Shire of
Peppermint Grove

# ORDINARY COUNCIL MEETING

# MINUTES

**HELD ON**
**TUESDAY 24 NOVEMBER 2020**
**AT**
**5.30 PM**

Shire of Peppermint Grove

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Shire of Peppermint Grove

# ORDINARY COUNCIL MEETING MINUTES

## 1 DECLARATION OF OFFICIAL OPENING

At 5.30pm, the Shire President declared the meeting open and requested that the Affirmation of Civic Duty and Responsibility be read aloud by a Councillor and requested the recording of attendance and apologies.

The media indicated they were not recording the meeting.

The Presiding Member will cause the Affirmation of Civic Duty and Responsibility to be read aloud by Councillor Peters.

***Affirmation of Civic Duty and Responsibility***

***I make this Affirmation in good faith on behalf of Councillors and Officers of the Shire of Peppermint Grove. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgment and ability. We will observe the Shire's Code of Conduct and meeting procedures to ensure the efficient, effective and orderly decision making within this forum.***

## 2 RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE

### 2.1 ATTENDANCE

| | |
|---|---|
| Shire President | Cr R Thomas |
| Deputy Shire President | Cr C Hohnen |
| Elected Member | Cr D Horrex |
| Elected Member | Cr G Peters |
| Elected Member | Cr P Macintosh |
| Elected Member | Cr P Dawkins |

| | |
|---|---|
| Chief Executive Officer | Mr D Burnett |
| Manager Development Services | Mr R Montgomery |
| Manager Corporate and Community Services | Mr M Costarella |
| Manager Infrastructure Services | Mr D Norgard |

## 2.2 APOLOGIES

NIL

## 2.3 LEAVES OF ABSENCE

| | |
|---|---|
| Elected Member | Cr K Farley |

## 2.4 NEW REQUEST FOR A LEAVE OF ABSENCE

NIL

# 3 DELEGATIONS AND PETITIONS

## 3.1 DELEGATIONS

NIL

## 3.2 PETITIONS

NIL

## 4 PUBLIC QUESTION TIME

The Presiding Member opened public question time by asking the gallery if there were any questions or deputation for Council.

- The Agenda
- Question to Council and
- Deputation Forms

Were placed at the end of the Council Meeting table in front of the public gallery, for the public, as well as on the Shire Webpage.

***Rules for Council Meeting Public Question Time***

*(a) Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.*

*(b) During the Council meeting, after Public Question Time no member of the public may interrupt the meeting's proceedings or enter into conversation.*

*(c) Whenever possible, questions should be submitted in writing at least 48 hours prior to the start of the meeting.*

*(d) All questions should be directed to the President and only questions relating to matters affecting Council may be answered at an Ordinary meeting, and at a Special meeting only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting, at the discretion of the President.*

*(e) The person presiding will control Public Question Time and ensure that each person wishing to ask a question should state his or her name and address before asking the question. If the question relates to an item on the agenda, the item number should also be stated. In general, persons seeking to ask a question will be given 2 minutes within which to address their question to the Council. The person presiding may shorten or lengthen this time in their discretion.*

### 4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE FROM A PREVIOUS MEETING

NIL

### 4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

NIL

### 4.3 DEPUTATIONS OF THE PUBLIC

NIL

### 4.4 PRESENTATIONS FROM THE PUBLIC

NIL

## 5 DECLARATIONS OF INTEREST

*Councillors / Staff are reminded of the requirements of section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed, and also of the requirement to disclose an interest affecting impartiality under the Shire's Code of Conduct. Councillors / staff are required to submit declarations of interest in writing on the prescribed form.*

### 5.1 FINANCIAL INTEREST

NIL

### 5.2 PROXIMITY INTEREST

NIL

### 5.3 IMPARTIALITY INTEREST

Cr Horrex – Item 9.2 PLC Music Centre

The nature of the interest being that she is a past pupil, former parent of 2 pupils, former secretary of Old Collegians Association and still attends school events.

### 5.4 INTEREST THAT MAY CAUSE A CONFLICT

NIL

### 5.5 STATEMENT OF GIFTS AND HOSPITALITY

NIL

## 6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

NIL

# 7 CONFIRMATION OF MINUTES

## 7.1 ORDINARY COUNCIL MEETING 27 OCTOBER 2020

**OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM 7.1**

**Moved: Cr Horrex** **Seconded: Cr Macintosh**

**That the Minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 27 October 2020 be confirmed as a true and accurate record.**

**CARRIED 6/0**

# 8 OFFICER REPORTS

## 8.1 MANAGER DEVELOPMENT SERVICES

### 8.1.1 34 – 38 Irvine Street - Reduced Rear Setback - Single House (two levels with Undercroft and Pool)

**URBAN PLANNING**

**ATTACHMENT DETAILS**

| Attachment No | Details |
|---|---|
| **Attachment 1** | Location Map |
| **Attachment 2** | Development Application Plans |
| **Attachment 3** | Checklist |

| | | |
|---|---|---|
| Voting Requirement | : | Simple Majority |
| Acceptance Date | : | 30/09/2020 |
| Location / Property Index | : | 1880, 1890, 1900 |
| Application Index | : | DA2020/00021 |
| LPS No 4 Zoning | : | Residential, R12.5 |
| Land Use | : | Residential |
| Lot Area | : | Lot 156 = 1679m$^2$, Lot 157 = 893m$^2$, Lot 158 = 928m$^2$ |
| Disclosure of any Interest | : | Nil. |
| Previous Items | : | Nil. |
| Applicant | : | Zorzi |
| Owner | : | Corine and Anthony Barton |
| Assessing Officer | : | Josh Dallimore – Planning and Development Officer |
| Authorising Officer | : | Mr. Ross Montgomery – Manager Development Services |

**PURPOSE OF REPORT**

Council is requested to consider the proposed new “two level home with undercroft and pool” at 34-38 Irvine Street, Peppermint Grove. The house is compliant with the LPS 4 except for a reduced setback from the rear right of way.

**SUMMARY AND KEY ISSUES**

- The application is for a complete redevelopment of the property at 34-38 Irvine Street
- The proposal is seeking discretion on the rear lot boundary setback
- The development will occur over 3 lots, with 2 lots to be amalgamated
- The Shire has received one objection during the consultation period.

