



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

MINUTES

HELD ON
TUESDAY 28 AUGUST 2018
AT
5.30 PM



Shire of Peppermint Grove

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Shire of
Peppermint Grove**ORDINARY COUNCIL MEETING MINUTES****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 media present indicated that they were not recording the meeting.

The Affirmation of Civic Duty and Responsibility was read aloud by Councillor Hohnen.

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 efficient, effective and orderly decision making within this forum.

2 RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE**2.1 ATTENDANCE**

Shire President
Deputy Shire President
Elected Member
Elected Member

Cr R Thomas
Cr C Hohnen
Cr D Horrex
Cr G Peters

Chief Executive Officer
Manager Library and Community Services
Manager Corporate Services
Manager Infrastructure Services
Manager Development Services

Mr Don Burnett
Ms D Burn
Mr P Rawlings
Mr D Norgard
Mr R Montgomery

Visitors 0
Gallery 0 Members of the Public
2 Members of the Press

2.2 APOLOGIES

Elected Member Cr K Farley
Elected Member Cr P Macintosh

2.3 LEAVES OF ABSENCE

NIL

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 5.34pm 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

Were 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

NIL

4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

NIL

4.3 DEPUTATIONS OF THE PUBLIC

NIL

At 5.35pm, there being no 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

NIL

5.2 PROXIMITY INTEREST

NIL

5.3 IMPARTIALITY INTEREST

Cr Horrex declared an Impartiality Interest in Items 8.1.1 and 8.1.2

The nature of the interest being that she is a past pupil, parent and former secretary of Old Collegians.

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 24 JULY 2018

COUNCIL DECISION – 1224

Moved: Cr Horrex

Seconded: Cr Hohnen

That the Minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 24 July 2018 be confirmed as a true and accurate record

CARRIED 4/0

7.2 ORDINARY COUNCIL MEETING 26 JUNE 2018

Correction to item 8.1.2 at the 26 June 2018 meeting.

"This report referred to the zoning as R40 in a number of places within the report whereas it should be referred to as R80. It is recommended that although Council has confirmed the minutes to be a true and correct record, that a notation be placed in minutes advising the where R40 appears in report 8.1.2 it should be read as R80. The resolution of Council for the report is not affected by this technical correction. "

COUNCIL DECISION – 1225**Moved: Cr Hohnen****Seconded: Cr Horrex**

That Council places a notation report 8.1.2 of the 26 June, 2018 meeting noting that where R40 appears in the report it should be read as R80, also noting that the resolution for this report is not affected by this technical correction.

CARRIED 4/0**7.3 AGENDA BRIEFING FORUM****14 AUGUST 2018****COUNCIL DECISION – 1226****Moved: Cr Peters****Seconded: Cr Horrex**

That the Minutes of the Agenda Briefing Forum, of the Shire of Peppermint Grove held in the Council Chambers on 14 August 2018 be confirmed as a true and accurate record.

CARRIED 4/0

8 CHIEF EXECUTIVE OFFICER REPORTS

8.1 URBAN PLANNING

DECLARATION OF INTEREST – IMPARTIAL

Cr Horrex declared an Impartiality Interest in Item 8.1.1

8.1.1 Transportable teaching and learning facility (tennis courts) Presbyterian Ladies College (PLC) Lot 69 (14) McNeil Street, Peppermint Grove.

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 – Item refers 8.1.1	8.1.1 - PLC – 14 McNeil Street

Voting Requirement	:	Simple Majority
Subject Index	:	DB027B
Location / Property Index	:	14 McNeil Street, Peppermint Grove
Application Index	:	DA2018/00018
LPS No 4 Zoning	:	Private Clubs, Institutions and Place of worship
Land Use	:	Private School
Lot Area	:	44,000m ²
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	Parry & Rosenthal Architects
Owner	:	Presbyterian Ladies College
Responsible Officer	:	Manager Development Services - Mr Ross Montgomery

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

Council has received an application from Parry and Rosenthal Architects on behalf of the Presbyterian Ladies' College (PLC) for Planning Approval.

It is proposed to install a demountable building (called a temporary learning block) on the concrete playing field deck situated just to the north of Pindari Place in Peppermint Grove.

SUMMARY AND KEY ISSUES

- Temporary use of demountable buildings installed on a hard surface tennis court area on Presbyterian Ladies College school grounds and then to be removed.
- Music Teaching and Rehearsal Facility proposed for buildings;
- Period of 18 months of use of the demountable buildings;
- Removal of buildings following 18 months.

LOCATION

See Location Map attachment 8.1.1

BACKGROUND

This application seeks the granting of approval for the installation of demountable buildings to be used on a temporary basis (18 months) for music theory and practice activities. The proposed temporary facilities are required due to the current refurbishment of existing classrooms.

The School is in the process of upgrading Finlayson House – a heritage listed building - to form part of a new boarding house. The installation of the demountable buildings will accommodate a teaching and learning activities facility for the students dislodged from Finlayson House for the duration of the building upgrade works.

The demountable buildings are proposed to be placed on the hard surface tennis court (concrete deck) to the north of Pindari Place immediately to the east of the Sport and Recreation Centre. They will be used for a period of 18 months.

