympathetic to the original fabric and character so that a significant proportion of the original building is retained and from the street the additions are seen to be a continuation of the same fabric and character cultural significance of the property”.

Plot Ratio

The plot ratio will be 0.41, which complies with the Shire of Peppermint Grove Town Planning Scheme No 3, Clause 4.9.5.

Open Space

The open space will be 58.5% which complies with the Residential Planning Codes, Table No 1.

Front Setback

Unaffected by the development

Rear Setback

Unaffected by the development

Western Side Setback

Complies with the relevant requirements of the Residential Design Codes, Tables 2a and 2b, setback provisions.

Eastern Side Setback

Complies with the relevant requirements of the Residential Design Codes, Tables 2a and 2b, setback provisions.

Height

The architect has gone to considerable lengths to ensure that the features of the original building are carefully and faithfully replicated in the design of the proposed additions, extensions and alterations, particularly in the external profiles, roof pitches and fabric selections. In order to maintain continuity with the architecture of the original dwelling and to avoid a 'compressed' appearance from the street, it was necessary to retain relative ceiling levels and roof pitches, resulting in a small section of the upper level roof exceeding the prescribed height limit. The section of roof that exceeds the height limit is located in the centre of the building and will have no impact upon the amenity of the adjoining properties and will contribute to the visual amenity of the streetscape by creating a building that is more in keeping with the original heritage dwelling at 3 Keane Street.

The Shire of Peppermint Grove Town Planning Scheme No. 3, Clause 5.1.6 Variations to Scheme Provisions enables Council to vary conditions where there is an outcome that will make a positive contribution to the retention and restoration of a heritage dwelling.

Lot 50 has a Mean Natural Ground Level RL 8.93. The ridge of the proposed upper level addition will have a maximum roof height RL 19.33, resulting in a building height of 10.4m and exceeds the building height prescribed by the Shire of Peppermint Grove Town Planning Scheme No. 3 by 400mm.

The Shire of Peppermint Grove Town Planning Scheme No. 3 Part 5.1 HERITAGE PRECINCTS AND PLACES OF CULTURAL SIGNIFICANCE, Clause 5.1.6 Variation to Scheme Provisions, enables Council to exercise reasonable discretion to permit certain variation to ensure that heritage buildings are retained and conserved and states that –

5.1.6 Variations to Scheme Provisions

5.1.6.1 Where desirable to facilitate the conservation of a place, area, building object or structure of heritage value, or to enhance or preserve heritage values, the Council may vary any provision of the Scheme provided that where in the Council's opinion the variation of a provision is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for variation, the Council shall:

- a) consult the affected parties by following one or more of the provisions dealing with advertising uses pursuant to clause 6.2 Advertising of Applications; and*
 - b) have regard to any expressed views prior to making its decision to grant the variation.*
- (Approval Gazetted 16/7/96)*

It should be noted that the section of roof that exceeds the maximum height of 10.0m is located in the centre of the roof of the upper level addition and will have minimal impact upon the amenity of the adjoining properties.

As the roof of the upper level addition will exceed the prescribed building height limit, it will be necessary for Council to exercise its discretion and to grant its express approval for the section of roof that exceeds the maximum height limit of the Shire's Town Planning Scheme.

This report recommends that Council exercises its discretion to implement its power to approve the height variation of 10.4m.

Amenity

The existing residence at lot 50 is listed as a Category 1 building in the Shire of Peppermint Grove Municipal Heritage Inventory and the proposed restoration and development of the dwelling will make a significant contribution to the amenity of the locality whilst conserving a valuable heritage building in the Shire.

Crossovers and Street Trees

Unaffected by the development

Fencing

No changes to the existing fence structures.

Outbuilding Area

N/A

Consultation

A summary of the community consultation process showing formal comments and their relevance to the Shire's Peppermint Grove Town Planning Scheme No 3 and the Residential Design Codes is illustration below.

NEIGHBOUR PROPERTY	COMMENTS AND/OR OBJECTIONS	R-CODE R'QMNTS	TPS3 R'QMNTS	OFFICER'S COMMENTS
1 Keane St	Sighted plans – no comments.			
3A Keane St	No comments or objections received.			
5 Keane St	Sighted plans – no objections			
12 Crossland Ct	No comments or objections			

Discretions to be Considered

Should approval be granted for the development it will be necessary for Council to exercise its discretion in accordance with the Shire of Peppermint Grove Town

Planning Scheme No. 3, Clause 5.1.6 Variations to Scheme Provisions, to approve the building height of 10.4m.

