



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

MINUTES

HELD ON
TUESDAY 25 OCTOBER 2016
AT
5.30 PM



Shire of Peppermint Grove

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Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING MINUTES

25 OCTOBER 2016

Minutes of the **Shire of Peppermint Grove** Ordinary Meeting of Council held at
1 Leake Street, Peppermint Grove Council Chambers on Tuesday 25 October 2016

1 DECLARATION OF OFFICIAL OPENING

At 5.31pm, 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.

The Post and Western Suburbs Weekly indicated that they were not recording the meeting.

Cr. C Hohnen read the affirmation

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 (arrived at 5.43pm)
Elected Member	Cr S Fleay
Elected Member	Cr D Horrex
Elected Member	Cr P Macintosh
Elected Member	Cr G Peters

Manager Corporate Services	Mr P Rawlings Acting CEO
Manager Infrastructure Services	Mr D Norgard
Manager Development Services	Mr M Whitbread
Executive Officer	Ms M Tabbakh (Minutes)

Visitors Nil
Gallery 6 Members of the Public
2 Members of the Press

2.2 APOLOGIES

Manager Library and Community Services, Ms D Burn

2.3 LEAVES OF ABSENCE

Chief Executive Officer, Mr John Merrick

2.4 NEW REQUEST FOR A LEAVE OF ABSENCE

Nil

3 DELEGATIONS AND PETITIONS

3.1 DELEGATIONS

Nil

3.2 PETITIONS

Nil

4 PUBLIC QUESTION TIME

At 5.32pm the Presiding Member opened the public question time by asking the gallery if there were any questions or deputation for Council. "Rules for Council meeting Public Question Time" were noted in the Agenda. Copies of:

- The Agenda
- Question to Council and
- Deputation Forms

Were placed at the end of the Council Meeting table in front of the public gallery, for the public, prior to commencing the meeting, as well as on the Shire Webpage.

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

Nil

4.3 DEPUTATIONS OF THE PUBLIC

Deputation 1

Mr David Caddy, 182 St Georges Terrace Perth - **8.1.4 Proposed Change of Use Office to Public Amusement: Lots 21 & 164 (No. 10) Johnston Street, Peppermint Grove**

At the Council Meeting held 25 October 2016, Mr David Caddy asked Council not to grant approval as the building has been designed for offices and has not been designed structurally to carry such a significant weight of water.

Deputation 2

Mr Colin Chomley Suite 6/10 Johnston Street, Peppermint Grove - **8.1.4 Proposed Change of Use Office to Public Amusement: Lots 21 & 164 (No. 10) Johnston Street, Peppermint Grove**

At the Council Meeting held 25 October 2016, Mr Colin Chomley states that a change and disturbance is being pushed on to the other 14 owners of the suites and asks Council for a decision to refuse the application.

Cr K Farley arrived at 5.43

Deputation 3

Mr Ian Laird – 2/13 Watkins Street Fremantle WA - 8.1.4 Proposed Change of Use Office to Public Amusement: Lots 21 & 164 (No. 10) Johnston Street, Peppermint Grove

At the Council Meeting held 25 October Mr Laird states that approval to the application will cause disharmony to the owners, all of whom are rate payers.

At 5.53pm, 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

Shire President R Thomas 8.1.5 Minor Alterations and Additions: Lot Pt 12 (No.19) Irvine Street, Peppermint Grove.

Cr R Thomas resides at No. 19 Irvine Street, Peppermint Grove.

5.2 PROXIMITY INTEREST

The Shire President, R Thomas. 8.1.1 Proposed Change of Use: Office to Public Amusement (Jiu Jitsu School): Suite 36 on Various Lots (No. 460-476) Stirling Highway, Peppermint Grove.

Cr R Thomas' property adjoins No. 460-476 Stirling Highway, Peppermint Grove.

Cr G Peters. 8.1.1 Proposed Change of Use: Office to Public Amusement (Jiu Jitsu School): Suite 36 on Various Lots (No. 460-476) Stirling Highway, Peppermint Grove.

Cr G Peters lives adjacent to No. 460-476 Stirling Highway, Peppermint Grove.

Cr P Macintosh 8.1.5 Minor Alterations and Additions: Lot Pt 12 (No.19) Irvine Street, Peppermint Grove.

Cr P Macintosh resides opposite No. 19 Irvine Street, Peppermint Grove.

5.3 IMPARTIALITY INTEREST

Nil

5.4 INTEREST THAT MAY CAUSE A CONFLICT

Nil

6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING**27 SEPTEMBER 2016****COUNCIL DECISION – 961****MOVED: CR C HOHNEN, SECONDED: CR D HORREX**

That the Minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 27 September 2016 be confirmed.

CARRIED: 7/0**7.2 AGENDA BRIEFING FORUM****11 OCTOBER 2016****COUNCIL DECISION – 962****MOVED: CR D HORREX, SECONDED: CR K FARLEY**

That the Minutes of the Agenda Briefing Forum, of the Shire of Peppermint Grove held in the Council Chambers on 11 October 2016 be confirmed.

