



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

MINUTES

HELD ON
TUESDAY
28TH JUNE 2022
COMMENCING AT 5.30 PM



Shire of Peppermint Grove

TABLE OF CONTENTS

ITEM	SUBJECT HEADING	PAGE
1	DECLARATION OF OFFICIAL OPENING	3
2	RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE	3
	ATTENDANCE	3
	APOLOGIES	4
	LEAVES OF ABSENCE	4
	NEW REQUEST FOR A LEAVE OF ABSENCE	4
3	DELEGATIONS AND PETITIONS	4
	DELEGATIONS	4
	PETITIONS	4
4	PUBLIC QUESTION TIME	5
	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE FROM A PREVIOUS MEETING	5
	QUESTIONS FROM MEMBERS OF THE PUBLIC	5
	DEPUTATIONS OF THE PUBLIC	5
	PRESENTATIONS FROM THE PUBLIC	5
5	DECLARATIONS OF INTEREST	6
	5.1 FINANCIAL INTEREST	6
	5.2 PROXIMITY INTEREST	6
	5.3 IMPARTIALITY INTEREST	6
	5.4 INTEREST THAT MAY CAUSE A CONFLICT	7
	STATEMENT OF GIFTS AND HOSPITALITY	7
6	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	7

7	CONFIRMATION OF MINUTES	7
8	OFFICER REPORTS	8
8.1.1	145 (Lot 6) Forrest Street, Peppermint Grove – Retrospective Development Application for a Front Fence and Front Access Gate	8
8.1.2	- 45 Irvine Street, Additions and Alterations to a Category 1 Heritage Single House	15
8.1.3	- 134 (Lot 35 & 358) Forrest Street, Peppermint Grove – Ancillary Works to a Category 1 Heritage Single House.	25
	MANAGER CORPORATE AND COMMUNITY SERVICES	31
8.3.1	List of Accounts for May 2022	31
8.3.2	Monthly Financial Statements for the period ended the 31 May 2022.	33
	CEO/ MANAGEMENT / GOVERNANCE / POLICY	36
8.4.1	2022-2026 Corporate Business Plan	36
8.4.2	Delegations Register Review	39
8.4.3	Matters for Information and Noting	41
9	COMMITTEE REPORTS – AUDIT COMMITTEE	43
9.1	Entrance meeting with the External Auditor and the Office of Auditor General	43
9.2	2022 Risk Management Review-	45
10	NEW BUSINESS OF AN URGENT NATURE	48
10.1	Adoption of the 2022/23 Annual Budget and Fees and Charges	48
11	MOTIONS ON NOTICE	55
12	CONFIDENTIAL ITEMS OF BUSINESS	55
12.1	Rates Outstanding – Write Off- Confidential Report	55
12.2	CEO Performance Review (Confidential)	56
13	CLOSURE	56



ORDINARY COUNCIL MEETING MINUTES

1 DECLARATION OF OFFICIAL OPENING

At 5.30pm, the Shire President declared the meeting open and requested that the Affirmation of Civic Duty and Responsibility be read aloud by a Councillor and requested the recording of attendance and apologies.

Council recognises that it is permissible to record the Shire's Council and Forum Meetings in the written, sound, vision medium (or any combination of the mediums) when open to the public. However, people who intend to record meetings are requested to inform the Presiding Member of their intention to do so.

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

Affirmation of Civic Duty and Responsibility

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

2 RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE

ATTENDANCE

Shire President (Presiding member)
Deputy Shire President
Elected Member
Elected Member
Elected Member
Elected Member
Elected Member

Cr R Thomas
Cr C Hohnen
Cr P Macintosh
Cr P Dawkins
Cr D Horrex
Cr K Farley (Arrived 5.36pm)
Cr D Jackson



Chief Executive Officer
Manager Infrastructure Services
Manager Development Services
Planning Officer

Mr Don Burnett
Mr D Norgard
Mr J Gajic
Mr M Stocco

Gallery 4 Members of the Public
Members of the Press

APOLOGIES

Manager Corporate and Community Services

Mr M Costarella

LEAVES OF ABSENCE

Nil

NEW REQUEST FOR A LEAVE OF ABSENCE

Cr Horrex has requested leave of absence for July

Moved; Cr Horrex

Seconded; Cr Hohnen

That Cr Horrex be granted Leave of Absence for July.

Carried 6/0

President Cr Thomas requested Leave of Absence for August.

Moved; President Thomas

Seconded; Cr Hohnen

That President Thomas be granted Leave of Absence for August.

Carried 6/0

3 DELEGATIONS AND PETITIONS

DELEGATIONS

Nil

PETITIONS

Nil



4 PUBLIC QUESTION TIME

The Presiding Member will open the public question time by asking the gallery if there were any questions or deputation for Council.

- The Agenda
- Question to Council and
- Deputation Forms

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

Rules for Council Meeting Public Question Time

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

RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE FROM A PREVIOUS MEETING

Nil

QUESTIONS FROM MEMBERS OF THE PUBLIC

Nil

DEPUTATIONS OF THE PUBLIC

Nil

PRESENTATIONS FROM THE PUBLIC

8.1.2 – Rosie Burton from Philippa Mowbray Architects presented on behalf of the owner of 45 Irvine Street.



5 DECLARATIONS OF INTEREST

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

5.1 FINANCIAL INTEREST

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

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

The CEO declared a financial interest in 12.2 as this matter deals with his contract with Council.

5.2 PROXIMITY INTEREST

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

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

Shire President Cr Thomas declared a proximity interest in 8.4.3 – Matters for Noting – MOU with the Town of Cottesloe for the Cottesloe Central Precinct plan as she owns a property adjoining the plan catchment area.

5.3 IMPARTIALITY INTEREST

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

Cr Horrex declared an impartiality interest in 8.4.1 Corporate Business Plan as it mentions the Peppermint Grove Tennis Club and she is a member of the Club.



5.4 INTEREST THAT MAY CAUSE A CONFLICT

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

STATEMENT OF GIFTS AND HOSPITALITY

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

6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Cr Farley was congratulated on her appointment as Chair of Racing and Wagering WA.

7 CONFIRMATION OF MINUTES

Cr Farley entered the Chamber at 5.36pm

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM 7.1

Moved: Cr Horrex

Seconded: Cr Dawkins

That the Minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 24 May 2022 be confirmed as a true and accurate record.

Carried 7/0



8 OFFICER REPORTS

8.1 MANAGER DEVELOPMENT SERVICES

8.1.1 145 (Lot 6) Forrest Street, Peppermint Grove – Retrospective Development Application for a Front Fence and Front Access Gate

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Locality Map
Attachment 2	Retrospective Development Application Drawings (Redacted) Approved Front Fence Drawings
Attachment 3	Visual Illustration of Recommended Modifications

Voting Requirement	:	Simple Majority
Acceptance Date	:	
Location / Property Index	:	145 (Lot 6) Forrest Street
Application Index	:	DA2022/00008
LPS No 4 Zoning	:	Residential, R-12.5
Land Use	:	Single House
Lot Area	:	851m ²
Disclosure of any Interest	:	Nil.
Previous Items	:	(DA2020/00014)
Applicant	:	Seymour Clifford
Owner	:	Mr Stephen Davies
Assessing Officer	:	Mr M. Stocco
Authorising Officer	:	Mr J Gajic

PURPOSE OF REPORT

To seek Council determination for a Retrospective Development Application for a front fence incorporating an access gate that seeks a variation to Local Planning Policy 12 – Front Fences.

SUMMARY AND KEY ISSUES

- The subject land is zoned Residential (R 12.5).
- The Retrospective Development Application was lodged on 04 March 2022 (DA2022/00008) for a Front Fence and Front Access Gate.
- Single House approved March 30, 2020 (DA2020/00014).
- 2nd Development Application (Amendment) approved July 22, 2021 (DA2021/00024) for Relocation of Swimming Pool and Pond Feature.
- Construction of the Single House was completed in 2021. The front fence is not in compliance with the approved plans.
- The Officer Report was withdrawn from the May Ordinary Council Meeting agenda at the request of the Owner.
- Modified plans.

LOCATION

145 Forrest Street, Peppermint Grove (adjoins a right of way).

BACKGROUND

Development Services officers undertook an initial compliance inspection of 145 Forrest Street following the recent completion of the single house. The inspection identified front fencing not in compliance with the Development Approval or Local Planning Policy 12 – front fences. It was subsequently identified that a section of the wall fronting the abutting right-of-way had also been modified.

Development Services officers requested and received a Retrospective Development Application for a modified front fence incorporating an access gate. The plans supporting the retrospective application did not identify the additional height to the section of the wall fronting the abutting right-of-way.

The dwelling is north facing and has been designed with large glass pane windows for surveillance of the street. The dwelling is recessed slightly below the primary street and includes a reflection pond, paved forecourt, landscaping and lawn areas. Primary pedestrian access is from Forrest Street and vehicular access via the adjacent laneway.

Front fencing in the immediate vicinity is predominantly visually permeable and compliant with the local planning policy framework. Exceptions are the Category 1 heritage listed residence at 143 Forrest Street sections of the limestone block wall being solid, and 146 Forrest Street the brick wall with porthole style opening. These two walls appear to have been in place for some time and were not subject to the current fencing policy.

The approved design featured visually permeable 'blade' style steel slats 1300mm high rising towards the laneway. The blades are supported by a low retaining wall to a maximum height of approximately 1500mm. The design featured five (5) solid piers dispersed at regular intervals, the central pier containing the letterbox and displaying house numbering. An access gate was seamlessly incorporated into the blade style design and centrally positioned along the frontage. The gate location provided a linear approach to the front entry of the dwelling.

The retrospective design features 1800mm high visually permeable steel fencing recessed 600mm into the property boundary featuring four (4) horizontal bars affixed to steel upright columns. The visually permeable steel fencing sits atop a low retaining wall that is largely obscured when viewed from the street and rises to an approximate height of 250mm at the eastern end.

