



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

AGENDA

**TO BE HELD ON
TUESDAY 26 JULY 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 **26 JULY 2016**, commencing at 5.30 pm.

MEETING AGENDA ATTACHED

Yours faithfully



Mr John Merrick JP
CHIEF EXECUTIVE OFFICER

26 JULY 2016

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Any person or entity who has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Forum meetings.

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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 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

Elected Member, Cr S Fleay - Approved at the Ordinary Council Meeting 28 June 2016

2.4 NEW REQUEST FOR A LEAVE OF ABSENCE

3 DELEGATIONS AND PETITIONS

3.1 DELEGATIONS

3.2 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

- 1.1 ORDINARY COUNCIL MEETING ~ (28 JUNE 2016)
- 1.2 AGENDA BRIEFING FORUM ~ (12 JULY 2016)
- 1.3 CONCEPT FORUM ~ (12 JULY 2016)

8 CHIEF EXECUTIVE OFFICER REPORTS

8.1 URBAN PLANNING

8.1.1 Proposed Addition to Heritage List Lot 158 (No. 46) View Street Peppermint Grove

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 & 2 –refers	46 View Street

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	N/A
Application Index	:	N/A
TPS No 3 Zoning	:	Residential R12.5
Land Use	:	Single Dwelling
Lot Area	:	1591m ²
Disclosure of any Interest	:	Nil
Previous Items	:	Item 11.1.1 OCM 28 April 2015
Applicant	:	N/A
Owner	:	Mr & Mrs Paton
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 the recommendation made for the inclusion of No. 46 View Street on the Municipal Inventory.

SUMMARY AND KEY ISSUES

- A preliminary assessment in 2015 indicated that further historical research was needed to assess the heritage value of the building at 46 View Street.
- The Shire Heritage Consultant has assessed the place as a Category 1 under the Municipal Inventory.
- A response to the assessment has been provided by the landowner's Heritage Consultant.
- Inclusion of No. 46 View Street as a category 1 place on the Municipal Inventory has been recommended.

LOCATION

Please refer to attached location plan.

BACKGROUND

Council at its meeting held on the 28 April 2015, resolved to conduct a heritage assessment of at least two properties in Peppermint Grove, which included No. 46 View Street as part of the review of the Municipal Inventory.

In August 2015, the Shire's Heritage Consultant completed a report on the house at 46 View Street and this was sent to the landowners of No. 46 View Street Peppermint Grove, for comment prior to being considered by Council.

There was a further exchange of letters between the landowners and the Shire in regard to the likely impact of a category 1 listing on the property. The concerns raised were centred on the ability of future owners to modify the building to meet contemporary living standards.

In February 2016, the landowners requested that the matter be deferred to allow further consideration and if necessary seek architectural advice in response to the Shire's heritage report.

The response by the land owner's Heritage Consultant was submitted on the 24th of May 2016, and forms attachment 2 to this report. The Shire's Heritage Consultant was requested to respond and this was completed in June 2016. Both of these letters form attachments to this report together with the original assessment by the Shires Heritage Consultant.

CONSULTATION

The affected landowners were advised of the proposal for a heritage assessment of the property and have been in communication with the Shire through the process to date.

Attached is a copy of the landowner's letter outlining their grounds of objection to a category 1 listing, which included a request that Council consider instead a category 2 listing for this building.

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

Under Part 5 of the Scheme, Clause 5.1.2, Council is required to;

`...establish and maintain a Heritage List of buildings; objects, structures and places considered to be of heritage significance and worth(y) of conservation.

Furthermore, under Clause 5.1.2.2 of the Scheme the Heritage list means;

`...the Municipal Inventory, as amended from time to time, prepared by the Council is pursuant to Section 45 of the Heritage Act of Western Australia.

Section 45 of the Heritage Act of Western Australia requires inter alia that;

`...A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.

‘Furthermore, under section 45 (4) prior to the entry of a place on a heritage list there must be

`... proper public consultation.

However, both the Heritage Act and the current Scheme provide no guidance as to what would constitute ‘proper public consultation’ in regard to entry on the Shire’s Municipal Inventory.

Nevertheless, draft Local Planning Scheme No.4 provides a process for adoption or deletion of a heritage place, which has been used in this assessment process.

