



Minutes of Planning and Community Consultation Committee Meeting

Held on

Monday 19 May 2025

Held at Council Chamber, 83 Mandurah Terrace Mandurah

PRESENT:

COUNCILLOR	B POND [Chairperson]	COASTAL WARD
COUNCILLOR	J SMITH	COASTAL WARD (Electronic Attendance)
COUNCILLOR	A KEARNS	EAST WARD
COUNCILLOR	D WILKINS	EAST WARD
MAYOR	C KNIGHT	NORTH WARD
COUNCILLOR	A ZILANI	NORTH WARD
COUNCILLOR	P JACKSON	NORTH WARD (Deputising)
COUNCILLOR	D SCHUMACHER	TOWN WARD

ELECTED MEMBERS OBSERVING:

MS	C MIHOVILOVICH	CHIEF EXECUTIVE OFFICER
MRS	T JONES	DIRECTOR BUSINESS SERVICES
MS	J THOMAS	DIRECTOR PLACE AND COMMUNITY
MR	J CAMPBELL-SLOAN	DIRECTOR STRATEGY AND ECONOMIC DEVELOPMENT
MR	M HALL	DIRECTOR BUILT AND NATURAL ENVIRONMENT
MRS	D ELLERY	MINUTE OFFICER

1. OPENING OF MEETING

Prior to commencement of this meeting Committee Member and other attendee connections by electronic means were tested and confirmed.

The Chairperson declared the meeting open at 5.33 pm.

2. ACKNOWLEDGEMENT OF COUNTRY

Councillor Pond acknowledged that the meeting was being held on the traditional land of the Bindjareb people and paid his respect to their Elders past and present.

3. APOLOGIES

Apologies

Councillor S Wright
Councillor J Cumberworth
Councillor R Burns

4. IMPORTANT NOTE

The purpose of this Committee Meeting is to discuss and make recommendations to Council about items appearing on the agenda and other matters for which the Committee is responsible. The Committee has no power to make any decisions which are binding on the Council or the City of Mandurah unless specific delegation of authority has been granted by Council.

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring during the course of the meeting. The City of Mandurah expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Committee meeting.

5. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

6. AMENDMENT TO STANDING ORDERS

PCC.1/05/25 STANDING ORDERS LOCAL LAW 2016

The Chairperson advised the meeting that the *City of Mandurah Standing Orders Local Law 2016* will be modified to ensure Councillor Jess Smith can participate in and follow the meeting as it progresses.

MOTION

Moved: Councillor D Schumacher

Seconded: Mayor C Knight

That the Committee of Council:

1. **Suspend the operation of the following provisions of the *City of Mandurah Standing Orders Local Law 2016* for the duration of this electronic meeting to ensure Councillor Jess Smith can follow and participate in the meeting as it progresses:**
 - 1.1. **Standing Order 7.2 Members to occupy own seats whilst present in meeting room. Relevant only for Elected Members attending the Council Chambers.**
 - 1.2. **Agree under Standing Orders 8.1(1) and 12.2, that instead of requiring a show of hands, a vote will be conducted by exception with the Presiding Member calling for those Members against each motion. If no response is received the motion will be declared carried and minuted accordingly.**
 - 1.3. **Reiterate the requirement as per Standing Order 7.3 for Members to advise the Presiding Member when leaving or entering the meeting at any time.**

CARRIED: 8/0

FOR: Cr D Schumacher, Mayor C Knight, Cr B Pond, Cr J Smith, Cr A Kearns,
Cr D Wilkins, Cr A Zilani, Cr P Jackson

AGAINST: Nil

7. PUBLIC QUESTION TIME

Nil

8. PRESENTATIONS

Nil

9. DEPUTATIONS

Nil

10. CONFIRMATION OF MINUTES

PCC.2/05/25 CONFIRMATION OF MINUTES TUESDAY 8 OCTOBER 2025

MOTION

Moved: Councillor A Kearns

Seconded: Councillor A Zilani

That the Minutes of the Planning and Community Consultation Committee meeting of Tuesday 8 October 2025 be confirmed.