The steel fencing is bookended by solid walls at either end. The walls are approximately 1800mm high wall at the western end and varies between 2050mm and 2300mm high at the eastern end. The solid wall at the eastern end connects to the truncated section of solid front wall that incorporates a solid front (blue painted) entry gate. The entry gate varies in height between approximately 2700mm and 2990mm. The mailbox is located adjacent to the truncated section of wall and fronts the laneway. The letterbox location may not comply with Australia Post conditions of delivery location standards as it does not front the footpath.

The retrospective application has been assessed based on the design merit, and specifically against the objectives of Local Planning Policy 1 – Design and Streetscapes and 12 – Front Fences.

CONSULTATION

There has been no public consultation undertaken specific to the front fencing changes.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

LOCAL PLANNING POLICY IMPLICATIONS

The proposal complies with relevant Scheme provisions with the exception of Local Planning Policy 12 – Front Fences.

STATUTORY IMPLICATIONS

The proposal complies with relevant Scheme provisions, Residential Design Codes and Planning Policies with the exception of those outlined in the table below.

LOCAL PLANNING SCHEME NO. 4	
Scheme Requirement/Clause	Assessment/Comment
Plot Ratio For R10, R12.5, R15 and R20 Coded areas the maximum plot ratio shall be 0.5	N/A

RESIDENTIAL DESIGN CODES	
Development/Performance Criteria	Assessment/Comment
Site Setbacks Table 1, Tables 2a and 2b of the R-Codes.	N/A
Building Heights Table 3, Category B Maximum Building Heights	N/A
Visual Privacy C5.4.1, Figure 10, 10a, 10b and 10c of the R-codes.	N/A
Solar Access for Adjoining Sites Part 5 - 5.4.2 C2.1	N/A

SCHEME/COUNCIL POLICY	
Policy Type	Assessment/Comment
Local Planning Policy 1 – Design and Streetscape	The planning policy objectives are not compromised by the change in front fence design.



	The truncated wall section incorporating the front entry gate is unroofed such that it does not constitute a gate house.
Local Planning Policy 2 – Ecological Urban Design and Sustainability	N/A
Local Planning Policy 3 – Heritage Place	N/A
Local Planning Policy 4 – Residential Building Heights	N/A
Local Planning Policy 5 – Plot Ratio	N/A
Local Planning Policy 6 – Neighbourhood Consultation on Development	N/A
Local Planning Policy 8 – Construction Management Plans	N/A
Local Planning Policy 9 – Development Bonds	N/A
Local Planning Policy 10 – Design Review Panels	N/A
Local Planning Policy 11 – Building on Side and Rear Boundaries	N/A
Local Planning Policy 12 – Front Fences	A variation is sought to the following policy provisions pertaining to primary street frontage: <ol style="list-style-type: none"> 1. <i>A front boundary fence is to be of an appropriate height and open aspect design and construction in order that there is strong visual relationship between the street, the front setback area and the front of the house.</i> 2. <i>For all walls along the front boundary, where the lower portion of the wall is solid, the height shall not exceed 900mm.</i> 3. <i>Columns, piers or posts forming the structural support shall not exceed 2100mm in height above the nature mean ground level on the street side of the fence, and not exceed 600mm in either depth or width.</i>
Vehicular Crossover Policy and Technical Specification	N/A

FINANCIAL IMPLICATIONS

There are no financial implications at this time

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time



OFFICER COMMENT

Whilst the as constructed front fence design is not fully compliant with the policy provisions of Local Planning Policy 1 – Front Fences, the fencing has been assessed to meet the planning policy objectives. Specifically, the fencing is considered of a high-quality standard, it provides adequate physical security while maintaining an open visual aspect between the house and the street. The deletion of vertical louvered panels improves overall passive visual surveillance. Furthermore, changes to perimeter landscaping in response to the 600mm recession of the horizontal steel sections (landscaping now forward of the fencing) will likely ensure a continuity of surveillance.

It is acknowledged that the solid wall sections that bookend the horizontal steel sections exceed 900mm in height. The overall height of the eastern solid wall section including the truncated section that houses the access gate exceeds 2100mm. The truncated section of the wall significantly exceeds this height.

Whilst any condition requiring modification to the as constructed design could be contested, there are options available to remove upper sections of brickwork that would not result in significant cost or otherwise compromise to the design theme.

Should Council seek to better align the front fence design with the policy provisions the focus should be on the eastern solid wall section that in combination with the boundary wall fronting the laneway presents significant bulk.

If proposed as part of the original Development Application, it is unlikely that this section of fencing would have been supported. A number of options are available to the applicant to improve visual permeability and/or reduce the height. Reducing the height of the truncated and adjacent laneway sections of solid wall to that fronting Forrest Street and swapping out the solid access gate for a visually permeable option would not be unreasonable.

Following the Agenda Settlement Forum on 10 May 2022 further investigation was undertaken to confirm the scope of the retrospective works aligned with the submitted plans and to confirm boundary wall heights.

This site inspection confirmed that the truncated wall section was approximately 290mm (2 courses of bricks) above the height of the adjacent laneway wall. It was further confirmed that the adjacent section of laneway wall adjacent had been raised by approximately 790mm (9 courses of bricks) above the approved height.

The officer conclusion based on assessment of the originally submitted retrospective plans that the retrospective changes to the truncated wall section matched the approved laneway wall height was incorrect. On this basis, the officer recommendation was varied from that presented Agenda Settlement Forum on 10 May 2022. It is the assessment of Development Services staff that modifications be made to the boundary fencing to better align with policy provisions and a 'sufficient fence' as defined under the local laws. The recommended modifications are limited to reducing the height of the truncated wall section and a section of the adjacent laneway. The recommended height of the wall sections is illustrated by the thick black line in the third attachment to this report.



Should Council prefer to approve the retrospective application as constructed, a further condition should require the submission of a laneway elevation to document the full scope of modifications to the wall for which retrospective approval is sought.

OFFICER RECOMMENDATION/COUNCIL DECISION– ITEM NO 8.1.1

Moved; Cr Hohnen

Seconded; Cr McIntosh

That Council approves DA2022/00008 for a front fence and access gate at 145 Forrest Street, Peppermint Grove in accordance with the submitted plans and application lodged on 4 April 2022 subject to the following conditions:

- 1. Prior to this permit having force or effect amended plans generally in accordance with the submitted plans dated 22 February 2022 shall be submitted to the satisfaction of the CEO and endorsed. The amended plans shall have further regard to the following:**
 - a. The truncated section of wall being reduced in height by approximately 290mm to match the height of the adjacent front wall.**
 - b. The laneway wall immediately adjacent to the truncated section of wall to be reinstated to the originally approved height of 25m AHD (reduced in height by approximately 790mm).**
 - c. The submission of a laneway (east) elevation clarifying the scope of retrospective changes sought for the boundary wall.**

Once approved, the amended plans shall form part of this permit.

- 2. The ongoing use of the site and approved development works shall not cause erosion or degradation to the subject or surrounding land. Should the Shire deem it necessary to undertake mitigation works; plans, specifications and work schedules may be required to be submitted and the works undertaken by the proponent at no cost and to the satisfaction of the Shire.**
- 3. External lighting shall be installed and maintained so as to avoid distracting passing motorists or causing nuisance to neighbours.**
- 4. This approval shall remain current for development to commence within two years of the date of issue of this notice. All works associated with this approval (once commenced) shall be completed before the end of the third year from the date of issue of this notice.**

Advice Notes.

- 1. Please note that the letterbox location (off the laneway) may not comply with the Australia Post conditions of delivery guidelines for a single residential premise. You are encouraged to confirm compliance with Australia Post.**



2. **Should the owner and/or applicant be aggrieved by this decision, or any of the conditions imposed, there is a right of review under the Planning and Development Act 2005. An application for review must be submitted in accordance with Part XIV of the Planning and Development Act 2005 within 28 days of the date of this decision to: the State Administrative Tribunal, GPO Box U1991, Perth, WA 6845. Further information regarding this right of review is available on the SAT website www.sat.justice.wa.gov.au**

Carried 7/0



8.1.2 - 45 Irvine Street, Additions and Alterations to a Category 1 Heritage Single House

URBAN PLANNING

ATTACHMENT DETAILS

Attachment No	Details
Attachment 1	Locality Map
Attachment 2	Development Application Plans
Attachment 3	Turning Templates and Plot Ratio Calculations

Voting Requirement : Simple Majority
 Acceptance Date :
 Location/ Property Index : 45 Irvine Street,
 Application Index : DA2022/00016
 LPS No 4 Zoning : Residential, R-12.5
 Land Use : Single House
 Lot Area : 1645m²
 Disclosure of any Interest : Nil
 Previous Items : DA2020/00019, DA2021/00019, SA2021/00002
 Applicant : Philippa Mowbray Architects
 Owner : Leigh and Jackie Ferguson
 Assessing Officer : Mr J Gajic
 Authorising Officer : Mr J Gajic

PURPOSE OF REPORT

To seek Council determination for a Development Application for modifications and additions to a heritage listed property *Altidore* at 45 Irvine Street, Peppermint Grove (2022 application). This report should be read in conjunction with the officer reports prepared for the previous items referenced above that provide additional context.

SUMMARY AND KEY ISSUES

- The property is included on the Shire Heritage List. The Shire Heritage Inventory places the building in Category 1 for management of the heritage value.
- Development approval was granted by Council at the 27 October 2020 Ordinary Council Meeting to restore the heritage listed portion of the house and upgrade the property for use as a house with modern amenities and functionality of a new house.
- The 2020 approval expressly permitted a variation to the building height for the additions. The concealed roof building height was stated in the officer report to be 9.42m. The actual height was 9.272m based on measurements provided and a corrected mean natural ground level.
- Development approval was granted by Council at the 27 July Ordinary Council Meeting 2021 to amend the 2020 approval.
- A 2-lot subdivision application (WAPC reference 160654) was received concurrent to the assessment of the 2021 amendment and approved by the WAPC subsequent to approval of the 2021 amendment. The WAPC issued an amended approval upon reconsidering the extent of land to be ceded or the purposes of traffic management within the abutting rights-of-way.
- The proposed lot boundaries and future ceding of land associated with the approved subdivision must now be assessed as in place, this impacts upon the calculation of plot ratio and open space, and the assessment of building setbacks and visual privacy.
- The 2022 application introduced a garage accessible from the abutting right-of-way, changes to the design and layout of the additions and outbuilding, and internal modifications to the existing heritage house. The scope of changes warranted the 2022 application to be assessed as a new application rather than a further amendment.
- The development application has been advertised to two affected neighbours with submissions closing on 14 June 2022.
- Notwithstanding a new development application is before Council, due consideration must be given to the extent of variations established by the 2020 approval and subsequent 2021 amendment.

