



Shire of  
Peppermint Grove

## **ORDINARY COUNCIL MEETING**

# **AGENDA**

**TO BE HELD ON**  
**TUESDAY 28 SEPTEMBER 2021**  
**AT**  
**5.30 PM**



# Shire of Peppermint Grove

## **NOTICE OF MEETING**

Dear Councillor

It is advised that the **COUNCIL MEETING** will be held in the Council Chamber of the **Shire of Peppermint Grove**, 1 Leake Street, Peppermint Grove, on Tuesday 28 September 2021, commencing at 5.30 pm.

Yours faithfully



Don Burnett  
**CHIEF EXECUTIVE OFFICER**

**24 SEPTEMBER 2021**

## **MEETING AGENDA ATTACHED**

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*Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request.*



# Shire of Peppermint Grove

## TABLE OF CONTENTS

ITEM	SUBJECT HEADING	PAGE
1	DECLARATION OF OFFICIAL OPENING	5
2	RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE	5
2.1	ATTENDANCE	5
2.2	APOLOGIES	6
2.3	LEAVES OF ABSENCE	6
2.4	NEW REQUEST FOR A LEAVE OF ABSENCE	6
3	DELEGATIONS AND PETITIONS	6
3.1	DELEGATIONS	6
3.2	PETITIONS	6
4	PUBLIC QUESTION TIME	7
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE FROM A PREVIOUS MEETING	7
4.2	QUESTIONS FROM MEMBERS OF THE PUBLIC	7
4.3	DEPUTATIONS OF THE PUBLIC	7
4.4	PRESENTATIONS FROM THE PUBLIC	7
5	DECLARATIONS OF INTEREST	8
5.1	FINANCIAL INTEREST	8
5.2	PROXIMITY INTEREST	8
5.3	IMPARTIALITY INTEREST	8
5.4	INTEREST THAT MAY CAUSE A CONFLICT	8
5.5	STATEMENT OF GIFTS AND HOSPITALITY	9
6	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	9

<b>7</b>	<b>CONFIRMATION OF MINUTES</b>	<b>9</b>
7.1	<b>ORDINARY COUNCIL MEETING 24 AUGUST 2021</b>	<b>9</b>
<b>8</b>	<b>OFFICER REPORTS</b>	<b>10</b>
8.1	<b>MANAGER DEVELOPMENT SERVICES</b>	<b>10</b>
8.1.1	Development – Single House (2 Storey with Basement & Pool) - 26 The Esplanade Peppermint Grove.	10
8.1.2	Development – New Single Storey Residence – 22 Irvine Street Peppermint Grove	18
8.2	<b>MANAGER INFRASTRUCTURE SERVICES</b>	<b>29</b>
8.3	<b>MANAGER CORPORATE AND COMMUNITY SERVICES</b>	<b>30</b>
8.3.1	Financial Statements for Period Ended 31 August 2021	30
8.3.2	Accounts Paid August 2021	33
8.4	<b>CEO/ MANAGEMENT / GOVERNANCE / POLICY</b>	<b>35</b>
8.4.1	Matters for Information and Noting	35
8.5	<b>COMMITTEE REPORTS</b>	<b>37</b>
<b>9</b>	<b>NEW BUSINESS OF AN URGENT NATURE</b>	<b>37</b>
<b>10</b>	<b>MOTIONS ON NOTICE</b>	<b>37</b>
<b>11</b>	<b>CONFIDENTIAL ITEMS OF BUSINESS</b>	<b>37</b>
<b>12</b>	<b>CLOSURE</b>	<b>37</b>

Shire of  
Peppermint Grove

## ORDINARY COUNCIL MEETING AGENDA

### 1 DECLARATION OF OFFICIAL OPENING

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

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

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

#### **Affirmation of Civic Duty and Responsibility**

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

### 2 RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE

#### 2.1 ATTENDANCE

Shire President  
Deputy Shire President  
Elected Member  
Elected Member  
Elected Member  
Elected Member

Cr R Thomas  
Cr C Hohnen  
Cr G Peters  
Cr P Macintosh  
Cr P Dawkins  
Cr D Horrex

Manager Development Services  
Manager Corporate and Community Services  
Manager Infrastructure Services

