



**SHIRE OF PEPPERMINT GROVE**

**AGENDA FOR THE**

**ORDINARY MEETING OF COUNCIL**

**TO BE HELD ON**

**12<sup>th</sup> October 2009**

## Ordinary Meeting of Council

12 October 2009

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## Shire of Peppermint Grove

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### NOTICE OF THE ORDINARY MEETING OF COUNCIL

Dear President & Councillors

The next meeting of the Shire of Peppermint Grove Ordinary Meeting of Council will be held on 12 October 2009 in the Council Chambers, 1 Leake Street, Peppermint Grove, commencing at 6.30pm.

**Anne Banks-McAllister**  
**Chief Executive Officer**

8 October 2009

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## A G E N D A

### **PROTOCOL STATEMENT**

Council recognizes that it is permissible to record the Shire's Council and Committee Meeting in the written, sound, vision medium (or any combination of the mediums) when open to the public, however, people who intend to record meetings are requested to inform the Presiding Member of their intention to do so.

### **A1 DECLARATION OF OPENING AND RECORDING OF ATTENDANCE & APOLOGIES**

### **A2 DELEGATIONS**

### **A3 QUESTIONS BY MEMBERS OF THE PUBLIC**

The following question has been received from Mr Julian Frayne of 20 Hurstford Close, Peppermint Grove:

- 1. Was the rapid departure of CEO Simpson requested by the Council or did he initiate the move for personal or health reasons?*
- 2. Was he paid out for the last 12 months (2009-10) of his contract?*
- 3. If affirmative, how much, including any extra super, was he paid?*

#### **A4 DECLARATION OF INTEREST**

#### **A5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

##### **Recommendation**

That the Minutes of the Ordinary Meeting of Council held on 14 September 2009 be confirmed as a true and accurate record of proceedings.

#### **A6 PROJECT REPORT LIST**

Attachment A6.

#### **A7 ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION**

### **REPORTS OF THE WORKS & FINANCE COMMITTEE**

#### **FE FINANCE CONTROL & EXPENDITURE**

##### **FE1 ACCOUNTS FOR PAYMENT**

File Ref: ACC3  
Author: P J Howard, Manager Finance  
Date: 1 October 2009

##### **Purpose**

The purpose of this report is to obtain approval for cheques, electronic funds payments and direct debits drawn since the last report and accounts now presented for payment.

##### **Background**

Nil

### **Report**

Appendix 4.1 lists details of all cheques drawn since the last report and accounts now presented for payment. The following summarises the cheques, electronic fund transfers, direct debits and accounts included in the list presented for payment.

<b>MUNICIPAL FUND</b>	<b>PAYMENT TYPE</b>	<b><u>AMOUNT</u></b>
	Cheque numbers 10152 – 10180 (inclusive)	
	Electronic Funds Transfers 2995 – 3090 (Inclusive)	
	Direct Debits 835 – 842 (inclusive)	
	<b>TOTAL</b>	<b>\$1,097,738.06</b>

### **Policy Implications**

Nil

### **Budget Implications**

Nil

### **Recommendation**

That

The payment of the cheques, electronic funds payments and direct debits drawn and accounts presented for payment, be approved.

## **FE2 FINANCIAL STATEMENTS**

File Ref: ACC3  
Author: P J Howard, Manager Finance  
Date: 1 October 2009

### **Purpose**

The purpose of this report is to provide Council with the financial reports for the period ended 30 September 2009.

### **Background**

Nil

**Report**

The financial reports are provided for the period ended 30 September 2009.

**Policy Implications**

Nil

**Budget Implications**

Nil

**Recommendation**

That

The financial reports for the period ended 30 September 2009 be received and adopted.

**FE3 INVESTMENTS**

File Ref: INV1  
Author: P J Howard, Manager Finance  
Date: 1 October 2009

**Purpose**

The purpose of this report is to provide details of Council's investments as at 30 September 2009 including details of the investing authority and terms.

