



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

AGENDA

**TO BE HELD ON
TUESDAY 22 MARCH 2016
AT
5.30 PM**



Shire of Peppermint Grove

NOTICE OF MEETING

Dear Councillor

It is advised that the **COUNCIL MEETING** will be held in the Council Chamber of the **Shire of Peppermint Grove**, 1 Leake Street, Peppermint Grove, on Tuesday **22 MARCH 2016**, commencing at 5.30 pm.

MEETING AGENDA ATTACHED

Yours faithfully



Mr John Merrick JP
CHIEF EXECUTIVE OFFICER

22 MARCH 2016

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Shire of Peppermint Grove

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Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING AGENDA

1 DECLARATION OF OFFICIAL OPENING

At _____ pm, the Shire President declared the meeting open and requested that the Affirmation of Civic Duty and Responsibility be read aloud by a Councillor and requested the recording of attendance and apologies.

Council recognises that it is permissible to record the Shire's Council and Forum Meetings 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.

The Presiding Member will cause the Affirmation of Civic Duty and Responsibility to be read aloud by Councillor _____.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Councillors and Officers of the Shire of Peppermint Grove. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgment and ability. We will observe the Shire's Code of Conduct and meeting procedures to ensure the efficient, effective and orderly decision making within this forum.

2 RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE

2.1 ATTENDANCE

Shire President	Cr R Thomas
Deputy Shire President	Cr C Hohnen
Elected Member	Cr K Farley
Elected Member	Cr S Fleay
Elected Member	Cr D Horrex
Elected Member	Cr P Macintosh
Elected Member	Cr G Peters
Chief Executive Officer	Mr John Merrick
Manager Library and Community Services	Ms D Burn
Manager Corporate Services	Mr P Rawlings
Manager Infrastructure Services	Mr D Norgard
Manager Development Services	Mr M Whitbread
Executive Officer	Ms M Tabbakh (Minutes)
Visitors _____, from _____	
Gallery _____ Members of the Public	
_____ Members of the Press	

2.2 APOLOGIES

2.3 LEAVES OF ABSENCE

2.4 NEW REQUEST FOR A LEAVE OF ABSENCE

3 DELEGATIONS AND PETITIONS

4 PUBLIC QUESTION TIME

At _____ pm the Presiding Member opened the public question time by asking the gallery if there were any questions or deputation for Council.

- The Agenda
- Question to Council and
- Deputation Forms

Have been placed at the end of the Council Meeting table in front of the public gallery, for the public, as well as on the Shire Webpage.

Rules for Council Meeting Public Question Time

- Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.*
- During the Council meeting, after Public Question Time no member of the public may interrupt the meeting's proceedings or enter into conversation.*
- Whenever possible, questions should be submitted in writing at least 48 hours prior to the start of the meeting.*
- All questions should be directed to the President and only questions relating to matters affecting Council may be answered at an Ordinary meeting, and at a Special meeting only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting, at the discretion of the President.*
- The person presiding will control Public Question Time and ensure that each person wishing to ask a question should state his or her name and address before asking the question. If the question relates to an item on the agenda, the item number should also be stated. In general, persons seeking to ask a question will be given 2 minutes within which to address their question to the Council. The person presiding may shorten or lengthen this time in their discretion.*

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

4.3 DEPUTATIONS OF THE PUBLIC

At _____ pm, there being no further questions the Presiding Member closed the public question time.

5 DECLARATIONS OF INTEREST

Councillors / Staff are reminded of the requirements of section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed, and also of the requirement to disclose an interest affecting impartiality under the Shire's Code of Conduct. Councillors / staff are required to submit declarations of interest in writing on the prescribed form.

5.1 FINANCIAL INTEREST

A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

5.2 PROXIMITY INTEREST

A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

5.3 IMPARTIALITY INTEREST

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.

5.4 INTEREST THAT MAY CAUSE A CONFLICT

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.

5.5 STATEMENT OF GIFTS AND HOSPITALITY

Councillors and staff are required (Code of Conduct), to disclose gifts and acts of hospitality which a reasonable person might claim to be a conflict of interest. Gifts and acts of hospitality which exceed that amount of prescribed by regulation are to be recorded in the Councils Gift Register.

6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Written announcements by the Presiding Member or important forthcoming functions to be tabled at this point. The Presiding Member may, at their discretion, wish to make verbal announcements.

7 CONFIRMATION OF MINUTES

7.1	ORDINARY COUNCIL MEETING	23 FEBRUARY 2016
7.2	AGENDA BRIEFING	8 MARCH 2016
7.3	CONCEPT FORUM	8 MARCH 2016
7.4	SPECIAL MEETING OF COUNCIL	8 MARCH 2016

8 CHIEF EXECUTIVE OFFICER REPORTS

8.1 URBAN PLANNING

8.1.1 Alterations and Additions and Detached Basement Car Parking Lot 36 (No.5) View Street Shire of Peppermint Grove.

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 – Item refers	5 View Street

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	5 View Street
Application Index	:	015-159
TPS No 3 Zoning	:	Residential 12.5
Land Use	:	Single Dwelling
Lot Area	:	2625m ² (subject to finalisation of subdivision)
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	Mrs A John
Owner	:	B Campbell and H Tasker
Responsible Officer	:	Michael Whitbread Manager of Development Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local*

Laws) and other decisions that may be appealable to the State Administrative Tribunal.