Mr R Montgomery  
Mr M Costarella  
Mr D Norgard

**Gallery**      Members of the Public  
                 Members of the Press

## **2.2 APOLOGIES**

Chief Executive Officer  
Elected Member

Mr D Burnett  
Cr K Farley

## **2.3 LEAVES OF ABSENCE**

NIL

## **2.4 NEW REQUEST FOR A LEAVE OF ABSENCE**

## **3 DELEGATIONS AND PETITIONS**

### **3.1 DELEGATIONS**

NIL

### **3.2 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.*

#### **4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE FROM A PREVIOUS MEETING**

NIL

#### **4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC**

#### **4.3 DEPUTATIONS OF THE PUBLIC**

#### **4.4 PRESENTATIONS FROM THE PUBLIC**

## **5 DECLARATIONS OF INTEREST**

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

### **5.1 FINANCIAL INTEREST**

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

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

### **5.2 PROXIMITY INTEREST**

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

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

### **5.3 IMPARTIALITY INTEREST**

Cr Greg Peters – Item 8.1.1 – Development single House (2 Storey with Basement & Pool)  
– 26 The Esplanade Peppermint Grove

The nature of the interest being that he had a previous contract on swimming pool maintenance

### **5.4 INTEREST THAT MAY CAUSE A CONFLICT**

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

## 5.5 STATEMENT OF GIFTS AND HOSPITALITY

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

## 6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

## 7 CONFIRMATION OF MINUTES

### 7.1 ORDINARY COUNCIL MEETING 24 AUGUST 2021

#### OFFICER RECOMMENDATION – ITEM 7.1

**Moved:**

**Seconded:**

**That the Minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 24 August 2021 be confirmed as a true and accurate record.**

## 8 OFFICER REPORTS

### 8.1 MANAGER DEVELOPMENT SERVICES

#### IMPATIALITY INTEREST DECLARED – CR GREG PETERS

8.1.1 Development – Single House (2 Storey with Basement & Pool) - 26 The Esplanade Peppermint Grove.

#### URBAN PLANNING

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
<b>Attachment 1</b>	Locality Plan
<b>Attachment 2</b>	Site Plan, Elevation Plan

Voting Requirement	:	Simple Majority
Acceptance Date	:	
Location / Property Index	:	26 (Lot 2) The Esplanade, Peppermint Grove
Application Index	:	DA202/00016
LPS No 4 Zoning	:	R12.5
Land Use	:	Residential
Lot Area	:	992m <sup>2</sup>
Disclosure of any Interest	:	Cr Greg Peters – Impartiality Interest Declared
Previous Items	:	Nil.
Applicant	:	Building Corporation WA P/L T/A Giorgi
Owner	:	Mrs. Tamara Gibbs
Assessing Officer	:	Mr. M Stocco
Authorising Officer	:	Mr. R Montgomery

#### PURPOSE OF REPORT

The Shire received an application for a two-storey single house at 26 The Esplanade in Peppermint Grove. Council is requested to consider several design variations to SPP 7.3 R-Codes to issue approval to the proposed new single house, (2 storey plus basement, a pool and front fence). If the application is approved the current house and garden will be demolished and cleared.

## **SUMMARY AND KEY ISSUES**

- Application and set of plans were lodged with the Shire on June 24, 2021 (DA2021/00016).
- Application consists of Shire's checklist, cover letter and a standard set of plans.
- Land is zoned Residential (R12.5) in LPS4 - Use is compatible with zoning.
- Several areas of the design seek variation to Shire's Local Planning Scheme 4 (LPS4) and by reference to the Residential Planning Codes (R Codes – R12.5).
- The proposed is located on a sloping portion of the Esplanade with a slight fall from the west to the east and a crossfall from north to south.
- Local Planning Policy 6 Neighbour Consultation on Development neighbour advertisement has been completed.

## **LOCATION**

26 (Lot 2) The Esplanade, Peppermint Grove. Street access from The Esplanade, alternative access to the rear garden is possible from right of way via a short access leg.

## **BACKGROUND**

The proposed development is situated in the north-east pocket of Peppermint Grove along The Esplanade with views across Freshwater Bay on the Swan River. The development overlooks the McFarlane jetty and to the west across Freshwater Bay to Dalkeith, and Perth.

The property abuts the Japanese Consulate site to the rear (west) and has a narrow stub-leg connected to Pindari Place. It slopes from west to east and from north to south. The new dwelling replaces an existing two storey house which was build post-WW2. That house is not included in the LPS 4 Heritage List.