**Background**

Nil

Report

INVEST #	INVESTMENT	INVESTING AUTHORITY	DATE INVESTED	MATURITY DATE	TERMS	INTEREST RATE	AMOUNT
1	Reserve Fund	NAB	26.08.2009	29.09.2009	33 Days	3.36%	\$3,795,836.45
2	POS Fund	NAB	31.08.2009	30.09.2009	30 Days	3.36%	\$524,419.36
3	General Fund	NAB	31.08.2009	30.09.2009	30 Days	3.36%	\$530,689.08
<b>TOTAL</b>							<b>\$4,850,944.89</b>

For members information, it is advised that the Reserve Funds Investment at 30 September 2009 is comprised as follows:-

Ordinary Meeting of Council  
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Staff Leave Reserve	\$ 29,459.91
Plant Replacement Reserve	\$ 174,804.40
Infrastructure/Building Reserve	\$3,320,094.91
Sitting Fee Reserve	\$ 30,037.24
Library Leave Reserve	\$ 43,380.23
Library Infrastructure Reserve	\$ 72,110.36
Road Reserve	\$ 125,949.40
	<u>\$ 3,795,836.45.</u>

For Members information:

At the same period last year the reserve balances were as follows:

Staff Leave Reserve	\$ 21,423.02
Plant Replacement Reserve	\$ 165,897.22
Infrastructure/Building Reserve	\$3,875,676.63
Sitting Fee Reserve	\$ 21,748.40
Library Leave Reserve	\$ 37,913.17
Library Infrastructure Reserve	\$ 33,280.39
Road Reserve	\$ 61,169.26

\$ 4,217,108.09

For Members information:

Investment earnings for one month matured on 29 September 2009 with interest earnings of \$12,408.05.

On 29 September \$180,976 was transferred to the Municipal Operating account to cover the Shire's share of the Second Progress Payment to PS Structures of \$696,507 together with other contractor payments.

Total amount held in Reserves as at 30 September 2009, was \$4,320,836 as shown in the Balance Sheet under heading Cash Restricted.

\$500,000 was transferred on 30 September 2009 from the Municipal banking account into the General Fund giving the balance of this fund at 30 September as \$530,689.08. This amount held in the General term deposit is included in Cash At Bank on the Balance Sheet.

**Policy Implications**

Nil

**Budget Implications**

Nil

**Recommendation**

That

The Investment Register for 30 September 2009 be received.

**FE4 PROVISION OF AUDIT SERVICES**

File Ref: AUD3  
Author: P J Howard, Manager Finance  
Date: 1 October 2009

**Purpose**

The purpose of this report is to obtain Council approval for the appointment of the Shire's auditors. The Shire's audit contract with Grant Thornton will complete its 3 year contract with the audit of the 2008/2009 Financial Statements. It is good practice to change auditors from time to time and the purpose of this report is to recommend the appointment of UHY Haines Norton as the Shire's auditors for the next two years.

**Background**

Nil

**Report**

Financial fees for the audits of the financial statements for the years ending 2007, 2008 and 2009 were \$11,000, \$11,500 and \$12,000 respectively.

UHY Haines Norton has an extensive local government experience and currently audits many WA local governments. They conduct twice yearly financial workshops which are attended by many local governments including the Shire of Peppermint Grove. They were successful in being the recommended auditors following the recent tender process conducted by Cottesloe on behalf of WESROC. The price they have individually quoted to us is identical to the price quoted for the combined WESROC tender. As some councils are not yet ready to subscribe to the combined tender we can independently appoint Haynes Norton as our auditor for a two year period at which time the combined tender can be revisited.

Fees for the appointment of UHY Haines Norton are:  
for financial year audit for year ended 30 June 2010 - \$11,500  
for financial year audit for year ended 30 June 2011 - \$12,500

**Policy Implications**

Nil

**Budget Implications**

As outlined above

**Recommendation**

For Council approval to appoint UHY Haines Norton as the Shire's auditors for the two year period ending 30 June 2010 to 30 June 2011.