PURPOSE OF REPORT

For Council to determine an application for alterations and additions to a Category 1 listed building. The scope of works include a detached basement car parking area within the Forrest Street setback.

SUMMARY AND KEY ISSUES

The scope of works proposed the heritage dwelling can be supported with conditions.

The basement car parking element can be supported.

Unalla as a category 1 place will retain its heritage integrity.

LOCATION

Please refer to attached location plan

BACKGROUND

Lot 36, known as Unalla, has an area of 4357m². It is currently the subject of an application for a two-lot subdivision (WAPC 152824 refers). The larger of the two lots resulting for the subdivision at 2625m² will retain the category 1 house known as Unalla on the Shire's Heritage List.

Although the subdivision application received conditional approval in January 2016, some minor clearance works remain on the proposed vacant site to enable the creation of new titles. However, the proposed development is not contingent upon the finalisation of the subdivision in order to proceed.

The proposed owner of the remnant lot containing Unalla, contacted the Manager of Development Services prior to offering to purchase the property in order to gauge the degree of change that may be permitted to elements within the building.

The purchaser of the property provided sketch plans and subsequently at least three site inspections were conducted with the Shires Heritage Consultant to provide guidance as plans were worked up for a partial redevelopment of the building and grounds.

It was initially proposed to place a 7 vehicle carport/garage along the View Street boundary, below the line of the current screen fence and the adjacent road level. However, due to issues with reversing aisles and the restricted distance between the boundary and the house, covered parking here would have resulted a visually cramped and barely usable outcome. The purchaser proposed to explore a basement garage instead and this was submitted for assessment.

CONSULTATION

Adjoining/affected land owners were advised in writing of the proposal. No written submissions have been received.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Town Planning Scheme No.3

<u>TOWN PLANNING SCHEME NO. 3</u>		
Scheme Requirement/Clause		Assessment/Comment
1.	0.5 plot ratio.	0.29 plot ratio: Complies.
2.	9-metres setback	28-metres
<u>RESIDENTIAL DESIGN CODES</u>		
Deemed to comply		Assessment/Comment
1.	6-metre rear setback	1-metres setback: Complies.
2.	55% Open Space	18.5% open space: Complies.
3.	1.5-metre side setback	Refer to officers comment

The development would comply with the Scheme and R-Codes with two exceptions.

The first is the proposed rear setback. On residential land Coded R12.5 a 6-metre rear setback is required. However, in this case, the rear setback of 1-metre is only over portion of the rear boundary which adjoins View Street property owned by PLC. Although a reduced rear setback is not normally supported, it is sensible to consider such a relaxation on both the Design Principles of the R-Codes and the fact that the heritage listing Unalla has a 28-metre front setback. This limits the opportunities on the site to preserve the curtilage of the building while allowing a contemporary living dining kitchen space to be created at the rear of the building.

A change in ground levels within the street setback area is the second element where a variation is being sought. As discussed in the *Background* section of this report, secure garaging of vehicles was a priority for the purchasers of the property. The design solution

was to create a basement within the generous front setback area of the site. While some additional fill is required to achieve a grassed area over the roof of the basement, the finished level would be below both ground level of the house and the top of the dwarf wall of the front boundary fence. The proposed level would not be readily discernible from Forrest Street, and importantly, street views to Unalla would not be affected.

Heritage

Under the Deemed to Comply provisions of the Planning and Development Regulations 2015, planning consent under a Local Planning Scheme is required for development affecting a house on a Municipal Inventory.

The plans submitted were referred to the Shire's Heritage Architect for comment and the following response received.

This heritage advice relates to a development application lodged by Alana John Design in February 2016. We met with the agent for a viewing on 14 January 2016, then with the applicant on site on 22 January, provided comment on the initial design and finally met with applicant for a second time on 5 February 2016, to look at a refined version of the design.

Background

Unalla is a category 1 place in the Shire's Municipal Heritage Inventory. It is cited in the statement of significance as being of enormous historical significance for its long association with the Rischbeiths, and for its associations with prominent architect Charles Oldham. It is also cited as being a fine example of the Federation Queen Anne style and a representative of the early development of the Shire.

It is relatively intact and a detailed inspection made it possible to establish original fabric and some of the later phases of development. The place is sufficiently important for the approach to it being founded in Burra Charter principles and much of what is captured in the application adheres to those principles in relation to the degree of significance of the place. It would appear that the place was internally modified in a number of locations in the 1930s, again in the 1960s and again under the stewardship of the present owners, to turn it back from flats into a single residence. Some of the work done in the last period of change was detrimental to the place in minor ways, and the work proposed will see much of this removed.