Proposed as a two-storey dwelling, there is a basement and pool organised by a central spine hallway, with four main bedrooms, four bathrooms, mostly kept to the ground floor except for the master bedroom and master en-suite. The building footprint is stacked two-storey for the most part.

The first storey has a main balcony with a return affording eastwards views from the north to the south.

The garden has several mature trees along the northern boundary, and these will be removed as part of the redevelopment.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

## **ENVIRONMENTAL IMPLICATIONS**

Although the plans do not indicate, there may be mature trees which could be retained provided these are clear of the proposed building area. The retention of trees for shade and habitat meets the objectives of the R Codes.

## **SOCIAL IMPLICATIONS**

There are no social implications at this time.

## **CONSULTATION**

The design was advertised to adjacent properties (north and south of the property) in accordance with Shire local planning policy LPP 6 to provide comment on the identified areas of R Code design policy variation.

<b>Submission Issues</b>	<b>Comment</b>	<b>Officer Response</b>
Setback from side boundaries	Objects to height and reduced setback to southern boundary due to over-shadowing and privacy.	Setback is reduced.  The site is elevated and so building height will be taller than for the lower adjacent property. This is not a matter to be addressed via development design assessment.  Overshadowing calculation indicates height and form is compliant with R Codes.
Balcony oversight	Objects to views from balcony looking back into house to south.	Screening is to be erected to the south of balcony to obscure views backwards into neighbouring house. Applicant acknowledged this as a design requirement of Approval.
Dividing Fencing	Requests a suitable height of dividing fence to provide privacy.	This is a matter to be agreed between abutting owners. The fencing should be at least 1.8m in height (high side) between the properties from the building line back to the rear boundary.
Bathroom window	Bathroom window in southern elevation may overlook neighbouring property.	The bathroom is not a habitable room, and the window is not designed to allow downward views into neighbouring property. The design is compliant.

## **STATUTORY IMPLICATIONS**

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

<b>RESIDENTIAL DESIGN CODES</b>	
<b>Acceptable Development/Performance Criteria</b>	<b>Assessment/Check Comment</b>
<p>1.</p> <p>Setback in accordance with Table 1, Tables 2a and 2b of the R-Codes.</p> <p><b>*Acceptable variation – Reduced setback combined with an adequate dividing fence negates impact. Design principles assessment indicates the submitted design achieves residential design objectives.</b></p> <p><b>*Chimney is compliant.</b></p>	<p><b>Southern Boundary</b></p> <p><u>Ground Floor</u></p> <ul style="list-style-type: none"> <li>● Living Room Windows x2</li> <li>○ Compliant = 2.3m</li> <li>○ Assessment of plans = 1.5m</li> <li>● Chimney*</li> <li>○ Compliant = 2.3m</li> <li>○ Assessment of plans = 1.0m</li> </ul> <p><u>First Storey</u></p> <ul style="list-style-type: none"> <li>● Chimney*</li> <li>○ Compliant = 2.0m</li> <li>○ Assessment of plans = 1.0m</li> </ul>
<p>2.</p> <p>Table 3, Category B Maximum Building Heights of the R-codes.</p> <p><b>Compliant.</b></p>	<p><b>Roof</b></p> <p><u>Concealed Roof (Section)</u></p> <ul style="list-style-type: none"> <li>○ Compliant = 9.0m</li> <li>○ Assessment of plans = 9.0m</li> </ul>
<p>3.</p> <p>Privacy of oversight as outlined in clause 5.4.1, Figure 10, 10a, 10b and 10c of the R-codes. (Cone of Vision - CoV)</p> <p><b>Modification (privacy screen) required to be compliant.</b></p>	<p><b>Southern Boundary</b></p> <p><u>First Storey</u></p> <ul style="list-style-type: none"> <li>● Guest Bedroom Window</li> <li>○ Compliant = 4.5m CoV</li> <li>○ Window overlooks adjoining property privacy to require obscure glass.</li> </ul> <p><b>Northern &amp; Southern Boundary</b></p> <p><u>First Storey</u></p> <ul style="list-style-type: none"> <li>○ Balcony</li> <li>● Compliant = 7.5 CoV</li> <li>● Assessment of plans = Privacy Screening Required</li> </ul>
<p>4</p> <p>Overshadowing of neighbouring properties R Codes Part 5 5.4.2 C2.1</p> <p><b>Compliant.</b></p>	<p><b>Southern Boundary</b></p> <ul style="list-style-type: none"> <li>● Proposed building is compliant with Deemed to Comply standard.</li> </ul>

## **OFFICER COMMENT**

No. 26 The Esplanade is an irregular shaped block and is zoned R12.5 and is 992m<sup>2</sup> area with a frontage of 18.31 metres and northern side boundary length of 52.06 metres and southern side boundary of 48.94 metres. A short access stub connects the rear of the property to the right of way which runs perpendicular to The Esplanade.