**FE5 PROVISION OF SHIRE CREDIT CARDS**

File Ref: BAN0  
Author: P J Howard, Manager Finance  
Date: 7 October 2009

**Purpose**

The purpose of this report is to obtain Council approval for the provision of Shire credit cards issued by the National Australia Bank to the Chief Executive Officer and the Manager of Works.

**Background**

Nil

**Report**

It is necessary at times for purchases to be made or expenses paid, on as required basis when Shire orders may not suffice or accounts may not exist with particular organisations. The provision of a shire credit card would provide this contingency measure.

**Policy Implications**

The officer would be required to provide a purchase order where appropriate and invoice/receipt for all purchases made with the credit card for processing through the shire's financial payments system.

**Budget Implications**

As outlined above.

**Recommendation**

For Council approval to issue credit cards to the Chief Executive Officer and the Manager of Works with a monthly credit limit on each card of \$2,000 and \$3,000 respectively.

**FE6 BUDGET REVIEW**

File Ref: BUD4  
Author: P J Howard, Manager Finance  
Date: 9 October 2009

**Purpose**

The purpose of this report is to obtain Council approval for expenditure for additional purposes not included in the annual budget.

**Background**

A budget review workshop was held in the Council Chambers on Wednesday 8 October to discuss the proposed changes to expenditure.

**Report**

Attachment FE6 enumerates the additional non budgeted items which are necessary to incorporate into the current budget. These line item expenditures are for additional programs and projects which have arisen due to various changed circumstances regarding staffing and additional programs. There is no change to the total revenue and expenditure in the original Budget. New expenditure is offset by cost savings in some areas and reassigning of original proposed funding.

**Policy Implications**

Under Section 6.8.1 (b) of the Local Government Act 1995 A Local Government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution of council carried by an absolute majority.

**Budget Implications**

Some items of expenditure have been reallocated with the relevant funding outlined in the attachment.

**Recommendation**

For Council approval in advance for expenditure for additional purposes not included in the annual budget as outlined in Attachment FE6.

**FE7 LIBRARY PROJECT SUMMARY COSTS**

09/10 year All figures are exclusive of GST										
	Cox	Davson Ward	Fundraising m/r	IBMS	Josh Byrne	Misc	PS Structures	Kooperman	J&S drilling	
Jul-09	16,131			4,676.75		4,805		6,800.00		1,480,592
Aug-09	54,773					4,360	693,920			32,412
Sep-09		2,500		6,346		11,250	633,188			753,053
Oct-09										653,284
Nov-09										-
Dec-09										-
Jan-10										-
Feb-10										-
Mar-10										-
Apr-10										-
May-10										-
Jun-10										-
	70,903	2,500	-	11,023	-	20,415	1,327,108	6,800	-	\$ 2,919,341
<b>Payments under cost sharing arrangement</b>										
	Cottesloe	MP	PG	PG Office		Total				
Jul-09	11,103	12,625	2,418	6,267		1,480,592	b/f 08/09			
Aug-09	261,808	297,709	57,009	147,777		764,303				
Sep-09	219,925	250,083	47,889	124,137		642,034				
Oct-09										
Nov-09										
Dec-09										
Jan-10										
Feb-10										
Mar-10								19,501.82		
Apr-10										
May-10										
Jun-10										
TOTALS	\$ 492,836	\$ 560,417	\$ 107,315	\$ 278,180	\$ -	\$ 2,919,341		\$ 385,496	09/10 expenditure	
								204,520.44	Withdrawn from reserves Aug	
								180,975.41	to be withdrawn September	
								19,501.82	GSt component withdrawn fro	
	\$ 944,281	\$ 1,070,757		PG to date	\$ 722,511				No need to do so. Withdrawn	
	Cott to date	MP to date		3 councils contributions	\$ 2,737,548			\$ 169,655	PS 2 Progress payment Sept	
				funded from reserves	\$ 181,793			11,320.11	Other creditors paid July - Se	
					\$ 2,919,341					

**Recommendation**

That

The report on Library Project Summary Costs be received.

