



SHIRE OF PEPPERMINT GROVE

MINUTES OF THE

ORDINARY MEETING OF COUNCIL

TO BE HELD ON

14 September 2009

Ordinary Meeting of Council

14 September 2009

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Shire of Peppermint Grove

MINUTES

Minutes of the Shire of Peppermint Grove Ordinary Meeting of Council held on 14 September 2009 in the Council Chambers, 1 Leake Street, Peppermint Grove, commencing at 6.30pm.

A1 DECLARATION OF OPENING AND RECORDING OF ATTENDANCE & APOLOGIES

The President declared the meeting open at 6.31pm and requested the recording of attendance and apologies.

Attendance: Cr B C Kavanagh, Shire President
Cr R Thomas
Cr D A Ward
Cr G T Vikingur

Mrs Anne Banks-McAllister, Chief Executive Officer
Mr P J Howard, Manager of Financial Services

Apologies: Cr M C Lynn
Cr A Grice
Mr T Mayor, Manager of Development Services

A2 DELEGATIONS

Nil.

A3 QUESTIONS BY MEMBERS OF THE PUBLIC

Nil.

A4 DECLARATION OF INTEREST

Nil.

A5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Thomas, seconded Cr Ward that:

That the Minutes of the Works and Finance Committee Meeting held on 10 August 2009 be confirmed as a true and accurate record of proceedings.

That the Minutes of the Health, Building and Town Planning Committee Meeting held on 11 August 2009 be confirmed as a true and accurate record of proceedings.

That the Minutes of the Ordinary Meeting of Council held on 17 August 2009 be confirmed as a true and accurate record of proceedings.

CARRIED UNANIMOUSLY

A6 PROJECT REPORT LIST

Distributed with Community Agenda Papers.

A7 ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

1. Structural Reform Submission
The Shire President acknowledged the assistance of the Chief Executive Officer and senior staff in preparing the submission.
2. Council Elections
The Shire President expressed pleasure at the receipt of 6 nominations for the electors and advised the Shire would distribute a flyer encouraging residents to vote.

REPORTS OF THE WORKS & FINANCE COMMITTEE

There was no meeting of the Works and Finance Committee in September.

FE FINANCE CONTROL & EXPENDITURE

FE FINANCE

FE1 ACCOUNTS FOR PAYMENT

File Ref: ACC3
Author: P J Howard, Manager Finance

Date: 8 September 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.

MUNICIPAL FUND	PAYMENT TYPE	<u>AMOUNT</u>
	Cheque numbers 10129 – 10151 (inclusive)	
	Electronic Funds Transfers 2920 – 2994 (Inclusive)	
	Direct Debits 827 – 834 (inclusive)	
	TOTAL	\$1,289,932.27

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.

COUNCIL DECISION – 157/SEPTEMBER 09

Moved Cr Ward, seconded Cr Thomas that:

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

CARRIED UNANIMOUSLY

FE2 FINANCIAL STATEMENTS

File Ref: ACC3
Author: P J Howard, Manager Finance
Date: 7 September 2009

Purpose

The purpose of this report is to provide Council with the financial reports for the period ended 31 August 2009.

Background

Nil

Report

The financial reports are provided for the period ended 31 August 2009.

Policy Implications

Nil

Budget Implications

Nil

Recommendation

That

The financial reports for the period ended 31 August 2009 be received and adopted.

COUNCIL DECISION – 158/SEPTEMBER 09

Moved Cr Ward, seconded Cr Thomas that:

The financial reports for the period ended 31 August 2009 be received and adopted.