The application proposes a design which is not dissimilar to the neighbouring properties because it steps with the landform, orients towards the river views, and presents features which echo earlier styles, but it is clearly a contemporary design.

The house is set into the slope and has an easterly outlook towards the river. Ground floor rooms overlook a moderate size front garden and elevated rear garden. Submitted plans show the R-code, Cone of Vision and this indicates no impact on neighbouring properties.

The 5-car capacity garage is located underground in a basement and has space for storage. The inclusion of a car turntable into the basement addresses the potential difficulty for residents to enter The Esplanade by car.

The design complies with the Shire LPP1 – Streetscapes. The proposed residence is setback 12.0 metres from the front boundary to The Esplanade. It also complies with LPP5 – Plot Ratio (habitable floor area is 0.479 of the total site area). The design also complies with LPP12 – Front Fences.

The design variation relates to the side setback and possible overlooking of neighbouring properties. LPP 6 (Neighbour Referral) requires referral to abutting properties for comment.

Comments were received raising concern with possible overview. Installation of a sufficient dividing fence and obscure glazing to the bedroom window can achieve an acceptable and neighbourly design outcome. Standard height of 1.8m is considered adequate however it is a matter for neighbours to agree (civil matter).

The assessment of 26 The Esplanade is as follows:

### **1. R Codes – Table 1, 2a and 2b - Boundary Setbacks.**

- *Ground Floor Living Room Windows x2 – need to comply with Table 1, 2b 2.3 metres setback applies as the proposed is a major opening – **modification possible to comply.***
- *A reduced setback from the 2.3 metres setback is considered sufficient given an intervening dividing fence.*
- *Ground Floor Chimney and First Storey Chimney (assessed in sections) is 1.0 m from southern boundary. Overshadowing has been assessment be compliant, and therefore **setback is acceptable.***

## 2. R Codes – Clause 5.4.1, Figure 10, 10a, 10b and 10c – Privacy from Overview

- *First Storey Guest Bedroom Window – Bedroom is a habitable room. Obscure glazing or raising sill-height will curtail overlooking. **Can be made to comply.***
- *First Storey Balcony –person/s would have the capacity to view back into the neighbouring property possibly into west and north facing windows. A screen to the southern edge would address this adequately. **Can be made to comply.***
- *Major Opening to Southern boundary (Bed 2 hallway), potential overlooking issue – intervening dividing fence will curtail overlooking from this window. **Can be made to comply.***

## 3. R Codes – Table 3, Category B - Maximum Building Heights.

- *The proposal has two main roof types, Pitched and Concealed (Flat).*
- *The pitched roof is a maximum height of 9.0 metres and is Deemed to Comply.*
- *The concealed section is proposed at 9.0 metres which is compliant.*
- *The modelled plan of overshadowing demonstrates R codes compliance of adjoining properties. **Compliant***

## 4. LPP – Vehicular Crossovers.

- *The development application does not approve the crossover other than in its general location. A separate crossover permit application is required to be submitted for approval prior to Building Permit. This should specify materials and design to meet Shire LPP standards.*

## Conclusion

The neighbour comments relate to the design variation to the R Codes have been considered. Comment reflecting general neighbor preferences about those design elements which are compliant are recorded however the Shire is not able to negotiate a redesign of compliant design elements where these are assessed as acceptable.

Each of the proposed design variations has been assessed separately and in combination, recognising the terrain of the locality and existing variation in housing design, and streetscape character. Overall, the design is recommended for approval because the house and garden make a positive contribution to the evolving streetscape of The Esplanade.

The design variations in this location and context (taking account of the landform) meet design principles in combination better than deemed to comply provisions of the R-Codes and comply in relation to the Shire's LPS 4 and the relevant local planning policies.

The assessment of the design variations and merits of the proposal finds it to be acceptable, for this site and Council is recommended to approve the proposed residence at 26 The Esplanade subject to six (6) conditions.