**W WORKS**

## **FOP OPERATIONAL ISSUES**

### **FOP1 RANGER REPORT - (August/September)**

File Ref: LAW3  
Author: A Jackson, Ranger  
Date: 8 October 2009

#### 1 Activity Statistics

	<b>PARKING</b>	<b>DOGS</b>
Infringements	2	-
Written cautions	16	18
Verbal cautions	10	22
Vehicle tow notices	12	-
Impounded vehicles	-	-
Dogs Impounded	-	-
Barking complaints	-	-
Dog attacks	-	-
Dogs Returned to Owners	-	8

#### 2 Current Issues

- 22 hours patrol/month
- Animal Supervision on parks and reserves
- Parking patrols in all school areas morning and evening
- Monitoring trades vehicles on building sites

#### **Recommendation**

That

The information be received.

## **REPORTS OF THE HEALTH, BUILDING & TOWN PLANNING COMMITTEE**

### **EH ENVIRONMENTAL HEALTH**

#### **EH1 FOOD RECALL**

File Ref: HEA5  
Author: T Mayor, Manager of Development Services  
Date: 3 October 2009

**Purpose**

The purpose of this report is to inform Council of the action taken by the Shire's Manager of Development Services with regard to food recall notifications.

**Background**

The Health Department of Western Australia advises all Local Governments of any food products that have been recalled.

**Report**

Three (2) Food Recall Notifications were issued by the WA Department of Health for the reporting period all of which were Category 2 and did not required any immediate action by the officer. Retailers in the Shire of Peppermint Grove were instructed to remove the product from sale and either returned to the distributor or arrange for product to be destroyed.

The Food Recall Notification and details of the recall product are available from the Officer.

**Policy Implications**

Nil

**Budget Implications**

Nil

**Committee Recommendation**

That

The information be received.

**EH2 FOOD HANDLING PREMISES**

File Ref: HEA5  
Author: T Mayor, Manager of Development Services  
Date: 14 July 2009

**Purpose**

The purpose of this report is to inform Council of the food premises surveyed during the reporting period.

**Background**

The periodical survey of food premises to assess compliance with the ANZFA Food Safety Standards is conducted as a normal duty of the Environmental Health Officer.

### **Report**

The following food businesses were inspected during the reporting period –

- Red Rooster
- Peppermint Grove Bakery
- Woolworths Supermarket (Butcher, Bakery and Delicatessen)

In the course of these surveys, there were no items observed which required Council's attention.

It is also reported that there have been significant improvements generally in the food businesses inspected during this reporting period and is a good reflection on the commitment of the business managements.

The Red Rooster fast food take-away business on Stirling Highway has recently been issued with a building licence for extensive internal refurbishments to the food preparation and service areas of the shop.

### **Budget Implications**

Nil

### **Policy Implications**

Nil

### **Recommendation**

The information be received.

### **EH3 FOOD SAMPLES**

No food samples were taken during this reporting period.

### **AM AMALGAMATIONS**

No applications for this reporting period.

### **SD SUBDIVISIONS**

No applications for this reporting period.

## **DA DEVELOPMENT APPLICATIONS**

### **ADDITIONS/ALTERATIONS/REFURBISHMENTS/EXTENSIONS**

#### **DA1 UPPER LEVEL ADDITION AND MINOR INTERNAL ALTERATIONS TO RESIDENCE – LOT 4 & 209 (9) IRVINE STREET PEPPERMINT GROVE (PC APPLIC. 010 – 06)**

File Ref: TPL1  
Author: T Mayor, Manager of Development Services  
Date: 5 October 2009

#### **Background**

Applicant: J Goyder-Ewen  
Owner: Tilley  
TPS No 3 Zoning: R12.5  
Land Use: Single dwelling  
Lot Area: 810m<sup>2</sup>

#### **Report**

An application has been received seeking approval for the construction of an upper level addition, internal alterations and the demolition of an outbuilding at the rear of the above property.

The proposed addition will be located over the existing garage at the front of the residence and will contain a bedroom and ensuite facilities.

