

---

Shire of Kalamunda

Planning Services Committee

# ATTACHMENTS

---

6 September 2010



## POLICY REGISTER

<b>Title:</b>	<b>Appointment of Deputies under the Health Act 1911</b>		
<b>Policy No.:</b>	<b>HLTH1</b>		
<b>Date Adopted:</b>	15 June 2009	<b>Date Last Reviewed:</b>	

<b>Objective:</b>	To allow the Chief Executive Officer, the Director Community Development and the Manager Health Service to discharge the powers and functions of the local government under the <i>Health Act 1911</i> .
-------------------	--

### Background

Each local government is responsible for carrying out the requirements and responsibilities of the *Health Act 1911* within its district, and enforcing the provisions of the Act. It is practical for the local government to appoint a person to be its deputy, so that Council does not need to deliberate on every action taken under the Act.

### Scope & Limitations

Applies to the local government's functions under the *Health Act 1911*, and under those regulations and local laws made under the *Health Act 1911*.

### Policy

The Chief Executive Officer, the Director Community Development and Manager Health Service are appointed as the local government's deputies under Section 26 of the *Health Act 1911*. These appointments are to remain in place until revoked by Council.

### CROSS REFERENCES (If any):

<b>Admin Policy/Procedure:</b>		<b>Delegation:</b>	
--------------------------------	--	--------------------	--

### LEGAL REFERENCES

<b>Legislation:</b>	Health Act 1911, s.26 <b>26. Powers of local government</b> Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder: Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.
<b>Local Law:</b>	

<b>Notes:</b>	
---------------	--



## POLICY REGISTER

<b>Title:</b>	<b>Appointment of Deputies under the Health Act 1911</b>		
<b>Policy No.:</b>	<b>HLTH1</b>		
<b>Date Adopted:</b>	15 June 2009	<b>Date Last Reviewed:</b>	18 August 2010
<b>Rationale</b>	To allow the Chief Executive Officer, the Director <del>Community Development</del> <b>Planning and Development Services</b> and the Manager Health Service to discharge the powers and functions of the local government under the <i>Health Act 1911</i> .		
<b>Policy</b>	The Chief Executive Officer, the Director <del>Community Development</del> <b>Planning and Development Services</b> and Manager Health Service are appointed as the local government's deputies under section 26 of the Health Act 1911. These appointments are to remain in place until revoked by Council.		
<b>Related Local Law</b>	<i>Shire of Kalamunda Health Local Laws 2001</i>		
<b>Related Policy</b>			
<b>Management Practice</b>	Applies to the local government's functions under the Health Act 1911, and those regulations and local laws made under the <i>Health Act 1911</i> .		
<b>Legislation</b>	Health Act 1911, s26		
<b>Conditions</b>			

**DELEGATION REGISTER**

<b>Title:</b>	<b>Prohibition Orders – Section 65 of the Food Act 2008</b>		
<b>Delegation No.:</b>	<b>FOOD1</b>		
Delegation from:	Council	Delegated to:	Chief Executive Officer; Director Community Development
Date Adopted:	21 December 2009	Date Last Reviewed:	

Legislation:	Food Act 2008, section 65
Power or Duty of the Local Government which is being delegated:	<p><b>65. Prohibition order</b></p> <p>(1) If the CEO or another enforcement agency believes on reasonable grounds —</p> <p>(a) that any of the circumstances specified in section 62(a), (b), (c) or (d) exist; and</p> <p>(b) that —</p> <p>(i) the proprietor of a food business has not complied with an improvement notice within the time required by section 63 for compliance; or</p> <p>(ii) the issue of the order is necessary to prevent or mitigate a serious danger to public health,</p> <p>then the CEO or other enforcement agency may serve a prohibition order on the proprietor of the food business in accordance with this Part.</p>
<p>Council delegates the power to issue prohibition orders for the purposes of section 65 of the Food Act 2008 to the Chief Executive Officer and the Director Community Development in accordance with section 118(2) of the Food Act 2008.</p>	

**RELATED DOCUMENTS:**

Council Policy:	
Administration Policy/Procedure:	

Notes:	<p><b>118. Functions of enforcement agencies and delegation</b></p> <p>(2) A function conferred or imposed on an enforcement agency may be delegated —</p> <p>(b) if the enforcement agency is a local government or a person or body, or a person or body within a class of persons or bodies, prescribed by the regulations —</p> <p>subject to subsections (3) and (4), in accordance with the regulations.</p>
--------	--



## DELEGATION REGISTER

<b>Title:</b>	<b>Prohibition Orders – Section 65 of the Food Act 2008</b>		
<b>Delegation No.:</b>	<b>FOOD1</b>		
Delegation from:	Council	Delegated to:	Chief Executive Officer; Director Community Development Planning and Development Services
Date Adopted:	21 December 2009	Date Last Reviewed:	