CARRIED UNANIMOUSLY

FE3 INVESTMENTS

File Ref: INV1
Author: P J Howard, Manager Finance
Date: 7 September 2009

Purpose

The purpose of this report is to provide details of Council's investments as at 31 August 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	27.07.2009	26.08.2009	30 Days	3.31%	\$3,964,404.40
2	POS Fund	NAB	30.07.2009	31.08.2009	32 Days	3.33%	\$522,975.08
3	General Fund	NAB	30.07.2009	31.08.2009	32 Days	3.33%	\$30,604.56
TOTAL							\$4,517,984.04

For members information, it is advised that the Reserve Funds Investment at 31 July 2009 is comprised as follows:-

Staff Leave Reserve	\$ 27,391.42
Plant Replacement Reserve	\$ 174,313.54
Infrastructure/Building Reserve	\$3,491,982.37
Sitting Fee Reserve	\$ 29,953.13
Library Leave Reserve	\$ 43,258.76
Library Infrastructure Reserve	\$ 71,908.45
Road Reserve	\$ 125,596.73
	<u>\$ 3,964,404.</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
	<u>\$ 4,217,108.09</u>

For Members information:

Investment earnings for one month matured on 26 August 2009 with interest of \$11,311.71.

On 13 August \$204,520 was transferred to the Municipal Operating account to cover the shire's share of the first Progress Payment to PS Structures of \$763,312.

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Total amount held in Reserves as at 31 August 2009, was \$4,487,379 as shown in the Balance Sheet under heading Cash Restricted.

The amount of \$30,604.56 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 31 August 2009 be received.

COUNCIL DECISION – 159/SEPTEMBER 09

Moved Cr Ward, seconded Cr Thomas that:

The Investment Register for 31 August 2009 be received.

CARRIED UNANIMOUSLY

FE4 LIBRARY PROJECT SUMMARY COSTS

09/10 year All figures are exclusive of GST

	Cox	Davson Ward	Fundraising m/r	IBMS	Josh Byrne	Msc	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

Payments under cost sharing arrangement

	Cottesloe	MP	PG	PG Office	Total
Jul-09	11,103	12,625	2,418	6,267	1,480,592
Aug-09	261,808	297,709	57,009	147,777	32,412
Sep-09	219,925	250,083	47,889	124,137	764,303
Oct-09					642,034
Nov-09					
Dec-09					
Jan-10					
Feb-10					
Mar-10					
Apr-10					
May-10					
Jun-10					
TOTALS	\$ 492,836	\$ 560,417	\$ 107,315	\$ 278,180	\$ -

bf 08/09

19,501.82

\$ 944,281 \$ 1,070,757
Cott to date MP to date

Total expended to date \$ 2,919,341

PG to date \$ 722,511
3 councils contributions \$ 2,737,548
funded from reserves \$ 181,793
\$ 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 from
No need to do so. Withdrawn from
\$ 169,665 PS 2 Progress payment Septe
11,320.11 Other creditors paid July - Sep

Recommendation

That

The report on Library Project Summary Costs be received.

COUNCIL DECISION – 160/SEPTEMBER 09

Moved Cr Thomas, seconded Cr Vikingur that:

The report on Library Project Summary Costs be received.

CARRIED UNANIMOUSLY

W WORKS

No reports received.

FOP OPERATIONAL ISSUES

FOP1 RANGER REPORT

No report received.

REPORTS OF THE HEALTH, BUILDING & TOWN PLANNING COMMITTEE

There was no meeting of the Health, Building & Town Planning Committee in September.

EH ENVIRONMENTAL HEALTH

EH1 FOOD RECALL

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

Two (2) Food Recall Notifications were issued by the WA Department of Health for the reporting period both of which were Category 2 and did not required any immediate action by the officer. Retails 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.

COUNCIL DECISION – 161/SEPTEMBER 09

Moved Cr Ward, seconded Cr Vikingur that:

The information be received.

CARRIED UNANIMOUSLY

EH2 FOOD HANDLING PREMISES

No inspections carried out in this reporting period.

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

No applications for this reporting period.

CONSTRUCTION OF NEW DWELLINGS

No applications for this reporting period.

CONSTRUCTION OF FENCES

No applications for this reporting period.

CONSTRUCTION OF OUTBUILDINGS

DA 1 OUTBUILDING AND POOL DECK – LOT 117 (13) JOHNSTON STREET PEPPERMINT GROVE (PC APPLIC NO. 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: 1008m²

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 is 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 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 has submitted the required information i.e. feature survey to support the application.