LOCATION

45 Irvine Street, Peppermint Grove.

BACKGROUND

- The single house on this property is *Altidore* a heritage listed single house.
- The additions as approved in 2020 and 2021, and as currently proposed 2022 constitute a large contemporary design on two levels plus basement.
- The wall height of the 2020 and 2021 approved additions matched that of the existing heritage house and the overall height reduced due to the concealed roof design. The building height of the 2020 additions have not changed.
- Griffiths Architects provide an assessment of the heritage value of the site and resulting impact of the 2020 approved works. The heritage report was not required to be updated for the 2021 amendment or the 2022 application.
- The Council approved the 2021 amendment subject to revised plans being submitted ensuring a minimum 1.2m setback from the adjacent right-of-way and a landscaping plan being submitted to the satisfaction of the CEO. The 2022 application respects the minimum setback requirement.



CONSULTATION

The Shire sent letters to two adjoining owners and at the time of writing the report there were no responses.

STRATEGIC IMPLICATIONS

There are no Strategic plan implications evident at this time.

LOCAL PLANNING POLICY IMPLICATIONS

Local Planning Policy 3 – Heritage Places

Local Planning Policy 4 – Residential Building Heights

Local Planning Policy 5 – Plot Ratio

Local Planning Policy 11 – Building on Side and Rear Boundaries

STATUTORY IMPLICATIONS

The proposal complies with relevant Scheme provisions, Residential Design Codes and Planning Policies with the exception of those outlined in the table below.

LOCAL PLANNING SCHEME NO. 4	
Scheme Requirement/Clause	Assessment/Comment
Plot Ratio For R10, R12.5, R15 and R20 Coded areas the maximum plot ratio shall be 0.5	Variation sought to approve 0.658. Previous plot ratio unable to be validated (2021 stated 0.497 incorrect). The overall building footprint area has decreased 181sqm from the 2020 approval to the 2022 application predominantly though a reduction in floor area for the basement and first floors.

RESIDENTIAL DESIGN CODES	
Development/Performance Criteria	Assessment/Comment
Site Setbacks Table 1, Tables 2a and 2b of the R-Codes.	Performance principle relied upon for the balcony to the master bedroom and supported on the basis that incursion is limited to the abutting right-of-way
Building Heights Table 3, Category B Maximum Building Heights	No change from that previously approved in 2020 and 2021. Performance principle relied upon and supported on the basis that the additions are set well back from Irvine Street and are substantially screened from this perspective by the taller original heritage house.
Visual Privacy C5.4.1, Figure 10, 10a, 10b and 10c of the R-codes.	Performance principle relied upon and supported on the basis that the extent of overlooking is wholly confined to the adjacent right-of-way.

	Fixed privacy screens and privacy glazing provided to master bedroom balcony, pool deck and bed 2 ensuite.
Solar Access for Adjoining Sites Part 5 - 5.4.2 C2.1	N/A - the Irvine Street road reservation is immediately south of the subject site.

SCHEME/COUNCIL POLICY	
Policy Type	Assessment/Comment
Local Planning Policy 1 – Design and Streetscape	No additional impact from that previously approved in 2020 and amended in 2021. Significant deep soil planting areas are provided, and hard landscaping areas reduced.
Local Planning Policy 2 – Ecological Urban Design and Sustainability	No additional impact from that previously approved in 2020 and amended in 2021.
Local Planning Policy 3 – Heritage Place	No visible changes to the heritage house from that previously approved in 2020 and amended in 2021. Changes to door openings not deemed substantial enough to warrant a revised heritage report.
Local Planning Policy 4 – Residential Building Heights	No change to that previously approved in 2020 and amended in 2021. The height of the concealed roof additions has been assessed as 9.272m above the mean natural ground level.
Local Planning Policy 5 – Plot Ratio	The revised plot ratio assessment now aligns with the local planning policy methodology. The building footprint has been reduced from that previously approved in 2020 and amended in 2021.
Local Planning Policy 6 – Neighbourhood Consultation on Development	The 2022 application has been advertised to two neighbouring properties on the basis of a variation to building setback to the adjacent right-of-way.
Local Planning Policy 8 – Construction Management Plans	To be conditionally required and submitted prior to the commencement of works.
Local Planning Policy 9 – Development BONDS	To be conditioned on any subsequent approval.
Local Planning Policy 10 – Design Review Panels	N/A
Local Planning Policy 11 – Building on Side and Rear Boundaries	A proposed pool store/WC is proposed on the boundary adjacent to a right-of-way. The outbuilding footprint has been reduced from that approved in 2020 and unchanged from that amended in 2021. Stormwater control has been evidenced, and construction does not affect right-of-way widening associated with the approved 2-lot subdivision. The deemed-to-comply requirement for lot boundary setbacks in the Residential Design Codes (R-Codes) permits construction on the boundary.
Local Planning Policy 12 – Front Fences	Fully compliant, sightlines provided adjacent to both vehicular crossovers.



Vehicular Crossover Policy and Technical Specification	To be constructed in accordance with Shire specifications.
---	--

FINANCIAL IMPLICATIONS

There are no financial implications at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are not social implications at this time.

OFFICER COMMENT

Notwithstanding that the 2022 application is a new application required to be assessed on its merits, due consideration must be given to the extent of variations established by the 2020 approval and the 2021 amendment. For the purposes of establishing the extent of variations being sought and potential material detriment to any person, the 2021 amendment should be considered the 'default' approval.

The notable changes from the 2021 approval to the 2022 application include:

- Western elevation setbacks to the adjacent right-of-way varied.
- Laundry reconfigured and now accessible through a new single garage fronting the adjacent right-of-way.
- Uncovered pull-in parking off the adjacent right-of-way deleted, service court and bin store amalgamated, sliding automatic gates installed.
- Outdoor entertainment area reduced in size and reconfigured, roofing extended.
- Swimming pool relocated and a fixed privacy screen installed, pool deck area no longer roofed.
- Ornamental pond removed in the front street setback, landscaping variations primarily in response to changes to the outdoor entertainment areas and swimming pool configuration.
- Balcony formerly accessible from the lounge room and three bedrooms substantially reduced in length and now accessible solely from the master bedroom and incorporating a fixed privacy screen.
- Balcony formerly accessible from bedroom 4 (now bedroom 2) deleted.
- Bedrooms 3 and 4 and their ensuites (now bedroom 2 and 3) reconfigured and small privacy glazed window on the eastern elevation added.
- Master bedroom and ensuite reconfigured.
- Changes to the original heritage house include reconfiguration of ensuite 5/WIR, two openings to the study and stairwell enclosed,

Notwithstanding the significant scope of changes the variations sought to the local planning policy framework are limited to plot ratio and building height.

The 2021 amendment submission included plot ratio calculations that appeared to be incorrect. Significant concessions above that prescribed by the methodology in local planning policy were leveraged, and the figures themselves not validated. Additionally, no reduction in lot area for the ceding of land to the right-of-way was able to be forecast at that time. Whilst the plot ratio has now been assessed as 0.658 this represents a modest decrease from the 2021 approval, and a significant decrease from the 2020 approval when contemplating the approved 2-lot subdivision.

The building height for the concealed roof additions are unchanged from the 2020 approval and 2021 amendment.

The variations sought to the deemed-to-comply requirements of the R-Codes are limited to building height (address above), lot boundary setback, visual privacy, and vehicular access.

A variation is sought for the north-western corner of the balcony. In addition to the proposed 1201mm setback half the width of the adjacent right-of-way (up to a maximum 2m) can contribute to the measured building setback. There is some conjecture regarding the width of the right-of-way. Landgate mapping from 13 March 2009 indicate the adjacent right-of-way is 3.74m wide. The submitted site plan and approved 2-lot subdivision survey plan indicates a 3.6m width that is likely to reflect the usable width. The variation being sought is 499mm based on the narrower laneway width. The adjacent right-of-way provides a significant buffer from what are effectively the rear boundaries of the notified effected properties. It is further noted that Council's previous 2020 resolution to approve the additions subject to a minimum 1.2m setback from the right-of-way has been respected and there are no visual privacy or solar access (overshadowing) concerns. The performance principle is supported.

A variation is sought for visual privacy for the balcony to the bedroom. Due to the inclusion of a fixed privacy screen the cone of vision representing the extent of overlooking is limited and impacts solely on the adjacent right-of-way. The performance principle is supported.

A variation is sought for vehicular access for the proposed single garage accessed off the adjacent right-of-way. The driveway is not aligned at right angles to the laneway alignment. The proponent has provided turning templates demonstrating the ability to access and egress the garage and complied with the deemed-to-comply requirement for sight lines. The Manager of Infrastructure Services has been consulted and raised no concerns. The performance principle is supported.