Internal alterations will include: removal of internal walls to increase room size; relocation of door openings; and construction of a short length of internal wall to create a robe.

The internal alterations will not change the foot print of the existing residence and will not change the use of the rooms and subsequently there will be impact upon the existing approved setbacks (neighbour amenity).

An outbuilding at the rear of the property will be demolished and the reclaimed land area will be landscaped and form part of the outdoor living area adjacent to the swimming pool.

This report recommends that Council grant approval for the development at 9 Irvine Street.

**Heritage**

This property is not listed in the Shire of Peppermint Grove Municipal Heritage Inventory.

**Plot Ratio**

With the removal of the store room at the rear of the property and the construction of the upper level addition there will be no change to the plot ratio, which will continue to comply with the Shire of Peppermint Grove Town Planning Scheme No 3, Clause 4.9.5.

**Open Space**

The removal of the outbuilding will result in an increase of 35.75m<sup>2</sup> in open space which will become 73.4% and continues to comply with the Residential Planning Codes, Table No 1.

**Front Setback**

The upper level addition will not encroach into the existing approved front boundary setback of 7.55m.

**Rear Setback**

Unchanged by the development .

**Western Side Setback**

The upper level addition will be 12.02m from the western side common property boundary and will comply with the Residential Design Codes, Table 2b.

**Eastern Side Setback**

The upper level addition will be 1.31m from the eastern side common property boundary and will comply with the Residential Design Codes, Table 2a.

It is also noted that the upper level addition is located adjacent to a carport at 11 Irvine Street which has a nil setback to the common property side boundary adjoining 9 Irvine Street. Subsequently the addition will have no adverse impact upon the amenity of the adjoining property.

**Height**

The upper level addition will have a maximum height of 6.84m and complies with the Shire of Peppermint Grove Town Planning Scheme No. 3 which prescribes a height of 10.0m above natural ground level.

**Amenity**

There are no windows on the eastern side of the upper level addition that over look 11 Irvine Street and as stated above (Western Side Setback) the windows on the western side of the addition are located more than 12m from the boundary, subsequently there are no overlooking issues and no adverse impact upon the amenity of the adjoining properties.

The building design, window schedule and roof pitch of the upper level addition will compliment the existing residence and will make a valuable contribution to the streetscape.

**Crossovers and Street Trees**

Unaffected by the development.

**Fencing**

Unaffected by the development.

**Outbuilding Area**

As part of the development application the existing outbuilding will be demolished.

**Consultation**

A summary of the community consultation process showing formal comments and their relevance to the Shire's Peppermint Grove Town Planning Scheme No 3 and the Residential Design Codes is illustration below.

<b>NEIGHBOUR PROPERTY</b>	<b>COMMENTS AND/OR OBJECTIONS</b>	<b>R-CODE R'QMNTS</b>	<b>TPS3 R'QMNTS</b>	<b>OFFICER'S COMMENTS</b>
11 Irvine St	No comments received	Complies with requirements	Complies with requirements and existing approved front setback	Nil
9 Irvine St	No comments received			

**Discretions to be Considered**

As the upper level addition does not compromise the existing approved front setback it is not necessary for Council to exercise any discretion in approving the same setback for the upper level addition.

**Policy Implications**

Nil

**Budget Implications**

Nil

**Attachment**

Refer to appendix

**Recommendation**

That

Council grant Planning Consent approval for Application 010 – 06 for the construction of an upper level addition and internal alterations to the existing residence and the demolition of an outbuilding the lot 4 & 209 (9) Irvine Street Peppermint Grove in accordance with the plans and specifications submitted 17 August 2009.

**DA2 MINOR ADDITION/ALTERATION TO RESIDENCE – LOT 31 (14) VENN STREET PEPPERMINT GROVE (PC APPLIC. 010 – 08)**

File Ref: TPL1  
Author: T Mayor, Manager of Development Services  
Date: 6 October 2009

**Background**

Applicant: Richard Sklarz Architects  
Owner: H & J Sklarz  
TPS No 3 Zoning: R12.5  
Land Use: Single dwelling  
Lot Area: 911m<sup>2</sup>

**Report**

An application has been received seeking Council approval for the construction of a minor addition and internal alteration to the existing two storey residence at the above property.