Proposals

The submitted plans adequately illustrate the present situation and the proposals for which the applicant is seeking approval. Approval has been given for subdivision, leaving Unalla in a generous garden setting. The key elements of the design include retention of the main rooms and verandahs of the original house, some modifications to it, the removal of some elements at the rear of the house and replacement with new elements, together with a new garage and utilities accommodation at the rear. In addition, an underground garage is indicated on the Forrest Street side of the lot.

Siting

The plans as submitted indicate that the new elements have been sited carefully to allow the original house to be maintained relatively intact and for its prominence to be retained.

Garaging

Additions have been located to ensure that the new work will generally be recessive in nature and not dominate the setting.

Bulk and Scale

The bulk and scale of the additions are in keeping with the nature and design of the original house.

Design Resolution

The basic design resolution appears to be acceptable, though it is likely that the east and west elevation will continue to evolve. The principles illustrated have the capacity to resolve the junction between old and new, and to deal with the variable condition of the brickwork in the west wall in particular. It would be useful to have those elements viewed again prior to lodgment of the building permit to make sure the final outcome is acceptable. The Shire might wish to condition this element.

Ground Floor

Room 1 now complies with the initial comments.

Room 2 indicates no change and this is applauded.

Room 3 indicates no change and this room should remain unchanged. The inglenook detail on the west wall should be retained as part of the original detailing of an original authentic room in the house.

Room 4 now complies with original comments. Increasing the door height to match the adjacent doors is supported.

Room 5 shows a good deal of change. However, the degree of change is acceptable. It suggested that a 230mm nib is shown extending from the new powder room wall so that old and new will join up properly.

Room 6 looks fine now.

Room 7 is treated appropriately.

Room 8 now complies with our revised views resulting from a further examination of the evidence.

The amount of demolition in this part of the house raises some structural issues to do with supporting the floor over and it would be prudent to indicate piers per the attached marked up plan. This part will need some significant engineering.

First Floor

The width of the doors leading onto the west balcony should be determined by matching one of the front windows so that the arches match, say room 1's south window

The door into the walk-in-robe, Room 6, from the hall should be left in place and locked shut to retain the appearance of the hall and can be sheeted over in the interior.

Generally the existing rooms that are to remain, rooms 1, 2, 3, 4 and 5 should retain all original features.

Conclusion

From a heritage perspective, the Shire should be able to support this application with conditions as noted above.

Since this advice was received, the applicant has submitted further plans demonstrating the location within the front setback of the basement garage with a grassed roof. The roof of the basement would raise the ground level within a portion of the front setback by approximately 1-metre. This element of the application aspect has been addressed in detail above, under the *Statutory Implications* section of the report.

FINANCIAL IMPLICATIONS

There are minor financial costs associated with alterations to the scheme maps and the publishing.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The plans submitted have been worked up in consultation with Council staff, to a point where the changes proposed have been assessed as complying with the principles of the Burra Charter. Both the form and fabric of this house will be retained, but at the same time the design will allow the creation of spaces and amenities that would match the contemporary living standards found in new houses in Peppermint Grove.

The proposal to construct a basement for secure car parking is both a logical and preferable solution from a heritage perspective given the constraints of this site.

There are still a few details to be worked out, but this can be done at Building Permit stage when the engineering drawings are being worked out. To guide the applicant here,

conditions have been recommended to deal with these important details. On this basis approval can be recommended.

OFFICER RECOMMENDATION/S – ITEM No. 8.1.1

That Council grant planning approval for alterations and addition on Lot 36 (No.5) View Street, Peppermint Grove in accordance with the plans and specifications submitted on 9 February 2015, and supplementary basement plans dated 26 February 2016 subject to the following conditions;

- 1. All stormwater being retained and disposed of on-site, details of which are to be submitted and approved prior to the issue of a building permit by the Shire.**
- 2. The street trees adjacent to the Lot 36 shall be protected during construction and no goods or building materials shall be stored on the street verge or within the drip line of the street tree(s).**
- 3. The development the subject of this approval shall be commenced within two years of the date of issue of the consent forms, and completed at the conclusion of the third year.**
- 4. The submission of a building management plan prior to the issue of a building permit for the proposed development outlining the how building materials and deliveries to the site will be managed without affecting access to adjoining properties, controlling dust and the provision for trades parking to ensure two way road access is maintained to View and Forrest Streets during construction.**
- 5. The crossover to the Forrest Street frontage of the site shall be either concrete or brick paving to Council specifications to the satisfaction of the Chief Executive Officer prior to the occupation of the basement carpark.**
- 6. Prior to the issue of a building permit, the applicant shall submit a schedule of colours, materials and finishes to the satisfaction of the Chief Executive Officer of the Shire of Peppermint Grove.**
- 7. Prior to the issue of a building permit, the applicant shall submit detailed plans demonstrating that the access ramp to the basement garage does not exceed a 1:8 gradient.**
- 8. Prior to the issue of a building permit, the applicant shall submit to the satisfaction of the Chief Executive Officer of the Shire, details of the treatment of the removal of the original walls at the rear of the ground floor.**

Advisory Note:

- i) In regard to condition 8 above the applicant is advised that a treatment of the new internal openings should express visual clues to the fact that an original wall has been removed.