The R-Codes additionally require parking spaces to comply with Australian Standards for parking (AS2890.1). The internal garage dimensions exceed that for parking bays such that the required access aisle width is not specified in AS2890.1. It is noted that the access and egress will be more complicated when reversing from the garage to exit onto Irvine Street (4-point turn) and when entering the garage in forward gear from Leake Street or the right-



of-way adjacent to the northern property boundary (3-point turn). It is the officer's view that the ability to access and egress the garage has been suitably demonstrated.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.1.2

That Council approves DA2022/00016 for additions and alterations to a single heritage house and ancillary works at 45 Irvine Street, Peppermint Grove in accordance with the submitted plans and application lodged on 27 April 2022 subject to the following conditions:

- 1. The approved building works and layout shall not be altered without the prior written consent of the CEO.**
- 2. The development plans, as dated and stamped “approved” together with any requirements and annotations detailed thereon by the Shire of Peppermint Grove are the “approved plans” as shall form part of the development approval.**
- 3. The 1650mm high privacy screen to the terrace located off the ground floor living room and to the pool deck are to be a minimum 75% obscure and permanently fixed.**
- 4. The prior written consent of the CEO must be obtained to alter or remove the nominated privacy glazing to the bed 2 ensuite, or the aforementioned privacy screens approved as part of this permit.**
- 5. The vehicular crossovers must be constructed and; thereafter, maintained in accordance with the Shire of Peppermint Grove Vehicular Crossovers General Requirements and Specifications (attached).**
- 6. In accordance with the Shire of Peppermint Grove Local Planning Policy 9 – Development Bonds a development bond to the satisfaction of the CEO must be submitted to the Shire prior to the issuance of a Building Licence to ensure any damage to public property caused by building works is rectified and the satisfactory completion of the development.**
- 7. Any temporary building(s) for construction purposes, building materials, machinery, or vehicles remaining overnight must be stored or parked wholly within the development site and shall be removed as soon as practical upon the completion of the approved works.**
- 8. The site shall be securely fenced during the construction stage to prevent the entry of unauthorised persons.**
- 9. As part of the building permit application the applicant shall submit for approval and to the satisfaction of the CEO, a Construction Management Plan (CMP) binding all contractors working on the site.**

Once approved, the CMP shall form part of this permit.

- 10. Stormwater run-off from the approved development shall be retained on site.**



11. Care must be taken to ensure boundary fencing is not damaged during construction. In the event of damaged during construction, the owner/applicant must rectify the damage to the satisfaction of the CEO.
12. This approval shall remain current for development to commence within two years of the date of issue of this notice. All works associated with this approval (once commenced) shall be completed before the end of the third year from the date of issue of this notice.

Advice Notes

1. To assist the Shire receipt your development bond and not delay the issuance of your Building Licence please ensure that either a covering letter accompanies payment by mail that states the purpose of payment (i.e. development bond for planning approval), the planning approval reference number DA 2022/00016 and the location of your development; or should you undertake an electronic funds transfer please ensure that 'performance guarantee for planning approval' and the planning approval number are provided in the description field.
2. The CMP shall be prepared in accordance with Local Planning Policy 8 – Construction Management Plans [LPP 8 - Construction Management Plans \(peppermintgrove.wa.gov.au\)](#)
3. Attention is drawn to 'Sand Drift Prevention and Sediment Control Guidelines for Building Sites' link [Sand Drift Prevention and Sediment Control » Shire of Peppermint Grove](#)
4. The prior written approval of the CEO is required for the temporary closure of any footpath, road or laneway. Infrastructure Services can be contacted on 9286 8600 to discuss traffic management.
5. Attention is drawn to '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities* (DEC 2011)' and, specifically, Appendix 1 site risk assessment/classification for activities generating uncontaminated dust contained within.
6. Attention is drawn to the protection of verge trees. If pruning is necessary, please provide an arborist report.

COUNCIL DECISION – ITEM NO 8.1.2

Moved; Cr Farley

Seconded; Cr McIntosh

That Council approves DA2022/00016 for additions and alterations to a single heritage house and ancillary works at 45 Irvine Street, Peppermint Grove in accordance with



the submitted plans and application lodged on 27 April 2022 subject to the following conditions:

1. The approved building works and layout shall not be altered without the prior written consent of the CEO.
2. The development plans, as dated and stamped “approved” together with any requirements and annotations detailed thereon by the Shire of Peppermint Grove are the “approved plans” as shall form part of the development approval.
3. The 1650mm high privacy screen to the terrace located off the ground floor living room and to the pool deck are to be a minimum 75% obscure and permanently fixed.
4. The prior written consent of the CEO must be obtained to alter or remove the nominated privacy glazing to the bed 2 ensuite, or the aforementioned privacy screens approved as part of this permit.
5. The vehicular crossovers must be constructed and; thereafter, maintained in accordance with the Shire of Peppermint Grove Vehicular Crossovers General Requirements and Specifications (attached).
6. In accordance with the Shire of Peppermint Grove Local Planning Policy 9 – Development Bonds a development bond to the satisfaction of the CEO must be submitted to the Shire prior to the issuance of a Building Licence to ensure any damage to public property caused by building works is rectified and the satisfactory completion of the development.
7. Any temporary building(s) for construction purposes, building materials, machinery, or vehicles remaining overnight must be stored or parked wholly within the development site and shall be removed as soon as practical upon the completion of the approved works.
8. The site shall be securely fenced during the construction stage to prevent the entry of unauthorised persons.
9. As part of the building permit application the applicant shall submit for approval and to the satisfaction of the CEO, a Construction Management Plan (CMP) binding all contractors working on the site.

Once approved, the CMP shall form part of this permit.

10. Stormwater run-off from the approved development shall be retained on site.
11. Care must be taken to ensure boundary fencing is not damaged during construction. In the event of damaged during construction, the owner/applicant must rectify the damage to the satisfaction of the CEO.
12. This approval shall remain current for development to commence within two years of the date of issue of this notice. All works associated with this approval

(once commenced) shall be completed before the end of the third year from the date of issue of this notice.

Advice Notes

1. To assist the Shire receipt your development bond and not delay the issuance of your Building Licence please ensure that either a covering letter accompanies payment by mail that states the purpose of payment (i.e. development bond for planning approval), the planning approval reference number DA 2022/00016 and the location of your development; or should you undertake an electronic funds transfer please ensure that 'performance guarantee for planning approval' and the planning approval number are provided in the description field.
2. The CMP shall be prepared in accordance with Local Planning Policy 8 – Construction Management Plans [LPP 8 - Construction Management Plans \(peppermintgrove.wa.gov.au\)](#)
3. Attention is drawn to 'Sand Drift Prevention and Sediment Control Guidelines for Building Sites' link [Sand Drift Prevention and Sediment Control » Shire of Peppermint Grove](#)
4. The prior written approval of the CEO is required for the temporary closure of any footpath, road or laneway. Infrastructure Services can be contacted on 9286 8600 to discuss traffic management.
5. Attention is drawn to '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities* (DEC 2011)' and, specifically, Appendix 1 site risk assessment/classification for activities generating uncontaminated dust contained within.
6. Attention is drawn to the protection of verge trees. If pruning is necessary, please provide an arborist report.
7. In approving this application Council has assessed the proposal against Local Planning Scheme No.4, Local Planning Policies and Design Principles of the Residential Design Codes of Western Australia and has exercised its discretion in relation to the following matters;
 - Plot ratio;
 - Lot boundary setbacks;
 - Building height; and
 - Vehicular access

Carried 7/0



8.1.3 - 134 (Lot 35 & 358) Forrest Street, Peppermint Grove – Ancillary Works to a Category 1 Heritage Single House.

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Locality Map
Attachment 2	Development Application Drawings (Redacted)
Attachment 3	Griffiths Architects Heritage Report

Voting Requirement	:	Simple Majority
Acceptance Date	:	
Location / Property Index	:	134 Forrest Street
Application Index	:	DA2022/00014
LPS No 4 Zoning	:	Residential, R-12.5
Land Use	:	Residential
Lot Area	:	2732m ²
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	DMG Architecture
Owner	:	Mrs J Steinepreis
Assessing Officer	:	Mr M. Stocco
Authorising Officer	:	Mr J. Gajic

PURPOSE OF REPORT

For Council to determine a Development Application for Ancillary Works to a Category 1 Heritage House.

SUMMARY AND KEY ISSUES

- The subject land is zoned Residential (R12.5) a Single House is a 'P' use.
- The property is on the Shires Heritage List, the applicant is proposing Ancillary Works to the Category 1 – *Bellevue, Guntawang, Emanuel's Residence*.
- Griffiths Architects have assessed the proposal.
- The proposal is to be implemented with a building permit application and certification should have regard for the identified design and implementation matters.

LOCATION

134 (Lot 35 & 358) Forrest Street, Peppermint Grove



BACKGROUND

Ancillary works are proposed to Bellevue, Guntawang, Emanuel's Residence by Architects DMG. The proposal seeks to construct a 3-bay carport, in addition to driveway widening and landscaping works (including lighting), alterations to the verandah, and the relocation of air conditioning units wholly within the primary street setback area. All proposed works are at least 14 metres from the primary street boundary.

The verandah will have slate tiles removed and retiled and the front entry door will be replaced with an iron mesh screen security door. The proposed works are supported by Griffiths Architects, who undertook an independent assessment of the proposal.

The 1897 Federation Queen Anne property is one of the oldest category 1 heritage homes within Peppermint Grove. The original Bellevue residence was an early type of single storey limestone bungalow design. Later additions would see the property grow additional levels and alter the original fabric of the house.

The house is well set back from the front lot boundary, with a limestone and iron grille fence, and dense planting in the front of the house. The fence, driveway, entry steps and walls appear to have been constructed in 1982/3, according to historic aerial photography as stated by Griffiths Architects.

CONSULTATION

The assessment made by Shire officers concluded that consultation was not warranted.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

LOCAL PLANNING POLICY IMPLICATIONS

The proposal complies with relevant Scheme provisions, Residential Design Codes and Local Planning Policies.

STATUTORY IMPLICATIONS

The proposal complies with relevant Scheme provisions, Residential Design Codes and Planning Policies. The following table assesses the 3-bay carport only.

