

(Note: All applications (excluding WAPC matters) are managed by the legal services section of Finance and Corporate Services in conjunction with the responsible officer below.)

As at 31 May 2015

APPEAL (Name, No. and Shire File Reference)	DATE COMMENCED	DECISION APPEAL IS AGAINST	RESPONSIBLE OFFICER	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
Eichenberg vs City of Busselton	December 2014	Appeal against Section 214(2) and 214(3) Notices issued on 17 December 2014 for the removal of all illegal structures and cease the use of the land for raves and functions.	Jo Wilson/Cobus Botha	<ul style="list-style-type: none"> <li>• Mediation on 3 February 2015, the applicant has 30 days to provide the City with a Submission outlining his future uses of the land and the City has 14 days to respond</li> <li>• Mediation on 17 March 2015 which resulted in following orders being made:               <ul style="list-style-type: none"> <li>— On or before 17 June 2015 the applicant to lodge a planning proposal that formalises the uses of the site and addresses all issues raised in items 1A and B of the 214(2) Direction.</li> <li>— The planning application shall also deal with items 1.a and 1.b of the first schedule attached to the 214(3) Direction.</li> <li>— As part of a complete mediated outcome the respondent will delete item 1c from the first schedule of the 214(3)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Mediation scheduled for 20 October 2015</li> </ul>	

				<p>Direction.</p> <ul style="list-style-type: none"><li>— As part of a complete mediated outcome the applicant will, on or before 17 September 2015 comply with item 1.d in the first schedule of the 214(3) Direction.</li><li>— Prior to the next mediation the applicant will give serious consideration to engaging a planner or, if not, the applicant is to inform the City at least 1 week prior to the next mediation.</li><li>— At a meeting on the 22 April 2015 with the applicants planning consultant, it was agreed that a Fire Management Plan will be prepared and submitted to the City by 12 June 2015 and comments provided by the applicant on the draft consent orders.</li><li>• Mediation on 23 June 2015, it was agreed that the City would provide comments on the Fire Management Plan and liaise with the applicants consultant to see if an agreement could be reached.</li></ul>		
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				<ul style="list-style-type: none"> <li>• A revised Fire Management Plan has been received.</li> </ul>		
<b>Bell V's City of Busselton</b>	June 2015	Appeal against refusal of a development application for an overheight outbuilding.	Andrew Watts/Briony McGinty	<ul style="list-style-type: none"> <li>• Directions Hearing on 22 July 2015. It was agreed to commence mediation and a site visit arranged to view the impact of the proposal.</li> <li>• Mediation on 1 September 2015 and it was agreed that the applicant will provide revised plans with a reduced wall height for the Council to reconsider;</li> <li>• Revised plans received and the City has now issued planning consent based on the revised plans.</li> <li>• Applicant has advised SAT that they wish to withdraw the matter</li> </ul>	<ul style="list-style-type: none"> <li>• Applicant has requested to withdraw and vacate.</li> </ul>	
<b>Lee V's City of Busselton</b>	June 2015	Appeal against Demolition Order	James Washbourne/Cobus Botha	<ul style="list-style-type: none"> <li>• Directions Hearing on 4 August 2015 it was agreed that mediation would commence end of August 2015. Mediator understood City's position and discussions took place on approximate timeframes for any building works to be undertaken on site. It was agreed that the</li> </ul>	<ul style="list-style-type: none"> <li>• Mediation scheduled for 2 February 2016</li> </ul>	

				<p>compliance matters for Spinnaker and Keel Retreat would be dealt with through the one process.</p> <ul style="list-style-type: none"><li>• Mediation on 14 September 2015 it was agreed that the applicant would submit a revised building application within 3 months; within 4 months make a substantial start on the construction and within 12 months practical completion.</li></ul>		
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