8.1.2 Alterations and Two-Storey Additions Lot 122 (No.9) Keane Street Peppermint Grove

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 2	9 Keane Street

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	9 Keane Street
Application Index	:	015-160
TPS No 3 Zoning	:	Residential R12.5
Land Use	:	Single Dwelling
Lot Area	:	1735m ²
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	C & R Newton
Owner	:	R Newton
Responsible Officer	:	Michael Whitbread Manager of Development Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

For Council to consider contemporary two storey alterations and addition to a Category 1 brick and tile heritage listed dwelling. The plans also include an extension to the replacement boundary wall.

SUMMARY AND KEY ISSUES

- The additions will result in the original form and fabric of the house being retained.
- The contemporary design would not overwhelm the category 1 listed house.
- Conditional approval is recommended.

LOCATION

Please refer to the attached location plan.

BACKGROUND

The existing house is included on the Shire's heritage list as a category 1 building.

Rear additions to this turn of the 20th century house were first approved in 1954, with further additions of a sunroom and a family room in 1991. A raised terrace followed at the rear of these additions in 1996.

A detached garage with a parapet wall along the eastern boundary was also approved in the early 1990's.

Council at its meeting held on the 15 December 2015, granted planning consent for alterations and additions, above an existing basement level at the rear of the subject site.

The lot is subdivisible under the current zoning and density code applicable to the site. However, subdivision is a process conducted by the Western Australian Planning Commission and would be the subject of a separate application.

The landowners are aware that a future subdivision of the site would require that the house would still need to comply with the Shire's development standards in regards to plot ratio, setbacks and opens space.

It should also be noted that there is a bedroom in the current basement area. The landowner contacted Council prior to lodging their application seeking clarification on the number of storeys permitted. Given that the basement is more than 50% below natural ground level and complies with the definition under the Scheme.

CONSULTATION

Adjoining/affected land owners were advised of the proposed development in writing and given 14 days to make a submission. At the time of writing no submissions have been received in regard to this proposal.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Town Planning Scheme No.3

The proposal has been assessed in regard to the relevant Scheme provisions, Residential Design Codes and Scheme Policies as outlined in the table below.

<u>TOWN PLANNING SCHEME NO. 3</u>		
Scheme Requirement/Clause		Assessment/Comment
1	0.5 plot ratio.	0.2 plot ratio: Complies.
2.	10-metre height (excluding basement)	6.8 to 10-metres (including basement)
<u>RESIDENTIAL DESIGN CODES</u>		
Deemed to comply		Assessment/Comment
3	6-metre rear setback	20.5-metre setback: Complies.
4.	55% Open Space	79% open space: Complies.
5.	1.5-metre side setback	Refer to Officers Comment

Heritage

The municipal inventory data sheet for No.9 Keane Street states that the house was built in 1900 from dressed limestone with red brick quoining and had a corrugated iron roof.

Previous alterations and additions to the building had not encroached on the form and fabric of the original dwelling which has remained largely intact.

The definition of a category 1 place under the Shire's Heritage List is;

Building's which due to their character create the atmosphere of Peppermint Grove, therefore should be retained, but may be altered or 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.

Although the lightweight timber/cement fibre cladding additions proposed would mean that the new structure would not be a continuation of the same fabric and character, they would, at the same time not be readily seen from the Keane Street due to having a 30-metre setback. From Keane Street the category 1 house would remain the dominant structure on the site from a streetscape perspective.

This dominance would be reinforced by the fact that the proposed additions are of light weight construction, whereas the heritage house is of masonry. These additions, while proposing a different fabric and character, do however fulfil the requirement under the definition of a category 1 property of being discrete. Furthermore, the new work can be easily distinguished from the original dwelling, an approach which is in accord with the guidelines of the Burra Charter.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The plans previously approved by Council in December 2015 proposed alterations and rear additions to replace additions that are not part of the original design and fabric of the house. It is assessed at that time that the scope of works proposed would have no adverse impacts on the heritage values of the category 1 listed building on the site.

The revised plans indicate that in terms of streetscape, the two storey additions are set sufficiently to the rear of the site, and not readily seen. From Keane Street the flat roof of the additions is lower than the peak of the two-storey dwellings adjoining the subject site.

The proposed parapet wall along the eastern boundary, is an extension to the existing structure, and would have minimal impact to the adjoining property. The proposed addition adjoins the service alcove and laundry door of the house on the affected eastern side. It is also worth noting that the existing parapet wall is appreciably lower than the affected neighbour and as the proposed addition follows this same floor level and therefore the resulting visual impact would be similar to a boundary fence.

There are no objections to the proposal on planning grounds and subject to standard and appropriate conditions for this form of development approval can be recommended.