Legislation:	Food Act 2008, section 65
Power or Duty of the Local Government which is being delegated:	<p><b>65. Prohibition order</b></p> <p>(1) If the CEO or another enforcement agency believes on reasonable grounds —</p> <p>(a) that any of the circumstances specified in section 62(a), (b), (c) or (d) exist; and</p> <p>(b) that —</p> <p>(i) the proprietor of a food business has not complied with an improvement notice within the time required by section 63 for compliance; or</p> <p>(ii) the issue of the order is necessary to prevent or mitigate a serious danger to public health,</p> <p>then the CEO or other enforcement agency may serve a prohibition order on the proprietor of the food business in accordance with this Part.</p>
<p>Council delegates the power to issue prohibition orders for the purposes of section 65 of the Food Act 2008 to the Chief Executive Officer and the Director Community Development Planning and Development Services in accordance with section 118(2) of the Food Act 2008.</p>	

### RELATED DOCUMENTS:

Council Policy:	
Administration Policy/Procedure:	

Notes:	<p><b>118. Functions of enforcement agencies and delegation</b></p> <p>(2) A function conferred or imposed on an enforcement agency may be delegated —</p> <p>(b) if the enforcement agency is a local government or a person or body, or a person or body within a class of persons or bodies, prescribed by the regulations —</p> <p>subject to subsections (3) and (4), in accordance with the regulations.</p>
--------	--



Scale = 1:3187

0m 50 100 150



Scale: NTS  
Date: 06/09/10

# Local Planning Scheme Amendment - Local Open Space and Residential Boundary Realignment

Lot 608 (6) Dixon Road, Kalamunda

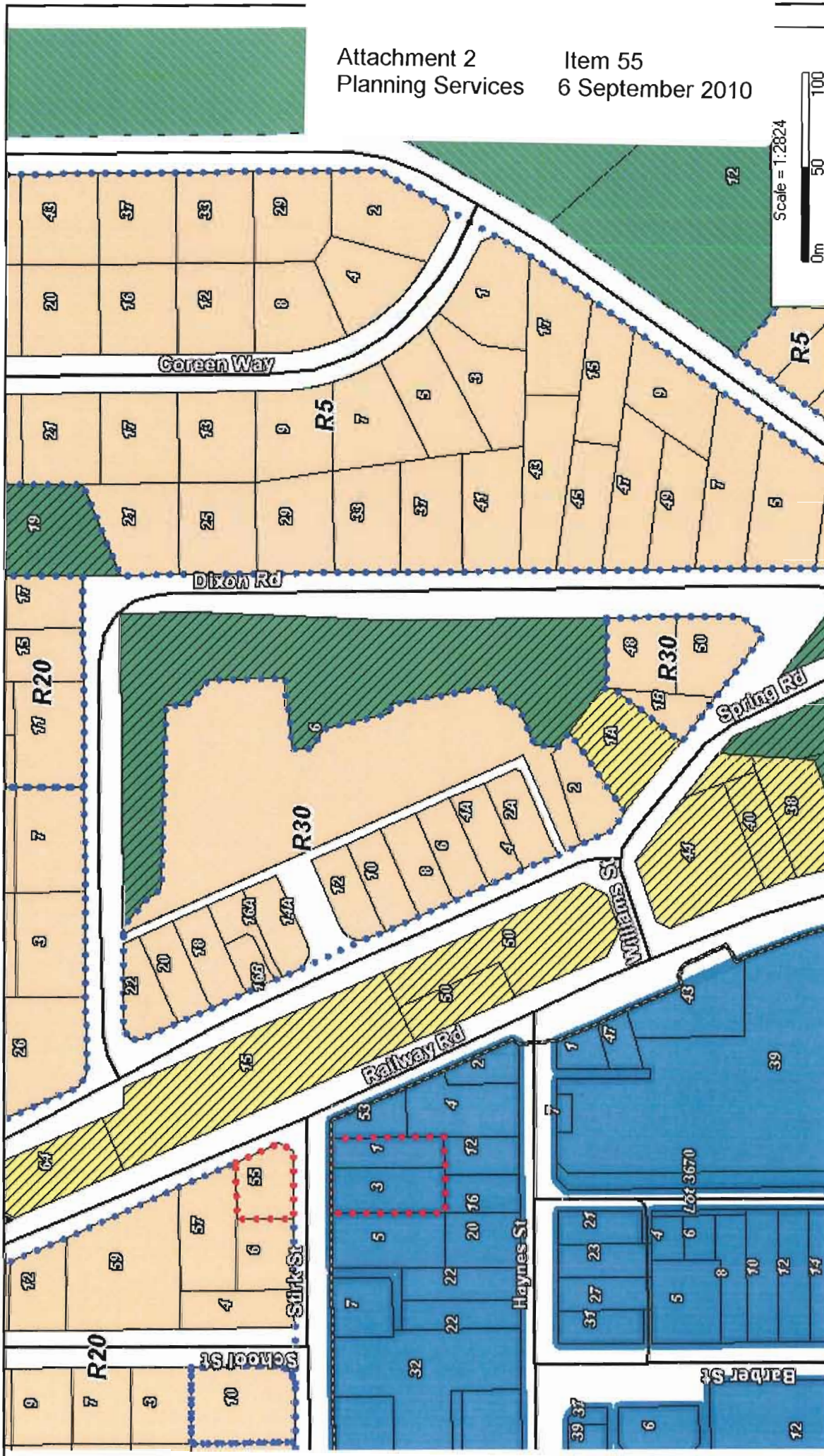
## Locality Plan



Planning Services Committee







shire of  
**kalamunda**

Planning Services Committee

Local Planning Scheme Amendment - Local Open Space and Residential Boundary Realignment

