

MINUTES

OF THE

SPECIAL MEETING OF THE COUNCIL

HELD ON

TUESDAY, 29 OCTOBER 2019

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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MINUTES OF THE SPECIAL MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6:30PM ON TUESDAY 29 OCTOBER 2019.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:32pm. Mr B Taylor, Manager Governance and Property, read aloud the Disclaimer that is on the front page of these Minutes and the following Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. 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 judgement and ability. We will observe the City's Code of Conduct and Meeting Procedures Local Law to ensure the efficient, effective and orderly decision making within this forum.

2. PRESENT

Mayor Honourable G Gear

COUNCILLORS

Cr N Pazolli (Deputy Mayor)
Cr S Kepert,
Cr D Macphail, Cr N Robins
Cr C Robartson, Cr M Woodall
Cr G Barber, Cr J Barton
Cr K Mair (*until 6:45pm*)
Cr M Sandford
Cr T Fitzgerald, Cr K Wheatland

WARD

Applecross – Mount Pleasant
Applecross – Mount Pleasant
Bateman – Kardinya - Murdoch
Bull Creek - Leeming
Bicton – Attadale – Alfred Cove
Central
Central
Palmyra – Melville - Willagee

3. IN ATTENDANCE

Mr M Tieleman
Ms C Young
Mr S Cope
Mr M McCarthy
Mr A Ferris
Mr L Hitchcock

Mr G Ponton
Mr B Taylor
Ms C Newman
Ms J Head

Chief Executive Officer
Director Community Development
Director Urban Planning
Director Technical Services
Director Corporate Services
Executive Manager Governance and Legal Services
Manager Strategic Urban Planning
Manager Governance and Property
Governance Coordinator
Governance Officer

At the commencement of the meeting there were approximately 8 members of the public and no representatives from the Press in the Public Gallery.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**4.1 APOLOGIES**

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS**5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil.

5.2 DECLARATIONS BY MEMBERS WHO HAVE RECEIVED AND NOT READ THE ELECTED MEMBERS BULLETIN.

Nil.

6. QUESTION TIME

Nil.

7. DEPUTATIONS**7.1 Mr C Sobejko (on behalf of G Sobejko), Applecross**

Item P19/3829 - Request for Amendment to Canning Bridge Activity Centre Plan.

At 6:35pm Mr C Sobejko and Ms G Sobejko entered the Chambers for the purpose of making a deputation on Item P19/3829 – Request for Amendment to Canning Bridge Activity Centre Plan, which concluded at 6:41pm.

At 6:44pm Mr Sobejko and Ms Sobejko departed the Chambers.

8. DECLARATIONS OF INTEREST

The Members' and Officers' attention is drawn to the following provisions of the *Local Government Act 1995* regarding disclosures of interest;

8.1 FINANCIAL INTERESTS

Nil.

8.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- Cr Pazolli, Item P19/3829 - Request for Amendment to Canning Bridge Activity Centre Plan. Interest Under the Code of Conduct.
- Cr Robins, Item P19/3829 - Request for Amendment to Canning Bridge Activity Centre Plan. Interest Under the Code of Conduct.
- Cr Barton, Item P19/3829 - Request for Amendment to Canning Bridge Activity Centre Plan. Interest Under the Code of Conduct.
- Cr Mair, P19/3829 - Request for Amendment to Canning Bridge Activity Centre Plan. Indirect Financial Interest.

9. APPLICATIONS FOR NEW LEAVES OF ABSENCE

At 6:46pm Cr Kepert moved, seconded Cr Wheatland –

That the application for a leave of absence submitted by Cr Barber on 29 October 2019 be granted.