CARRIED: 7/0**7.3 CONCEPT FORUM****11 OCTOBER 2016****COUNCIL DECISION – 963****MOVED: CR K FARLEY, SECONDED: C HOHNEN**

That the Minutes of the Concept Forum, of the Shire of Peppermint Grove held in the Council Chambers on 11 October 2016 be confirmed.

CARRIED: 7/0**7.4 SPECIAL MEETING OF COUNCIL****11 OCTOBER 2016****COUNCIL DECISION – 964****MOVED: CR S FLEAY, SECONDED: K FARLEY**

That the Minutes of the Special Meeting of Council, of the Shire of Peppermint Grove held in the Council Chambers on 11 October 2016 be confirmed.

CARRIED: 7/0

8 CHIEF EXECUTIVE OFFICER REPORTS

8.1 URBAN PLANNING

At 5.55pm The Shire President R Thomas and Cr G Peters left the Council Chambers.

The Deputy Shire President Cr C Hohnen presided in her absence.

DECLARATION OF INTEREST – PROXIMITY

Cr R Thomas' property adjoins No. 460-476 Stirling Highway, Peppermint Grove.

Cr G Peters lives adjacent to No. 460-476 Stirling Highway, Peppermint Grove.

8.1.1 Proposed Change of Use `Office' to `Public Amusement' (Jiu Jitsu School): Suite 36 on Various Lots (No.460-476) Stirling Highway, Peppermint Grove

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	460-476 Stirling Highway

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	460-476 Stirling Highway
Application Index	:	016-181
TPS No 3 Zoning	:	Commercial
Land Use	:	Office
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	Paulo Tavares
Owner	:	Primewest
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 a development application for a change of use from 'Office' to 'Public Amusement'. The proposed land use involves the conversion of upper level office suites within Cottesloe Central Shopping Centre.

It is anticipated that the class sizes will be 20-30 pupils in an area of 200m².

SUMMARY AND KEY ISSUES

- The proposed land use is considered compatible with the other recreation based activities in the Shopping Centre.
- Parking availability is considered adequate
- Conditional approval has been recommended.

LOCATION

As per the attached location plan.

BACKGROUND

Suite 36 within the Cottesloe Central Shopping Centre was used as an office for several years, but is now vacant.

CONSULTATION

The proposed land use was assessed as having no direct impact to properties adjoining Cottesloe Central Shopping Centre.

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, and Scheme Policies as outlined in the table below.

<u>TOWN PLANNING SCHEME NO. 3</u>	
Scheme Requirement/Clause	Assessment/Comment
1. Built form provisions	N/A No works proposed
2. Approved Land Use: Office ('P')	Proposed Land Use : Public Amusement ('AA')
3. Parking	Complies*(refer Officers comment below).

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 proposed change of land use from office to a Jiu Jitsu school, would in the context of the Cottesloe Shopping Centre, result in a marginal increase in parking demand.

Town Planning Scheme No.3 requires that one car bay is required for every six seats where the land use 'Public Amusement' is being considered. However, the Town Planning Scheme for this land use does not contemplate this type of activity and therefore Council may wish to consider determining parking on merit.

A survey done of the Shopping Centre parking capacity and demand in 2014 revealed that at peak times, between 9:00am and 12:00pm there were some 50-65 unoccupied bays available in the car parking areas. At other times, late afternoon and early evenings, this

number increases to over 150 unoccupied bays so the parking demand on the 550 bays available within the centre is assessed as being capable of meeting demand.

The Jiu Jitsu School will only operate during the following days and times:

Monday: 12:00 pm to 1:00pm, & 6:00pm to 7:00pm.

Tuesday: 4:00pm to 5:00pm.

Thursday: 4:00pm to 5:00pm.

Friday: 12:00pm to 1:00pm.

Suite 36 would be in use by students for a total of 5 hours over a four day period in any one week and would not constitute excessive demand on the onsite parking available. However, this assessment is based on the modest hours of use and it is recommended that if the business wishes to increase the span of hours to increase the frequency of classes held that a fresh application be lodged to allow Council to re-assess the impact of this land use. A condition stipulating this has been included in the recommendation for approval.

OFFICER RECOMMENDATION/S – ITEM No. 8.1.1

That Council grant planning approval for change of use from `Office` to `Public Amusement` (Jiu Jitsu School) at 460-476 Stirling Highway, Peppermint Grove, in accordance with the plans and specifications submitted on 23 September 2016, subject to the following conditions:

1. The proposed land use, the subject of this approval, shall be commenced within two-years of the date of issue of the consent forms.
2. The business shall operate within the hours proposed in the application. Any extension of hours shall be the subject of a separate planning application.

Advisory Note:

- i) The applicant is advised to contact the Shire in regard to the Environmental Health Requirement with the use of the suite as a public building under the Health Act.