## LOCATION

34-38 Irvine Street, Peppermint Grove

The development will be located across what is currently 3 lots along Irvine street, with two of these lots to be amalgamated as a condition of approval.

## BACKGROUND

The Shire has been through several stages of consultation with the applicant and owner prior to the submission of the development application.

Shire staff met with the owner and the applicant (architect and project managers) to establish the application process which would relate to the proposed design. This identified there would be a reduced setback from the rear boundary which requires a planning application and advertisement of the proposal to neighbours. The primary wing of the house is proposed to be built across the boundary of lots 157 and 158 and would need to be amalgamated. Another lighter framed structure connecting the two wings is not a substantial structure, and so lot 156 was not required to be amalgamated.

Following the pre-lodgement discussion, the application was received by Council on 30 September 2020. The supporting plans did not alter as a result of the discussion and agreement for an advertisement of the setback and conditioning for amalgamation should approval by Council be considered.

## CONSULTATION

The Shire consulted abutting neighbours with letters sent on 8 October 2020 inviting them to make comments on the proposed variation to the rear setback. The consultation period was open for 14 days and closed on 22 October 2020. Three submissions were received during this time.

Submission 1
No objection

Submission 2
No issues with the submission

Submission 3
Objection to the rear boundary setback for the following reasons:

1. The second storey living room and bedroom located above the garage have full height windows with direct overlooking to the right of way towards their rear garden.
2. A four-car garage would indicate an increased number of vehicles resulting in increased congestion and limiting safe exit into the narrow lane.
3. The design appears to be an independent living quarters with its own external staircase which there are concerns will become a permanent second residence/rental

## STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

## POLICY IMPLICATIONS

Proposed Local Planning Policy 11 – Building on Side and Rear Boundaries
LPP 11 has recently been adopted by Council for advertising and is now considered a seriously entertained draft. As such, the guidelines of the policy apply.

In particular, policy point 4 applies:

- For boundaries abutting a Right of Way (R.O.W) buildings should be set back sufficiently to allow for future road widening where this has been identified

A small amount of R.O.W already encroaches onto the rear of the property. If further road widening were to be taken (up to 4m) the proposed development would be close to the boundary but remain completely within the revised property boundary. It is recommended the ceding of a strip of land 4.27m to widen the R.O.W is requested by the Shire upon the referral of an application for amalgamation of Lots 157 and 158. In the light of Council agreeing to vary the rear setback, a road widening would be a justified and reasonable requirement and matches ceded strip of land to the East.

## STATUTORY IMPLICATIONS

### Local Planning Scheme No.4

The proposal complies with relevant Scheme provisions, Residential Design Codes and Scheme Policies with the exception of those outlined in the table below.

| RESIDENTIAL DESIGN CODES | | |
|---|---|---|
| **Acceptable Development/Performance Criteria** | | **Assessment/Comment** |
| **1.** | Rear Boundary Setback – 6m required | The proposed development has a minimum rear boundary of 5.3m, reducing the R-Codes requirements by 700mm.<br><br>The proposed reduced setback is slightly behind the existing garage of the neighbour to the east, thus, the development is consistent with this existing but non-compliant structure.<br><br>One submission has raised overlooking concerns generated by the reduced setback and large windows on the second floor. While there has been a reduction of the setback, the 7m cone of vision from the second-floor windows does not impinge any private or habitable rooms or areas. It is therefore consistent with acceptable design principles of the R Codes. Screening vegetation can be planted by the neighbour within their property to address any overlooking concerns. |

## FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

## ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

## SOCIAL IMPLICATIONS

There are no social implications at this time.

## OFFICER COMMENT

The plans submitted as a part of this application are deemed to comply with the R Codes and LPS 4, except for the reduced rear setback for the garage. The application is proposing a 5.3m setback to the rear of the property, (this is 700mm less than the R-Codes 6m minimum).
The reduced setback located along the eastern boundary of the development site, is immediately adjacent to an existing structure on the neighbouring property with a similar reduced setback to the 4.4m wide R.O.W. The reduced setback requested is 5.3m, plus 4.4m for the right of way (9.4m) indicates the privacy cone (7m) does not fall within the neighbouring property. In this context a reduction warrants approval.

Considering the reduced setback abuts the R.O.W, the width of the ROW mitigates concerns raised by the southern neighbours. It is also noted that several large established trees separate the properties.

As a part of the consultation process for this application the Shire received one objection to the proposed application, raising three areas of concern;

- Overlooking – large windows looking onto the laneway
    - The proposed two storey portion of the development at the rear of the property overlooks the R.O.W, with all neighbouring property boundaries in excess of the 7m cone of vision as per R-Code requirements
- 4 car garage – access and traffic issue with extra cars onto the laneway
    - The house that currently occupies the property has a garage in the same location as what is currently proposed. The proposed development has a large paved area between the R.O.W and the garage to accommodate turning circles and increase sight lines.
- Possibility of short stay or permanent rental accommodation
    - The Shire LPS4 does not allow short stay accommodation. Any concerns about future use for short stay accommodation are addressed as a Scheme land use compliance matter.

The application is proposing a complete redevelopment of the site, with all existing structures to be demolished and only garden aspects to be retained. The proposed development locates the primary living quarters of the development towards the rear of the property, with the front of the property being developed as an entertaining space with a large dining and kitchen facility. The development will retain the existing pond within the front garden, the large open garden at the south west corner of the property, and the two crossovers to Irvine Street.

As mentioned, the section of the development addressing Irvine Street has been designed as an entertaining space, and cannot be used as an ancillary dwelling due to the lack of sleeping facilities. This portion of the development will include a kitchen, laundry and powder room to ensure dinner guests do not have to access the primary wing of the house.

Based on the merits of the proposed design and no impact of the setback variation, approval to the reduction in rear setback is recommended. The overall design is predominantly single

storey surrounded by ample landscaping to reduce the impact of the development on the street and neighbours. The development will maintain large landscaped gardens, retain mature trees to address the street and contribute to the garden character of the streetscape as valued by the Shire.