At 6:46pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

10. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

Disclosures of Interest

Member	Cr Pazolli
Type of Interest	Interest under the code
Nature of Interest	Panel member on the Metro Central Joint Development Assessment Panel.
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

Member	Cr Robins
Type of Interest	Interest under the code
Nature of Interest	Panel member for JDAP, that will make future decisions on the item.
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

Member	Cr Barton
Type of Interest	Interest under the code
Nature of Interest	Relative owns property in Forbes Road, Applecross
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

Member	Cr Mair
Type of Interest	Indirect Financial Interest
Nature of Interest	Potential owner of property in the area
Request	Leave
Decision	Leave

At 6:45pm Cr Mair having declared an interest left the meeting and did not return.

11. REPORTS OF THE CHIEF EXECUTIVE OFFICER

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)

Ward	: Applecross- Mt Pleasant
Category	: Activity Centre Plan
Application Number	: Not Applicable
Property	: Not Applicable
Proposal	: Multi signature letter seeking amendment to Canning Bridge Activity Centre Plan
Applicant	: Not Applicable
Owner	: Not Applicable
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P19/3817 – Review of Canning Bridge Activity Centre Plan 20 and 27 August 2019
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

- A multi signature letter dated 24 October 2019 has been received containing 14 signatories requesting that Council considers an amendment to Element 22.1.10 of the CBACP.
- The Mayor has called a Special Meeting of Council to consider the request.
- CBACP identifies items that may be considered as community benefits when assessing proposals for bonus height. Ceding of land required for road widening is one item identified as a potential community benefit. Provisions relating to this community benefit indicate that land ceded may be included in the calculation of minimum site area requirements.
- The interpretation of which road widenings may be considered community benefits, and, in which circumstances the land involved in the ceding of road widening may be included in site area calculations has been the subject of discussion in the assessment of recent development applications.
- Planning assessment of applications has concluded that the decision maker (the Joint Development Assessment Panel) (JDAP) may include road widening land not directly on Canning Highway as a community benefit and that where such road widening land is to be ceded it may be considered as part of site area. These interpretations were supported by legal advice provided to the City on the matter.
- Any amendment to the CBACP would require advertising, consideration of submissions, endorsement by Council and ultimately a decision by the Western Australian Planning Commission.

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)**BACKGROUND**

The CBACP was approved by Council in March 2015 and endorsed by the Western Australian Planning Commission in April 2016. A summary of the history of review and amendment to the CBACP is provided in report P19/3817 from 20-27 August 2019.

The Bonus Provisions of the CBACP states in part :

“For properties within the M15 or M10 Zone consideration of greater height than permitted in Element 3 may be approved where the relevant Desired Outcomes of all Elements are met or exceeded and where exemplary design is proposed in the opinion of the Design Advisory Group and where the development includes the provision of a significant benefit to the community.”

Element 21 includes a requirement for minimum site areas to be achieved:

- 21.2 *For development in the M15 zone, the site shall have a minimum area of 2600 m²*
- 21.3 *For development in the M10 zone, the site shall have a minimum area of 2000m²*

Element 22 includes the identification of the ceding of land required for road widening as a community benefit, in certain circumstances. The provisions also clarify that such ceded land may be included in the calculation of site area.

- 22.1.10 *Where the development is located adjacent to Canning Highway and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.*

In recent development applications submitted within the CBACP area at locations not directly abutting Canning Highway, recognition has been sought for accreditation of community benefit for the ceding of road widening land, and the inclusion of such land identified for road widening purposes in the site area calculations. The assessment of these recent development applications concluded that it was considered reasonable that :

- the decision maker (generally JDAP) considers the ceding of land for road widening purposes as a community benefit in locations that do not directly abut Canning Highway; and
- the decision maker (generally JDAP) has regard to the land to be ceded for road widening purposes when calculating site areas.

These interpretations were supported by the legal advice provided to the City. In summary, the interpretations were informed by the fact that the ceding of road widening land provided a general benefit to the community regardless of whether the road widening was on Canning Highway or another road. The interpretation also noted that the introduction of a Planning Control Area (PCA 117) which identified road widening requirements on roads other than Canning Highway (Sleat Road, Forbes Road and Kintail Road) was not envisaged at the time of drafting of the CBACP. PCA 117, a State government planning initiative, provides for a road widening to accommodate bus lanes on Sleat, Forbes and Kintail Roads with a primary purpose of freeing up capacity on Canning Highway.