CONSULTATION

The development is consistent with the LPS4 and is entirely within the School site. No consultation is required in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Local Planning Scheme No.4

The site is Zoned: Private Clubs, Institutions and Places of Worship in the Scheme. The proposed use for Educational Establishment has already been approved for the site and this use complements the prevailing use of the entire site for a school.

The proposal complies with relevant Scheme provisions: the location of the building meets setback requirements and does not overshadow adjoining properties.

There are no additional staff required for the building as this is a relocation of an existing school activity. Car parking requirements are unchanged by the proposal.

FINANCIAL IMPLICATIONS

The proposal involves a \$500 000 investment in improving the school facilities.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The improved teaching and learning facility will benefit local residents attending the school.

OFFICER COMMENT

The requested approval will facilitate the renovation and fit out of the music learning facilities at PLC during the period of the refurbishment of other buildings including the Finlayson House (Heritage Listed) located on the corner of View and McNeil Streets.

All works are to be supervised by a Heritage Architect to ensure there is no detriment to the fabric or meaning of Heritage Listed buildings resulting from the refurbishment works.

The proposed placement of a temporary teaching and learning facility onto the hard surfaced tennis courts caters for existing students and does not alter site operation or development requirements for the school. The use of transportable buildings for a temporary period provides for the re-organisation of the school teaching and learning programs entirely within their site boundaries. The building should only be approved subject to removal once the use can be otherwise accommodated.

The transportable buildings are entirely within the Presbyterian Ladies College school grounds. The site is set back from Pindari Place to accord with the Scheme and residential properties to the south are screened by a stand of mature trees. There is therefore no potential for overlooking of residential properties.

The teaching and learning facility will only operate from the transportable buildings for a period of 18 months and after this time they will be removed and the site restored back to use for sport.

The application indicates a laydown area for works across Pindari Place. The Shire does not approve this activity to occur because it will block access and impair circulation of local traffic accessing residences and the school. All laydown areas should be included within the area of the School.

OFFICER RECOMMENDATION – ITEM NO 8.1.1

That Council grants planning approval for the proposed placement of a teaching and learning facility onto the hard surfaced tennis courts at the rear of Presbyterian Ladies College at Lot 69, 14 McNeil Street, Peppermint Grove, in accordance with the plans (Reference DA01-DA05 dated as received 7 July 2018) and specifications dated 6 July 2018, and subject to the following conditions;

1. The development the subject of this approval must at all times comply with the plans approved by the Shire as part of this approval (Approved Plans).
2. No laydown or storage of building materials is allowed off-site. All building materials are to be kept on the Presbyterian Ladies College site for the duration of the development. The secondary rear street of Pindari Place shall be kept clear for traffic at all times.
3. A Site Access and Works Management Plan is to be prepared for the installation of the transportable buildings and submitted to the Shire to be considered for the issue of approval *prior to the issue of a building permit*. The Plan is to address the overall circulation of traffic to the site, access for staff, student and visitor parking and dedicated on-site parking for all workers and contractors associated with the installation of the transportable buildings.
4. Nomination of a Site Superintendent/Manager and telephone contact number for the duration of all development works associated with this approval. Details of the Site Superintendent/Manager and contact details to be advised for information purposes to neighbouring properties together with a brief explanation of the works and the timeframe for the installation of the transportable buildings.

Advice Notes

With regard for Condition 1 all subsequent building plans required to implement this Planning Approval or subsequent use of the site and premises shall not be certified for issue of a Permit unless they agree with Planning Approval Conditions, Approved Plans and other site-relevant planning requirements (LPS 4) of the Shire of Peppermint Grove.

COUNCIL DECISION – ITEM NO 8.1.1**MOVED: CR HOHNEN****SECONDED: CR HORREX**

That Council grants planning approval for the proposed placement of a teaching and learning facility onto the hard surfaced tennis courts at the rear of Presbyterian Ladies College at Lot 69, 14 McNeil Street, Peppermint Grove, in accordance with the plans (Reference DA01-DA05 dated as received 7 July 2018) and specifications dated 6 July 2018, and subject to the following conditions;

1. The development the subject of this approval must at all times comply with the plans approved by the Shire as part of this approval (Approved Plans).
2. No laydown or storage of building materials is allowed off-site. All building materials are to be kept on the Presbyterian Ladies College site for the duration of the development. The secondary rear street of Pindari Place shall be kept clear for traffic at all times.
3. A Site Access and Works Management Plan is to be prepared for the installation of the transportable buildings and submitted to the Shire to be considered for the issue of approval *prior to the issue of a building permit*. The Plan is to address the overall circulation of traffic to the site, access for staff, student and visitor parking and dedicated on-site parking for all workers and contractors associated with the installation of the transportable buildings.
4. Nomination of a Site Superintendent/Manager and telephone contact number for the duration of all development works associated with this approval. Details of the Site Superintendent/Manager and contact details to be advised for information purposes to neighbouring properties together with a brief explanation of the works and the timeframe for the installation of the transportable buildings.
5. This Approval shall be for a period of 2 years from the date of issue of a Building Permit.
6. All demountable/transportable buildings shall be removed and the site restored to its former condition as play areas upon the expiry of the Approval