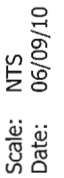
Lot 608 (6) Dixon Road, Kalamunda

**Current Zoning Map**



Scale: NTS  
Date: 06/09/10





### Purple: Urban/Residential change to Local Open Space





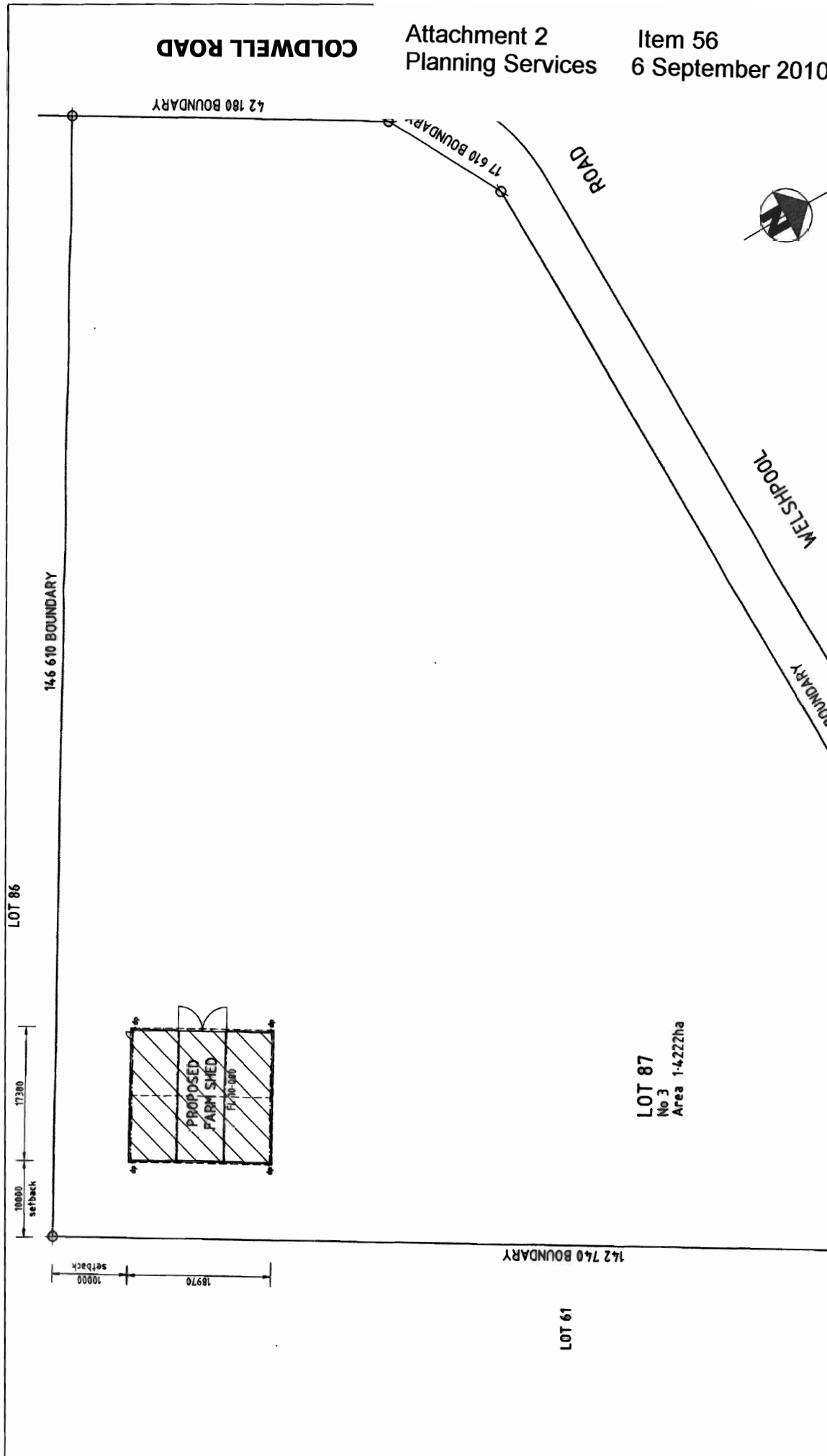


Scale = 1:2273

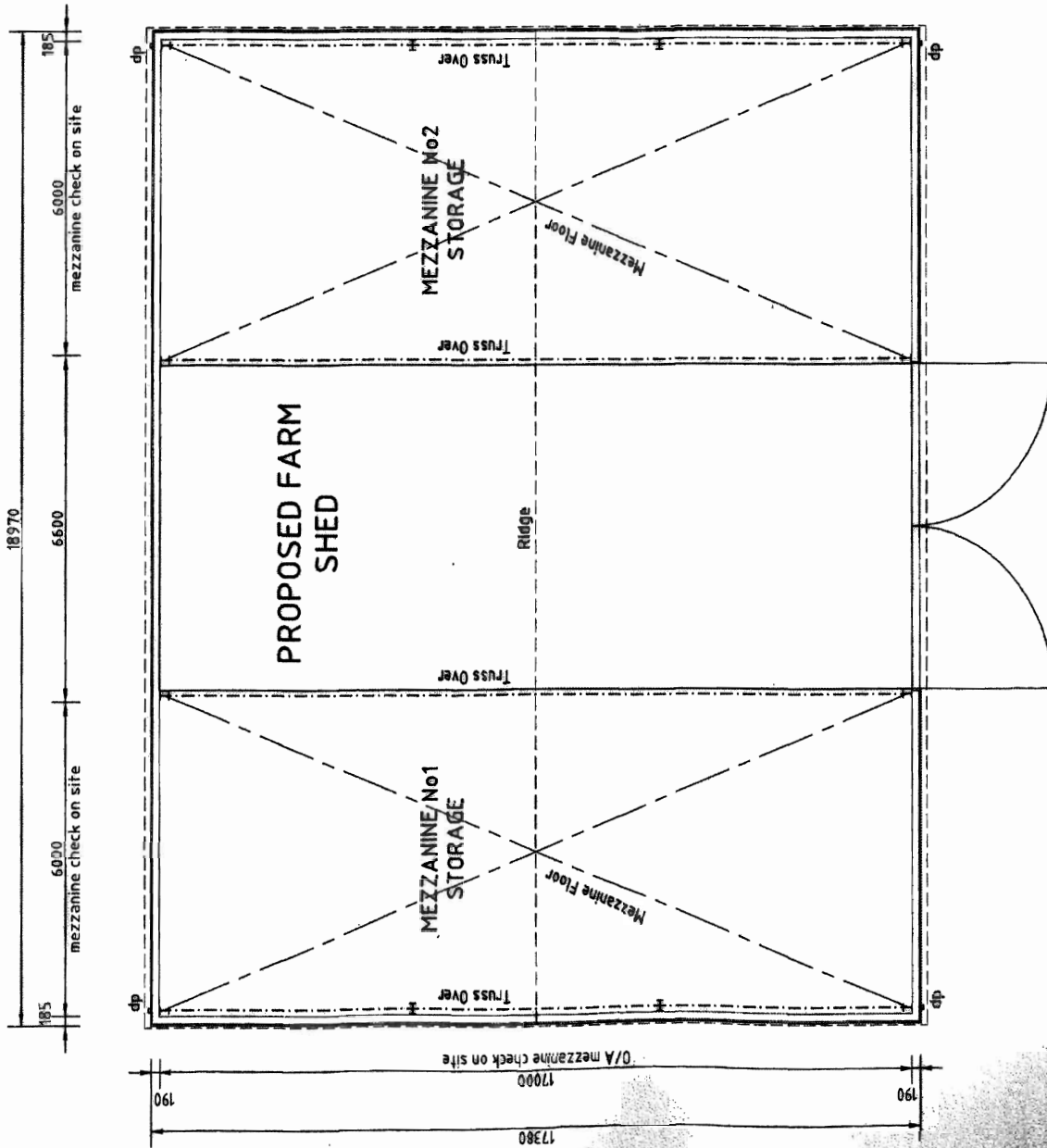