COUNCIL DECISION – 965

MOVED: CR K FARLEY, SECONDED: CR S FLEAY

That:

Council grant planning approval for change of use from `Office` to `Public Amusement` (Jiu Jitsu School) at 460-476 Stirling Highway, Peppermint Grove, in accordance with the plans and specifications submitted on 23 September 2016, subject to the following conditions:

- 1. The proposed land use, the subject of this approval, shall be commenced within two-years of the date of issue of the consent forms.**
- 2. The business shall operate within the hours proposed in the application. Any extension of hours shall be the subject of a separate planning application.**

Advisory Note:

- i) The applicant is advised to contact the Shire in regard to the Environmental Health Requirement with the use of the suite as a public building under the Health Act.**

CARRIED: 5/0

At 5.57pm Shire President R Thomas and Cr G Peters returned to the Council Chambers.

8.1.2 Demolition of a Single Storey Brick and Tile Dwelling and a Replacement Two Storey Dwelling with basement Parking and Loft: Lot 38 (No.47) Johnston Street Peppermint Grove.

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 2 –	47 Johnston Street

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	47 Johnston Street
Application Index	:	016-180
TPS No 3 Zoning	:	Residential R12.5
Land Use	:	Single Residential
Lot Area	:	718m ²
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	LAH Architects and Construction Pty Ltd.
Owner	:	Tupac Investments Pty Ltd.
Responsible Officer	:	Michael Whitbread Manager of Development Services

COUNCIL ROLE

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- 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 to demolish a single storey brick and tile dwelling and a replacement two-storey masonry and iron dwelling with basement car parking and non-habitable loft space.

A planning consent is required as the building heights exceeds category b of the R-Codes in terms of the wall and ridge height.

SUMMARY AND KEY ISSUES

- The existing house is not on the Shire's Heritage List
- In terms of design the proposed dwelling complies for the most part with the R-Codes and Town Planning Scheme No.3.
- The habitable space in the basement would affect the plot ratio calculations and is not supported as submitted.
- A conditional approval is recommended.

LOCATION

Please refer to attached location plan

BACKGROUND

Council granted approval to build the single storey two bedroom house at No. 47 Johnston Street, in August 1961. The house was designed by Summerhayes' Architects and built by Karlson Constructions for a Mrs Vivian.

No further structural works have been carried out to the house since that time.

CONSULTATION

Adjoining/affected land owners were consulted and two written submissions were after the agenda had closed received requesting fixed and obscured glazing to the upper floor windows on the western elevation.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no 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.	0.48: Complies
2.	10-metre height (excluding basement)	9.6-metres to the ridge: Complies
3.	9-metre street setback	9.9-metres
<u>RESIDENTIAL DESIGN CODES</u>		
Deemed to comply		Assessment/Comment
1	6-metre rear setback	11-metres Complies.
2	55% Open Space	59% Open Space: Complies
3	Side setbacks	Complies with Table 2A
4	Privacy	Frosted windows to the eastern elevation. Deemed-to-comply distances elsewhere.

Heritage

The single storey dwelling on the site does not appear on the Shire's heritage list and there are no listed buildings on any of the adjoining land.

FINANCIAL IMPLICATIONS

There are no costs associated with the proposal 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 proposed replacement dwelling complies with the R-Codes and Town Planning Scheme No.3, including the building height of 10-metres. However, draft Local Planning Scheme No 4 is considered a seriously entertained planning document under section 67b of Schedule 2 of the Planning and Development Regulations. This clause specifically deals with the orderly and proper planning, including a proposed local planning scheme.

This naturally raises the question as to which parts of an extant scheme should continue to apply and which aspects of a new scheme should be considered and applied. The Legal Officer for the Department of Planning, advised in broad terms, that if the new draft scheme is seeking to introduce a new standard, this should be given due regard. This approach is nevertheless limited as in the situation where increased densities are being planned for a locality. Council is unable to grant planning consent for any proposed higher density or for a land-use appropriate to a new zone until the scheme is gazetted.

In this instance any new proposals for two-storey dwellings, or two-storey additions, should be considered in light of the standard proposed in the new Scheme of 6-metres to the top of the wall and 9-metres to the ridge. Keeping in mind that Council's intension here is to eliminate the issue whereby the 10-metre height limit in Town Planning Scheme No.3 failed to discriminate between wall height, and a flat or pitched roof form. Instead, Council has resolved to create a policy that would allow some relaxation of the Category B height controls in the R-Codes based on merit, such as heritage and streetscape context considerations as well as the effect, if any, on adjoining properties.

Keeping in mind that even though there is a basement level, the finished floor level of RL21.71, which is less than 850mm above Natural Ground Level at the highest point, and well within the 1000mm permitted under the Town Planning Scheme. On this basis it is assessed that the proposed height of the new dwelling is acceptable.

By referring to the definition of 'basement' in both the current, and draft schemes, it is possible to determine how the largely underground office space should be considered in planning terms. Although these definitions differ somewhat, they at least both agree that basements should only contain non-habitable spaces. Otherwise they would be considered as part of the floor area of the house. Furthermore, both of these definitions have been designed to be read in conjunction with the definition of plot ratio.

What this means in regard to the current application, is that the proposed office is considered habitable space (as defined in the R-Codes) and would have to be calculated into the floor area of the proposed dwelling, as well as being considered an additional level, as it cannot be considered a basement by definition.