***Further Information following the Agenda Briefing Forum held on 10 November 2020***

***Councillors raised several questions prompting this further information:***
***The requirement for there to be an amalgamation of lots 157 and 158 Irvine St will provide the opportunity for the Shire to request the ceding of a 4.27m strip of land for the purposes of future widening for the Right of Way that is used by the development for access purposes.***
***The ceding of the land to the Shire does not require a separation or fence for the land or to construct the widening immediately but it allows for this action in future when a sufficient portion of the widening can be assembled for an adequate width of road.***

***As for other cases past, the Shire allows abutting owners to fence the land until it is required, provided there is no encroachment of structures onto the land (including walls and permanent outbuildings).***

***The submitted plans indicate a swimming pool is proposed to be located close to the line the widening would introduce – the submitted plans show the widening clearly. The applicant may either accept that this widening may result on a fence abutting the pool or may consider shifting the pool slightly to achieve a feasible separation for any future re-fencing.***

***Review of the submitted plans and site inspection indicates there is no proposal to introduce additional crossovers to the site – the present crossovers onto Irvine Street will remain as currently is the case.***

## OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.1.1

**Moved: Cr Peters** **Seconded: Cr Horrex**

**That Council approves the Development Application at 34-38 Irvine Street, Peppermint Grove, in line with plan series D01-D06 received by the Shire on 30 September 2020, subject to the following conditions:**

1. **The development plans, as dated marked and stamped "Approved", together with any requirements and annotations detailed thereon by the Shire of Peppermint Grove, are the "Approved Plans" as part of this application and shall form part of the development approval issued.**

2. **All works are to be subsequent to the issue of a Building Permit and shall not be carried out, other than in accordance with this Planning Approval and consistent with Building Permit certified/approved plans.**

3. **The development, the subject of this approval shall be substantially commenced within two years of the date of issue of the consent forms and be completed before the conclusion of the third year, whereby all works are to be completed and conditions met.**

4. **Prior to the commencement of works, the applicant shall submit for approval and thereafter implement to the satisfaction of the Shire of Peppermint Grove, a construction management plan detailing:**
   - **How materials and equipment will be delivered and removed from the site;**
   - **How materials and equipment will be stored on the site;**
   - **Parking arrangements for contractors;**
   - **Construction Waste disposal strategy and location of waste disposal bins;**
   - **Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;**
   - **Other matters likely to impact on surrounding properties.**

5. **Prior to the submission of a building permit the applicant is to provide confirmation of WAPC dealing number for the amalgamation of lots 157 and 158 Irvine Street, Peppermint Grove.**

6. **All established trees and landscaping identified within plan D01 of the approved plans must be retained on site and protected during the construction period.**

**Advice:**

**In approving this application Council has assessed the proposed plans against the Shires Local Planning Scheme 4 and the Design Principles of the R-Codes, and has provided discretion on the following areas:**

- **Rear Lot Boundary Setbacks**

**The design principles assessment concluded there would be no adverse impact on the street or abutting properties.**

**The Shires LPS 4 does not allow short stay accommodation of any kind. As such, there will be no short stay accommodation, including but not limited to AirBnB, holiday rentals, and other forms of online accommodation permitted at this address.**

**CARRIED 6/0**

## 8.2 MANAGER INFRASTRUCTURE SERVICES

NIL

## 8.3 MANAGER CORPORATE AND COMMUNITY SERVICES

### 8.3.1 Financial Statements October 2020

**CORPORATE**

**ATTACHMENT DETAILS**

| Attachment No | Details |
|---|---|
| **Attachment** | **Financial Statements for the period ended 31/10/2020** |

| | | |
|---|---|---|
| Voting Requirement | : | Simple Majority |
| Subject Index | : | FINANCIAL MANAGEMENT-2020/21 STATEMENTS |
| Disclosure of any Interest | : | Nil |
| Responsible Officer | : | Michael Costarella |

**PURPOSE OF REPORT**

To receive the financial statements for the period ended 31 October 2020

**SUMMARY AND KEY ISSUES**

- **Total Operating Revenue –** There is an additional 3% income when compared to the Year to date Budget. This is mainly due to additional Fees & Charges (Planning).
- **Total Operating expenditure-** This is some 13% less than the year to date budget and mainly relates to Insurance, materials and contractors as well as Employee Costs.
- **Capital expenditure**- The capital expenditure for the 4 months to October 2020, shows the replacement of the Bore, Reserve Fence and Purchase of Vehicles.

**LOCATION**

N/A

**BACKGROUND**

The Monthly Financial Statements are prepared in accordance with the requirements of the Local Government Act & Financial Management regulations and are presented to Council for information.

**CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

**STRATEGIC IMPLICATIONS**

Objectives within the Governance section of the Strategic Community Plan

## POLICY IMPLICATIONS

Shire of Peppermint Grove Financial Management Policies

## STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

## FINANCIAL IMPLICATIONS

The financial report for October 2020 shows the current net assets of $2,568,402 which is due to the levying of the rates in July. i.e. the debt has been raised and income is shown in the accounts.

The rates debtors balance at the 31 October 2020 is $1,208,753. The Shire Levied $3,338,271 in rates and charges and this means that we have received $2,129,518 in rates and charges for the months of July to October, or 64%.

## ENVIRONMENTAL IMPLICATIONS

There are no environmental implications evident at this time.

## SOCIAL IMPLICATIONS

There are no social implications evident at this time.

## OFFICER COMMENT

The following comments relate to year-to-date (YTD) budget versus actuals variances or forecasts that vary from the full year estimate that are greater than $10,000.

(1) Fees and Charges-$47,180

The actual fees and charges received, is $47,000 more than the year to date budget and this relates to the raising of refuse charges and additional building licences for the same period.

(2) Grants & Subsidies- ($46,000)

The main reason for the difference between the year to date budget and the actual income is that Council is awaiting the receival of the Local Roads & Community Infrastructure Grant. Works are likely to commence in December.

(3) Contributions & Reimbursements- $12,341

The actual income is $12,000 more than the year to date budget and this relates to road grant budget understated to the 31 October.