CARRIED 4/0

DECLARATION OF INTEREST – IMPARTIAL

Cr Horrex declared an Impartiality Interest in Item 8.1.2

8.1.2 Internal works for a Boarding House at Finlayson House, Presbyterian Ladies College on Lot 69 (14) McNeil Street, Peppermint Grove

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment – Item 8.1.2 refers	8.1.2 – 14 McNeil Street, Peppermint Grove

Voting Requirement	:	Simple Majority
Subject Index	:	DB027B
Location / Property Index	:	14 McNeil Street, Peppermint Grove
Application Index	:	DA2018/00019
LPS No 4 Zoning	:	Private Clubs, Institutions and Place of Worship
Land Use	:	Private School (Residential Building)
Lot Area	:	44,428m ²
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	Parry & Rosenthal Architects
Owner	:	Presbyterian Ladies College
Responsible Officer	:	Manager Development Services - Mr Ross Montgomery

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

Presbyterian Ladies' College school proposes to refit a house, (Finlayson house) for use as a boarding house. The works are predominantly internal, however the building is on the Shire Heritage List and all works require a planning application be submitted for Council consideration.

A planning application has been submitted for internal modifications to develop a School Boarding facility of the Heritage Listed dwelling at Lot 69 (14) McNeil Street, Peppermint Grove (corner of View and McNeil St) making up part of the Presbyterian Ladies College school grounds.

The building is currently being used for Music Classes at PLC and this proposed change to a Boarding House layout for student accommodation will be a return to previous use for student accommodation (it was a Boarding House in the past).

SUMMARY AND KEY ISSUES

- The dwelling is on the Shire Heritage Inventory (Cat 2), named Finlayson House.
- The internal alterations will facilitate a change from Music Classrooms to a Boarding House. These uses are permissible within the LPS 4 zoning *Private Clubs, Institutions and Places of Worship*.
- The change of use is described as temporary to accommodate some re-organisation of activities between buildings whilst renovations and rebuilding works are undertaken.
- Finlayson House will be used as a boarding facility for at least 5 years.
- The internal works are to be carried out over a 12 week period.
- Heritage Architect being engaged to document heritage elements that have been removed or compromised during the Construction stage so these can be later restored as part of returning the house to its original condition and layout.

LOCATION

See attached Location Plan – 8.1.2

BACKGROUND

PLC advises it has increased the quota of students boarding at the school campus for the next few years of business operation.

Should the increase for student boarding facilities at the School be sustained, PLC will commit to build a new purpose-designed Boarding House and a new Music Classroom over the next five years.

This proposal to refit Finlayson House is to accommodate initial intake of student boarders. PLC is a major educational facility within the Shire. It occupies 4.4428 hectares, employs 220 people and teaches to 1,135 students. It participates in local community culture and activities.

CONSULTATION

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

STRATEGIC IMPLICATIONS

PLC school is an important land use and community activity because it provides high standards of education and community development for young people who either live locally or else come from far away to learn in Peppermint Grove.

The expansion of boarding facilities at the School signifies a shift in educational focus to cater for demand of non-local students.

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

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

This matter is before the Council for consideration because it involves development to a building on the heritage list. The re-fit of Finlayson House will accommodate additional boarding students. This is necessary because the current boarding house is at capacity and the school has increased its intake of boarders.

Although the proposal has been described as a temporary measure, the period of use is indeterminate. Applicant has been unable to clarify a precise period other than 5 – 8 years or longer, and although the school has no strategic plan or statement at the moment (it has apparently been working to prepare a masterplan for the entire school campus).

The proposed works to the heritage listed building are to make the building suitable for student housing as a boarding house, and the use in this regard is defined to be Residential Building in the LPS 4. This use is D in the Zoning Table which means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

The works are internal only and will reconfigure the layout of the building from a Music Classroom to a more suitable building for a Boarding House for an indeterminate period in excess of five years.

Any internal heritage elements and fixings compromised by the internal works of the building will be noted by a heritage architect engaged to provide reporting through the various stages of construction to document what heritage elements have been removed and earmark future return of these elements once the Boarding House use of the building has ceased.

For Council to approve this application it should be satisfied the proposal stands on its own merits as if it were a permanent change (because within the context of the Scheme the notion of temporary approval does not diminish other Scheme requirements).

The proposal provides for the continuation of Finlayson House for residential purposes. This reflects the building's original intent, albeit not as a boarding house.

The viability of PLC school is reliant on the capability to either comprehensively redevelop, or to adapt and re-use buildings to meet operational and business requirements.

The Council in considering this application for approval should ensure that the heritage values, significance and building fabric be documented, conserved and or managed in such a way as to not destroy the heritage value of the place in perpetuity.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.1.2

MOVED: CR PETERS

SECONDED: CR HOHNEN

That Council grants planning approval for the proposed internal remodelling of Finlayson House on Lot 69 (14) McNeil Street, Peppermint Grove, so as to be suitable for use as a Residential Building (Boarding House) by Presbyterian Ladies College school. All works are to be in accordance with the plans (Reference DA0.00, DA00.1, DA1.01, DA1.03) which are to be referred to as the Approved Plans; and subject to the following Conditions of Approval:

- 1. The development the subject of this approval must at all times comply with the plans approved by the Shire as part of this approval.**
- 2. All subsequent building permits issued as required to implement this Planning Approval shall reflect and agree with Planning Approval Conditions,**

Approved Plans and other planning requirements instructed by the Shire of Peppermint Grove for this approval.