This matter has been discussed with the applicant and the room is to be converted to a non-habitable wine cellar. For such a change to be acceptable, the large set of French doors are to be removed and replaced with minor openings. A condition requiring that amendments to the plans making the proposed basement office non-habitable are to be satisfactorily completed prior to the issue of a building permit.

The loft element has been assessed as non-habitable based on the low ceiling heights which are below 2-4-metres directly under the ridge and recede to 1.2-metres. This is a modest space and would only be suitable for storage purposes.

In regard to the submissions made concerning the upper level windows on the western elevation, these have been assessed as meeting the *Deemed-to-comply* provisions of the R-Codes. The intent of these provisions, is that it provides certainty to applicants and neighbours alike, as to the minimum acceptable development standards outlined under Clause 2.2 of the R-Codes which states;

'A proposal for a single house that meets the Deemed-to-comply provisions of the R-Codes does not require planning approval.'

This means that the elements of a dwelling covered by the R-Codes are not subject to a planning consideration, and are 'as of right'.

There are no objections to the proposal on planning grounds and on that basis conditional approval has been recommended.

OFFICER RECOMMENDATION/S – ITEM No. 8.1.2

That Council grant planning approval for alterations and additions on Lot 38 (No.47) Johnston Street, Peppermint Grove in accordance with the plans and specifications submitted on 2 September 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 38 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 fourth 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. The basement office shown on the plans submitted shall become a non-habitable room with the removal of the external stairs and amendments to the doors and windows to the satisfaction of the Chief Executive Officer, prior to the issue of a building permit.

6. The right-of-way adjoining the western boundary of the subject site shall be repaired/regraded at the completion of the development, prior to the occupation of the dwelling, to the satisfaction of the Chief Executive Officer.
7. The crossover to the Johnston Street frontage of the site shall be upgraded to concrete or brick paving to Council specifications, to the satisfaction of the Chief Executive Officer, prior to the occupation of the dwelling.
8. The redundant crossover to the Johnston Street frontage of the site shall be closed and the kerb and verge reinstated to the satisfaction of the Chief Executive Officer prior to the occupation of the dwelling.
9. 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.

Advisory Note

- i) The applicant is advised that during construction the adjoining right-of-way is to be kept clear at all times and not used for parking of trade and delivery vehicles. The Shire is able to issue parking infringement notices where rights-of-ways are blocked.

COUNCIL DECISION – 966

AMENDMENT:

MOVED: CR R THOMAS, SECONDED: K FARLEY

To include the following:

- 10 **The height of the building, consisting of wall, parapet and ridge elements shall be reduced by 300mm to minimise the impact on the streetscape of Johnston Street and comply more generally with the height limits prescribed under draft Local Planning Scheme No.4.**
- 11 **Plans detailing the height reduction outlined in condition 10 of this approval, shall be submitted to the satisfaction of the Chief Executive Officer of the Shire, prior to the issue of a building permit.**

Advisory Note

- ii) **The proponent is advised that Council, in granting planning consent for the development, has assessed the proposal under the Design Principles of the Residential Design Codes in regard to increased overall height of the wall, parapet and ridge.**
- iii) **That Council requests the owners and the Architect to contact the neighbours to the western side to review any overlooking issues.**

CARRIED: 7/0

COUNCIL DECISION – 967**SUBSTANTIVE MOTION:****MOVED: CR K FARLEY, SECONDED: CR C HOHNEN**

That Council grant planning approval for alterations and additions on Lot 38 (No.47) Johnston Street, Peppermint Grove in accordance with the plans and specifications submitted on 2 September 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 38 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 fourth 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. The basement office shown on the plans submitted shall become a non-habitable room with the removal of the external stairs and amendments to the doors and windows to the satisfaction of the Chief Executive Officer, prior to the issue of a building permit.**
- 6. The right-of-way adjoining the western boundary of the subject site shall be repaired/regraded at the completion of the development, prior to the occupation of the dwelling, to the satisfaction of the Chief Executive Officer.**
- 7. The crossover to the Johnston Street frontage of the site shall be upgraded to concrete or brick paving to Council specifications, to the satisfaction of the Chief Executive Officer, prior to the occupation of the dwelling.**
- 8. The redundant crossover to the Johnston Street frontage of the site shall be closed and the kerb and verge reinstated to the satisfaction of the Chief Executive Officer prior to the occupation of the dwelling.**
- 9. 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.**

10. The height of the building, consisting of wall, parapet and ridge elements shall be reduced by 300mm to minimise the impact on the streetscape of Johnston Street and comply more generally with the height limits prescribed under draft Local Planning Scheme No.4.

11. Plans detailing the height reduction outlined in condition 10 of this approval, shall be submitted to the satisfaction of the Chief Executive Officer of the Shire, prior to the issue of a building permit.