The proposed development is located on the western side, ground level of the residence and will include a minor extension to create a robe and internal alterations to modify the existing ensuite that serves the bedroom.

This report recommends that Council grant approval for the development at 14 Venn Street.

**Heritage**

This property is not listed in the Shire of Peppermint Grove Municipal Heritage Inventory.

**Plot Ratio**

There will be a minor change to the plot ratio which will result in a plot ratio being 0.41, which continues to comply with the Shire of Peppermint Grove Town Planning Scheme No 3, Clause 4.9.5.

**Open Space**

The open space will change to 73.1% which continues to comply with the Residential Planning Codes, Table No 1.

**Front Setback**

Unaffected by the development.

**Rear Setback**

Unaffected by the development.

**Western Side Setback**

The addition will comply with the setback requirements of the Residential Design Codes, Table 2b.

**Eastern Side Setback (secondary street)**

Unaffected by the development.

**Height**

Unaffected by the development.

**Amenity**

The height of the building addition will be located below the top of the fence RL at the western side common property boundary and therefore there will be no adverse impact upon the amenity of the adjoining property.

**Crossovers and Street Trees**

Unaffected by the development.

**Fencing**

Unaffected by the development.

**Outbuilding Area**

Unaffected by the development.

**Consultation**

A summary of the community consultation process showing formal comments and their relevance to the Shire's Peppermint Grove Town Planning Scheme No 3 and the Residential Design Codes is illustration below.

<b>NEIGHBOUR PROPERTY</b>	<b>COMMENTS AND/OR OBJECTIONS</b>	<b>R-CODE R'QMNTS</b>	<b>TPS3 R'QMNTS</b>	<b>OFFICER'S COMMENTS</b>
16 Venn Street	No comments received	Complies with requirements	Complies with requirements	Nil
2 Columba Place	Plans sighted, no comments			

**Discretions to be Considered**

Nil

**Policy Implications**

Nil

**Budget Implications**

Nil

**Attachment**

Refer to appendix.

**Recommendation**

That:

Council grant Planning Consent approval for Application 010 – 08 for the construction of a minor ground level addition and internal alterations to the existing residence lot 31 (14) Venn Street Peppermint Grove in accordance with the plans and specifications submitted 21 August 2009.

**DA3 MINOR ADDITION TO RESIDENCE – LOT 40 (37B) KEANE STREET PEPPERMINT GROVE (PC APPLIC. 010 – 11)**

File Ref: TPL1

Author: T Mayor, Manager of Development Services

Date: 5 October 2009

**Background**

Applicant:	Vegola WA
Owner:	M & A Gregg
TPS No 3 Zoning:	R12.5
Land Use:	Single dwelling
Lot Area:	756m <sup>2</sup>

**Report**

An application has been received seeking Council approval for the construction of a pergola addition to the residence at the above property.

The pergola addition or ‘Vergola’, an operable bladed pergola, will be located at the rear of the residence and will have no adverse impact upon the amenity of any of the neighbouring properties.

This report recommends that Council grant approval for the development at 37B Keane Street.

**Heritage**

This property is not listed in the Shire of Peppermint Grove Municipal Heritage Inventory.

**Plot Ratio**

The plot ratio will be unchanged by the development and will continue to comply with the Shire of Peppermint Grove Town Planning Scheme No 3, Clause 4.9.5.

**Open Space**

The open space will be unchanged and will continue to comply with the Residential Planning Codes, Table No 1.

**Front Setback**

Unaffected by the development.

**Rear Setback**

Unaffected by the development.

**Western Side Setback**

Unaffected by the development.

**Eastern Side Setback**

Unaffected by the development.

**Height**

The 'Vergola' addition will have a maximum height of 4.0m and complies with the Shire of Peppermint Grove Town Planning Scheme No. 3 which prescribes a maximum building height of 10.0m.