- 3. A Site Access and Works Management Plan is to be prepared for the delivery and storage of materials, construction worker parking and resolution of this with overall school road access and parking for the duration of works. The Plan is to address the overall circulation of traffic to the site, access for staff, student and visitor parking and dedicated on-site parking for all workers and contractors associated with the works. The Site Access and Management Plan is to be submitted to the Shire to be considered for approval prior to prior to the issue of a building permit to implement the approval.**
- 5. Nomination of a Site Superintendent/Manager and telephone contact number for the duration of all development works associated with this approval. Details of the Site Superintendent/Manager and contact details to be advised for information purposes to neighbouring properties together with a brief explanation of the works and the timeframe for completion of the works.**
- 6. Prior to commencement the completion and submission for approval of a detailed heritage impact management Report which:-**
 - a. Details every heritage element that is being removed/compromised by the internal fit out.**
 - b. Detail and earmark those elements to be replaced back into the heritage building once the Boarding House use has ceased so that Finlayson House may be viewed and experienced as if it were original and faithful to its Heritage elements.**

Advice Note

Council in considering the proposed planning applications is aware that PLC as a priority should prepare and formalise, in discussion with the Shire, a Strategic Masterplan to guide all future school developments

CARRIED 4/0

8.1.3 Continuation of Non-Conforming Land Use application at Lot 330 (550) Stirling Highway, Peppermint Grove

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 2 – Item refers	8.1.3 Change of Use – Location Plan only

Voting Requirement	:	Simple Majority
Subject Index	:	DB027B
Location / Property Index	:	550 Stirling Highway, Peppermint Grove
Application Index	:	DB027B
LPS No 4 Zoning	:	Mixed Use
Land Use	:	Office
Lot Area	:	715m
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	Mr Jon McComish MAEK Design
Owner	:	Ms Prue Benjamin
Responsible Officer	:	Manager Development Services Mr Ross Montgomery

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

550 Stirling Highway is the old Police Station building. It is on the Heritage List. The premises has been used for several years for the offices of a landscape architect, but this business ceased several months ago now.

Council has received a planning application for the premises to be re-occupied for office use by MAEK Homes – a building business.

‘Office’ use which is not permitted in the Mixed-Use zone of LPS 4 unless the Shire has exercised its discretion to approve, and only once the matter has been subject to giving special notice (pursuant to cl.64 deemed provisions) and any comments received have been considered.

Council has received the planning application on August 3 and has written to abutting property owners, as well as requested a sign be erected on the premises to advise of the proposal and seeking comments.

SUMMARY AND KEY ISSUES

- | |
|---|
| <ul style="list-style-type: none">• Continuation of the previous use of the land, being office administration, for a building company.• Category 1 Heritage Listed Dwelling. |
|---|

LOCATION

See attached Location Plan only – 8.1.3

BACKGROUND

A planning application has been submitted by the property owner of 550 Stirling Highway (old Police Station) for the premises to continue to be used as an Office. The premises has been vacant (untenanted) for just over 6 months.

The application seeks permission (Cl.22 – Non-conforming Use) to continue a non-conforming use of the old Police Station as offices – something which has been continuously operating for the past 18 years as an office for landscape architectural firm (Blackwell & Associates). Prior to this time the building was a functioning Cottesloe Police Station for nearly 90 years in the Peppermint Grove District

The site is on land zoned in LPS 4 as Mixed Use. Office activity of the premises is a non-conforming use at the time of the Scheme (LPS 4) being gazetted in October 2017.

Clause 22 of LPS No 4, provides for the continuation of a non-conforming use (after the elapse of 6 months or longer period of vacancy but only subject to specific Council consideration and approval). For this to occur the owner must lodge a change of use planning application for the Council to approve the continued non-conforming land use.

The owners want (subject to Council approval) to lease the premises to MAEK Building company for their office administration of the business.

CONSULTATION

Letters were sent out on 6 August 2018 to three neighbouring properties at 430 & 552 Stirling Highway and 1 Johnston Street, Peppermint Grove.

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

<u>LOCAL PLANNING SCHEME NO. 4</u>		
Scheme Requirement/Clause		Assessment/Comment
1.	Use Table Property Zoned: 'Mixed Use' Use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice.	Special Public Notice has been fixed to the office front window and also 3 abutting properties have been advised in writing their comments, if any are requested within 14 days.
2.	LLP 3 – Heritage Places	As discussed, the premises is on the Heritage List. Ongoing commercial use of the premises will increase the potential for the building and grounds to be managed and preserved and the heritage to be read through experience with the remaining structures.

FINANCIAL IMPLICATIONS

Approval of the continuation of the use will result in the vacant premises becoming a site for a local business, offering services to and providing employment and other benefits to the local community.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The office has sat untenanted for roughly 6 months and as such a new lease for an office administration for a local building company will have a positive effect on the area and ensure the premises may be occupied, maintained and appreciated for its intrinsic cultural heritage values.