OFFICER RECOMMENDATION/S – ITEM No. 8.1.2

That Council grant planning approval for alterations and additions on Lot 122 (No.9) Keane Street, Peppermint Grove in accordance with the plans and specifications submitted on 23 February 2016, subject to the following conditions;

- 1. All stormwater being retained and disposed of on-site, details of which are to be submitted and approved prior to the issue of a building permit by the Shire.**
- 2. The street trees adjacent to the Lot 122 shall be protected during construction and no goods or building materials shall be stored on the street verge or within the drip line of the street tree(s).**
- 3. The development the subject of this approval shall be commenced within two years of the date of issue of the consent forms, and completed at the conclusion of the third year.**
- 4. The submission of a building management plan prior to the issue of a building permit for the proposed development outlining the how building materials and deliveries to the site will be managed without affecting access to adjoining properties, controlling dust and the provision for trades parking to ensure two way road access is maintained.**
- 5. Details of the screen wall and infill panels demonstrating 50% open aspect above 900mm in accordance with the Local Laws Relating to Fencing shall be submitted and approved prior to the issue of a building permit.**
- 6. The external face of the boundary wall shall be finished to the satisfaction of the Chief Executive Officer of the Shire.**
- 7. Prior to the issue of a building permit, the applicant shall submit to the satisfaction of the Chief Executive Officer of the Shire a schedule of colours materials and finishes.**

Advisory Note

- i) **The proponent is advised that Council, in granting planning consent for the development, has assessed the proposal for the replacement boundary wall under the Design Principles of the Residential Design Codes.**

8.2 INFRASTRUCTURE

Nil

8.3 COMMUNITY DEVELOPMENT

Nil

8.4 MANAGEMENT / GOVERNANCE / POLICY

Nil

8.5 CORPORATE

8.5.1 Financial Report – February 2016

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 3	Financial Report – February 2016

Voting Requirement	:	Simple Majority
Subject Index	:	FM026A
Location / Property Index	:	N/A
Application Index	:	N/A
TPS No 3 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Paul Rawlings, Manager, Corporate Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

To provide Council with a report of financial activity for the period 1 July 2015 to 29 February 2016.

SUMMARY AND KEY ISSUES

- The financial report for the eight months ended 29 February 2016, indicates a year-to-date surplus some \$289,265 more than forecast.
- Operating revenue (excluding rates) is some \$138,705 more than forecast.
- Operating expenditure is some \$101,260 less than forecast (\$169,849 after deduction of depreciation and loss on sale of assets, being non-cash items).
- Capital expenditure totalling \$170,521 (around 35.5% of total budget) has been incurred.

LOCATION

N/A

BACKGROUND

Nil.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

There are no specific statutory requirements in respect to this matter.

FINANCIAL IMPLICATIONS

The financial report includes the full 2015/16 rates and charges, the first three quarterly contributions for the library and community centre, all insurance premiums, seventeen fortnightly payrolls and around 60% of annual estimated contract/materials expenses.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The following comments relate to variances greater than \$10,000.

(1) Fees and Charges

Revenue from fees and charges exceeds the estimated year-to-date budget by some \$34,112.

This strong performance relates mainly to town planning fee income being well in advance of the budget at this point-in-time. Other areas such as unbudgeted kiosk rental income and building fee income have also contributed to the above figure.

(2) Grants and Subsidies

Revenue from grants and subsidies exceeds the estimated year-to-date budget by some \$84,008.

This figure comprises mainly from a new grant of \$70,000 relating to the Swan River wall and an additional Roads to Recovery grant of \$8,209 (discussed further at item 8.5.3 of this agenda).

(3) Other Revenue

Revenue from other sources exceeds the estimated year-to-date budget by some \$17,842.

This relates mainly to additional interest on overdue rates and a reimbursement for workers compensation payments (the worker has successfully returned to pre-injury duties).

(4) Employee Costs

Employee costs after seventeen fortnightly payrolls are some \$43,242 less than expected.

This saving is due to the non-replacement of an outside worker after his departure in July with his duties being performed by contractors. The estimated full-year saving for this category is around \$50,000.

(5) Materials and Contracts

Materials and contracts expenses are some \$120,563 less than expected due mainly to February (and in some cases, January) invoices yet to be received and processed.

Given the deletion of one outside worker position in favour of increased use of contractors was not included in the budget this category may exceed its total year budget by up to \$50,000, less any savings (as discussed at item 8.5.3 of this agenda)

(6) Depreciation

The recent completion of the 2014/15 audit and revaluation of infrastructure assets to fair values, together with recent announcements by the Australian Accounting Standards Board

clarifying componentisation of short and long-cycle asset consumption and allowable residual values, has revealed the need to alter depreciation charges.

The following table depicts the budgeted and estimated charges for the full year to 30 June 2016:

Asset Class	2015/16 Budget	2015/16 Estimated
Buildings	84,500	105,100
Furniture & Equipment	15,000	14,600
Plant & Equipment	25,000	15,700
Roads	132,000	146,500
Footpaths	20,000	54,200
Parks	10,000	43,800
Drains	7,000	6,200
Other Infrastructure	0	1,400
TOTALS	293,500	387,500

Whilst the above increased charges have no impact on Council's cash position the resultant estimated \$94,000 additional expenditure will flow through the asset management and long-term financial plans as well as the asset-related financial ratios, requiring future attention.