CARRIED: 8/0

FOR: Councillor A Kearns, Councillor A Zilani, Cr B Pond, Cr J Smith, Cr D Wilkins, Mayor C Knight, Cr P Jackson, Cr D Schumacher

AGAINST: Nil

11. DECLARATIONS OF INTERESTS

- 11.1 Councillor B Pond declared an indirect financial interest in Minute PCC 3/05/25 - Amendments to Local Planning Scheme 12 – Short Term Rental Accommodation due to being the owner of a Bed and Breakfast/Hostel Accommodation.

12. QUESTIONS FROM COMMITTEE MEMBERS

Nil

13. BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil

Councillor B Pond left the chambers at 5.37pm due to having an indirect financial interest in the next item.

Mayor C Knight took over Presiding at the Committee Meeting.

14. REPORTS FROM OFFICERS

PCC 3/05/25 AMENDMENTS TO LOCAL PLANNING SCHEME 12 – SHORT TERM RENTAL ACCOMMODATION

Summary

The State Government's planning reforms for short-term rental accommodation came into effect on 18 September 2024 via *Planning and Development (Local Planning Schemes) Amendment (Short Term Rental Accommodation) Regulations 2024* ('STRA Regulations').

As a result, local governments are required to amend their local planning schemes to ensure a consistent approach to short term rental accommodation. In addition, a number of sites where tourist development was previously permitted and could be developed under Town Planning Scheme 3 requires update and review.

As a result, two Amendments are proposed to Local Planning Scheme No 12:

- Amendment No 8: Short Term Rental Accommodation (STRA) modifications; and
- Amendment No 9: Tourist Accommodation on Private Community Uses Zoned Land.

Amendment No 8 to Local Planning Scheme No 12 ('Scheme 12') is required to ensure alignment with the new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes previously identified as 'holiday homes' as:

- 'hosted short-term rental accommodation' and
- 'unhosted short-term rental accommodation',

together with the removal of superseded land uses.

These changes are a result of extensive review from industry and State Government, discussion papers, parliamentary reviews, and regulatory change. The following report provides further detail and background information on these changes, including specific implications for the City. It is recommended that Amendment 8 is adopted as a 'basic' amendment with no need for advertising arising from this Amendment. There is no change to the Council's previous approach to 'holiday homes'.

Amendment No 9 proposes to reinstate tourist development opportunities on two development sites that adjoin and are a part of The Cut Golf Course and Meadow Springs Golf Course which were permitted in the previous Town Planning Scheme 3, however in aligning standard land use zones from the model provisions for local planning schemes, these uses are no longer permitted. Amendment 9 seeks to reinstate these uses being permitted on these sites as 'additional uses'.

Officer Recommendation

That the Planning and Community Consultation Committee recommend that Council:

1. In accordance with Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to prepare the following amendment to Local Planning Scheme No 12:

“PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF MANDURAH

LOCAL PLANNING SCHEME NO 12

AMENDMENT NO 8

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

(a) In Division 1, Clause 6.1, ‘Terms Used’:

- delete the definition for ‘*short-term accommodation*’.
- replace the general definition for ‘*cabin*’ to:

means a building that -

(a) *is an individual unit other than a chalet; and*

(b) *forms part of –*

- (i) *tourist and visitor accommodation; or*
- (ii) *a caravan park;*

and

(c) *if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*

- replace the general definition for ‘*chalet*’ to:

means a building that —

(a) *is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*

(b) *forms part of –*

- (i) *tourist and visitor accommodation; or*
- (ii) *a caravan park;*

- (c) *and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*

(b) In Division 2, Clause 6.2, 'Land Use Terms Used':

- delete the definitions for:
 - bed and breakfast;
 - holiday accommodation;
 - holiday house;
 - motel;
 - serviced apartment; and
 - tourist development.
- Inserting the definitions for "*tourist and visitor accommodation*" as per Schedule 1 – Model Provisions:
 - (a) *means a building, or a group of buildings forming a complex, that —*
 - (i) *is wholly managed by a single person or body; and*
 - (ii) *is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and*
 - (iii) *may include on-site services and facilities for use by guests; and*
 - (iv) *in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;*

and

- (b) *includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but*
- (c) *does not include any of the following —*
 - (i) *an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);*
 - (ii) *a caravan park;*
 - (iii) *hosted short-term rental accommodation;*
 - (iv) *a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);*
 - (v) *a park home park;*
 - (vi) *a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*
 - (vii) *a road house;*
 - (viii) *workforce accommodation;*

- (c) In Clause 3.2 'Zoning Table', insert in alphabetical order the following land uses and permissibility:

Use Class	Neighbourhood Centre	Local Centre	Service Commercial	General Industry	Mixed Use	Residential	Rural Residential	Rural Smallholdings	Rural	Private Community Uses	Tourism
Hosted Short-Term Rental Accommodation	D	D	X	X	P	P	P	P	P	X	I
Unhosted Short-Term Rental Accommodation	D	D	X	X	P	P	P	P	P	X	I
Tourist and Visitor Accommodation	P	D	X	X	A	A	A	A	A	X	P

- (d) In Clause 3.2 'Zoning Table'; Table 6 'Special Use Zones in Scheme Area'; Schedule 2 'Parking Requirements' delete references to:

- bed and breakfast;
- holiday accommodation;
- holiday house;
- motel;
- serviced apartment; and
- tourist development.

- (e) In Table 6, 'Special Use Zones in Scheme Area':

- replace reference of 'bed and breakfast' to 'hosted short-term rental accommodation'; and
- replace reference of 'tourist development' with 'tourist and visitor accommodation'

- (f) In Schedule 2 'Parking Requirements':

- replace reference of 'holiday house' with 'unhosted short-term rental accommodation'; and
- replace reference of 'tourist development' with 'tourist and visitor accommodation'

Dated 27 May 2025
Chief Executive Officer

2. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No 8 of City of Mandurah Local Planning Scheme No. 12 is a basic amendment for the following reasons:
 - (a) the amendment is consistent with the model provisions in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
 - (b) the amendment deletes provisions that have been superseded by the deemed provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
3. That Council approves updates and modifications to the following Precinct Structure Plans to ensure consistent terminology and definitions in land use tables arising from the final gazettal of Amendment 8 to Local Planning Scheme No 12:
 - (a) Mandurah Strategic Centre
 - (b) Lakelands Town Centre
 - (c) Halls Head Town Centre
 - (d) Falcon Village District Centre

by deleting the definitions of:

- (a) bed and breakfast;
- (b) holiday accommodation;
- (c) holiday house;
- (d) motel;
- (e) serviced apartment; and
- (f) tourist development

and replacing with 'hosted short term rental accommodation'; 'unhosted short term rental accommodation' and '*tourist and visitor accommodation*' as required.

4. In accordance with Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to prepare the following amendment to Local Planning Scheme No 12:

"PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF MANDURAH

LOCAL PLANNING SCHEME NO 12

AMENDMENT NO 9

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- (a) Modifying Table 4: Specified Additional Use for Zoned Land in Scheme Area:

No	Description of Land	Additional Use	Conditions
A2	Lot 3000 Meadow Springs Drive, Meadow Springs	P Uses: Tourist and Visitor Accommodation	(a) Where Tourist and Visitor Accommodation Uses are proposed, the site shall be subject to a Local Development Plan as per Part 6 of the Deemed Provisions to determine the location, form and scale of development for the site, having regard to the prevailing form of development surrounding the site, and ensure an appropriate interface to existing residential development
A3	Lot 400 and 401 Country Club Drive, Dawesville	P Uses: Tourist and Visitor Accommodation	(a) Where Tourist and Visitor Accommodation Uses are proposed, the site shall be subject to a Local Development Plan as per Part 6 of the Deemed Provisions to determine the location, form and scale of development for the site, having regard to the prevailing form of development surrounding the site, and ensure an appropriate interface to Existing residential development

(b) Amending the Scheme Maps Accordingly.

Dated 27 May 2025
Chief Executive Officer

5. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No 9 of City of Mandurah Local Planning Scheme No. 12 is a standard amendment for the following reasons:

- (a) is an amendment relating to a zone that is consistent with the objectives identified in the scheme for that zone or reserve;
- (b) is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (c) is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- (d) is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- (e) is an amendment that is not a complex or basic amendment

Committee Recommendation**MOTION****Moved:** Councillor A Zilani**Seconded:** Councillor A Kearns

That the Planning and Community Consultation Committee recommend that Council:

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- delete the definition for ‘*short-term accommodation*’.
- replace the general definition for ‘*cabin*’ to:

means a building that -

(a) is an individual unit other than a chalet; and

(b) forms part of –

- (i) tourist and visitor accommodation; or**
- (ii) a caravan park;**

and

(c) if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.

- replace the general definition for ‘*chalet*’ to:

means a building that —

(a) is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and

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- (ii) a caravan park;**

(c) and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.