OFFICER COMMENT

The old police station is on the Shire Heritage List because it has cultural heritage value, it is a local landmark which punctuates the journey between Perth and Fremantle along Stirling Highway.

In granting approval it is important to consider if the proposed use will contribute to the ongoing preservation of the building and grounds. It may be considered for the premises to be commercially occupied for the proposed use this may lead to the building and its intrinsic heritage qualities being managed and preserved.

Should Council support the continuation of office uses, this may provide the practical cash-flow necessary for the owners to undertake essential and necessary maintenance and repairs to a building which is now well over 100 years of age.

MAEK as the intending tenant provide bespoke building design services and have a catalogue of projects completed within the Shire and the wider western suburbs of Perth. It is logical they want to locate their business within the Shire of Peppermint Grove.

The occupation of the premises by MAEK will involve minimal signage be installed for commercial street aspect.

Any internal refurbishment works are to be carried out to update the premises for purposes of offices and which will respect the integrity of the building to return the interior to partitioned offices. The design of the partitioning will be sympathetic to the heritage aesthetics of the old police station.

When the non-conforming use has discontinued for 6 months or more a planning application is required to seek planning approval from Council to continue this non-conforming use. The LPS 4 requires that for 'Office use' to continue as a non-conforming use under the zoning of Mixed Use for the site, it is required that Council to issue an approval using its discretion.

This discretion is guided by the context of the use, the zone intent as well as any relevant comments provided following special notice given under cl.64 of the deemed provisions. In

accordance with cl.64 the proposal was notified to abutting owners and a sign placed on site calling for any comments to be submitted in writing to the Shire within 14 days.

Mixed Use is intended to provide for a wide variety of active street level uses which includes but is not restricted to offices. Notwithstanding the stated intent for a range of uses the only use in LPS 4 deemed permitted as of right (P use) is a shop. The old police station building is in original condition with architectural integrity however its design and layout limits the use of the building for other than offices (i.e. it is better suited to offices than a shop).

A scan of the use classes listed in the zoning table for Mixed Use zone indicates there are very few other uses which would be suited to these premises in their heritage format.

On balance therefore the proposal is considered an optimal outcome for Council. Following the 14 day submission period the Shire has not received any comments.

Considering the stated range of benefits to the Shire and community, and the compatibility of the offices of the stated intent of the Mixed Use zone it is recommended Council approval is granted subject to conditions.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.1.3

MOVED: CR PETERS

SECONDED: CR HORREX

That Council following the special notice given (via cl.64 of the deemed planning provisions) and considering the merits of the proposal and the intent of the Mixed Use zone in LPS 4; resolves to grant planning approval for the proposed continuation of a non-conforming use at Lot 330 (550) Stirling Highway, Peppermint Grove as Offices, in accordance with the Change of Use planning application No DA2018/00020, dated 27 July 2018, and subject to the following conditions;

- 1. The development the subject of this approval must at all times comply with the plans approved and also the Land Use by the Shire as part of this approval (Approved Plans/Land Use).**
- 2. Detailed plans are to be submitted to the Shire for assessment and approval must be obtained prior to any advertising signage, landscape works, internal fit-out works.**
- 3. Prior to the occupation and any works to the building or grounds, the applicant is to complete a photographic record of the exterior and interior of the old police station.**
- 4. A plaque noting the Heritage Listing of the premises as the old police station is to be installed adjacent to the front doorway.**

Advice Notes

- With regard for Condition 1 all subsequent building plans required to implement this Planning Approval or subsequent use of the site and premises shall not be certified for issue of a Permit unless they agree with Planning Approval Conditions, Approved Plans and other site-relevant planning requirements (LPS 4) of the Shire of Peppermint Grove.**

- **With regard to Condition 2 any works which may interfere with or alter the internal and structural nature of the premises or detract from its heritage significance will not be approved by the Shire.**
- **Unless otherwise specified for the satisfaction all Conditions of Approval all compliance will be confirmed to be to the satisfaction of the Chief Executive of the Shire of Peppermint Grove.**

CARRIED 4/0

8.1 INFRASTRUCTURE

Nil

8.2 COMMUNITY DEVELOPMENT

Nil

8.3 MANAGEMENT / GOVERNANCE / POLICY

Nil

8.4 CORPORATE

8.5.1 Financial Report – July 2018

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 3	Financial Report – July 2018

Voting Requirement	:	Simple Majority
Subject Index	:	FM026A
Location / Property Index	:	N/A
Application Index	:	N/A
LPS No 4 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Paul Rawlings, Manager, Corporate Services

COUNCIL ROLE

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

PURPOSE OF REPORT

To report on financial activity for the period 1 July 2018 to 31 July 2018.

SUMMARY AND KEY ISSUES

- The financial report for the month ended 31 July 2018 indicates a YTD surplus of \$3,450,050 some \$53,446 more than YTD budget;
- Operating revenue is some \$6,153 more than YTD budget;
- Operating expenditure (to date but subject to outstanding invoices not yet received) is some \$45,027 less than YTD budget;
- No capital expenditure has been incurred.
- The forecast surplus at 30 June 2019 is \$81,992.

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 forecasts a closing surplus of \$81,992. This is unchanged from that adopted as part of the 2018/19 budget last month.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications evident at this time.