Advisory Note

- i) The applicant is advised that during construction the adjoining right-of-way is to be kept clear at all times and not used for parking of trade and delivery vehicles. The Shire is able to issue parking infringement notices where rights-of-ways are blocked.**
- ii) The proponent is advised that Council, in granting planning consent for the development, has assessed the proposal under the Design Principles of the Residential Design Codes in regard to increased overall height of the wall, parapet and ridge.**
- iii) That Council requests the owners and the Architect to contact the neighbours to the western side to review any overlooking issues.**

CARRIED: 7/0

8.1.3 Proposed Alterations and Restorations. Lot 63 (No.12) The Esplanade,
 Peppermint Grove

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 3	12 The Esplanade

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	12 The Esplanade
Application Index	:	016-183
TPS No 3 Zoning	:	Residential
Land Use	:	Single Dwelling
Lot Area	:	1597m ²
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	Theresa Smith
Owner	:	Theresa Smith
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 a development application for internal restoration works to Category 1 Listed Property. The scope of works includes the upgrading of three bathrooms, including relocating doorways, and the repairs and replacement of internal joinery to match the original profile.

SUMMARY AND KEY ISSUES

- The proposed works meet best practice for the preservation of heritage places.
- Changes to doorway locations are acceptable
- Conditional approval has been recommended.

LOCATION

As per the attached location plan

BACKGROUND

In 2010 Council successfully defended an application for review in the State Administrative Tribunal of its decision to refuse planning consent to demolish the category 1 listed property on the subject site.

CONSULTATION

The works proposed would not have any impact on the adjoining properties as the works proposed are internal to the house.

On this basis the application was not advertised.

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

Heritage

The proposal to replace unsympathetic 1960's joinery in the original portion of this house with the profile having been gleaned from remnant examples. This approach, if original

fabric has been removed it should be replaced using the principle of 'like for like' is encouraged wherever possible.

The ensuite bathrooms were created some years ago by the partitioning of a portion of one of the large original bedrooms. This type of work is easily reversible, and at the same time allows the house to provide modern facilities for its owners and their guests.

The proposal to shift the location of the ensuite doorways will only affect the later internal additions and not the fabric of the house and can be supported on heritage grounds.

The removal of the chimney breast can also be supported as the stack was removed some time ago. This chimney breast is not of sufficient detail to warrant retention.

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 scope of works proposed, including repairs to jarrah floors and the reinstatement of the tuck-pointing to the brickworks demonstrate the landowner's commitment to honouring the original features of the house. The landowner should be congratulated for undertaking both the painstaking work and financial commitment involved to 'undo' some of the works that have unfortunately acted to erode the heritage values of this fine house.

The detail provided in the application will reinforce the heritage values that justified the inclusion of this property on the Shire's heritage list. As importantly the application demonstrates that such a house can be successfully ungraded to meet modern expectations without necessarily detracting from the values present in the building.

On this basis approval can be recommended.

OFFICER RECOMMENDATION/S – ITEM No.8.1.3

That Council grant planning approval for alterations and garage additions on Lot 63 (No.12) The Esplanade, Peppermint Grove, in accordance with the plans and specifications submitted on 11 September 2016, subject to the following conditions:

1. 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 fourth year.
2. The proposed new crossover shall be either concrete or brick paving to Council specifications to the satisfaction of the Chief Executive Officer of the Shire prior to the occupation of the dwelling.

COUNCIL DECISION – 968

MOVED: C HOHNEN, SECONDED: G PETERS

That:

Council grant planning approval for alterations and garage additions on Lot 63 (No.12) The Esplanade, Peppermint Grove, in accordance with the plans and specifications submitted on 11 September 2016, subject to the following conditions:

1. **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 fourth year.**
2. **The proposed new crossover shall be either concrete or brick paving to Council specifications to the satisfaction of the Chief Executive Officer of the Shire prior to the occupation of the dwelling.**

CARRIED: 7/0

8.1.4 Proposed Change of Use `Office` to `Public Amusement`: (Floatation Tanks) Lots 21 & 164 (No.10) Johnston Street, Peppermint Grove

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 4	10 Johnston Street

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	10 Johnston Street
Application Index	:	016-176
TPS No 3 Zoning	:	Commercial
Land Use	:	Offices
Lot Area	:	1221 m ²
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	Victoria McLarty
Owner	:	A Bennett
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.*
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- 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 a development application for a change of use from 'Office' to 'Public Amusement'. The proposed land use involves the conversion of four existing office suites within the Johnston Street complex to accommodate four immersion/isolation float tanks/pods and two therapy rooms.

SUMMARY AND KEY ISSUES

- The proposal is for a change of use.
- The land use is considered low key.
- The objections received cannot be sustained from a town planning perspective.
- Conditional approval has been recommended.

LOCATION

As per the attached location plan.

BACKGROUND

The applicant met with Council staff on two occasions to discuss the application, and was advised that the proposed land use required planning consent from Council under Town Planning Scheme No.3.

Originally known as a sensory deprivation tank these flotation tanks to be used in Johnston Street are soundproof and dark capsules or pods in which people float in salt water at body temperature

They have been used since 1954 to study the effects of sensory deprivation. In 1970's, the effects of sensory deprivation were researched by the team at the University of British Columbia. The scientists at this University renamed sensory deprivation as "Restricted Environmental Stimulation Therapy" (REST).