FINANCIAL IMPLICATIONS

The financial costs associated with the heritage assessment of No. 46 View Street, has largely been met and were in the region of \$4,000. Further minor costs are anticipated with

the development of a data sheet in the event Council resolves to include the place on the Municipal Inventory during the 2016-17 financial year.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The assessment of this house, built over the period 1932 to 1938, indicates that it carries in common heritage values in the Shire with other similar buildings constructed during the inter-war period.

The method used for the assessment of the house by the Shire's Heritage Consultant was conducted under the *State Heritage Office Assessment Documentation Standard Scope of Work*.

The concerns expressed by the landowners in regard to the adaptability of the building for subsequent owners was addressed in a letter dated 15 December 2015, which stated;

'...it is not Council's intention that a heritage listed dwelling becomes preserved to an extent that it would bind the owners/occupiers to a standard of amenity below that available in modern housing.

In the case of bathrooms, toilets and kitchens, there is every ability to upgrade these facilities to the landowner's satisfaction. This is in line with the Burra Charter where pragmatic changes to heritage places to ensure their on-going use, and therefore preservation is encouraged.

It is Council's expectation from a heritage perspective that a listed property's form and fabric be retained and preserved as well as its setting, particularly where the building adds positively to the streetscape.

The definition of a category 1 building is;

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

This definition of a category 1 building provides in Council's view, scope to allow alterations and additions as outlined. It is also possible, providing that the amenity of adjoining properties is not adversely affected, for Council, to vary development standards where it

would assist in the preservation of a heritage dwelling. This ability to vary standards also extends to being able to vary the minimum lot area requirements for the subdivision of land by five percent.

The landowners replied in January 2016, (please see attachment) that the original assessment of the house in the O'Brien report (1999), did not seek to include No. 46 View Street on the Municipal Inventory. It is also stated that no new evidence has emerged since that time in regard to the history of the house.

However, the O'Brien report consisted of a list of houses for possible inclusion, based largely on a street level of assessment, rather than a thorough review of surviving plans and other source material that would be considered standard practice today. Although O'Brien report conducted an initial report on the Municipal Inventory following a selection process, Council subsequently chose Hocking Heritage to provide an in depth assessment of each of the nominated final Municipal Heritage Inventory places.

It must be also kept in mind that a Municipal Inventory (MI) is a living document. This concept of MI's being works in progress is acknowledged under section 45 of the Heritage Act, which requires a review of the Inventory at five yearly intervals. This ensures that any buildings that may have been overlooked can be assessed as well as dealing with any new evidence that may affect the status of a place currently listed. Council initiated a review of the Municipal Inventory in early 2015, and updated the information on several properties, as well as including 58A Leake Street as a Category 2 place in November 2015.

As outlined in the attachments to this report, the land owner's Heritage Consultant has questioned the assessment by the Shire's own Heritage Consultant that the building at No. 46 View Street has sufficient merit on established heritage grounds for inclusion on the MI as a Category 1 building. The alternative assessment offered by the landowners Heritage Consultant suggests that although the building has heritage value, it is limited and does not meet the same criteria as other category 1 places located in the Shire, and only warrants inclusion on the MI as a Category 2 place.

A Category 2 place is defined as;

Buildings which also contribute to the character and atmosphere of Peppermint Grove.

These buildings may be altered or extended in a manner which recognises and retains some original features or which may be demolished, but the replacement building should recognise by its position the adjoining residence and precinct...

There is broad agreement from both the Shire's and the landowner's Heritage Consultant that the place has heritage value and is worthy of inclusion in the MI. The difference of opinion is based on how the heritage value that can be attributed to a building, and the relative weighting given to whether it was architect designed and/or was of a single and notable style.

However, the attribution of a building to an architect, and its style to a distinct 'school' are but two elements amongst several in the assessment of its relative contribution to the

heritage of an area such as Peppermint Grove. While a building by a famous architect skilled in a distinct style are considered something almost essential for the inclusion of a building on a state or nationally based heritage list, this is not so in the case of a Municipal Inventory. The formation of an MI, by allowing a range of buildings of local value to be included, provides both breadth and depth to a local heritage list.

The Heritage Consultant's report has assessed the house at No. 46 View Street using accepted heritage research methods, and has formed the opinion as to the relevant heritage values of the house at No. 46 View Street. On this basis a recommendation has been made to include the house at No. 46 View Street as a Category 1 place on the Shire's heritage list.