LOCAL PLANNING SCHEME NO. 4	
Scheme Requirement/Clause	Assessment/Comment
Plot Ratio For R10, R12.5 , R15 and R20 Coded areas the maximum plot ratio shall be 0.5	N/A

RESIDENTIAL DESIGN CODES



Development/Performance Criteria	Assessment/Comment
Site Setbacks Table 1, Tables 2a and 2b of the R-Codes.	The carport total length is 9300mm. Meets 5.1.3 Lot Boundary Setback C3.1 (II) - (a), (b) & (c)
Building Heights Table 3, Category B Maximum Building Heights	The carport total height is 2300mm.
Visual Privacy C5.4.1, Figure 10, 10a, 10b and 10c of the R-codes.	N/A
Solar Access for Adjoining Sites Part 5 - 5.4.2 C2.1	N/A

<u>SCHEME/COUNCIL POLICY</u>	
Policy Type	Assessment/Comment
Local Planning Policy 1 – Design and Streetscape	N/A
Local Planning Policy 2 – Ecological Urban Design and Sustainability	N/A
Local Planning Policy 3 – Heritage Place	Meets Policy Requirements
Local Planning Policy 4 – Residential Building Heights	Covered by R-codes Building Heights
Local Planning Policy 5 – Plot Ratio	N/A
Local Planning Policy 6 – Neighbourhood Consultation on Development	N/A
Local Planning Policy 8 – Construction Management Plans	Proposed to be addressed with a condition of Development Approval – to be required prior to submission of a Building Application
Local Planning Policy 9 – Development Bonds	Building Application requirement
Local Planning Policy 10 – Design Review Panels	N/A
Local Planning Policy 11 – Building on Side and Rear Boundaries	N/A
Local Planning Policy 12 – Front Fences	N/A
Vehicular Crossover Policy and Technical Specification	N/A

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT



The ancillary works have been proposed to improve liveability of the property. The additions and alterations have been suitably assessed by Griffiths Architects.

The 3-bay carport located to the west is 9.3 metres by 2.3 metres and has a minor 2-degree roof pitch. The carport is setback 14 metres from the lot boundary (south) and will be concealed by the densely vegetated landscape and front fence. It is an open aspect design on three sides and is clad with black material and timber underlay. The carport is not taller than the adjoining neighbour's fence and does not visually impact any person.

The carport takes the place of current air-conditioning outdoor units which will be moved southwards by approximately one metre. The outdoor units will be acoustically screened.

Griffiths Architects have stated that after reviewing the heritage values, it is clear that there will be no impact on the original elegant bungalow design, and its' later additions. A flat roofed carport is considered the least visual impact on the front facade of the house.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.1.3

Moved; Cr Hohnen

Seconded; Cr Farley

That Council approves the Ancillary Works to a Category 1 Heritage Single House and ancillary works proposed at 134 Forrest Street, Peppermint Grove in accordance with the submitted plans DA2022/00014 and application lodged on April 20, 2022, subject to the following conditions:

- 1. The approved building works and layout shall not be altered without the prior written consent of the Shire of Peppermint Grove's Development Services.**

The development plans, as dated marked and stamped "Approved", together with any requirements and annotations detailed thereon by the Shire of Peppermint Grove, are the "Approved Plans" and shall form part of the development approval issued.

- 2. In accordance with the Shire of Peppermint Grove Local Planning Policy 9 – Development Bonds a development bond to the satisfaction of the CEO must be submitted to the Shire prior to the issue of a Building Licence to ensure any damage to public property caused by building works is rectified and the satisfactory completion of the development.**
- 3. The Applicant is advised that any partial/full demolition work of the property on the Shire Heritage List shall not be commenced until a photographic record and measured drawings of the changes are completed for submission to the Shire as a record of the premises.**
- 4. All vehicles associated with the approved works shall be parked and construction materials stored wholly within the subject land.**
- 5. The construction works shall only occur between the hours of 7.00am and 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays. Any**



variation to the above hours must be identified in an approved Construction Management Plan or, the prior written consent of the CEO otherwise obtained.

6. As part of the building permit application the applicant shall submit for approval and to the satisfaction of the CEO, a Construction Management Plan (CMP) binding all contractors working on the site.

Once approved, the CMP shall form part of this permit.

7. This approval shall remain current for development to commence within two years of the date of issue of this notice. All works associated with this approval (once commenced) shall be completed before the end of the third year from the date of issue of this notice.

Advice Notes.

1. The development and use shall at all times comply with the provisions of the Shire of Peppermint Grove Town Planning Scheme, the Building Code of Australia, the Environment Protection Act 1986 and any other relevant Acts, Regulations, Local Laws or Council policies.
2. No building works are to be undertaken prior to the issue of a Building Permit. It is encouraged that plans endorsed as part of the Development Approval form part of the Building Application to ensure consistency. In the event of inconsistency, an amendment may be required to the Development Approval prior to the commencement of works.
3. It is the responsibility of the applicant to search the title of the property to ascertain the presence of any easements that in any case must not be built upon without the prior consent of the affected party.
4. When the development has been completed and any damage rectified to the satisfaction of the CEO the development bond shall be repaid.
5. The Proponent is responsible for ensuring all contractors adhere to the construction hours. In the event of enforcement action being undertaken, infringement notices will be issued to the Proponent.
6. The CMP shall be prepared in accordance with Local Planning Policy 8 – Construction Management Plans LPP 8 - Construction Management Plans (peppermintgrove.wa.gov.au).
7. The prior written approval of the CEO is required for the temporary closure of any footpath, road or laneway. Infrastructure Services can be contacted on 9286 8600 to discuss Traffic Management.
8. Stormwater run-off from the approved development shall not discharge into adjacent private property.



9. Care must be taken to ensure boundary fencing is not damaged during construction. In the event that boundary fencing is damaged, it is the owner/applicant's responsibility to rectify the damage.

10. Should the owner and/or applicant be aggrieved by this decision, or any of the conditions imposed, there is a right of review under the Planning and Development Act 2005. An application for review must be submitted in accordance with Part XIV of the Planning and Development Act 2005 within 28 days of the date of this decision to: the State Administrative Tribunal, GPO Box U1991, Perth, WA 6845. Further information regarding this right of review is available on the SAT website www.sat.justice.wa.gov.au or by phoning 9219 3111 or 1300 306 017.

Carried 7/0

**MANAGER CORPORATE AND COMMUNITY SERVICES****8.3.1 List of Accounts for May 2022****CORPORATE****ATTACHMENT DETAILS**

Attachment No	Details
Attachment	Accounts Paid – May 2022

Voting Requirement	:	Simple Majority
Subject Index	:	Financial Management
Disclosure of Interest	:	Nil
Responsible Officer	:	Michael Costarella, Manager Corporate and Community Services

PURPOSE OF REPORT

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

SUMMARY AND KEY ISSUES

Significant payments in May 2022 included the following:

- GST & PAYG remittance to ATO;
- Waste Management Services
- WA Superannuation

BACKGROUND

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

PAYMENT TYPE	NUMBER SERIES	AMOUNT
EFT	EFT 469-471	\$284,667.75
Direct Debits	DD323-329	\$9,317.06
BPAY	BPAY 262-263	\$219.96
Credit Cards – April 2022	April 2022	\$7,161.61
CHQ 452	CHQ	\$185.75
TOTAL		\$301,552.13

CONSULTATION

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



STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The payments processed by the Shire relate to expenditure approved in the 2021/22 annual budget.

OFFICER COMMENT

The List of Accounts paid are provided to Council for information purposes and in accordance with the delegation to the CEO.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO.8.3.1

Moved; Cr Horrex

Seconded; Cr Dawkins

That Council receive the list of payment of accounts by:-

1. Cheques, Electronic funds transfers, BPay and Direct debit payments for the month of May 2022, totalling \$ 294,390.52
2. Credit card payments for April 2022 totalling \$7,161.61

Carried 7/0



8.3.2 Monthly Financial Statements for the period ended the 31 May 2022.

ATTACHMENT DETAILS

Attachment No	Details
Attachment	Financial Statements for the period ended 31/05/2022

Voting Requirement : **Absolute Majority**
 Subject Index : Financial Statements- 2021/22
 Disclosure of Interest : Nil
 Responsible Officer : Michael Costarella

PURPOSE OF REPORT

To receive the financial statements for the period ended 31 May 2022

SUMMARY AND KEY ISSUES

During the month of March, there are some differences between the year-to-date budget and the actual income and expenditure. This relates to timing of the receipt of invoices and the raising of rates and charges.

The main variance between the year-to-date budget and the actual expenditure and income to the 31 May 2022 were: -

- Fees & Charges
- Employees Costs
- Materials & Contractors

BACKGROUND

The Monthly Financial Statements are prepared in accordance with the requirements of the Local Government Act & Financial Management regulations and are presented to Council for information.

Overall, there is a 10% (less) variance between the operating year to date budget and year to date actuals.

STRATEGIC IMPLICATIONS

Objectives within the Governance section of the Strategic Community Plan

POLICY IMPLICATIONS

Shire of Peppermint Grove Financial Management Policies and Investment Policy

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

There are no detrimental financial implications evident at this time.

OFFICER COMMENT



The Monthly Financial Statements for the period ended the 31 May 2022 are presented in the new format. The new format includes a number of graphs and executive summary for councillors information.

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

1. Fees & Charges- \$32,000

The year-to-date budget for the Fees & Charges has been exceeded by additional development and building fees for the same period.

2. Grants & Contributions- \$46,000

The year-to-date budget includes an amount for CAPEX projects that were not completed in the 2021/22 financial year.

3. Employee Costs- \$ 64,000

The amount of \$64,000 is more than the year-to-date budget and relates to year-to-date budget allowing for two pays instead of three pays in July and December 2021 as well as termination payments. This is an accumulated amount that will resolve itself at the conclusion of the financial year.

3. Materials & Contract-\$157,000

The actual expenditure is some \$212,000 less than the year to date budget and mainly relates to underspend in the following areas:-

- Consultancy Services \$51,000
- Contractors & Materials \$126,000

Investment of Municipal and Reserve Funds- as at 31 May 2022.

The Shire has funds the following funds invested as 'on call' and fixed term deposits with the National Australia Bank:-

Fund and TD Number	Amount Invested	Start Date	Maturity Date	Term (Days)	Interest Rate %	Expected Interest
Reserves	1,290,764.00	1/07/2021	24/06/2022	284	0.58%	5,825.06
Reserves Interest Receivable						5,825.06
Municipal PFA Acc	\$975,160.78	ON CALL			0.45%	\$2,627.32
Municipal Interest Received						\$2,627.32

OFFICER RECOMMENDATION/COUNCIL DECISION- ITEM NO. 8.3.2
OFFICER RECOMMENDATION/COUNCIL DECISION - ITEM NO. 8.3.2



Moved; Cr Horrex

Seconded; Cr Dawkins

That Council receives the financial report for the period 1 July 2021 to 31 May 2022.