Policy Implications

Nil

Budget Implications

Nil

Committee Recommendation

Moved Cr Kavanagh seconded Cr Thomas it be recommended to Council that:

The item be deferred until the May Committee Meeting.

CARRIED

CONSTRUCTION OF NEW DWELLINGS

No reports for the reporting period

CONSTRUCTION OF FENCES

DA2 FRONT BOUNDARY FENCE – LOT 101 (28) VIEW STREET PEPPERMINT GROVE (PC APPLIC NO. 009 – 41)

Note: Cr Kavanagh declared a proximity interest in the application and retired at 5.16pm without taking part in discussion or voting.

File Ref: TPL1
Author: T Mayor, Manager of Development Services
Date: 8 April 2009

Background

Applicant: Boughton Architecture
Owner: J Birchmore
TPS No 3 Zoning: R12.5
Land Use: Single dwelling
Lot Area: 1518m²

Report

An application has been received seeking approval for the construction of an open aspect fence on the front boundary at the above property.

The fence has been constructed and essentially complies with all of the relevant requirements of the Shire of Peppermint Grove Local Laws Relating to Fencing, however, the 20mm spacing between the 65mm wide timber palings is less than the prescribed 50% permeability and requires Council consideration for this minor variation. The Local Law enables Council to exercise its discretion to permit such a variation.

The residence at 28 View Street is a Category 1 Heritage building (Shire of Peppermint Grove Heritage Inventory) and has recently undergone a significant restoration and renovation program. The fence is in keeping with the architecture and style of the residence and satisfies the intent and spirit of the Local Law.

The proponent has submitted a formal rationale for the fence and should be read in conjunction with this report.

This report recommends that the minor variation for the fence at 28 View Street be approved.

Discretions to be Considered

The Shire of Peppermint Grove Local Laws Relating to Fencing, clause 8, enables Council to exercise discretion to approve a variation that would be in keeping with the intent of the Local Law and further, it would be in the interests for the streetscape and general amenity of the area to support the minor variation.

Policy Implications

Nil

Budget Implications

Nil

Officer's Recommendation

Council grant Planning Consent approval for Application 009 – 41 for the variation to the open aspect requirement for the front fence and permits a spacing of 20mm between the 65mm timber palings at lot 101 (28) View Street Peppermint Grove in accordance with the plans and specifications submitted on 26 March 2009.

And further, the proponent be advised that Council, in granting planning consent approval for the development, has exercised its discretion in accordance with the Shire of Peppermint Grove Local Laws Relating to Fencing, to approve the variation to the open aspect requirement of the Local Laws.

Committee Recommendation

Moved Cr Thomas seconded Cr Ward it be recommended to Council that:

- 1 Council grant Planning Consent approval for Application 009 – 41 subject to the construction meeting the 50% permeability of the open aspect requirement for the front fence at lot 101 (28) View Street, Peppermint Grove.

CARRIED

Note: Cr Bacich recorded his vote against the motion and advised that he was in favour of the Officer's Recommendation.

Note: Cr Kavanagh rejoined the meeting at 5.30pm.

CONSTRUCTION OF OUTBUILDINGS

No reports for the reporting period

COMMERCIAL PREMISES

No reports for the reporting period

DEMOLITIONS

No reports for the reporting period

OTHER

DA3 REDEVELOPMENT OF CHILDREN'S PLAYGROUND – ROYAL FRESHWATER BAY PLAYGROUND, KEANE'S POINT RESERVE 221556 CORNER HOBBS PLACE AND LILLA STREET PEPPERMINT GROVE

File Ref: TPL1
Author: T Mayor, Manager of Development Services
Date: 8 April 2009

Background

Applicant:	Shire of Peppermint Grove
Owner:	Shire of Peppermint Grove
TPS No 3 Zoning:	Reserve
Land Use:	Recreation
Lot Area:	4697m ²

Report

The Shire of Peppermint Grove is currently engaged in the redevelopment of the existing children's playground and equipment at the Freshwater Bay Playground , Hobbs Place.

The Shire is responsible for the management, development and general maintenance of the reserve.

The reserve is recognized in the Metropolitan Regional Scheme and as such, it is the policy of the WA Planning Commission for development on a reserve to approved by the Commission, however, the policy does enable the managing agent (the Shire) to determine if it is necessary to seek this approval.

In this instance, the proposed redevelopment of the playground maintains continuity with the approved use of the reserve and therefore it is not considered necessary to obtain the approval of the WAPC for the proposed works being the redevelopment of the playground and facilities.

Consultation

The Officer has liaised with the WAPC on the matter.

Discretions to be Considered

Council may exercise its discretion in accordance with the WAPC Policy DC 5.3 Use of Land Reserved for Parks and Recreation and resolve to not require the approval of the WAPC for the redevelopment of the playground.