This report recommends that conditional approval be granted for the proposed gazebo and pool deck at 13 Johnston Street.

Recommendation

That

Council grant Planning Consent approval for Application 009 – 56 for the construction of a gazebo and pool deck 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, subject to –

1. the proposed gazebo being located 1.0m from the common property survey boundary between lot 117 and lot 118 Johnston Street and wholly upon lot 117 Johnston Street.

NOTE: No portions of the building are permitted to encroach over the common property boundary onto lot 118 Johnston Street.

2. the existing brick masonry fence that has been constructed on lot 118 Johnston Street (adjacent to the common property survey boundary) is not permitted to be altered, amended or added to as the fence is not the property of the owner of 117 Johnston Street.
3. the roof cladding of the gazebo must complement the roof cladding of the existing residence
4. the swimming pool safety barrier be up-graded to comply with the relevant current required standards for swimming pool safety barriers

COUNCIL DECISION – 162/SEPTEMBER 09

Moved Cr Ward, seconded Cr Thomas that:

Council grant Planning Consent approval for Application 009 – 56 for the construction of a gazebo and pool deck 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, subject to –

1. the proposed gazebo being located 1.0m from the common property survey boundary between lot 117 and lot 118 Johnston Street and wholly upon lot 117 Johnston Street.

NOTE: No portions of the building are permitted to encroach over the common property boundary onto lot 118 Johnston Street.

2. the existing brick masonry fence that has been constructed on lot 118 Johnston Street (adjacent to the common property survey boundary) is not permitted to be altered, amended or added to as the fence is not the property of the owner of 117 Johnston Street.
3. the roof cladding of the gazebo must complement the roof cladding of the existing residence
4. the swimming pool safety barrier be up-graded to comply with the relevant current required standards for swimming pool safety barriers

CARRIED UNANIMOUSLY

COMMERCIAL PREMISES

No applications for this reporting period.

DEMOLITIONS

DA 2 DEMOLITION OF HERITAGE DWELLING (THE CLIFFE) – PT LOT 25, PT LOT 26 & LOT 29 BINDARING PDE AND LOTS 27 – 29 McNEIL STREET PEPPERMINT GROVE (PC APPLIC NO. 010 – 10)

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

Background

Applicant: Greg Rowe and Associates
Owner: MG Creasy
TPS No 3 Zoning: R10
Land Use: Single dwelling
Lot Area: 4777m²

Report

At the Ordinary Council Meeting of 20 October 2008, approval was granted for the demolition of the dwelling at 25 Bindaring Parade, known as The Cliffe (see following report and attachment (consultant's submission) for details.

EXTRACT FROM MINUTES OF MEETING – 20 SEPTEMBER 2008

Report

An application has been received seeking Council approval for the demolition of the heritage building 'The Cliffe', located at the above property and for the building entry to be removed from the Shire of Peppermint Grove Municipal Heritage Inventory.

In February 2004 'The Cliffe' was entered onto the WA Register of Heritage Places on a permanent basis under the provisions of the Heritage of Western Australia Act 1990 (see attachments – Government Gazette extract from 27 Feb. 2004). Subsequent to the listing, the owner engaged in protracted discussions with the Heritage Council of WA and the Minister for Heritage with the aim of having the building removed from the register, which would enable the demolition of the building and the development of the property.

More recently, the Minister for Heritage, after consideration by both Houses of Parliament, granted approval for 'The Cliffe' to be removed from the WA Register of Heritage Places (see attachments – Government Gazette extract from 22 August 2008). The explanation given for the removal of the building from the Register was essentially that the building was badly deteriorated and no longer had any value as a heritage building.

The Officer has prepared a brief photographic record (see attachments – photographs) of the exterior of dwelling, which aims to demonstrate the current condition of 'The Cliffe' and to assist Council in determine the proposed application for the demolition of the building. The dwelling is in a dilapidated condition and is considered to be unsuitable for habitation.