(4) Employee Costs- $ 90,260

The additional amount of $90,000 generally relates to the accruals for the 30 June 2020 that will be reversed at the conclusion of the audit as well as termination payment for a long term Staff members.

(5) Materials & Contract-($220,000)

This year's actual expenditure is some $220,000 less than the year to date budget and relates to the projects not yet commenced.

(6) Insurance ($49,000)

The difference between the actual expenditure and the year to date budget, relates to the Insurance premiums are paid in 2 instalments with the next one not due until the 31 December.

(7) Other Expenses- $17,000

In adopting its 2020/21 budget, Council had anticipated a number of claims for rates subsidy as a result of the COVID 19 pandemic. There has been a minimal number of claims and this is the main difference between the actual expenditure and the year to date budget.

**OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO. 8.3.1**

**Moved: Cr Peters** **Seconded: Cr Hohnen**

**That Council receive the financial report for the period 1 July 2020 to 31 October 2020.**

**CARRIED 6/0**

## 8.3.2 Accounts Paid October 2020

**CORPORATE**

### ATTACHMENT DETAILS

| Attachment No | Details |
|---|---|
| **Attachment** | **Accounts Paid – October 2020** |

| | | |
|---|---|---|
| Voting Requirement | : | Simple Majority |
| Subject Index | : | Accounts Paid October 2020 |
| Disclosure of any Interest | : | Nil |
| Responsible Officer | : | Michael Costarella, Manager Corporate and Community Services |

### PURPOSE OF REPORT

The purpose of this report is to advise the details of all cheques drawn, credit card and electronic funds payments and direct debits since the last report.

### SUMMARY AND KEY ISSUES

Significant payments in October 2020 included the following:
- GST & PAYG remittance to ATO;
- Software Licences & Support
- WIFI and Telephone Leases and Licences and usage
- WA Superannuation

### LOCATION

N/A

### BACKGROUND

Attachment 1 lists details of all payments made since the last report. The following summarises the cheques, credit card payments, electronic fund transfers and direct debits included in the list presented for information.

| PAYMENT TYPE | NUMBER SERIES | AMOUNT |
|---|---|---|
| EFT | EFT 372-376 | $331,651.60 |
| Direct Debits | DD00174-182 | $7,722.39 |
| BPAY | BPAY167-168 | $ 144.40 |
| Cheque | 000438 | $163.70 |
| Credit Cards | May/June | $ 3,858.56 |
| | | **$343,540.65** |

## CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

## STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

## POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

## STATUTORY IMPLICATIONS

Accounts are paid during the month in accordance with Delegation 2 “Payments from the Municipal Fund and the Trust Fund”. Power to delegate to the CEO is contained in Section 5.42 of the Local Government Act 1995.

## FINANCIAL IMPLICATIONS

The payments processed by the Shire relate to expenditure approved in the 2020/21 annual budget.

## ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

## SOCIAL IMPLICATIONS

There are no social implications at this time.

## OFFICER COMMENT

The List of Accounts paid are provided to Council for information purposes and in accordance with the delegation to the CEO.

## OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.3.2

**Moved: Cr Peters** **Seconded: Cr Hohnen**

**That Council receive the list of payment of accounts by cheques, electronic funds transfers, direct debit payments for October 2020 and credit card payments for May/June totalling $ 343,540.65.**

**CARRIED 6/0**

## 8.4 CEO/ MANAGEMENT / GOVERNANCE / POLICY

### 8.4.1 Council Meeting Dates for 2021

**MANAGEMENT/GOVERNANCE/POLICY**

**ATTACHMENT DETAILS**

| Attachment No | Details |
|---|---|
| Nil | |

| | | |
|---|---|---|
| Voting Requirement | : | Simple majority |
| Subject Index | : | Council Meeting Dates 2021 |
| Disclosure of any Interest | : | Nil |
| Responsible Officer | : | CEO |

**PURPOSE OF REPORT**

The purpose of this report is to adopt the meeting dates for the Agenda Briefing Forums and Ordinary Council Meetings for 2021.

**SUMMARY AND KEY ISSUES**

Notification of planned Council meeting dates for 2021.

**BACKGROUND**

Legislation requires that Council provide public notice of the date and times of its meetings to allow for public participation and attendance.

**CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

**STRATEGIC IMPLICATIONS**

There are no specific Strategic Implications in respect to this matter.

**SOCIAL IMPLICATIONS**

There are no specific Social Implications in respect to this matter.

## POLICY IMPLICATIONS

There are no specific Policy Implications in respect to this matter.

## STATUTORY IMPLICATIONS

There are no specific Statutory Implications in respect to this matter.

## FINANCIAL IMPLICATIONS

There are no specific Strategic Implications in respect to this matter.

## ENVIRONMENTAL IMPLICATIONS

There are no specific Environmental Implications in respect to this matter.

## OFFICER COMMENT

Councils Agenda Briefing Forum will be held on the second Tuesday of every month and Ordinary Council Meetings are to be held on the fourth Tuesday.

There is no meeting in January 2021.

The December 2021 Ordinary Council Meeting is to be held on the third Tuesday, 21 December, so that the minutes are completed prior to the Christmas holiday period.

Three Ordinary Council Meetings follow Monday public holidays:

- Australia Day 27 January
- Western Australian Day 7 June
- Queen’s Birthday 25 September

## OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO. 8.4.1

**Moved: Cr Macintosh** **Seconded: Cr Horrex**

**That Council adopt the meeting dates for 2021:**

| **Agenda Briefing Forum**<br>2nd Tuesday of every month at 5.30 (except in January when Council is in recess) | **Ordinary Meeting of Council**<br>4th Tuesday of every month at 5.30 (except in December – 3rd Tuesday & January when Council is in recess.) |
|---|---|
| 9 February 2021 | 23 February 2021 |
| 9 March 2021 | 23 March 2021 |
| 13 April 2021 | 27 April 2021 |
| 11 May 2021 | 25 May 2021 |
| 8 June 2021 | 22 June 2021 |
| 13 July 2021 | 27 July 2021 |
| 10 August 2021 | 24 August 2021 |
| 14 September 2021 | 28 September 2021 |
| 12 October 2021 | 26 October 2021 |
| 9 November 2021 | 23 November 2021 |
| 14 December 2021 | 21 December 2021 |

**CARRIED 6/0**

## 8.4.2 Matters for Information and Noting

**MANAGEMENT/GOVERNANCE/POLICY**

**ATTACHMENT DETAILS**

| Attachment | Details |
|---|---|
| | **Building Permits Issued**<br>**Planning Approvals Issued**<br>**Infringements Issued**<br>**Library Statistics**<br>**Recycling Statistics** |

| | | |
|---|---|---|
| Voting Requirement | : | Simple majority |
| Subject Index | : | Matters for Information October 2020 |
| Disclosure of any Interest | : | Nil |
| Responsible Officer | : | CEO |

**PURPOSE OF REPORT**

The Shire of Peppermint Grove regularly receives and produces information for receipt by the Elected Members. The purpose of this item is to keep Elected Members informed on items for information received by the Shire.