OFFICER RECOMMENDATION/S – ITEM No. 8.1.1

That Council resolves to;

- 1. Include the place at Lot 158 (No. 46) View Street Peppermint Grove, in the Municipal Inventory as a Category 1 place, on the grounds outlined in the Heritage Consultants report dated August 2015.**
- 2. Advises the land owner of the decision.**

8.1.2 Alterations and Single Storey Additions Lot 101 (No. 26R) Leake Street
 Peppermint Grove

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 2	26R Leake Street

Voting Requirement	:	Simple Majority
Subject Index	:	Property
Location / Property Index	:	26R Leake Street
Application Index	:	015-169
TPS No 3 Zoning	:	Residential R12.5
Land Use	:	Single Dwelling
Lot Area	:	992m ²
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	R & F Kibblewhite
Owner	:	R & F Kibblewhite
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 alterations and single storey additions that would include an eastern boundary side setback variation from 1.5-metres to 1.0-metre on this battle-axe lot.

SUMMARY AND KEY ISSUES

- The additions are modest tin scale.
- The setback variation from 1.5-metres to 1.0-metre would have minimal impact.
- No objections have been received.
- Conditional approval is recommended.

LOCATION

Please refer to the attached location plan.

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 planning 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.
<u>RESIDENTIAL DESIGN CODES</u>		
Deemed to comply		Assessment/Comment
1.	6-metre rear setback	7.9-metre setback: Complies.
2.	55% Open Space	71% open space: Complies.
3.	1.5-metre side setback	Refer to <i>Officer Comment</i> section

Heritage

The adjoining dwelling at No. 28 Leake Street is listed as a category 1 property on the Shire Municipal Inventory.

The location of the proposed additions is well clear, by at least 20-metres, from the heritage listed dwelling on the adjoining lot. Given the additions are modest in scale it is assessed that there would be no negative impacts from a heritage perspective if the application submitted was supported by Council.

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 plan submitted indicates that the eastern side setback is proposed at 1.0-metre. This wall is proposed at 17.6-metres in length which includes the 4-metre length of the addition

proposed to bedroom 2. Under Table 1 of the R-Codes, walls without major openings in excess of 9-metre in length, and less than 3.5-metres in height, require a minimum setback of 1.5-metres in order to meet the Deemed-to-comply provisions of the R-Codes. Under the Design principles of the R-Codes (Clause 5.1.3) variations can be supported where it is demonstrated there is no loss of access to direct sunlight and ventilation, no excessive impacts of bulk and scale or loss of privacy resulting from a setback variation to an adjoining property.

Both the wall height at 2.5-metres, and roof pitch of approximately 22 degrees, are elements that contribute to an unimposing dwelling. The additions proposed in this application would match the wall height and roof pitch of the existing dwelling so that bulk and scale are not considered issues here. At the same time the relative locations of the dwellings on both the eastern lot, and the subject site, means that the 500mm setback variation proposed would not impact the adjoining/affected property in terms of sunlight and ventilation. The fact that the additions are single storey, only ensure that privacy is maintained. It is assessed on this basis that the proposed boundary setback variation would comply with the Design principles of the R-Codes.

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 101 (No.26R) Leake Street Peppermint Grove, in accordance with the plans and specifications submitted on 24 June 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 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.**
- 3. The submission of a building management plan prior to the issue of a building permit for the proposed development outlining the how building materials deliveries and trades parking to the site will be managed without affecting access to adjoining properties along the right-of-way.**
- 4. 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 reduced eastern boundary**

setback from 1.5-metres to 1.0-metres 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 – June 2016

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 3	Financial Report – June 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 an interim report of financial activity for the period 1 July 2015 to 30 June 2016.

SUMMARY AND KEY ISSUES

- The **INTERIM** financial report for the twelve months ended 30 June 2016, indicates a year-to-date surplus of \$650,094, some \$648,373 more than forecast.
- Operating revenue (including rates) is some \$70,603 more than forecast.
- Operating expenditure is some \$148,539 less than forecast (\$246,000 after deduction of depreciation and loss on sale of assets, being non-cash items).
- Capital expenditure totalling \$404,944 has been incurred during 2015/16.

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 all 2015/16 transactions except creditor invoices for June yet to be received and processed and some balance day accruals and adjustments.

The presently reported variation in net current assets - \$648,373 – will be reduced by at least \$150,000 as a result of the above but is well on track to exceed the forecast 30th June 2016 surplus of \$390,000 forecast in the 2016/17 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) Fees and Charges

Revenue from fees and charges exceeds the estimated year-to-date budget by some \$38,891.