The effect of sensory deprivation has been the subject of studies in the United States and in Sweden. Published results have indicated that as a therapy it can reduce and relieve, in the short term at least, both pain and stress. Based on this research REST pods or float tanks have been produced for commercial and private use. It has also resulted in the creation of a flotation centres industry and an internet search reveals that there are at least eight flotation centres operating in WA.

Given the concerns raised, and the need to better understand the operation of such a business a site visit was carried out by the Manager Development Services, to ascertain the impact of such a land use, its relative intensity, and likely impact within the context of the Johnston Street commercial building.

CONSULTATION

Adjoining/affected land owners within the existing office complex were advised of the proposed development in writing and given 14 days in which to make a submission.

Five written submissions were received (copies attached) objecting to the proposal on a number of grounds including;

The issues raised in these letters of objection received are addressed in detail under the Officers comment section of the report.

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, and Scheme Policies as outlined in the table below.

<u>TOWN PLANNING SCHEME NO. 3</u>		
	Scheme Requirement/Clause	Assessment/Comment
4.	Built form provisions	N/A Existing structure will remain as is.
5.	Approved Land Use: Office ('P')	Proposed Land Use : Private Amusement ('AA')
6.	Parking 10 Bays provided	Complies*(refer Officers comment below).

FINANCIAL IMPLICATIONS

If Council resolved to refuse the application the applicant would have a right of review to the State Administrative Tribunal. Costs would be incurred in defending any decision to refuse the application.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The concerns raised in the letters of objection received are understandable in the context of this land use being an unknown quantity.

An unannounced visit was conducted at an established Flotation Centre in the North Perth area which has been operating for three years. This particular business operated three flotation tanks, and during the visit these were all occupied and it could be considered to be operating at its maximum capacity.

There were three aspects of this form of business that were most noticeable. The first was the absence of any noise. The owner informed me that quietness was essential for the successful use of these isolation tanks. Secondly, there were no smells one may anticipate with a spa or indoor pool operation. The third was that no one waiting was in the reception area. The two staff on hand advised that bookings were handled on-line and they were on average booked out a week in advance. The busy periods were mid-morning, followed by early and late evening.

In terms of parking there was approximately 8 bays available on the site, of which only five were occupied (two staff and three clients). If this is any guide the 10 bays available for the four clients and two staff in Johnston Street should be more than adequate.

Another submission made in response to the proposal questioned whether the application should have been signed by the body corporate prior to being accepted by the Shire for assessment. Investigations with Landgate on this issue and the information available in the Strata Titles Manual deals with this question. The only situation where strata owners are required to sign an application is for either building works on common property, and in the case where certain land uses, which are specifically excluded within Strata By-laws.

The applicant has been requested to provide, prior to the Council meeting on the 25 October 2016 copies of the strata title and By-laws, to ascertain whether any use restriction apply to this strata development. Otherwise, as within any other property within the Shire, land uses are the remit of the Local Authority under Town Planning Scheme No.3.

In the case of the proposed use class 'Public Amusement', legal advice has been received as to whether Council's approval of this activity would allow any land use deemed to fall within this use class at some future time. It confirmed that Council is being requested by the applicant to approval the use of the land for flotation tanks and not the use class itself. Furthermore, each activity within the use class Public Amusement may well have different parking requirements, and require a planning assessment, and would therefore require planning consent.

Under the current Scheme 'Public Amusement' is defined as;

The use of land as a theatre, a cinema, a dance hall, skating rink, swimming pool or gymnasium or for games.

Under draft Local Planning Scheme No.4 'Public Amusement' has been replaced with a broadening of the definition of 'recreation-private' to include:

'...indoor and outdoor leisure activities not usually open to the public without charge'.

Once again any other form of land use within this definition would require a separate Council approval.

The submissions received objected to the proposed land use on several grounds. Although the reasons provided by the objectors requesting that Council reject the application relate directly to the land uses proposed, not all are relevant planning considerations. Below is a table indicating the grounds of objection with a planning response. For the sake of brevity these have been summarised under general headings in the left hand column.

Objection	Planning Response
The development would compromise the structural integrity of the building due to the weight of the pods.	This is not a relevant planning consideration. Structural matters are dealt with by engineers and building surveyors. A planning consent cannot be issued or withheld on assumption concerning structural matters.
Additional plumbing and drainage	These are not planning matters. Plumbing and drainage are dealt with under the Construction Code of Australia.
The change of use requires strata body approval	Council is the planning authority within the Shire and administers the determination of land uses under its Scheme.
Increased water use would place an unfair burden on other strata owners due to there being a shared water meter.	This is not a relevant planning consideration. A possible solution to this financial matter would be the installation of a new meter.
Water in the pods emits an odour and is corrosive through the water treatment used.	The applicant has indicated that roof ventilation would occur to meet current Health Act requirements.
Security of the building	Security is a matter for the owners and tenants of the building. It is only security