The Shire of Peppermint Grove Municipal Heritage Inventory – Places of Heritage Value, recognizes The Cliffe as a Category 1 building (see below for category definition). The Shire's Inventory encourages owners of heritage buildings to retain and restore the structures wherever possible. The Council however, also recognizes that at times there may be a significant economic consequence when retaining these buildings and accepts that it is the owner's prerogative also to demolish part or all of the building.

This report recommends that conditional approval be granted for the demolition of the dwelling know as the 'The Cliffe' at 25 Bindaring Parade.

Heritage

The timber frame and weather board dwelling at 25 Bindaring Parade, 'The Cliffe', was constructed in circa 1898 by N McNeil and was subsequently owned by the Brisbane family. It was last sold in 1990's to the current owner, M Creasy.

This property is listed in the Shire of Peppermint Grove Municipal Heritage Inventory as Category 1.

“Category 1

Buildings, which due to their character create the atmosphere of Peppermint Grove, therefore should be retained, but may be altered and extended in a manner which is both discrete and sympathetic to the original fabric and character so that a significant proportion of the original building is retained and from the street the additions are seen to be a continuation of the same fabric and character.”

In 2004 The Cliffe was placed on the WA Register of Heritage Places and in August 2008 was removed from the Register by the Minister of Heritage.

Crossovers and Street Trees

Unaffected by the development.

Fencing

Not part of this application.

Discretions to be Considered

Nil

Policy Implications

Nil

Budget Implications

Nil

Attachment

Refer to appendix

Recommendation

That

Council grant Planning Consent approval for Application 009 – 14 for the demolition of the dwelling (‘The Cliffe’) and the appurtenant outbuilding at Pt lot 25, Pt lot 26 and lot 29 Bindaring Parade and lots 27 – 29 McNeil Street Peppermint Grove in accordance with the Application for Planning Consent and supporting documentation submitted on 12 September 2008, subject to –

- 1. A comprehensive Heritage Report on ‘The Cliffe’ being prepared by a recognised heritage architect and must include: a history of the building commencing with the initial construction; ownership; site plans; evolution of building additions; subdivisions of the property; and an extensive*

photographic record of all external elevations and all rooms and internal features of the building.

2. *The Heritage Report must be submitted to the Shire and approved by the Chief Executive Officer on behalf of the Council before a demolition licence is issued.*
3. *The Report being submitted to the WA Heritage Council for their records.*

Officer's Comments:

The applicant and owner satisfied all conditions of planning consent and subsequently a Demolition Licence was issued in April 2009 by the Shire of Peppermint Grove for the demolition of the building. The Licence is valid for a period of 12 months and expires in March 2010.

The Peppermint Grove Shire Council entered into discussions with the owner of The Cliffe with the aim of deferring demolition to enable the Shire to investigate and present options for the retention of the building. A Committee was formulated and a Future Options Study was undertaken to identify and explore the possible options that may be available for the preservation of the heritage building.

The Future Options Study was completed and presented to Council at the Ordinary Meeting of August 2009. At the meeting it was resolved that -

Council Recommendation

1. *Receive the electronic petition and note the views expressed*
2. *advise the owner that –*
 - 1) *its preference is to see The Cliffe reinstated and restored on site in line with Option 1 of the Future Option Study.*
 - 2) *May be prepared to consider limited planning concessions consistent with the Town Planning Scheme to assist the owner retain and restore the building.*
 - 3) *The CEO write to neighbouring properties informing them about the Future Options Study and seek their comment.*

Planning Consent, issued pursuant to the Shire of Peppermint Grove Town Planning Scheme No. 3, is valid for a period of 12 months, and if development is not commenced within this time the approval lapses and the proponent is required to make a new application for Planning Consent. The owner is now seeking a renewal of Planning Consent for the demolition of The Cliffe building.

There has been no change to the status of the building i.e. demolition has not commenced and the building has not been reinstated on the State Heritage Register of Heritage Places. It is Council's desire to discuss the matter further with the owner with the aspiration of finding a means of retaining the building.