**Further Information provided following Agenda Briefing Forum held 14 September 2021**

*The applicant has advised a set of revised plans will address the window design to improve their outlook and respect the privacy of the neighbour. These revised plans will be circulated to councillors prior to the Ordinary Council meeting 28 September 2021.*

**OFFICER RECOMMENDATION/S 8.1.1**

That Council approves the single house proposed at 26 The Esplanade Peppermint Grove in accordance with the submitted plans DA2021/00016 and application lodged on, June 24, 2021, and subject to the following conditions: -

1. 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" as part of this application and shall form part of the development approval issued.
2. All works are to be subsequent to the issue of a Building Permit and shall not be carried out, other than in accordance with this this Planning Approval and consistent with Building Permit certified/approved plans at all times.
3. The development, the subject of this approval shall be substantially commenced within two years of the date of issue of the consent forms and be completed before the conclusion of the third year, whereby all works are to be completed and conditions met.
4. Prior to the commencement of works, the applicant shall submit for approval and thereafter implement to the satisfaction of the Shire of Peppermint Grove, a construction management plan detailing;
  - How materials and equipment will be delivered and removed from the site;
  - How materials and equipment will be stored on the site;
  - Parking arrangements for contractors;
  - Construction Waste disposal strategy and location of waste disposal bins;
  - Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
  - How risks of wind and/or water born erosion and sedimentation will be minimised during works;
  - Other matters likely to impact on surrounding properties.
5. Submission of a Landscape Plan prior to the issue of a Building Permit and completed to the satisfaction of the Shire (CEO) and indicating the;
  - Scale (recommended 1:100), dimensions and any boundary and building offsets of the landscaping areas;

- Location of at least four (4) fast-growing mature trees (tree caliper and species of proposed planting);
  - Materials, levels and surfacing of open ground areas;
  - Deep soil planting areas and shade trees (refer SPP 7.3 R Codes);
  - Drainage, collection and infiltration, paving and irrigation; and
  - Location of any incidental structures such as ponds, steps, screens, dividing and safety fencing or gates.
6. Prior to the lodgement of a building permit, design modifications are to be executed to address the privacy and oversight concerns relating to the balcony view to the south and southwest, and indication of boundary fencing to effect screening of abutting properties. A schedule of proposed colours, textures and materials of finish must be submitted to the Shire for approval of Chief Executive Officer. The schedule is to detail the colour and texture of the building materials selected to complement the streetscape and setting of the site.

#### **Advice Notes.**

1. Council advises it has exercised discretion subject to Clause 34 of the Local Planning Scheme 4 that the assessment of this application resulted in design revisions and improvements. In making this decision Council adopted a design principles approach regarding the following design variations:
  - R Codes – Table 1, 2a and 2b - Boundary Setbacks
  - R Codes – Clause 5.4.1, Figure 10, 10a, 10b and 10c - Cone of Vision
2. In conjunction with Condition 5, the landscape plan is to be prepared and submitted for the approval of the Chief Executive Officer of the Shire prior to the issue of a Building Permit and may include reference to adjoining properties including the Shire managed street verges and right of way. The Shire officers may provide additional advice on plant selection and horticulture should this be required prior to submission of the plan.
3. Council in approving the design associated with the application and its modifications determined this design and variations proposed would be an acceptable design solution for this site and circumstances taking note of neighbours comment following referral as per Local Planning Policy 5.
4. Prior to lodgement of a building permit application, the applicant is to submit for the approval of the CEO, construction and engineering details of a permitted crossover in conjunction with Local Planning Policy 4.4 Crossovers / Vehicle Access.

**8.1.2 Development – New Single Storey Residence – 22 Irvine Street Peppermint Grove**
**URBAN PLANNING**
**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Attachment 2</b>	Locality Map
<b>Attachment 2</b>	Development Application Working Drawings Package

Voting Requirement	:	Simple Majority
Acceptance Date	:	
Location / Property Index	:	22 (Lot 128) Irvine Street, Peppermint Grove
Application Index	:	DA2021/00028
LPS No 4 Zoning	:	R-12.5
Land Use	:	Residential
Lot Area	:	1819m <sup>2</sup>
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	Helen Marchesani (Humphrey Homes)
Owner	:	Michael & Susan Temple
Assessing Officer	:	Mr M. Stocco
Authorising Officer	:	Mr R. Montgomery

**PURPOSE OF REPORT**

Council has received a planning application for the demolition and replacement of a single house at 22 Irvine Street, Peppermint Grove. The property is on the Shire Heritage List. The proposed design requests Council to consider design variations to State Planning Policy (SPP) R-Codes 7.3.