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)**DETAIL**

A multi signature letter dated 24 October 2019 has been received containing 14 signatories seeking an amendment to Element 22.1.10 of the CBACP.

[3829 Multi signature letter dated 24 October 2019](#)

Specifically the letter seeks to amend Element 22.1.10 of the CBACP as follows:

22.1.10 *Where the development is located ~~adjacent to~~ **on or along** Canning Highway **only** and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.*

The letter indicates that the reason for the change is, “*to bring certainty to one of the provisions in the Canning Bridge Activity Centre Plan that has been found to be ambiguous*”.

It is open for Council to consider initiation of the process to make modifications to the CBACP.

The wording of Element 22.1.10 would benefit from additional clarity to avoid future ambiguity. The proposed wording would make it clear that the CBACP intends that community benefit items relating to the ceding of road widening land may only be available where land directly abuts Canning Highway.

The modification would not, however, impact site area calculations for proposals whether the land is ceded or not.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

An amendment to the CBACP would require statutory advertising comprising a 28 day comment period. The amendment would then be presented to Council for consideration of submissions. If the amendment is to proceed it would be forwarded to the Western Australian Planning Commission (WAPC) which is the decision maker on these matters.

II. OTHER AGENCIES / CONSULTANTS

The CBACP is an Activity Centre Plan common to both City of Melville and City of South Perth. Amendments to the CBACP would require endorsement from the City of South Perth. Amendments to Activity Centre Plans also require referral to infrastructure agencies such as Department of Transport, Main Roads WA, Water Corporation and Western Power.

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)

STATUTORY AND LEGAL IMPLICATIONS

The process for amendment to an Activity Centre Plan is provided for in Schedule 2, Part 6, clause 45 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The Regulations establish the circumstances in which the WAPC will consider a proposed amendment, the required content of the amendment and the requirements for public advertising.

FINANCIAL IMPLICATIONS

There is not considered to be financial implications associated with this proposal other than the costs associated with advertising of any CBACP amendment.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The CBACP aligns with the City’s strategic goals and responds in particular to Priority 3 of the Corporate Plan:

“Urban development creates changes in amenity (positive and negative) which are not well understood”.

Under Priority 3 from the Corporate Business Plan key strategies are:

1. Facilitate higher density development in strategic locations, consistent with the local planning framework and structure plans, design guidelines for interface areas and ensure measured change in established areas and consideration of parking and traffic issues
2. Enhance amenity and vibrancy and enhancing community safety through streetscapes, public art, pedestrian and cycle paths, place making and creating well-designed, attractive public spaces.

The City’s Local Planning Strategy seeks to provide for greater intensity of development within activity centres and along key transport corridors and to leave suburban residential areas relatively unchanged.

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Preparation of separate amendment to CBACP provisions outside of a comprehensive review may contribute to uncertainty.	Moderate consequences which are possible, resulting in a Medium level of risk	The review of the CBACP is intended to respond to various concerns regarding the plan in a comprehensive manner.

POLICY IMPLICATIONS

There is not considered to be policy implications associated with this proposal.

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Council may choose to proceed with an amendment to the CBACP as sought by the letter. The required resolution would need to consider the following wording:

That the Council in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to initiate the following amendment to the Canning Bridge Activity Centre Plan for the purposes of advertising:

Modification to Element 22.1.10 as follows:

22.1.10 *Where the development is located ~~adjacent to~~ on or along (adjoining) Canning Highway **only** and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.*

Note: In order that this Resolution is consistent with other language used in the CBACP, this report suggests the addition of the word “adjoining” which has been given a specific meaning by the Courts, as opposed to the word adjacent.

If initiated the amendment would be advertised for 28 days. The amendment would then be presented to Council for consideration of submissions and a decision as to whether to progress with the amendment with or without modifications. If the amendment is to progress it is required to be forwarded to the WAPC for a decision.