	within the public realm that falls within the remit of planning.
Health Concerns	This is an Environmental Health issue. The pods qualify as an aquatic facility and are subject to rigorous testing by staff and the Shire's EHO.
Loss of Amenity	Amenity is a planning consideration. Clients accessing the flotation tanks in a commercial zone would be no different than any other clients visiting this set of offices and consulting rooms.
There is no demand for this business in the locality.	Planning only regulates land use in terms of the compatibility of activities in and between zones. Commercial viability rests entirely between the developer and the market place.
Disabled clients not being able to use the bays adjacent to the Cottesloe Primary School.	It is assessed that it would not be necessary for clients to the flotation therapy suites to use any of these bays on the northern side of Johnston Street.
The building requires universal access of there is a change of use.	Universal access is not required as a result of a change of use under a Local Planning Scheme. However, a change of classification under the Construction Code (if in deed required) may require Universal Access provisions. However, this decision is for a qualified building surveyor. Exemptions on the grounds of hardship are available.
Orderly and Proper Planning	The proposed land use complies with the Shire's parking requirements and is a use that can be considered legitimately in this zone by Council. On this basis it is considered a land use that fulfils the definition of orderly and proper planning.

From a planning perspective the land use proposed is considered very low key and would have no discernible impact on the amenity of the occupiers of the building or the locality generally. Subject to conditions appropriate to this form of development, approval can be recommended.

OFFICER RECOMMENDATION/S – ITEM No. 8.1.4

That Council grant planning approval for change of use from office to four Flotation Tanks in Suites 11, 12, 13 & 14 on Lots 21 & 164 (No. 10) Johnston Street, Peppermint Grove, in accordance with the plans and specifications submitted on 12 August 2016, subject to the following conditions:

1. The proposed land use, the subject of this approval, shall be commenced within two-years of the date of issue of the consent forms.
2. The business shall operate within the hours proposed in the application. Any extension of hours shall be the subject of a separate application.
3. Customers accessing the therapy rooms shall park within the allocated basement car park of the building at 10 Johnston Street.

Advisory Note:

- i) The applicant is advised that a building permit is required for the installation of the flotation tanks that demonstrates the structural capacity of the suspended concrete floor.
- ii) The applicant is advised to contact the Shire in regard to the Environmental Health Requirement with the management and monitoring of the isolation float tanks.

COUNCIL DECISION – 969

AMENDMENT:

MOVED: CR C HOHNEN, SECONDED: K FARLEY

That item number 3 be removed. - Customers accessing the therapy rooms shall park within the allocated basement car park of the building at 10 Johnston Street.

CARRIED: 4/3

Against the Motion: Cr D Horrex, Cr G Peters and Cr S Fleay

COUNCIL DECISION – 970

Substantive Motion:

That:

Council grant planning approval for change of use from office to four Flotation Tanks in Suites 11, 12, 13 & 14 on Lots 21 & 164 (No. 10) Johnston Street, Peppermint Grove, in accordance with the plans and specifications submitted on 12 August 2016, subject to the following conditions:

1. **The proposed land use, the subject of this approval, shall be commenced within two-years of the date of issue of the consent forms.**

- 2. The business shall operate within the hours proposed in the application. Any extension of hours shall be the subject of a separate application.**

Advisory Note:

- i) The applicant is advised that a building permit is required for the installation of the flotation tanks that demonstrates the structural capacity of the suspended concrete floor.**
- ii) The applicant is advised to contact the Shire in regard to the Environmental Health Requirement with the management and monitoring of the isolation float tanks.**

CARRIED: 4/3

Against the Motion: Cr D Horrex, Cr G Peters and Cr S Fleay

At 6.38pm The Shire President R Thomas and Cr P Macintosh left the Council Chambers.

The Deputy Shire President Cr C Hohnen presided in her absence.

DECLARATION OF INTEREST – PROXIMITY

Cr P Macintosh resides opposite No. 19 Irvine Street Peppermint Grove.

DECLARATION OF INTEREST – FINANCIAL

Cr R Thomas resides at No. 19 Irvine Street, Peppermint Grove.

8.1.5 Minor Ground Floor Alterations: Lot Pt 12 (No.19) Irvine Street, Peppermint Grove.

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 5 –	19 Irvine Street

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	19 Irvine Street
Application Index	:	016-184
TPS No 3 Zoning	:	Residential R12.5
Land Use	:	Single Residential
Lot Area	:	m ²
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	
Owner	:	Mr & Mrs Thomas
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.*
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- 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 the removal and replacement of a window with a door and a door with a window, on two elevations on the rear of the house at No.19 Irvine Street, Peppermint Grove.

SUMMARY AND KEY ISSUES

- The alterations proposed house comply with the Scheme.
- The heritage values of the property are not affected
- Approval can be recommended.

LOCATION

Please refer to attached location plan

BACKGROUND

Approval was granted in 1978 for the single storey rear additions on the north western corner of the original house.

Council at its meeting held on 16 July 2001 granted planning consent for alterations and two -storey rear additions, including a detached garage at the rear of the subject site.

Council at its meeting held on the 18 February 2008 granted planning consent for the development of an attached carport on the eastern elevation of the house.

CONSULTATION

The scope of works proposed is considered minor and would not affect the adjoining land owner on this basis

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no Policy implications evident at this time.