**Proposed Outbuilding (Shed)  
Lot 87 (3) Coldwell Road, Wattle Grove  
Locality Plan**



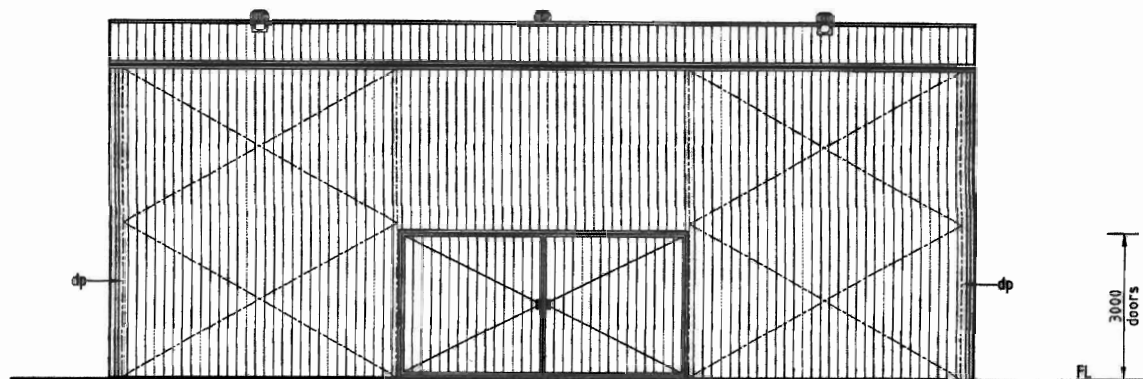


Proposed Outbuilding (Shed)  
Lot 87 (3) Coldwell Road, Wattle Grove  
Site Plan

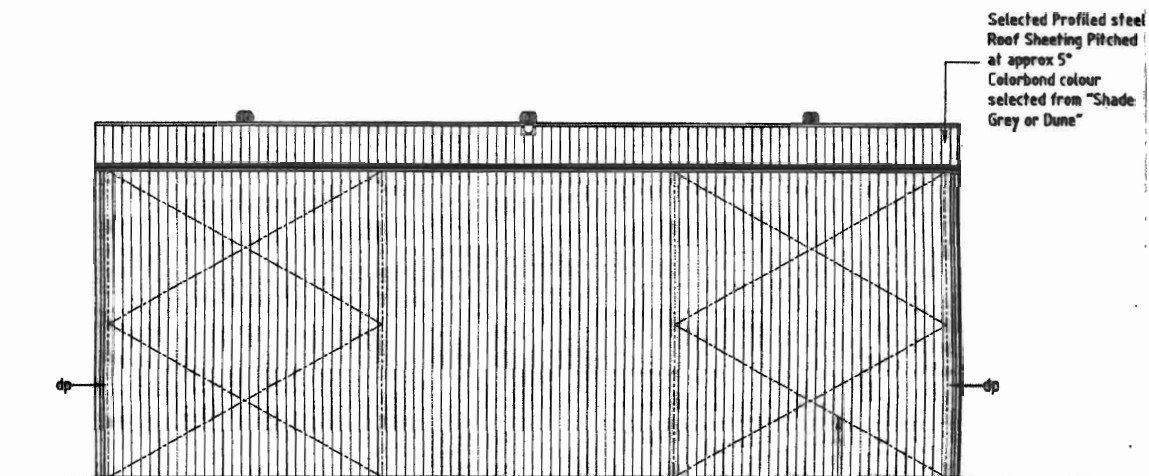