As outlined above, the implications of the amendment include diminished recognition of the community benefit associated with the ceding of required road widening on land other than Canning Highway, and potential delays in assembly of required regional road widening land.

It is noted that if the above amendment is approved it will apply to both City of Melville and City of South Perth. In the event that the City of South Perth did not concur with a proposed amendment, the amendment may be able to be modified to apply only to the City of Melville. Such a modification could be explored at the conclusion of the public advertising.

CONCLUSION

Council may initiate an amendment to the CBACP. Additional clarification of the interpretation of Element 22.1.10 would be beneficial however, it is considered that such clarification should also have regard to the CBACP intentions regarding the achievement and assembly of road widening land by including it as a community benefit. These considerations are best undertaken as part of the comprehensive review of the CBACP.

It is recommended that the content of the multi signature letter and the Officers overview of the operation of the proposed amendment as outlined in this report be noted. Further it is recommended that attention to the wording of Element 22.1.10 and related provisions be flagged for inclusion in the review of the CBACP.

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)

Alternate wording has been provided in the event that Council decide to initiate an amendment to the CBACP. This wording is repeated below:

That the Council in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to initiate the following amendment to the Canning Bridge Activity Centre Plan for the purposes of advertising:

Modification to Element 22.1.10 as follows:

22.1.10 *Where the development is located ~~adjacent to~~ on or along (adjoining) Canning Highway **only** and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.*

In view of timeframes associated with modification to an Activity Centre Plan, should Council wish to immediately proceed with an amendment to the CBACP there would be an option to supplement the process with a Local Planning Policy (LPP). Suggested wording for a LPP to address the above approach has been circulated to Elected Members. A LPP would require initiation, a public comment period and presentation to Council.

Although a LPP of this nature may be viewed as an attempt to override the CBACP provisions, and may be interpreted as such, it would nevertheless indicate clearly the Council's view on this matter.

Procedural Motion

At 6:47pm Cr Robins moved, seconded Cr Wheatland -

That the item P19/3829 - Request for Amendment to Canning Bridge Activity Centre Plan be deferred until the 19 November 2019 Ordinary Meeting of Council.

At 6:53pm the Mayor submitted the motion, which was declared

LOST (5/7)

Vote Result Summary	
Yes	5
No	7

Vote Result Detailed	
Cr Barber	Yes
Cr Macphail	Yes
Cr Robins	Yes
Cr Robartson	Yes
Cr Wheatland	Yes
Cr Barton	No
Cr Fitzgerald	No
Cr Kepert	No
Cr Pazolli	No
Cr Sandford	No
Cr Woodall	No
Mayor	No

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)**OFFICER RECOMMENDATION (3829)**

At 6:54pm Cr Kepert moved, seconded Cr Robins –

That the Council:

1. **Notes the multi signature letter dated 24 October 2019 seeking an amendment to Element 22.1.10 of the CBACP.**
2. **Receives the content of Report P19/3829 providing an over view of how the proposed changes to Element 22.1.10 would operate.**
3. **Directs the Chief Executive Officer to include further investigation of the requested modification in the comprehensive review of the Canning Bridge Activity Centre Plan.**

Amendment

At 6:55pm Cr Kepert moved, seconded Cr Woodall –

That the Council amend Officer Recommendation 3829 as follows:

1. **Delete existing recommendation 3 and replace with the following:**
 - “3. Resolves to amend Element 22.1.10 of the Canning Bridge Activity Centre Plan 2016 by:
 - A. Deleting the words ‘adjacent to’ and inserting the words ‘adjoining’ in its place; and
 - B. Inserting the word ‘only’ after ‘Canning Highway’; and
 - C. Inserting the word ‘not’ after the words ‘the area ceded will’ in the second sentence of Element 22.1.10.”
2. **Insert additional recommendations 4 and 5 as follows:**
 - “4. Directs the Chief Executive Officer to prepare a Local Planning Policy, as per the Officer Report, that clarifies that Element 22.1.10 of the Canning Bridge Activity Centre Plan only applies to developments adjoining Canning Highway.
 5. Authorises the Chief Executive Officer to undertake all acts necessary to fully implement this resolution, including but not limited to drafting, public advertising and submission of amendments.”