SOCIAL IMPLICATIONS

There are no social implications evident at this time.

OFFICER COMMENT

The following comments relate to year-to-date (YTD) budget versus actuals variances or forecasts that vary from the full year estimate that are greater than \$10,000.

(1) Materials and Contracts

Materials and contracted expenses are some \$43,533 less than expected at this stage. This relates to timing variances only with many July-related invoices yet to be received.

(2) Net Current Assets Year-to-Date

Net current assets as at 31 July 2018 exceed the revised budgeted figure by some \$53,446 at this stage. This is largely attributable to timing variances in materials and contracts.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM No. 8.5.1**MOVED: CR HOHNEN****SECONDED: CR PETERS****That the financial report for the period 1 July 2018 to 31 July 2018 be received.****CARRIED 4/0**

8.5.2 Accounts Paid – July 2018
CORPORATE
ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment	Accounts Paid – July 2018

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

COUNCIL ROLE

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

The purpose of this report is to advise the details of all cheques drawn, credit card and electronic funds payments and direct debits since the last report.

SUMMARY AND KEY ISSUES

Significant payments in July 2018 included the following:

- GST & PAYG remittance to ATO;
- Insurance premiums to LGIS;
- Payments for waste disposal to WMRC;
- Staff & Shire superannuation contributions.

LOCATION

N/A

BACKGROUND

Attachment 1 lists details of all payments made since the last report. The following summarises the cheques, credit card payments, electronic fund transfers and direct debits included in the list presented for information.

<u>PAYMENT TYPE</u>	<u>AMOUNT</u>
Cheques 376 – 377	\$191.75
Direct Debits DD1 – DD4	\$4,614.28
Electronic Funds Transfers 00231 – 00238	<u>\$222,845.59</u>
TOTAL	<u>\$227,651.62</u>

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

Accounts are paid during the month in accordance with Delegation 2 “Payments from the Municipal Fund, Library Advance Account and the Trust Fund”. Power to delegate to the CEO is contained in Section 5.42 of the Local Government Act 1995.

FINANCIAL IMPLICATIONS

The payments processed by the Shire relate to expenditure approved in the 2017/18 and 2018/19 annual budgets (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/COUNCIL DECISION – ITEM NO. 8.5.2

MOVED: CR HOHNEN

SECONDED: CR PETERS

That the list of payment of accounts by cheques, electronic funds transfers, direct debit payments and credit card payments for July 2018, totalling \$227,651.62 be received.

CARRIED 4/0

8.5.3 Matters for Information and Noting
ATTACHMENT DETAILS

Attachment No	Details
Attachment 1	Building Permit approvals July 2018
Attachment 2	NMHS Report for Shire of Peppermint Grove
Attachment 3	Local Government Act Review

Voting Requirement	:	Simple Majority
Subject Index	:	
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	:	Mhairi Warne, Executive Officer

COUNCIL ROLE

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

The Shire of Peppermint Grove regularly receives and produces information for receipt by the Elected Members. The purpose of this item is to keep Elected Members informed on items for information received by the Shire.

The Matters for information report will be presented at each Council meeting and will provide an update on a number of areas of the Shire's operations and also provide information and correspondence of interest to elected members.

It is intended that the following information is provided on a regular basis, either monthly or quarterly, noting some of this data is still to be collected in a presentable format.

- Building permits issues
- Demolition permits issued
- Advisory notes from WALGA, DLG&C or other stakeholders
- WESROC Mayor/President forum notes
- WALGA Zone minutes
- WALGA State Council minutes
- Seal register advising of when the Shire seal has been applied
- Shine statistics
- Infringements for parking/dogs etc
- Waste and recycling data
- Library statistics

SUMMARY AND KEY ISSUES

The following reports are presented to Council at the Ordinary Council Meeting of August 2018:

1. Building Permits Issued under Deemed to Comply provisions, Building Permit Monthly Approvals and Infringements Issued – July 2018
2. NMHS Report for Shire of Peppermint Grove – An update on hospitals and range of Community services as provided by the North Metropolitan Health Service;
3. Local Government Act Review -advice form the DLG&C on stage 1 of the Act review and proposed process for stage 2

CONSULTATION

No community consultation was considered necessary in relation to the recommendation of this report.

STRATEGIC IMPLICATIONS

NIL

POLICY IMPLICATIONS

NIL

STATUTORY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

OFFICER COMMENT

NIL

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO. 8.5.3**MOVED: CR PETERS****SECONDED: CR HOHNEN****That Council receive the information in this report.****CARRIED 4/0**

9 NEW BUSINESS OF AN URGENT NATURE

9.1 LATE ITEM

9.1.1 Proposed revision to approved site works in front garden area at (Lots 148 & 149) 56 The Esplanade, Peppermint Grove.

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment – Item 9.1.1 refers	56 The Esplanade

Voting Requirement	:	Simple Majority
Subject Index	:	DB027B
Location / Property Index	:	56 The Esplanade, PEPPERMINT GROVE
Application Index	:	DA2018/00017
LPS No 4 Zoning	:	R-10
Land Use	:	Dwelling
Lot Area	:	4080m
Disclosure of any Interest	:	Nil
Previous Items	:	013-67 – Alterations and additions, Council Approval 28/2/14
Applicant	:	Michael Suttor Architects
Owner	:	Satterley Property Group Pty Ltd
Responsible Officer	:	Mr Ross Montgomery

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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Laws) and other decisions that may be appealable to the State Administrative Tribunal.