**Proposed Outbuilding (Shed)  
Lot 87 (3) Coldwell Road, Wattle Grove  
Floor Plan**





NORTH EAST ELEVATION



SOUTH EAST ELEVATION

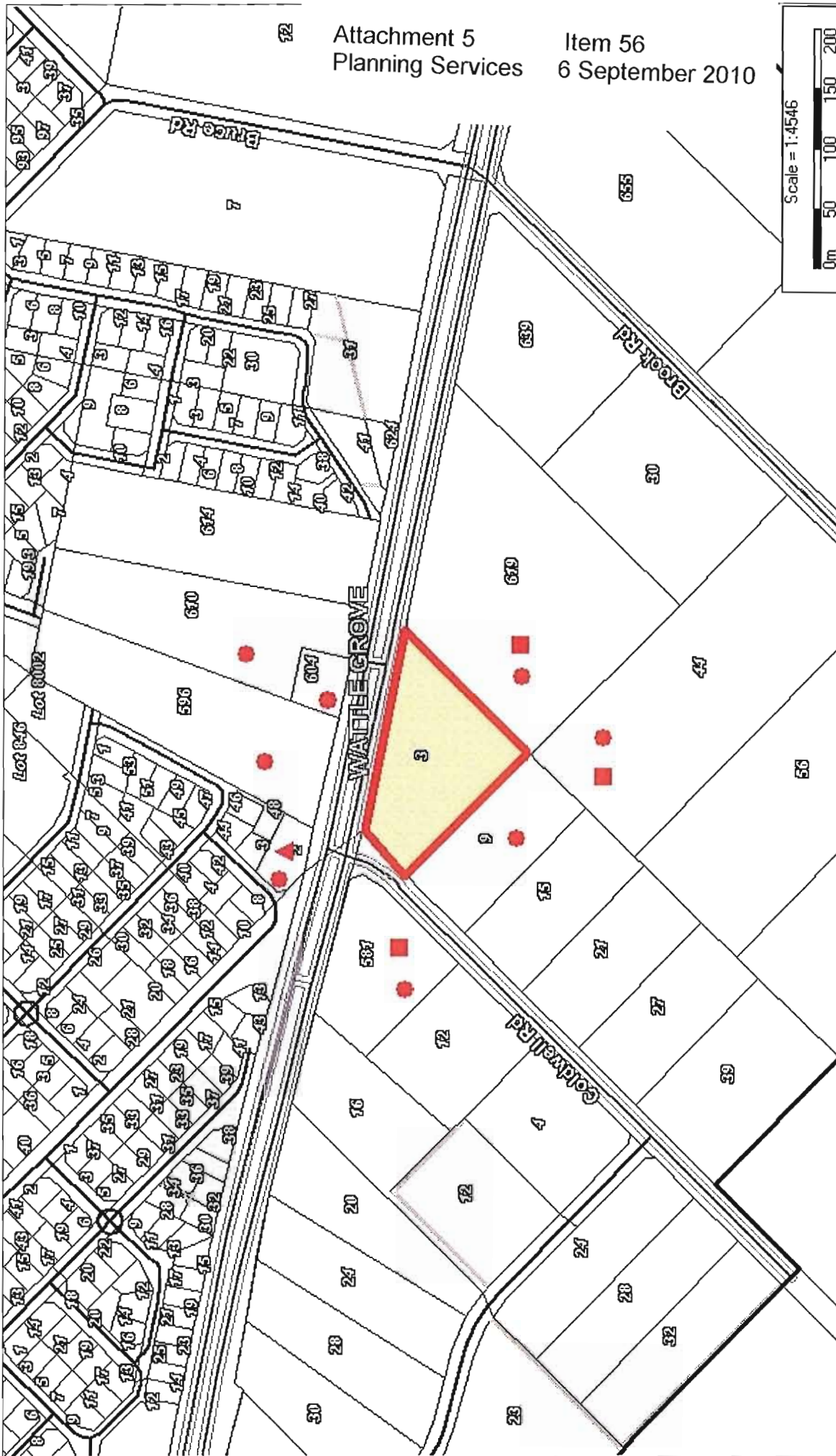
Selected Profiled steel  
Roof Sheetting Pitched  
at approx 5°  
Colorbond colour  
selected from "Shade  
Grey or Dune"