This strong performance relates mainly to town planning and building fee income being well in advance of the budget at this point-in-time.

(2) Grants & Subsidies

All grants and subsidies were received with the exception of a \$26,660 regional road grant relating to the Bay View Terrace asphalt overlay project, deferred until October 2016. \$18,552 (40% of the grant) relating to this project has already been received and will be carried forward to 2016/17 as restricted cash. No expenditure on this project was incurred in 2015/16.

(3) Contributions & Reimbursements

Revenue from contributions and reimbursements is some \$17,686 less than expected. This is due mainly to the impact of savings in the library operations (employee costs and materials and contracts) resulting in reduced recoups from the Towns of Mosman Park and Cottesloe.

(4) Other Revenue

Revenue from other sources exceeds the estimated year-to-date budget by some \$77,321.

This relates mainly to additional interest on overdue rates (\$13,513), a reimbursement for workers compensation payments (\$6,761) and a refund of carbon tax paid to the City of Rockingham via WMRC (\$55,147).

(5) Employee Costs

Employee costs are some \$69,686 less than expected. This figure excludes accrued salaries and movements in leave provisions to 30th June 2016.

(6) Materials and Contracts

Materials and contracts expenses are some \$168,902 less than expected due mainly to invoices relating to 2015/16 yet to be received and processed.

(7) Depreciation

Asset depreciation expenses are some \$83,794 more than expected due to a revision of depreciation rates, residual values and asset life expectancies during the financial year.

(8) Profit/Loss on Sale of Assets

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

<u>By Class</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	2015/16 BUDGET	2015/16 BUDGET	2015/16 BUDGET
	\$	\$	\$
Plant and Equipment			
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 for 2015/16:

	Net Book Value	Sale Proceeds	Profit(Loss)
	ACTUAL	ACTUAL	ACTUAL
Plant and Equipment			
Holden Commodore Utility	24,125	23,778	(347)
Mitsubishi Challenger	31,683	25,042	(6,641)
Holden Colorado	17,033	17,273	240
Mazda BT50	18,503	16,727	(1,776)
Ford Ranger XLT	40,000	40,000	0
Tenant Street Sweeper	4,000	2,858	(1,142)
Caterpillar 904B Loader	30,405	26,000	(4,405)
	165,749	151,678	(14,071)

(9) Land & Buildings

Two capital projects – Replace wall at rear of Administration Office/Grove (\$60,000) and Keane's Point kiosk headworks (\$20,000) - carried forward to 2016/17.

(10) Road Infrastructure

Three capital projects – Monument Street (\$20,000), Bay View Terrace (\$69,570) and Kerbing (\$20,677) – carried forward to 2016/17.

(11) Footpath Infrastructure

Balance of renewal works (\$40,429) carried forward to 2016/17.

(12) Parks & Reserves Infrastructure

Riverwall renewal works (\$105,000) carried forward to 2016/17.

(13) Drainage Infrastructure

All expenditure relating to the Johnston Street drainage sump has been re-allocated to operating expenditure (that is, cannot be capitalised). Unexpended \$47,150 in this category forms part of the general surplus carried forward to 2016/17.

(14) Transfers from Reserves

Proposed transfer from Public Open Space cash reserve for riverwall works not performed in 2015/16. Re-budgeted to occur in 2016/17.

(15) Rates

At present rate income is some \$10,591 less than anticipated due mainly to advance rates payments in 2014/15 being accounted for in that year (and reversed in 2015/16) plus very little in the way of rates growth from building activity.

OFFICER RECOMMENDATION/S – ITEM No. 8.5.1

That the interim Financial Report for the period 1 July 2015 to 30 June 2016 be received.

8.5.2 Accounts for Payment – June 2016
CORPORATE
ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 4	Accounts for Payment – June 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.*
- 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

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 June 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 – 1 – 2, 416, DD5861, 5867, 5903, 5912	
Cheques 203 - 205 (Inclusive)	
Electronic Funds Transfers 10310 - 10386 (Inclusive)	
TOTAL MUNICIPAL FUND	\$338,951.85
TRUST FUND PAYMENTS	\$0.00
TOTAL	\$338,951.85

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 June 2016 and totalling \$338,951.85 be approved.

9 NEW BUSINESS OF AN URGENT NATURE

10 MOTIONS ON NOTICE

(Automatically sent back to Administration for consideration at the next Council Meeting)

11 CONFIDENTIAL ITEMS OF BUSINESS

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
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.*