PURPOSE OF REPORT

For Council to consider a planning approval for changes to the site works in the front garden area at 56 The Esplanade, Peppermint Grove (previous Approval 013-76).

SUMMARY AND KEY ISSUES

- Regrade and extend front lawn area 3.5m towards The Esplanade frontage with additional fill and regrade to replace terraced with one grade towards front wall.
- Relocate street gateway piers at south eastern corner of property.
- Add masonry planter boxes on both sides of the driveway and pedestrian stairs leading up to the house.
- Relocate pergola on southern side of lawn to accommodate two guest parking spots underneath.
- Re-orient pond (depth less than 300mm) northern side of front lawn area to east-west.

LOCATION

See attached Location Plan – 9.1.1 and attached drawings.

BACKGROUND

Garden landscape plan and works for front garden area were granted planning approval (013-76), on 28 February 2014 (included other proposed alterations to the development)

This application seeks approval vary the garden layout as a change to that granted previous planning approval.

This revision of the garden design also includes new proposals not previously approved (via 013-76).

New elements include:

- Brick planter boxes on both sides of the driveway and pedestrian stairs leading up to house.
- A Pergola over a paved area used for 2 visitor car bays.

Variations to previous approved layout:

- Relocate driveway gate piers on street boundary closer together. The fence panel itself is 2.1m tall which complies with the Shire's Fencing Local Law, however the front street piers (x2), at 2.8m in height, exceed the 2.1m maximum height of this Law.

- Regrade and extend the upper level of the lawn area a further 3.5m towards the Esplanade, replace an intermediate terrace with one grade back to the street boundary wall.
- Pond to northern side of front lawn area reoriented to run east-west and closer to the street.

CONSULTATION

The proposal is considered to be landscaping works which are unlikely to affect abutting properties. No consultation is required.

STRATEGIC IMPLICATIONS

The landscaping establishes a 'new-ground' at a higher level; one which overlooks the street. The design creates an infinity-edge to visually exclude The Esplanade from views eastwards. Unless the edge is sensitively designed and finished this infill will dominate the already narrow street footpath.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time although street interface and character of streetscape may be compromised unless Council is satisfied this does not create a precedent.

STATUTORY IMPLICATIONS

There are no specific Scheme requirements in respect to this matter however local laws set out design requirements for fencing and boundary walls.

<u>LOCAL LAW/COUNCIL POLICY</u>	
Policy/Local Law Provisions	Assessment/Comment
1. Fencing Local Law – Front Fence, Piers or Posts must not exceed 2.1m in Height	<p>The approved street wall was 1.8m in height and did not follow the street boundary at its southern end.</p> <p>The revised proposal was for a front fence of 2.1m tall, and constructed to follow the street boundary with an inset of 3.5m from the street for the gate and driveway gate. Two piers of 2.1m are constructed on the front boundary flanking the driveway.</p> <p>The gateway and piers are 2.8m tall, inset from The Esplanade.</p> <p>The submitted proposal has now been revised to be compliant with Local Law however form and narrowing of the driveway crossover may visually dominate the street and result in obscured sight-lines for vehicles</p>
2. Fencing Local Law – Front Fence must be 50% open aspect above 900mm	<p>The proposal does not comply. Given the regrade on the lawn and creation of the elevated embankment for the front lawn it is not necessary for obscure fencing above the 900mm for privacy purposes. Such a fence will visually dominate the footpath and street frontage and may also result in diminished sightlines leading to safety concerns for vehicles and pedestrians using the only footpath on The Esplanade. Local Law should be applied as 900mm only – with any upper fencing to be open aspect.</p>

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

New elements to the previous planning approval, being the pergola with two visitor car bays and also the planter boxes landscaping along the driveway and pedestrian path to the front of the house are considered to warrant approval because they do not impact or disagree with streetscape objectives for open aspects between building and the street. The re-orientation of the pond is likewise unlikely to result in any adverse off-site impact and is supported. This revised layout therefore establishes some revisions to the layout which are neutral in terms of impacts (such as the re-orientation of the pond, the revision of the stairway and masonry planter boxes and the pergola covered visitor car parking).

The proposed regrading of the lawn to extend further towards the Esplanade to create an 'infinity-edge'; a skilful design technique to protect long-views and screen selected shorter views. This is intended to screen views between the house and street/foreshore users and obviates the need for a tall front wall or fence for screening reasons functioning in a similar manner to a *Ha-ha* which is a moat-style of barrier fence that does not block views.

Initial assessment of the redesign highlighted several concerns which were raised with the landscape architect. It was proposed to build a visually tall street boundary wall/fence (in excess of 900mm) which did not meet the Fencing Local Law and likely to visually dominate the already narrow and single footpath along the Esplanade.

The introduction of tall stout brick piers either side of a narrower driveway court would confine the crossover and compromise sightlines for vehicles entering The Esplanade.

Following discussion with the Landscape Architect (applicant) a revised plan proposal has been received to reduce the height of the front fence to the 1800mm height with 1200mm solid portion and 600mm open aspect wrought iron panels atop.

Although the redesign does not meet the Fencing Local Law it matches the height approved by the Shire last year.

The re-design of the driveway court raises a concern for vehicles entering The Esplanade to have sufficient clear line of sight to avoid risk to other users such as pedestrians, cyclist and vehicles. The issue was raised and applicant submitted a re-design now certified to meet Australian Design and Safety Standards (AS 2890.1).

A negotiated design principles approach has delivered a more acceptable redesign.

It is recommended the Council approve the revised plans, noting that the street fencing and driveway areas should be designed and built to achieve a maximum amenity and safety for pedestrians and cyclist using The Esplanade.

Further Information

Following a site meeting with Elected Members, an amended plan (BC08B) was submitted by the developer addressing concerns raised by Elected Members on the design upper lawn area.

OFFICER RECOMMENDATION – ITEM 9.1.1

Council resolves to approve the submitted plans (BC08D as amended) for a revised front landscape works and structures for 56 The Esplanade Peppermint Grove subject to the following conditions:-

1. The development the subject of this approval must at all times comply with the plans approved by the Shire as part of this Approval and the Local Planning Scheme No.4 (Approved Plans/Land Use).
2. Design of the street fence/retaining structure shall be revised to meet specifications provided in Plan BC 08D;
3. Application for a Building Permit from the Shire is required to be submitted for approval prior to erection or installation of structures such as retaining walls, articulated gates and pergolas;
4. The wrought iron open view fencing panels atop the masonry retaining wall shall be open-aspect with a permeability of at least 50% as per Fences Local Law.
5. During construction all silt and other material is to be detained on-site and disposed without entering natural water systems.
6. All drainage and stormwater from the site is to be detained and infiltrated on-site.
7. Footpath crossover to The Esplanade is to be constructed to the specification of the Shire to the satisfaction of the Chief Executive.
8. All landscape planting to within 2 metres of the front boundary fence shall be low-medium height species or trimmed to remain at no more than 1 m height above planted ground level.

Advice Notes:-

1. Driveway and crossover design has been certified to meet AS 2890.1 – this is to be independently assessed prior to occupation of the premises.
2. The site abuts the Swan River and as part of the Swan and Canning Rivers management program the Shire advocates that an irrigation and nutrient management plan to conserve the use of potable water and prevent nutrient export from the site is to be formulated as part of the ongoing establishment and management of the garden;
3. Lighting within the garden, facing and visible from the river foreshore should be subdued to preserve navigational safety of the river channel and marinas at night and avoid the use of red or green colours.
4. Unless authority has been obtained from the Chief Executive Officer of the Shire of Peppermint Grove any variations to design or modifications from those plans submitted to obtain this approval are not permitted and will be in breach of this Approval and Local Planning Scheme No.4.

COUNCIL DECISION– ITEM 9.1.1**MOVED: CR HORREX****SECONDED: CR HOHNEN**

Council resolves to approve the submitted plans (BC08B as amended) for a revised front landscape works and structures for 56 The Esplanade Peppermint Grove subject to the following conditions:-

- 1. The development the subject of this approval must at all times comply with the plans approved by the Shire as part of this Approval and the Local Planning Scheme No.4 (Approved Plans/Land Use).**
- 2. Design of the street fence/retaining structure shall be revised to meet specifications provided in Plan BC 08B;**
- 3. Application for a Building Permit from the Shire is required to be submitted for approval prior to erection or installation of structures such as retaining walls, articulated gates and pergolas;**
- 4. The wrought iron open view fencing panels atop the masonry retaining wall shall be open-aspect with a permeability of at least 50% as per Fences Local Law.**
- 5. During construction all silt and other material is to be detained on-site and disposed without entering natural water systems.**
- 6. All drainage and stormwater from the site is to be detained and infiltrated on-site.**
- 7. Footpath crossover to The Esplanade is to be constructed to the specification of the Shire to the satisfaction of the Chief Executive.**
- 8. All landscape planting to within 2 metres of the front boundary fence shall be low-medium height species or trimmed to remain at no more than 1 m height above planted ground level.**

Advice Notes:-

- 1. Driveway and crossover design has been certified to meet AS 2890.1 – this is to be independently assessed prior to occupation of the premises.**
- 2. The site abuts the Swan River and as part of the Swan and Canning Rivers management program the Shire advocates that an irrigation and nutrient management plan to conserve the use of potable water and prevent nutrient export from the site is to be formulated as part of the ongoing establishment and management of the garden;**
- 3. Lighting within the garden, facing and visible from the river foreshore should be subdued to preserve navigational safety of the river channel and marinas at night and avoid the use of red or green colours.**
- 4. Unless authority has been obtained from the Chief Executive Officer of the Shire of Peppermint Grove any variations to design or modifications from**

those plans submitted to obtain this approval are not permitted and will be in breach of this Approval and Local Planning Scheme No.4.

CARRIED 3/1

9 MOTIONS ON NOTICE

NIL

10 CONFIDENTIAL ITEMS OF BUSINESS

NIL

11 CLOSURE

At 6.17pm, there being no further business the meeting closed.



Ordinary Council Meeting - **Minutes**
28 AUGUST 2018