As all previous conditions of planning consent have been fully satisfied it would be appropriate for Council to grant further planning consent for the demolition of the building.

Recommendation

That

Council grant Planning Consent approval for Application 010 – 10 for the demolition of the dwelling ('The Cliffe') and the appurtenant outbuilding at Pt lot 25, Pt lot 26 and lot 29 Bindaring Parade and lots 27 – 29 McNeil Street Peppermint Grove in accordance with the Application for Planning Consent and supporting documentation submitted on 21 September 2009.

COUNCIL DECISION – 163/SEPTEMBER 09

Moved Cr Ward, seconded Cr Thomas that:

Council grant Planning Consent approval for Application 010 – 10 for the demolition of the dwelling ('The Cliffe') and the appurtenant outbuilding at Pt lot 25, Pt lot 26 and lot 29 Bindaring Parade and lots 27 – 29 McNeil Street Peppermint Grove in accordance with the Application for Planning Consent and supporting documentation submitted on 21 September 2009.

CARRIED UNANIMOUSLY

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: 9 September 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:

Building Lic. No.	Owner	Address	Description	Amount \$
3152	J Manners-Hill	1 Crossland Court	Outbuilding (garden shed)	3,000
3153	L Steinepreis	62 Leake Street	Additions and alterations	250,000
3154	S Carew-Reid	40A Irvine Street	Outbuildings	51,974

There were no Demolition Licences issued during the reporting period:

Policy Implications

Nil

Budget Implications

Nil

Recommendation

The information be received.

COUNCIL DECISION – 164/SEPTEMBER 09

Moved Cr Ward, seconded Cr Thomas that:

The information be received.

CARRIED UNANIMOUSLY

BLD4 BUILDING INSPECTIONS

File Ref: BUI10
Author: T Mayor, Manager of Development Services
Date: 2008

Purpose

The purpose of this report is to inform Council of the routine building inspections carried out by the Officer during the reporting period.

Background

The Building Surveyor carries out routine inspections of buildings under construction and when necessary conducts final inspections of completed buildings to ensure that the building complies with Council development approval (planning) and requirements of the Building Code of Australia (building) and other statutory requirements (health and sanitation).

Where non-compliance is identified the Officer will initiate appropriate action to remedy deviations to approvals or statutory requirements.

Report

Inspections of the following building licences were carried out during the reporting period -

Building Lic. No.	Building type	Address	Inspection type and outcome
3009	Alterations and additions to dwelling	25 McNeil St	Final inspection – completed
3016	New residence	12 Irvine St	Final inspection – completed
3060	Alterations and additions	38 Leake St	Progress – lock-up, internal fitout in progress
3048	New dwelling	53 Leake St	Progress – internal plastering in progress
3069	New dwelling	41 McNeil St	Progress – wall construction commenced
3116	Addition to dwelling (alfresco)	29 McNeil St	Completed
3128	New dwelling	12 Johnston St	Progress – footings and slab poured
3099	Boundary fence	37A Keane St	Completed
3081	Alterations and additions to dwelling	27 Leake St	Progress – construction of additions completed, internal fitout in progress
3126	Front fence	1 Crossland Ct	Final – complete
3094	Alterations and upper-level additions to dwelling	35A Johnston St	Progress. Upper level under construction.
2951	New dwelling	132 Forrest St	Progress – internal fitout commenced, external cladding being installed.
3108	Swimming pool	132 Forrest St	Progress – excavation completed and reticulated cleaning system installed.
2968	Western side boundary fence	132 Forrest St	Completed

Recommendation

The information be received.

COUNCIL DECISION – 165/SEPTEMBER 09

Moved Cr Ward, seconded Cr Vikingur that:

The information be received.

CARRIED UNANIMOUSLY

BLD5 SIGNS & HOARDINGS

No applications for this reporting period.

DEL DELEGATES REPORT

Cr Ward advised of notification from the Western Australian Planning Commission about changes to the Western District Planning Committee.