Carried 7/0



CEO/ MANAGEMENT / GOVERNANCE / POLICY

Cr Horrex declared an impartiality interest in 8.4.1 Corporate Business Plan as it mentions the Peppermint Grove Tennis Club and she is a member of the Club.

8.4.1 2022-2026 Corporate Business Plan

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment</u>	<u>Details</u>
Attachment refers to	2022-2026 Corporate Business Plan

Voting Requirement	:	Absolute Majority
Subject Index	:	Strategic Management Plans
Disclosure of Interest	:	Nil
Author	:	Michael Costarella, Manager Corporate & Community Services
Responsible Officer	:	Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

The purpose of the report is for Council to adopt the 2022- 2026 Corporate Business Plan which refers to the 2021-2031 Strategic Community Plan.

SUMMARY AND KEY ISSUES

- The Corporate Business Plan is focussed on achieving the objectives and strategies contained in the 2021-2031 Strategic Community Plan and which represents the views, expectations and aspirations of our community.
- The Corporate Business Plan also provides information on
 - *What we aim to achieve - Objectives*
 - *How we will get there- Strategies*
 - *Measures of Success*
 - The Plan also includes the net costs of the Shire's services for the ensuing 4 years together with the partners for the delivery of the service.

BACKGROUND

The Local Government (Administration) Regulations 1996 require local governments to adopt a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP) as part of the Integrated Planning and Reporting Framework.

The framework provides a strategic planning system to enable accountable and measurable linkages between community aspirations, financial capacity and practical service delivery.

CONSULTATION

There has been no public consultation undertaken for this plan.

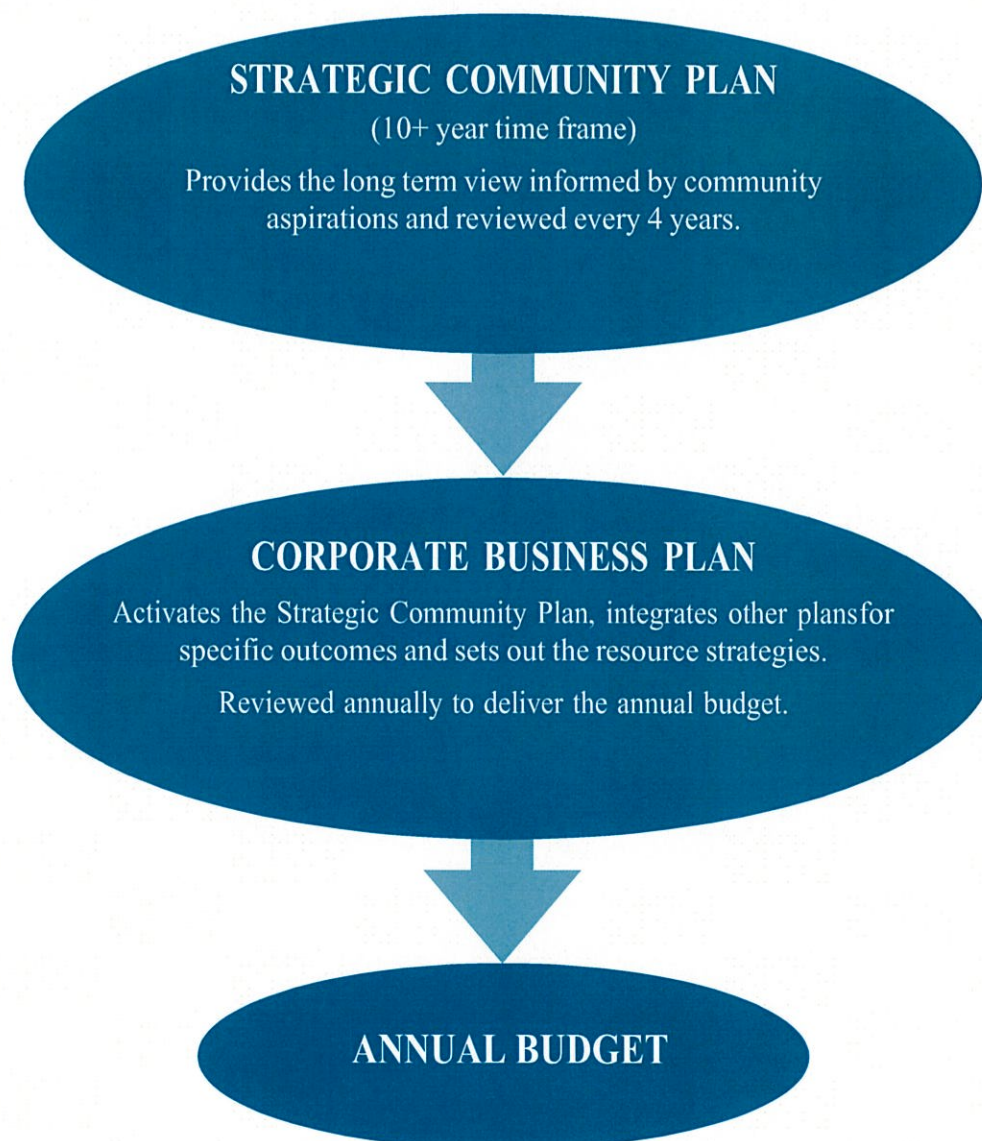
STRATEGIC IMPLICATIONS

The Town is required to develop the following:

- 10-year Strategic Community Plan - (reviewed every 4 years).
- 4-Year Corporate Business Plan - (reviewed annually); and
- Informing Strategies - Asset Management Plans, Workforce Plans and Long-Term Financial Plans. (reviewed annually).

Detailed implementation for the next four years is covered in the Corporate Business Plan. The “Informing Strategies” – particularly the Long-Term Financial Plan, Asset Management Plans and Workforce Plan – show how the Plan will be managed and resourced. The diagram below illustrates the elements of the Integrated Planning and Reporting Framework.

Figure 1.1





POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Section 5.56 of the Local Government Act, Regulation 19D, 19DA & 19DB of the Local Government (Administration) Regulations requires the Shire to adopt and review a Community Plan and a Corporate Business Plan.

FINANCIAL IMPLICATIONS

There are no financial implications at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time

OFFICER COMMENT

The Shire's 2022-2026 Corporate Business Plan provides the Shire's strategies to meet the community's vision and aspirations contained in the 2021-2031 Strategic Community Plan.

The purpose of the Plan is to demonstrate the operational capacity of the Shire to achieve its aspirational outcomes and objectives over the medium-term. All operational planning and reporting are driven by the Corporate Business Plan which is reviewed annually to ensure priorities are achievable and effectively timed.

A review of the Corporate Business Plan will be undertaken every year and a major review every four years.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO. 8.4.1

Moved; Cr Horrex

Seconded; Cr McIntosh

That Council adopts the 2022-2026 Corporate Business Plan

Carried 7/0

**8.4.2 Delegations Register Review****MANAGEMENT/GOVERNANCE/POLICY****ATTACHMENT DETAILS**

Attachment No	Details
Attachment 1	Delegation register

Voting Requirement	:	Absolute
Subject Index	:	Delegations register
Disclosure of Interest		Nil
Author	:	CEO
Responsible Officer	:	CEO

PURPOSE OF REPORT

The purpose of this report is to review the Shire's Delegation Register.

SUMMARY AND KEY ISSUES

- The Shire's delegations to the CEO are required to be reviewed at least once in a financial year.
- The delegations were last reviewed in May 2021
- Minor changes are recommended in this review

LOCATION

N/A

BACKGROUND

The delegations to the CEO are made to ensure the effective and efficient management of the Shire is maintained.

CONSULTATION

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

STRATEGIC IMPLICATIONS

There are no strategic implications at this time.



POLICY IMPLICATIONS

There are no policy implications at this time.

STATUTORY IMPLICATIONS

The Local government Act 1995, section 5.42 provides for the delegation of certain functions by Council to the CEO. Section 5.43 specifies what functions can't be delegated. Section 5.46(2) requires Council to review the delegations at least once in a financial year.

FINANCIAL IMPLICATIONS

There are no financial implications at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The Delegations Register had a substantial review in June 2019. This review recommends some grammatical tidy ups and some expansion of the explanation, on the delegation to a number of planning delegations. These changes are shown as track changes in the attached Delegation Register.

No new delegations are proposed.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO. 8.4.2

Moved; Cr Horrex

Seconded; Cr Dawkins

That Council endorses Delegations register as attached, including the minor changes.

Carried 7/0



Shire President Cr Thomas declared a proximity interest in 8.4.3 – Matters for Noting – MOU with the Town of Cottesloe for the Cottesloe Central Precinct plan as she owns a property adjoining the plan catchment area. Cr Thomas left the chambers at 5.45pm

8.4.3 Matters for Information and Noting

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment refers to	Building/Planning statistics Infringements Library Statistics Library Management Committee minutes 17 May Waste recycling data Town of Cottesloe – Cottesloe Village Precinct MOU

Voting Requirement	:	Simple
Subject Index	:	Matters for Information
Disclosure of Interest	:	Nil
Author	:	CEO
Responsible Officer	:	CEO

PURPOSE OF REPORT

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

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

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

- Building permits issues
- Demolition permits issued
- Seal register advising of when the Shire seal has been applied
- Infringements for parking/dogs etc
- Waste and recycling data
- Library statistics



SUMMARY AND KEY ISSUES

The following reports are presented to Council

1. Building/Planning Statistics
2. Library Statistics
3. Recycling data
4. Infringements issued

Attached is the proposed Memorandum of Understanding (MOU) between the Town of Cottesloe and the Shire for the Precinct Structure Plan for the Cottesloe Activity Centre. This MOU is an updated version of the initial MOU for this project. The MOU was discussed at the most recent Working Group meeting.

The minutes from the Library Management Committee meeting held on 17 May 2022 are attached.

