



Swan Valley Statutory Planning Committee

Minutes

Meeting No. 3
Tuesday, 15 February, 2022

Members: David Caddy - Chairman WAPC
Kym Davis - Member of the Statutory Planning Committee
Lino Iacomella - Member of the Statutory Planning Committee
Leonard Kosova - Member of the Statutory Planning Committee
Nina Lyhne - Member of the Statutory Planning Committee
Marion Thompson - Member of the Statutory Planning Committee
John Rex - Representative of Swan Valley Residents and Businesses
Justin Rogan - Representative of Swan Valley Residents and Businesses
Charlie Zannino - Representative of the Swan Valley Local Government

Others present: Andrew Cook - Planning Manager, Metro North East
Sam Fagan - Manager Commission Business
Robert Hodges – A/Planning Director, Metro North
Michelle King - Senior Commission Support Officer
Irene Obales - Commission Support Officer
David Saunders – Assistant Director General, Land Use Planning
Grace Zhang - Planning Officer, Metro North West

1. Declaration of opening

The Chairman declared the meeting open at 9:19 am, acknowledged the peoples of the Noongar nation as the traditional owners and custodians of the land on which the meeting is taking place, welcomed members and acknowledged that the majority of members were attending the meeting via Zoom video conference. The Chairman paid respect to elders past and present, and extended solidarity and hope for a just and dignified future for us all.

2. Apologies

Nil.

3. Members on leave of absence and applications for leave of absence

Nil.

4. Disclosure of interests

Mr Caddy advised members that he had email exchanges with Mr Kelvin Cooper, the applicant on Item 8.1 - Development Application for an Outbuilding - Lot 12 Saunders Street, Henley Brook, in his capacity as Chairman of the Western Australian Planning Commission.

Ms Lyhne declared a Proximity Interest on Item 8.2 - Development Application for a Proposed Outbuilding on Lot 32 Weir Road, Baskerville. Ms Lyhne stated that she is a direct neighbour of the applicant. Members agreed that Ms Lyhne should not be present during the discussion and/or decision-making procedure on the item.

5. Declaration of due consideration

All members indicated that they had received and considered the agenda items prior to the Swan Valley Statutory Planning Committee meeting.

6. Minutes

6.1 Confirmation of minutes - Meeting No. 2 on Tuesday, 7 December 2021

Moved by Mr Iacomella
Seconded by Mr Kosova

That the minutes of the Swan Valley Statutory Planning Committee meeting held on Tuesday, 7 December 2021, be confirmed as a true and correct record of the proceedings.

The motion was put and carried

7. Deputations and presentations

7.1 Development Application for an Outbuilding - Lot 12 Saunders Street, Henley Brook (Item 8.1)

Presenter: Kelvin Cooper - Home owner

Mr Cooper made a presentation to the Committee and provided an overview of the Development Application for an Outbuilding on Lot 12 Saunders Street, Henley Brook. Mr Cooper requested the Committee approve his application for a shed and stated that this will not provide a massive impact on the rural landscape of the area. Mr Cooper informed members that the proposed shed will be located approximately 120 metres from the front road and will be built using colorbond material in a dark colour.

7.2 Development Application for a Proposed Outbuilding on Lot 32 Weir Road, Baskerville

Presenter: Stephanie Gate - Owner of 2 Weir Road, Baskerville

Ms Lyhne declared a Proximity Interest on this item and left the meeting at 9:29 am.

Ms Gate made a presentation to the Committee on the Development Application for a Proposed Outbuilding on Lot 32 Weir Road, Baskerville. Ms Gate stated that she understands one of the concerns of her application is the aesthetic of the rural landscape but assured members that the proposed shed will not be visible from the road and will be surrounded by trees. Ms Gate discussed that the shed is to be used purely for rural lifestyle and that all their equipment will be stored in the proposed shed.

Ms Gate answered questions from members on why a smaller shed will not work for her. Ms Gate informed members that she and her husband need the shed to keep their classic cars at their property as they are currently housed in different locations.

Ms Gate informed members that the existing dome structure in the property will be removed and that all the equipment in the dome structure will be stored in the new shed.

Ms Lyhne returned to the meeting at 9:38 am.

8. Statutory items for decision

8.1 Development Application for an Outbuilding - Lot 12 Saunders Street Henley Brook

Members were provided an overview of the Development Application for an Outbuilding on Lot 12 Saunders Street, Henley Brook and were advised that a consistent approach was taken in relation to large outbuildings based on the Swan Valley Planning Scheme, in which the objective is to avoid the proliferation of large outbuildings in the Swan Valley.

Members were informed that the site coverage of the proposed shed is significant and exceeds the maximum site coverage requirement of 5 percent. Members discussed that the proposed shed will have to be reduced significantly in order to comply with the required site coverage.

Members discussed the shed site coverage provision under the Swan Valley Planning Scheme and the proliferation of large sheds in the Swan Valley. Members were advised that applications that were seen by the Swan Valley Planning Committee over the years were quite large sheds and reasonable discussion on each ensued.

The Chairman recommended that a review of the site coverage provision of the Swan Valley Planning Scheme be considered by the Department of Planning, Lands and Heritage.

A motion was moved to approve the recommendation of the Department of Planning, Lands and Heritage.