**SUMMARY AND KEY ISSUES**

- Application was lodged with the Shire on August 02, 2021 (DA2021/00028).
- Application consists of Shire's checklist, cover letter and a standard set of plans.
- Land is zoned Residential (R 12.5) in LPS 4 – Use is compatible with zoning.
- The property is on the Shires Heritage List.
- A heritage architect report is yet to be received.
- Applicant is proposing the demolition of a Heritage Listed property (Municipal Heritage Inventory Category 2).
- Replacement house design seeks variation to the Residential Planning Codes (R Codes) on design principles assessment.

## **LOCATION**

22 (Lot 128) Irvine Street, Peppermint Grove.

## **BACKGROUND**

The proposed development is a single storey house that replaces a heritage listed brick and tile single house. Reference to the Shire heritage survey statement summary indicates the following:

- The architectural style is Interwar Californian Bungalow
- Significance dates back to a Shire councillor Anthony Craig.
- Management Cat 2

The applicant describes the replacement house as follows:

- The house will sit below both adjoining neighbours ground levels.
- Proposed floor level Reduced Level (RL) is 16.30. (Existing house floor level of RL 16.22). This will facilitate universal access throughout the house.
- Single storey house with high ceilings.
- Street setback 9.0m with a porch addressing the street.
- The façade includes a 45-degree pitched roof presenting gables towards the street and boundaries.
- Short length of boundary wall along the eastern boundary.
- Garden will retain four mature trees,
- Vehicular access is from rear right of way.

A heritage report is to be provided before the OCM by the applicant which will make a more detailed assessment of the heritage values on the house as well any impact of this proposal on the streetscape.

## **CONSULTATION**

Council Policy (LPP 6) indicates that design variations from the R-Codes and the LPS 4 be referred to any neighbours who may be affected by the design variation.

Council did not undertake consultation in respect to this proposal.

Applicant has referred plans to neighbor for comment prior to lodgment. The neighbour supported the inclusion of a short length of boundary parapet wall.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## PLANNING POLICY IMPLICATIONS

*Local Planning Policy 3 – Heritage Places & Local Planning Policy 12 – Front Fences*