(7) Profit/Loss on Sale of Assets, (8) Plant Purchases and (9) Proceeds from Sale of Assets

The following table is an extract from the 2015/16 budget regarding asset sales:

	Net Book Value	Sale Proceeds	Profit(Loss)
	2015/16 BUDGET	2015/16 BUDGET	2015/16 BUDGET
	\$	\$	\$
Transport			
Mitsubishi Challenger	30,000	30,000	0
Holden Colorado	19,000	19,000	0
Mazda BT50	19,000	19,000	0
Tenant Street Sweeper	4,000	4,000	0
Caterpillar 904B Loader	30,405	30,000	(405)
	102,405	102,000	(405)

The following table depicts the results of asset sales to date:

	Net Book Value	Sale Proceeds	Profit(Loss)
	2015/16 ACTUAL \$	2015/16 ACTUAL \$	2015/16 ACTUAL \$
Plant and Equipment			
Holden Commodore Utility	24,125	23,778	(347)
Mitsubishi Challenger	31,683	25,042	(6,641)
Holden Colorado	0	0	0
Mazda BT50	0	0	0
Tenant Street Sweeper	4,000	2,858	(1,142)
Caterpillar 904B Loader	30,405	26,000	(4,405)
	90,213	77,678	(12,535)

Given previously-advised concerns regarding the Shire's capacity to changeover both the Colorado and BT50 it was decided to trade-in the Development Services Manager's Commodore after 16 months ownership due to concerns regarding its diminishing value. This is dealt with at item 8.5.3 of this agenda.

(10) Net Current Assets Year-to-Date

Net current assets exceed estimated net current assets for the first eight months by some \$289,265. This figure reflects the slightly stronger than expected revenue performance, particularly planning fees and, to a lesser extent, building fees and the materials and contracts expenditure committed but not yet posted for January and February 2016.

OFFICER RECOMMENDATION/S – ITEM No. 8.5.1

That the Financial Report for the period 1 July 2015 to 29 February 2016 be received.

8.5.2 Accounts for Payment – February 2016
CORPORATE
ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 4	Accounts for Payment – February 2016

Voting Requirement	:	Simple Majority
Subject Index	:	FM045A
Location / Property Index	:	N/A
Application Index	:	N/A
TPS No 3 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Paul Rawlings, Manager Corporate Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
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PURPOSE OF REPORT

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.

SUMMARY AND KEY ISSUES

Significant payments in February 2016 included the following:

- BAS remittance to ATO;
- Payment for electricity to Synergy;
- Payments for waste disposal to WMRC;
- Staff superannuation contributions.

LOCATION

N/A

BACKGROUND

Attachment 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.

<u>PAYMENT TYPE</u>	<u>AMOUNT</u>
Direct Debit Fees & Leases – 412, DD5625, 5629, 5633, 5639	
Cheques 162 - 171 (Inclusive)	
Electronic Funds Transfers 9887 - 9969 (Inclusive)	
TOTAL MUNICIPAL FUND	\$259,206.57
TRUST FUND PAYMENTS	\$0.00
TOTAL	\$259,206.57

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

There are no specific statutory requirements in respect to this matter.

FINANCIAL IMPLICATIONS

The payments processed by the Shire relate to expenditure approved in the 2015/2016 annual budget as amended.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

Nil

OFFICER RECOMMENDATION/S – ITEM No. 8.5.2

That:

The payment of the cheques, electronic funds payments and direct debits drawn and accounts presented for payment for February 2016 and totalling \$259,206.57 be approved.

8.5.3 2015/16 Budget Review
CORPORATE
ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
NIL	

Voting Requirement	:	Simple Majority
Subject Index	:	FM026A
Location / Property Index	:	N/A
Application Index	:	N/A
TPS No 3 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Paul Rawlings, Manager, Corporate Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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PURPOSE OF REPORT

To present the results of the 2015/2016 mid-year budget review.

SUMMARY AND KEY ISSUES

- The annual budget review anticipates some \$185,247 worth of net savings/additional income being available to fund five new projects, namely a new electronic records management system (\$5,000), an asphalt resealing of Bay View Terrace (\$69,570), renewal work on existing kerbs (\$20,677), renewal work to the river wall (\$70,000 plus \$35,000 re-allocated) and utilities to the new Keane's Point café in accordance with the lease (\$20,000).

LOCATION

N/A

BACKGROUND

An initial budget review was adopted by Council at its September 2015 meeting to deal with an unanticipated surplus brought forward from 2014/15 totalling \$66,939, partly due to the Commonwealth's unexpected advance payment of \$28,269 financial assistance grants on 30th June 2015.

This surplus enabled the following 3 additional items to be included in the 2015/16 year:

- A trailer to be purchased to transport the ride-on mower and skid-steer loader;
- A "heavy-duty" tablet to enable the Manager of Infrastructure Services to collect infrastructure data whilst on-site and commence Council's first foray into mobile IT applications; and
- Transfer around \$20,000 to the road cash reserve fund to meet future expenses.