Bracing to be Certified by  
Structural Engineer

**Proposed Outbuilding (Shed)**  
**Lot 87 (3) Coldwell Road, Wattle Grove**  
**Elevations**



shire of  
kalamunda



Proposed Outbuilding (Shed)  
Lot 87 (3) Coldwell Road, Wattle Grove  
Consultation Plan



- Referred for comments
- ▲ Objection
- Non Objection
- Conditional Non Objection

## Planning Applications for Building Licences - September 2010

APPLICATION NO.	BUILDING NO.	LODGEMENT DATE	DATE DETERMINED	DESCRIPTION	DECISION	PROPOERTY ADDRESS	REASON FOR DELEGATION
24/9950-1	20100353	18/03/2010	22/07/2010	Boundary Fence Extension	APPROVED	4 KAORIKI COURT MAIDA VALE	B
24/10027-1	20100657	27/05/2010	17/08/2010	Patio	APPROVED	18 AURORA ENTRANCE HIGH WYCOMBE	B
DA10/0002	20100452	13/04/2010	01/08/2010	Addition to Existing Residence	APPROVED	9 SIRDAR COURT GOOSEBERRY HILL	B
DA10/0007	20100753	18/06/2010	20/07/2010	Outbuilding	APPROVED	4 BAILEY ROAD LESMURDIE	B
DA10/0047	20100694	04/06/2010	20/07/2010	Outbuilding	APPROVED	44 BRIDGWOOD ROAD LESMURDIE	B
DA10/0062	20100663	19/07/2010	29/07/2010	Patio	APPROVED	26 CALLIANDRA WAY FORRESTFIELD	B
DA10/0066	20100836	28/07/2010	02/08/2010	Patio	APPROVED	14 HEATH ROAD KALAMUNDA	B
DA10/0069	20100843	14/07/2010	03/08/2010	Outbuilding	APPROVED	14 DIANELLA ROAD WALLISTON	B
DA10/0070	20100779	09/07/2010	03/08/2010	Outbuilding	APPROVED	25 WARLINGHAM DRIVE LESMURDIE	B
DA10/0073	20100872	20/07/2010	04/08/2010	Patio	APPROVED	7 EMU COURT HIGH WYCOMBE	B
DA10/0075	20100784	28/06/2010	05/08/2010	Patio	APPROVED	19 AURORA ENTRANCE HIGH WYCOMBE	B
DA10/0083	20100971	13/07/2010	06/08/2010	Outbuilding	APPROVED	35 TRAYLEN ROAD KALAMUNDA	B
DA10/0086	20100875	09/08/2010	09/08/2010	Patio	APPROVED	4 DELTA STREET WATTLE GROVE	B
DA10/0088	20100880	21/07/2010	18/08/2010	Front Boundary Fence	APPROVED	42 BETTI ROAD KALAMUNDA	B



## Planning Applications for Building Licences - September 2010

APPLICATION NO.	BUILDING NO.	LODGEMENT DATE	DATE DETERMINED	DESCRIPTION	DECISION	PROPOERTY ADDRESS	REASON FOR DELEGATION
DA10/0092	20100927	20/07/2010	13/08/2010	Grouped Dwelling	CONDOTIONAL APPROVAL	1/6 CATSPAW WAY HIGH WYCOMBE	A
DA10/0094	20100959	06/08/2010	16/08/2010	Verandah addition to residence	CONDOTIONAL APPROVAL	10 BRITTAIN ROAD WATTLE GROVE	B
DA10/0095	20100725	11/06/2010	16/08/2010	Residence	APPROVED	28 BAZA GARDENS MAIDA VALE	A
DA10/0096	20100899	22/07/2010	16/08/2010	Patio	CONDOTIONAL APPROVAL	130 FRUIT TREE CRES. FORRESTFIELD	B
DA10/0099	20100685	04/06/2010	17/08/2010	Residence and Outbuilding	APPROVED	87 SPRING ROAD KALAMUNDA	B
DA10/0105	20100911	10/08/2010	18/08/2010	Patio	APPROVED	49 BERRY DRIVE MAIDA VALE	B
DA10/0106	20100997	13/08/2010	18/08/2010	Patio	CONDOTIONAL APPROVAL	7 GRAHAM ROAD GOOSEBERRY HILL	B
DA10/0112	20100929	02/08/2010	19/08/2010	Patio	APPROVED	9 CABARITA ROAD KALAMUNDA	B

A	Compliant Development
B	Delegated Approval – Variation to Policy
C	Subdivision Response – Compliant/Non Compliant
D	Refused

Delegated matters in accordance with Adopted Policy PS 1.0 Delegation, consultation & development matters and subsidiary policies.