The Matters for information report will be presented at each Council meeting and will provide an update on a number of areas of the Shire's operations and also provide information and correspondence of interest to elected members.

It is intended that the following information is provided on a regular basis, either monthly or quarterly, noting some of this data is still to be collected in a presentable format.

- Building permits issues
- Demolition permits issued
- Seal register advising of when the Shire seal has been applied
- Infringements for parking/dogs etc
- Waste and recycling data
- Library statistics

## SUMMARY AND KEY ISSUES

The following reports are presented to Council:

1. Building Permits Issued
2. Planning Approvals Issued
3. Infringements Issued
4. Library Statistics
5. Recycling Statistics

## CONSULTATION

No community consultation was considered necessary in relation to the recommendation of this report.

**OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO. 8.4.2**

**Moved: Cr Hohnen** **Seconded: Cr Horrex**

**That Council receives the information in this report.**

**CARRIED 6/0**

## 8.5 COMMITTEE REPORTS

NIL

## 9 NEW BUSINESS OF AN URGENT NATURE

### 9.1 LATE ITEM – Adoption of Revised Local Planning Policies 2020

**URBAN PLANNING**

**ATTACHMENT DETAILS**

| Attachment No | Details |
|---|---|
| **Attachments** | LPP 1 - Streetscape<br>LPP 2 - Ecological Urban Design and Sustainability<br>LPP 3 – Planning for Heritage Conservation<br>LPP 4 – Residential Building Heights<br>LPP 5 - Plot Ratio and Coverage of Site – Residential R10, R12.5, R15, R20.<br>LPP 6 – Neighbour Consultation on Development<br>LPP 8 - Construction Management Plans<br>LPP 9 - Development Bonds<br>LPP 10 - Design Review Panels<br>LPP 11 - Building on Side and Rear Boundaries<br>LPP 12 - Front Fences |

| | | |
|---|---|---|
| Voting Requirement | : | Simple Majority |
| Disclosure of any Interest | : | Nil. |
| Previous Items | : | Nil. |
| Authorising Officer | : | Mr. Ross Montgomery – Manager Development Services |

**PURPOSE OF REPORT**

Council resolved to advertise proposed Local Planning Policies (LPP) for public consultation (information, review and comment). The LPPs are being presented to Council as a result of a policy review conducted by Shire Officers and are requested to consider formally adopting the proposed LPPs.

## SUMMARY AND KEY ISSUES

- Revised Local Planning Policies have now been advertised for public review and comment.
- Eleven LPPs have been advertised a available for comment on the Shire website and by Notice in the local press. Comment is reported (below) and revision made to the policy which is forwarded to Council for adoption
- The LPPs have been reviewed to help keep the Shires planning framework up to date and relevant under the current planning conditions.
- One comment was received during the consultation period. This resulted in a minor modification to LPP 5 – Plot Ratio

## BACKGROUND

The Shire prepared its current local planning policies (LPP) in 2016 and 2017 and for the past three years applied these to guide its discretion in matters which require planning and development judgement.

LPP are part of what is now referred to by the Western Australian Planning Commission as the Local Planning Framework (Scheme, Policy and other strategic work).

Policy is most effective where it directly relates to adopted planning objectives and identifies the matters which need to be considered when assessing proposals at variance to the Local Planning Scheme deemed-to-comply standards and provisions. Policy also provides an elaboration of the process and approach to be adopted as part of influencing proposals to better match local planning intention.

Policy is not able to alter Scheme provisions unless the Scheme itself indicates possible variation, and in these cases the range of variation is stipulated to deliver a local outcome as good or better than the deemed to comply standard.
In the past two years there have been considerable refinements made to State Government planning policy and nomenclature and so it is an important task to update LPP to reflect current WAPC policy and procedure.
LPP have now been revised based upon the past three-years of experience and the application to the various design and land use proposals received and assessed by the Council.

## CONSULTATION

At the Ordinary Council Meeting of August Council resolved to advertise the proposed Local Planning Policies for public consultation. The consultation period began on 1 October 2020 and was open for 42 days from the advertising date.
During the consultation period one comment was received which took issue with the clarity of part of LPP 5 related to the first dot point explanation of calculation of Plot Ratio based on floor area. This section of the policy has been amended in response to the comment and now more accurately describes the basis for establishing the plot ratio for a design.

## STRATEGIC IMPLICATIONS

Local Planning Policies are strategically important because they articulate the values of the Council and how these will be applied in matters which require judgement to suit varied design and site circumstances.

## POLICY IMPLICATIONS

This will bring Shire policy up to date to follow the principles identified in the "Community Strategic Plan" and reinforce the provisions of the Shires Local Planning Scheme 4.

## STATUTORY IMPLICATIONS

Clause 67 of the Deemed Provisions outlines the case and procedure for the preparation and adoption of LPP. This has been met by the Shire procedure.

## FINANCIAL IMPLICATIONS

There are no financial implications at this time.

## ENVIRONMENTAL IMPLICATIONS

The LPP delivers the Shire Community Strategic Plan.

## SOCIAL IMPLICATIONS

There policies reflect values in the Community Strategic Plan.