Moved by Mr Caddy

That the Swan Valley Statutory Planning Committee resolves to refuse the application for development of an additional outbuilding at Lot 12 (44) Saunders Street Henley Brook for the following reasons:

- a. when taking into consideration existing development on the site, the additional proposed outbuilding will exceed the maximum site coverage specified under the Additional Site and Development Requirements of Schedule 5 of the Swan Valley Planning Scheme No.1 which will be contrary to the aims of the Swan Valley Planning Scheme No.1;*
- b. approval of the application would be contrary to the objectives of the Rural Residential B zone of the Swan Valley Planning Scheme No.1 by reason that it would adversely impact on the rural character of the locality; and*
- c. approval of the application would undermine the integrity of the Scheme and potentially result in a proliferation of similar proposals for development in the locality.*

The motion lapsed for want of a seconder

Members were advised that the City of Swan recommends approval of the proposed shed subject to conditions. Members agreed to approve the application consistent with the City of Swan conditions and include a condition requiring landscaping to screen the shed further.

Moved by Cr Zannino

Seconded by Mr Kosova

That the Swan Valley Planning Committee resolves to approve the application for development of an additional outbuilding (shed) on Lot 12 Saunders Street Henley Brook subject to the following conditions and advice:

CONDITIONS:

- 1. This approval relates to the attached plans date stamped 14 September 2021 by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission.*

2. *The shed shall only be used for domestic and/or rural purposes, associated with the property, and not for human habitation.*
3. *The shed is to be finished in a material or painted in a colour of natural or earth tones to complement the surroundings, and/or adjoining development.*
4. *All stormwater must be contained and disposed of on-site at all times.*
5. *The shed shall be screened from view from Saunders Street to the satisfaction of the Western Australian Planning Commission.*

ADVICE:

1. *This approval does not authorise commencement of any building and/or demolition works. In accordance with the Building Act 2011 and Building Regulations 2012, a building and/or demolition permit must be obtained prior to the commencement of any works.*

The motion was put and carried

Dissent: David Caddy

Members agreed to request that the Department of Planning, Lands and Heritage undertake a review of the maximum site coverage requirement of the Rural Residential zone under the Swan Valley Planning Scheme No. 1.

Moved by Mr Caddy
Seconded by Mr Kosova

That the Swan Valley Statutory Planning Committee resolves to request that the Department of Planning, Lands and Heritage undertake a review of the maximum site coverage of the Rural Residential zone under the Swan Valley Planning Scheme No. 1.

The motion was put and carried

8.2 Development Application for a Proposed Outbuilding on Lot 32 Weir Road, Baskerville

Ms Lyhne declared a Proximity on this item and left the meeting at 9:54 am.

Members discussed the Development Application for a Proposed Outbuilding on Lot 32 Weir Road, Baskerville and were advised that the concern is the size of the proposed shed. Members noted the discussion during deputation that the applicant is proposing to remove an existing dome structure in the property. Members were advised that

the size of the proposed shed significantly exceeded the maximum floor area specified under the Swan Valley Planning Scheme, taking into account the existing outbuildings on the site including the dome shelter but not including the stables. Members noted that the total figure for outbuildings on the site will be 466m². Members were advised that with the removal of the dome shelter, the proposed shed would still be over the required 200m².

Members discussed the outbuilding calculation under the Swan Valley Planning Scheme to determine whether the stables can be excluded from the calculation.

Members discussed the size of the applicant's land and noted that the proposed shed is going to be well hidden and will not aesthetically affect the rural landscape of the area. Members agreed to endorse an alternative recommendation to approve the development application with a condition requiring the removal of the dome structure.

Moved by Cr Zannino
Seconded by Mr Kosova

That the Swan Valley Planning Committee resolves to approve the application for development of an additional outbuilding (shed) on Lot 32 Weir Road, Baskerville subject to the following conditions and advice:

CONDITIONS:

1. *This approval relates to the attached plans date stamped 14 September 2021 by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission.*
2. *The shed shall only be used for domestic and/or rural purposes, associated with the property, and not for human habitation.*
3. *The shed is to be finished in a material or painted in a colour of natural or earth tones to complement the surroundings, and/or adjoining development.*
4. *All stormwater must be contained and disposed of on-site at all times.*
5. *The existing dome shelter located within the site, currently used for storage is to be completely removed from the site within 90 days of the construction of the shed being the subject of this approval to the satisfaction of the Western Australian Planning Commission.*



Advice:

1. *This approval does not authorise commencement of any building and/or demolition works. In accordance with the Building Act 2011 and Building Regulations 2012, a building and/or demolition permit must be obtained prior to the commencement of any works.*

The motion was put and carried

Members agreed to request that the Department of Planning, Lands and Heritage undertake a review of the site and development requirements of the Swan Valley Rural zone under the Swan Valley Planning Scheme No. 1 in relation to outbuildings and rural structures.

Moved by Cr Zannino
Seconded by Mr Kosova

That the Swan Valley Statutory Planning Committee resolves to request that the Department of Planning, Lands and Heritage undertake a review of the site and development requirements of the Swan Valley Rural zone under the Swan Valley Planning Scheme No. 1 in relation to outbuildings and rural structures.

The motion was put and carried

Ms Lyhne returned to the meeting at 10:05 am.

9. Reports for Noting

Nil.

10. Urgent or other business

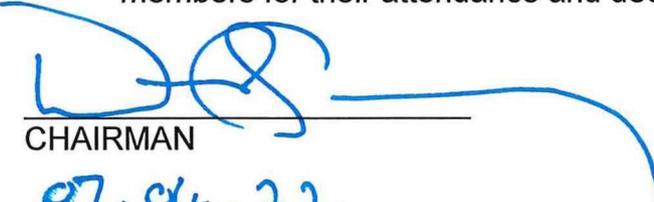
Nil.

11. Items for consideration at a future meeting

Nil.

12. Meeting closure

There being no further business before the Committee, the Chairman thanked members for their attendance and declared the meeting closed at 10:18 am.



CHAIRMAN

07.04.22

DATE