CONSULTATION

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

OFFICER RECOMMENDATION/COUNCIL DECISION– ITEM NO. 8.4.3

Moved; Cr McIntosh

Seconded; Cr Farley

That Council

1. **Receives the information in this report;**
2. **Endorses the Town of Cottesloe and Shire of Peppermint Grove Memorandum of Understanding for the Precinct Structure Plan for the Cottesloe Activity Centre and authorises the CEO to sign the document.**

Carried 6/0

Cr Thomas re-entered the chamber at 5.47pm

**9 COMMITTEE REPORTS – AUDIT COMMITTEE****9.1 Entrance meeting with the External Auditor and the Office of Auditor General****MANAGEMENT/GOVERNANCE/POLICY****ATTACHMENT DETAILS**

<u>Attachment No</u>	<u>Details</u>
Attachment 2 – Item refers:	

Voting Requirement	:	Simple Majority
Subject Index	:	Financial management Audit
Disclosure of any Interest	:	Nil
Responsible Officer	:	Michael Costarella, Manager Corporate & Community Services

PURPOSE OF REPORT

The purpose of this report is for Marius van der Merwe, Butler Settineri and Suraj Karki Assistant Director, Financial Audit, Office of Auditor General to provide a presentation on the audit reviews for the 2021/22 financial year.

SUMMARY AND KEY ISSUES

A presentation will be provided for the information of the Audit, Governance and Risk Management Committee prior to the commencement of the 2021/22 Audit including any matters relating to the Library Management and Joint Venture.

BACKGROUND

The meeting will provide information on the requirement of the Audit process and details of the audit process.

CONSULTATION

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

STRATEGIC IMPLICATIONS

There are no Strategic Implications identified at this time.



POLICY IMPLICATIONS

Financial Management Policies

STATUTORY IMPLICATIONS.

Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

There are no Financial Implications identified at this time.

ENVIRONMENTAL IMPLICATIONS

There are no Environmental Implications identified at this time.

SOCIAL IMPLICATIONS

There are no Social Implications identified at this time.

OFFICER COMMENT

The presentation will be conducted by Marius and Surej and it will provide information for the Committee to understand the process and timeframe for the 2021/22 Financial year audit.

OFFICER/ COMMITTEE RECOMMENDATION/COUNCIL DECISION – ITEM NO 9.1

Moved; Cr Jackson

Seconded; Cr Dawkins

That the Committee recommends to Council that it notes the Entrance meeting presentation provided by representatives of Butler Settineri and the Office of the Auditor Generals' Office.

Carried 7/0

**9.2 2022 Risk Management Review-****ATTACHMENT DETAILS**

<u>Attachment No</u>	<u>Details</u>
Attachment 3 – Item refers	Risk Management Profiles Summary- Clause 17 Audit regulations

Voting Requirement	Simple Majority
Subject Index	Financial management Audit
Disclosure of any Interest	Nil
Responsible Officer	Michael Costarella, Manager Corporate & Community Services

PURPOSE OF REPORT

The purpose of this report is to present to the Committee, the results of the Risk review undertaken by the Senior Management team on the 19 May 2022 in accordance with the requirements of the Local Government Audit Regulations (Clause 17).

SUMMARY AND KEY ISSUES

The report provides a review of the Risk Management profiles for the Shire of Peppermint Grove and identifies the matters that require further work.

LOCATION

N/A

BACKGROUND

The report provides an overview of the:

- current risks assessed within Council’s activities, and the
- appropriateness and effectiveness of the systems and process in place for risk management, internal controls and legislative compliance.

Following this meeting the Manager of Corporate & Community Services undertook an assessment of the following Risk Profiles:-

- Asset Sustainability Practices
- Business & Community Disruption
- Statutory Compliance
- Document Management
- Employment Practices

- Engagement Practices
- Errors Omissions & Delays
- External theft & Fraud (Inc Cyber Crime)
- Management of Facilities, Venues & Events
- IT, Communication System & Infrastructure
- Misconduct
- Project/ Change Management
- Safety & Security
- Suppliers & Contractors

CONSULTATION

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

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Local Government (Audit) Regulations 1996

Clause 17- CEO to review certain system and Procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —

- (a) risk management; and*
- (b) internal control; and*
- (c) legislative compliance.*

(2) The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

(3) The CEO is to report to the audit committee the results of that review

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.



SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

In accordance with to reg. 17 of the Local Government (Audit) Regulations, the Town decided to engage a consultant to review and suggest improvements to the existing framework with the main outcomes.

Risk Profiles, incorporating existing risk profile data and extending to ensure appropriate coverage of risk across all areas of operations. These profiles cover operating risks; legislative compliance obligations; key controls and any relevant treatment plans to improve the risk position.

A Risk Dashboard Report is attached for the information of Councillors.

OFFICER/COMMITTEE RECOMMENDATION/COUNCIL DECISION – ITEM NO 9.2

Moved; Cr McIntosh

Seconded; Cr Horrex

That the Audit Governance & risk Committee notes the review of the Risk Management register and profiles in accordance with Clause 17 of the Local Government (Audit) regulations.

Carried 7/0



10 NEW BUSINESS OF AN URGENT NATURE

10.1 Adoption of the 2022/23 Annual Budget and Fees and Charges

ATTACHMENT DETAILS

Attachment	2022/23 Annual Budget and Fees and Charges
-------------------	---

Voting Requirement	:	Absolute Majority
Subject Index	:	Budget
Responsible Officers	:	Don Burnett, CEO & Michael Costarella, Manager Corporate & Community Services
Disclosure of Interest	:	Nil

PURPOSE OF REPORT

To consider and adopt the municipal fund budget for the 2022/23 financial year, together with supporting schedules including imposition of rates and minimum payments, adoption of fees and charges, setting of elected members fees for the year and other consequential matters arising from the budget papers.

SUMMARY AND KEY ISSUES

- The draft 2022/23 budget recommends an 2.0% increase in the rates
- Capital expenditure of \$ 598,500.

BACKGROUND

The Rate Setting Statement shows total revenue required from property rates of \$3,543,619 compared with \$3,419,406 derived in 2021/22.

The draft budget has the rate-in-a dollar increased from 8.745 cents to 8.92 cents in a dollar, which will represent a 2.0% increase to property owners.

Minimum rates will increase by 2.0% to \$1,452.

A schedule of fees and charges is included with the draft budget document.

CONSULTATION

Consultation was undertaken through workshops held with Councillors and Senior staff.

Senior staff have had input into the document which has been reviewed by the Senior Management Team.



STRATEGIC IMPLICATIONS

The budget recognises the objectives and strategies of the Shire's revised Community Strategic Plan and Corporate Business Plan.

POLICY IMPLICATIONS

The budget is based on the principles contained within the current Plan for the Future (community strategic and corporate business plans).

STATUTORY IMPLICATIONS

Division's 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The 2022/23 budget as presented is considered to meet statutory requirements.

FINANCIAL IMPLICATIONS

Specific financial implications are as itemised in the draft 2022/23 budget attached for adoption.

SOCIAL IMPLICATIONS

The draft budget delivers social outcomes identified in various planning and community-supporting strategies. The Council will continue to fund community-focused projects such as SHINE Community Services and events such as Australia Day, Carols by Candlelight and Christmas decoration installations.

OFFICER COMMENT

The draft 2022/23 budget continues to deliver on key strategies identified by the community as part of Strategic Community Plan and maintains a high level of service across all programs while ensuring an ongoing focus on renewing all asset classes at sustainable levels.

The following information is provided highlighting the key considerations in developing the 2022/23 budget.

Opening balance as at 1 July 2022

For the purposes of estimating an opening balance as of 1 July 2022, an amount of \$291,287 is estimated as the surplus carried forward. This still could change pending end of year transactions.

This is also subject to final audit and any material variation will be addressed in the mid-year budget review.



Local Government Cost Index

WALGA provides local government with a cost index for local government, which expands on the CPI, and it includes construction costs etc not in the CPI figure. The Perth March 2022 annual CPI was 7.6 % and the WALGA 22/23 projected cost index is 2.5% which seems low in the current climate, however WALGA increased the 21/22 index from 1.4% to 5.7% during the year.

Rates Modelling

The budget shows rates income of \$3.54m based on a 2.0% increase on the rates raised over 2021/22. In a normal year, a 1% increase in rates revenue would equate to \$35,000, The minimum rate is \$1,452. The budget does not include any discount or incentives for early payment.

Waste changes

It is anticipated that the contracted waste collection costs will increase in accordance with the contracts based on Perth March annual CPI movements and fuel price movements. The draft budget takes these increases into consideration.

Salary costs

The draft budget makes provision for a 3.5% increase for staff salaries. The draft budget allows for one new position of Senior Administration Officer- Executive Services, however the funding for this position is met through the position of Executive Officer being made redundant. There are other no plans for any new staff or any significant staff structure changes. Superannuation costs will increase by 0.5% from 10.0% to 10.5% in accordance with the superannuation guarantee legislation.

Library Contributions

The net operating cost of running the Grove library is met by the three member councils of the Towns of Mosman Park and Cottesloe and the Shire. The draft library budget was presented at the last Library Management Committee meeting and will be taken to the two-member Council's for endorsement. The Shire is awaiting confirmation that both Councils have endorsed the budget. The level of contribution is based on census population data. The net operating shortfall for 22/23 for the library, history unit and community centre, excluding CAPEX, is \$1,182,381, with the Town of Mosman Park contributing \$633,134, Cottesloe \$549,245 and the Shire \$118,224. The contribution levels have increased by 3.1% over last year's costs. The main contributor to the increase of \$20,000 in the cleaning of the public toilets.

The CAPEX budget is for works linked to the AMP. Each member is required to make their own provision for the building replacement in accordance with the AMP. A reoccurring new CAPEX project is the digital parking sign, which has been listed for a number of years but not funded. The funding formulae is the Shire meeting 25% of the cost and the library members meeting 75%.



For a \$60,000 project, the Shire's commitment is \$19,091. It is proposed to sell the library pool vehicle with the proceeds used to offset member costs for this project, which will reduce the required contribution by around \$26,000.