Policy Implications

Nil

Budget Implications

Nil

Committee Recommendation

Moved Cr Bacich seconded Cr Thomas it be recommended to Council that:

Council exercise its discretion in accordance with the WAPC Policy DC 5.3 Use of Land Reserved for Parks and Recreation and resolve to not require the approval of the WAPC for the redevelopment of the playground at Reserve 22156 Hobbs Place, Peppermint Grove.

CARRIED

BLD BUILDING

BLD1 BUILDING LICENCE VARIATIONS
No reports for the reporting period

BLD2 HERITAGE
No reports for the reporting period

BLD3 BUILDING/DEMOLITION LICENCES APPROVED

File Ref: BUI20/BUI7
Author: T Mayor, Manager of Development Services
Date: 7 April 2009

Purpose

The purpose of this report is to inform Council of the Building Licences and Demolition Licences approved during the reporting period.

Background

Council Policy delegates authority to the Building Surveyor to approve licenses for the construction and demolition of buildings provided the following requirements are met: -

1. The use of any discretionary power by Council has previously been addressed by the Council.
2. Development approval has been granted in accordance with the requirements of the Shire of Peppermint Grove Town Planning Scheme No.3.
3. Development approval conditions being complied with.
4. Compliance with the Building Code of Australia.
5. Compliance with any conditions previously stated by Council.

Report

The following building licenses have been approved during the reporting period, in accordance with Council's Policy:

Building Lic. No.	Owner	Address	Description	Amount \$
3129	B BREDEN	70 LEAKE	Side boundary fence (adjoining ROW)	1,512
3130	PUZEY	29 McNEIL	Outbuilding (workshop)	55,000
3131	R OSWAL	2 BAY VIEW TCE	Entry statement and front and perimeter boundary fences	750,000

3132	FIELDLINE CORP	460 – 476 STIRLING HIGHWAY	Internal fitout and alterations to shop for educational establishment	88,000
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There were no Demolition Licences issued during the reporting period:

Policy Implications

Nil

Budget Implications

Nil

Committee Recommendation

Moved Cr Bacich seconded Cr Thomas it be recommended to Council that:

The information be received.

CARRIED

BLD4 BUILDING INSPECTIONS

File Ref: BUI10
Author: T Mayor, Manager of Development Services
Date: 7 April 2009

Purpose

The purpose of this report is to inform Council of the routine building inspections carried out by the Officer during the reporting period.

Background

The Building Surveyor carries out routine inspections of buildings under construction and when necessary conducts final inspections of completed buildings to ensure that the building complies with Council development approval (planning) and requirements of the Building Code of Australia (building) and other statutory requirements (health and sanitation).

Where non-compliance is identified the Officer will initiate appropriate action to remedy deviations to approvals or statutory requirements.

Report

Inspections of the following building licences were carried out during the reporting period -

Building Lic. No.	Building type	Address	Inspection type and outcome
2951	New dwelling	132 Forrest St	Progress – internal fitout commenced, external cladding being installed.
3108	Swimming pool	132 Forrest St	Progress – excavation completed and reticulated cleaning system installed.
2968	Western side boundary fence	132 Forrest St	Completed
3066	Group dwelling	113 Forrest St	Progress – nearing completion. Internal fitout in progress, external landscaping completed. Crossover under construction.
3046	Alterations and additions to dwelling	161 Forrest Street	Progress – internal fitout commencing.
2898	Swimming pool	161 Forrest St	Progress – shell installed
3047	New dwelling	1 Butler Way	Progress – lock-up, internal fitout in progress.
3061	Restoration and refurbishments to fire damaged residence	20 Bay View Tce	Completed – inspection to be conducted with engineers and insurance assessor
3121	Bin storage compound	113 Forrest St	Completed
2994	New residence	20 The Esplanade	Progress inspection – roof construction completed, internal fitout in progress.
3059	Alterations, additions and renovations/refurbishments to existing residence	58 View St	Progress inspection – new additions complete, roof under construction, internal work commenced
3015	New residence	53 Irvine St	Progress inspection – basement complete, ground level under construction.
3072	New dwelling	6 Bay View Tce	Progress – upper level and roof complete, internal fitout commenced.
2965	New residence	37B Keane St	Progress inspection – nearing completion

3050	Carport	155 Forrest St	Completed
3035	New dwelling	1 Crossland Ct	Progress – nearing completion.
3100	New residence	2 Bay View Tce	Progress inspection are carried out every 2 weeks with the project supervisor. Construction of ground floor slabs and walls in progress.
2951	New residence	132 Forrest St	Progress – lock-up, internal fit out in progress.
2968	Boundary fences	132 Forrest St	Completed

Committee Recommendation

Moved Cr Bacich seconded Cr Thomas it be recommended to Council that:

The information be received.