(b) In Division 2, Clause 6.2, ‘Land Use Terms Used’:

- **delete the definitions for:**

- **bed and breakfast;**
- **holiday accommodation;**
- **holiday house;**
- **motel;**
- **serviced apartment; and**
- **tourist development.**

- **Inserting the definitions for “tourist and visitor accommodation” as per Schedule1 – Model Provisions:**

(a) means a building, or a group of buildings forming a complex, that

—

- (i) is wholly managed by a single person or body; and**
- (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and**
- (iii) may include on-site services and facilities for use by guests; and**
- (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;**

and

(b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest’s stay by the owner or manager of the apartment or an agent of the owner or manager; but

(c) does not include any of the following —

- (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);**
- (ii) a caravan park;**
- (iii) hosted short-term rental accommodation;**
- (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);**

- (v) *a park home park;*
- (vi) *a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*
- (vii) *a road house;*
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- (c) In Clause 3.2 'Zoning Table', insert in alphabetical order the following land uses and permissibility:

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Unhosted Short-Term Rental Accommodation	D	D	X	X	P	P	P	P	P	X	I
Tourist and Visitor Accommodation	P	D	X	X	A	A	A	A	A	X	P

- (d) In Clause 3.2 'Zoning Table'; Table 6 'Special Use Zones in Scheme Area'; Schedule 2 'Parking Requirements' delete references to:

- bed and breakfast;
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- (e) In Table 6, 'Special Use Zones in Scheme Area':

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- (f) In Schedule 2 'Parking Requirements':

- replace reference of 'holiday house' with 'unhosted short-term rental accommodation'; and
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2. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No 8 of City of Mandurah Local Planning Scheme No. 12 is a basic amendment for the following reasons:
 - (a) the amendment is consistent with the model provisions in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
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(b) Amending the Scheme Maps Accordingly.

Dated 27 May 2025
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5. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No 9 of City of Mandurah Local Planning Scheme No. 12 is a standard amendment for the following reasons:

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- (c) is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- (d) is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- (e) is an amendment that is not a complex or basic amendment

CARRIED: 7/0

FOR: Cr A Zilani, Cr A Kearns, Cr J Smith, Cr D Wilkins, Mayor C Knight, Cr P Jackson, Cr D Schumacher

AGAINST: Nil

Councillor B Pond re- entered the Chambers at 5:40pm.

Councillor B Pond took over Presiding at the Committee Meeting at 5.40pm.

PCC 4/05/25 MADORA BAY (SEASIDE) LOCAL CENTRE – LOCAL DEVELOPMENT PLAN

Summary

Council is requested to consider a Local Development Plan (LDP) which applies to the Madora Bay (Seaside) Local Centre. The LDP will guide future development of the site and will ensure that future development provides a suitable transition and interface to surrounding residential development, and the adjacent foreshore node.

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, the LDP was advertised between 27 March and 17 April 2025, with no submissions being received.

It is recommended that Council approve the proposed Local Development Plan.

Officer Recommendation

That the Planning and Community Consultation Committee recommend that Council in accordance with Clause 52 (1)(a) of the Deemed Provisions for Local Planning Schemes (*Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations*), approve the Seaside Local Centre Local Development Plan as detailed in Attachment 2.1 (Plan No: 962-267B-01 Dated: 10.01.2025)

Committee Recommendation

MOTION

Moved: Mayor C Knight

Seconded: Councillor A Zilani

That the Planning and Community Consultation Committee recommend that Council in accordance with Clause 52 (1)(a) of the Deemed Provisions for Local Planning Schemes (*Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations*), approve the Seaside Local Centre Local Development Plan as detailed in Attachment 2.1 (Plan No: 962-267B-01 Dated: 10.01.2025)

CARRIED: 8/0

FOR: Mayor C Knight , Cr A Zilani, Cr B Pond, Cr J Smith, Cr A Kearns, Cr D Wilkins, Cr P Jackson, Cr D Schumacher

AGAINST: Nil

15. LATE AND URGENT BUSINESS ITEMS

Nil

16. CONFIDENTIAL ITEMS

Nil

16. CLOSE OF MEETING

There being no further business, the Chairperson declared the meeting closed at 5:42pm.

CONFIRMED:[CHAIRPERSON]

Attachments to Committee Minutes: