



SHIRE OF PEPPERMINT GROVE

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ATTACHMENTS

**Ordinary Council Meeting
28 June 2016**

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Ordinary Council Meeting

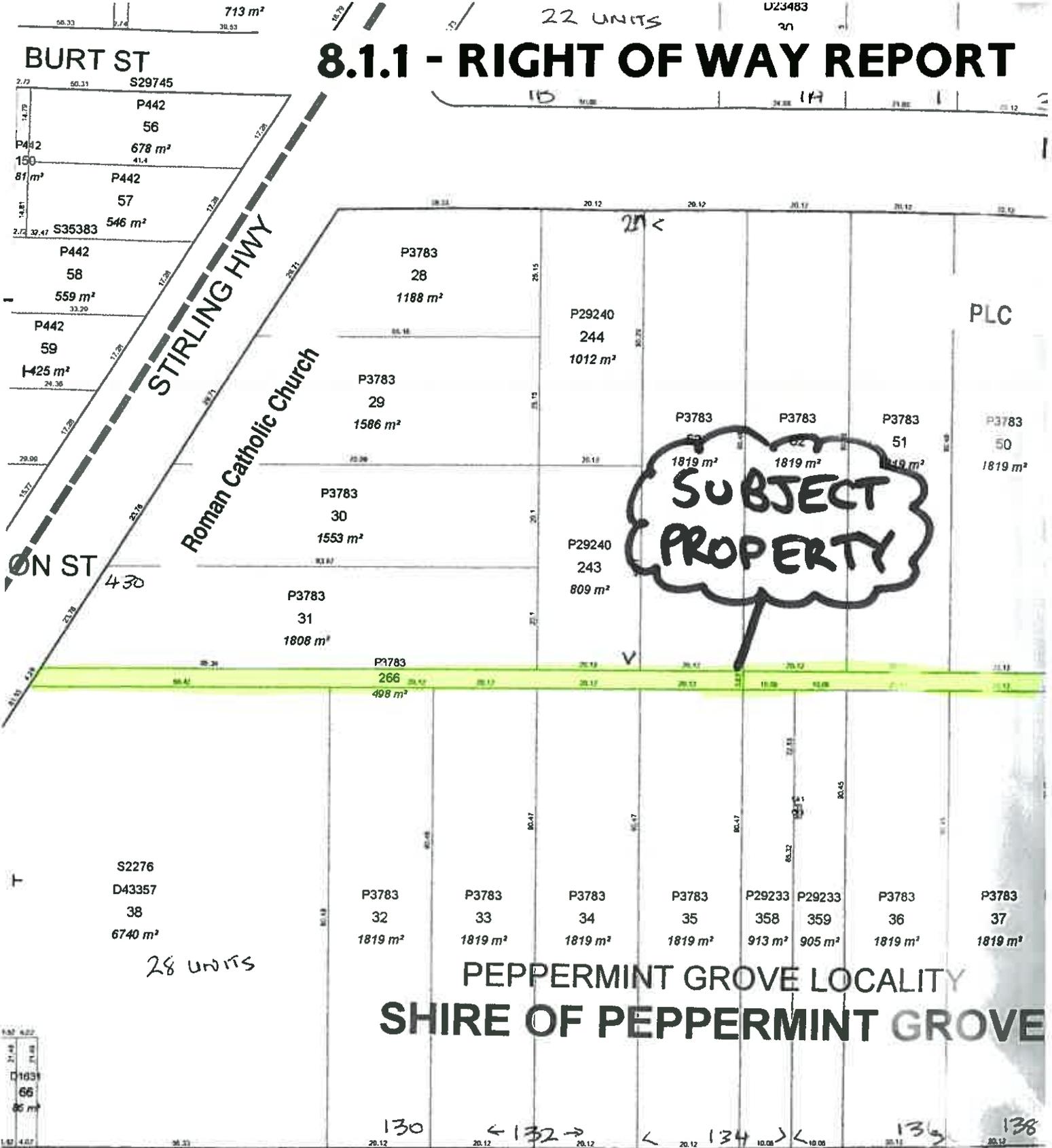
8.1.1 – Proposed Review Local Planning Rights-of Way - Attachment # 1

8.1.1 - RIGHT OF WAY REPORT

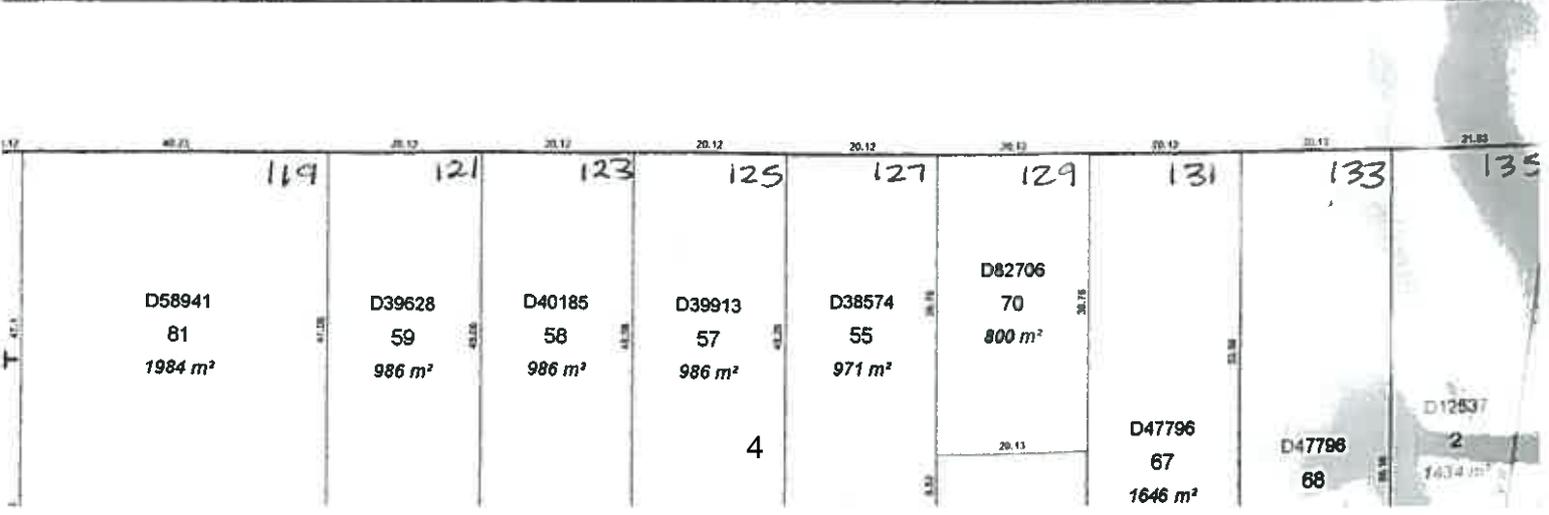
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RIGHTS-OF-WAY OR LANEWAYS IN ESTABLISHED AREAS - GUIDELINES -

1. Background

▶ These Guidelines outline the Western Australian Planning Commission's policy, practice and procedures regarding residential and commercial development and subdivision (including strata and survey-strata) adjoining existing rights-of-way (or laneways). The development of rights-of-way in "greenfield" subdivisions in new urban areas, or on large urban infill sites within developed areas, is addressed in the Commission's Policy No. DC 2.6 and *Liveable Neighbourhoods: Community Design Code*.

▶ A discussion paper, *Rights-of-way or laneways*, was released to local government in 1998. These Guidelines have taken account of the comments received.

▶ Private rights-of-way are separate parcels of land which were generally created in subdivisions around the turn of the century to facilitate sanitary collections from the rear of properties prior to the installation of reticulated sewerage. They usually remained in the ownership of the original subdivider after the lots shown on the Plan or Diagram of Survey were sold off. Private rights-of-way are nowadays often the 'balance of title' contained in a Certificate of Title still registered in the name of the original subdivider, perhaps a deceased

person or a defunct company. However, these private rights-of-way are often used by the public for a range of purposes and in established areas are increasingly relied upon for access. Sometimes these rights-of-way have been acquired by the local government and, in many cases, dedicated as public roads.

▶ There are a range of approaches which have been adopted for the management of private rights-of-way. These range from upgrading their status to a minor public street with public utilities, lighting, postal services, landscaping and parking bays, to paving and draining, to restricting access by installation of bollards, to complete closure and division between adjacent owners. This Planning Bulletin encourages the adoption of a coordinated long-term approach to the use and upgrading of rights-of-way in areas undergoing redevelopment and outlines some of the key issues and approaches to be generally applied. It is recognised that management approaches should reflect local circumstances.

2. Definitions

"Dedication" means the acquisition as Crown land of any alienated land or private road which has been used by the public, following a request from a local government to the Minister for Lands under Section 56 of the *Land Administration Act 1997*.

"Laneway" means a public road designed to provide access to the side or rear of lots principally for vehicle parking.

"Private road" means alley, court, lane, road, street, thoroughfare or yard on alienated land which is

shown on a Plan or Diagram of Survey deposited with the Registrar of Titles and which:

- (a) is not dedicated, whether under a written law or at common law, for use by the public;
- (b) forms a common access to the land, or premises, separately occupied; or
- (c) is accessible from an alley, court, lane, road, street, thoroughfare, yard or public place that is dedicated, whether under a written law or at common law, to use as such by the public. (Section 3 of the *Land Administration Act 1997*).

"Private right-of-way" means the balance of title from a subdivision held in private ownership over which adjacent owners have an implied right of access under Section 167A of the *Transfer of Land Act*.

"Public right-of-way" means land vested in the Crown under the *Transfer of Land Act 1893* for public use. These can be ceded to the Crown on subdivision under Section 20A of the *Town Planning and Development Act*.

"Public road" means land reserved, declared or otherwise dedicated under the *Land Administration Act 1997* as an alley, bridge, court, lane, road, street, thoroughfare or yard for the passage of pedestrians or vehicles or both.

3. Who has the right to use private rights-of-way?

▶ Section 167A of the *Transfer of Land Act* indicates that the registered proprietors of the original lots, which were included in the Plan or

Diagram of Survey creating that private right-of-way, have an 'implied right' easement to use them provided it is shown as a 'right-of-way' on the Land Titles Office Plan or Diagram of Survey. The present owners

of abutting lots (providing the lots, or lots from which they were created, were included on the Plan or Diagram of Survey in which the right-of-way was created) have the right to upgrade, seal and drain and to use, along with guests and invitees, the right-of-way for vehicular and pedestrian access.

- Sometimes lots which abut a right-of-way do not have a section 167A easement because they were not created on the same Plan or Diagram of Survey as the right-of-way. Landowners in these cases may, nonetheless, still have rights to use a right-of-way at Common Law or under the *Prescription Act, 1832*, but investigation of this would need to be undertaken.

4. What should be done to rights-of-way in established areas?

► Redevelopment adjacent to rights-of-way

- Access via rights-of-way facilitates the development of infill dwellings at the rear of existing residences which utilise rights-of-way as their sole vehicular access to the dedicated street network or for rear access to new narrow lots. This may facilitate the greater use of urban land without detrimentally affecting the streetscape particularly in heritage areas. The use of rights-of-way is considered to provide a superior living environment to battleaxe development. In particular it is considered preferable for houses to face streets and laneways rather than be enclosed in backyards. It also contributes to personal safety

through surveillance.

- However, redevelopment adjacent to unmade private rights-of-way may increase vehicular usage and create management problems for which there is no identifiable responsible authority.
 - Where sole vehicular access via a right-of-way is proposed for residential subdivision and/or development and the right-of-way is not a public road, applicants should be required to demonstrate (by submission of copies of the Certificate of Title and original Plan or Diagram of Survey or other documentation) that they have a right to use the right-of-way.
 - Where sole vehicular access is via a right-of-way and one of the lots does not have a frontage to the public street then there will generally be a requirement to provide a pedestrian access leg to the public street for postal, visitor, rubbish collection and public utilities (eg. water, gas, electricity and telephone). This can be in the form of a portion of the rear lot or as common property in the case of a strata title or survey-strata subdivision. While one metre access legs may be accepted where a site is constrained by existing buildings worthy of retention being set back less than 1.5 metres from the boundary, generally a 1.5 metre width is favoured as providing sufficient space for services and to avoid visually unattractive narrow alleyways.
- ##### **► Upgrading of rights-of-way**
- The upgrading of rights-of-way to a sealed and drained standard should be required in areas of intensification of residential and commercial development. It is suggested that proponents of development with sole

vehicular access via the right-of-way should be required to seal and drain the portion of right-of-way abutting the subject property (if not already constructed to that standard) and make trafficable (to the satisfaction of the local government) the rest of the right-of-way to the closest public street. In other cases contributions towards right-of-way upgrading may be required as a condition of subdivision or development approval. Such contributions may be set aside in a trust fund by the local government for the exclusive use of right-of-way upgrading in the locality.

- In order to provide for the upgrading of a right-of-way to facilitate adjacent development, a more coordinated approach may be required. The preparation of a plan for a whole street block in which widening, parking, lighting and other services are provided for may be desirable. Such a plan was successfully implemented on Easton Lane, off Sackville Terrace, Doubleview.
- Where local government is desirous of expending rate revenue and developer contributions on right-of-way upgrading it is desirable for the local government to seek the dedication of the right-of-way as a public road or to acquire ownership of the right-of-way.

5. What are the Appropriate design standards for rights-of-way?

- Some of the design solutions associated with 5 or 6 metre wide rights-of-way in established areas are illustrated on the attached diagrams.

5.1 Width of rights-of-way

- Rights-of-way were not designed to carry frequent vehicular traffic. The narrow width of some rights-of-way

coupled with increased vehicular traffic could lead to property damage and accidents due to the insufficient space for the manoeuvring of vehicles around bends and into and out of properties. The narrow width of many rights-of-way can leave insufficient space for passing either oncoming or parked vehicles and is potentially unsafe for pedestrians. Before comprehensive development occurs adjacent to rights-of-way there may be a need for widening.

- ▶ The Commission's Policy DC 2.6, Residential Road Planning, requires a minimum width of 6 metres for a right-of-way for vehicular access. This is based upon the minimum space required to manoeuvre a car into or out of a garage, carport or parking space at right angles to the right-of-way. It allows sufficient width for vehicles to pass safely, whilst also allowing room for pedestrians or cyclists.
- ▶ It is recognised that vehicles can pass safely (at low speed) in a 5 metre wide right-of-way. Therefore, existing 5 metre wide rights-of-way may not require widening if they only provide (vehicular) access to garages, and are not the main (pedestrian) access to dwellings or commercial premises adjoining the rights-of-way. For example, where a pedestrian access leg to the public street is provided (as in paragraph 4.1 above) pedestrians, emergency, postal and other services and rubbish collectors have alternative access to the rear development and to on-street parking, and so the requirement to widen the right-of-way may be waived where all development in the street block is likely to follow this pattern.
- ▶ In commenting on proposals to dedicate rights-of-way or considering resulting Plans or

Diagrams of Survey, the Commission will not normally support dedication where the width is less than 5 metres, and where the right-of way is the sole frontage for the proposed lots.

- ▶ It should be noted that with a 5 metre right-of-way the garages (at right angles to the right-of-way) should be set back at least one metre from the property boundary to achieve the required manoeuvring space for a vehicle to reverse into or out of the garage. Where garages are set back behind the property boundary it is recommended that a 45 degree visibility splay either side of the garage entrance should also be kept clear of development to improve visibility and make turning manoeuvres easier. Alternatives to the one metre garage set back could include wider garages (which allow the turning manoeuvre to commence within the garage) or garages aligned at less than 90 degrees to the right-of-way (which reduces the width of the turning path). It is recognised that some local governments already have more restrictive requirements in this regard.
- ▶ Where particular constraints preclude the widening of a right-of-way for residential developments, the following alternative design solutions may be acceptable:-
 - one-way traffic operation on a right-of-way less than 5 metres wide;
 - on-site parking bays constructed immediately adjacent and parallel to the right-of-way (not within the right-of-way);
 - narrow one-lane sections of right-of-way with wider sections for vehicles to pass at appropriate locations, and other similar approaches.

Any such proposal needs to be carefully considered in relation to the operation of the surrounding street network and must be endorsed by the relevant local government before a subdivision or development application is approved.

5.2 Length of rights-of-way

- ▶ In commenting on proposals to dedicate rights-of-way or considering resulting Plans or Diagrams of Survey, the Commission will generally not support dedication where rights-of-way are of excessive length (in excess of 200 metres) and where there is no alternative pedestrian access to the street. Having such long or narrow streets as the sole access (both for vehicles and pedestrians) to properties is considered undesirable and may result in excessive walking distances to visitor parking in the surrounding streets and result in visitors parking in the right-of-way.
- ▶ Where a length of right-of-way longer than 200 metres is dictated by the existing street network then it may require special treatment to restrict traffic volumes and speeds.
- ▶ Some possible treatments for long rights-of-way could include the use of traffic calming devices to slow traffic, intermediate connections to the local street network, and wider sections of right-of-way to allow for the installation of visitor parking.

5.3 Traffic flow and design speed

- ▶ Policy DC 2.6 provides that traffic flows on rear laneways should not exceed 100 vehicles per day (vpd) at any one point.
- ▶ The Commission's *Guidelines for the Design and Geometric Layout of Residential Roads* (which supplements Policy DC 2.6)

indicates a maximum desirable operating speed of 20 km/h or less.

- ▶ The Liveable Neighbourhoods: Community Design Code suggests an indicative maximum traffic volume of 300 vpd and target maximum speed of 15 km/h.
- ▶ Speeds and volumes within the upper limits identified for laneways by these different documents (ie. 300 vpd and 20 km/h) are acceptable to the Commission, until these documents are reviewed.

5.4 Truncations

- ▶ The Commission's Policy DC 1.7, *General Road Planning*, suggests that a 2.8 metre truncation (2 m x 2 m) may be required where two private streets (ie. rights-of-way) meet or where a private street meets a public street. *The Liveable Neighbourhoods: Community Design Code* is silent on the need for truncations for rights-of-way but the Code does not require truncations for streets except in circumstances where site-specific problems result in sight line or turning radii constraints. An acceptable alternative to truncations could be to reduce the width of the pavement at the neck of the laneway.
- ▶ To improve sight lines and turning radii, it is recommended that appropriate truncations be required where two rights-of-way meet (or at any bend in a right-of-way of 60 degrees or more). A 2.8 metre truncation (2 m x 2 m) would improve sight lines and turning radii for cars and, in 6 metre rights-of-way, may be adequate for most rubbish trucks (this should be confirmed with the relevant local government). For larger vehicles, such as furniture removal vans and fire engines, larger truncations may be required upon the

recommendation of local government. If rubbish trucks are required to access the right-of-way they should not have to reverse into or out of the right-of-way. As other larger vehicles will be much less frequent it may be acceptable for them to reverse in or out of the right-of-way.

- ▶ Where the right-of-way connects to a public street the need for a truncation is related to sight lines between vehicles in the right-of-way and pedestrians or cyclists on paths in the street verge. Where a path is located close to the property boundary a truncation should be applied or the pavement reduced in width at the neck of the laneway, but if there is no path, or if the path is located away from the property boundary, the truncation could be reduced in size or not required.

5.5 Parking provision

- ▶ The parking needs of residents should be accommodated on-site or, in some cases, by an appropriate cash-in-lieu arrangement for the local government to provide public parking facilities. In determining parking requirements for developments no allowance or credit should be given for parking within the right-of-way.
- ▶ Wherever possible, visitor parking (in excess of the local government requirements for on-site parking provision) should occur on the surrounding streets with access to residences along the right-of-way or through the property (eg. where a pedestrian access leg is provided, or common property in a strata titled or survey-strata development). Where this is not possible then visitor parking should be provided on-site.

5.6 Lighting

- ▶ Where there is a reasonable expectation that pedestrians will

use the right-of-way (especially in the case where residences do not have alternative pedestrian access to the public street) lighting should be provided at appropriate intervals (to the satisfaction of the local government) as an essential component of the right-of-way design. This could be provided, for example, by attaching lighting to adjoining buildings with the owners' consent to a long-term lease at peppercorn rental, with the local government funding the installation, maintenance and tariff.

- ▶ Where there is not a reasonable expectation that pedestrians will use the right-of-way (eg. where the right-of-way only provides vehicular access to garages) the requirement for provision of lighting would be at the discretion of the local government but should usually be encouraged for improved security.

5.7 Surveillance of rights-of-way

Building design which allows for the overlooking of rights-of-way from facing buildings should be encouraged. Potential for surveillance from windows provides greater security for the users of the rights-of-way and adjacent properties.

6. How should improvements to rights-of-way be implemented?

▶ Dedication of rights-of-way

- Dedication of private rights-of-way (or acquisition of the private street by the local government) is often considered desirable to enable management and maintenance by the local government, particularly where redevelopment is taking place adjacent to the private right-of-

way. Even where upgrading is not envisaged, it is considered appropriate that rights-of-way be considered as public areas for which local government should be the responsible authority. Dedication of rights-of-way also resolves the legal question of who has a right to use the right-of-way.

- ▶ Where the private right-of-way is dedicated and provides the only way of accessing individual dwellings or commercial premises, it becomes a street in function and would need to provide the normal services of a street such as public utilities, access for emergency vehicles, postal services, refuse collection, street name and numbering. Dedication means that the general public and various public utility authorities have the right to use the right-of-way, in addition to the adjoining residents.
- ▶ Section 52 of the *Land Administration Act 1997* provides for a local government to request the Minister for Lands to close a right-of-way by acquiring the land as Crown land where the land is designated for a public purpose on a plan of survey or sketch plan. The procedure requires the local government to notify the holder of the freehold land, the adjacent owners and suppliers of public utilities to the land. The local government is also required to advertise its intention in a daily newspaper circulating throughout the State and to provide at least 30 days within which objections may be lodged.
- ▶ Under Section 56 of the *Land Administration Act 1997* the local government may request the Minister for Lands to dedicate the land as a road. Under this section the owner of the freehold land on which a right-

of-way had been used by the public for over ten years is not entitled to claim compensation.

6.2 Securing land for widening of rights-of-way

- ▶ Sections 28 (3) or 20A of the *Town Planning and Development Act 1928* can be used to require private right-of-way or narrow dedicated laneway widening. Section 28 (3) can be used to dedicate the widening as a public street where the widening connects to the existing dedicated street network, or section 20A can be used to create a reserve for public right-of-way in the event that the widening will not connect to the existing dedicated public street system. Section 28 may also be used to create an addition or truncation to a public street by showing it on a strata or survey-strata plan. This would administratively simplify the widening of public rights-of-way where strata titles development is occurring as once the widening is shown on the strata plan it automatically vests without requiring formal subdivisional approval.
- ▶ Wherever a subdivision (including strata title or survey strata) or development gains access from a right-of-way less than 6 metres wide (or 5 metres, if appropriate), the approval may require that the land required to widen the laneway to 6 metres (assuming equal widening on both sides of the right-of-way, where appropriate) will be given up free of cost to be dedicated to public use. While this could leave the right-of-way at less than the desired width for much of its length until redevelopment occurred on the other adjacent properties, a long-term view needs to be taken. This reflects the increasing need for greater width (improved vehicle passing opportunities, etc) as

the number of developments accessing the right-of-way grows.

- ▶ For development applications the requirement to give up land for widening the right-of-way will necessitate a subdivision or strata application, although such an application is usually sought by developers to provide separate titles for new units.
- ▶ Where a subdivision or development is adjacent to a right-of-way less than 6 metres wide (or 5 metres, if appropriate) but does not, or is not required to, make use of the right-of-way for access, it may not be considered equitable to require land for widening the right-of-way to be given up free of cost. However, development on such properties should be encouraged to be set back by an extra amount equal to any widening required so that the local government has the option to purchase land to widen the right-of-way in the future if this is allowed for as part of a comprehensive development plan for the right-of-way.

6.3 Local government policies

- ▶ It is considered appropriate for individual local governments to refine these guidelines to take into consideration local circumstances. Local governments are requested to notify the Ministry for Planning of any adopted rights-of-way policy to ensure that in the Ministry's advice to the Commission on individual subdivision and strata applications local requirements are taken into account.
- ▶ Developers are encouraged to contact the relevant local government before lodging applications to determine whether the local government has additional requirements to those set out above.

7. Information and comment

The Commission invites comments on these guidelines for the development and use of rights-of-way or laneways. Comments should quote reference number 402/2/1/237 and be addressed to:

Ministry for Planning
Attention: Senior Manager Policy

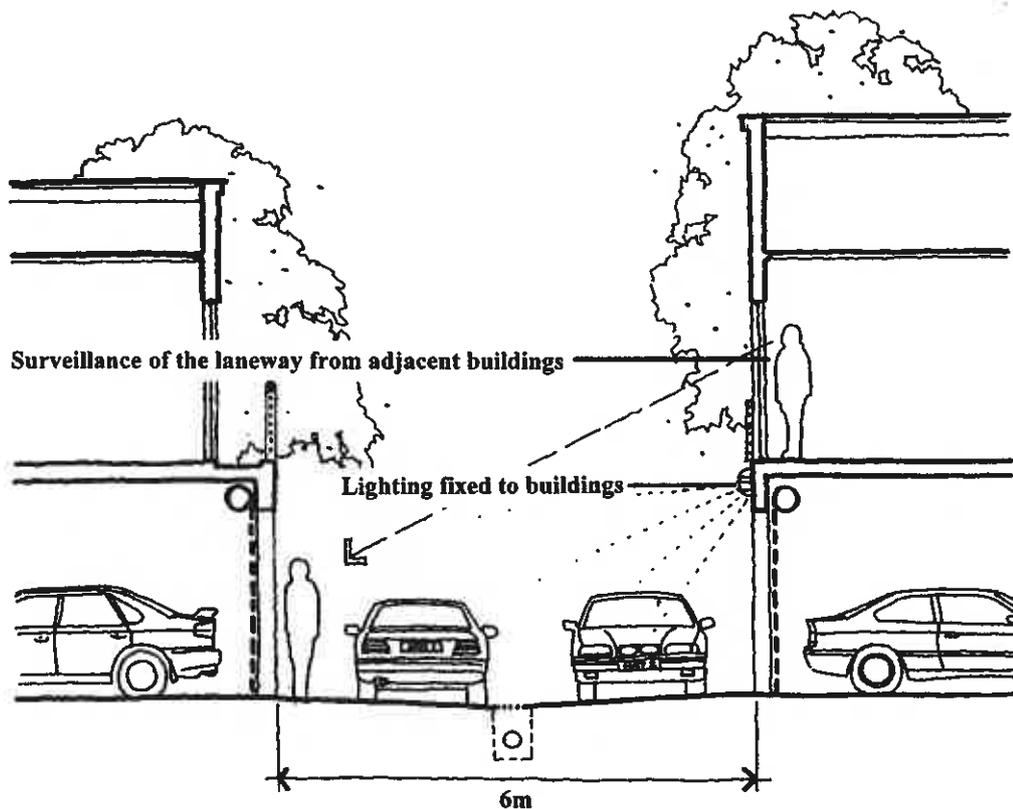
CONTACT:

Albert Facey House
469 Wellington Street
PERTH WA 6000

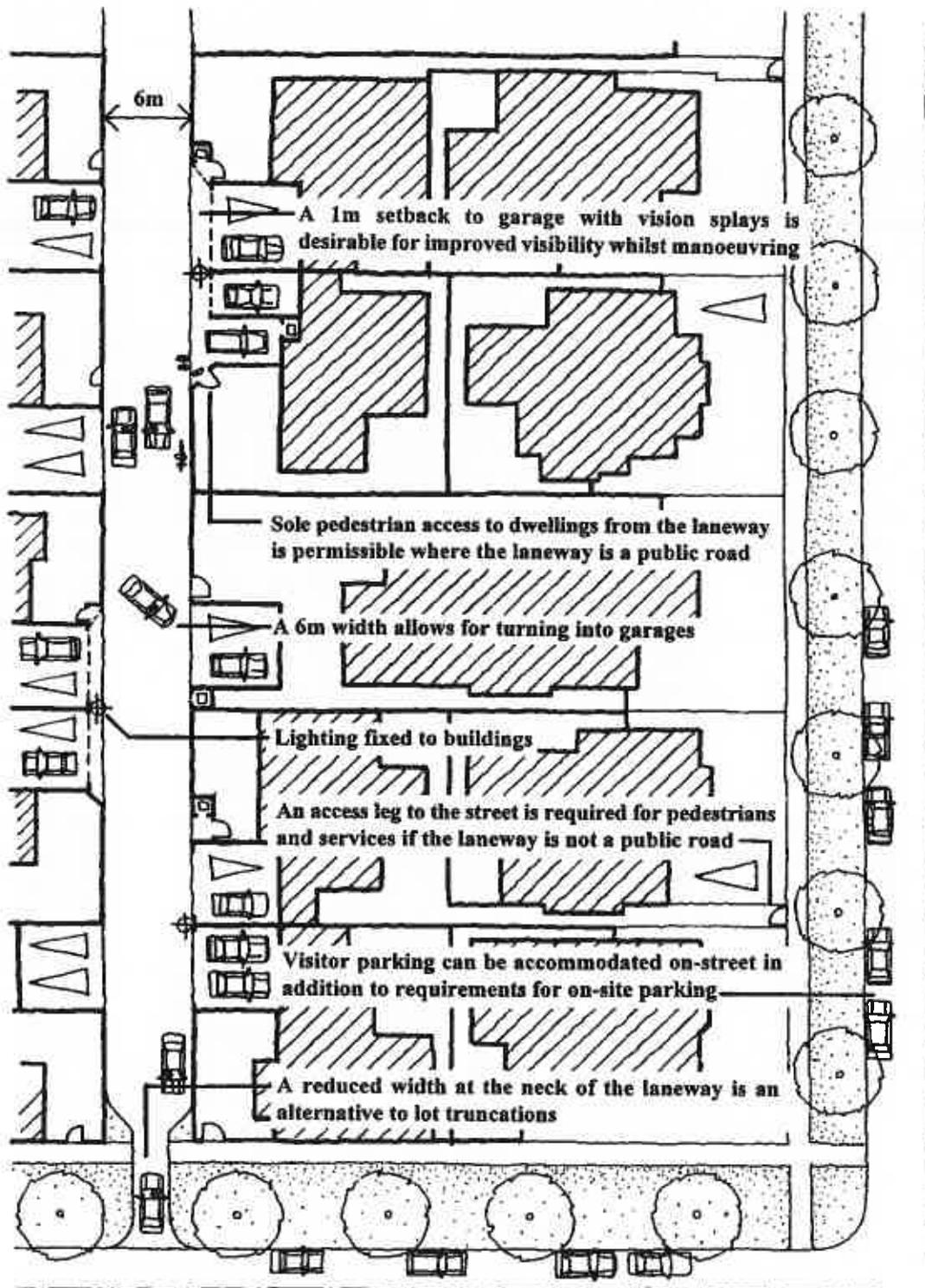
As part of its continuing improvements to its service to customers, clients and the public, the Ministry for Planning has established a website at the following address:

<http://www.wa.gov.au/gov/planning>

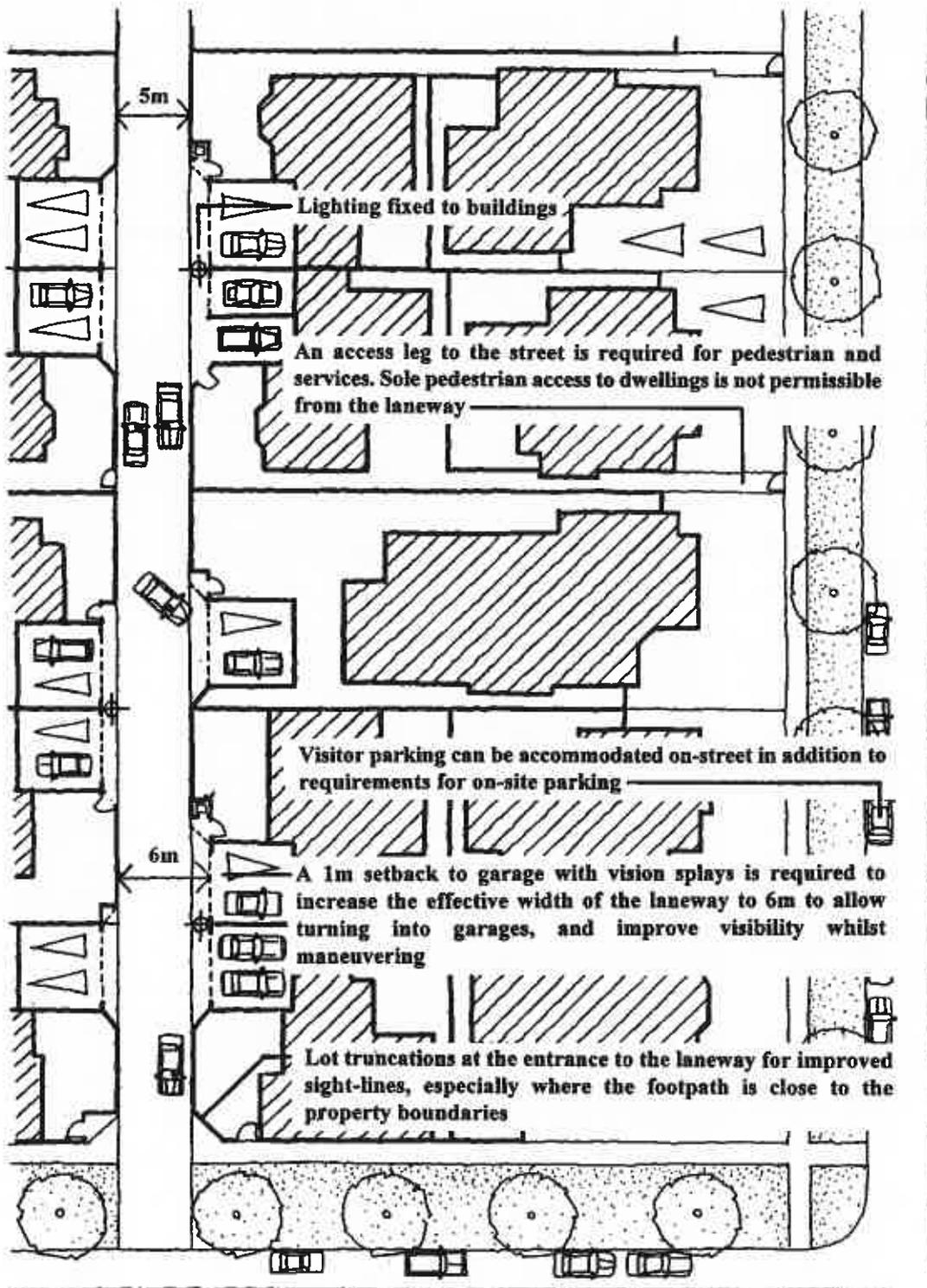
The site contains a range of



TYPICAL CROSS SECTION OF A 6m LANEWAY



TYPICAL 6m LANEWAY IN AN ESTABLISHED RESIDENTIAL AREA



TYPICAL 5m LANEWAY IN AN ESTABLISHED RESIDENTIAL AREA

7.0 RECOMMENDATIONS

Throughout this report a number of conclusions are reached on engineering and planning questions and other issues. These conclusions are transformed into specific recommendations for Council consideration as follows –

1. Council has the responsibility to maintain and care for ROWs 1 – 28 and is obliged to address specific problems.
2. Council take no action on each ROW and maintain ROWs as is in order to preserve the character and enable pedestrian use unless there is a particular problem or issue, which should be addressed (see Section 6.2).

The responses from the survey be used as a guide for Council determination of the upgrading of each ROW.

3. For ROWs 12, 16, 17 and 20 no upgrading or widening be considered, except for attention to specific problems.
4. The following specific issue be investigated in more detail and addressed -

drainage - stormwater collection measures be introduced or incorporated in any upgrading of each right of way. This be addressed for ROWs 1, 2, 3, 4, 5, 8, 12, 14, 15, 17, 18, 19, 21 and 22.

traffic - the issues included traffic speeds and access by trucks. Speeds can be controlled by placement of obstructions or the introduction of measures to reduce speeds or incorporated in any upgrading of each right of way.

In terms of the issue of access by trucks there is a right for all ratepayers and their visitors or representatives to have access and as such it may be difficult for Council to limit truck access. Council should gain legal advice on this matter.

Failing Council having such powers trucks should be discouraged from using rights of way by advice eg. signs, footnotes on building licences, advice to residents/ratepayers.

This be addressed for ROWs 3, 4, 8, 10, 16, 17, 21 and 28.

parking - restrictions can be enforced by Council just as per public streets. Local laws should be introduced/amended to address this issue. This be addressed for ROWs 4, 5, 16 and 17.

safety This issue was concerning pedestrian/vehicular conflicts and adequate visibility.

The conflict issues can be addressed by the foregoing recommendations and the recommendations for upgrading. The visibility, particularly at corners can be addressed by adequate widths and truncations.

Generally each ROW should be a minimum width of 5m and corners should be truncated. Table 1 shows the rights of way that require widening.

5. The recommendations of the Safety Audit be implemented, particularly in respect of ROW 2. Lighting should be considered for other ROWs. This be addressed for ROWs 1, 2, 3, 4, 8, 9, 12, 21, 26 and 28.
6. Where ROWs are upgraded they be widened to a 5 m minimum in general conformity with the diagram in Section 6.3..
7. ROW widenings be gained as part of any subdivision and development approvals.
8. Setbacks and visibility splays be implemented through planning approvals and building licences.
9. Contributions be gained towards ROW upgrading from development that propose vehicle access from ROWs.
10. Closure or the prevention of continued rights of access usage not be contemplated.
11. The issue of whether battleaxe subdivisions or dwellings fronting ROWs as public streets be further investigated as part of a comprehensive review of residential densities in the Shire.
12. Should these forms of residential development be permitted in the future Council prepare and adopt specific design guidelines and development standards.
13. Lighting be considered for ROWs 1, 2, 3, 4, 8, 9, 12, 21, 26 and 28.
14. If Council adopts the new recommended standards from this Study land previously ceded free of cost to Council for widening purposes that exceeds 5m ROW width be amalgamated back into the adjoining lot.
15. Council implement its current Fencing Local Laws until it undertakes the comprehensive review of residential densities and determined whether battleaxe subdivisions or houses fronting the ROWs as public

streets will be permitted, and new design guidelines and development standards are prepared.

- 16. Council consider providing dog latrine facilities.**
- 17. Council ROW Policy and Town Planning Scheme be amended to reflect the above.**

These recommendations are based on this preliminary research. It should be noted that there has been no community input on the conclusions of this study or the recommendations.

Prior to formally considering this report it is recommended that Council release the Study for further public input.

POLICY

ON

RIGHTS OF WAY

1. BACKGROUND

- 1.1 The right-of-ways in the Scheme Area were created when the land was initially subdivided in the 1880's. As elsewhere in the older urban areas of Perth their main purpose was to provide access for the collection of garbage and for sanitary disposal.
- 1.2 The introduction of deep sewerage to the area and more sophisticated methods of garbage disposal had made right-of-ways redundant.
- 1.3 Their use, since these changes have occurred, have been primarily pedestrian ways and vehicle accessways.
- 1.4 The pressure to subdivide the large lots in the Scheme Area became apparent in the late 1960's.
- 1.5 The value of land during the boom years of the 1960's escalated so much that for many people in the Shire it became uneconomic to hold the surplus land as an unproductive adjunct to the single family dwelling.
- 1.6 This was especially the case with older residents who could not maintain large areas of land and their houses.
- 1.7 Pressure on Council to allow subdivision of large lots into battleaxe lots became very strong and this together with the Town Planning Board's policy on battleaxe subdivision adopted on 18 April 1967 was the starting point of land fragmentation in the Shire.
- 1.8 Since 1967, 62 battleaxe lots have been created and numerous other large properties have been subdivided into smaller lots.
- 1.9 Many original lots in the Shire were large and hence were able to be subdivided in conformance with the Town Planning Board's policy. As more battleaxe lots were created the little used right-of-ways became an integral part of the new subdivisional system.

2. TOWN PLANNING BOARD POLICY ON BATTLEAXE LOTS

- 2.1 The Town Planning Board on 18 April 1967 adopted a policy for battleaxe subdivision. See attachment 1.
- 2.2 The Council expanded the above conditions of the Board's policy to include the surrender of land at rear of right-of-ways as a condition of subdivision.
- 2.3 The Town Planning Board imposed the Council's recommended condition on subdivision applications which read as follows:
"..... where subdivision of land abuts on a right-of-way, it shall be a condition of agreement to the subdivision that the subdivider surrenders a strip of land 14 feet (4.27m) in width along the boundary or boundaries abutting the right-of-way to be vested in the Crown for future road purposes."
- 2.4 As a result of the approval of battleaxe subdivisions and the above condition, problems with right-of-ways in the Scheme Area became apparent over the 16 years following implementation of the policy.

3. THE PROBLEM

- 3.1 The Town Planning Board approved the battleaxe subdivisions on the understanding that the Council intended to widen the existing right-of-ways and create future streets. Refer items 2.1 and 2.3 above.
- 3.2 The purchasers of the battleaxe lots bought on the clear understanding of a stated intent by Council that future streets to the rear would be created. They were aware of the excision of land at the time of subdivision was made to provide for the future streets.
- 3.3 The existing right-of-ways are a problem in the following ways.
- a) they are unsurfaced and vehicles passing over the unpaved surface is creating a dust problem in the drier months;
 - b) rubbish is often deposited causing a health and fire hazard;
 - c) drainage problems exist in many areas especially in right-of-ways that are on a slope causing soil erosion;
 - d) a security problem exists as the areas are secluded and unlit; security is likely to become an increasing problem in the future;
 - e) the unkempt and unsightly appearance detracts from the otherwise high quality of environment.
- 3.4 The creation of battle-axe lots has caused a deterioration in the quality of the street environment and a diminution of amenity for the street front properties by:
- a) creation of more crossovers and consequent reduction of verge parking available;
 - b) directing traffic past street front houses to the houses behind;
 - c) increasing the number of cars parking on the road;
- 3.5 In order to create future streets as originally intended when battleaxe subdivisions were approved the following design problems exist which are not easily resolved
- a) the north south right-of-ways are 3.5m wide and will require services to be laid under the pavement;
 - b) the east west right-of-ways are not 12m wide continuously due to subdivision taking place irregularly. As a consequence, there may be difficulties in achieving continuity of verge for provision of services in the standard manner;
 - c) approval for an underwidth street must be obtained from the Minister for Local Government.

4. POLICY STATEMENT

4.1 Objective

The general objective is to overcome the problem as set out in item 3 above.

4.2 Detailed action statements.

4.2.1 Council intends to achieve development of the right-of-ways including the adjoining excised portions of land to incorporate the following:

- a) a pavement suitable for vehicles, pedestrians and bicycles;
- b) parking;
- c) landscaping;
- d) areas suitable for children to play;
- e) services including lighting.

4.2.2 The development is intended to:

- a) provide a streetscape of different character to that already existing;
- b) provide an added facility;
- c) enhance the quality of the locality.

4.2.3 The development should be designed by competent professional consultants and should take into account practical and aesthetic considerations.

4.2.4 In doing the detailed design it may be found that it is desirable for the rear portions of one or more lots to be excised. It is intended that agreement for such excision be obtained from the owners. The advantage offered to those owners is the ability for them to be able to subdivide in the future.

4.2.5 The creation of further battleaxe subdivisions is contrary to the objectives of Council and are therefore not permitted in the Scheme.

4.2.6 At the time of application for subdivision of lots abutting all right-of-ways, Council will request that a strip of land 4.27m wide along the right-of-way be surrendered by the subdivider for the purposes of a future street. In addition where lots are at the intersection of a right-of-way or at the intersection of a right-of-way and a street, a truncation will be required.

Where lots adjoin two right-of-ways, Council may vary the 4.27m excision requirement to one of the two frontages.

4.2.7 Generally lots whose rear boundaries adjoin north south right-of-ways are of such size that subdivision may not be possible even if the right-of-way is dedicated as a street.

It is therefore intended that when dedicated they will become a one way access road connecting to the two way access roads running east and west.

In the event that subdivision into a north south street is possible the same conditions of excision as for the east west right-of-ways shall apply.

The 4.27m excision will provide the extra width to the street necessary to provide adequate access to the newly created lot, street parking and visual relief to the narrow street.

4.3 When right-of-ways currently having access onto Stirling Highway are developed as a street they shall be so designed as to have no direct access onto the Highway.

5. PROCEDURE FOR IMPLEMENTING DEVELOPMENT OF RIGHT-OF-WAYS

- 5.1 The Council will decide to initiate development of right-of-ways within one superblock. This may be entirely upon its own initiative or upon representation from an owner or owners within a superblock.
- 5.2 The Council will have complete control in developing the right-of-ways in a systematic and orderly manner to create the type of environment it wishes to achieve for the locality.
- 5.3 Preparation of detailed design for the right-of-ways may be arranged by Council.
- 5.4 Council may enter into agreement with affected land owners to comply with conditions imposed by Council in developing the right-of-ways.
- 5.5 Council may enter into agreements with affected landowners in regard to financial contribution for the preparation of design and for work associated with development of right-of-ways.
- 5.6 Upon completion of detailed plan and execution of agreements, Council will apply to the Minister for Local Government for the effected right-of-ways and adjoining excised portions of land to be declared as an underwidth street.

ATTACHMENT 1

TOWN PLANNING BOARD POLICY STATEMENT

The following policy statement was adopted at a meeting of the Town Planning Board on 18 April 1967.

"The Board resolved to adopt a Departmental minute dated 11th April 1967, and set out hereunder, as the general basis of policy in dealing with "Battleaxe" lots.

1. The conditions in which blocks for "battleaxe" subdivision arise are generally : where the original subdivision produced residential lots having areas in the range of half an acre and depths in excess of 2-1/2 chains, and where the value of land has risen to a level at which it is uneconomic to hold the surplus land as an unproductive adjunct to a single family dwelling.

In these conditions the investment in dwelling houses is generally high and the environment often select, so that flat development, which could possibly obviate the demand for resubdivision, is not desirable. In other areas, where the original subdivision produced the odd over-large block of awkward proportions, applications for "battleaxe" subdivision may be received infrequently. In such cases the position is much clearer, so long as the quality of the environment is protected, subdivision should be approved.

2. If the Board is to approve "battleaxe" subdivision more often in the future than it has done in the past, then approval will only be granted where post-subdivision development will not depreciate the value of adjoining land, nor reduce the residential amenities of a locality through the diminution of privacy or reduction of environment quality. "Battleaxe" subdivision should not be approved where there is some real prospect of comprehensive redevelopment occurring or where there is some possibility of a subdivision producing several lots by way of an underwidth road.

3. There are circumstances where, in the subdivision of land not previously used for residential purposes, "battleaxe" blocks could be created on subdivision with advantage to the residential quality of an area and to the economics of development. In such circumstances, which would generally occur in hilly localities, the Board could look with favour on applications to subdivide land which produced a limited number of "battleaxe" blocks.
4. These conditions govern the consideration by the Board of applications for rear lot subdivision. Standards have been prepared which might vary from locality to locality and which would consist of:
 - a) Minimum lot area (exclusive of access leg) 32 perches.
 - b) Minimum width of access leg 12 feet.
 - c) In cases where more than one block is applied for, the maximum number of blocks which would be permitted to have legal access over the right-of-way and the minimum right-of-way width could be permitted : 2 blocks and 16'6" respectively.
5. In the few cases where this form of subdivision has been permitted the Uniform Building By-Laws seem to have been adequate : there is probably no need, if the Board is to approve "battleaxe" subdivision more frequently, to amend the By-Laws to ensure that dwellings are not erected hardup on the rear boundaries of adjoining property.

POLICY ON RIGHT OF WAYS

Objectives

The creation of battleaxe subdivisions is contrary to the objectives of the scheme and are therefore not supported by Council. This policy sets out the guidelines which will allow possible future subdivision of larger lots to occur by converting the right of ways into streets.

Applications for Sub-Divisions Adjoining Right of Ways

At the time of application for subdivision of lots abutting all right of ways, Council will request that a strip of land 4.27 metres wide along the right of way be surrendered by the subdivider for the purposes of a future street. In addition where lots are at the intersection to a right of way or at the intersection of a right of way and a street, a truncation will be required. The 4.27 metre excision will provide the extra width to the street necessary to provide adequate access to the newly created lot, street parking and visual relief to the narrow street.

Where lots adjoin two right of ways, Council may vary the 4.27 metre excision requirement to one of the two frontages. Generally lots whose rear boundaries adjoin north south right of ways are of such size that subdivision may not be possible even if the right of way is dedicated as a street. It is therefore intended that when dedicated they will become a one way access road connective to the two way access roads running east and west. In the event that subdivision into a north south street is possible the same conditions of excision as for the east west right of ways shall apply. When right of ways currently having access onto Stirling Highway are developed as a street they shall be designed as to have no direct access onto the Highway.

Procedure for Implementing Development of Right of Ways

The Council will decide to initiate development of right of ways within one superblock. This may be entirely upon its own initiative or upon representation from an owner or owners within a superblock.

The Council will have complete control in developing the right of ways in a systematic and orderly manner to create the type of environment it wishes to achieve for the locality.

Preparation of detailed design for the right of ways may be arranged by Council.

Council may enter into agreement with affected land owners to comply with conditions imposed by Council in developing the right of ways.

Council may enter into agreements with affected landowners in regard to financial contribution for the preparation of design and for work associated with development of right of ways.

Upon completion of detailed plan and execution of agreements, Council will apply to the Minister for Planning for the effected right of ways and adjoining excised portions of land to be declared as an underwidth street.



***SHIRE OF
PEPPERMINT GROVE
STUDY OF RIGHTS OF WAY***

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1.0 INTRODUCTION

1.1 Introduction

The Shire of Peppermint Grove has engaged SJB TOWN PLANNERS to undertake a review of its policies and procedures in respect to the rights of way within the municipal district with the intention of adopting a future management strategy.

Consultants are required to consider the issues raised during the review and have regard to the following matters:-

Engineering Questions

- Maintenance of unmade lanes
- Construction specifications
- Drainage design
- Entry designation

Planning Concepts

- Usage design for walkers, cars, service vehicles and the possibility of large trucks
- Future function of lanes as access to properties, as a frontage for homes and as a passing lane for vehicular traffic.
- Needs for lighting.
- WA Planning Commission Policy on Right of Ways

Other Issues

- Leasing portions of crown land.
- Fencing standards.
- Safety and security considerations.
- Dog latrine facilities.
- Ownership and legal responsibilities.
- Legal opinions obtained by the Shire.
- Existing policies.
- Adjoining owners have varying lengths of boundary abutting a right of way.

The first stage of the study involved an inspection of each ROW and preparation of an inventory containing inter alia:

- dimensions
- locality plan
- title details
- condition
- construction
- usage
- access by adjacent properties
- adjoining land use and zoning
- development potential

This report summarises investigations and findings from the first stage of the study. The second stage involved evaluating the legal and planning implications of the policy and processes that apply to the public and private ROWs within the Shire.

The third component of the study presents recommendations for Council's consideration and adoption which address each ROW within the context of the recommendations of the second phase of the study.

1.2 Definitions

The Land Administration Act 1997 provides the following definitions:

"Public right-of-way" means land vested in the Crown under the *Transfer of Land Act 1893* for public use. These can be ceded to the Crown on subdivision under Section 20A of the *Town Planning and Development Act*.

"Public road" means land reserved, declared or otherwise dedicated under the *Land Administration Act 1997* as an alley, bridge, court, land, road, street, thoroughfare or yard for the passage of pedestrians or vehicles or both.

"Private right-of-way" means the balance of title from a subdivision held in private ownership over which adjacent owners have an implied right of access under Section 167A of the *Transfer of Land Act*.

Private Street is defined as follows:

"Private road" means alley, court, lane, road, street, thoroughfare or yard on alienated land which is shown on a Plan or Diagram of Survey deposited with the Registrar of Title and which:

- (a) is not dedicated, whether under a written law or at common law, for use by the public;
- (b) forms a common access to the land or premises, separately occupied; or
- (c) is accessible from an alley, court, lane, road, street, thoroughfare, yard or public place that is dedicated, whether under a written law or at common law, to use as such by the public. (Section 3 of the *Land Administration Act 1997*).

1.3 General Problems Associated with Rights of Way

In most metropolitan districts such problems are numerous and complex. Some of the abutting residents want them for vehicle or pedestrian access and some don't. Some would like them closed and incorporated with adjoining properties and some would not. When closure is proposed there is often dissension over how the land contained in the ROW will be distributed – as a result support can change to opposition and vice versa.

Abutting residents often complain about dust, accumulated rubbish, traffic speed and noise, vibration, vermin, fire risks, drainage problems, fence damage, prowlers, obstruction by vehicles or otherwise, and many other perceived problems and disadvantages and expect Council to take action.

Piecemeal construction by individual owners – whether in conjunction with others or not – unless in accordance with an overall design fixing longitudinal and cross section grades and levels often creates problems.

The continued intensifying development of abutting properties which may result in increasing vehicular and pedestrian use of these rights of way can only exacerbate these problems and generate more complaints and/or dissatisfaction.

There is no easy solution but these problems will mainly be overcome by either closing or constructing the rights of way. The easy option of leaving them as they are and ignoring complaints cannot be recommended as a long term solution.

There are also benefits. There is a considerable advantage to a property occupier in the availability of the alternative access which a ROW provides – even when not fully constructed. Although loath to contribute towards the cost of construction, most property occupiers – even if they are not currently utilising the facility – are not today prepared to relinquish the right of alternative access for delivery vehicles, construction equipment, building materials, etc. Rear storage of boats, caravans and vehicles can be facilitated with a consequential improvement to the streetscape.

The availability of a ROW for use as a drainage easement or similar generally provides a considerable cost saving and is more convenient than the alternatives. When it is possible for rubbish collection vehicles to use the ROW it is generally preferable to street front positioning of rubbish bins.

2.0 ROW INVENTORY

2.1 Introduction

There are 30 right of ways (ROWs) within the Shire of Peppermint Grove. All, except two, are owned by the Shire.

Each ROW was inspected by the consultant and the following information was collected -

- dimensions
- title details
- condition
- construction
- usage
- access by adjacent properties
- adjoining land use and zoning

Whether the ROW exists, is paved, unpaved, drained or undrained, and the condition of the ROW was all noted.

Plan 1 gives the serial number of each ROW.

The following sections summarise the information gained.

2.2 Dimensions

The majority of ROWs in the Shire of Peppermint Grove range between 3.5 and 4.5 metres in width, with a significant number wider than 4.5 metres and up to 18 metres. There is no direct correlation between localities and ROW widths.

ROW lengths range from 390m ROWs providing rear car parking and pedestrian access to 90m long ROWs.

There is no correlation between the length and width of ROWs.

Table 1 shows the width of all rights of way in the municipality. 3.0 metres is recognised as the minimum width for vehicle access where there is no property access. 5.0 metres is recognised as the minimum width for vehicle access where there is residential property access, and 6.0 metres is the recognised minimum where the right of way gives access to shopping or commercial areas (see Section 3.0).

Table 1: Actual Width of Rights of Way (metres)
 - ROW Number - refer plan 1

ROW	
1.	4.0m
2.	3.5 – 13.5m
3.	3.5 – 4m
4.	3.5 – 4m
5.	3.0 – 7.5m
6.	3.5 – 4m
7.	3.5 – 4m
8.	3.5 – 8m
9.	3.5 – 4m
10.	3.0m
11.	3.5 - 4m
12.	3.0 – 7.5m
13.	3.5m
14.	3.5m
15.	4.0 – 9m
16.	4.5m
17.	4.0 – 12.5m
18.	3.5m
19.	3.5m
20.	4.5m
21.	4.0m
22.	4.0 – 12m
23.	4.0m
24.	3.5 – 4m
25.	3.5 – 9.5m
26.	4.0m
27.	8.0 – 18m
28.	4.0m
29.	3.5 – 4m
30.	3.5m

Source: Field Survey and DOLA Tax Plans

Table 1 shows there are a large number of rights of way that are under 5.0 metres.

2.3 Title Details

As explained previously, all of the rights of way, except ROW 29 and 30, are owned by the Shire of Peppermint Grove.

2.4 Condition

Almost all of the rights of way are not paved, either in bitumen or brick and as a result, dependant on their width and usage are in generally poor to average condition.

Some were in average to good condition (Nos. 13 and 14) – ROW 17 was notably in poor condition.

The condition of many ROWs often relates to their construction type and usage.

2.5 Construction

All of the rights of way are unpaved. Small sections of some rights of way are bituminised and brick paved. Generally, the rights of way are sand, limestone or blue metal based.

2.6 Usage

It was difficult to determine the actual usage from the survey. All that can be made are observations and comments on the evidence of usage. Some of the rights of way were observed to have, or there was evidence of, high usage. A small number had evidence of no or very little usage.

2.7 Access by Adjacent Properties

The survey highlighted which rights of way are used for property access. Generally, all rights off way provide some form of access to properties, whether this be for pedestrians or vehicles.

Where there is some form of access (whether vehicular or pedestrian) there are some rights and expectations to retain the access. This should be considered as part of the recommendations for each ROW.

Table 2 summarises the usage and access features of each right of way. All rights of way, except for ROW 29 provided property access.

Table 2: ROW Vehicular/Pedestrian Access or Usage
 ROW Number – Refer to Plan 1

ROW	Vehicle Access	Pedestrian Access
1.	2	2
2.	11	11
3.	3	2
4.	3	1
5.	16	2
6.	2	1
7.	4	1
8.	9	10
9.	3	4
10.	4	4
11.	2	1
12.	7	3
13.	3	2
14.	2	3
15.	3	1
16.	5	1
17.	4	4
18.	2	2
19.	3	1
20.	2	0
21.	4	2
22.	9	1
23.	5	0
24.	3	1
25.	6	2
26.	4	1
27.	3	1
28.	20	20
29.	-	-
30.	3	3

Source: Field Survey and DOLA Tax Plans

2.8 Adjoining Land Use and Zoning

Adjoining land uses are a key consideration in the future use and management of rights of way. The land uses are generally reflective of the zonings with commercial and retail uses in the Commercial zone and residential uses in the Residential Zone.

Rights of way adjoining commercial properties are generally used for service access and loading, as well as car parking. While residential properties are generally used for car parking access and not all properties have taken up the rear access, where car parking is available at the front of the property and the property is large.

Plan 1 shows the zonings covering the municipality.

The rights of way that abut non-residential (Commercial, Car Park and Private Clubs and Institutions) zoned land include Nos. 2, 24, 25, 29 and 30. These are all likely to have service, loading and parking access requirements. Their minimum width should desirably be 6.0 metres.

2.9 Development Potential

A number of properties have redevelopment potential. In order to determine which rights of way could be subject to future additional property access, the development potential of all Residential zoned land was assessed.

It should be noted that very few properties have further development or subdivision potential due to the Councils Town Planning Scheme preventing battleaxe subdivisions and only single dwellings being permitted in the R10, R12.5 and R15 zones.

3.0 CURRENT POLICIES AND PRACTICES

3.1 Shire of Peppermint Grove

Applications for subdivisions adjoining ROW

At the time of an application for subdivision of lots abutting all ROW, Council will request that a strip of land 4.27 metres wide along the ROW by surrendered by the subdivider for the purposes of a future street. In addition where lots are at the intersection to a ROW or at the intersection of a ROW and street, a truncation will be required. The 4.27 metre excision will provide extra width to the necessary to provide adequate access to the newly created lot, street parking and visual relief to the narrow street.

Where lots adjoin two rights of way, Council may vary the 4.27 metre excision requirement to one of the two frontages. Generally lots whose rear boundaries adjoin north south right of ways are of such size that subdivision may not be possible even if the ROW is dedicated as a street. It is therefore intended that when dedicated they will become a one way access road connective to the two way access roads running east and west. In the event that subdivision into a north south street is possible the same conditions of excision as for the east west ROW shall apply. When ROW currently having access onto Stirling Highway are developed as a street they shall be designed as to have no direct access onto the Highway.

The Shire of Peppermint Grove has adopted a procedure for the implementation of the surface upgrading of ROW and is briefly outlined below.

- Application from adjoining landowners will only be considered on a whole of right of way basis such as an entire length, either east/west or north/south.
- Application must be supported in writing by a more than 50% of the adjoining property owners agreeing to the following conditions:
 - (i) Collectively agreeing to contribute a minimum of 75% of the upgrading works including the pavement and drainage.
 - (ii) Providing an undertaking that the storm water collected on their properties will be retained and disposed on their property.
 - (iii) Fences adjoining the right of way are to be maintained at a standard that is acceptable to the Council in accordance with the requirements of the Councils Policies, Local Laws and Town Planning Scheme.
 - (iv) That any vehicle access points to the right of way will be provided and maintained in a manner that ensures safe entry

and egress and will comply with Councils policies, Local Laws and Town Planning Scheme requirements.

- (v) Property owners agreeing to limit the speed of their vehicles in the right of way to a maximum of 20kph. Signs are to be erected advising of this requirement.
- Applications must be submitted and approved in time for consideration in the next financial year budget estimates and will be subject to Council priorities for the allocation of the contribution required for the Shire of Peppermint Grove available funds. If Council is not in a position to contribute, the proposal may be given approval to proceed, provided the cost is met entirely by the applicants.
- The standard and materials for upgrading to be uniform for all proposals approved in the ROW throughout the Shire, unless otherwise agreed to by Council.
- That the materials and standard for upgrading the surface of the ROW be as follows.
 - (i) That the material to be used for the ROW be brick paving and the colour to be Pilbara Iron.
 - (ii)• That the width of brick paving be a minimum of 3 metres, which includes the width of low profile mountable kerbing on either side of the ROW.
 - (iii)• Speed humps are to be installed as determined appropriate.
 - (iv)• Property entrances will need to be truncated by 1 metre to ensure adequate safety and visibility.
 - (v)• The need and requirement of the truncation of properties at the corner of the junction of the east/west and north/south ROW, be considered at the time an application is received.
 - (vi)• No parking will be permitted in the ROW.

Council's current policy is that it will not take action to close rights of way unless full agreement of ratepayers on each side of the right of way is received.

3.2 City of Subiaco

The City of Subiaco has gone through a process of converting all ROWs to dedicated underwidth public streets and all have been bituminised: This was done so that Council could gain control over the management and maintenance of the ROWs. The private ROWs were poorly maintained, causing fire and other problems.

There was pressure from ratepayers requiring the upgrading of the ROWs to a suitable standard and so that access could be gained to the rear of properties.

Properties in Subiaco are small and in many cases access to the front and sides of the properties is limited due to reduced building setbacks, and as such parking at the rear was the only alternative. Council has also introduced a policy which encourages car parking at the rear or to the side of properties. Variations to this are permitted where -

- a) the relevant street is a secondary street frontage to the lot;
- b) the nature of existing development is such that the car parking requirement cannot be provided elsewhere;
- c) the topography of the land is such that provision of vehicular access behind the street setback area is unduly difficult or expensive to achieve;
- d) there is, in the street or immediate locality, an acceptable existing pattern of parking and/or carports or garages within the street setback area;
- e) in the opinion of the Council, the proposed development would enhance the desired streetscape;
- f) where the lot is so narrow or small in the area that provision of on-site parking behind the street setback area would unduly restrict the layout of a dwelling, the application of efficient solar energy conservation principles, or be detrimental to residential amenity; or
- g) where there is insufficient space to enable adequate manoeuvring into a rear parking space.

The preferred access to car parking spaces is, in order of preference:

- firstly, from a rear or side ROW or private street;
- secondly, from a secondary street at the side or rear of a lot; and
- lastly, from the principle frontage street.

Where a more highly selected method of access is available the Council will not approve access from a principal street unless such access is in accordance with the accepted existing pattern of access in the immediate vicinity within the street.

Additionally, the planning and design of new residential development that abuts a ROW on two boundaries and truncation of the corner is desirable, an automatic condition of Town Planning approval shall be land contained within the truncation to be ceded to Council without charge. The cost of survey and charges incidental to the ceding shall be borne by the City of Subiaco.

Of note the Council has a clause in its Town Planning Scheme which specifies that a right of way is not considered to be a street if it has a width less than 8 metres. This prevents new lots being created which front on to rights of way. Clause 9.7 of the Council's Town Planning Scheme specifies:-

"Lots Adjoining Underwidth Streets: For the purposes of the Scheme where a lot adjoins two or more streets any of those streets having a width of less than eight (8) metres shall be deemed to be a right of way."

The Scheme specifies that the minimum setback from a right of way is 3m (Clause 6.7) and under Clause 9.6, where land has been given up for widening of a ROW or it has been resumed, the area of the lot shall include the area of the portion transferred or acquired.

The Council also supports strata developments and developments on battleaxe subdivisions to access from the underwidth streets. There is mounting pressure for the postal address of these developments to be the underwidth streets and for these to be given names. There is also pressure for the lighting and brick paving of ROWs.

It is proposed in Council's new Town Planning Scheme to include a requirement to gain a one metre widening free of cost for the narrow ROWs and gain contributions for the paving, draining and lighting of the ROWs.

3.3 Town of Cottesloe

A study was undertaken for the Town of Cottesloe in 1988. This report was updated in 1992. The review was undertaken due to significant changes -

- a) in ownership - as a consequence of Council's action in levying rates on all privately owned rights of way and - after negotiating purchase of some - then proceeding to sale for arrears of rates in accordance with the provisions of the Local Government Act;
- b) by closure of some rights of way - either in whole or in part;
- c) by paving and draining either by developers or by Council; and
- d) by the dedication of some as public streets.

There was also an increasing awareness among District residents and others, of the potential provided by these facilities for alternative access to their properties and of the possible benefits which can result from the subdivision and amalgamation with abutting properties without interfering with rights of carriageway.

The study looked at -

- What a ROW is and how it is conferred
- Rights, responsibilities and powers of ROW owner, abutting properties and power of Local Authorities
- The various options for the use and management of ROWs
- Paving and draining of ROWs
- Rating of ROWs
- Fencing

The study contained detailed information on each ROW which had a location plan and the following information -

- Certificate of Title details
- Length, Width and Area
- Registered Owner
- Summary of Inspection
- Suggestions for Consideration

At the end of the report was a schedule detailing Certificates of Title Containing Rights of Way, Registered Owners.

In practice, group dwellings are permitted to access off ROWs. Pedestrian access to the primary street is still required.

The Council promotes the concept of using ROWs and paving them. At the moment there is an ad hoc approach. It is estimated that it costs in the order of \$1.5 m to pave a ROW to a standard acceptable as a public street to allow for service and emergency vehicles.

It is noted that streetscape issues are not addressed for ROWs and that there is no provision for lighting and security.

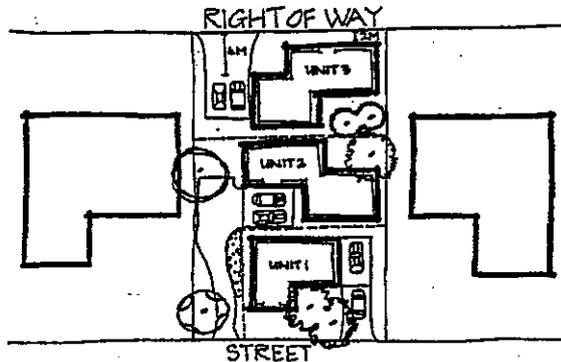
3.4 City of Stirling

The City of Stirling has adopted an interim Policy on Developments Abutting Rights of Way, pending the completion of a more detailed Rights of Way Management Strategy.

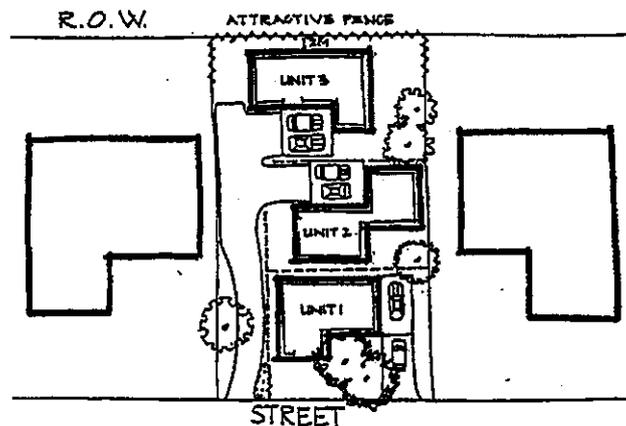
The objective of this policy is to promote better urban design by encouraging the use of Right of Ways for access, thus promoting -

- improved, more efficient use of individual sites;
- a unique streetscape (along the ROW) through sympathetic building orientation and design; and
- retention of the existing streetscape, by minimising the need for and impact of additional garages/carports and paved areas.

For dwellings oriented towards the Right Of Way minimum setbacks apply to both single lots and strata lots. This is illustrated in the diagram below.



Dwelling Oriented to a Right of Way



Dwelling Not Oriented to Right of Way

- Minimum ROW setback

dwelling (ground floor)	2 metres
dwelling (upper floor)	3 metres
carport/garage	4 metres
- Averaging of the setbacks is not permitted.
- Other setbacks As per the R-Codes

Any fencing within the ROW setback area must not be higher than 0.9 metres and upgrading of the ROW abutting the property is to be drained and sealed, at the cost of the developer, to the satisfaction of the City's Engineering Department. The remainder of the ROW to the nearest street, is to be made trafficable.

For dwellings not oriented towards the right of way a different set of guidelines apply that is illustrated on the following page.

Fencing abutting the ROW to be of an attractive design and style, as per the intent of the Residential Design Guidelines and the setbacks apply both to single lots and strata lots as indicated in the sketch below. All buildings including garages and carports shall have a minimum setback of 2 metres.

Garages and outbuildings abutting but not opening onto a ROW are discouraged. However, where the City recognises they are necessary and that a 2 metre setback is unreasonable or impossible, a reduced setback of 0.55 metres may be entertained. In this case, the design of the building walls must be in accordance with the intent of the Residential Design Guidelines and comply with the provisions of the Building Code of Australia. Furthermore, no fencing may be constructed between the structure and the ROW.

Upgrading the ROW for developments (other than minor additions or a Single House not using the ROW) will require a cash-in lieu contribution equivalent to the cost of paving and draining a 3 metre width of the ROW abutting the development is to be made to the City's ROW Upgrading Fund. Such contributions will only be spent on the upgrading of the pertinent ROW but, should this ROW be closed at some future date, contributions will be returned to the applicant.

3.5 City of South Perth

The City of South Perth originally contained 140 ROW. Approximately half are privately owned and half are public streets. In 1991, due to concerns over crime, fire and rubbish issues, the Council resolved to close as many ROWs as possible.

In response to this resolution the Department of Planning and Urban Development requested Council to prepare a policy on rights of way and reconsider certain right of way closures because the upgrading alternative was seen as a better use of land.

In April 1993 the Council undertook a review of ROWs and recommended that a policy be prepared.

Planning Policy No. 27 has been prepared in order to identify what form of development may be accessed off ROWs and to prepare design guidelines for developments served by rights of way which are to be upgraded to minor public streets and rights of way identified for retention as private streets. The use of ROWs to provide vehicle access to new dwellings is prohibited under the policy in cases where the affected portion of the ROW has not been identified for retention.

The City of South Perth has identified ROW to be wholly or partially retained as private streets and Row to the closed.

Approximately eighty per cent of the ROW in the City have been identified to be partially or wholly retained as private streets.

All the ROW that are in Council ownership are earmarked to be paved, subject to Council's ability to devote funds to the paving program, whether wholly or partially retained as a private street. Council will continue to maintain unpaved ROW is its ownership to alleviate health and fire hazards.

Conversely Council does not have the power to spend money on private land and therefore Council cannot pave privately owned ROW other than at the expense of adjoining landowners. ROW may also be paved by arrangement between adjoining landowners and a paving contractor, following Council approval of appropriate drawings. Where ROW are paved by private arrangement, Council will charge an administrative fee to cover the cost of preliminary checking of design and supervision.

Those ROW, or portions thereof, which have been identified for retention as private streets may be used to provide:

- primary vehicle access to Grouped Dwellings, where the density coding permits;
- primary or secondary vehicular access to a Single House; and
- primary or secondary vehicular access to a commercial property where Council considers it appropriate.

Where a ROW provides primary vehicular access to a required parking space for a proposed Single House or Grouped Dwelling, such access will only be permitted if the ROW is paved and drained to the satisfaction of the Council.

Where a person wishes to use a ROW to gain primary vehicular access to a proposed Grouped Dwelling or a Single House in advance of the ROW being paved by the Council, the applicant shall pave and drain the full-width portion of the ROW adjacent to the development site. This shall be to the satisfaction of the Council. A second access to a Single House is permitted irrespective of the pavement treatment of a ROW.

A secondary access to a Single House is permitted irrespective of the pavement treatment of a right of way.

Design Guidelines have been prepared for lots adjoining rights of way retained as private streets, as follows:

- a) Having regard to the potential for greater on-site amenity, the use of a right of way to provide vehicular access to an adjoining proposed Grouped Dwelling is strongly encouraged.
- b) Visitor car parking spaces shall be provided in accordance with the requirements of Council's Planning Policy No. 20 "Visitor Car Parking Requirements for Grouped and Multiple Dwellings". Visitor car parking spaces shall be accessed from the public street only.

- c) Any proposed parking space accessed from a right of way shall be set back not less than 1.5 metres from that right of way.
- d) Each Grouped Dwelling shall be provided with a pedestrian accessway with a minimum width of 1.0 metre leading to the public street at the front of the property.

For rights of way in the process of being closed or programmed for closure action vehicular access to adjoining lots will not be approved until Council has determined which portion of the right of way, if any, is to be retained.

3.6 Town of Bassendean

The Town of Bassendean undertook a study in 1993, similar to the one undertaken for the Town of Cottesloe. This study examined the options for the Rights of Way including the conversion to public streets, or closure of each ROW, however the study has not been implemented.

3.7 Town of Mosman Park

The Town of Mosman Park has recently adopted a policy on the development of Rights of Way that is similar to the City of Stirling.

For the purpose of this policy an underwidth road is one that is less than 10 metres in width. These thoroughfares were previously referred to as lanes and Rights of Way. (However, for the purposes of uniformity, an underwidth road shall be termed a Right of Way).

Dwellings Oriented to the ROW

The setbacks below are as per the requirements of the City of Stirling for both single house and strata lots (illustrated below). However, no fencing may be constructed between a carport or garage with a nil side boundary setback and the ROW.

Dwellings Not Oriented to the ROW

The setback requirements for dwellings not oriented to the ROW are as per the requirements for dwellings oriented to the ROW (see diagram). However, Council will require the subdivider/developer to make a contribution to the cost of providing street lighting in the ROW.

Also, Council will require the subdivider/developer to contribute to the cost of constructing or upgrading the ROW as a condition of approval for land which proposes sole access to a ROW where a lot-

- proposes using the ROW for primary access, and
- the ROW remains unconstructed.

Council will only support subdivision, or approval to development of land which proposes sole access to a ROW, where a 1 metre wide strip of land is ceded free of cost for the purpose of road widening and the lot abuts either a 3 metre or 4 metre wide ROW. Lots which abut a 5 metre wide ROW shall cede a 0.5 metre wide strip of land free of cost. In particular circumstances and where widening has been ceded, Council may consider a reduced setback from the new boundary.

3.8 City of Perth

In 1994 the City of Perth undertook a study of the approximate 700 rights of way in the municipality. Most are still in original ownership and a few have been acquired by the Council.

The Study was initiated because the Council received many requests to close laneways because adjoining owners saw them as a source of problems. Many requests were also received to upgrade laneways.

The Study identified the advantages of laneways as:

- provide vehicle access to residential and commercial properties
- improve redevelopment potential
- provide safer access for properties on busy roads
- help to preserve original/heritage houses and streetscapes by allowing rear access for new units behind existing houses

The disadvantages were identified as:

- dust, traffic noise, traffic speed
- reduced security
- flooding of properties and damage to fencing by vehicles
- difficult to use because of narrow width and bends, soft surfaces and vegetation
- fire hazard and rubbish dumping area

The Study concluded -

1. The legitimate role of laneways should be recognised. As the City continues to develop traffic demands will grow. Consequently many laneways will play an increasingly important role. Some laneways can be closed. A laneway should only be left open where the need for the laneway can be clearly demonstrated.

As a general principle, therefore, it is concluded that a laneway should be closed unless there are sound reasons for leaving it open.

2. The decision to leave open or close each laneway will be made on the merits of each case. Factors to be considered include:

- current use by vehicles
- development potential of adjoining land
- opinions of owners of adjoining properties
- the condition of the laneway
- problems associated with the laneway
- need for alternative vehicle access for lots facing busy roads
- need for access to parking on commercial premises

3. Where a laneway is to be left open the options are:

- leave it in its existing condition
- pave and drain it
- widen, pave and drain it
- lighting (included in any of the above options)

Laneway widening may be needed in some cases where a laneway is narrow and there is likely to be an increase in traffic.

Again decisions will need to be made on an individual basis having regard to local needs and context as well as available funding.

4. Finance for paving, draining and any widening should be provided largely by developers or owners (re) developing their properties.

At the conclusion of the Study a draft policy was formulated.

The aim of this policy is to encourage the most appropriate use of laneways. This draft policy sets down a procedure to determine whether a laneway:

- should be left open
- should be widened, paved and drained where it is to be left open

As a general principle the Council considers that a laneway should be closed unless there are sound reasons for leaving it open.

The application of this policy can be triggered by:

- a request to the Council to close a laneway;
- a request to the Council to upgrade a laneway;
- a development application involving land abutting a laneway;
- the Council's assessment of laneways.

The Council will then make an assessment of the laneway in respect of the following factors:

Development Potential

- current and proposed zoning and planning policies for adjoining land
- lot sizes and dimensions, potential for redevelopment

- other lot constraints such as topography, availability of vehicular access to rear from road, availability of sewerage
- age and condition of buildings
- need to retain flexibility of layout of new development

Local Traffic and Parking Conditions

- need to maintain, upgrade or provide laneway access because of traffic conditions on adjacent roads, for example, heavy regional traffic in Shepperton Road
- need to maintain, upgrade or provide laneway access to rear of properties to avoid reliance of street and verge parking
- need to avoid conflict where a laneway provides direct access to a major road

Character of Existing Development

- need to retain existing heritage or character buildings - commercial or residential - but still allow for added development

Amenity Issues

- erosion of flooding in laneways or adjacent land/ need to be clear that the laneway is the source of the problem
- security
- nuisance issues: rubbish, fire hazard, dust, non-local traffic
- outlook for houses that face the laneway

Current Use, Rights

- existing use of laneway by vehicles, pedestrians: What are the number of access points from the laneway? Do properties have vehicular access to the street?
- knowledge and views of adjoining owners
- presence of public utilities, easements
- emergency exit via laneway

Condition and Nature of Laneway

- length, width
- topography
- trafficability of laneway
- laneway surface

Cost

- potential cost of improving, widening or creating laneway

A development application on land abutting a laneway will be determined only after the future of the laneway has been established. Where the assessment results in a decision to leave the laneway open, the development application can be determined. Where the assessment results in a decision for closure the formal procedure to close the laneway is initiated. If this has no effect on the development application it is determined.

If the closure of the laneway prevents the development from proceeding, the application may be refused by the Council.

Where it is decided to leave a laneway open the following widths and conditions are considered appropriate as guidelines. (As local circumstances vary, the proposed policy will need to be applied with discretion, allowing for local conditions):

Laneways abutting Residential Zones

- where a laneway consists of one straight arm up to 50 metres long, has few existing and little potential for future vehicle access points it should be 3 metres wide; truncations are required for vehicle access points
- where a laneway is more than 50 metres long and the adjoining land has potential for redevelopment at increased density, it should be 5 metres wide
- where a driver would be unable to see a potential obstruction in a laneway due to bends or topography, and widening is necessary, the lane should be 6 metres wide

Laneways abutting Commercial, Shopping and Industrial Zones

- all laneways should be 6 metres wide

Laneways abutting both Residential and Commercial, Shopping and Industrial Zones

- where a laneway is up to 150 metres long it should be 5 metres wide
- where a laneway is over 150 metres long it should be 6 metres wide

Truncations will be required at laneway intersections.

Any development application on land which abuts a laneway that does not comply with the above widths and takes vehicular access from a laneway, may be approved with a condition (in addition to any other conditions) requiring laneway widening using the above standards as a guide.

Where widening is necessary, preference will be to take half from properties on either side of the laneway. Should widening render a property unsuitable

for redevelopment, widening may need to be taken from one side only, where properties would not be affected to the same extent.

The land required for widening shall be ceded to the Council free of cost.

Where the applicant proposes vehicular access from a laneway, such access shall be trafficable to a standard specified by the Council. Such specifications would include:

- paving and draining the laneway at the rear of the lot
- where the lot is two or less lots away from a dedicated street, paving and draining the laneway to that street
- where the lot is more than two lots away from a street, upgrading the laneway to the street

With the exception of setbacks to the laneway, all development standards shall be based upon the lot size before the widening is taken.

All new development on land, which abuts a laneway but does not take vehicle access from the laneway, shall be setback, in addition to the normal setbacks required for development, an extra setback distance equivalent to the widening determined for that laneway.

The Council recognises that the full traffic and access benefits of the widening of laneways will be achieved in the long term. Where traffic conditions in a particular laneway become a problem in the short term, the Council will consider, as an interim measure the introduction of one way traffic flow in that laneway.

3.9 Ministry for Planning

The Ministry for Planning encourages the use of narrow streets in the design of new residential areas. Rights of way can be considered to serve the same purpose as narrow streets, particularly for new or redevelopment that front on to the ROW. These streets are classified as Access Places.

Access places are shared pedestrian and vehicular spaces. Pedestrians are given clear priority and traffic speeds kept to a minimum through the use of design techniques and features. They are in effect an extension of the domestic environment of the abutting dwellings.

Access places are short cul-de-sacs serving up to 20 dwellings in either a linear or court configuration. Traffic flows on access places should not exceed 20 veh/d at any one point. Vehicle operating speeds should be 20 kmh or less.

Reserve widths should be in the range of 10-14.5 m and should be comprised of -

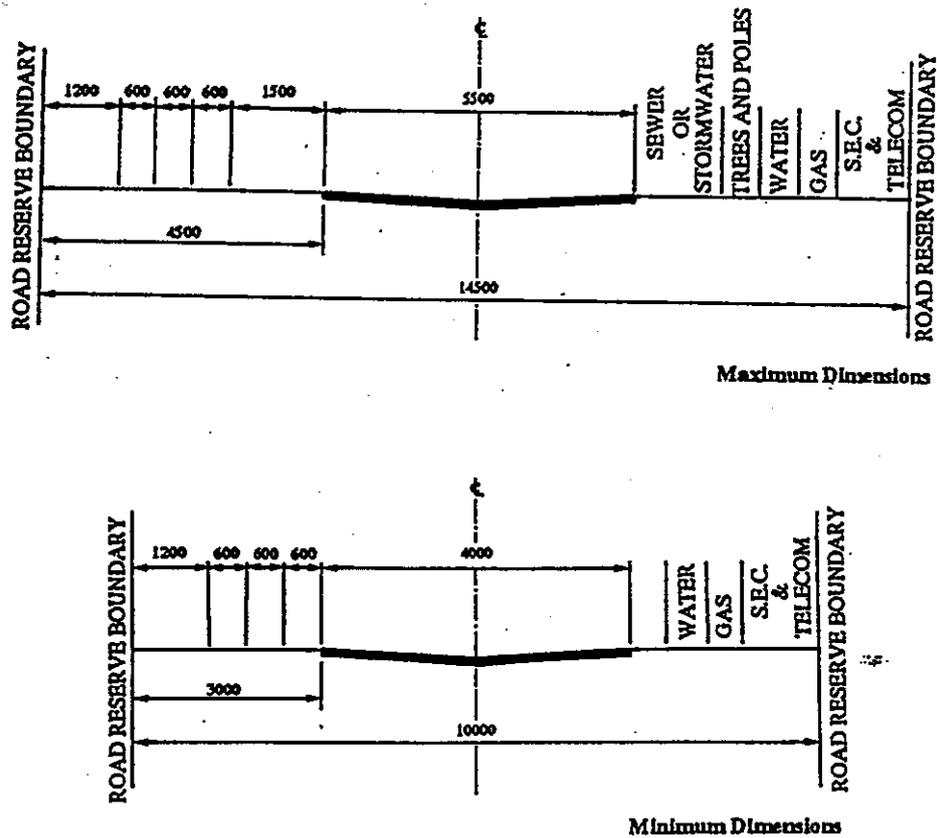
- a carriageway of 4-5.5 m although where four dwellings or less are served widths as low as 3 m are acceptable

Horizontal and vertical alignment should incorporate curves to encourage low vehicle speeds, with horizontal and vertical sight lines designed for operating speeds of 40 kmh, although actual speeds will be lower.

The length of access ways and access places should together have a maximum length of 350 m between the furthest lot and the local distributor. Access places themselves should not exceed 200 m so that, given constrained driving conditions, motorists will not become frustrated and increase speeds above safe levels.

For access places a range of 4-5.5m could be employed for the carriageway as shown on Figure 1, however where four dwellings or less are served widths as low as 3m are acceptable. Verge widths of 4.5 m would be the maximum required, where sewer/stormwater services and overhead power needs to be accommodated. Where sewers are at the rear of lots and underground power is installed verges could be reduced to 3m.

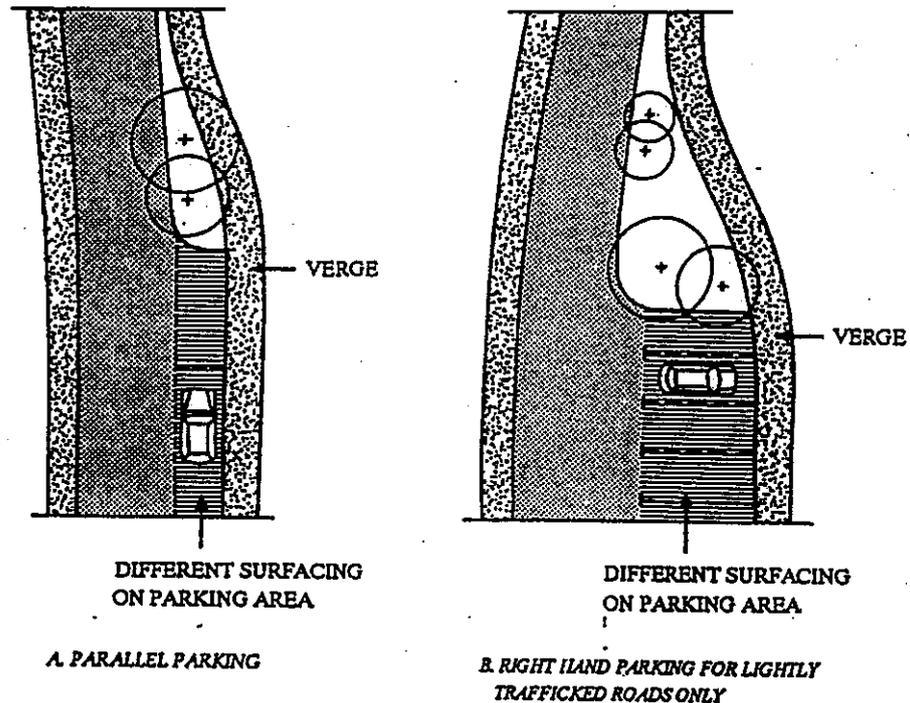
Figure 1: Typical Cross Section for Access Places



In access places car parking will only be required for occasional visitors and service vehicles, and should be accommodated on private driveways, the

carriageway of the road, or the verge. Within the carriageway, short term spaces may be created by localised widening and clearly delineated by contrasting pavement colour or surface texture as shown on Figure 2.

Figure 2: Car Parking

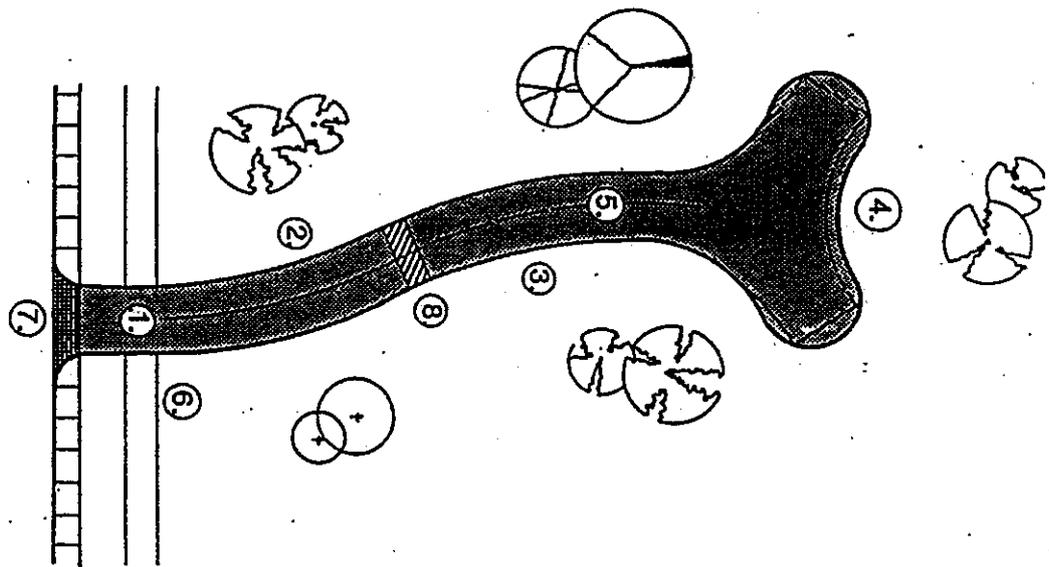


The access place should be designed as shared pedestrian and vehicular spaces. The following design features could be incorporated, as shown on Figure 3.

- An entry statement to signify the change in road status.
- Changed pavements surface from the adjacent access way.
- Flush kerbs are required and kerbs need not be parallel. The pavement surface should be either brick paved or coloured asphalt, which has some advantage in terms of maintenance. Pavers can be used to form rumble strips and raised plateaus, and to separately define parking bays so as to avoid large uniform expanses of car-dominated road space.
- Drainage should run along the centre of the carriageway to allow the use of flush kerbing.

Characteristics of an Access Place

1. Shared use pedestrian/vehicle surface indicated by changes of colour or surface texture that contrasts with other roads.
2. No prominent kerbs. Flush carriageway edge signals that pavement is communal territory (shared) and not exclusively to cars.
3. Verges to not show strong demarcation between paved carriageway and property boundaries.
4. Economical turning spaces with irregularly shaped rounded outlines.
5. Centre drainage preferred to avoid the need of prominent kerbs.
6. Access place has no separate footpath.
7. Portal effect entry treatment signifies to driver entry to shared pedestrian vehicle surface
8. Speed control devices every 80m ensure that vehicles do not exceed safe speeds of approx 20kmh.



WAPC policy No. DC 1.7 General Road Planning specifies that a truncation of 2.8 m (2m x 2m) is required for private streets and that this may be required as a condition of subdivision/amalgamation or development.

In terms of the closure of rights of way, the WAPC policy No. DC 1.7 General Road Planning specifies:

"In commenting on proposals to close private streets, the Commission will not normally object to such closures except where they are located at the side or rear of lots in the following circumstances:-

- In established residential areas, particularly where lots have a narrow frontage, they provide an opportunity for urban consolidation by enabling access to infill dwellings at the rear of existing residences. In addition, these private streets avoid the need for vehicle parking in front of the front setback line enabling it to be reduced.
- Where they provide an opportunity for alternative access to improve traffic flow and safety for lots that abut primary or district distributor roads including controlled access highways, other major highways and important regional roads designated under the MRS.

In these circumstances the Commission may support the construction of private streets and dedication for public use.

3.10 City of Canning

Where a ROW exists adjoining the lot, consideration should be given to using it for access to the development. The landscaped accessway to the rear dwelling should be generally a minimum of 5m wide or 6m wide where there is a major opening to a habitable room facing onto the accessway unless the development lot adjoins a public open space area and that area forms an integral part of the total design.

3.11 Town of Cambridge

The Council reviewed all ROW in the Town and has developed a set of criteria to assess the importance of upgrading each ROW. The majority of Council laneways are in the Wembley/West Leederville area and it is in this area that the work in developing this policy has been concentrated. There are approximately 100 ROW within the town, 24 Council owns, 36 are Church owned, 37 are privately owned and 3 are jointly between Council and the Church.

It is proposed that Council consideration be given to the development of ROW using the following guidelines.

- Council initiation.
- Where 50% of the adjacent residents wish to fund the total acquisition and construction of the ROW at their own cost.
- Where a developer or a group of developers wishes to fund the construction of the right of way at their cost.

Council may resolve to upgrade a right of way and this approval will be subject to annual budget funding. The criteria for the Council to make this decision would be guided by the policy and the proposed policy criteria is that it conforms to a combination of requirements, namely:

- Flooding.
- Sandy; or part sandy, part hard standing or part bitumen; or
- Rights of way where adjacent land owners use the ROW as their only access.

The Residential Design Guidelines indicate that there be a minimum of six metres manoeuvring distance. This will require the setback of the property access in all ROW where the width is less than six metres. In particular where the lane is 5 metres wide, the setback will be 1 metre. Where the laneway is 3 metres wide, the setback will be 3 metres. It is recommended that where the laneway is less than 3 metres wide the lane be bitumen paved as a pedestrian right of way or it be amalgamated to the adjacent properties.

For the proposed upgrading of the Rights of Way in the future, the Council standard shall be 250mm of compacted limestone plus bitumen tack coat plus 30mm hot mix. The edges have been provided with flush kerbing and the drainage has been through soakwells to a 1 in 10 year flood frequency. From the 100 ROW within the Town of Cambridge, the Council has allocated a budget to upgrade two Rights of Way that are in poor condition.

3.12 City of Kalgoorlie-Boulder

A draft policy relating to Vehicle Access via a Right of Way in Residential Zones has been adopted by Council. When considering an application for access from the ROW, the Council will give consideration to the following matters.

- The subject property has legal right of carriage way and access to the ROW.
- The ROW has a minimum width of at least 5 metres.
- If the subject ROW needs upgrading, sealing of the ROW to a satisfactory standard will be required from the nearest side street to the end of the subject property.
- The upgrading of the ROW will not be required if the property currently has a rear access and only one dwelling will continue to use the rear access.
- If the rear of the property is fenced, a 1.5m by 1.5m sight line shall be provided at the property boundary and the ROW boundary to ensure adequate visibility. The area in the truncation shall be maintained clear of obstructions to above a height of 0.6m. Open fences may be permitted depending upon the materials of construction and the level of visibility they allow.
- The setback of any development being at least 1.5m from the rear boundary of the subject site.

Council may allow sole access from the ROW, if:-

- A separate pedestrian access is provided to any dwellings which do not have a direct street frontage. The preferred width of the access corridor is 1.5m (although a minimum width of 1.2m may be permissible). The access corridor must have a path with a minimum width of 0.75m, constructed to Council's satisfaction, with landscaping and low level lighting. This access corridor is also to be used to provide infrastructure services from the street to rear dwellings.
- The battleaxe leg, when considering rear access from a dwelling located at the front of the subject property, has a minimum width of 4m.

Other factors that will be considered when determining if ROW access is appropriate include:-

- Number and Location of Existing access points onto the Right of Way.
- The appropriateness of having a vehicle access from the street
- Location of visitors parking spaces for 5 or more group dwellings.

An illustration of the adopted policy is provided on the next page.

3.13 City of Bayswater

Council has initiated a study of all ROW within the City with the primary aim to provide innovative design solutions for In-fill development adjoining ROW. The findings of the study will enable Council to implement a suitable management strategy for the upgrading and development of each ROW. It is envisaged that once the study has been finalised and the recommendation adopted by Council, the process of either closing and/or upgrading the ROW can commence.

3.14 Land Administration Act (1997)

The *Land Administration Act 1997 (LAA)* is Western Australia's current legislation dealing with the creation and closure of roads. Rights of way are applied to those roads on a plan of subdivision of privately owned land under the Act which have not been dedicated to public use. There are various methods to close a right of way that is outlined below;

Closure by Application

The owner of the fee simple of a private road or right of way may close it by application to the Registrar and the following should be noted.

- The application must be made by the registered proprietor of the fee of the road or right of way;
- Any easement granted expressly by transfer must be the subject of a formal surrender by the dominant owner. Any encumbrancer of the dominant tenement must consent to the surrender;

- The proprietor of the original lots on the plan of subdivision that abut the road or right of way must also execute a formal surrender of their implied rights.
- All surrenders must be stamped by the State Taxation Department (Stamp Duties Division) but the application is not dutiable; and
- a consent in writing must be obtained from all encumbrances of any land the proprietors of which have implied rights of way over the private road or right of way.

A plan of subdivision incorporating the land the subject of the closed ROW of may be deposited in DOLA but no action may be taken on the subdivision until the road or ROW is closed. After closure of the ROW an application for a certificate of title the subject of the plan is required. The certificate of title for the land in the road or right of way to be closed must be produced unless it is partially cancelled and held at DOLA. After lodgment, each application to close a road or ROW is submitted to the Commissioner for approval and if satisfied that the requirements have been met, effect will be given to the closure.

Closure by Local Government

Private roads may be closed following a resolution to that effect by a Local Government and the approval of that resolution by the Governor in Council. This course of action may be initiated by the registered proprietor or some other person applying to the Local Government and upon publication in the Government Gazette, the resolution to close the private road and the registration of an approved plan in DOLA the private road is:

- closed;
- freed from the right of any person to use the same as a private road;
- divided in accordance with the resolution of the Local Government and each portion is vested in the owner of an adjoining lot in accordance with the plan; and
- made part of the lot to which it is attached in the DOLA records.

The closure is noted on each original certificate of title and the inclusion of the closed road is effected automatically when any dealing is lodged on affected land for which the duplicate certificate is produced.

A local government may request the Minister to acquire as Crown land -

- and alienated land designated for a public purpose on a plan of survey or sketch plan lodged with the Registrar;
- any private road; or
- any alienated land in a townsite which the Minister proposes to abolish under section 26

within the district of the local government. Any request is to be accompanied by a plan of survey or sketch plan showing the subject land; and approved by the Planning Commission. Before making a request, the local government must take all reasonable steps to give notice of that request to the holder of the

freehold in the subject land, the holders of the freehold in land adjoining the subject land and all suppliers of public utility services to the subject land. The proposal must also be advertised once in a daily newspaper circulating throughout the State.

Conversion of a private road or right of way to public

A private street or right of way may be dedicated as a public street under the provisions of the Local Government Act, 1960 on:

- the request of the owner of the street or right of way made to the Local Government;
- the request of the owners of rateable property abutting the street or right of way or at least the owners of more than one half of the sum of the rateable values of the abutting properties.
- the request of the Local Government, where the public has had uninterrupted use of the street or right of way for a period of not less than ten years.

3.15 Western Australian Planning Commission Policy - Planning Bulletin Number 33

The Western Australian Planning Commission's policy in relation to ROW and laneways is briefly summarised below. Prior to the release of this Planning Bulletin, a discussion paper was circulated amongst local government and the formulation of the policy is in response to the comments received.

What should be done to rights-of way in established areas?

Redevelopment adjacent to rights-of-way

Access via rights-of-way facilitates the development of infill dwellings at the rear of existing residences which utilise rights-or-way as their sole vehicular access to the dedicated street network or for rear access to new narrow lots. This may facilitate the greater use of urban land without detrimentally affecting the streetscape particularly in heritage areas. The use of rights-of-way is considered to provide a superior living environment to battleaxe development. In particular it is considered preferable for houses to face streets and laneways rather than be enclosed in backyards. It also contributes to personal safety through surveillance.

However, redevelopment adjacent to unmade private rights-of-way may increase vehicular usage and create management problems for which there is no identifiable responsible authority.

Where sole vehicular access via a right-of-way is proposed for residential subdivision and/or development and the right-of-way is not a public road, applicants should be required to demonstrate (by submission of copies of the Certificate of Title and original Plan or Diagram of Survey or other documentation) that they have a right to use the right-of-way.

Where sole vehicular access is via a right-of-way and one of the lots does not have a frontage to the public street then there will generally be a requirement to provide a pedestrian access leg to the public street for postal, visitor, rubbish collection and public utilities (eg. water, gas, electricity and telephone). This can be in the form of a portion of the rear lot or as common property in the case of a strata title or survey-strata subdivision. While one metre access legs may be accepted where a site is constrained by existing buildings worthy of retention being set back less than 1.5 metres from the boundary, generally a 1.5 metre width is favoured as providing sufficient space for services and to avoid visually unattractive narrow alleyways.

Upgrading of rights-of-way

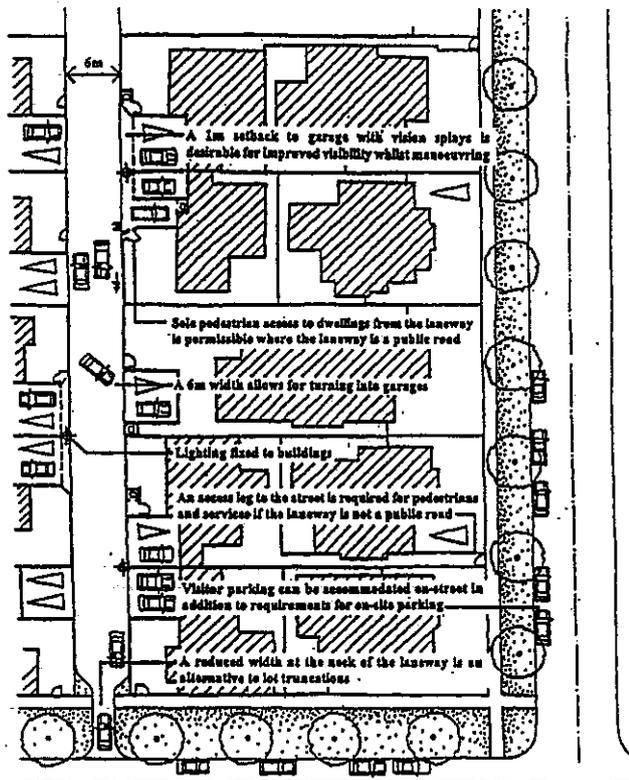
The upgrading of rights-of-way to a sealed and drained standard should be required in areas of intensification of residential and commercial development. It is suggested that proponents of development with sole vehicular access via the right-of-way should be required to seal and drain the portion of right-of-way abutting the subject property (if not already constructed to that standard) and make trafficable (to the satisfaction of the local government) the rest of the right-of-way to the closest public street. In other cases contributions towards right-of-way upgrading may be required as a condition of subdivision or development approval. Such contributions may be set aside in trust fund by the local government for the exclusive use of right-of-way upgrading in the locality.

In order to provide for the upgrading of a right-of-way to facilitate adjacent development, a more coordinated approach may be required. The preparation of a plan for a whole street block in which widening, parking, lighting and other services are provided for may be desirable. Such a plan was successfully implemented on Easton Lane, off Sackville Terrace, Doubleview.

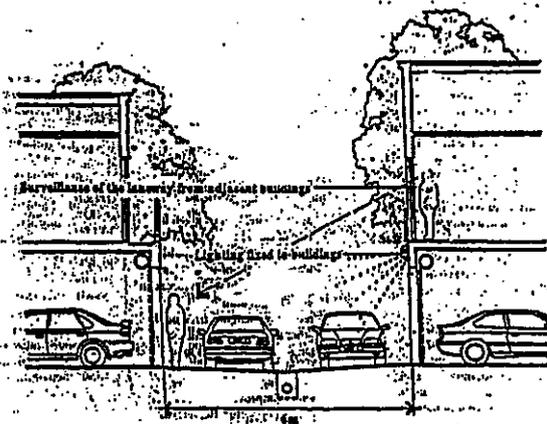
Where local government is desirous of expending rate revenue and developer contributions on right-of-way upgrading it is desirable for the local government to seek the dedication of the right-of-way as a public road or to acquire ownership of the right-of-way.

What are the Appropriate design standards for rights-of-way?

Some of the design solutions associated with 5 or 6 metre wide rights-of-way in established areas are illustrated as follows-



TYPICAL 6m LANEWAY IN AN ESTABLISHED RESIDENTIAL AREA



TYPICAL CROSS SECTION OF A 6m LANEWAY

sufficient width for vehicles to pass safely, whilst also allowing room for pedestrians or cyclists.

It is recognised that vehicles can pass safely (at low speed) in a 5 metre wide right-of-way. Therefore, existing 5 metre wide rights-of-way may not require widening if they only provide (vehicular) access to garages, and are not the main (pedestrian) access to dwellings or commercial premises adjoining the rights-of-way. For example, where a pedestrian access leg to the public street is provided (as in paragraph above) pedestrians, emergency, postal and other services and rubbish collectors have alternative access to the rear development and to on-street parking, and so the requirement to widen the right-of-way may be waived where all development in the street block is likely to follow this pattern.

In commencing on proposals to dedicate rights-of-way or considering resulting Plan or Diagrams of Survey, the Commission will not normally support dedication where the width is less than 5 metres, and where the right-of-way is the sole frontage for the proposed lots.

It should be noted that with a 5 metre right-of-way the garages (at right angles to the right-of-way) should be set back at least one metre from the property boundary to achieve the required manoeuvring space for a vehicle to reverse into or out of the garage. Where garages are set back behind the property boundary it is recommended that a 45 degree visibility splay either side of the garage entrance should also be kept clear of development to improve visibility and make turning manoeuvres easier. Alternatives to the one metre garage set back could include wider garages (which allow the turning manoeuvre to commence within the garage) or garages aligned at less than 90 degrees to the right-of-way (which reduces the width of the turning path). It is recognised that some local governments already have more restrictive requirements in this regard.

Where particular constraints preclude the widening of a right-of-way for residential developments, the following alternative design solutions may be acceptable:-

- one-way traffic operation on a right-of-way less than 5 metres wide;
- on-site parking bays constructed immediately adjacent and parallel to the right-of-way (not within the right-of-way);
- narrow one-lane sections of right-of-way with wider sections for vehicles to pass at appropriate locations, and other similar approaches.

Any such proposal needs to be carefully considered in relation to the operation of the surrounding street network and must be endorsed by the relevant local government before a subdivision or development application is approved.

2. Length of rights-of-way

In commenting on proposals to dedicate rights-of-way or considering resulting Plans or Diagrams of Survey, the Commission will generally not support dedication where rights-of-way are of excessive length (in excess of 200 metres) and where there is no alternative pedestrian access to the street. Having such long or narrow streets as the sole access (both for vehicles and pedestrians) to properties is considered undesirable and may result in excessive walking distances to visitor parking in the surrounding streets and result in visitors parking in the right-of-way.

Where a length of right-of-way longer than 200 metres is dictated by the existing street network then it may require special treatment to restrict traffic volumes and speeds.

Some possible treatments for long rights-of-way could include the use of traffic calming devices to slow traffic, intermediate connections to the local street network, and wider sections of right-of-way to allow for the installation of visitor parking.

3. Traffic flow and design speed

Policy DC 2.6 provides that traffic flows on rear laneways should not exceed 100 vehicles per day (vpd) at any one point.

The Commission's *Guidelines for the Design and Geometric Layout of Residential Roads* (which supplements Policy DC 2.6) indicates a maximum desirable operating speed of 20 km/hr or less.

The *Liveable Neighbourhoods: Community Design Code* suggests an indicative maximum traffic volume of 300 vpd and target maximum speed of 15 km/h.

Speeds and volumes within the upper limits identified for laneways by these different documents (ie. 300 vpd and 20 km/h) are acceptable to the Commission, until these documents are reviewed.

4. Truncations

The Commission's *Policy DC 1.7, General Road Planning*, suggests that a 2.8 metre truncation (2m x 2m) may be required where two private streets (ie. rights-of-way) meet or where a private street meets a public street. *The Liveable Neighbourhoods: Community Design Code* is silent on the need for truncations for rights-of-way but the Code does not require truncations for streets except in circumstances where site-specific problems result in sight line or turning radii constraints. An acceptable alternative to truncations could be to reduce the width of the pavement at the neck of the laneway.

To improve sight lines and turning radii, it is recommended that appropriate truncations be required where two rights-of-way meet (or at any bend in a right-of-way of 60 degrees or more). A 2.8 metre truncation (2m x 2m) would improve sight lines and turning radii for cars and, in 6 metre rights-of-way,

may be adequate for most rubbish trucks (this should be confirmed with the relevant local government). For larger vehicles, such as furniture removal vans and fire engines, larger truncations may be required upon the recommendation of local government. If rubbish trucks are required to access the right-of-way they should not have to reverse into or out of the right-of-way. As other larger vehicles will be much less frequent it may be acceptable for them to reverse in or out of the right-of-way.

Where the right-of-way connects to a public street the need for a truncation is related to sight lines between vehicles in the right-of-way and pedestrians or cyclists on paths in the street verge. Where a path is located close to the property boundary a truncation should be applied or the pavement reduced in width at the neck of the laneway, but if there is no path, or if the path is located away from the property boundary, the truncation could be reduced in size or not required.

5. Parking provision

The parking needs of residents should be accommodated on-site or, in some cases, by an appropriate cash-in-lieu arrangement for the local government to provide public parking facilities. In determining parking requirements for developments no allowance or credit should be given for parking within the right-of-way.

Wherever possible, visitor parking (in excess of the local government requirements for on-site parking provision) should occur on the surrounding streets with access to residences along the right-of-way or through the property (eg. where a pedestrian access leg is provided, or common property in a strata titled or survey-strata development). Where this is not possible then visitor parking should be provided on-site.

6. Lighting

Where there is a reasonable expectation that pedestrians will use the right-of-way (especially in the case where residences do not have alternative pedestrian access to the public street) lighting should be provided at appropriate intervals (to the satisfaction of the local government) as an essential component of the right-of-way design. This could be provided, for example, by attaching lighting to adjoining buildings with the owners' consent to a long-term lease at peppercorn rental, with the local government funding the installation, maintenance and tariff.

Where there is not a reasonable expectation that pedestrians will use the right-of-way (eg. where the right-of-way only provides vehicular access to garages) the requirement for provision of lighting would be at the discretion of the local government but should usually be encouraged for improved security.

7. Surveillance of rights-of-way

Building design which allows for the overlooking of rights-of-way from facing buildings should be encouraged. Potential for surveillance from windows provides greater security for the users of the rights-of-way and adjacent properties.

How should improvements to rights-of-way be implemented?

1. Dedication of rights-of-way

Dedication of private rights-of-way (or acquisition of the private street by the local government) is often considered desirable to enable management and maintenance by the local government, particularly where redevelopment is taking place adjacent to the private right-of-way. Even where upgrading is not envisaged, it is considered appropriate that rights-of-way be considered as public areas for which local government should be the responsible authority. Dedication of rights-of-way also resolves the legal question of who has a right to use the right-of-way.

Where the private right-of-way is dedicated and provides the only way of accessing individual dwellings or commercial premises, it becomes a street in function and would need to provide the normal services of a street such as public utilities, access for emergency vehicles, postal services, refuse collection, street name and numbering. Dedication means that the general public and various public utility authorities have the right to use the right-of-way, in addition to the adjoining residents.

Section 52 of the *Land Administration Act 1997* provides for a local government to request the Minister for Lands to close a right-of-way by acquiring the land as Crown land where the land is designated for a public purpose on a plan of survey or sketch plan. The procedure requires the local government to notify the holder of the freehold land, the adjacent owners and suppliers of public utilities to the land.

Under Section 56 of the *Land Administration Act 1997* the local government may request the Minister for Lands to dedicate the land as a road. Under this section the owner of the freehold land on which a right-of-way had been used by the public for over ten years is not entitled to claim compensation.

2. Securing land for widening of rights-of-way

Sections 28 (3) or 20A of the *Town Planning and Development Act 1928* can be used to require private right-of-way or narrow dedicated laneway widening. Section 28 (3) can be used to dedicate the widening as a public street where the widening connects to the existing dedicated street network, or section 20A can be used to create a reserve for public right-of-way in the event that the widening will not connect to the existing dedicated public street system. Section 28 may also be used to create an addition or truncation to a public street by showing it on a strata or survey-strata plan. This would administratively simplify the widening of public rights-of-way where strata

titles development is occurring as once the widening is shown on the strata plan it automatically vests without requiring formal subdivisional approval.

Wherever a subdivision (including strata title or survey strata) or development gains access from a right-of-way less than 6 metres wide (or 5 metres, if appropriate), the approval may require that the land required to widen the laneway to 6 metres (assuming equal widening on both sides of the right-of-way, where appropriate) will be given up free of cost to be dedicated to public use. While this could leave the right-of-way at less than the desired width for much of its length until redevelopment occurred on the other adjacent properties, a long-term view needs to be taken. This reflects the increasing need for greater width (improved vehicles passing opportunities, etc) as the number of developments accessing the right-of-way grows.

For development applications the requirement to give up land for widening the right-of way will necessitate a subdivision or strata application, although such an application is usually sought by developers to provide separate titles for new units.

Where a subdivision or development is adjacent to a right-of-way less than 6 metres wide (or 5 metres, if appropriate) but does not, or is not required to, make use of the right-of-way for access, it may not be considered equitable to require land for widening the right-of-way to be given up free of cost. However, development on such properties should be encouraged to be set back by an extra amount equal to any widening required so that the local government has the option to purchase land to widen the right-of-way in the future if this is allowed for as part of a comprehensive development plan for the right-of-way.

Access via rights-of-way facilitates the development of infill dwellings at the rear of existing residences and the use of ROW are considered to provide a superior living environment to battleaxe development. The upgrading of ROW to a sealed and drained standard should be required in areas of intensification and commercial development. This standard is required to facilitate the orderly construction of rights-of-way and a maximum speed of 20 kilometres per hour is desirable with a traffic flow of less than 100 vehicles per day.

Additionally, Section 288(4) of the Local Government Act enables local authorities with the approval of the governor and following certification by the Minister for Planning to dedicate underwidth roads as public streets. The dedication of underwidth roads and private rights of way is often considered desirable to enable management and maintenance by the local authority. Conversely, privately owned rights of way often fall into a state of disrepair with drainage problems and require resurfacing and upgrading which is usually caused from landowners having no need or desire to improve these rights of way.

Local authorities are required to submit the following information with all requests for the dedication of underwidth roads to the Commission:

- a location plan
- full title description (including a copy of Certificate of Title and Plan/Diagram of Survey);
- a plan of survey and fully dimensioned sketch plan of the proposed road;
- a written description of the proposed road; and
- any background supporting information.

3.16 Conclusion

From the review it is apparent that each Council deals with rights of way differently. The Shire of Peppermint Grove has experienced a number of problems related to privately owned rights of way and has not been in a position to address the problems.

Some Councils, such as the City of Subiaco, have gone "holus bolus" into converting rights of way to underwidth public streets and paving them. In some instances this has been encouraged by rating the private streets.

Other Councils, such as the City of Perth and previously the City of South Perth have taken the opposite route of closing as many rights of way as possible (unless there are sound reasons for leaving them open). A number of Councils, such as Cottesloe, Bayswater and Bassendean, have gone through the process of undertaking comprehensive studies and making specific recommendations for the use and management of each ROW. Other Councils, such as the City of Perth, has set up procedures for assessing the use and management of each ROW.

There is a uniform practice that rights of way under a certain width, particularly with bends, should be closed. Where there is access to the rear of properties and they are used, the rights of way tend to be retained and in some cases widened. Where access to developments from rights of way is encouraged or the right of way is upgraded or even widened, the right of way is normally brought into public ownership (and paved and drained). This is normally done before any development approvals are given.

Most Councils allow group housing developments to gain access from rights of way. Pedestrian access to the public street is, however, normally required. In Subiaco, this is encouraged in certain circumstances. There is increasing pressure for the upgrading, paving, drainage and lighting of rights of way. There are moves to get contributions towards upgrading, lighting, etc., from developments.

In general, private streets are not upgraded by Councils. The public streets tend to be the ones paved and drained.

The Councils that support development fronting onto rights of way have prepared policies and design guidelines such as the City of Stirling and Town

of Mosman Park. It is apparent that rights of way serve an important function for property access and are particularly important where there is development potential of the surrounding properties. They provide the opportunity to create a minor public street system.

In contrast to the many Councils that have adopted policies and/or completed studies in relation to the use of Rights Of Way, some local governments judge each application to close or consider a development adjacent to a ROW based on the merits of each application. Further to this, the Western Australian Planning Commission has published a Planning Bulletin that outlines the management of a ROW and the *Land Administration Act (1997)* governs the legislative requirements.

4.0 PLANNING IMPLICATIONS

4.1 Parking and Traffic Control

Parking control is a continual problem with rights of way, whether they are in public or private ownership. People trying to access the rear of properties or builders working in an area often park and block the right of way. Obviously, this problem only occurs when the right of way is not of a sufficient width for two vehicles to pass (5 metres minimum).

The problem of car parking can be addressed by Councils' parking local-laws. For rights of way in public ownership, such as those in the Shire of Peppermint Grove, Council can impose "no standing" controls and can enforce this restriction.

Even with restrictions in place, they have to be enforced, which does not solve the immediate problem of someone trying to get to their property. The best way to resolve the problem is to ensure a sufficient width for two vehicles to pass.

4.2 Access to Properties/ Development Opportunities

Section 2.0 showed the properties that have rear access to their properties. Where such exists there is an expectation and a legal right for the access to continue.

For rights of way in public ownership, such as those in the Shire, there is an established right to have access to the property.

Access to properties is clearly a constraint to closure of a right of way. All of the rights-of-way in the Shire provide access to properties and as such none are candidates for closure.

Where there is redevelopment potential of the properties abutting the right of way, there is an opportunity for the rear dwellings to access off the right of way. Issues of parking, vehicles passing, upgrading and ownership will however need to be resolved before Council embarks on this course of action. It is preferable that where rear access is permitted, the right of way be -

- in public ownership; - this is already achieved in the Shire;
- of a sufficient width for vehicles to pass, or a widening be gained, via a provision in Council's Town Planning Scheme and not via a policy; and
- upgraded - paved and drained at least.

All rights-of-way in the Shire have abutting properties with no or little development/subdivision potential due to the current Town Planning Scheme limitations.

A number of rights of way are constrained in terms of widening due to existing developments such as outbuildings or existing dwellings being constructed. This was not specifically covered in the survey and should be addressed when Council commences the recommended public consultation programme.

4.3 Demand for and Potential for Extra Useable Land

With the closure of a right of way the land is normally apportioned to the adjoining land owners. In some cases, this will be welcomed by the land owner who may require extra land (which may even give rise to extra development potential) or at least a solution to the concerns over crime, safety, rubbish and fire risk.

Again, these issues can only be canvassed via the recommended public consultation programme.

4.4 Condition, Construction, Drainage and Upgrading

As shown in section 2.0 the condition and construction of rights of way varies. The survey showed there are a number of rights of way in poor condition.

The rights of way that are identified for retention will need to be upgraded to an acceptable standard, if they are currently not of an acceptable standard.

Where the rights of way are not in a good condition, and/or are not paved/drained, there is no access to adjoining properties and the rights of way are narrow there is a case for closure. It should be noted that none of the ROWs have been identified as suitable for closure. The cost of construction should also be considered in making the final recommendation for each right of way and assigning priorities for implementation.

It seems desirable that in conjunction with any Policy it may express in relation to District Rights of Way, Council should also prescribe specifications of construction requirements and standards.

Although possibly not subject to the same frequency of vehicle passage, rights of way constructed to permit vehicle access will generally experience the same wheel loadings as those occurring in public streets and when constructed, therefore, the pavement strength should be of comparable standard, especially when Council has responsibility for future maintenance.

In future, it would also seem desirable, before the construction of any section of a right of way, for the longitudinal grade lines and cross section levels to be first decided for its complete length.

A suitable specification will outline standards of construction required for sub grade, sub base, base course, surface course, pavement width, kerbing and drainage requirements.

Alternative standards should be prescribed for brick or block paving.

Standard of and suggested spacing of speed humps and similar traffic calming devices should be prescribed.

Pavement width is one of the main problems associated with construction of rights of way. It is generally accepted that the minimum pavement width of a single carriageway is 2.5 metres. In fact some trucks are this width.

Kerbing for drainage control and as protection to adjacent fencing will require an additional .45 m each side of the pavement so that a width of at least 3.4m is required in which to provide a single lane for vehicles, no passing, one vehicle one way at a time.

For rights of way of a surveyed width of less than 3.4 metres and in others where fencing has encroached to obstruct this width, construction should not be considered unless it is possible to limit use to small vehicles, or alternatively abutting landowners make land available and/or reposition fences.

Truncations will need to be considered to allow turning from one section into another in a number of rights of way. A minimum of 4 metres is considered desirable. Any costs involved should be included for apportionment if the construction is to be met by abutting owners.

The Council should consider prescribing a minimum width for entrances to properties from rights of way. Because of the limited turning radius from a narrow right of way, this width will no doubt need to be appreciably more than the minimum provided for entranceways adjoining road surveys. It seems desirable to require a setback of gates, garage doors, etc., at such entries and to then require truncated corners back to the fence line.

4.5 Adjoining Land Use and Zoning

The survey showed most rights of way are adjoined by residential land uses. Some adjoin commercial and private institutional land uses.

The major implication of commercial as opposed to residential adjoining land uses is the different requirements of each land use. Commercial land uses usually require a minimum right of way width of 6 metres.

Residential land uses, on the other hand, require a minimum right of way width of 5 metres. Where there are shorter distances smaller widths could be considered, ie. 3 metres if ROW is 50 metres or less in length.

4.6 Lighting, Safety and Crime

Safety and crime issues are increasingly of concern to the occupiers of premises adjoining rights of way. Rights of way provide havens for thieves. This is often used as an argument for closure, and is a justifiable reason for closure, where there is no access requirement.

Where rights of way are retained, safety and crime is still an issue. There is a growing expectation for the lighting of rights of way. Expenditure on lighting should only be done for publicly owned rights of way, which includes all of those in the Shire. Where developments actually front on to the right of way, lighting should be provided to provide an adequate level of safety for vehicles/pedestrians just like any other street, as well as provide security.

The Shire is currently having a safety audit undertaken and rights of way are being considered as part of this study. It is understood that a number of rights of way are being considered for closure or obstruction so as to prevent their usage and that the majority of the remainder will be the subject of regular surveillance and lighting, so as to improve safety.

The final recommendations of the Safety Audit will need to be reflected in this study. It should also be noted that there is funding available for the implementation of safety measures, and as such specific problem rights of way could be addressed by Council via such funding.

ROW No. 2 was noted as having particular crime and safety problems and should be given priority as part of this study.

4.7 Servicing Implications

A number of rights of way house water or sewer mains. The survey indicated the rights of way that contain services.

The Water Corporation has been requested to indicate which rights of way have services within them. They have also been requested of their requirements for the future use and management of rights of way.

In the past Water Corporation has opposed the closure of rights of way so that they can retain access although it is understood that alternatives are now considered. A response was not forthcoming prior to the completion of this study.

Of note, there is a requirement for servicing authorities, including Water Corporation, to comment on any proposed right of way closure. There is thus a set procedure which provides the opportunity for Water Corporation to have an input. The Water Corporation's past attitude should not pre-determine recommendations for each right of way coming from this study. The implications of services within rights of way will, however, be considered.

As mentioned earlier, the availability of a ROW for facilities such as drainage pipe lines, etc., is probably more advantageous than the acquisition of alternative easements.

4.8 Rubbish Collection

With the encouragement of development fronting on to rights of way, the question arises as to where rubbish will be collected.

It is normal practice for battleaxe subdivisions and group housing developments for pedestrian access to be required to the front street, even if vehicular access is not provided for. This pedestrian access also provides for bins to be wheeled to the front street.

If developments are permitted to entirely front on to a right of way there will need to be provision for rubbish truck access and as such the rights of way should be of a sufficient width to provide for this.

For commercial properties, often rights of way are used for service vehicle access for loading and unloading. In most cases therefore this access will be required to be retained and the right of way cannot be closed.

4.9 Set Back of Fences

In most narrow rights of way there could be an advantage in requiring fencing to be set back within abutting properties to a line say two and a half to three metres either side of the centre line of the right of way. This would ensure more protection of fences from damage by passing vehicles, would enable kerbing along the boundaries of the right of way possibly facilitating two way traffic movement, provide a pedestrian refuge from traffic and perhaps aid access to the abutting properties. It should be possible for a Council to prescribe it under its Town Planning Scheme.

This is an aspect which Council should consider when preparing its Statement of Policy relating to Rights of Way.

5.0 CONSULTATION

5.1 General

As part of this study the following agencies were invited to provide comment-

- Water Corporation
- DOLA
- Western Power
- AlintaGas
- Western Australian Planning Commission
- Fire and Emergency Services Authority
- St Johns Ambulance
- Western Australian Police

In addition the Study was advertised in the Peppermint Grove News Sheet in November, 1999 and residents and ratepayers invited to make submissions.

5.2 Comment By Government Agencies

St John Ambulance

Issue which will affect this organisation generally revolve around matter of access to general areas and aged care facilities, traffic flow and sufficient room to manoeuvre a large vehicle.

These issues are generally able to be discerned from a plan of proposed amendment.

Western Australian Police

The Police Information Systems used to record reported offences does not provide any level of statistical information that could connect ROW's to offences. However, the local police at Cottesloe have been canvassed as to their practical experiences of working in the area.

Issues raised were:

- Access/Egress of offenders for all types of criminal or anti-social behaviour.
- Provides rear access to premises regarding burglary offences.
- Drug-local police suspect that there is some dealing of drugs in the ROW's particularly where there is more than one exit.
- Graffiti – is a minor problem (Most graffiti taggers/artists want high exposure)

It should be noted that the policing problems associated with Rights of Way are not any greater in the Shire of Peppermint Grove than in any other localities.

Fire And emergency Services Authority

Following are some issues raised:

1. Fire appliances have access to all structural developments
2. Fire Service has access to the hydrant system
3. Fire appliances will fit through any roadways

5.3 Resident and Ratepayer Comment

A total of 10 persons responded. The comments and issues raised by residents and ratepayers are summarised as follows. These are summarised in respect of each of the rights of way, where applicable.

Submission 1. – General and ROWS 12, 16, 17 AND 20

ROWS offer residents a safe and quiet walk away from dangers and fumes of motor vehicles. They should not become through roads and as such should not be widened or upgraded for motor vehicles.

“Upgrading of the lanes” usually means an increase in traffic and it is this which we wish to prevent and even reverse. These three and a half metre wide lanes are, for much of their length unsurfaced and without foundations, no restrictions of any sort apply to the size and weight of vehicles traversing them. Our concerns are as follows.

Safety

Vehicle size. The passage of all vehicles is a potential hazard to pedestrians. In the case of heavy trucks, however, the space left between them and the sides of the lanes is less than the width of a man's shoulders so it seems only a matter of time before someone is crushed between the side of a ruck and a brick wall lining the lane.

From watching nearby building operations it is clear that there is no need for heavy trucks to enter the lanes as their loads can easily be brought in from the main streets by smaller vehicles such as fork lifts or bobcats.

Speed: The characteristics of the lanes demand that vehicles be driven carefully and at a low speed especially at the ends of the lanes where they enter the main roads by crossing the pavements. These ends are often completely “blind” due to the presence of solid masonry walls, but many drivers pay little heed and drive across at speed.

Damage To Property

Fencing: Heavy vehicles cause great damage to both walls and fences, not only by direct contact, but by their sheer weight displacing the laneway soil against the solid fence posts and breaking them below ground level. It is

obviously pointless to make expensive repairs to the fences until the size of vehicles is reduced.

Buildings: I called on the services of a Consulting Engineer (report attached) to look at my fences and he shocked me by saying my old, Category 1, Heritage limestone house was likely to be damaged by the continued passage of heavy vehicles down the laneway. That he is right has been shown by the dislodgement of mortar by the single recent passage of an enormous mobile crane. While I now fear for my own house, I am sure other Heritage homes will suffer in the same way.

OUR SUGGESTIONS

In our opinion, while the lanes can be improved in some ways, the most important basic aim must be to preserve them primarily for pedestrian use. Motor traffic must be severely controlled which means very strict limitations on the size of vehicles traversing them while, in the case of lighter vehicles, speed would also have to be controlled, in the absence of traffic police, by physical means.

Many residents would agree that the problems could be solved by simple measures such as by banning all heavy trucks and generally reducing the number of lighter vehicles using the lanes. However, a more satisfactory solution might be achieved by doing something like following:

- 1. Rip up the surfaces of the lanes and get down to the original sandy soil.*
- 2. Lay down two parallel strips of paving bricks or concrete to take the wheels of cars and light trucks and put speed humps at intervals especially at the lane ends.*
- 3. Cover the space between the two lanes with flat concrete slabs perforated with large holes.*
- 4. Sow couch grass in these holes.*
- 5. Grass the sides of the lane with or without slabs.*

In this way the grass will control dust, rain water will soak into the soil, cars will have a firm track and the appearance of the lanes will be much enhanced.

The respondent forwarded a copy of a survey where he approached 91 ratepayers throughout the Shire and gained support for the above from 83 (91%).

The respondent was not specific about any particular ROW.

This respondent also undertook a survey of residential ratepayers in the area bounded by View Street, Leake Street, The Esplanade and Keane Street and the following results were gained –

ROW 12

Five out of seven ratepayers on the northern side are against widening, providing passing bays and allowing heavy vehicles in lanes. Four of the seven on the southern side are against widening, providing passing bays and allowing heavy vehicles in lanes.

ROW 16 AND 20

Of the seven ratepayers, five people were against widening, providing passing bays and allowing heavy vehicles in lanes.

ROW 17

All ratepayers on the southern side are against widening, providing passing bays and allowing heavy vehicles in lanes.

Four of the six ratepayers on the northern side are against widening, providing passing bays and allowing heavy vehicles in lanes. One person is against widening and providing passing bays.

Summary

Of the thirty two ratepayers bordering ROW 12, 16, 17 and 20, twenty three are against widening, providing passing bays and allowing heavy vehicles in lanes. One is against providing passing bays, one was undecided and seven ratepayers could not be contacted.

Respondent 2 – General

If ROWs are made one way, land previously gained for widening purposes will become available for residential purposes.

Respondent 3 – General and ROW 5

- 1. Graffiti is a major problem throughout the laneways. It seems to have increased markedly in the last few months. One week ago our roller door was covered in large, multi-coloured lettering which will have to be painted over with colourbond to remove, at a cost of approximately \$350. Introduction of street lighting may help to alleviate this problem.*
- 2. The sandy and uneven surfaces of much of the laneway system make it very difficult to push a pram. A harder and more even surface would make it much easier to use the laneways for walking with a pram or cycling. The lanes do not necessarily need a proper road surface,*

since they carry less traffic than the roads. Maybe something like a compacted gravel surface would be more appropriate.

3. *A lot of dust is generated as cars and trucks drive down the laneway. In particular our cars are constantly in need of a wash (see above for re surfaces).*
4. *When our block was created through subdivision, a portion was kept as crown land to create a future road. We have approached the council with the view to repurchasing all or part of this land and incorporating it into our garden, since it now appears that our lane will never be converted into a road. We would then be more inclined to maintain this piece of land eg. through reticulation. At the moment the grass dies off in the summer and it creates more dust.*

Respondent 4 – General

Opposition to expansion of functions of current rights of way.

If they are allowed to be used as frontage for homes and are incorporated with passing lanes for vehicular traffic they in fact become fully registered roads, with greater access for through traffic and large vehicles, with all the consequent problems of noise pollution and erosion of the general ambience of the neighbourhood.

The current format of single lane with crushed limestone surface providing access for service vehicles to the rear of properties and a general passage for walkers is entirely adequate and much more representative of how Peppermint Grove has evolved as a neighbourhood.

Respondent 5 – ROW 2

Respondent expressed extreme concern about dust and the poor surface of ROW 2, particularly with respect to damage to his car.

Extreme concern was expressed about crime and safety issues and numerous examples of problems were cited.

Respondent 6 – ROWs 1 and 3

Respondent expressed concern about dust from ROW covering pool and outdoor entertainment area.

Paving with brick or some such material would be aesthetically pleasing, allow easier walking and stop dirt and dust problems.

Respondent 7 – General

Part of the charm and ambience of Peppermint Grove is the laneways which provide safe, pleasant and quiet walkways. For some properties, including

ours, the lanes are close to the living areas and to encourage an increase in traffic will be an uncalled for intrusion on our privacy. I have no doubt that if the lanes are widened and paved, not only will the through traffic increase but so will the speed and the hooligan element. The visual impact is another matter and one only has to look at the most eastern laneway between Keane Street and Irvine Street to imagine what widening and bituminising of the laneways will do to the aesthetics of the area.

It saddens me to see the loss of trees and birdlife, once a feature of the shire, brought about by extensive clearance of blocks to build large homes and 3 car garages. If people choose to build their garages on the laneways, that is their decision. Their convenience should not be facilitated to the disadvantage of other and most importantly to the detriment of the environment of the shire. By all means, improve the drainage and enforce the removal of builder's sand and rubble, but I would strongly object to the widening and bituminising of our laneways.

Respondent 8 - ROW 12

A. Engineering Questions

The property suffers some water intrusion from the laneway when there is heavy rain as the laneway basically runs straight down hill. Some rectification of this problem could be considered. Having said that, it is preferred that the "rural" nature of the laneways is maintained for the use and safety of pedestrians. One of the things which gives Peppermint Grove a fundamental character is that many people walk or exercise their dogs and the rustic nature of the laneways is integral to this.

B. Planning Concepts

Usage should be for walkers and cars only for safety reasons for walkers and children playing in the laneways. It is not desirable that the laneways be developed as separate frontages. Whilst we enjoy the benefit of a battleaxe block, these were created in the 1970's, and we believe that it is generally regarded that more properties of this type will radically change the character of Peppermint Grove as a unique suburb in Perth, if not Australia. The issue of lighting is again one which relates to upgrading the rights of way to an extent that they lose their rustic character.

C. Other Issues

Our client is in the process of making application to the Minister for the re-transfer of a strip of land some four metres wide at the rear of her property. This land was ceded to the Crown as a condition of the battleaxe subdivision in the early 1070s. Two other adjoining battleaxe properties uphill from our client's property have also had a similar strip of land ceded. However, four adjoining properties running downhill were never subdivided and

consequently have never had the land ceded. Under the current planning scheme, these blocks can not be subdivided, and we do not believe that there is any move within the Shire to alter that planning scheme. The strip of land was apparently ceded with the intention that the right of ways would be made and used as street frontages. That has never occurred, and for the reason that the downhill properties will not be subdivided, and land voluntarily ceded, the intention can not be carried out.

We understand that there are approximately sixty such strips of land within Peppermint Grove and questions on maintenance of these areas arise. Many of these areas are fenced off and utilised as if they were part of the owners land. The use of these areas is limited however because structures can not be built on them.

Having regard to the Land Administration Act 1997, there seems no reason why this land should not be transferred back to the successors in title of the original proprietor. This would result in care being taken of the land. This would be much more preferable than a Crown lease.

Respondent 9 – General

Support sealing rights of way and is happy to contribute.

Respondent 10 – General

1. *I am surprised that the only publicity that your Study appears to have received is the half column on the back page of the Peppermint Grove News Sheet distributed in November 1999. I would have expected a Study of this nature to have received some publicity in the local newspaper such as "The Post" and "The Community News". That way there would have been an opportunity to generate community debate and ensure that a wide range of opinions had been canvassed.*
2. *In July 1994, at the instigation of a then Councillor, the Council canvassed the residents between Leake and Irvine Streets on the subject of paving and draining the ROW's in that area and the response was notably negative. I am surprised that the Council is now utilising ratepayers funds to reopen this issue.*
3. *One of the major attractions of Peppermint Grove is the "established" atmosphere of the suburb. The ROW's provide a semi-rural atmosphere and allow the residents to walk through the neighbourhood without feeling that they are in a bitumen jungle.*
4. *Drainage of the ROW's has seldom been a problem and the small puddles that are created following heavy rain provide a lot of pleasure to small children.*

5. *I have a garage opening off the ROW, but have no desire to see the ROW bituminised. I acknowledge that this may cause my car to get dusty, however, the dust problem only arises if cars are travelling too quickly. The potential to raise dust is the best traffic calming device available.*
6. *The ROW's are very narrow and this is a danger to people entering or crossing the ROW. Any vehicular use of the ROW's should be discouraged and kept to a minimum. Paving the ROW's will only encourage vehicles to speed and create additional risk to pedestrians, especially at the crossover onto the main streets of the suburbs where the driver often has no visibility to the left or right before the front of his car has already crossed the footpath.*
7. *The ROW's were designed for use by night carts many years ago. They were not designed as driveways or delivery routes or for use by large trucks. Every house in this suburb should have its own access to a main street and therefore any access off the ROW is incidental and not a "necessity". Indeed, a large number of houses have no access to the ROW's.*
8. *One of the major attractions of the suburb is the fact that it has wide streets with substantial verges and trees. It would substantially detract from the stature of this suburb if there are houses whose main frontage is onto a narrow bituminised laneway. This would have a detrimental effect to the value of residences throughout the suburb.*
9. *I believe there are currently sufficient "passing bays" in the ROW's.*
10. *My family have lived in the suburb for approximately 40 years and we have never been concerned about the lack of lighting within the ROW's.*
11. *My wife, children and dogs thoroughly enjoy walking in the lanes in their current "rural" atmosphere and would be very disappointed if any changes were made.*

Summary

From the above there is a divergence of opinion on what should be done with rights-of-way in the Shire. The opinions range from leaving as is to maintain the existing character and enable pedestrian use, to support for some upgrading, through to support for full upgrading.

The comments were mostly from individuals and give no guidance as to issues for specific ROW's or community support for upgrading or not. For ROW's 12, 16, 17 and 20 some level of support was indicated for no upgrading or widening. For ROW 16 there is an issue concerning damage to property.

Dust, graffiti, crime safety and damage from vehicles were cited as problems.

ROW 2 was considered to have a crime and safety problem.

5.4 Information Display

Following this initial consultation an information display was set up in the library from, March 7 – 11, 2000 and the display was manned from 5.00 to 8.00 pm on March 9, 2000.

All households were advised of this display and invited to attend.

Appendix A contains a copy of the Comment Sheet that was circulated to all households. The comment sheet gained information on:

- the number of the right of way
- specific issues for the right of way (drainage, traffic, parking, crime, safety etc).
- preferred option for right of way upgrading –

Option 1 - Do Nothing

This option includes doing nothing

Option 2 - Limestone Base

This option includes providing a limestone or other base and addressing any specific drainage or other problem experienced in each right of way.

Option 3 - Brick Paved Mews

This option includes a higher standard of upgrading with brick paving and drainage. This option provides for the open character of the ROWs to be preserved along with existing.

Option 4 Full Bituminisation and Drainage

This option involves higher standard upgrading with bituminisation and drainage of the ROW.

Option 5 - Your Suggestions

There are alternatives to the above options that you may like to suggest for your right of way.

Due to the limited community response and the fact that there are issues relevant to specific rights of way and no common/uniform solution for each right of way it was considered desirable to ascertain more detailed community input on the issues relevant to each right of way and a preference for upgrading.

TABLE 3 SURVEY RESULTS

ROW	ISSUES						OPTION				
	D R A I N A G E	T R A F F I C	P A R K I N G	C R I M E	S A F E T Y	O T H E R	1	2	3	4	O T H E R
1.	11			11	11	1	½	½	111		
2	111			11	11	11111	½	1½	111		
3.	1	1		111	111	111	½ 11	½	111		
4.	1	1	1	1	1	1			1		
5.							1½	11½			1
6.							½	½			1
7.							1				
8.	111	1	1	11	11		1	11	11		
9.				1	1			1	1		
10.		1					1		1		1
11.											
12.	1111			11	11	1	11	1	11	11	1
13.										1	
14.	1									1	
15.	11								½	½	
16.		1	1		1		1				11
17.	1	1	1		1		11				11
18.	1						1				
19.	1				1		11				
20.											
21.	1	1		1		1		*	½*	½*	*
22.	1					1					1
23.											
24.											
25.											
26.				1	1			*	*	*	1
27.					11		11				
28.		1		1	11		11½	½			
29.											
30.											1

A total of 54 comment sheets were received and these are analysed and discussed below for each ROW. Table 3 summaries the responses.

ROW 1.

Issues

The issues raised included --

- drainage (2)
- crime (2)
- safety (2)
- other (1) -poor lighting

There is no one issue that needs to be addressed but a range of issues.

Option Preferred

There is a preference for Option 3 – Brick Paved Mews (3) and a lesser preference for Option 1 – Doing nothing (½) and Option 2 – Limestone Base (½).

ROW 2.

Issues

The issues raised included –

- drainage (3)
- crime (2)
- safety (2)
- other (5) - poor lighting (1)
- acquisition of land ceded for ROW widening (1)
- graffiti (2)
- dust (1)

There is no one issue that needs to be addressed but a range of issues.

Option Preferred

There is a preference for Option 3 – Brick Paved Mews (3), followed by Option 2 – Limestone Base (1 ½)) and Option 1 – Do Nothing (½)

ROW 3

Issues

The issues raised included –

- crime (3)

- safety (3)
- traffic (1)
- drainage (1)
- other (3)
 - graffiti (2)
 - dust (1)

There is no one issue that needs to be addressed but a range of issues.

Option Preferred

There is no clear preference for any option. The most preferred is Option 3 – Brick Paved Mews (3), followed by Option 1 – Do nothing (2 ½).

ROW 4

Issues

The issues raised included –

- drainage (1)
- traffic (1)
- parking (1)
- crime (1)
- safety (1)
- other (1)
 - dust (1)

There is no one issue that needs to be addressed but a range of issues.

Option Preferred

The only preference was for Option 3 –Brick Paved Mews.

ROW 5

Issues

The issues raised included –

- drainage (1)
- parking (1)
- other (2)
 - heavy trucks prohibited (1)
 - widen for access (1)

There is no one issue that needs to be addressed but a range of issues.

Option Preferred

The greater preference was for Option – Limestone Base (2 ½), followed by Option 1 – Do nothing (1 ½) and one suggestion was for BG Slabs.

ROW 6

Issues

No specific issues were identified

Option preferred

There was one suggestion for B G Slabs (1) and a preference expressed for Option 1 – Do nothing (½) or Option 2 – Limestone Base.

ROW 7

Issues

No specific issues were identified

Option preferred

The only preference expressed was for Option 1 – Do nothing.

ROW 8

Issues

The issues raised included –

- drainage (3)
- safety (2)
- other (2) - graffiti (1)
- heavy trucks prohibited (1)
- traffic (1)
- crime (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

Preference was expressed for Option 2 – Limestone Base (2) and Option 3 – Brick Paved Mews (2), followed by Option 1 – Do nothing. There was no clear preference.

ROW 9

Issues

The issues raised included –

- safety (1)

- crime (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

Equal preference was expressed for Option 2 – Limestone Base (1) and Option 3 – Brick Paved Mews (1).

ROW 10

Issues

The issues raised included –

- traffic (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

Preference was expressed for Option 1 – Do nothing (1), followed by Option 3 – Brick Paved Mews (½). One suggestion was made for installing boom gates and having key cards for resident only access.

ROW 11

No responses were received for ROW 11.

ROW 12

Issues

The issues raised included –

- drainage (4)
- crime (2)
- safety (2)
- other (1) - dust (1)

The greatest problem appears to be drainage.

Option preferred

Equal preference was expressed for Option 1 – Do nothing (2), Option 3 – Brick Paved Mews (2) and Option 4 – Full Bituminisation (2). Preference was also expressed for the remaining options; Option 2 – Limestone Base (1) and Option 4 – Full Bituminisation (1).

ROW 13

Issues

No specific issues were identified.

Option preferred

The only preference expressed was for Option 4 – Full Bituminisation.

ROW 14

Issues

The issues raised included –

- drainage (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

The only preference expressed was for Option 4 – Full Bituminisation.

ROW 15

Issues

The issues raised included –

- drainage (2)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

Preference was expressed for both Option 3 – Brick Paved Mews (½) and Option 4 – Full Bituminisation.

ROW 16

Issues

The issues raised included –

- traffic (1)
- parking (1)
- safety (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

Preference was expressed for B G Slabs (1), restriction on trucks and speed humps (1) and option 1 – Do nothing (1).

ROW 17

Issues

The issues raised included –

- drainage (1)
- traffic (1)
- parking (1)
- safety (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

Preference was expressed for Option 1 – Do nothing (2) and restriction on trucks and speed humps (1) and B G Slabs (1).

ROW 18

Issues

The issues raised included

- drainage (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

The only preference expressed was for Option 1 – Do nothing.

ROW 19

Issues

The issues raised included –

- drainage (1)
- safety (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

There is a clear preference for Option 1 – Do nothing.

ROW 20

No responses were received for ROW 20.

ROW 21

Issues

The issues raised included –

- drainage (1)
- traffic (1)
- crime (1)
- other (1) - dust (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

Preference was expressed for Option 3 – Brick Paved Mews (½) and Option 4 – Full Bituminisation.

One respondent indicated any option but Option 1.

ROW 22

Issues

The issues raised included –

- drainage (1)
- other (1) - dust (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

One preference was expressed for B G Slabs (1).

ROW 23

Issues

No specific issues were identified

Option preferred

The only preference expressed was for Option 1 – Do nothing.

ROW 24

Issues

No specific issues were identified

Option preferred

The only preference expressed was for Option 1 – Do nothing.

ROW 25

Issues

No specific issues were identified

Option preferred

The only preference expressed was for Option 1 – Do nothing.

ROW 26

Issues

The issues raised included –

- crime (1)
- safety (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

The only preference suggested was for maintenance of visibility and width of laneway. Preference was expressed for the cheapest of option 2, 3 and 4.

ROW 27

Issues

The issues raised included –

- safety (2)

Safety is clearly an issue.

Option preferred

Option 1 – Do nothing was clearly preferred.

ROW 28

Issues

The issues raised included –

- safety (2)
- traffic (1)
- crime (1)

There is no one issue that needs to be addressed but a range of issues.

Option preferred

The greatest preference is for Option 1 – Do nothing (2 ½) followed by Option 2 – Limestone Base (1 ½).

ROW 29

Issues

No specific issues were identified

Option preferred

The only preference expressed was for Option 1 – Do nothing.

Row 30

Issues

No specific issues were identified

Option preferred

Preference was expressed to restore the lane to the original level.

TOTAL

Issues

The issues raised included –

- drainage (23)
- traffic (8)
- parking (4)
- crime (15)
- safety (21)
- other (17)

There is no one issue that needs to be addressed but a range of issues. The greatest problem appears to be drainage followed by safety.

Options preferred

The greatest preference is for Option 1 – Do nothing (21), followed by Option 3 – Brick Paved Mews (17), Option 2 – Limestone Base (1) and Option 4 – Full Bituminisation (5).

A total of 11 suggestions were made for alternatives.

Despite the above the survey results can be used as a guide for Council determination on the treatment of each right of way.

There is no uniform preference for how rights of way should be upgraded.

Summary

The survey results should also be treated with some caution:

- The response rate is very small and can not be interpreted as being representative. For some ROWs there was no response.
- A number of responses to issues provided comment on issues if a particular option for upgrading is selected.
- Some of the “Other Issues” comments were statements and there was no clarification of the precise problem.
- The display contained a photograph of B G Slabs and this has likely skewed the results.

6.0 CONCLUSION

6.1 General

This study has set out to review and have regard to the following matters:-

- Maintenance of unmade lanes
- Construction specifications
- Drainage design
- Entry designation
- Usage design for walkers, cars, service vehicles and the possibility of large trucks
- Future function of lanes as access to properties, as a frontage for homes and as a passing lane for vehicular traffic.
- Needs for lighting.
- WA Planning Commission Policy on Right of Ways
- Leasing portions of crown land.
- Fencing standards.
- Safety and security considerations.
- Dog latrine facilities.
- Ownership and legal responsibilities.
- Legal opinions obtained by the Shire.
- Existing policies.
- Adjoining owners have varying lengths of boundary abutting a right of way.

From the above there is a divergence of opinion on what should be done with rights-of-way in the Shire. The opinions range from leaving rights of way as is to maintain the existing character and enable pedestrian use, to support for some upgrading, through to support for full upgrading.

The comments were mostly from individuals and give no guidance as to issues for specific ROW's or community support for upgrading or not. For ROW's 12, 16, 17 and 20 some level of support was indicated for no upgrading or widening. For ROW 16 there is an issue concerning damage to property.

Dust, graffiti, crime safety and damage from vehicles were cited as problems.

ROW 2 was considered to have a crime and safety problem.

There is no uniform/common issue or preferred option for the rights of way. This therefore requires a different solution to each right of way.

It is important to note that each ROW, except for ROWs 29 and 30 are owned by the Shire of Peppermint Grove. This ownership of ROWs 1 – 28 gives Council the maintenance and care responsibilities, just like a public road and, as such, Council is legally obliged to address any specific problem or issue. This has been adopted as the general philosophy for the Study.

For ROWs 12, 16, 17 and 20 some level of support was indicated for no upgrading or widening. There was also a preference for Doing Nothing.

Council does not need to take any action unless there is a particular problem or issue. A number of respondents to the survey and comments made considered the rights of way should be maintained as is to preserve the character and enable pedestrian use.

6.2 Survey Results

The survey results showed the most common issue raised was drainage and the greatest preference was for Option 1 – Do Nothing.

There is no one issue that needs to be addressed and there is no uniformly accepted option for upgrading.

Despite the above the survey results can be used as a guide for Council determination of the treatment of each right of way.

In terms of issues raised drainage, traffic, parking and safety problems can be addressed by Council and the following is suggested:

drainage stormwater collection measures be introduced or incorporated in the upgrading of any right of way. This be addressed for ROWs 1, 2, 3, 4, 5, 8, 12, 14, 15, 17, 18, 19, 21 and 22.

traffic the issues included traffic speeds and access by trucks. Speeds can be controlled by placement of obstructions or the introduction of measures to reduce speeds or incorporated in the upgrading of any right of way.

In terms of the issue of access by trucks there is a right for all ratepayers and their visitors or representatives to have access and as such it may be difficult for Council to limit truck access. Council should gain legal advice on this matter.

Failing Council having such powers, trucks should be discouraged from using rights of way by advice eg. signs, footnotes on building licences, advice to residents/ratepayers.

This be addressed for ROWs 3, 4, 8, 10, 16, 17, 21 and 28.

parking parking restrictions can be enforced by Council just as per public streets. Local laws should be introduced/amended to address this issue. This be addressed for ROWs 4, 5, 16 and 17.

safety This issue was concerning pedestrian/vehicular conflicts and adequate visibility.

The conflict issues can be addressed by the foregoing recommendations and any upgrading. The visibility, particularly at corners can be addressed by adequate widths and truncations.

Generally each ROW should be a minimum width of 5m and corners should be truncated or visual splays provided. Table 1 shows the rights of way that require widening.

crime

Crime can not directly be addressed by Council and is more of a police matter.

A safety audit has recently been undertaken and the recommendations of this study should be implemented.

A particular problem was expressed for ROW 2 and this should be addressed by either restricting access from the western end and/or providing lighting.

Lighting should be considered for other ROWs. This be addressed for ROWs 1, 2, 3, 4, 8, 9, 12, 21, 26 and 28.

In terms of Options preferred as previously discussed, the overriding philosophy should be DO NOTHING unless there is a particular problem, which should be addressed (as discussed above).

The responses in terms of preferences should be used as a guide for Council determination of the upgrading of each right of way.

6.3 Engineering Questions

From the public consultation and survey there is a clear preference for Doing Nothing.

The analysis also showed that each ROW is faced with different issues and as such no one uniform solution will address the particular problems.

This means making a recommendation on the maintenance of unmade lanes, construction specification, drainage design and entry designation, is difficult.

The WAPC Planning Bulletin No. 33 provides guidelines on the use and upgrading of ROWs (see Section 3.15). This Bulletin recommends 5 or 6 metre wide rights of way.

For established areas a 5m laneway is recommended but a 1m setback to garages with vision splays is recommended to increase the effective width of the laneway to 6m to allow turning into garages, and improve visibility whilst manoeuvring (see section 3.15).

Should such widenings not be pursued a one-way system should be introduced. This however would be difficult to police.

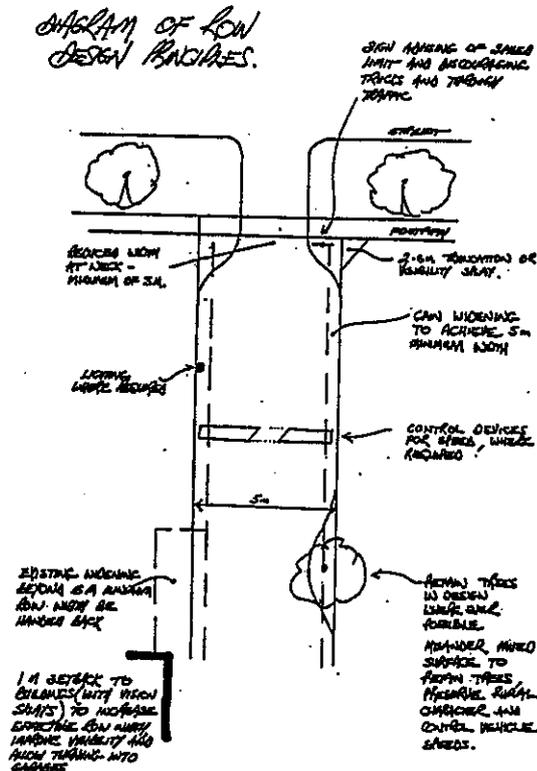
Most rights of way in the Shire are a minimum of 3.5 – 4m and as such require widening (see Table 1). The only exception in ROW 27 which is a minimum width of 8.0m. This should be gained as part of any subdivision or development approvals.

The Bulletin recommends that proponents of development with sole vehicular access via the right of way should be required to seal and drain the portion of right of way abutting the subject property and make trafficable the rest of the right of way to the closest public street. In all other cases contributions towards right of way upgrading may be required as a condition of subdivision or development approval. Such contributions may be set aside in trust fund by the local government for the exclusive use of ROW upgrading in the locality.

The Shire of Peppermint Grove Town Planning Scheme prevents further battleaxe subdivision and as such the amount of such subdivision will be minimal. Vehicular access from ROWs still however can be achieved and where access is gained for the purpose of vehicle parking, contributions should be gained. This should be gained when planning approvals or building licences are issued, and the funds be used for upgrading of the specific ROW.

Councils policy and Town Planning Scheme should be amended to reflect this policy and standards.

The minimum standards for the Shire are demonstrated below.



Apart from the preference for Doing Nothing, a Brick Paved Mews, is the next preferred option. This has the advantage of retaining some of the character of the ROWs but provides for improved vehicular access and it enables drainage and traffic speeds to be addressed.

If a ROW is upgraded this option should be given consideration.

ROW 16 has a problem of damage to an adjoining property. This issue needs to be specifically addressed by Council.

6.4 Planning Concepts

The usage of ROWs by pedestrians and retention of the character of the ROW are important considerations in the Shire and DO NOTHING in terms of upgrading being indications of this. The overall policy is to do nothing except where there are particular issues that need to be addressed.

Where ROWs are upgraded it is recommended that this be in the form of a low key BRICK PAVED MEWS that retains much of the current character with design standards to control traffic speeds and discourage use by trucks.

Additional advisory measures of signs, footnotes on building licences, and advice to residents/ratepayers, discouraging use of ROWs by trucks is also recommended.

The Diagram in Section 6.3 shows the recommended standards for ROW upgrading. This incorporates a narrower neck to throttle vehicular speeds and discourage truck usage. This could be implemented in all ROWs prior to any upgrading.

The ROWs provide part of the character of Peppermint Grove and, as shown on Table 2, all, except for ROW 29 provide for both vehicular and pedestrian access. Given this existing usage, closure or prevention of these continued rights can not be contemplated.

Council needs to provide for this continued access.

Many Councils have pursued the upgrading of rights of way as public streets and have permitted new development to front on to the ROWs. The WAPC Bulletin No. 33 envisages such stating "access via rights of way facilitates the development of infill dwellings at the rear of existing residences which utilise rights of way as their sole vehicular access to the dedicated street network".

It is important to note that the Shire of Peppermint Grove has taken action to specifically prevent battleaxe subdivisions by introducing a minimum frontage and preventing anything more than a single residence in the R10, R12.5 and R 15 zones. This has effectively knocked out the potential for dwellings to be built fronting on to ROWs.

Despite these restrictions, a number of properties have development potential which would enable a second dwelling to be constructed. This could be done as a battleaxe subdivision or if the ROWs are dedicated as public streets via lots fronting the ROW.

The issue of whether this should be permitted is an important consideration related to residential densities and the pattern of development in the Shire. This should be investigated fully by Council as a separate exercise to ascertain the support and the merits before any action is taken concerning ROWs.

What is important as part of this study is that the opportunities for this to occur in the future, should it be supported, not be prevented. The design recommended for any ROWs that are upgraded should not preclude future conversion of the ROWs to public streets, with dwellings fronting them.

If this is pursued specific design guidelines and development standards should be prepared and adopted by Council in order to guide/control development.

Lighting is an important consideration in terms of addressing safety and crime. Safety and crime were issues raised on a number of ROWs. These will be addressed by implementation of the recommendations of the safety audit or in any specific ROW upgradings.

Lighting should be considered for ROWs 1, 2, 3, 4, 8, 9, 12, 21, 26 and 28.

6.5 Other Issues

Council has previously implemented a policy to gain ROW widenings of 4.27m. This has resulted in some sections of each ROW being wider than the standard recommended (see Diagram in Section 6.3).

A number of ratepayers have leased back from DOLA the land ceded free of cost for future widenings.

If Council adopts the new recommended standards from this Study all of this land ceded free of cost to Council for the purposes of widening will no longer be required. It is therefore recommended that land in excess of the 5m be amalgamated back in to the adjoining lot.

Council has Fencing Local Laws which specify the minimum standard for fencing. These standards should remain until Council undertakes the comprehensive review of residential densities and determines whether battleaxe subdivisions or houses fronting the ROWs as public streets will be permitted, and new design guidelines and development standards are prepared.

Usage of ROWs by pedestrians and for dog walking is common, because they afford greater safety.

For health and convenience reasons Council should consider the provision of dog latrine facilities, of one per group of ROWs, on a street block basis.

7.0 RECOMMENDATIONS

Throughout this report a number of conclusions are reached on engineering and planning questions and other issues. These conclusions are transformed into specific recommendations for Council consideration as follows –

1. Council has the responsibility to maintain and care for ROWs 1 – 28 and is obliged to address specific problems.
2. Council take no action on each ROW and maintain ROWs as is in order to preserve the character and enable pedestrian use unless there is a particular problem or issue, which should be addressed (see Section 6.2).

The responses from the survey be used as a guide for Council determination of the upgrading of each ROW.

3. For ROWs 12, 16, 17 and 20 no upgrading or widening be considered, except for attention to specific problems.
4. The following specific issue be investigated in more detail and addressed -

drainage - stormwater collection measures be introduced or incorporated in any upgrading of each right of way. This be addressed for ROWs 1, 2, 3, 4, 5, 8, 12, 14, 15, 17, 18, 19, 21 and 22.

traffic - the issues included traffic speeds and access by trucks. Speeds can be controlled by placement of obstructions or the introduction of measures to reduce speeds or incorporated in any upgrading of each right of way.

In terms of the issue of access by trucks there is a right for all ratepayers and their visitors or representatives to have access and as such it may be difficult for Council to limit truck access. Council should gain legal advice on this matter.

Failing Council having such powers trucks should be discouraged from using rights of way by advice eg. signs, footnotes on building licences, advice to residents/ratepayers.

This be addressed for ROWs 3, 4, 8, 10, 16, 17, 21 and 28.

parking - restrictions can be enforced by Council just as per public streets. Local laws should be introduced/amended to address this issue. This be addressed for ROWs 4, 5, 16 and 17.

safety This issue was concerning pedestrian/vehicular conflicts and adequate visibility.

The conflict issues can be addressed by the foregoing recommendations and the recommendations for upgrading. The visibility, particularly at corners can be addressed by adequate widths and truncations.

Generally each ROW should be a minimum width of 5m and corners should be truncated. Table 1 shows the rights of way that require widening.

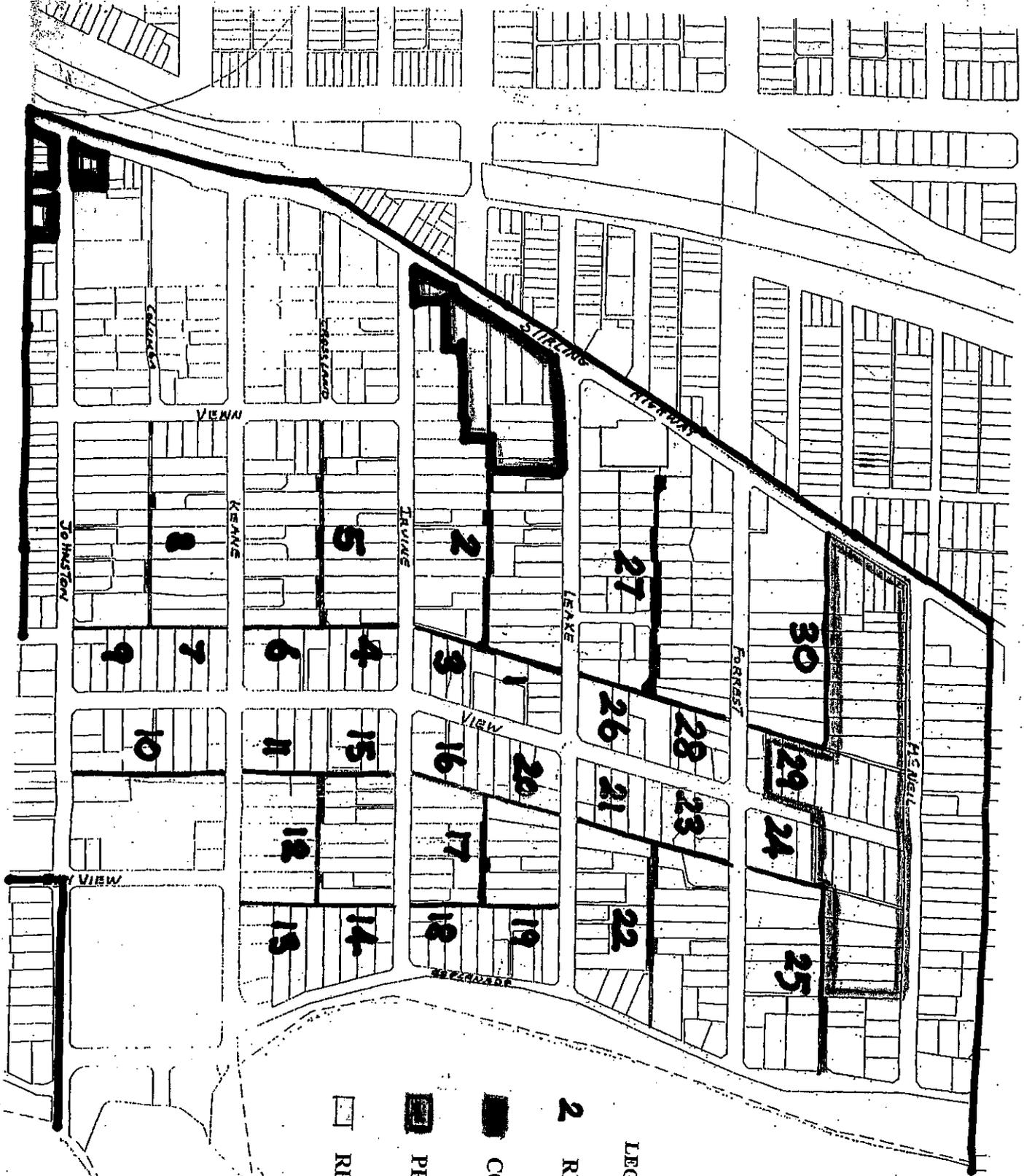
5. The recommendations of the Safety Audit be implemented, particularly in respect of ROW 2. Lighting should be considered for other ROWs. This be addressed for ROWs 1, 2, 3, 4, 8, 9, 12, 21, 26 and 28.
6. Where ROWs are upgraded they be widened to a 5 m minimum in general conformity with the diagram in Section 6.3..
7. ROW widenings be gained as part of any subdivision and development approvals.
8. Setbacks and visibility splays be implemented through planning approvals and building licences.
9. Contributions be gained towards ROW upgrading from development that propose vehicle access from ROWs.
10. Closure or the prevention of continued rights of access usage not be contemplated.
11. The issue of whether battleaxe subdivisions or dwellings fronting ROWs as public streets be further investigated as part of a comprehensive review of residential densities in the Shire.
12. Should these forms of residential development be permitted in the future Council prepare and adopt specific design guidelines and development standards.
13. Lighting be considered for ROWs 1, 2, 3, 4, 8, 9, 12, 21, 26 and 28.
14. If Council adopts the new recommended standards from this Study land previously ceded free of cost to Council for widening purposes that exceeds 5m ROW width be amalgamated back into the adjoining lot.
15. Council implement its current Fencing Local Laws until it undertakes the comprehensive review of residential densities and determined whether battleaxe subdivisions or houses fronting the ROWs as public

streets will be permitted, and new design guidelines and development standards are prepared.

16. Council consider providing dog latrine facilities.
17. Council ROW Policy and Town Planning Scheme be amended to reflect the above.

These recommendations are based on this preliminary research. It should be noted that there has been no community input on the conclusions of this study or the recommendations.

Prior to formally considering this report it is recommended that Council release the Study for further public input.



- LEGEND
- 2 RIGHT OF WAY NUMBER
 - COMMERCIAL/CAR PARK ZONING
 - PRIVATE CLUBS AND INSTITUTIONS ZC
 - RESIDENTIAL ZONING

PLAN 1



Ordinary Council Meeting

8.5.1 – Financial Report – May 2016 Attachment # 2

SHIRE OF PEPPERMINT GROVE
Statement of Financial Activity
for the period 1 July 2015 to 31 May 2016

	ADOPTED BUDGET 2015/16	REVISED BUDGET 2015/16	YTD BUDGET 2015/2016	YTD ACTUAL 2015/2016	VARIANCE \$ Actual v YTD Budget	VARIANCE % Actual v YTD Budget	Comment REF
Operating Revenue							
FEES & CHARGES	278,340	278,840	278,840	310,443	31,603	11%	1
GRANTS & SUBSIDIES	93,055	201,848	201,848	175,384	(26,464)	-13%	2
CONTRIBUTIONS, REIMBURSEMENTS	1,281,086	1,281,086	1,278,086	1,263,140	(14,946)	-1%	3
INTEREST ON INVESTMENTS	43,200	43,200	43,200	46,289	3,089	7%	
OTHER REVENUE	41,300	41,300	41,300	77,005	35,705	86%	4
PROFIT ON SALE OF ASSETS	0	0	0	240	240		
	1,736,981	1,846,274	1,843,274	1,872,501	29,227	2%	
Operating Expenses							
EMPLOYEE COSTS	(2,126,224)	(2,106,437)	(1,944,403)	(1,881,282)	63,121	-3%	5
MATERIALS & CONTRACTS	(1,984,341)	(1,921,905)	(1,761,746)	(1,640,718)	121,028	-7%	6
PUBLIC UTILITIES	(158,291)	(149,291)	(136,850)	(133,391)	3,459	-3%	
DEPRECIATION	(293,500)	(293,500)	(269,042)	(347,241)	(78,199)	29%	7
INTEREST EXPENSES	(65,204)	(65,204)	(65,204)	(63,803)	1,401	-2%	
INSURANCES	(121,445)	(121,445)	(121,445)	(119,683)	1,762	-1%	
LOSS ON SALE OF ASSETS	(405)	(405)	(405)	(12,536)	(12,131)	2995%	8
	(4,749,410)	(4,658,187)	(4,299,095)	(4,198,654)	100,442	-2%	
CHANGE IN NET ASSETS	(3,012,429)	(2,811,913)	(2,455,821)	(2,326,152)	129,669	-5%	
Adjustments for Non-Cash (Revenue) and Expenditure							
(Profit)/Loss on Asset Disposals	405	405	405	12,296	11,891	2936%	8
Depreciation on Assets	293,500	293,500	269,042	347,241	78,199	29%	7
	293,905	293,905	269,447	359,537	90,090		
Capital Expenditure							
Land & Buildings	(15,000)	(95,000)	(15,000)	(20,931)	(5,931)	40%	
Plant and Equipment	(163,295)	(254,543)	(254,543)	(216,453)	38,090	-15%	9
Furniture & Equipment	(40,000)	(5,000)	(5,000)	(5,115)	(115)	2%	
Infrastructure Assets - Roads	(20,000)	(175,247)	(65,000)	(63,560)	1,440	-2%	
Infrastructure Assets - Other	(180,000)	0	0	0	0		
Infrastructure Assets - Footpaths	0	(90,000)	(50,000)	(49,571)	430	-1%	
Infrastructure Assets - Parks & Reserves	0	(105,000)	0	0	0		
Infrastructure Assets - Drainage	(47,150)	(47,150)	(10,000)	(9,466)	534	-5%	
	(465,445)	(771,940)	(399,543)	(365,095)	34,448	-9%	
Capital Revenue							
Proceeds from Disposal of assets	102,000	158,460	158,460	134,951	(23,509)	-15%	10
Debt Management							
Repayment of Debentures	(22,600)	(22,600)	(22,600)	(22,600)	0	0%	
Reserves and Restricted Funds							
Transfers to Reserves	(65,000)	(84,990)	(84,990)	(82,832)	2,158	-3%	
Transfers from Reserves	175,295	177,865	66,295	72,266	5,971	9%	
	110,295	92,875	(18,695)	(10,566)	8,129		
Net Current Assets July 1 B/Fwd	1,645	68,584	68,584	68,584	0	0%	
Net Current Assets Year to Date	1,721	1,721	594,181	821,642	227,461	38%	11
Amount Raised from Rates	2,994,350	2,994,350	2,994,350	2,982,983	(11,366)	0%	12

SHIRE OF PEPPERMINT GROVE
Statement of Financial Activity
for the period 1 July 2015 to 31 May 2016

	ADOPTED BUDGET 2015/16	REVISED BUDGET 2015/16	YTD BUDGET 2015/2016	YTD ACTUAL 2015/2016	VARIANCE \$ Actual v YTD Budget	VARIANCE % Actual v YTD Budget
Operating Revenue						
GENERAL PURPOSE FUNDING	124,840	95,109	95,108	110,792	15,684	16%
GOVERNANCE	10,060	24,305	24,305	25,024	719	3%
LAW, ORDER, PUBLIC SAFETY	11,800	11,800	11,800	13,455	1,655	0%
HEALTH	13,500	13,500	10,500	14,957	4,457	0%
COMMUNITY AMENITIES	123,000	118,500	118,500	150,479	31,979	27%
RECREATION & CULTURE	1,344,036	1,419,036	1,419,036	1,403,437	(15,599)	-1%
TRANSPORT	13,225	86,644	86,644	68,791	(17,853)	-21%
ECONOMIC SERVICES	96,520	77,380	77,380	78,805	1,425	2%
OTHER PROPERTY & SERVICES	0	0	0	6,761	6,761	0%
	1,736,981	1,846,274	1,843,273	1,872,501	29,228	2%
Operating Expenses						
GENERAL PURPOSE FUNDING	(85,500)	(85,500)	(78,375)	(80,376)	(2,001)	3%
GOVERNANCE	(857,458)	(829,235)	(789,222)	(825,688)	(36,466)	5%
LAW, ORDER, PUBLIC SAFETY	(60,150)	(45,150)	(41,388)	(36,747)	4,641	-11%
HEALTH	(56,550)	(56,550)	(51,838)	(52,320)	(483)	1%
EDUCATION & WELFARE	(32,000)	(32,000)	(29,333)	(22,505)	6,828	-23%
COMMUNITY AMENITIES	(667,624)	(681,624)	(624,822)	(556,312)	68,510	-11%
RECREATION & CULTURE	(2,043,678)	(2,042,678)	(1,872,455)	(1,790,383)	82,072	-4%
TRANSPORT	(865,250)	(807,250)	(739,979)	(735,110)	4,869	-1%
ECONOMIC SERVICES	(78,200)	(78,200)	(71,683)	(68,913)	2,770	-4%
OTHER PROPERTY & SERVICES	(3,000)	0	0	(30,299)	(30,299)	
	(4,749,410)	(4,658,187)	(4,299,095)	(4,198,653)	100,442	-2%
CHANGE IN NET ASSETS	(3,012,429)	(2,811,913)	(2,455,822)	(2,326,152)	129,670	-5%
Adjustments for Non-Cash (Revenue) and Expenditure						
(Profit)/Loss on Asset Disposals	405	405	405	12,296	11,891	0%
Depreciation on Assets	293,500	293,500	269,042	347,241	78,199	29%
	293,905	293,905	269,447	359,537	90,090	
Capital Expenditure						
Land & Buildings	(15,000)	(95,000)	(15,000)	(20,931)	(5,931)	40%
Plant and Equipment	(163,295)	(254,543)	(254,543)	(216,453)	38,090	-15%
Furniture & Equipment	(40,000)	(5,000)	(5,000)	(5,115)	(115)	2%
Infrastructure Assets - Roads	(20,000)	(175,247)	(65,000)	(63,560)	1,440	-2%
Infrastructure Assets - Other	(180,000)	0	0	0	0	
Infrastructure Assets - Footpaths	0	(90,000)	(50,000)	(49,571)	430	-1%
Infrastructure Assets - Parks & Reserves	0	(105,000)	0	0	0	
Infrastructure Assets - Drainage	(47,150)	(47,150)	(10,000)	(9,466)	534	-5%
	(465,445)	(771,940)	(399,543)	(365,095)	34,448	-9%
Capital Revenue						
Proceeds from Disposal of assets	102,000	158,460	158,460	134,951	(23,509)	-15%
Debt Management						
Repayment of Debentures	(22,600)	(22,600)	(22,600)	(22,600)	0	0%
Reserves and Restricted Funds						
Transfers to Reserves	(65,000)	(84,990)	(84,990)	(82,832)	2,158	-3%
Transfers from Reserves	175,295	177,865	66,295	72,266	5,971	9%
	110,295	92,875	(18,695)	(10,566)	8,129	
Net Current Assets July 1 B/Fwd	1,645	68,584	68,584	68,584	0	0%
Net Current Assets Year to Date	1,721	1,721	594,181	821,642	227,461	38%
Amount Raised from Rates	2,994,350	2,994,350	2,994,350	2,982,983	(11,367)	0%

SHIRE OF PEPPERMINT GROVE
Notes to and forming part of the Statement of Financial Activity
for the period 1 July 2015 to 31 May 2016

1 Basis of Accounting

This financial report is a special-purpose financial report, which has been prepared in accordance with applicable Australian Accounting Standards, the Local Government Act 1995 (as amended) and accompanying regulations. The report has been prepared on an accrual basis under the convention of historical cost accounting.

2 Net Current Assets

	YTD ACTUAL 2015/2016	C/FWD 1 JULY 2015
CURRENT ASSETS		
Cash - Unrestricted	910,500	171,221
Cash - Restricted	566,921	556,355
Receivables	214,354	158,099
	1,691,775	885,675
CURRENT LIABILITIES		
Sundry Creditors	(224,735)	(182,258)
Leave Provisions	(114,305)	(114,305)
	1,352,735	589,112
Less: Cash - Reserves - Restricted	(566,921)	(556,355)
Add: Cash-Backed Leave Provision	35,827	35,827
NET CURRENT ASSET POSITION	821,642	68,584

SHIRE OF PEPPERMINT GROVE

Notes to and forming part of the Statement of Financial Activity

for the period 1 July 2015 to 31 May 2016

3 Reserves

	YTD ACTUAL 2015/2016	REVISED BUDGET 2015/16
(a) Roads Reserve		
<i>To be used for</i>		
Opening Balance	82,681	82,681
Amount Set Aside / Transfer to Reserve	19,990	19,990
Amount Used / Transfer from Reserve	0	0
Interest Received	1,950	1,650
	104,621	104,321
(b) Library Infrastructure Reserve		
<i>To be used for</i>		
Opening Balance	106,260	106,260
Amount Set Aside / Transfer to Reserve	0	0
Amount Used / Transfer from Reserve	0	0
Interest Received	2,318	4,200
	108,578	110,460
(c) Staff Leave reserve		
<i>To be used for</i>		
Opening Balance	35,290	35,290
Amount Set Aside / Transfer to Reserve	0	0
Amount Used / Transfer from Reserve	0	0
Interest Received	770	350
	36,060	35,640
(d) Infrastructure/Bld Mtce Reserve		
<i>To be used for</i>		
Opening Balance	26,355	26,355
Amount Set Aside / Transfer to Reserve	0	0
Amount Used / Transfer from Reserve	0	0
Interest Received	575	750
	26,930	27,105
(e) Plant Reserve		
<i>To be used for</i>		
Opening Balance	62,492	62,492
Amount Set Aside/Transfer to Reserve	0	0
Amount Used/Transfer from Reserve	(51,336)	(62,865)
Interest Received	703	1,200
	11,859	827
(f) Public Open Space Reserve		
<i>To be used for</i>		
Opening Balance	234,648	234,648
Amount Set Aside/Transfer to Reserve	0	0
Amount Used/Transfer from Reserve	(20,930)	(115,000)
Interest Received	4,965	5,580
	218,683	125,228
(g) Library Leave reserve		
<i>To be used for</i>		
Opening Balance	5,813	5,813
Amount Set Aside/Transfer to Reserve	0	0
Amount Used/Transfer from Reserve	0	0
Interest Received	127	200
	5,940	6,013
(h) Information Technology Reserve		
<i>To be used for</i>		
Opening Balance	1,747	1,733
Amount Set Aside/Transfer to Reserve	35,000	35,000
Amount Used/Transfer from Reserve	0	0
Interest Received	294	35
	37,041	36,768

SHIRE OF PEPPERMINT GROVE

Notes to and forming part of the Statement of Financial Activity

for the period 1 July 2015 to 31 May 2016

3 Reserves

	YTD ACTUAL 2015/2016	REVISED BUDGET 2015/16
(i) Arts & Culture Reserve		
<i>To be used for</i>		
Opening Balance	1,069	1,084
Amount Set Aside/Transfer to Reserve	16,000	16,000
Amount Used/Transfer from Reserve	0	0
Interest Received	140	35
	17,209	17,119
Total Cash Backed Reserves	566,921	463,481

	YTD ACTUAL 2015/2016	REVISED BUDGET 2015/16
Summary of Transfers To and (From) Cash Backed Reserves		
Transfers to Reserves		
Roads Reserve	21,940	21,640
Library Infrastructure Reserve	2,318	4,200
Staff Leave reserve	770	350
Infrastructure/Bld Mtce Reserve	575	750
Plant Reserve	703	1,200
Public Open Space Reserve	4,965	5,580
Library Leave reserve	127	200
Information Technology Reserve	35,294	35,035
Arts & Culture Reserve	16,140	16,035
	82,832	84,990
Transfers from Reserves		
Roads Reserve	0	0
Library Infrastructure Reserve	0	0
Staff Leave reserve	0	0
Infrastructure/Bld Mtce Reserve	0	0
Plant Reserve	(51,336)	(62,865)
Public Open Space Reserve	(20,930)	(115,000)
Library Leave reserve	0	0
Sitting Fee Reserve	0	0
Green Funds Reserve	0	0
	(72,266)	(177,865)
Total Transfer to/(from) Reserves	10,566	(92,875)

All of the above reserve accounts are supported by money held in financial institutions.

SHIRE OF PEPPERMINT GROVE
Notes to and forming part of the Statement of Financial Activity
for the period 1 July 2015 to 31 May 2016

4 Cash and Investments

	OPENING BALANCE 2015/2016	MOVEMENT	CLOSING BALANCE 2015/2016
Restricted Cash Investments			
Library Projects Reserve	106,259.21	2,317.76	108,576.97
Infrastructure/Building Mtce	26,355.18	574.86	26,930.04
Plant Reserve	62,492.08	(50,633.29)	11,858.79
IT Reserve	1,747.39	35,294.43	37,041.82
Road Works reserve	82,681.06	21,939.86	104,620.92
Library Leave reserve	5,812.71	126.79	5,939.50
Staff Leave Reserve	35,289.64	769.75	36,059.39
Arts/Culture Reserve	1,068.90	16,140.49	17,209.39
Public Open Space Reserve	234,648.89	(15,965.04)	218,683.85
Total Reserves	556,355.06	10,565.61	566,920.67

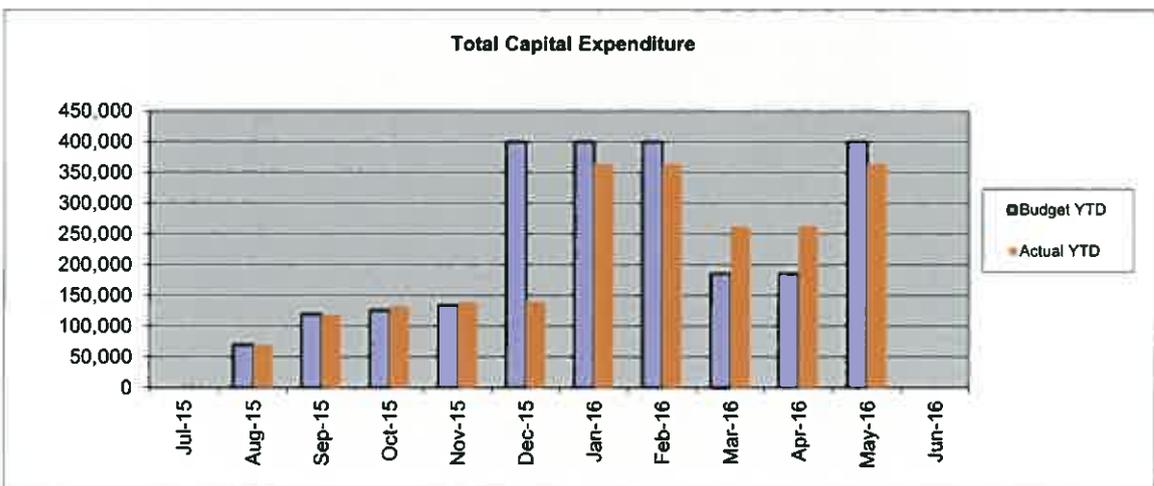
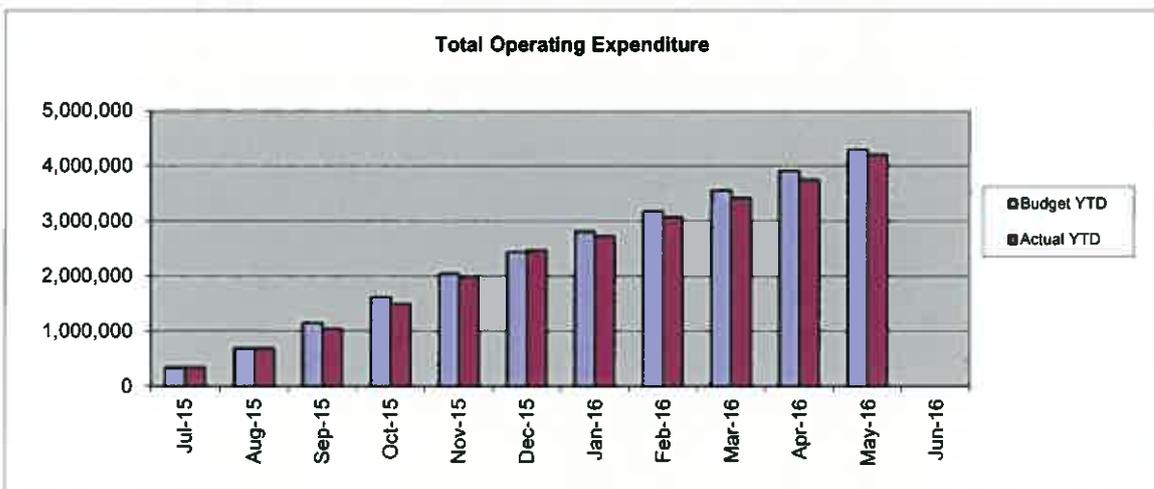
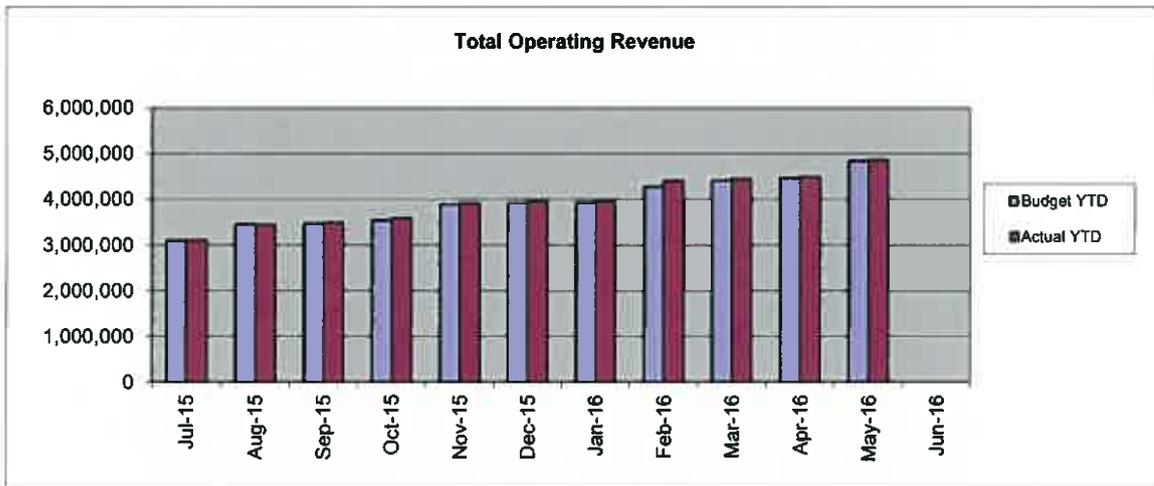
Unrestricted Cash/Investments

Municipal Fund	166,621.35	743,078.82	909,700.17
Library Advance	4,000.00	(4,000.00)	0.00
Petty Cash	600.00	200.00	800.00
Term Deposit Municipal	0.00	600,000.00	600,000.00
	171,221.35	1,339,278.82	1,510,500.17

Fund and TD Number	Amount Invested	Start Date	Maturity Date	Term (Days)	Interest Rate %	Expected Interest
Reserves	566,920.65	09-Mar-16	08-Jun-16	91	3.08%	4,353.33
Reserves Interest Receivable						4,353.33
Municipal 1	0.00					0.00
Municipal 2	0.00					0.00
Municipal 3	0.00					0.00
Municipal 4	0.00					0.00
Municipal Interest Receivable						0.00

SHIRE OF PEPPERMINT GROVE
Notes to and forming part of the Statement of Financial Activity
for the period 1 July 2015 to 31 May 2016

5 Revenues and Expenditures





Ordinary Council Meeting

8.5.2 – Accounts for Payment May 2016
Attachment # 3A

List of Accounts Paid During May 2016

Chq/EFT	Date	Name	Description	Amount
191	03/05/2016	SHIRE OF P/GROVE - LIBRARY ADVANCE A/C	LIBRARY PETTY CASH RECOUP	198.00
192	05/05/2016	DEPT OF TRANSPORT	VEHICLE REGISTRATION - SUBARU FORRESTER - 1DWT484 -	305.10
193	05/05/2016	MR ROBERT SCOTT	REFUND OF DOUBLE PAYMENT OF INFRINGEMENT 21853 -	45.00
194	10/05/2016	CHARLES HOHNEN	Meeting attendance fees - balance of 2015-16 allowance	3,750.00
195	10/05/2016	DAWNE LESLEY HORREX	Meeting attendance fees - balance of 2015-16 allowance	3,750.00
196	10/05/2016	GREG PETERS	Meeting attendance fees - balance of 2015-16 allowance	3,750.00
197	10/05/2016	Peter Macintosh	Meeting attendance fees - balance of 2015-16 allowance	3,750.00
198	10/05/2016	RACHEL LOUISE THOMAS	Meeting attendance fees - balance of 2015-16 allowance	9,125.00
199	18/05/2016	PETTY CASH	PETTY CASH RECOUP	361.55
200	24/05/2016	CITY OF NEDLANDS	WESROC ENVIRONMENTAL PROJECT OFFICERS -	12,482.10
201	24/05/2016	TELSTRA CORPORATION	CALLS AND CHARGES	1,292.19
202	24/05/2016	WATER CORPORATION	WATER USAGE	926.54
415	03/05/2016	BANK FEES	CBA POS FEE 366663	0.34
415	09/05/2016	FUJI XEROX	FUJI LEASE	200.20
415	09/05/2016	FUJI XEROX	FUJI LEASE	259.60
415	16/05/2016	BANK FEES	BPOINT FEES 0245922	29.40
415	17/05/2016	AFL SPORTSREADY	LIBRARY TRAINEE COSTS	2,730.20
415	18/05/2016	BANK FEES	NAB CONNECT FEE ACCESS & USAGE	68.49
415	02/05/2016	IINET	IINET LIBRARY	165.90
415	02/05/2016	WESTNET	WEST NET FEES-PG@WESTNET	90.93
415	02/05/2016	WESTNET	WESTNET DEPOT-PG3@WESTNET	59.90
415	02/05/2016	WESTNET	WEST NET FEES-PG2@WESTNET	69.95
415	03/05/2016	BANK FEES	CBA MERCHANT FEE 6461	230.07
415	03/05/2016	BANK FEES	CBA MERCHANT FEE 7974	22.00
415	03/05/2016	BANK FEES	CBA MERCHANT FEE 5395	20.00
415	03/05/2016	BANK FEES	CBA POS FEE 260194	16.50
EFT10191	04/05/2016	ALS LIBRARY SERVICE PTY LTD	SELECTED BOOKS - LIBRARY	29.59
EFT10192	04/05/2016	BENARA NURSERIES	ASSORTED PLANTS - DEPOT - STREET TREES	1,204.72
EFT10193	04/05/2016	BOWDEN TREE CONSULTANCY	SITE VISIT - BUNGALOW COURT NORFOLK ISLAND PINE TREE	352.00
EFT10194	04/05/2016	BUILDING COMMISSION	BSL LEVY PAYMENT - APRIL AND MAY 2016	10,112.37
EFT10195	04/05/2016	BUNNINGS TRADE	VARIOUS GOODS - DEPOT	144.68
EFT10196	04/05/2016	CONSTRUCTION TRAINING FUND	BCITF LEVY PAYMENT APRIL - MAY 2016	14,753.98
EFT10197	04/05/2016	COTTESLOE NEWS DELIVERY	PERIODICALS - LIBRARY - 13/3/16-9/4/16	402.48
EFT10198	04/05/2016	FORD & DOONAN AIR	AIR CON MAINTENANCE - SERVICE - 14-15/4/16 & 20/4/16	5,292.00

List of Accounts Paid During May 2016

Chq/EFT	Date	Name	Description	Amount
EFT10199	04/05/2016	GREENLINE	JOHN DEERE LAWN MOWER - FAULT REPAIR	541.64
EFT10200	04/05/2016	PROFESSIONAL PC SUPPORT PTY LTD (PPS)	LIBRARY IT - SERVER WARRANTY UPGRADE	924.00
EFT10201	04/05/2016	QUICK CORPORATE AUSTRALIA	DOCUMENT HOLDER FOR FINANCE OFFICER DESK	29.49
EFT10202	04/05/2016	RAECO	BOOKGUARDS - LIBRARY	86.73
EFT10203	04/05/2016	RECORDS AND INFORMATION MANAGEMENT	RECORDS MANAGEMENT TRAINING - MICHELLE	100.00
EFT10204	04/05/2016	ROBERT DUVAL FOODS PTY LTD	CATERING - LIBRARY EVENT 30/3/16	223.20
EFT10205	04/05/2016	ROYAL LIFE SAVING SOCIETY	HOME POOL INSPECTIONS X41 - 31/3/16	1,804.00
EFT10206	04/05/2016	SNAP PRINTING	PLAN PRINTING	17.00
EFT10207	04/05/2016	STATE LIBRARY OF WA	RECOVERY OF LOST BOOKS X107	793.10
EFT10208	04/05/2016	TOWN OF COTTESLOE	REIMBURSEMENT ANZAC DAY 2016 WREATH	80.00
EFT10209	04/05/2016	WESTERN METROPOLITAN REGIONAL COUNCIL	WASTE DISPOSAL	4,732.11
EFT10210	04/05/2016	WILSON SECURITY	ALARM MONITORING - 16/4/16	116.05
EFT10211	04/05/2016	WORK CLOBBER	WORK CLOTHING - DEPOT	89.00
EFT10212	10/05/2016	ACURIX NETWORKS PTY LTD	ADSL MONITORING/SUPPORT - MAY 2016	346.50
EFT10213	10/05/2016	ALS LIBRARY SERVICE PTY LTD	SELECTED BOOKS - LIBRARY	1,110.83
EFT10214	10/05/2016	CLEAN CITY GROUP PTY LTD	BIN VALET & CLEANING SERVICE - 27/4/16 AND 4/5/16	3,542.00
EFT10215	10/05/2016	DOMUS NURSERY	VARIOUS PLANTS AND TREES - GROVE PRECINCT GARDEN	865.00
EFT10216	10/05/2016	DOORS DOORS DOORS	SECURITY DOOR REPAIR - GROVE PRECINCT	308.00
EFT10217	10/05/2016	EASIFLEET	MOTOR VEHICLE NOVATED LEASE	2,043.43
EFT10218	10/05/2016	FIRE SHIELD SERVICES	FIRE PANEL MAINTENANCE	2,288.00
EFT10219	10/05/2016	FLEXIGLASS CHALLENGE PTY LTD	AUTO ELECTRICAL WORK - DEPOT	200.00
EFT10220	10/05/2016	HERITAGE TREE SURGEONS	STREET TREE MAINTENANCE - VARIOUS	6,985.00
EFT10221	10/05/2016	JIM DAVIES & ASSOCIATES PTY LTD	JOHNSTON STREET INFILTRATION BASIN - FEASABILITY STUDY	3,300.00
EFT10222	10/05/2016	KAREN FARLEY	Meeting attendance fees - balance of 2015-16 allowance	3,750.00
EFT10223	10/05/2016	KATHERINE MATTES	REFUND OF DA FEES - PLANNING APPROVAL NOT REQ'D	1,280.00
EFT10224	10/05/2016	MCINTOSH & SON	BROKEN DOOR AND WINDOW REPAIR - DEPOT LOADER	1,713.37
EFT10225	10/05/2016	METAL ARTWORK CREATIONS	SHIRE STAFF NAME BADGES X13	152.90
EFT10226	10/05/2016	MICHAEL HUGHES LEGAL	R OSWAL V SHIRE - SAT CC742/2015	1,006.17
EFT10227	10/05/2016	MIZCO	REPLACEMENT OF BMS SYSTEM	7,375.50
EFT10228	10/05/2016	NAPOLEON STREET NEWS	BINDING SUPPLIES - LIBRARY	49.50
EFT10229	10/05/2016	OPEN SYSTEMS TECHNOLOGY PTY LTD	BUSINESS SYSTEMS REVIEW EXPENSES	818.13
EFT10230	10/05/2016	PROFESSIONAL PC SUPPORT PTY LTD (PPS)	AMLIB MANAGED SERVICES - LIBRARY APRIL 2016	1,594.84
EFT10231	10/05/2016	REDEGROUP	GROVE LIBRARY CARDS - X3000	1,460.80
EFT10232	10/05/2016	SCOTT FLEAY	Meeting attendance fees - balance of 2015-16 allowance	3,750.00

List of Accounts Paid During May 2016

Chg/EFT	Date	Name	Description	Amount
EFT10233	10/05/2016	STAPLES AUSTRALIA PTY LTD	STATIONERY - SHIRE	350.80
EFT10234	10/05/2016	TURFMASTER FACILITY MANAGEMENT	MOWING RESERVES - MHP - MARCH & APRIL 2016	5,275.60
EFT10235	10/05/2016	YouthCARE	CONTRIBUTION SCHOOL CHAPLAINCY PROGRAM - 15/16	715.00
EFT10236	16/05/2016	ABCO PRODUCTS	TOILET TISSUE AND CLEANING SUPPLIES	160.58
EFT10237	16/05/2016	ALVITO PTY LTD t/a INCREDIBLE BULK	BULK WASTE VERGE COLLECTION - MAY 2016	8,250.00
EFT10238	16/05/2016	ASSET INFRASTRUCTURE MANAGEMENT	PAVEMENT TESTING - SHIRE FOOTPATHS	2,997.80
EFT10239	16/05/2016	AUSTRALIA POST	POSTAGE	66.15
EFT10240	16/05/2016	BOWDEN TREE CONSULTANCY	SITE INSPECTION & REPORT X8 SHIRE TREES	2,244.00
EFT10241	16/05/2016	CAT HAVEN	DONATION TO CAT HAVEN - 15/16	500.00
EFT10242	16/05/2016	CLEAN CITY GROUP PTY LTD	BIN VALET & CLEANING SERVICE - 11/5/16	1,771.00
EFT10243	16/05/2016	COTTESLOE NEWS DELIVERY	SHIRE NEWSPAPERS - 10/4/16-7/5/16	33.45
EFT10244	16/05/2016	DEEP GREEN CORPORATION	VERTICAL WALL GARDEN - MAY 2016 MAINTENANCE	357.86
EFT10245	16/05/2016	FUJI XEROX	PHOTOCOPYING LEASE - DC5C6685 12/4/16-11/7/16	1,500.07
EFT10246	16/05/2016	GREENWAY ENTERPRISES	DEPOT TREE PLANTING SUPPLIES	870.67
EFT10247	16/05/2016	GRIFFITHS ARCHITECTS	HERITAGE ASSESSMENT - 59 KEANE STREET	495.00
EFT10248	16/05/2016	HAVILAH LEGAL	PROFESSIONAL FEES RATES - LETTERS OF DEMAND X8	808.95
EFT10249	16/05/2016	MARKETFORCE	SPECIAL COUNCIL MEETING - 22 MAR 2016 -	216.68
EFT10250	16/05/2016	PROFESSIONAL PC SUPPORT PTY LTD (PPS)	CISCO WIRELESS ACCESS POINT - CHAMBERS	233.00
EFT10251	16/05/2016	PROFESSIONAL TREE SURGEONS	TREE WORK	1,529.00
EFT10252	16/05/2016	PROTEC ASPHALT	ASPHALT WORK - RIGHT OF WAY REPAIRS - VIEW STREET	1,430.00
EFT10253	16/05/2016	REFACE INDUSTRIES PTY LTD	DONUT RINGS LIBRARY LABELING - CD ETC	139.48
EFT10254	16/05/2016	ROYAL FRESHWATER BAY YACHT CLUB	STAFF CHRISTMAS FUNCTION LUNCH EVENT BOND	500.00
EFT10255	16/05/2016	ROYAL LIFE SAVING SOCIETY	HOME POOL INSPECTIONS - X2	88.00
EFT10256	16/05/2016	SUKHA YOGA	STAFF LUNTIME YOGA SESSIONS X4 WEEKS - 16/3-6/4	800.00
EFT10257	16/05/2016	SUNNY SIGN COMPANY PTY LTD	SIGNAGE AND BOLLARD AT THE GROVE PRECINCT - OFFICE	198.00
EFT10258	16/05/2016	SYNERGY	ELECTRICITY - STREET LIGHT TARIFF CHARGES - 25/3/16-	3,305.00
EFT10259	16/05/2016	VERTICAL MOTION SYSTEMS	REFUND OF VERGE BOND - BLIC-310	1,000.00
EFT10260	16/05/2016	WESTERN METROPOLITAN REGIONAL COUNCIL	WASTE DISPOSAL	6,379.29
EFT10261	16/05/2016	WORKWEAR GROUP	WORK UNIFORMS	2,747.20
EFT10262	19/05/2016	UNITING CHURCH OF AUSTRALIA(COTT.PARISH)	Rates refund - 30A JOHNSTON STREET PEPPERMINT GROVE	931.53
EFT10263	19/05/2016	AUSTRALIAN TAXATION OFFICE (ATO)	BAS REMITTANCE APRIL 2016	14,457.00
EFT10264	19/05/2016	BUNNINGS TRADE	VARIOUS GOODS - DEPOT	161.43
EFT10265	19/05/2016	BUTLER SETTINERI	INTERIM AUDIT FEE - ENDING 30 JUNE 2016	3,300.00
EFT10266	19/05/2016	CLEAN CITY GROUP PTY LTD	BIN VALET & CLEANING SERVICE - 18/5/16	2,838.00

List of Accounts Paid During May 2016

Chg/EFT	Date	Name	Description	Amount
EFT10267	19/05/2016	COTTESLOE NEWS DELIVERY	PERIODICALS - LIBRARY - 10/4/16-7/5/16	410.88
EFT10268	19/05/2016	CREATION LANDSCAPE SUPPLIES	LANDSCAPE MIX - DEPOT	144.00
EFT10269	19/05/2016	DOMUS NURSERY	VARIOUS PLANTS - GROVE PRECINCT GARDEN	824.56
EFT10270	19/05/2016	GREAT SOUTHERN TOYOTA	CHANGEOVER FOR NEW HILUX (1GAS 943)	19,000.00
EFT10271	19/05/2016	MOSMAN PARK MEN'S COMMUNITY SHED INC	SHIRE CONTRIBUTION	10,000.00
EFT10272	19/05/2016	OPEN SYSTEMS TECHNOLOGY PTY LTD	PROFESSIONAL SERVICES - APRIL 2016	591.25
EFT10273	19/05/2016	PAUL MASON (ILLUSTRATION & ANIMATION)	COMIC WORKSHOP - ILLUSTRATOR	280.00
EFT10274	19/05/2016	PERTH IRRIGATION CENTRE	RETICULATION TIMER - DEPOT	69.30
EFT10275	19/05/2016	PERTH LANDSCAPE DESIGN	GROVE GARDEN MAINTENANCE - APRIL 2016	830.50
EFT10276	19/05/2016	PERTHWASTE	WASTE COLLECTION - APRIL 2016	15,929.64
EFT10277	19/05/2016	PROFESSIONAL PC SUPPORT PTY LTD (PPS)	PPS WEBSITE HOSTING SERVICES - JUNE 2016	11.00
EFT10278	19/05/2016	RECALL INFORMATION MANAGEMENT	RECORDS STORAGE RETENTION - 1/5/16-31/5/16	98.60
EFT10279	19/05/2016	ROCKWATER PTY LTD	MONTHLY HYDROGEOLOGIST - TO 30/4/16	715.99
EFT10280	19/05/2016	SWEET APPLE PRODUCTIONS PTY LTD	QUARTERLY GUTTER CLEANING - THE GROVE PRECINCT	264.00
EFT10281	19/05/2016	SYNERGY	ELECTRICITY GROVE PRECINCT 8/4/16-12/5/16	8,155.50
EFT10282	19/05/2016	TEMPTATIONS CATERING	AGENDA BRIEFING FORUM 10/5/16 - CATERING	363.60
EFT10283	19/05/2016	TOWN OF COTTESLOE	RANGER SERVICES - 1/1/16-30/6/16	17,281.87
EFT10284	19/05/2016	WANNEROO PLANT FARM	GROVE PRECINCT GARDEN - PLANTS	382.80
EFT10285	19/05/2016	WESTERN METROPOLITAN REGIONAL COUNCIL	WASTE DISPOSAL	11,504.51
EFT10286	19/05/2016	WILLIAM & HUGHES PTY LTD	R OSWAL VS SHIRE - SAT CC742/2015 - LEGAL FEES	1,006.17
EFT10287	19/05/2016	WORMALD	SERVICE EQUIPMENT - FIRE SAFETY EQUIPMENT - 6	313.50
EFT10288	24/05/2016	AMBER QUEERN -	REFUND OF COM CENTRE BOND SUPER CHEM FREE KIDS	100.00
EFT10289	24/05/2016	AZURE MEDICAL	FLU VACCINATIONS - X15 STAFF	300.00
EFT10290	24/05/2016	BUSINESS & SAFETY PRINTING	SHIRE WINDOW FACE ENVELOPES X1500	313.50
EFT10291	24/05/2016	DONOVAN NORGARD	REIMBURSEMENTS - MANAGER OF WORKS LAPTOP	1,884.00
EFT10292	24/05/2016	DORMA AUSTRALIA PTY LTD	DOOR INSPECTIONS MAINTENANCE - AS PER CONTRACT	664.62
EFT10293	24/05/2016	EASIFLEET	MOTOR VEHICLE NOVATED LEASE DEDUCTIONS	2,043.43
EFT10294	24/05/2016	FUJI XEROX	PHOTOCOPYING LEASE - DC3C6500 - 9/6/16-8/9/16	1,247.40
EFT10295	24/05/2016	GRIFFITHS ARCHITECTS	HERITAGE ADVICE ASSESSMENTS - 45 IRVINE STREET -	495.00
EFT10296	24/05/2016	KERRY STAINES - GARDENERS CIRCLE WA	REFUND OF COM CENTRE BOND	100.00
EFT10297	24/05/2016	KONE ELEVATORS PTY LTD	GROVE LIFT - SERVICE FEE - 1/7/16-30/9/16	1,643.90
EFT10298	24/05/2016	PROTEC ASPHALT	ASPHALT WORK - KEANE STREET RIGHT OF WAY - SWEEP AND	2,596.00
EFT10299	24/05/2016	STATE LIBRARY OF WA	RECOVERY OF LOST & DAMAGED BOOKS - LIBRARY	87.10
EFT10300	30/05/2016	AZURE MEDICAL	STAFF FLU VACCINE X1	20.00

List of Accounts Paid During May 2016

Chq/EFT	Date	Name	Description	Amount
EFT10301	30/05/2016	BUNNINGS TRADE	VARIOUS GOODS - DEPOT	462.23
EFT10302	30/05/2016	CLEAN CITY GROUP PTY LTD	BIN VALET & CLEANING SERVICE - 25/5/16	1,826.00
EFT10303	30/05/2016	COVS	FLOOR MATS - SHIRE VEHICLE	60.37
EFT10304	30/05/2016	GREENWAY ENTERPRISES	MOWER BLADE - SPARE PART	33.44
EFT10305	30/05/2016	HERITAGE TREE SURGEONS	TREE MAINTENANCE - VERGE AND RESERVES	1,100.00
EFT10306	30/05/2016	MAGNETIC AUTOCONTROL	CARPARK GATE PREVENTATIVE MAINTENANCE - AS PER	385.00
EFT10307	30/05/2016	MCINTOSH & SON	DEPOT CASE SSL - 100 HOURS SERVICE	824.00
EFT10308	30/05/2016	SUPAFIT SEAT COVERS	SEAT COVERS - TOYOTA HILUX	552.20
EFT10309	30/05/2016	WESTERN METROPOLITAN REGIONAL COUNCIL	WASTE DISPOSAL	12,121.31
DD5793.1	01/05/2016	SHIRE CREDIT CARDS	CREDIT CARD RECOUP APRIL 2016	820.22
DD5815.1	12/05/2016	BT FUNDS MANAGEMENT LIMITED	SUPERANNUATION CONTRIBUTIONS	1,327.41
DD5815.2	12/05/2016	WA SUPER	SUPERANNUATION CONTRIBUTIONS	9,459.86
DD5815.3	12/05/2016	RAWLINGS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	927.03
DD5815.4	12/05/2016	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	2,055.53
DD5815.5	12/05/2016	AMP SUPER	SUPERANNUATION CONTRIBUTIONS	124.31
DD5820.1	01/05/2016	BP AUSTRALIA LIMITED	FUEL & OIL MAY 2016	1,414.06
DD5846.1	26/05/2016	BT FUNDS MANAGEMENT LIMITED	SUPERANNUATION CONTRIBUTIONS	1,327.41
DD5846.2	26/05/2016	WA SUPER	SUPERANNUATION CONTRIBUTIONS	9,493.79
DD5846.3	26/05/2016	RAWLINGS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	927.03
DD5846.4	26/05/2016	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	2,055.53
DD5846.5	26/05/2016	AMP SUPER	SUPERANNUATION CONTRIBUTIONS	137.34
DD5852.1	26/05/2016	SHIRE CREDIT CARDS	CREDIT CARD RECOUP MAY 2016	2,974.04
346,198.34				



Ordinary Council Meeting

**8.5.2 – Credit Card Payment - Attachment #
3B**

Date	Narrative	Amount
1/04/2016	PEPPERMINT GRV NEWS PEP	-\$25.90
4/04/2016	OFFICEWORKS 0616	-\$333.41
4/04/2016	BUNNINGS 391000	-\$35.76
- 14/04/2016	LANDGATE	-\$30.40
14/04/2016	CONSOLIDATED BEARINGS	-\$19.03
- 15/04/2016	CTX WOW MURDOCH	-\$70.41
19/04/2016	LOCAL GOVERNEMENT MANA	-\$55.00
20/04/2016	PAYPAL *BOATSHEDMAR	-\$214.80
- 21/04/2016	MOBILEZAP.COM.AU	-\$34.48 (Come for phone)
- 21/04/2016	MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)	-\$1.03
TOTAL		-\$820.22

Date Narrative	Item of expense	Job number	GST	Amount
30/03/2016 WOOLWORTHS 4356	Hospitality for event	11110	2.37	-\$85.08
31/03/2016 BWS 4407 COTTESLOE	Wine for event	11110	2.73	-\$30.00
1/04/2016 CELLARBRATIONS AT CO	Wine for event	11110	8.18	-\$90.00
1/04/2016 CELLARBRATIONS AT CO	Wine for event	11110	2.73	-\$30.00
4/04/2016 BOOKDEPOSITORY.COM	Children's books	11102	0.00	-\$301.55
4/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)		11102		-\$9.05
5/04/2016 BOOKDEPOSITORY.COM	Adult books	11101	0.00	-\$251.90
5/04/2016 BOOKDEPOSITORY.COM	Children's books	11102	0.00	-\$101.01
5/04/2016 BOOKDEPOSITORY.COM	Children's books	11102	0.00	-\$97.01
5/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)		11101		-\$7.56
5/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)		11102		-\$3.03
5/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)		11102		-\$2.91
7/04/2016 BOOKDEPOSITORY.COM	Adult books	11101	0.00	-\$333.13
7/04/2016 JB HI FI	USBs	11109	15.27	-\$168.00
7/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)		11101		-\$9.99
8/04/2016 BOOKTOPIA PTY LTD	Adult books	11101	10.85	-\$119.30
11/04/2016 JB HI FI	DVDs	11107	36.10	-\$397.13
11/04/2016 BOOKDEPOSITORY.COM	Adult books	11101	0.00	-\$67.87
11/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)		11101		-\$2.04
12/04/2016 WOOLWORTHS 4356	Coffee <i>+ No receipt rps</i>	11094	0.00	-\$8.00
12/04/2016 WOOLWORTHS 4356	Milk	11094	0.00	-\$3.00
14/04/2016 JAYCAR PTY LTD	Tape to MP3 Encoder	11109	7.09	-\$77.95
18/04/2016 OFFICEWORKS 0616	Paper for craft activities	11101	4.82	-\$53.02
18/04/2016 BOATSHED MARKET PTY LTD	Catering for meeting	11094	3.64	-\$44.93
18/04/2016 ADOBE CREATIVE CLOUD	Automatic Monthly Charge	11129	0.00	-\$14.99
18/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)		11129		-\$0.45
21/04/2016 RED DOT STORES	Modelling Clay for activity	8009	5.45	-\$59.96
26/04/2016 BOOKDEPOSITORY.COM	Adult books	11101	0.00	-\$134.05
26/04/2016 CITY OF PERTH PARK6	Parking for meeting (DBURN) <i>* no receipt rps</i>	11094	0.95	-\$10.50
26/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)		11101		-\$4.02
28/04/2016 APPLE ONLINE STORE	Apple Developer Licence	11129		-\$149.00
28/04/2016 BOOKDEPOSITORY.COM	Adult books	11101	0.00	-\$82.44

28/04/2016 FEE CARD FEE	-\$9.00
28/04/2016 FEE CARD FEE	-\$9.00
28/04/2016 FEE CARD FEE	-\$9.00
28/04/2016 MISCELLANEOUS DEBIT NAB INTNL TRAN FEE - (SC)	-\$2.47
TOTAL	-\$2,778.34

DBur
9/5/16.

SHIRE OF PEPPERMINT GROVE - CREDIT CARD PAYMENT - MAY 2016

Date	Paid to	Details	Amount
3/05/2016	OPTUS BILLING PAY MY BILL	Delivery Fee - MCS mobile phone	-\$9.94
10/05/2016	CELLARBORATIONS AT CO	Refreshments for Council Chambers	-\$647.80
17/05/2016	SOUTHSIDE POWDER COATERS	Refurbishment of SAM Trailer	-\$580.58
18/05/2016	DOT - LICENSING	Licensing of Toyota Hilux (Leading Hand Parks & Gardens)	-\$307.45
18/05/2016	MICROSOFT1074AUDAUDB2C	Windows Pro for MIS Computer	-\$149.00
19/05/2016	PAYPAL *BOATSHEDMAR	Finger Food for Council Meeting 24/5/16	-\$209.80
19/05/2016	OPTUS BILLING SMARTPAY	MCS Mobile 16/4/16 to 15/5/16	-\$65.10
20/05/2016	HARTWAY NAVAL BASE PTY LT	Refurbishment of SAM Trailer	-\$459.89
20/05/2016	TRUCKLINE	Lightbar Aerolite Amber (Leading Hand Parks & Gardens)	-\$298.79
23/05/2016	T/PTS OCONNOR	Light - Led, Trailer Kit and Reflector	-\$245.69
TOTAL			-\$2,974.04



Ordinary Council Meeting

8.5.3 – Draft Budget 2016-2017- Attachment # 4

SHIRE OF PEPPERMINT GROVE
DRAFT BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017

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**SHIRE OF PEPPERMINT GROVE
STATEMENT OF COMPREHENSIVE INCOME
BY NATURE OR TYPE
FOR THE YEAR ENDED 30TH JUNE 2017**

	NOTE	2016/17 Budget \$	2015/16 Actual \$	2015/16 Budget \$
Revenue				
Rates	8	3,055,100	2,983,386	2,994,350
Operating Grants, Subsidies & Contributions		1,388,994	1,322,427	1,360,001
Fees and Charges	11	300,600	309,998	278,340
Interest Earnings	2(a)	47,800	50,213	43,200
Other Revenue		27,300	76,674	36,300
		<u>4,819,794</u>	<u>4,742,698</u>	<u>4,712,191</u>
Expenses				
Employee Costs		(2,090,422)	(2,069,542)	(2,126,224)
Materials and Contracts		(1,795,767)	(1,828,655)	(1,921,091)
Utility Charges		(151,200)	(153,000)	(158,291)
Depreciation on Non-Current Assets	2(a)	(386,384)	(378,808)	(293,500)
Interest Expenses	2(a)	(62,136)	(65,204)	(65,204)
Insurance Expenses		(117,750)	(119,683)	(121,445)
Other Expenditure		(63,250)	(63,250)	(63,250)
		<u>(4,666,909)</u>	<u>(4,678,142)</u>	<u>(4,749,005)</u>
		152,885	64,556	(36,814)
Non-Operating Grants, Subsidies and Contributions		94,661	115,901	19,140
Profit on Asset Disposals	4	1,065	240	0
Loss on Asset Disposals	4	<u>0</u>	<u>(12,536)</u>	<u>(405)</u>
NET RESULT		248,611	168,161	(18,079)
Other Comprehensive Income				
Changes on Revaluation of non-current assets		<u>0</u>	<u>0</u>	<u>0</u>
Total Other Comprehensive Income		<u>0</u>	<u>0</u>	<u>0</u>
TOTAL COMPREHENSIVE INCOME		<u>248,611</u>	<u>168,161</u>	<u>(18,079)</u>

Notes:

All fair value adjustments relating to remeasurement of financial assets at fair value through profit or loss and (if any) changes on revaluation of non-current assets in accordance with the mandating of fair value measurement through Other Comprehensive Income, is impacted upon by external forces and is not able to be reliably estimated at the time of budget adoption.

Fair value adjustments relating to the re-measurement of financial assets at fair value through profit or loss will be assessed at the time they occur with compensating budget amendments made as necessary.

It is anticipated, in all instances, any changes upon revaluation of non-current assets will relate to non-cash transactions and as such, have no impact on this budget document.

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF PEPPERMINT GROVE
STATEMENT OF COMPREHENSIVE INCOME
BY PROGRAM
FOR THE YEAR ENDED 30TH JUNE 2017**

	NOTE	2016/17 Budget \$	2015/16 Actual \$	2015/16 Budget \$
Revenue (Refer Notes 1,2,8 to 13)				
Governance		5,000	25,024	10,060
General Purpose Funding		3,184,400	3,096,890	3,119,190
Law, Order, Public Safety		11,500	13,455	11,800
Health		17,000	14,957	13,500
Community Amenities		136,000	150,479	123,000
Recreation and Culture		1,375,169	1,333,437	1,344,036
Transport		14,925	22,890	13,225
Economic Services		75,800	78,805	77,380
Other Property and Services		0	6,761	0
		<u>4,819,794</u>	<u>4,742,698</u>	<u>4,712,191</u>
Expenses Excluding				
Finance Costs (Refer Notes 1,2 & 14)				
Governance		(892,734)	(875,229)	(857,458)
General Purpose Funding		(82,803)	(81,180)	(85,500)
Law, Order, Public Safety		(39,356)	(38,584)	(60,150)
Health		(54,967)	(53,890)	(56,550)
Education and Welfare		(23,644)	(23,180)	(32,000)
Community Amenities		(652,554)	(639,759)	(667,624)
Recreation & Culture		(1,921,922)	(1,951,520)	(1,978,474)
Transport		(862,284)	(845,377)	(864,845)
Economic Services		(74,509)	(73,048)	(78,200)
Other Property and Services		0	(31,173)	(3,000)
		<u>(4,604,773)</u>	<u>(4,612,939)</u>	<u>(4,683,801)</u>
Finance Costs (Refer Notes 2 & 5)				
Recreation & Culture		(62,136)	(65,204)	(65,204)
		<u>(62,136)</u>	<u>(65,204)</u>	<u>(65,204)</u>
Non-operating Grants, Subsidies and Contributions				
Recreation & Culture		32,000	70,000	0
Transport		62,661	45,901	19,140
		<u>94,661</u>	<u>115,901</u>	<u>19,140</u>
Profit/(Loss) On				
Disposal Of Assets (Refer Note 4)				
Governance		32	(347)	0
Transport		1,033	(11,948)	(405)
		<u>1,065</u>	<u>(12,295)</u>	<u>(405)</u>
NET RESULT		248,611	168,161	(18,079)
Other Comprehensive Income				
Changes on Revaluation of non-current assets		0	0	0
Total Other Comprehensive Income		<u>0</u>	<u>0</u>	<u>0</u>
TOTAL COMPREHENSIVE INCOME		<u><u>248,611</u></u>	<u><u>168,161</u></u>	<u><u>(18,079)</u></u>

Notes:

All fair value adjustments relating to remeasurement of financial assets at fair value through profit or loss and (if any) changes on revaluation of non-current assets in accordance with the mandating of fair value measurement through Other Comprehensive Income, is impacted upon by external forces and is not able to be reliably estimated at the time of budget adoption.

Fair value adjustments relating to the re-measurement of financial assets at fair value through profit or loss will be assessed at the time they occur with compensating budget amendments made as necessary.

It is anticipated, in all instances, any changes upon revaluation of non-current assets will relate to non-cash transactions and as such, have no impact on this budget document.

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF PEPPERMINT GROVE
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30TH JUNE 2017**

	NOTE	2016/17 Budget \$	2015/16 Actual \$	2015/16 Budget \$
Cash Flows From Operating Activities				
Receipts				
Rates		3,160,100	2,983,386	2,994,350
Operating Grants, Subsidies and Contributions		1,388,994	1,322,427	1,360,001
Fees and Charges		300,600	310,443	278,340
Interest Earnings		47,800	50,213	43,200
Goods and Services Tax		190,000	185,910	201,365
Other Revenue		27,300	77,109	36,300
		<u>5,114,794</u>	<u>4,929,488</u>	<u>4,913,556</u>
Payments				
Employee Costs		(2,090,422)	(2,069,542)	(2,111,224)
Materials and Contracts		(1,842,017)	(1,728,655)	(1,870,962)
Utility Charges		(151,200)	(153,000)	(158,291)
Interest Expenses		(62,136)	(65,204)	(65,204)
Insurance Expenses		(117,750)	(119,683)	(121,445)
Goods and Services Tax		(190,000)	(245,600)	(201,365)
Other Expenditure		(63,250)	(63,250)	(63,250)
		<u>(4,516,775)</u>	<u>(4,444,934)</u>	<u>(4,591,741)</u>
Net Cash Provided By Operating Activities	14(b)	<u>598,019</u>	<u>484,554</u>	<u>321,815</u>
Cash Flows from Investing Activities				
Payments for Purchase of Property, Plant & Equipment	3	(327,000)	(280,589)	(218,295)
Payments for Construction of Infrastructure	3	(618,228)	(113,131)	(247,150)
Non-Operating Grants, Subsidies and Contributions used for the Development of Assets		94,661	115,901	19,140
Proceeds from Sale of Plant & Equipment	4	132,250	151,678	102,000
Net Cash Used in Investing Activities		<u>(718,317)</u>	<u>(126,141)</u>	<u>(344,305)</u>
Cash Flows from Financing Activities				
Repayment of Debentures	5	(24,186)	(21,118)	(22,600)
Net Cash Provided By (Used In) Financing Activities		<u>(24,186)</u>	<u>(21,118)</u>	<u>(22,600)</u>
Net Increase (Decrease) in Cash Held Cash at Beginning of Year		(144,484) 1,064,871	337,295 727,576	(45,090) 727,689
Cash and Cash Equivalents at the End of the Year	14(a)	<u>920,387</u>	<u>1,064,871</u>	<u>682,599</u>

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF PEPPERMINT GROVE
RATE SETTING STATEMENT
FOR THE YEAR ENDED 30TH JUNE 2017**

	NOTE	2016/17 Budget \$	2015/16 Actual \$	2015/16 Budget \$
Revenues	1,2			
Governance		5,000	25,024	10,060
General Purpose Funding		129,300	113,504	124,840
Law, Order, Public Safety		11,500	13,455	11,800
Health		17,000	14,957	13,500
Community Amenities		136,000	150,479	123,000
Recreation and Culture		1,407,169	1,403,437	1,344,036
Transport		78,651	69,031	32,365
Economic Services		75,800	79,581	77,380
Other Property and Services		0	6,761	0
		<u>1,860,420</u>	<u>1,876,229</u>	<u>1,736,981</u>
Expenses	1,2			
Governance		(892,734)	(875,576)	(857,458)
General Purpose Funding		(82,803)	(82,787)	(85,500)
Law, Order, Public Safety		(39,356)	(38,584)	(60,150)
Health		(54,967)	(53,890)	(56,550)
Education and Welfare		(23,644)	(23,180)	(32,000)
Community Amenities		(652,554)	(678,048)	(667,624)
Recreation & Culture		(1,985,091)	(2,016,724)	(2,043,678)
Transport		(861,251)	(857,565)	(865,250)
Economic Services		(74,509)	(73,048)	(78,200)
Other Property and Services		0	(31,173)	(3,000)
		<u>(4,666,909)</u>	<u>(4,730,574)</u>	<u>(4,749,410)</u>
Net Operating Result Excluding Rates		(2,806,489)	(2,854,345)	(3,012,429)
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
(Profit)/Loss on Asset Disposals	4	(1,065)	12,296	405
Depreciation on Assets	2(a)	386,384	378,808	293,500
Capital Expenditure and Revenue				
Purchase Land and Buildings	3	(158,000)	(20,931)	(15,000)
Purchase Infrastructure Assets - Roads	3	(276,228)	(63,560)	(20,000)
Purchase Infrastructure Assets - Footpaths	3	(110,000)	(49,571)	0
Purchase Infrastructure Assets - Drainage	3	0	0	(47,150)
Purchase Infrastructure Assets - Parks	3	0	0	0
Purchase Infrastructure Assets - Other	3	(232,000)	0	(180,000)
Purchase Furniture and Equipment	3	(30,000)	(5,115)	(40,000)
Purchase Plant and Equipment	3	(139,000)	(254,543)	(163,295)
Proceeds from Disposal of Assets	4	132,250	151,678	102,000
Repayment of Debentures	5	(24,186)	(21,118)	(22,600)
Transfers to Reserves (Restricted Assets)	6	(77,800)	(86,139)	(65,000)
Transfers from Reserves (Restricted Assets)	6	183,000	150,569	175,295
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	7	390,000	68,584	1,645
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	7	291,966	390,000	1,721
Amount Required to be Raised from General Rate	8	<u>(3,055,100)</u>	<u>(2,983,387)</u>	<u>(2,994,350)</u>

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Preparation

The budget has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this budget are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the budget has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.

In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 16 to this budget document.

(b) 2015/16 Actual Balances

Balances shown in this budget as 2015/16 Actual are as forecast at the time of budget preparation and are subject to final adjustments.

(c) Rounding Off Figures

All figures shown in this budget, other than a rate in the dollar, are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.

Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a Gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(f) Superannuation

The Council contributes to a number of Superannuation Funds on behalf of employees.

All funds to which the Council contributes are defined contribution plans.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(g) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are shown as short term borrowings in current liabilities in the statement of financial position.

(h) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(i) Inventories

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(j) Fixed Assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Mandatory Requirement to Revalue Non-Current Assets

Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Fixed Assets (Continued)

The amendments allow for a phasing in of fair value in relation to fixed assets over three years as follows:

(a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and

(b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government -

(i) that are furniture and equipment; and

(ii) that are land and buildings

and

(c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.

Thereafter, in accordance with the regulations, each asset class must be revalued at least every 3 years.

In 2013, Council commenced the process of adopting Fair Value in accordance with the Regulations.

Relevant disclosures, in accordance with the requirements of Australian Accounting Standards, have been made in the budget as necessary.

Land Under Control

In accordance with Local Government (Financial Management) Regulation 16(a), the Council was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of state or regional significance.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.

Whilst they were initially recorded at cost (being fair value at the date of acquisition (deemed cost) as per AASB 116) they were revalued along with other items of Land and Buildings at 30 June 2014.

Initial Recognition and Measurement between Mandatory Revaluation Dates

All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation of the next anniversary date in accordance with the mandatory measurement framework detailed above.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Fixed Assets (Continued)

Revaluation

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

Transitional Arrangement

During the time it takes to transition the carrying value of non-current assets from the cost approach to the fair value approach, the Council may still be utilising both methods across differing asset classes.

Those assets carried at cost will be carried in accordance with the policy detailed in the ***Initial Recognition*** section as detailed above.

Those assets carried at fair value will be carried in accordance with the ***Revaluation Methodology*** section as detailed above.

Land Under Roads

In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.

Depreciation

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Fixed Assets (Continued)

Major depreciation periods used for each class of depreciable asset are:

Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment (except light vehicles)	5 to 15 years
Sealed roads and streets formation	not depreciated
- pavement	50 years
- bituminous seals	20 years
- asphalt surfaces	25 years
Gravel roads formation	not depreciated
pavement	50 years
gravel sheet	12 years
Formed roads (unsealed) formation	not depreciated
pavement	50 years
Footpaths - slab	40 years
Sewerage piping	100 years

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.

Capitalisation Threshold

Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.

(k) Fair Value of Assets and Liabilities

When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:

Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(k) Fair Value of Assets and Liabilities (Continued)

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (ie the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

Fair Value Hierarchy

AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

Level 1

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2

Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3

Measurements based on unobservable inputs for the asset or liability.

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

Valuation techniques

The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:

Market approach

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(k) Fair Value of Assets and Liabilities (Continued)

Income approach

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

Cost approach

Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued at least every 3 years.

(l) Financial Instruments

Initial Recognition and Measurement

Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).

Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.

Classification and Subsequent Measurement

Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or cost.

Amortised cost is calculated as:

- (a) the amount in which the financial asset or financial liability is measured at initial recognition;
- (b) less principal repayments and any reduction for impairment; and
- (c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(I) Financial Instruments (Continued)

The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

(i) Financial assets at fair value through profit and loss

Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.

(ii) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

(iii) Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.

(iv) Available-for-sale financial assets

Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.

(v) Financial liabilities

Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(l) Financial Instruments (Continued)

Impairment

A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).

In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.

In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.

For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.

Derecognition

Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

(m) Impairment of Assets

In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) Impairment of Assets (Continued)

For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

At the time of adopting this budget, it is not possible to estimate the amount of impairment losses (if any) as at 30 June 2015.

In any event, an impairment loss is a non-cash transaction and consequently, has no impact on this budget document.

(n) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(o) Employee Benefits

Short-Term Employee Benefits

Provision is made for the Council's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Council's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Council's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Other Long-Term Employee Benefits

Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

(q) Provisions

Provisions are recognised when the Council has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(r) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Council's intentions to release for sale.

(s) Comparative Figures

Where required, comparative figures have been adjusted to conform with changes in presentation for the current budget year.

(t) Budget Comparative Figures

Unless otherwise stated, the budget comparative figures shown in this budget document relate to the original budget estimate for the relevant item of disclosure.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

	2016/17 Budget \$	2015/16 Actual \$	2015/16 Budget \$
2. REVENUES AND EXPENSES			
(a) Net Result			
The Net Result includes:			
(i) Charging as Expenses:			
Auditors Remuneration			
Audit Services	8,000	7,500	7,500
Other Services	0	0	0
Depreciation			
By Program			
Governance	94,284	92,435	52,536
Recreation and Culture	55,977	54,879	51,500
Transport	219,535	215,230	169,000
Other Property and Services	16,589	16,264	20,464
	<u>386,384</u>	<u>378,808</u>	<u>293,500</u>
By Class			
Land and Buildings	105,818	103,605	84,500
Furniture and Equipment	14,943	14,650	15,000
Plant and Equipment	16,193	15,875	25,000
Roads	148,780	145,863	132,000
Footpaths	55,127	54,046	20,000
Parks	38,481	37,726	10,000
Drainage	7,043	7,043	7,000
	<u>386,384</u>	<u>378,808</u>	<u>293,500</u>
Interest Expenses (Finance Costs)			
- Debentures (refer note 5(a))	62,136	65,204	65,204
	<u>62,136</u>	<u>65,204</u>	<u>65,204</u>
(ii) Crediting as Revenues:			
Interest Earnings			
Investments			
- Reserve Funds	7,800	16,195	14,000
- Other Funds	40,000	34,018	29,200
Other Interest Revenue (refer note 13)	19,000	30,000	17,600
	<u>66,800</u>	<u>80,213</u>	<u>60,800</u>

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

2. REVENUES AND EXPENSES (Continued)

(b) Statement of Objective

In order to discharge its responsibilities to the community, Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Shire's Community Vision, and for each of its broad activities/programs.

**COMMUNITY VISION
TO REMAIN A SHIRE VALUED FOR ITS AMBIENCE AND INDEPENDENCE**

GOVERNANCE

Administration and operation of facilities and services to Members of Council. Other costs that relate to the tasks of assisting elected members and ratepayers.

GENERAL PURPOSE FUNDING

Rates, general purpose government grants and interest revenue. Costs associated with raising of rates and other funding activities.

LAW, ORDER, PUBLIC SAFETY

Supervision of various bylaws, fire prevention, emergency services, pest control and animal control.

HEALTH

Maternal and infant health, immunisation control, health inspections, pest control and preventative services.

EDUCATION AND WELFARE

Contributions towards various community services such as aged persons support and other voluntary services.

COMMUNITY AMENITIES

Rubbish collection and recycling services, administration of the Town Planning Scheme and maintenance of bus shelters.

RECREATION AND CULTURE

Maintenance of parks and reserves. Administration of the Cottesloe - Peppermint Grove - Mosman Park Combined Library.

TRANSPORT

Construction and maintenance of roads, drainage, footpaths, parking and traffic signs. Cleaning of streets and maintaining street verges and street trees.

ECONOMIC SERVICES

Implementation of building controls.

OTHER PROPERTY & SERVICES

Plant operation and overheads.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

3. ACQUISITION OF ASSETS	2016/17 Budget \$
The following assets are budgeted to be acquired during the year:	
<u>By Program</u>	
Governance	
Plant and Equipment	27,500
Furniture and Equipment	15,000
Infrastructure Assets - Other	60,000
Recreation and Culture	
Land and Buildings	158,000
Furniture and Equipment	15,000
Infrastructure Assets - Other	172,000
Transport	
Infrastructure Assets - Roads	276,228
Plant and Equipment	111,500
Infrastructure Assets - Footpaths	110,000
	945,228
<u>By Class</u>	
Land and Buildings	158,000
Infrastructure Assets - Roads	276,228
Infrastructure Assets - Footpaths	110,000
Infrastructure Assets - Other	232,000
Furniture and Equipment	30,000
Plant and Equipment	139,000
	945,228

A detailed breakdown of acquisitions on an individual asset basis can be found in the capital expenditure budget attached to this budget document.

4. DISPOSALS OF ASSETS

The following assets are budgeted to be disposed of during the year.

<u>By Program</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	2016/17 BUDGET	2016/17 BUDGET	2016/17 BUDGET
	\$	\$	\$
<u>Transport</u>			
Ford Ranger XLT	41,082	41,250	168
Toyota Hilux (Auto)	32,795	33,250	455
Toyota Hilux (Man)	31,340	31,750	410
<u>Governance</u>			
Holden Commodore	25,968	26,000	32
	131,185	132,250	1,065

<u>By Class</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	2016/17 BUDGET	2016/17 BUDGET	2016/17 BUDGET
	\$	\$	\$
<u>Plant and Equipment</u>			
Ford Ranger XLT	41,082	41,250	168
Toyota Hilux (Auto)	32,795	33,250	455
Toyota Hilux (Man)	31,340	31,750	410
Holden Commodore	25,968	26,000	32
	131,185	132,250	1,065

<u>Summary</u>	2016/17 BUDGET \$
Profit on Asset Disposals	1,065
Loss on Asset Disposals	0
	1,065

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

5. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Movement in the carrying amounts of each class of property, plant and equipment between the beginning and the end of the current financial year.

Particulars	Principal 01-Jul-16	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2016/17 Budget \$	2015/16 Actual \$	2016/17 Budget \$	2015/16 Actual \$	2016/17 Budget \$	2015/16 Actual \$
Recreation & Culture Library	864,124	0	24,186	21,118	839,937	864,124	62,136	65,204
	864,124	0	24,186	21,118	839,937	864,124	62,136	65,204

All debenture repayments are to be financed by general purpose revenue.

(b) New Debentures - 2016/17

No new borrowings are proposed in 2016/17.

(c) Unspent Debentures

Council had no unspent debenture funds as at 30th June 2016 nor is it expected to have unspent debenture funds as at 30th June 2017.

(d) Overdraft

Council has not utilised an overdraft facility during the financial year although an overdraft facility of \$200,000 with the National Australia Bank does exist. It is not anticipated that this facility will be required to be utilised during 2016/17.

SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017

	2016/17 Budget \$	2015/16 Actual \$	2015/16 Budget \$
6. RESERVES			
(a) Leave Reserve			
Opening Balance	36,336	35,290	35,290
Amount Set Aside / Transfer to Reserve	51,080	0	350
Amount Used / Transfer from Reserve	0	1,047	0
	<u>87,416</u>	<u>36,336</u>	<u>35,640</u>
(b) Plant Replacement Reserve			
Opening Balance	0	62,492	62,492
Amount Set Aside / Transfer to Reserve	0	794	1,200
Amount Used / Transfer from Reserve	0	(63,286)	(60,295)
	<u>0</u>	<u>0</u>	<u>3,397</u>
(c) Infrastructure/Building Reserve			
Opening Balance	27,137	26,355	26,355
Amount Set Aside / Transfer to Reserve	20,000	782	750
Amount Used / Transfer from Reserve	0	0	0
	<u>47,137</u>	<u>27,137</u>	<u>27,105</u>
(d) Information Technology Reserve			
Opening Balance	37,326	1,747	1,733
Amount Set Aside / Transfer to Reserve	1,120	35,579	35,035
Amount Used / Transfer from Reserve	(15,000)	0	0
	<u>23,446</u>	<u>37,326</u>	<u>36,768</u>
(e) Road Reserve			
Opening Balance	105,424	82,681	82,681
Amount Set Aside / Transfer to Reserve	2,100	22,743	1,650
Amount Used / Transfer from Reserve	0	0	0
	<u>107,524</u>	<u>105,424</u>	<u>84,331</u>
(f) Library Leave Reserve			
Opening Balance	2,145	5,813	5,813
Amount Set Aside / Transfer to Reserve	180	172	200
Amount Used / Transfer from Reserve	0	(3,840)	0
	<u>2,325</u>	<u>2,145</u>	<u>6,013</u>
(g) Public Open Space Reserve			
Opening Balance	156,803	234,649	234,648
Amount Set Aside / Transfer to Reserve	0	6,644	5,580
Amount Used / Transfer from Reserve	(153,000)	(84,490)	(115,000)
	<u>3,803</u>	<u>156,803</u>	<u>125,228</u>
(h) Library Infrastructure Reserve			
Opening Balance	109,411	106,259	106,260
Amount Set Aside / Transfer to Reserve	2,800	3,152	4,200
Amount Used / Transfer from Reserve	(15,000)	0	0
	<u>97,211</u>	<u>109,411</u>	<u>110,460</u>
(i) Arts & Culture Reserve			
Opening Balance	17,342	1,069	1,084
Amount Set Aside / Transfer to Reserve	520	16,273	16,035
Amount Used / Transfer from Reserve	0	0	0
	<u>17,862</u>	<u>17,342</u>	<u>17,119</u>
Total Reserves	<u>386,724</u>	<u>491,924</u>	<u>446,061</u>

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

6. RESERVES (Continued)	2016/17 Budget \$	2015/16 Actual \$	2015/16 Budget \$
SUMMARY OF RESERVE TRANSFERS			
Transfers to Reserves			
Leave Reserve	51,080	0	350
Plant Replacement Reserve	0	794	1,200
Infrastructure/Building Reserve	20,000	782	750
Information Technology Reserve	1,120	35,579	35,035
Road Reserve	2,100	22,743	1,650
Library Leave Reserve	180	172	200
Public Open Space Reserve	0	6,644	5,580
Library Infrastructure Reserve	2,800	3,152	4,200
Arts & Culture Reserve	520	16,273	16,035
	<u>77,800</u>	<u>86,139</u>	<u>65,000</u>
Transfers from Reserves			
Leave Reserve	0	1,047	0
Plant Replacement Reserve	0	(63,286)	(60,295)
Infrastructure/Building Reserve	0	0	0
Information Technology Reserve	(15,000)	0	0
Road Reserve	0	0	0
Library Leave Reserve	0	(3,840)	0
Public Open Space Reserve	(153,000)	(84,490)	(115,000)
Library Infrastructure Reserve	(15,000)	0	0
Arts & Culture Reserve	0	0	0
	<u>(183,000)</u>	<u>(150,569)</u>	<u>(175,295)</u>
Total Transfer to/(from) Reserves	<u>(105,200)</u>	<u>(64,431)</u>	<u>(110,295)</u>

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Long Service/ Annual Leave Reserve.

- to provide funding to meet the ongoing liability of staff annual and long service leave

Plant Replacement Reserve

- to set aside sufficient funds to allow for the cost of replacing/upgrading plant & equipment

Infrastructure/Building Reserve

- to upgrade and replace recreational infrastructure & Council buildings

Information Technology Reserve

- to be used to fund future information technology development

Road Works Reserve

-to set aside sufficient funds for the upgrade and maintenance of the road and drainage systems.

Leave Reserve (Library Staff)

-to provide funding to meet the liability of staff leave entitlements of the Grove library

Library Infrastructure Reserve

-to provide funds for capital expenditure projects for the Grove library

Public Open Space Reserve

-This reserve was established in 2007/08 following receipt of Public Open Space funds.

Arts & Culture Reserve

- to be used for arts and cultural projects

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

	Note	2016/17 Budget \$	2015/16 Actual \$
7. NET CURRENT ASSETS			
Composition of Estimated Net Current Asset Position			
CURRENT ASSETS			
Cash - Unrestricted	15(a)	533,662	572,947
Cash - Restricted Reserves	15(a)	386,724	491,924
Receivables		10,000	115,000
Inventories		0	0
		930,387	1,179,871
LESS: CURRENT LIABILITIES			
Payables and Provisions		(341,438)	(336,428)
NET CURRENT ASSET POSITION		588,949	843,443
Less: Cash - Restricted Reserves	15(a)	(386,724)	(491,924)
Plus: Cash-Backed Provisions		89,741	38,481
ESTIMATED SURPLUS/(DEFICIENCY) C/FWD		291,966	390,000

The estimated surplus/(deficiency) c/fwd in the 2015/16 actual column represents the surplus (deficit) brought forward as at 1 July 2016.

The estimated surplus/(deficiency) c/fwd in the 2016/17 budget column represents the surplus (deficit) carried forward as at 30 June 2017.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

8. RATING INFORMATION - 2016/17 FINANCIAL YEAR

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2016/17 Budgeted Rate Revenue \$	2016/17 Budgeted Interim Rates \$	2016/17 Budgeted Back Rates \$	2016/17 Budgeted Total Revenue \$	2015/16 Actual \$
General Rate								
Residential	7.5330	552	36,028,680	2,714,041	6,004		2,720,045	2,430,469
Commercial	7.5330	32	2,802,218	211,091			211,091	430,908
Railway Reserve	7.5330	3	94,300	7,104			7,104	7,002
MRS Reserve	7.5330	1	486,950	36,682			36,682	36,157
Parks	7.5330	1	28,950	2,181			2,181	2,150
Sub-Totals		589	39,441,098	2,971,098	6,004	0	2,977,102	2,906,686
Minimum Payment	\$							
Residential	1,322	52	763,620	68,744			68,744	68,900
Commercial	1,322	7	92,910	9,254			9,254	7,800
Sub-Totals		59	856,530	77,998	0	0	77,998	76,700
Discounts (Note 12)								
Total Amount Raised from General Rate								
							3,055,100	2,983,386
Specified Area Rates (Note 9)							0	0
Total Rates							3,055,100	2,983,386

All land except exempt land in the Shire of Peppermint Grove is rated according to its Gross Rental Value (GRV)

The general rates detailed above for the 2016/17 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

9. SPECIFIED AREA RATE - 2016/17 FINANCIAL YEAR

No specified area rate will apply in 2016/17

10. SERVICE CHARGES - 2016/17 FINANCIAL YEAR

No service charges will apply in 2016/17

11. FEES & CHARGES REVENUE	2016/17 Budget \$	2015/16 Actual \$
Governance	0	983
General Purpose Funding	8,500	7,810
Law, Order, Public Safety	8,000	5,913
Health	7,000	7,030
Community Amenities	136,000	132,575
Recreation & Culture	57,600	63,090
Transport	8,000	13,480
Economic Services	75,500	78,005
	<u>300,600</u>	<u>308,886</u>

**12. RATE PAYMENT DISCOUNTS, WAIVERS AND CONCESSIONS
- 2016/17 FINANCIAL YEAR**

No rate payment discounts, waivers or concessions are proposed for 2016/17

13. INTEREST CHARGES AND INSTALMENTS - 2016/17 FINANCIAL YEAR

The following interest charge is proposed in the 2016/17 budget:-

11% interest (annual) will be charged on a daily basis on all rates outstanding after the due date, **i.e. 27 September 2016.**

This charge will not apply to rates outstanding where the ratepayer has previously elected to pay the rate by instalments, unless the instalments are overdue and/or the ratepayer is an entitled person under the Rates and Charges (Rebates and Deferments) Act 1992.

The total estimated revenue to be obtained from this interest charge is \$4,000.

Payment of Rates by Instalments

Where a person elects to make the payment of rates by instalments, four (4) equal payments are to be made on or before the following dates.

First Instalment	Due Date:	27 September 2016
Second Instalment	Due Date:	28 November 2016
Third Instalment	Due Date:	30 January 2017
Fourth Instalment	Due Date:	31 March 2017

An additional charge of \$30 per assessment will be imposed where a person elects to make the payments by instalments. This charge will be levied to cover the cost of the administration required.

Interest at 5% will be charged for the instalment option unless any instalment is overdue and if this occurs the rate of 11% will apply on any payments outstanding. No discount will apply to rates paid under this option.

The total estimated revenue to be obtained from this instalment administration fee is \$5,000.

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

14. NOTES TO THE STATEMENT OF CASH FLOWS

(a) Reconciliation of Cash

For the purposes of the statement of cash flows, cash includes cash and cash equivalents, net of outstanding bank overdrafts. Estimated cash at the end of the reporting period is as follows:

	2016/17 Budget \$	2015/16 Actual \$	2015/16 Budget \$
Cash - Unrestricted	533,662	457,046	367,424
Cash - Restricted	386,724	607,825	446,061
	<u>920,387</u>	<u>1,064,871</u>	<u>813,485</u>

The following restrictions have been imposed by regulation or other externally imposed requirements:

Leave Reserve	87,416	36,336	35,640
Plant Replacement Reserve	0	0	3,397
Infrastructure/Building Reserve	47,137	27,137	27,105
Information Technology Reserve	23,446	37,326	36,768
Road Reserve	107,524	105,424	84,331
Library Leave Reserve	2,325	2,145	6,013
Public Open Space Reserve	3,803	156,803	125,228
Library Infrastructure Reserve	97,211	109,411	110,460
Arts & Culture Reserve	17,862	17,342	17,119
Restricted Grants	0	115,901	0
	<u>386,724</u>	<u>607,825</u>	<u>446,061</u>

(b) Reconciliation of Net Cash Provided By Operating Activities to Net Result

Net Result	248,611	168,161	(18,079)
Depreciation	386,384	378,808	293,500
(Profit)/Loss on Sale of Asset	(1,065)	12,295	405
(Increase)/Decrease in Receivables	105,000	43,099	(7,753)
Increase/(Decrease) in Payables	(65,750)	(21,908)	88,765
Increase/(Decrease) in Employee Provisions	20,000	20,000	(15,883)
Grants/Contributions for the Development of Assets	(94,661)	(115,901)	(19,140)
Net Cash from Operating Activities	<u>598,519</u>	<u>484,554</u>	<u>321,815</u>

**(c) Undrawn Borrowing Facilities
Credit Standby Arrangements**

Bank Overdraft limit	200,000	200,000	200,000
Bank Overdraft at Balance Date	0	0	0
Credit Card limit	9,000	9,000	9,000
Credit Card Balance at Balance Date	0	0	0
Total Amount of Credit Unused	<u>209,000</u>	<u>209,000</u>	<u>209,000</u>
Loan Facilities			
Loan Facilities in use at Balance Date	<u>839,937</u>	<u>864,124</u>	<u>864,124</u>
Unused Loan Facilities at Balance Date	<u>0</u>	<u>0</u>	<u>0</u>

**SHIRE OF PEPPERMINT GROVE
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2017**

15. ELECTED MEMBERS REMUNERATION	2016/17 Budget \$	2015/16 Actual \$
The following fees, expenses and allowances were paid to council members and/or the president.		
Meeting Fees	52,500	52,500
President's Allowance	10,750	10,750
	63,250	63,250

16. TRUST FUNDS

Funds held at balance date over which the municipality has no control and which are not included in the financial statements are as follows:

Detail	Balance 01-Jul-16 \$	Estimated Amounts Received \$	Estimated Amounts Paid (\$)	Estimated Balance 30-Jun-17 \$
Community Centre Bonds	4,188	1,000	(1,000)	4,188
Legal & Other Receipts	11,250	0	0	11,250
Footpath Deposit Funds	115,000	45,000	(45,000)	115,000
	130,438	46,000	(46,000)	130,438

17. MAJOR LAND TRANSACTIONS

No major land transactions are proposed in 2016/17.

18. TRADING UNDERTAKINGS AND MAJOR TRADING UNDERTAKINGS

No trading undertakings or major trading undertakings are proposed in 2016/17.

**SHIRE OF PEPPERMINT GROVE
2016/17 BUDGET
CAPITAL EXPENDITURE SCHEDULE**

ACCOUNT NUMBER	DESCRIPTION	COST	FUNDING			
		Expenditure	Grant Income	Reserve	Trade-In	Municipal
		\$	\$	\$		\$
Roads	Monument Street	55,000	34,834	-	-	10,678
Roads	Hobbs Place	25,000	-	-	-	25,000
Roads	Bay View Terrace	69,569	27,827			41,742
Roads	Unspecified Roadworks (including ROW's)	86,659	-	-	-	86,659
Inf - Other	Riverwall Extension	67,000	32,000	-	-	35,000
Inf - Other	Riverwall Renewal	105,000	-	35,000	-	70,000
Building	Pavilion	15,000	-	15,000	-	-
Building	Keane's Pt Kiosk - Headworks	143,000		103,000		40,000
Footpaths	Footpath Renewal	110,000	-	-	-	110,000
Furniture/Equip	Community Centre AV Equipment	15,000	-	15,000	-	-
Furniture/Equip	Replace Office Desktop's	15,000	-	15,000	-	-
Plant	Holden Commodore	27,500	-	-	26,000	1,500
Plant	Toyota Hilux	35,000	-	-	33,250	1,750
Plant	Toyota Hilux	33,500	-	-	31,750	1,750
Plant	Ford Ranger XLT	43,000	-	-	41,250	1,750
Inf - Other	Wall - Adjacent to Administration Office	60,000	-	-	-	60,000
Roads	Kerbing Renewal	40,000	-	-	-	40,000
	Total	945,228	94,661	183,000	132,250	525,829

(a) Renewal CAPEX net of grants/trade-ins	588,829
(b) Estimated Depreciation Expense	386,384
Asset Sustainability Ratio (a) divided by (b)	1.52

SHIRE OF PEPPERMINT GROVE SCHEDULE OF FEES AND CHARGES FOR THE YEAR ENDING 30 JUNE 2017.

Program	Type of Fee	Legislation		Fee/Charge - * GST Inclusive	\$ Estimated Revenue
General Purpose Funding Governance	Rate/Property Enquiry Fee	Local Government Act 1995		\$120 for each written enquiry	3,500
	Rate Instalment Fee	Local Government Act 1995	Increased	\$30 per assessment	5,000
	Copy of Electoral Rolls	Local Government Act 1995		\$50 per copy	0
	Sale of Council Minutes	Local Government Act 1995		\$15* per copy	0
	Sale of Annual Report/Budget	Local Government Act 1995		\$15* per copy	0
	Copy of Council Local Laws	Local Government Act 1995		\$25 per local law	0
	FOI Applications	FOI Act 1992		\$30 per application	0
	Copy of Rate Book/Street Listing	Local Government Act 1995		\$100 per copy	0
	Cat/Dog Fines	Dog Act 1976		Various	0
	Cat/Dog Impounding Fees	Dog Act 1976		\$40	0
Law, Order & Safety	Cat/Dog License Fees	Dog Act 1976		Various	4,000
	Vehicle Impounding Fees	Local Government Act 1995		\$250 plus towing costs	0
	ESL Administration Fee	Local Government Act 1995			4,000
	Notification Fee	Food Act 2005		\$50	50
Health	Exempted Food Premises fee	Food Act 2005		Nil	
	Annual Risk Assessment/ Inspection Fee	Food Act 2005			
	High Risk	Food Act 2005		Primary Classification \$525	2,100
	High Risk	Food Act 2005		Additional Classification \$230	460
	Medium Risk	Food Act 2005		Primary Classification \$460	3,220
	Medium Risk	Food Act 2005		Additional Classification \$230	0
	Low Risk	Food Act 2005		Primary Classification \$230	1,150
	Low Risk	Food Act 2005		Additional Classification \$230	0
	Very Low Risk	Food Act 2005		No fee	0
	Very Low Risk	Food Act 2005		\$50	20
	Transfer Fee	Food Act 2005			
	Application Fee Construction and Establishment of Food Premises (including one off notification fee)	Food Act 2005			
	Risk Level	Food Act 2005			
	High/Medium	Food Act 2005		\$400	0
	Low Risk	Food Act 2005		\$150	0
Very Low Risk	Food Act 2005		\$50	0	
To amend or refurbish a good premises	Food Act 2005		\$200	0	
Community Amenities	Additional Domestic Refuse Service	Waste Avoidance and Resource Recovery Act 2007 - s.67 and	Increased	\$460*pa for (1) Weekly Service - 240L MGB	16,000
	Refuse Service - Non Rateable Properties	Waste Avoidance and Resource Recovery Act 2007 - s.67 and	Increased	\$460*pa for (1) Weekly Service - 240L MGB	0
	Commercial Refuse Service	Waste Avoidance and Resource Recovery Act 2007 - s.67 and	Increased	\$460*pa for (1) Weekly Service - 240L MGB	60,000
	Additional Domestic Recycling Service	Waste Avoidance and Resource Recovery Act 2007 - s.67 and		\$230*pa for (1) Weekly Service - 240L MGB	0
	Additional Commercial Recycling Service	Waste Avoidance and Resource Recovery Act 2007 - s.67 and		\$230*pa for (1) Weekly Service - 240L MGB	0
	Additional collection bin	Local Government Act 1995		\$110* per 240 litre bin	0
	Special Rubbish Removal	Waste Avoidance and Resource Recovery Act 2007 - s.67 and		Various costs with a minimum of \$125*	0
	Additional Rate Payer Tip Pass Fees	Local Government Act 1995		\$100* per each additional tip pass	0
	Town Planning Fees	Town Planning (Local Govt Planning Fees) Regs 2000		Various - Scale of charges based on cost of development	60,000
	Zoning Enquiry/Property Enquiry Fee	Local Government Act 1995	Increased	\$120* per enquiry	0
	Sale of Town Planning Scheme Text	Local Government Act 1995		\$35 per copy	0
	Fence Approval Administration Fees	Local Government Act 1995		\$120* per application	0
	Sale of Municipal Heritage Inventory:	Local Government Act 1995			
	- Single property Black & White (hard copy) Fee			\$4.40* per double sided sheet	0
	- Single property Colour Fee (hard copy) Fee			\$5.50* per double sided sheet	0
- Whole Inventory Colour (hard copy) Fee			\$66.00* per copy	0	
- Whole Inventory Black & White (hard copy) Fee			\$44.00* per copy	0	
- Whole Inventory on CD Rom Fee			\$44.00* per copy	0	

SHIRE OF PEPPERMINT GROVE SCHEDULE OF FEES AND CHARGES FOR THE YEAR ENDING 30 JUNE 2017.

Program	Type of Fee	Legislation	Fee/Charge - * GST inclusive	\$ Estimated Revenue
Recreation & Culture	Keane's Point Kiosk	Local Government Act 1995	Demolished	0
	Manners Hill Park Pavilion	Local Government Act 1995	\$220* per use. Shire of Peppermint Grove residents	2,750
	Manners Hill Park Pavilion	Local Government Act 1995	\$385* per use. Non-Shire of Peppermint Grove residents	1,750
	Manners Hill Park Electricity	Local Government Act 1995	\$55* per use	500
	Manners Hill Park Pavilion - bond	Local Government Act 1995	\$550* per booking	0
	Keane's Point - Hire of Childrens Play Shelter	Local Government Act 1995	\$55* per hire	0
	Foreshore Dinghy Mooring	Local Government Act 1995	\$66* per mooring per annum.	2,300
	Foreshore Dinghy impound fee	Local Government Act 1995	\$110* per vessel impounded.	0
	Peppermint Grove Tennis Club	Local Government Act 1995	Annual reticulation pump hire	2,300
	Manners Hill Park Parking Supervision	Local Government Act 1995	At cost	0
	Library Café Rental	Local Government Act 1995	\$3,750 annual lease	3,750
	Library - Lost and Damaged Books	Local Government Act 1995	Depreciated and/or replacement value of each item	3,000
	Library - Account fee for very over due items	Local Government Act 1995	\$3.00 per item, to a maximum of \$15.	7,000
	Library - Photocopying & Printing	Local Government Act 1995	20c* per sheet (Black); .50c* per sheet (Colour)	12,000
	Library - Replacement Cards	Local Government Act 1995	\$5.50* per card	0
	Library - Non member Internet usage	Local Government Act 1995	\$3.00* per hour	500
	Library - Local History - copying and supply of CD	Local Government Act 1995	\$6.60* (scanning additional as per below)	0
	Library - Local History - Reproduction of photographs-handling fee images	Local Government Act 1995	\$16.50* per order	0
	Library - Local History - Reproduction per photographs	Local Government Act 1995	\$7.70* per photograph	0
	Library - Local History - Reproduction of photos-Commercial handling fee	Local Government Act 1995	\$33.00* per order	0
	Library - Local History - Reproduction photo for Commercial	Local Government Act 1995	\$11.00* per photograph	0
	Library - Local History - Digital Image Scanning	Local Government Act 1995	\$6.60* per disc up to 5 images, \$1.10* per image	0
	Library - Local History - Digital Image Scanning	Local Government Act 1995	\$1.10* per image to personal USB drive.	0
	Library - Book Club book hire	Local Government Act 1995	Various - Full cost recovery	0
	Library - Replacement locker key	Local Government Act 1995	\$11.00* each	0
	Library - Events	Local Government Act 1995	Various - Full or partial cost recovery	1,000
	Library - Pod Room	Local Government Act 1995	\$11.00* per hour	750
	Community Centre & Flax Room- Community Groups Meetings, classes & groups	Local Government Act 1995	\$22.00* per hour	9,000
	Community Centre & Small Meetings spaces - Local Community Groups Meetings	Local Government Act 1995	\$112.50* full day (8am to 6pm Mon - Fri; 8am to 4pm Weekends)	5,000
	Community Centre & Library Hall - All other hirers	Local Government Act 1995	\$45* per hour or \$275 full day (8am to 6pm Mon - Fri; 8am to 4pm Weekends)	6,000
	Community Centre & Library Hall - All other hirers - After hours duty management	Local Government Act 1995	\$46.20* per hour per member of staff - Weeknights after 6pm & Saturdays; \$55 per staff member Sundays	0

SHIRE OF PEPPERMINT GROVE SCHEDULE OF FEES AND CHARGES FOR THE YEAR ENDING 30 JUNE 2017.

Program	Type of Fee	Legislation		Fee/Charge – * GST Inclusive	\$ Estimated Revenue
Transport	Parking Fines	Local Government Act 1995		At cost	8,000
	Road Verge Footpath Reinstatement	Local Government Act 1995		Various	0
Economic Services	Building Permit Fees	Local Government Act 1995		Various – Scale of charges based on cost of development	68,500
	Building Permit Statistical Information	Local Government Act 1995		\$44.00* per annum	1,000
	Copy of Building Plans	Local Government Act 1995		\$6.60* first sheet and \$2.20* per additional sheet.	0
	Swimming Pool Inspection Fee	Local Government Act 1995	Revised	\$25 per swimming pool	6,000
	BCITF & BRB – Collection Commissions	Local Government Act 1995		Various	0
TOTAL					300,600