CARRIED

BLD5 **SIGNS & HOARDINGS**
No reports for the reporting period

HOP OPERATIONAL ISSUES

HOP1 **IMPLEMENTATION OF A REVISED SAMPLING SCHEME – LOCAL HEALTH AUTHORITY ANALYTICAL COMMITTEE (LHAAC)**

File Ref: HEA5
Author: T Mayor, Manager of Development Services
Date: 14 April 2009

Purpose

The purpose of this report is to inform Council of the changes to the Local Health Authorities Analytical Committee's new food sampling scheme.

Background

The current sampling scheme was introduced approximately 25 years ago. The Scheme levies funds from all Local Governments in WA according to a population

based formula and uses the funds to engage the services of a food analyst to conduct a variety of analyses on food samples submitted by member Local Governments.

The Scheme was intended to sample and analyse locally manufactured and produced foods, however, food supplies are now obtained world-wide and subsequently there has been a recognized need to change the sampling and analysis scheme.

A full background report together with FAQs prepared by the Local Health Authorities Analytical Committee is attached for Council information.

Policy Implications

Nil

Budget Implications

Nil

Committee Recommendation

Moved Cr Bacich seconded Cr Thomas it be recommended to Council that:

The information be received.

CARRIED

HOP2 STATE ADMINISTRATIVE TRIBUNAL DECISION DR/265 OF 2008 – WALSH AND THE SHIRE OF PEPPERMINT GROVE - LOT 1 (18) IRVINE STREET PEPPERMINT GROVE (PC APPLIC NO. 008 – 54)

Note: Crs Thomas and Bacich previously declared a proximity interest in the property at 18 Irvine Street but it was explained the delivery of the SAT report is an administration action on a concluded matter and did not require a Council decision.

File Ref: TPL3
Author: T Mayor, Manager of Development Services
Date: 14 April 2009

Purpose

The purpose of this report is to inform Council of the outcome of the State Administrative Tribunal decision DR/265 of 2008.

Background and Report

At the Ordinary Meeting of Council held on 16 June 2008, an Application for Planning Consent was considered for the development of a new two residence at the 18 Irvine Street Peppermint Grove. The officer recommended that the application for the new residence be approved however, after considering a number of intense

submissions from neighbours in the vicinity of 18 Irvine Street, the Council resolved to not grant Planning Consent for the development on the basis that:

- a) *the bulk and scale of the proposed development is not in keeping with the area and impacts upon the heritage residence at 1B Venn Street*
- b) *the proposed incursions into the northern, western and southern setback area is undesirable*
- c) *the building located at the nil setback on the southern boundary will result in the overshadowing to the heritage home at 1B Venn Street*
- d) *Irvine Street is the primary street for the proposed dwelling as it provides the major entry to the building*

The owners subsequently exercised their right to submit a request for the review of Council's decision to the State Administrative Tribunal.

After a protracted 10 months of Hearings and \$106,000 of expenditure on legal and planning representation, the State Administrative Tribunal (SAT) held a Final Hearing on 17 March 2009. The Tribunal decided to set aside the decision of the Shire of Peppermint Grove (Planning Consent Application No. 008 – 54) to refuse development approval for the construction of a single residence at 18 Irvine Street and a decision was substituted that conditional development approval be granted. The conditions of the SAT approval included –

- Irvine Street being the primary street front
- A front boundary setback of 5.5m was approved for the proposed residence
- A minor incursion on the northern side of the residence was required to be removed
- A solid section of boundary fence was permitted on the northern (front) boundary to provide privacy to a swimming pool and the outdoor living area and
- The nil setbacks on the southern and eastern sides of the residence remained unchanged

Essentially, there were no significant changes to the proposed residence that was originally recommended to Council for approval by the officer.

In accordance with the instructions of the SAT the Shire has issued planning approval and a building licence for the development of a new residence at 18 Irvine Street Peppermint Grove.

A full copy of the SAT's Reasons for the Decision of the Tribunal and the Order of the decision was distributed with the agenda papers.

Policy Implications

Nil

Budget Implications

Nil

Committee Recommendation

Moved Cr Kavanagh seconded Cr Bacich it be recommended to Council that:

The information be received

CARRIED

CLOSURE

There being no further business the meeting closed at 5.45pm

These minutes were confirmed as a true and accurate record of proceedings at the Health, Building and Town Planning Committee Meeting held on 12 May 2009.

Presiding Member

Date