STATUTORY IMPLICATIONS

Town Planning Scheme No.3

The minor alterations involving the introduction of a window and door would not affect the development standard involving open space, plot ratio or boundary setbacks.

Heritage

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.

The plans submitted indicate that the form and fabric of the house will be retained as the proposed alterations would only affect the more recent 1978 rear additions to the dwelling. It is assessed that there are no negative heritage impacts associated with this development.

FINANCIAL IMPLICATIONS

There are no costs associated with the proposal 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 submitted for the alterations and additions to the category 1 listed dwelling have been assessed as complying with the Scheme and R-Codes.

The works involve the removal of a window on the southern elevation and its replacement with a pair of French doors. It is also proposed to remove a sliding aluminum door on the western elevation and replace this with mullioned casement windows that would be in keeping with the fenestration house.

There are no objections to the proposed works on planning grounds and approval can be recommended.

OFFICER RECOMMENDATION/S – ITEM No. 8.1.5

That Council grant planning approval for minor ground floor alterations on Lot 108 (No.19) Irvine Street, Peppermint Grove, in accordance with the plans and specifications submitted on 4 April 2016, subject to the following conditions;

1. 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 fourth year.

COUNCIL DECISION – 971

MOVED: CR S FLEAY, SECONDED: K FARLEY

That:

Council grant planning approval for minor ground floor alterations on Lot 108 (No.19) Irvine Street, Peppermint Grove, in accordance with the plans and specifications submitted on 4 April 2016, subject to the following conditions;

1. **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 fourth year.**

CARRIED: 5/0

At 6.41pm The Shire President R Thomas and Cr P Macintosh returned to the Council Chambers.

8.2 INFRASTRUCTURE

Nil

8.3 COMMUNITY DEVELOPMENT

Nil

8.4 MANAGEMENT / GOVERNANCE / POLICY

Nil

8.5 CORPORATE

8.5.1 Financial Report – August 2016

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 6	Financial Report – August 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.*
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PURPOSE OF REPORT

To provide Council with a report of financial activity for the period 1 July 2016 to 31 August 2016.

SUMMARY AND KEY ISSUES

- The financial report for the month ended 31 August 2016, indicates a year-to-date surplus of \$210,375
- Operating revenue is some \$8,061 less than forecast.
- Operating expenditure is some \$154,537 less than forecast.
- Capital expenditure totalling \$60,708 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 2016/17 budget forecast a surplus of \$390,000 to be brought forward from 2015/16.

The actual surplus brought forward at 1st July 2016 was \$495,386 (subject to any audit variations).

This additional \$105,386 relates to expenditure savings and additional revenue not identified at the time the budget was compiled plus around \$40,000 of expenditure associated with the new computer enterprise system software not incurred in June due to a slight delay in

implementation by around 7 weeks. These latter funds will be incurred in the first 3 months of 2016/17 and will require amendments to the 2016/17 IT budget.

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) Employee Costs

Employee costs are some \$13,858 less than expected. This figure relates to timing variances.

(2) Materials and Contracts

Materials and contracts expenses are some \$66,350 less than expected due mainly to invoices relating to July and August yet to be received and processed.

(3) Depreciation

No asset depreciation expenses have been recorded for 2016.

(4) Net Current Assets July 1 B/fwd

See discussion under "Financial Implications" above

(5) Net Current Assets Year-to-Date

Net current assets as at 31 August 2016 exceed the forecast figure by some \$186,864, due to the greater-than expected surplus brought forward from 2015/16 and invoices not yet received and processed.

OFFICER RECOMMENDATION/S – ITEM No. 8.5.1

That the Financial Report for the period 1 July 2016 to 31 August 2016 be received

COUNCIL DECISION – 972

MOVED: C HOHNEN, SECONDED: S FLEAY

That the Financial Report for the period 1 July 2016 to 31 August 2016 be received

CARRIED: 7/0

8.5.2 Accounts for Payment – September 2016
CORPORATE
ATTACHMENT DETAILS

Attachment No	Details
Attachment 7	Accounts for Payment – September 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

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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 September 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.

PAYMENT TYPE

AMOUNT

Credit Card Transactions – MCS and MIS
Cheques
Electronic Funds Transfers 00003 – 00009

TOTAL MUNICIPAL FUND	\$306,795.75
TRUST FUND PAYMENTS	\$0.00
TOTAL	\$306,795.75

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 2016/2017 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 credit card and accounts presented for payment for September 2016 and totalling \$306,795.75 be approved.

COUNCIL DECISION – 973

MOVED: S FLEAY, SECONDED: C HOHNEN

That:

The payment of the cheques, electronic funds payments and credit card and accounts presented for payment for September 2016 and totalling \$306,795.75 be approved.

CARRIED: 7/0

9 NEW BUSINESS OF AN URGENT NATURE

Nil

10 MOTIONS ON NOTICE

Nil

11 CONFIDENTIAL ITEMS OF BUSINESS

Nil

12 CLOSURE

At 6.43pm, there being no further business the meeting closed.