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)

At 7:12pm Mr Ponton entered the meeting for the purpose of answering questions.

At 7:29pm, during the discussion and debate on the amendment, the mover and the seconder consented to the deletion of point 3C.

Amendment

COUNCIL RESOLUTION

At 6:55pm Cr Kepert moved, seconded Cr Woodall –

That the Council amend Officer Recommendation 3829 as follows:

3. Delete existing recommendation 3 and replace with the following:

“3. Resolves to amend Element 22.1.10 of the Canning Bridge Activity Centre Plan 2016 by:

A. Deleting the words ‘located adjacent to’ and inserting the words ‘adjoining’ in its place; and

B. Inserting the word ‘only’ after ‘Canning Highway’;” and

4. Insert additional recommendations 4 and 5 as follows:

“4. Directs the Chief Executive Officer to prepare a Local Planning Policy, as per the Officer Report, that clarifies that Element 22.1.10 of the Canning Bridge Activity Centre Plan only applies to developments adjoining Canning Highway.

5. Authorises the Chief Executive Officer to undertake all acts necessary to fully implement this resolution, including but not limited to drafting, public advertising and submission of amendments.”

At 7:35pm the Mayor submitted the motion, which was declared

CARRIED (11/1)

Vote Result Summary	
Yes	11
No	1

Vote Result Detailed	
Cr Barber	Yes
Cr Barton	Yes
Cr Fitzgerald	Yes
Cr Kepert	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Robins	Yes
Cr Sandford	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Mayor	Yes
Cr Robartson	No

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)**Reasons for the Amendment as provided by Cr Kepert**

1. Element 22.1.10 currently reads as follows:

22.1.10 Where the development is located adjacent to Canning Highway and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such a case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.

The words “adjacent to” in the first sentence of this Element has been used inconsistently in this document leading to interpretation and application of the Element in areas that were not intended or should not have been intended for this Plan.

2. In order to remove ambiguity as to where Council wants this Element to apply this amendment adds a sentence to the end of Element 22.1.10 that defines what the term “adjacent to” was intended to mean in this Activity Centre Plan.
3. Element 22.1.10 would then read:

22.1.10 Where the development is located adjacent to Canning Highway and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such a case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3. For the purpose of this Element “adjacent to Canning Highway” means only those properties that share a boundary with Canning Highway.

P19/3829 – REQUEST FOR AMENDMENT TO CANNING BRIDGE ACTIVITY CENTRE PLAN (REC) (ATTACHMENT)

Substantive Motion as Amended

COUNCIL RESOLUTION

At 7:37pm Cr Kepert moved, seconded Cr Robins –

That the Council:

1. Notes the multi signature letter dated 24 October 2019 seeking an amendment to Element 22.1.10 of the CBACP.
2. Receives the content of Report P19/3829 providing an over view of how the proposed changes to Element 22.1.10 would operate.
3. Resolves to amend Element 22.1.10 of the Canning Bridge Activity Centre Plan 2016 by:
 - A. Deleting the words 'located adjacent to' and inserting the words 'adjoining' in their place; and
 - B. Inserting the word 'only' after 'Canning Highway'; and
4. Directs the Chief Executive Officer to prepare a Local Planning Policy, as per the Officer Report, that clarifies that Element 22.1.10 of the CBACP only applies to developments adjoining Canning Highway.
5. Authorises the Chief Executive Officer to undertake all acts necessary to fully implement this resolution, including but not limited to drafting, public advertising and submission of amendments.

At 7:37pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

12. CLOSURE

There being no further business to discuss, Mayor Honourable George Gear declared the meeting closed at 7:38pm.