Cr Thomas advised that the Curtin Aged Persons Homes Inc will be having its centenary celebration on 24th October.

CEO CHIEF EXECUTIVE OFFICER'S REPORT

CEO1 STRUCTURAL REFORM SUBMISSION

File Ref: GOV6
Author: A Banks-McAllister
Date: 10 September 2009

Purpose

The purpose of this report is to consider and approve the Shire of Peppermint Grove's Structural Reform Submission which is due to be submitted to the Minister for Local Government by 30th September 2009.

Background

On 5th February 2009 the Minister for Local Government, Hon. John Castrilli MLA, announced a range of local government reform strategies. Local governments were requested to:

1. Take steps to voluntarily amalgamate and form larger local governments
2. Reduce the total number of elected members to between six and nine
3. Form appropriate regional grouping of councils to assist with the efficient delivery of services

A range of criteria was to be addressed in considering amalgamations and boundary changes including:

- Community of interest
- Local Government viability
- Effective delivery of local government services
- Financial assessment
- Economic factors

- Demographic trends
- Transport and communication
- History of the area
- Physical and topographical features

Local governments were required to undertake the following steps by 31 August 2009:

1. Complete a Checklist that examined the capacity of existing local government and opportunities for reform by 30th April 2009
2. Establish a Project Team
3. Undertake community consultation
4. Consult with neighbouring local governments
5. Prepare a Reform Submission

Local governments were granted an extension to the 30th September for their Reform Submissions.

Report

The Shire of Peppermint Grove responded positively to the Minister's request to prepare a Reform Submission and established a Project Team which included Shire President Brian Kavanagh and Councillor Dominic Ward.

The Shire completed and submitted its Checklist by 30th April and received the Checklist Assessment from the Department of Local Government at the end of June 2009. The Shire of Peppermint Grove was placed in **Category Two** – suggesting structural reform including amalgamation/boundary adjustments and formalisation of regional grouping should be considered to enhance organisational and financial capacity to meet current and future community needs.

As a member of the Western Suburbs Regional Group of Councils (WESROC), the Shire participated in the commissioning of two reports to assist in its decision-making:

1. Western Suburbs Structural Reform Options – prepared by Price Waterhouse Coopers
2. Model for Regional Cooperation and Resource Sharing in the Western Suburbs – prepared by Anne Banks-McAllister Consulting

The Price Waterhouse Coopers report (Attachment A) considered the following amalgamation options:

1. Amalgamation of all six local governments (Subiaco, Nedlands, Claremont, Cottesloe, Peppermint Grove and Mosman Park

OR

2. Subiaco to remain as a separate local government

3. An amalgamation of the City of Nedlands and the Town of Claremont
4. An amalgamation of the Shire of Peppermint Grove and the Towns of Cottesloe and Mosman Park

The report was received by the Board of WESROC and provided to each local government as an input into their decision-making process. The Board endorsed the Anne Banks-McAllister Consulting Report and each local government has separately endorsed its recommendations. WESROC is currently progressing the establishment of a funded secretariat for WESROC to progress regional cooperation and resource sharing.

The Shire of Peppermint Grove contracted independent consultants Catalyse to undertake a community survey (Attachment B) on:

- The Shire's performance
- Opinion on potential amalgamations

The survey received an outstanding 65% response rate with 78% of residents stating they do not support an amalgamation with Mosman Park and Cottesloe, and a larger percentage (86%) saying they do not support an amalgamation of the six western suburbs local governments.