Overheads and Activity Based Costing

The Shire does not allocate overheads to jobs, i.e., corporate services costs to Manners Hill Park etc. These costs would be internal charges and have no impact on the budget bottom line. The only overhead charge applied is 5% of Shire corporate management costs to the library.

Loans

One new loan is proposed, which is a self-supporting loan for the Peppermint Grove Tennis Club to go towards additional courts and an upgrade. This loan will be subject to Council approval after the submission of a business case by the Club. The library is the other loan the Shire has. The draft provides for capital repayment of \$36,336 for the library loan, leaving a principal balance as of 30 June 2023 of \$655,179. Interest repayments during the year total \$53,192. The loan costs for the Tennis Club self-supporting loan are met by the Tennis Club.

Reserve funds

The balance of the reserve funds as at 30 June 2022 are projected to be \$1.55m. This is substantially higher than the projected balance as at the 30 June 2022 of \$1.24m

This is due to a number of CAPEX projects being deferred, particularly roadworks along The Esplanade whilst a number of new house constructions are being undertaken. These projects are deferred to the 23/24 year.

Transfers into the reserves during the 22/23 year will be \$310,000, which includes interest earnings for the individual reserves,

- \$20,000 to the Arts & Culture Reserve,
- \$20,000 to the Staff Leave Reserve
- \$33,000 to the Road Reserve.
- \$93,000 to the Infrastructure/ Building Reserve
- \$20,000 to the Library Infrastructure Reserve
- \$20,000 to the Plant Reserve
- \$100,000 to the Investment Reserve (newly created reserve)

Included in the above transfers is \$121,000 transferred to reserve accounts for longer term asset renewal as per the AMP.

The transfer of \$100,000 to a newly created Investment Reserve Account will be subject to Council adopting an Investment Strategy during the year. The strategy will look at ways the Shire can diversify an income stream from a reliance on rates income.

There are no transfers out of the reserve funds.



The total projected reserve fund balance as of 30 June 2023 is \$1.86M.

Investment Reserve Fund

The transfer of \$100,000 to a newly created Investment Reserve Account will be subject to Council adopting an Investment Strategy during the year. The strategy will look at ways the Shire can diversify an income stream from a reliance on rates income

Capital Works program (CAPEX)

The CAPEX program is now linked to the asset renewal requirements as identified in the Asset Management Plan (AMP). The CAPEX schedule is broken to asset classes of Property, Plant & Equipment, Transport and Recreation. New capital projects are also included, however these projects are at Council's discretion as to whether they proceed or not.

Asset renewal or upgrade projects total \$598,500 of which \$108,000 is met by the Towns of Cottesloe and Mosman Park as contributions towards library capital and \$105,000 is the fleet trade in/sale values. The balance is made up of municipal funds with no reserve fund transfer.

New capital works total \$160,000, made up of \$100,000 for phase 1 of the parking/drainage at the corner of Bay View Terrace and Keane Street and \$60,000 for the digital parking sign, with potentially \$14,910 being met by the Towns of Cottesloe and Mosman Park for library digital parking project (subject to the offset of the pool car sale proceeds)

The AMP also has a schedule showing amounts that should be transferred on an annual basis that will be required to meet future renewal costs. The reserve fund transfer is to ensure the Shire has the funds to meet the costs when these larger renewal costs are due.

Fees and Charges Schedule

It is not proposed to increase existing fees and charges. There are several minor changes to the schedule;

- There are number of new town planning charges for various planning services.
- Additional bin charges have been increased to reflect the cost increase to the Shire for this service.
- The annual pool inspection fee has increased to \$45.50 pa to reflect the cost of this service
- The hourly rate for the hire of the Community Centre & Flax room has been included. This charge has been applied in the past but not included in the schedule.

Depreciation

Depreciation is a non-cash item and is an internal cost allocation.

Significant Adjustments from 2021/22 budget

The main areas of movement, other than normal operational costs, between the 21/22 budget and the 22/23 are as follows;



- | | |
|------------|--|
| 1. Various | Staff salaries increased by 3.5% |
| 2. 15110 | No LCRI government grants |
| 3. 27530 | \$12,000 - Catalyse community satisfaction survey. |
| 4. 27790 | \$10,000 - Sustainability system review (mainly air conditioning). |
| 5. 28290 | \$30,000 – Review of Disability plan |
| 6. 28490 | \$20,000 – laneway maintenance |
| 7. 27560 | \$20,000 - Assess the foreshore cliff. |
| 8. 27560 | \$10,500 – Laneway condition audit/review |
| 9. 27790 | \$10,000 – Other Consultants |
| 10.28650 | \$40,000 - Local Planning strategy review |
| 11.27650 | \$20,000 – Cott Village project (additional to \$40K). |
| 12.29230 | \$20,000 – additional library toilet cleaning |

Balance (Surplus) 30 June 2023

Based on the draft as presented the financial position is as follows

Based on the draft as presented, the 30 June 2023 closing balance (surplus) is anticipated to be \$30,295.

OFFICER/COMMITTEE RECOMMENDATION/COUNCIL DECISION – ITEM NO 10.1

Moved; Cr Farley Seconded; Cr Horrex

That Council adopts the following:

PART A – MUNICIPAL FUND BUDGET FOR 2022/23

Pursuant to the provisions of Section 6.2 of the *Local Government Act 1999* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopts the 2022/23 Shire of Peppermint Grove Budget as contained in the Attachment.

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, Council, pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following general rates and minimum payments on Gross Rental Values:

1.1 General Rates

- Residential (GRV) **8.92 cents in the dollar**
- Commercial (GRV) **8.92 cents in the dollar**
- Clubs (GRV) **8.92 cents in the dollar**



1.2 Minimum Payments

- Residential (GRV) \$1,452
- Commercial (GRV) \$1,452

2. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64 (2) of the *Local Government (Financial Management) Regulations 1996*, Council nominates the following due dates for the payment of rates and charges in full by instalments (estimating date of issue is 15th July 2022):

- Payment in full or first instalments 23rd August 2022
- Second of four instalments 25th October 2022
- Third of four instalments 3rd January 2023
- Last of four instalments 7th March 2023

3. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an instalment administration charge of \$15.00.

4. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest charge where ratepayer elects to pay rates and charges by instalments of 4%

5. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, Council does adopt a 4% interest charge where payment of rates and charges is in arrears including overdue instalment payments

6. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, Council adopts a special arrangements administration fee of \$45 with respect to outstanding rates and charges and authorises the Chief Executive Officer to enter into such special arrangements.

7. Pursuant to Section 6.45 of the *Local Government Act 1995* Council adopts the Schedule of Fees and Charges inclusive of the 2020/21 budget included as attachment one.

8. Pursuant to Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996* the level for reporting material variances in monthly statements of financial activity shall be 10% or \$10,000, whichever is the greater.

9. Delegate to the CEO the disposal of assets (including the Library Pool Vehicle to a maximum value of \$30,000.

10. Pursuant to Regulation 17 of the *Local Government (Financial Management) Regulations 1996*, Council creates a new Reserve Fund, namely, Investment Reserve Fund and set aside \$100,000 to the Reserve fund as included in the 2022/23 Annual Budget

11. Pursuant to Section 6.11 of the *Local Government Act*, Council adopts the transfers to Reserves as included in the 2022/23 Annual Budget.



12. Pursuant to Section 6.12, Council provides a concession for the fees payable by the West Coast Community Group to the value of \$9,000 and the Grove Café to the value of \$8,000 as reflected in the 2022/23 budget.
13. Pursuant to Section 6.20 of the Local Government Act, provide a Self-Supporting Loan to the Shire of Peppermint Grove Tennis Club to a maximum of \$200,000 from the West Australian Treasury Corporation and for a term to be determined by the Tennis Club and at the debenture rate at the time of raising the loan, subject to provision of sufficient financial supporting documents that ensures that the loan can be repaid.

Carried 7/0

11 MOTIONS ON NOTICE

12 CONFIDENTIAL ITEMS OF BUSINESS

As per the Local government Act 1995, clauses 5.23 (2) (a) – staff matter and 5.23 (2) (b) – personal affairs of a person, Council can close to members of the public the meeting, or part of a meeting, if the meeting or part of the meeting deals with a matter affecting and employee.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 12.1 & 12.2

Moved; Cr Farley

Seconded; Cr Hohnen

That Council, in accordance with Section 5.23 (2) (a) and (b) of the Local Government Act 1995, close to members of the public the meeting for reports 12.1. and 12.2.

Carried 7/0

Members of the public and staff left the chambers at 5.52

12.1 Rates Outstanding – Write Off- Confidential Report

PURPOSE OF REPORT

The purpose of this report is to consider the write off of an amount of outstanding rates that are considered non-recoverable from the new property owner.

OFFICER/ COMMITTEE RECOMMENDATION/COUNCIL DECISION – ITEM NO 12.1

That the Audit Governance & risk Committee recommends to Council that it writes off an amount of outstanding rates as included in the report.

Moved; Cr Hohnen

Seconded; Cr Farley



Council that it writes off an amount of outstanding rates as included in the report.

Carried 7/0

12.2 CEO Performance Review (Confidential)

The purpose of this report is to consider the annual performance review of the CEO.

COUNCIL DECISION – ITEM NO 12.2

Moved; Cr McIntosh

Seconded; Cr Horrex

That Council;

1. Note that the CEO’s performance has been deemed very good.
2. Adopts the Key Performance targets for 2022/23 as contained in this report.
3. Approves a 2.5% package increase as per the Salaries and Allowance Tribunal ruling for CEO packages, linked to the maximum of Band 4 local governments.
4. Approves an additional 0.5% package increase for the superannuation guarantee effective from 1 July 2022 in the event of the Salaries and Allowances Tribunal making this award.
5. Agrees to a 2-year contract extension for the CEO effective from 18 June 2023, with the existing contract conditions and negotiated arrangements to remain in place.

Carried 7/0

13 CLOSURE

At 5.56pm there being no further business the meeting closed.

Confirmed this 26th day of JULY 2022

PRESIDING MEMBER