This second, statutory review seeks to reallocate a further \$185,247 of additional grants and net expenditure savings toward the following additional projects:

- A new electronic documents record management system (HP Records Management v. 8.1) to replace the current system by 30th June 2016, being an additional, annual operating expense;
- Additional *Roads to Recovery* and *Regional Road Group* grants to largely fund a 30mm asphalt overlay of Bay View Terrace from Keane Street to Johnston Street;
- Some \$20,677 to renew various sections of kerbing throughout the district;
- A \$70,000 grant from the Dept. of Parks and Wildlife – matched by a re-allocation of funds initially set aside to extend the river wall (\$35,000) – to repair a minimum of 120 lineal metres of river wall from south of the Scotch College boatshed (60 metres) and south from adjacent to Pindari Place (60 metres);
- A new allocation to enable Council to meet its obligations under the lease with respect to the supply of utilities to the new Keane's Point café

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulation 33A requires a local government to undertake a budget review. This review is to take place between 1 January and 31 March in each financial year. A report on the result of the review is to be presented to Council for adoption after which a copy of the review is to be forwarded to the Department of Local Government.

FINANCIAL IMPLICATIONS

The following variations to the 2015/16 budget are proposed:

Sub-Program	Acct.		Original	Proposed	Variance	Comments
CAPEX	NEW	KERBS - RENEWAL	0	(20,677)	(20,677)	New project - renewal work to existing kerbing assets
CAPEX	NEW	KEANES POINT KIOSK	0	(20,000)	(20,000)	UTILITIES TO NEW CAFÉ AS PER LEASE AGREEMENT
CAPEX	NEW	ROAD RENEWAL - BAY VIEW TCE	0	(69,570)	(69,570)	New project - 2/3 RRG funded + extra Roads to Recovery grant
Administration	04033	COMPUTER LICENCING & MTCE	(52,000)	(57,000)	(5,000)	Cost of HP Records Management licences
Administration	04022	TELEPHONE EXPENSES	(16,000)	(11,000)	5,000	Savings transferred to computer maintenance
Administration	04015	ADMINISTRATION SALARIES	(721,087)	(701,300)	19,787	Savings in Admin Salaries
Administration	04036	PEPTALK NEWSLETTER EXPENSES	(2,000)	(7,000)	(5,000)	Additional expenditure not budgeted for
Administration	04024	OFFICE EQUIPMENT MAINTENANCE	(6,536)	(10,600)	(4,064)	Additional expenditure not budgeted for
Members Of Council	04010	GRANT - AUSTRALIA DAY	0	14,245	14,245	Grant not included in original budget (approval rec'd 30/10/15)
Animal Control	05010	ANIMAL CONTROL CONTRACT EXPS.	(18,750)	(3,750)	15,000	Savings in expenses
Maint Sts Roads & Bridges	12076	STREET LIGHTING EXPENSES	(48,000)	(44,000)	4,000	Savings in electricity expenses
Members Of Council	04001	ELECTION EXPENSES	(13,500)	(10,000)	3,500	Savings in expenses
Parking Facilities	12140	PARKING CONTROL CONTRACT EXPS.	(27,400)	(23,400)	4,000	Savings in expenses
Plant Operation Costs	14059	FUEL OIL EXPENSES	(19,954)	(15,954)	4,000	Savings in expenses
Sanitation-Household Ref	10010	REFUSE REMOVAL INCOME	58,000	53,500	(4,500)	Income reduct. due mainly to demolished houses with 2 bins
Swimming Areas/Beaches	11035	KEANE'S POINT KIOSK RENTAL INCOME	0	5,000	5,000	Additional income not budgeted for due to demolition delay
Maint Sts Roads & Bridges	12093	ROAD GRANTS	23,140	77,419	54,279	Extra R2R \$7,900, RRG \$46,379 - both alloc. to Bay View Tce
Administration	04038	CONSULTANTS EXPENSES	(50,000)	(42,000)	8,000	T'fer Regl. Environmental/Climate Change Adaptation costs
Environmental Protection	10075	ENVIRONMENTAL PROTECTION EXPS	0	(8,000)	(8,000)	Regional Environmental Project costs (WESROC)
Administration	04038	CONSULTANTS EXPENSES	(42,000)	(36,000)	6,000	T'fer WESROC feral animal project costs to Environ. Protection
Environmental Protection	10070	FERAL ANIMAL CONTROL EXPENSES	0	(6,000)	(6,000)	Regional feral animal control project costs (WESROC)
Swimming Areas/Beaches	11030	COMMUNITY RECREATIONAL PROJECTS	(20,000)	(15,000)	5,000	Allocate museum contribution to correct sub-program
Other Culture	11185	FRESHWATER BAY MUSEUM CONTRIB.	0	(5,000)	(5,000)	T'fer Freshwater Bay Museum costs
Maint Sts Roads & Bridges	12075	FOOTPATHS-GENERAL MAINTENANCE	(74,060)	(24,060)	50,000	T'fer from Operating to CAPEX (Renewal)
CAPEX	04056	INFORMATION TECHNOLOGY EXPS.	(40,000)	0	40,000	No IT assets to be purchased - T'fer to Footpath Renewal
CAPEX	12022	FOOTPATH RENEWAL EXPENSES	0	(90,000)	(90,000)	\$50,000 ex operating plus additional \$40,000 renewal works
CAPEX	12031	EXTENSION OF RIVERWALL	(35,000)	0	35,000	T'fer allocation to renewal project
CAPEX	12031	RENEWAL OF RIVERWALL	0	(105,000)	(105,000)	New project repairing 120 lineal metres of existing wall
Swimming Areas/Beaches	11036	RIVERBANK GRANT	0	70,000	70,000	Dept. Parks & Wildlife Grant
		NET VARIATION			0	