**Amenity**

The addition will have no adverse impact upon neighbouring properties or the streetscape.

**Crossovers and Street Trees**

Unaffected by the development.

**Fencing**

Unaffected by the development.

**Outbuilding Area**

N/A

**Discretions to be Considered**

Nil

**Policy Implications**

Nil

**Budget Implications**

Nil

**Attachment**

Refer to appendix.

**Recommendation**

That:

Council grant Planning Consent approval for Application 010 – 11 for the construction of a ‘Vergola’ addition at the rear of the existing residence at lot 40 (37B) Keane Street Peppermint Grove in accordance with the plans and specifications submitted 23 September 2009.

**CONSTRUCTION OF NEW DWELLINGS**

No applications for this reporting period.

**CONSTRUCTION OF FENCES**

No applications for this reporting period.

**CONSTRUCTION OF OUTBUILDINGS**

**DA4 OUTBUILDING AND POOL DECK – LOT 117 (13) JOHNSTON STREET  
PEPPERMINT GROVE (PC APPROVAL 009 – 56)**

File Ref: TPL1  
Author: T Mayor, Manager of Development Services  
Date: 3 September 2009

**Background**

Applicant: D J Sheldrick  
Owner: D J Sheldrick  
TPS No 3 Zoning: R12.5  
Land Use: Single dwelling  
Lot Area: 1008m<sup>2</sup>

**Report**

At the Ordinary Meeting of Council of 17 August 2009 an application was considered for the construction of a gazebo and pool deck at the front of the above property.

It was also proposed that the gazebo be constructed with a nil setback to an existing fence adjacent to the eastern side common property survey boundary and that the height of the dividing fence be altered to provide additional privacy to the active outdoor living area at the front of the property.

***Refer to Minutes of Meeting 17 August 2009 for full details of the application.***

It was resolved by Council defer the application to the September Meeting pending the submission of a detailed feature site survey plan showing the location of the eastern common property boundary fence and the location of the proposed gazebo.

The proponent subsequently submitted the required information i.e. feature survey to support the application. The survey formally established that the dividing fence is in fact constructed entirely upon the property of the proponent.

Approval was granted for the construction of the gazebo subject to the building being located 1.0m from the common property boundary.

The proponent has revised the proposed development by marginally reducing the building height and therefore there is no requirement for the dividing fence to be increased in height to accommodate a boxed gutter. Subsequently, it is requested that the condition for the 1.0m setback from the boundary be waived and that a nil setback be approved. The nil setback will ensure that a healthy, mature native tree which provides shade to the outdoor living area is retained.

Furthermore, as stated above, a feature survey (attached) demonstrates that the dividing fence has been constructed entirely upon the applicant's property and not on the neighbour's property as originally stated by the neighbour.

Officer's comment:

The gazebo is located at the front of the property and 11.76m from the front boundary. The amended structure height and no change to the fence height will ensure that there is no adverse impact upon the amenity of the adjoining property owner.

This report recommends Council grant approval for the proposed gazebo to have a nil setback to the eastern side boundary of 13 Johnston Street.

### **Recommendation**

That Council grant Planning Consent approval for Application 009 – 56 for the construction of a gazebo (as amended) with a nil setback to the eastern side common property boundary at the front of lot 117 (13) Johnston Street Peppermint Grove in accordance with the plans and specifications submitted 22 June and feature survey site plan of 4 September 2009

**COMMERCIAL PREMISES**

No applications for this reporting period.

**DEMOLITIONS**

No applications for this reporting period.

**OTHER**

**BLD BUILDING**

**BLD1 BUILDING LICENCE VARIATIONS**

No applications for this reporting period.

**BLD2 HERITAGE**

No applications for this reporting period.

**BLD3 BUILDING/DEMOLITION LICENSES APPROVED**

File Ref: BUI20/BUI7  
Author: T Mayor, Manager of Development Services  
Date: 8 October 2009

**Purpose**

The purpose of this report is to inform Council of the Building Licences and Demolition Licences approved during the reporting period.