## Development Applications Determined Under Delegated Authority - September 2010

APPLICATION NO.	TYPE	DATE LODGED	DESCRIPTION	PROPERTY ADDRESS	DECISION	DECISION DATE	REASON FOR DELEGATION
24/4697-1	DA	05.07.10	3 Grouped Dwellings	8 WALES STREET FORRESTFIELD	CONDITIONAL APPROVAL	11.08.10	A
24/9978	DA	07.05.10	Single Dwelling	7 ROTH ROAD LESMURDIE 6076	CONDITIONAL APPROVAL	28.07.10	B
24/9995	DA	22.07.10	Chalet Massage & Pilates Studios	80 DODD ROAD BICKLEY	REFUSED	10.08.10	D
24/9997	DA	28.05.10	Additional Grouped Dwelling	41 MARION WAY GOOSEBERRY HILL	CONDITIONAL APPROVAL	19.07.10	A
24/10003-1	DA	13.05.10	Residence, Pool and Outbuilding	158 STANHOPE ROAD WALLISTON 6076	CONDITIONAL APPROVAL	18.08.10	A
24/6608-2	DA	01.07.10	Double Storey Dwelling	31 GLEN ROAD LESMURDIE	CONDITIONAL APPROVAL	28.07.10	A
24/10019-1	DA	10.06.10	Change of Use (Ancillary Acc. to Single Dwelling)	32 ALMOND WAY FORRESTFIELD	CONDITIONAL APPROVAL	05.08.10	A
DA10/0004	TRU	01.07.10	Parking of Two Commercial Vehicles and Trailers	15 CRUMP LANE MAIDA VALE 6057	CONDITIONAL APPROVAL	19.07.10	A
DA10/0008	DA	05.07.10	Home Store	300 KALAMUNDA ROAD MAIDA VALE	REFUSED	03.08.10	A
DA10/0018	DA	07.07.10	Two Storey Single Dwelling	21 LOOKOUT ROAD KALAMUNDA	CONDITIONAL APPROVAL	26.07.10	A
DA10/0021	DA	05.07.10	Outbuilding (Garage)	171 STANHOPE ROAD BICKLEY	CONDITIONAL APPROVAL	23.07.10	A
DA10/0024	DA	12.07.10	Outbuilding	6 BURRAN COURT MAIDA VALE	CONDITIONAL APPROVAL	26.07.10	A
DA10/0025	DA	12.07.10	Outbuilding	25 WARLINGHAM DRIVE LESMURDIE	CONDITIONAL APPROVAL	30.07.10	B
DA10/0027	DA	08.07.10	Carport	26 MARRI CRESCENT LESMURDIE	CONDITIONAL APPROVAL	26.07.10	A

## Development Applications Determined Under Delegated Authority - September 2010

APPLICATION NO.	TYPE	DATE LODGED	DESCRIPTION	PROPERTY ADDRESS	DECISION	DECISION DATE	REASON FOR DELEGATION
DA10/0031	DA	07.07.10	Proposed Outbuilding (Garage)	22 EDWARD ROAD LESMURDIE	CONDITIONAL APPROVAL	02.08.10	A
DA10/0032	DA	13.07.10	One Grouped Dwelling (Single Storey)	2 BRIZA LANE FORRESTFIELD	CONDITIONAL APPROVAL	27.07.10	A
DA10/0041	DA	16.07.10	Conversion of Heritage Listed Dwelling to Caretaker's Dwelling	45 HOLROYD ROAD PICKERING BROOK	CONDITIONAL APPROVAL	23.07.10	A
DA10/0042	DA	15.07.10	Additional Grouped Dwelling	14 HULLEY ROAD HIGH WYCOMBE	CONDITIONAL APPROVAL	12.08.10	A
DA10/0048	DA	19.07.10	Single Dwelling	12 PANORAMIC TERR. KALAMUNDA	CONDITIONAL APPROVAL	10.08.10	A
DA10/0052	DA	22.07.10	Change of Use (Warehouse to Club Premises Motor Vehicle Repair and Lunch Bar)	3/32 HARRISON ROAD FORRESTFIELD	CONDITIONAL APPROVAL	04.08.10	A
DA10/0053	DA	21.07.10	Swimming Pool	25 VICTORIA ROAD WATTLE GROVE 6107	CONDITIONAL APPROVAL	22.07.10	A
DA10/0054	DA	19.05.10	Single Storey Unit	1/2 BRIZA LANE FORRESTFIELD	CONDITIONAL APPROVAL	12.08.10	A
DA10/0055	DA	26.07.10	Grouped Dwelling (Single Storey)	3 SWAN ROAD HIGH WYCOMBE	CONDITIONAL APPROVAL	10.08.10	A
DA10/0059	DA	27.07.10	Proposed Swimming Pool	71 NORWOOD ROAD MAIDA VALE	CONDITIONAL APPROVAL	02.08.10	A
DA10/0060	DA	28.07.10	One Grouped Dwelling (Single Storey)	3A ANDERSON ROAD FORRESTFIELD	CONDITIONAL APPROVAL	29.07.10	A
DA10/0063	DA	30.07.10	Grouped Dwelling (Single Storey)	16 RICHARDS ROAD HIGH WYCOMBE	CONDITIONAL APPROVAL	18.08.10	A
DA10/0064	DA	30.07.10	Single Dwelling	97 MUNDARING WEIR RD PIESSE BROOK	CONDITIONAL APPROVAL	09.08.10	A
DA10/0067	DA	23.07.10	Outbuilding (Shed)	2 HIBBERTIA COURT MAIDA VALE 6057	CONDITIONAL APPROVAL	05.08.10	A