## OFFICER COMMENT

Local policies are important because they articulate local values and link these to how we will plan and make decisions for the benefit of Peppermint Grove as a place and community. Governments recently are being encouraged to adopt more open and loose planning controls in the belief that urban development of all kinds brings benefits to the economy and our community. Peppermint Grove is a small community and holds values which do not place urban development above all other lifestyle objectives. It is therefore appropriate to delineate our points of local difference and to reflect these in future decisions.

Our Local Planning Policies (LPPs) will update the Local Planning Framework to better inform statutory planning conditions on building, development and subdivision. The updated LPPs seek to follow the principles identified in the "Community Strategic Plan" and reinforce the provisions of the Shires Local Planning Scheme 4.

LPP are of statutory importance once they are formally adopted by the Council (*Clause 67 Deemed Provisions*) and before this they been formally considered, referred for community comment and represent seriously entertained position of the local government regarding development and related decisions. LPPs augment the Local Planning Scheme and can be referenced in support of decisions and when these are called for review by SAT.

Where a policy is inconsistent with an approved local planning scheme or seeks to counter or vary a state planning policy this would warrant referral to WAPC.

The revised policies are consistent with previous policy in their intent and apply in conjunction with documentation in the Local Planning Framework (LPS 4, R Codes as varied in the Shire, Precinct and other local area plans) and will provide updated detail and explanation to guide decisions where the Local Planning Scheme allows and requires judgement of individual cases and site circumstances.

The Shire on behalf of the community is committed to achieving sustainability, healthy natural ecology, resilient urban systems such as drainage and local access.

Provided these policy values are able to be incorporated into development designs each new development will add to our capability to deliver the urban development our community values, and to retain our heritage, our streetscapes and lifestyle of landscape urbanism.

Maintaining a healthy environment is an important factor in any development. New policy, Local Planning Policy 2 – Ecological Urban Design and Sustainability articulates Council approach to assessing design in the light of the R Codes and LPS 4 and with the health of the environment in mind. LPP 2 aims to ensure proposed developments achieve a sustainable balance of buildings, hard surfaces and land available for deep planting. This policy will require a redevelopment to demonstrate it has been designed to deliver sustainability on the site towards our mission for a healthy vital Shire.

Other policies have been reviewed and reworded to provide clarity and assist designers and developers to do their best to reflect our neighbourhood values in their proposals.

During the consultation period one comment was received from an architect who queried wording within Local Planning Policy 5 – Plot Ratio. The following wording was queried due to lack of clarity:

- *"Gross floor area is to be calculated to include external walls and internal walls which make the footprint of the building/s on the site."*

The submitter indicates that wording did not distinguish between all floor areas on all levels of a development or just those levels above mean natural ground level for the purpose of the plot ratio calculation.

In the recent past the Shire is presented with expansive building designs for houses with many levels and spaces above and below ground. Non-habitable rooms are not included nor are basements where the basement sits entirely within the footprint of the building. The issue raised for the Shire is that expansion of a building footprint is at the expense of landscaped areas of the site. The intention is to control, by nominating a maximum plot ratio, the spread of building floor area across the site including above and below ground level.

The following modification is proposed:

- *"Gross floor area is to be calculated to include external walls and internal walls which make the footprint of the building/s on the site at each level above mean natural ground level at any point and this includes habitable spaces located below mean natural ground level."*

This modification has been added to the policy to reflect the original intention which was to have all the floor area of each level subject to plot ratio calculations. Floor areas for habitable rooms located below mean natural ground level are also to be included in plot ratio calculations.

Confusion when calculating stairs and lobbies arises because these are part of a building form, they are infrastructure, a necessary utility space for connecting floors. The following modification is therefore proposed to provide clarity for the inclusion of the floor space required for stairwells and lobbies where these spaces only perform a circulation function.

- "*Stairwell floor area is included for the ground level only."*

The proposed modification to LPP-5 is an additional clarification and is not a change to the intent or function of the policy and may be made without further advertisement.

The LPP have not been revised and are formally referred for adoption by Council.

## OFFICER RECOMMENDATION/S – ITEM NO 9.1

That Council:

1. Formally adopts the Local Planning Policies listed below:

   - LPP 1 – Streetscape
   - LPP 2 – Ecological Urban Design and Sustainability
   - LPP 3 - Heritage Places
   - LPP 4 - Residential Building Heights
   - LPP 5 – Residential Plot Ratio – R10, R12.5, R15, R20
   - LPP 6 – Consultation
   - LPP 8 - Construction Management Plans
   - LPP 9 - Development Bonds
   - LPP 10 - Design Review Panels
   - LPP 11 - Building on Side and Rear Boundaries
   - LPP 12 - Front Fences

2. Revokes previous Local Planning Policies except for LPP7 – Demolition and Vacant Lots.

Advice Note

The proposed policies were advertised for 42 days as per the adopted recommendation from the September Ordinary Meeting of Council. During this time one comment was received and this resulted in a minor modification to the wording of LPP-5 to clarify intent and method of plot ratio calculation.

Council advises the submitter there has been a rewording of the LPP 5 in response to their submission.

## COUNCIL DECISION – ITEM NO 9.1

**Moved: Cr Macintosh** **Seconded: Cr Horrex**

**That Council:**

1. **Formally adopts the Local Planning Policies listed below:**

   - **LPP 1 – Streetscape**
   - **LPP 2 – Ecological Urban Design and Sustainability**
   - **LPP 3 - Heritage Places**
   - **LPP 4 - Residential Building Heights**
   - **LPP 5 – Residential Plot Ratio – R10, R12.5, R15, R20**
   - **LPP 6 – Consultation**
   - **LPP 8 - Construction Management Plans**
   - **LPP 9 - Development Bonds**
   - **LPP 10 - Design Review Panels**
   - **LPP 11 - Building on Side and Rear Boundaries**
   - **LPP 12 - Front Fences**

2. **Revokes previous Local Planning Policies except for LPP7 – Demolition and Vacant Lots.**

3. **LPP5 – Reword the Table explanation of calculation for Plot Ratio to remove reference to mean natural ground levels because this is mentioned elsewhere in the policy, and may confuse from the intent to define what is a "basement" for the purposes of calculating the site plot ratio.**