The items shaded grey above were discussed under "Background".

The items shaded green represent either expenditure savings (black)/additional expenditure (red) or additional income (black)/reduced income (red). The reasons for these items will be discussed more fully, if required.

The unshaded figures represent either re-allocations of existing projects to new sub-programs (to better reflect the function of the project for reporting purposes), the re-allocation of expenditure within the capital budget and the transfer of around \$50,000 from the operating budget for footpath renewal works already undertaken and claimed as renewal rather than maintenance expenses (discussed further in “Officer Comments” below).

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The 2015/16 year has seen continued low inflation, further reductions in fuel costs, and continuing strong revenue flows associated with planning and building approvals (though not rates growth, so far).

This, combined with a thorough review of Council’s asset base (including condition, life expectancy etc) as part of a continuing improvement in asset management practices, has led to recommendations that will enable Council to address the one, continuing area of concern in terms of performance, namely asset sustainability.

The State Government’s Integrated Planning and Reporting includes an asset sustainability target requiring net capital renewal and replacement expenditure to at least equal asset depreciation expense (this year estimated to be \$387,500).

Should the proposed budget variations be adopted the following estimated gross capital renewal and replacement expenditure will be incurred in 2015/16:

- Replacement of boundary wall to rear of administration office and Grove Precinct (\$60,000);
- Renewal work at Pavilion (\$20,931);
- Purchase of skid-steer loader (\$68,995);
- Replacement of Mgr. Development Services vehicle (\$27,468);
- Replacement of Mgr. Infrastructure Services vehicle (\$42,612);
- Replacement of one other depot utility (\$23,500);
- Refurbishment of truck (\$5,000)
- Reseal – Hobbs Place (\$20,000);
- Reseal – Bay View Terrace (\$69,570);

-
- Renewal work - riverwall (\$105,000);
 - Renewal of footpaths (\$90,000);
 - Renewal of kerbs (\$20,677);
 - Replacement of utilities services to Keane's Point Café (\$20,000).

That is, a gross total of \$573,753.

From this figure asset sale proceeds and non-operating grants must be deducted as follows:

- Sale of Caterpillar Loader \$26,000
- Sale of Mitsubishi Challenger \$25,042
- Sale of Holden Commodore \$23,778
- Sale of Depot utility \$19,000 (estimated)
- Roads to Recovery grant (\$27,349)
- Regional Road grant (\$46,379)
- Riverbank grant (\$70,000)

That is, a total of \$237,548 to be deducted, leaving a net renewal/replacement figure estimated to be \$336,205, or 86.75% of depreciation, within around \$50,000 of the minimum target.

It should be noted that Council has not met the minimum operating surplus target in each of the last two financial years but is expected to do so from 2015/16 onwards.

OFFICER RECOMMENDATION/S – ITEM No. 8.5.3

That Council adopt the review of the 2015/2016 budget with the variations listed above and amends the budget accordingly.

9 NEW BUSINESS OF AN URGENT NATURE

10 MOTIONS ON NOTICE

11 CONFIDENTIAL ITEMS OF BUSINESS

12 CLOSURE

At ____ pm, there being no further business the meeting closed.

DECLARATION OF
FINANCIAL / PROXIMITY / IMPARTIAL INTEREST
THAT MAY CAUSE A CONFLICT

TO: Chief Executive Officer
SHIRE OF PEPPERMINT GROVE

NAME: _____

POSITION: _____

MEETING DATE: _____

ITEM NO & SUBJECT: _____

NATURE OF INTEREST: Financial / Proximity / Impartiality
Gifts & Hospitality
Interest that may cause a Conflict* * Please Circle applicable

EXTENT OF INTEREST: _____

SIGNATURE: _____

DATE: _____

Section 5.65(1) of the Local Government Act 1995 states that:

FINANCIAL & PROXIMITY INTERESTS

A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.

“A member who has an interest in any matter to be discussed at a Council or Agenda Briefing Forum meeting that will be attended by that member must disclose the nature of the interest”:

- (a) In a written notice given to the CEO before the meeting; or*
- (b) At the meeting immediately before the matter is discussed.*