**Background**

Council Policy delegates authority to the Building Surveyor to approve licenses for the construction and demolition of buildings provided the following requirements are met: -

1. The use of any discretionary power by Council has previously been addressed by the Council.
2. Development approval has been granted in accordance with the requirements of the Shire of Peppermint Grove Town Planning Scheme No.3.
3. Development approval conditions being complied with.
4. Compliance with the Building Code of Australia.

5. Compliance with any conditions previously stated by Council.

**Report**

The following building licenses have been approved during the reporting period, in accordance with Council's Policy:

<b>Building Lic. No.</b>	<b>Owner</b>	<b>Address</b>	<b>Description</b>	<b>Amount \$</b>
3152	J MANNERS-HILL	1 CROSSLAND CT	OUTBUILDING (GARDEN SHED)	3000
3153	L STEINEPREIS	62 LEAKE ST	ADDITIONS & ALTERATIONS	250,000
3154	S CAREW-REID	40A IRVINE ST	OUTBUILDING	51,974

There were no Demolition Licences issued during the reporting period:

**Policy Implications**

Nil

**Budget Implications**

Nil

**Recommendation**

The information be received.

**BLD4 BUILDING INSPECTIONS**

No inspections for the reporting period.

**BLD5 SIGNS & HOARDINGS**

No applications for this reporting period.

## **CEO CHIEF EXECUTIVE OFFICER'S REPORT**

### **CEO1 SHIRE OF PEPPERMINT GROVE BUSINESS PLAN 2009/10**

File Ref: COU14  
Author: A Banks-McAllister  
Date: 10 September 2009

#### **Purpose**

The purpose of this report is to seek Council approval of the Shire of Peppermint Grove's 2009/10 Business Plan.

#### **Background**

The Shire of Peppermint Grove has a Strategic Plan for the period 2002-2006. This Plan will be reviewed in the current year with a view to develop a Community Plan and 5 Year Corporate Plan which will provide the framework for the 2010/11 Business Plan and Budget.

In the interim it is useful to prepare a Business Plan for the current year drawing upon projects and priorities contained in the 2009/10 Budget and additional strategies outlined in the Budget Review.

#### **Report**

While the Shire's Strategic Plan is currently out of date, the broad framework has been retained, in particular the Shires Vision and Mission Statements which are:

##### ***Mission***

*To remain a Shire valued for its ambience and independence*

##### ***Vision***

*To guide the Shire's future developments and to provide a range of personalised services for residents in order that our unique community and its environment is maintained, enhanced and protected.*

The eight (8) key result areas have been revised and reduced to the following:

1. *Community Development*
2. *Infrastructure*
3. *Governance*
4. *Organisational Capacity*
5. *Built Environment*
6. *Natural Environment*

The Business Plan (Attachment CEO-Shire of Peppermint Grove Business Plan 2009/10) is intended to incorporate all major activities and initiatives for the current

year including budget allocations, success factors, timeframes and responsible officers. This document will then provide the vehicle for accountability to the Council and Community through regular reporting (quarterly) via the Ordinary Meeting of Council and the Annual Report.

#### **Policy Implications**

Council is currently considering the adoption of the revised 2009/10 Budget and associated 2009/10 Business Plan. There are no policy implications for the adoption of the Business Plan, although any changes to the proposed 2009/10 Budget will need to be incorporated into the Business Plan.

#### **Budget Implications**

The Business Plan is aligned with the proposed 2009/10 Budget.

#### **Recommendation**

That:

- (a) Council adopts the Shire of Peppermint Grove Business Plan 2009/10 as attached;
- (b) Council be provided with information on the implementation of the Business Plan on a quarterly basis via the Works and Finance Committee;
- (c) The Business Plan forms the basis for the Annual Report

### **NBUS NEW BUSINESS OF AN URGENT NATURE**

Items introduced under this section require the support of an absolute majority of Council (4 members) to be carried.

### **OP OPERATIONAL ISSUES**

### **CIB CONFIDENTIAL ITEMS OF BUSINESS**

### **CLOSURE**