**CARRIED 6/0**

**Advice Note**

**The proposed policies were advertised for 42 days as per the adopted recommendation from the September Ordinary Meeting of Council. During this time one comment was received and this resulted in a minor modification to the wording of LPP-5 to clarify intent and method of plot ratio calculation.**

**Council advises the submitter there has been a rewording of the LPP 5 in response to their submission.**

**IMPARTIALITY INTEREST DECLARED – CR HORREX**

9.2 LATE ITEM – Revised Approved Plan PLC Music Centre - DAP/19/01586 (JDAP Approval)

**URBAN PLANNING**

## ATTACHMENT DETAILS

| Attachment No | Details |
|---|---|
| **Attachment 1** | Location Map |
| **Attachment 2** | Development Application Plans |
| **Attachment 3** | Cover Letter |
| **Attachment 4** | JDAP Decision |

| | | |
|---|---|---|
| Voting Requirement | : | Simple Majority |
| Acceptance Date | : | 12/11/2020 |
| Location / Property Index | : | Presbyterian Ladies College |
| Application Index | : | DA2020/00026 |
| LPS No 4 Zoning | : | Private Clubs, Institutions and Place of Worship |
| Land Use | : | Education – Music Centre |
| Lot Area | : | 1582m$^2$ |
| Disclosure of any Interest | : | Impartiality Interest – Cr Horrex |
| Previous Items | : | DA2019/00006 & DAP/19/01586 |
| Applicant | : | Allerding & Associates |
| Owner | : | Presbyterian Ladies College |
| Assessing Officer | : | Mr Josh Dallimore – Planning and Development Officer |
| Authorising Officer | : | Mr. Ross Montgomery – Manager Development Services |

## PURPOSE OF REPORT

Council is requested to consider the proposed amended design and set of plans to meet the JDAP decision (DAP/19/01586) to approve the PLC Music Centre on McNeil Street in Peppermint Grove. The amended design is a reduction in the size and scale of the building with some internal modifications.

## SUMMARY AND KEY ISSUES

- The applicant submits a revised design that proposes 5 primary changes to the approved building, with minor changes to external materials and internal layout.
- The applicant is seeking an amendment to a DAP decision under Section 17A(1) of the *Planning and Development (Development Assessment Panels) Regulations* which allows the responsible authority (Local Government in this case) to amend the design provided it does not alter the terms of the approval.
- The roof line has been redesigned and slightly lowered to reduce bulk. The height is non-compliant with LPS 4 for the zoning, but Council has agreed to vary that element when it recommended approval previously.
- Amalgamation of the two constituent lots is still necessary to ensure site coverage compliance with LPS 4.

## LOCATION

Presbyterian Ladies College

## BACKGROUND

In 2019 the Shire received a development application proposal for a music centre at PLC on referral from JDAP Metro West. The Shire advertised the proposal and received objections from neighbours on the opposite side of McNeil Street. Noting the objection Council nevertheless decided to recommend the proposal be approved, and this report was accepted by JDAP Metro West who approved the application on 14 June 2019. The approved design was 3 floors plus a semi-exposed basement level below that accessed natural light through a terraced amphitheatre landscaped along the McNeil Street frontage.

A set of plans with proposed modifications to JDAP approval DAP/19/01586 were submitted to the Shire on 12 November 2020, with a request for Council to replace the previous set of approved plans with the modified set. Council is to make this decision pursuant to Section 17A(1) of the Planning and Development (Development Assessment Panels) Regulations.

The approved Music Centre building is located adjacent to the PLC junior school on McNeil street and adjacent to the heritage listed Finlayson House. The approved design includes connections to the Junior school on multiple levels to integrate the new building into the current structures also a terrace on the third (top) floor with sight lines predominantly north, but also with view corridors east and west.
This terrace was cited by a neighbour in a point of objection to the original approval raising overlooking into the street frontage of their home as the concern. Even though this objection was not upheld by JDAP (nor by Council) in the decision to approve the previous set of plans, it is noted these proposed modifications replace the terrace with a landscaped roof surface to restrict access to a balcony now set several metres back from the façade of the building. This would limit overlooking down into the street and opposite front yards.

## CONSULTATION

The original application submitted to the Shire and JDAP Metro West in 2019 was advertised to neighbours, and two comments were received. The first comment raised concerns about traffic as a result of the construction process which is to be addressed with a Site Access Management Plan submitted with a building application. The second comment raised concerns with overlooking from the terrace into their front garden and master bedroom which addresses the street. Privacy distances identified in the R Codes are met by the earlier design and by this replacement design.

The proposed modifications include the removal of the terrace overlooking McNeil Street. This change reduces previous concern of overlooking from the terrace given that the redesign removes this space as an accessible terrace.
The proposed redesign has a neutral or possible reduced impact on neighbours and therefore no further consultation has been conducted for this application.

## STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

## POLICY IMPLICATIONS

The proposed design modifications do not alter the policy implications applicable for this development. In particular, the following LPPs apply:

LPP 1- Urban Design and Streetscape Policy
The previous assessment identified four areas of significance namely :

1. The Value of protecting the Shires tree-lined streets – The revision to the approved design entirely removes the basement level of the music centre and a large amount of excavation and terraced landscaping is no longer necessary to allow natural light into the sub terranean level. The landscaping in front of the development is more consistent to a design fitting with the streetscape. An indication of landscaping can be seen in the 3D renders and ground floor plan of attachment 2.
2. The scale development of the music centre exceeds present development however the proposed development is in line with existing buildings adjacent to the development site. The modified proposal lowers the height of the roof line parapet, replaced with a shallow pitch projecting which will match the school and reduce the overall bulk of the building and dominance of the roof.
3. Works to adjacent heritage properties reducing scale – scaled back development will return Finlayson and Scorgie House to a residential style and reduce the overall impact of the school onto the street. The proposed modifications do not change this aspect of the development.
4. The music centre originally proposed walk-links between the music centre and the junior school at both the ground and third floor levels. The redesign

removes the link to the junior school at the third floor and this reduces the bulk created by the building as viewed from McNeil Street.

