

(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 26 May 2016

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	<p>Mediation on 20 November 2015 which resulted in following orders being made:</p> <ul style="list-style-type: none"> • Applicant to engage an accredited fire specialist to prepare a Bushfire Fire Management Plan. • All notices have been stayed pending consideration of the BFMP. • Applicant did not engage a specialist to undertake a BFMP as a result the matter has been listed for a Directions Hearing to set dates for a Formal Hearing. • Directions Hearing on 6 May 2016, the applicant has been given 2 months to submit a planning application and FMP. • A further directions hearing has been listed for 8 July 2016. 	<ul style="list-style-type: none"> • Directions Hearing scheduled for 8 July 2016 	

Lee vs City of Busselton	June 2015	Appeal against Demolition Order	James Washbourne/ Cobus Botha	<ul style="list-style-type: none"> • Mediation on 14 September 2015; agreed that the applicant would submit a revised building application within 3 months (24 December 2015); and within 4 months after approval make a substantial start with practical completion in 12 months • A Building Permit was approved on 22 December 2015. • Building work commenced on 23 January 2016; • Directions hearing on 10 May 2016, where it was decided that the city to advise if we agree to vacate the current proceedings and monitor the situation and re-issue another building order. • Directions Hearing scheduled for 21 June 2016 	<ul style="list-style-type: none"> • Directions Hearing scheduled for 21 June 2016 	
DCSC vs Southern JDAP	January 2016	Appeal against refusal of Development application	State Solicitors Office/Anthony Rowe/Paul Needham	<ul style="list-style-type: none"> • Parties to circulate documents categorising the land use within 14 days. • Land use to be determined by SAT. 	<ul style="list-style-type: none"> • City seeking further advice from Southern JDAP representatives as to progress/direction with resolving land use classification issue. 	
Caves Caravan Park vs City of Busselton	March 2016	Appeal against Section 34(4) of the Caravan Parks and	Moshe Philips/Tanya Gillett/Anthony	<ul style="list-style-type: none"> • Directions hearing to commence proceedings 	<ul style="list-style-type: none"> • Directions hearing 20 July 2016 	

		Camping Grounds Act 1995 and Section 214(2) notice for illegal structures and camping	Rowe	<p>and discuss way forward.</p> <ul style="list-style-type: none"> • Mediation hearing on 29 April 2016. The City is to prepare a report to Council in line with the Orders from SAT for the reconsideration of S.34 of the Caravan and Camping Grounds Act 1995. • Directions hearing scheduled for 20 July 2016 		
Caves 1676 Pty Ltd v Western Australian Planning Commission	April 2016	Appeal against the refusal of a survey-strata subdivision	State Solicitors Office/Joanna Wilson	<ul style="list-style-type: none"> • Mediation Hearing on 27 April 2016 to discuss the issue of whether the development approval which has expired had substantially commenced. The applicant is to submit evidence that the works have substantially commenced and the City and SSO is to form a view if they agree. • Mediation scheduled for 7 June 2016. 	<ul style="list-style-type: none"> • Mediation 7 June 2016 	
Formas v Western Australian Planning Commission	April 2016	Appeal against the refusal of a three lot subdivision	State Solicitors Office/Joanna Wilson	<ul style="list-style-type: none"> • Mediation on 27 April 2016 to discuss the issue that the existing dwellings on site have existing development approvals and the applicant is arguing that as they have a purple title the subdivision could be approved. • The parties could not 	<ul style="list-style-type: none"> • Directions Hearing 2 June 2016 	

				<p>agree in Mediation and the application has requested the matter goes to a Hearing.</p> <ul style="list-style-type: none">• Directions Hearing scheduled for 2 June to set dates for a Hearing.		
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