## STATUTORY IMPLICATIONS

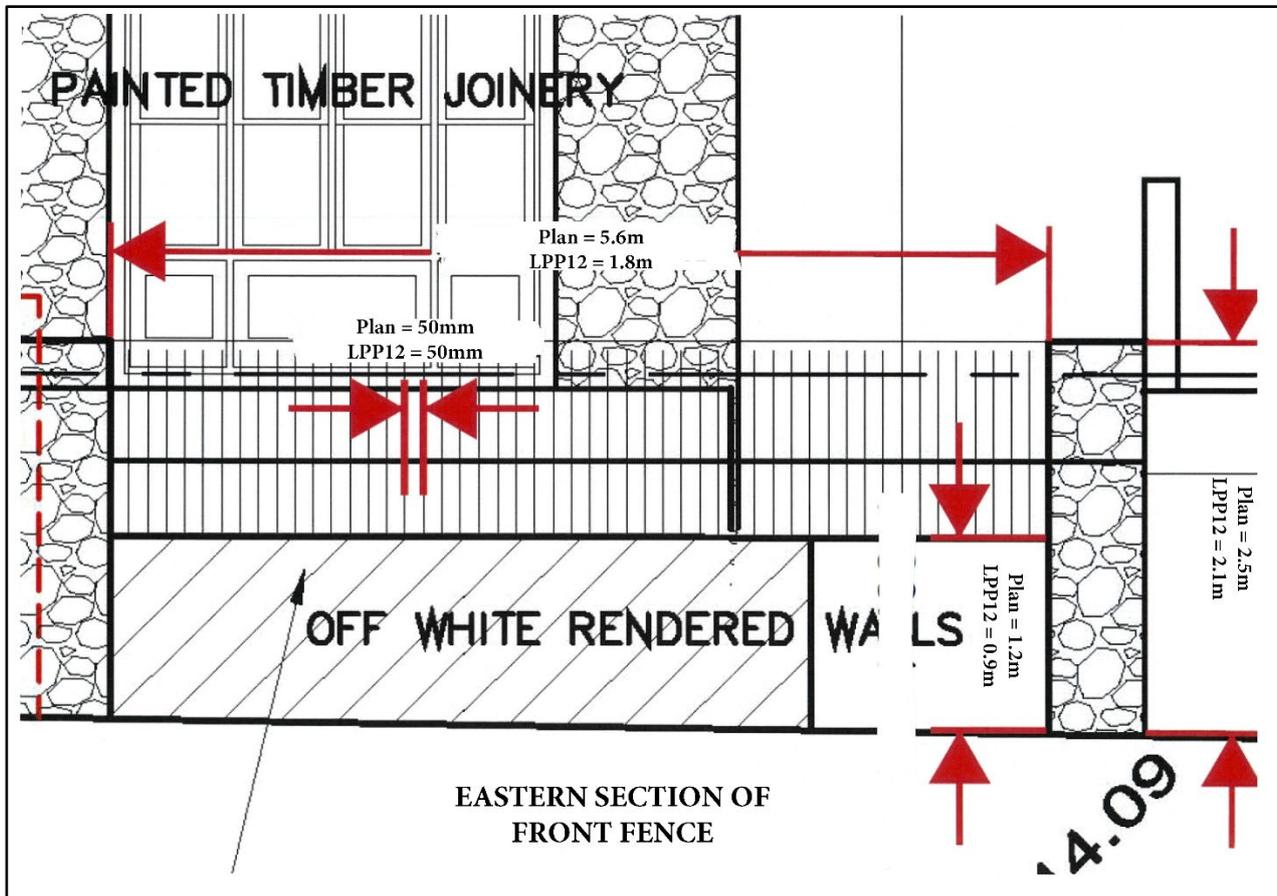
The replacement house requires total demolition of the listed property. The design of the replacement house is deemed to comply with relevant Scheme provisions, Residential Design Codes and Scheme Policies except for where noted below:

<b>RESIDENTIAL DESIGN CODES</b>	
<b>Acceptable Development/Performance Criteria</b>	<b>Assessment/Checked Comment</b>
<p><b>1.</b></p> <p>Buildings are to be set back from lot boundaries in accordance with Table 1, Tables 2a and 2b of the R-Codes.</p> <p><b>Acceptable</b></p> <p><b>Acceptable</b></p> <p><b>Acceptable</b></p>	<p><b>Ground Floor</b></p> <p><u>Eastern Boundary</u></p> <p>Master Bedroom (Bay-view window)</p> <ul style="list-style-type: none"> <li>○ Compliant = 1.8m</li> <li>○ Proposed = 1.5m</li> </ul> <p>Loggia (Parapet Wall)</p> <ul style="list-style-type: none"> <li>○ Compliant = 1.1m</li> <li>○ Proposed= nil setback</li> </ul> <p><u>Western Boundary</u></p> <p>Cool freeze</p> <ul style="list-style-type: none"> <li>○ Compliant = 1.1m</li> <li>○ Proposed = 1.0m</li> </ul>
<p><b>2.</b></p> <p>Cone of Vision needs to be consistent with applying a viewpoint cut off angle not less than 45 degrees, for the purposes of assessing the extent of overlooking, outlined in clause 5.4.1, Figure 10, 10a, 10b and 10c of the R-codes.</p> <p><b>Adequate dividing fence would curtail visual intrusion beyond boundary.</b></p> <p><b>Acceptable</b></p>	<p><b>Ground Floor</b></p> <p><u>Eastern Boundary</u></p> <p>Master Bedroom (Bay-view window)</p> <ul style="list-style-type: none"> <li>○ Compliant = 4.5m CoV</li> <li>○ Proposed = <i>Justification needs to be provided for overlooking of neighbouring property OR;</i></li> <li>○ Comply with SPP 7.3 R-codes, clause 5.4.1 Visual Privacy.</li> </ul>