LPP 3 – Heritage Places

1. Finlayson House is a heritage listed property which abuts the proposed building. The applicant has committed to restore Finlayson House which will return this intersection to reflect the single residential scale which characterises most of McNeil Street.
2. Finlayson House is listed in the Shire of Peppermint Grove heritage list. Abutting development should respect the heritage aesthetics and values. Demolition work to accommodate the development has already been completed consistent with the previous recommendation for recent additions only to be removed to restore the reading of and preserve the heritage values of Finlayson House.

## STATUTORY IMPLICATIONS

Council is requested to consider the application to amend the approved music centre under section 17A(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011.* This section allows the responsible authority (Local Government) to decide on minor amendments to a DAP approval without referral to the DAP.

**Local Planning Scheme No.4**

The proposal complies with relevant Scheme provisions, Residential Design Codes and Scheme Policies with the exception of those outlined in the table below.

| LOCAL PLANNING SCHEME NO. 4 | | |
|---|---|---|
| **Scheme Requirement/Clause** | | **Assessment/Comment** |
| **1.** | C.32 (1) Maximum height of building for areas zoned Private Clubs, Institutions and places of worship: The lesser of 10 metres or half of the horizontal distance measured from the mean natural ground level of the nearest adjoining land boundary in a residential zone and the vertical line of the highest point of the building. | The proposal exceeds the prescribed Scheme maximum height but the disposition of the height is away from the McNeil St edge and so this design considers ways to reduce the visual impact to the street. Local Planning Scheme 4 provides some ambiguity as to how the height should be measured from the mean natural ground level and with respect to residential properties – which in this case are separated by a road.<br>The overall height of the modified building is unchanged from the original. However, by redesigning the parapet and adding a pitch to the roof a less imposing visual impact occurs to the street. |
| **1.** | C.32 (1) Maximum site coverage to be 0.5. | Proposal distributes the development over two lots (55 & 56) and can achieve the LPS 4 sight coverage target provided the sight coverage is calculated across the two combined lots.<br>An application for amalgamation has not yet been referred to the Shire. This measure is necessary to ensure the sight coverage requirements proposed are able to be met. |

## FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

## ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

## SOCIAL IMPLICATIONS

There are no social implications at this time.

## OFFICER COMMENT

The application to replace the approved plans with a minor redesign for PLC Music Centre proposes a series of modifications to the building originally approved by JDAP on 14 June 2020. Each of the modifications is minor and does not adversely change the impacts of the proposal on neighbouring properties. Council previously supported the proposal, and this redesign has a reduced impact on the site and adjacent properties.

It is for this reason the application may be determined by Council without further consultation or on-referral to DAP for a decision.

The complete list of changes described by the applicant (attachment 3) is as follows:

Removal of Lower Ground Floor (Basement)

The entire basement level of the original approval is proposed to be removed as a part of this application. While it was not visible from the street, removing the basement level removes the need for a landscaped amphitheatre to the basement to allow light into the rooms. It provides a simpler street aspect consistent with the rest of McNeil Street.

Reconfigure Top Floor to Remove Terrace

The removal of the roof terrace has been undertaken to simplify the design and this also responds to the one objection about possible overlooking received during the consultation process of the original application. The proposed change does not change the size or scale of the building, with the awning over to remain as a visual feature, however the space is to be repurposed as non-accessible landscaped feature.

Removal of Third Floor Pedestrian Link to the Junior School

This will visually separate the two buildings to reduce the visual bulk of the building to the street. Other links to the Junior School remain.

Enclosure of Two Small Sections of the Former Terrace

The proposed modifications will enclose sections of what was originally approved as terrace space. This will bring two recessed ends of the terrace to align with the window line along the top floor. The rest of the terrace space will remain as described as above.

This change has been proposed to offset some of the lost floor space from the removal of the basement level. Enclosing this space will add some bulk to the top floor of the building but will not reduce the minimum setback at that level. The enclosed sections will be enclosed with glass which will help reduce the added portion of bulk allowing some aspects of site into and out of the building.

Lower the Height of the Roof Line

The overall height of the building has not been lowered; however, the redesign of the roof line has reduced the overall bulk. It is proposed that the flat roof line be replaced with a lower roof line to a shallow pitch. Due to the setback of the top floor from the rest of the building the introduced pitch will help the roof disappear from site.

Other Minor Changes

There have been other minor changes to the internal layout and these have no planning significance and are inconsequential for the purposes of this application. Some minor material changes to the exterior are proposed and these will bring the appearance of the building to more closely match other campus buildings in colour and texture of finish.

The total of all proposed changes result in a development that has less of an impact on the street and recognises some issues raised during the previous assessment process. None of the proposed changes will adversely affect the presentation of the street and will create a more cost-effective design for the school.

The application to replace the Approved Plan with a minor redesign is one which will deliver a better development outcome for the site and the locality. Approval to this replacement is therefore recommended consistent with previous conditions (see Attachment 4).

## OFFICER RECOMMENDATION/S – ITEM NO 9.2

That Council authorises the Chief Executive Officer to approve the submitted plans (received 12 November 2020) as the replacement 'Approved Plans' for JDAP decision (DAP/19/01586) at Presbyterian Ladies College (PLC) McNeil Street, Peppermint Grove.

Advice Note

A copy of this report and this decision will be sent to the JDAP Metro West for information.

## COUNCIL DECISION – ITEM NO 9.2

**Moved: Cr Horrex** **Seconded: Cr Macintosh**

**That Council approves the submitted plans (submitted 12 November 2020) as the replacement 'Approved Plans' for JDAP decision DAP/19/01586 at Presbyterian Ladies College, Peppermint Grove.**

**Advice**

1. **The replacement "Approved Plans" are subject to the conditions contained within the original approval.**

2. **The submitted plans have been approved by the Shire under Section 17A(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.**

3. **As per Section 17A(3) of the *Planning and Development (Development Assessment Panels) Regulations 2011* the Shire will provide the administrative officer of the relevant DAP written notification including the date of the determination, the determination, and relevant conditions of which the approval is subject to.**

**CARRIED 6/0**

## 10 MOTIONS ON NOTICE

NIL

## 11 CONFIDENTIAL ITEMS OF BUSINESS

NIL

## 12 CLOSURE

At 5.45pm, there being no further business the meeting closed.