Results from the survey indicate that the Shire of Peppermint Grove has set new industry standards across a range of areas including:

- Overall satisfaction with the Shire's performance
- Value for money
- Efficiency and effectiveness of customer service
- Access to councilors
- Access to the CEO and senior staff
- Planning and building approvals
- Streetscapes
- Weekly rubbish collections
- Safety and security

Overall the survey showed that:

1. Ratepayers are extremely satisfied with the level of service provided by the Shire of Peppermint Grove
2. The Shire is out-performing other local councils across a number of service areas, setting a number of new industry standards
3. Potential amalgamations are strongly opposed by ratepayers across the Shire of Peppermint Grove
4. Ratepayers anticipate that service levels will decline if the Shire is forced to amalgamate with other councils

A workshop of councilors and senior staff was held on Monday 7th September to consider all information relating to structural reform. The Workshop concluded that:

- The current level of cooperation and resource sharing delivers all necessary services to the community
- There are no burning issues driving change in Peppermint Grove
- Peppermint Grove has independently been assessed as sustainable and would gain no benefit from amalgamation
- Peppermint Grove only stands to gain liabilities and risks from the other local governments

It was agreed that the Reform Submission would be based on the following position:

1. The Shire of Peppermint Grove is a sustainable local government.
2. The Shire of Peppermint Grove has set the industry benchmark for community satisfaction and any amalgamation could only erode this level of satisfaction.
3. There are no issues driving amalgamation in Peppermint Grove.
4. Any benefits identified by the Price Waterhouse Coopers report are marginal and do not build a case for amalgamation.
5. Further efficiencies can be gained through more formalised resource sharing as recommended in the report on the review of WESROC.
6. The community of the Shire of Peppermint Grove has communicated a clear and strong position in relation to amalgamations.
7. The community strongly wishes to retain the unique character and history of the Shire of Peppermint Grove.
8. The Shire retains its current number of elected members (7) as it falls within the Minister's representation benchmark.
9. The Shire continues to work collaboratively with the WESROC local governments, particularly for resource sharing projects and further formalisation of the WESROC entity.
10. While some minor boundary amendments can be pursued to tidy up boundary anomalies particularly on the southern boundary with the Town of Mosman Park, the Shire has no desire to acquire further rateable properties through boundary changes.

Following Council's adoption of its Structural Reform Submission, it will be necessary to provide a copy to local governments in the WESROC region for their information. The Submission will be forwarded to the Minister for Local Government by the 30th September.

The Minister for Local Government will forward all Structural Reform submissions to the Local Government Reform Steering Committee for assessment and advice back to the Minister. Final proposals will then be referred to the Local Government Advisory Board for further consideration, review and recommendation to the Minister. In undertaking its review, the Advisory Board may instigate a formal poll of residents.

It is strongly recommended that the Shire's position in relation to structural reform be communicated to local residents using the following mediums:

1. Shire website
2. Press release
3. Shire newsletter

Policy Implications

While there are no immediate policy implications, there are potential legislative implications for local government as a result of the State Government's Structural Reform agenda.

Current WA Local Government Legislation cannot force amalgamations of local governments. Depending on the State Government's level of satisfaction with voluntary reforms resulting from the Structural Reform process, it is possible that changes to the legislation would be initiated. If this occurs and is successful, it is not expected that change would occur until at least 2011.

Budget Implications

There are no immediate budget implications associated with the consideration of this report.

Recommendation

That:

1. Council endorse the attached Structural Reform Submission
2. A copy of the Shire of Peppermint Grove's Structural Reform submission be provided to the Western Suburbs local governments
3. The Structural Reform Submission be forwarded to the Minister for Local Government by 30th September
4. The community of the Shire of Peppermint Grove be informed of the Shire's position in relation to Structural Reform

COUNCIL DECISION – 166/SEPTEMBER 09

Moved Cr Ward, seconded Cr Thomas that:

1. Council endorse the attached Structural Reform Submission

2. A copy of the Shire of Peppermint Grove's Structural Reform submission be provided to the Western Suburbs local governments
3. The Structural Reform Submission be forwarded to the Minister for Local Government by 30th September
4. The community of the Shire of Peppermint Grove be informed of the Shire's position in relation to Structural Reform

CARRIED UNANIMOUSLY

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

Nil.

CIB CONFIDENTIAL ITEMS OF BUSINESS

Nil.

CLOSURE

There being no further business the meeting was declared closed at 7.28pm.

There minutes were confirmed as a true and accurate record of proceedings at the Ordinary Meeting of Council held on 14 September 2009.

Presiding Member

Date