## Development Applications Determined Under Delegated Authority - September 2010

APPLICATION NO.	TYPE	DATE LODGED	DESCRIPTION	PROPERTY ADDRESS	DECISION	DECISION DATE	REASON FOR DELEGATION
DA10/0071	DA	29.07.10	Additional Outbuilding (Garage)	26 NELSON CRESCENT LESMURDIE	CONDITIONAL APPROVAL	05.08.10	B
DA10/0085	DA	06.08.10	Two Vehicle Wash and Test Bays	883 ABERNETHY ROAD FORRESTFIELD	CONDITIONAL APPROVAL	12.08.10	A
DA10/0091	DA	09.08.10	Boundary Fencing	67 NARDINE CLOSE HIGH WYCOMBE 6057	CONDITIONAL APPROVAL	10.08.10	A
DA10/0097	DA	14.06.10	Single Dwelling	18 MANGOSTEEN DRIVE FORRESTFIELD	CONDITIONAL APPROVAL	17.08.10	A
DA10/0101	DA	13.08.10	Gable Carport	35 VALLEY ROAD KALAMUNDA	CONDITIONAL APPROVAL	20.08.10	A
24/8538-2	DA	03.06.10	Ancillary Accommodation	9 HONEYDEW CLOSE MAIDA VALE	CONDITIONAL APPROVAL	04.08.10	B
24/4264-3	DA	20.07.10	Spa	111 SPRING ROAD KALAMUNDA	CONDITIONAL APPROVAL	22.07.10	A
24/10023	DA	24.06.10	Single Dwelling and Outbuilding (Shed)	20 KEANE STREET LESMURDIE 6076	CONDITIONAL APPROVAL	23.07.10	A
24/10024	DA	24.06.10	Commercial Vehicle Parking, Outbuilding and Extension to Existing Dwelling	107 HAWTIN ROAD MAIDA VALE	CONDITIONAL APPROVAL	26.07.10	A
24/3597-1	DA	20.07.10	Swimming Pool	56 BRUCE ROAD MAIDA VALE 6057	CONDITIONAL APPROVAL	22.07.10	A
24/5315-2	DA	09.07.10	Outbuilding (Garage)	35 JOHNSON PLACE WATTLE GROVE	CONDITIONAL APPROVAL	03.08.10	A

## Development Applications Determined Under Delegated Authority - September 2010

A	Compliant Development
B	Delegated Approval – Variation to Policy
C	Subdivision Response – Compliant/Non Compliant
D	Refused

Delegated matters in accordance with Adopted Policy PS 1.0 Delegation, consultation & development matters and subsidiary policies.

## Subdivision Applications Referred to WAPC for Determination - September 2010

APPLICATION NO.	TYPE	DATE LODGED	DESCRIPTION	PROPERTY ADDRESS	RECOMMENDATION	DATE RECOMMENDED	REASON FOR DELEGATION
603-10	SUB	17.06.2010	Three (3) Lot Survey Strata subdivision	53 HALE ROAD FORRESTFIELD	Refusal	02.08.10	C
801-10	SUB	29.07.2010	Three (3) Lot Survey Strata Subdivision	8 WHITE ROAD KALAMUNDA	Conditional Approval	19.08.10	C
141888	SUB	28.04.2010	38 Lot Subdivision	596 WELSHPOOL ROAD WATTLE GROVE	Conditional Approval	19.08.10	C
142268	SUB	23.06.2010	Two (2) Lot Subdivision and Amalgamation	5A HANOVER STREET FORRESTFIELD	Conditional Approval	19.07.10	C
142392	SUB	09.07.2010	Two (2) Lot Subdivision	14 NORTHUMBERLAND ROAD FORRESTFIELD	Conditional Approval	06.08.10	C
142453	SUB	12.07.2010	29 Lot Subdivision	614 WELSHPOOL ROAD EASTWATTLE GROVE	Conditional Approval	04.08.10	C
142522	SUB	21.07.2010	Boundary Realignment	327 LESMURDIE ROAD LESMURDIE	Conditional Approval	04.08.10	C
768-10	SUB	21.07.2010	Five (5) Lot Survey Strata Lot Subdivision	32 ELIZABETH STREET KALAMUNDA	Conditional Approval	04.08.10	C

A	Compliant Development
B	Delegated Approval – Variation to Policy
C	Subdivision Response – Compliant/Non Compliant
D	Refused

Delegated matters in accordance with Adopted Policy PS 1.0 Delegation, consultation & development matters and subsidiary policies.