

PLANNING AND DEVELOPMENT

**AMENDED OFFICER RECOMMENDATION**

**ITEM NUMBER: PD128**

**ITEM TITLE: HOME BUSINESS AND DAM - LOT 355 EMU POINT DRIVE, ROAD, COLLINGWOOD PARK**

**PD128: AMENDED OFFICER RECOMMENDATION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council resolves to ISSUE a REFUSAL of development approval for a Home Business and Dam at Lot 355 Emu Point Drive, Collingwood Park WA 6330 for the following reasons:**

- (1) The proposed land use has the potential to detrimentally affect the amenity of the locality.**
- (2) The proposal does not satisfactorily meet the following matters to be considered as identified in Schedule 2, Clause 67 Planning and Development (Local Planning Schemes) Regulations 2015, namely:**
  - The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;**
  - The amenity of the locality including the following —**
    - environmental impacts of the development;**
    - the character of the locality;**
    - social impacts of the development;**
  - The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;**
  - Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;**
  - The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;**

**Officer's Reason (Executive Director Planning and Development):**

The condition of approval sought by officers for the retention of an area of native vegetation was essential to mitigate any impacts on amenity including;

- environmental impacts of the development**
- the character of the locality;**
- social impacts of the development;**

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The applicant has since removed the vegetation despite knowing that it was a condition of proposed approval and after receiving verbal advice that retention of the vegetation was a requirement of the City for retrospective approval. It was clearly explained to the applicants that the retention of this vegetation was essential to mitigate impacts on amenity resulting from their other unapproved works.