<b><u>SCHEME/COUNCIL POLICY</u></b>		
<b>Policy Provisions</b>		<b>Assessment/Comment</b>
<b>1.</b>	Local Planning Policy 12 – Front Fences	<ul style="list-style-type: none"> <li>• Front Fence spans from the eastern to western boundary.</li> <li>• Refer to figure 1: The stone clad height of the eastern most section - proposed 2.5m</li> <li>• The off-white rendered masonry eastern section – proposed 1.2m</li> </ul>
	<b>Acceptable</b>	
<b>2.</b>	Local Planning Policy 3 – Heritage Places	<ul style="list-style-type: none"> <li>• Category 2.</li> <li>• <i>'All development works must obtain Council Planning Approval prior to being granted a building or demolition permit by the Shire'.</i></li> </ul>
	<b>Subject to Heritage Architect review and recommendation</b>	
<b>3.</b>	Vehicular Crossovers (Concrete, Brick Paved & Bitumen)  <i>'Footpaths take priority over crossovers'</i>	<ul style="list-style-type: none"> <li>• The front crossover is proposed removed.</li> <li>• A new rear crossover (from RoW) will be required.</li> <li>• Applicant must submit rear driveway specifications for approval by Manager of Infrastructure Services.</li> </ul>
	<b>Separate Approval required to this Application.</b>	

**Figure 1: Front Fence Explanation.**

Front Fence proposal piers are 400mm taller than LPP12, dwarf walls are 300mm taller than LPP12. Open section (run) is longer.



**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 planning application is to replace a heritage listed house with a modern single storey house in a design which echoes and is sympathetic to other heritage listed properties in the street. An open fence design replaces a solid 2.4m high brick wall.

This application requires Council to:

1. consider the merits of demolishing the heritage listed house, and then
2. consider the merits of the replacement design for the site and also the streetscape context.

A heritage architect assessment is to be undertaken at the applicant's cost, to re-assess the existing house and associated heritage value. The report will take account of the replacement house and its assimilation into the streetscape. The expected report is to be conducted by heritage architect, Griffiths Architecture. This information will guide Council to making its decision about Step 1.

Aside from the possible heritage implications of replacement, Council officers completed a design principles assessment of the replacement house. The replacement house has several design variations to a deemed to comply R Codes design. It is noted adjoining houses may not be designed to meet with the current R codes. Following the assessment below, officers recommend the design is acceptable and suitable for the location and context within the streetscape.

### **Detailed Assessment of design variation**

The design principles assessment using the R Codes Design Parameters and LPP considers each of the proposed design variations as follows:

#### **1. R Codes – Table 1, 2a and 2b - Boundary Setbacks.**

##### Eastern Boundary: Master Bedroom (Bay-view window)

R-codes deemed to comply is 1.8m. The assessment of plans measured 1.5m.

The design is proposing a reduced setback of 300mm. The bay view window measures 2.6m by 2.8m.

*The reduction in setback by 300 mm is unlikely to impact adjoining property and is assessed to be a neutral change from a deemed to comply design. The additional 300 mm would do little to improve the design, and the bay window introduces a better quality of light into the adjacent room.*

##### Eastern Boundary: Loggia (Parapet Wall)

R-codes deemed to comply is 1.1m. The assessment of plans is a nil setback.

Justification provided by the applicant states, *“This parapet wall ensures that the neighbours privacy is retaining, and it uses up an otherwise” dead” section of land (a place for weeds to grow and rats to live! If this wall was to be set off the boundary it could have windows or*

*openings facing this neighbour – it is below their level so allowed under the R Codes Deemed to Comply. Windows or openings here will allow noise to travel from one neighbour to the other and have a greater impact on privacy”.*

*The outdoor living area is proposed lower than the neighbours ground level, resulting in a wall that does not overshadow the adjoining neighbour. The proposed parapet wall ensures that the neighbour’s privacy is retained. This is a better design outcome.*

The proposed variation may be considered to deliver a better than Deemed To Comply and is supportive of 5.1.3 design principals.

Western Boundary: Coolfreeze\* (small larder room).

R-codes deemed to comply setback is 1.1m. Submitted plans show 1.0m setback.

The variation of 100mm is considered as minor variation.

## **2. R Codes – Clause 5.4.1, Figure 10, 10a, 10b and 10c – Privacy Cone of Vision.**

Eastern Boundary: Master Bedroom (Bay-view window)

R-codes deemed to comply is a 4.5m Cone of Vision (setback). The assessment of plans did not present the required setback, however, if *justification is provided for overlooking of neighbouring property* to comply with SPP 7.3 R-codes, clause 5.4.1 Visual Privacy, then a consideration may be assessed (noting recent WAPC review has reduced privacy requirements).

The applicant has provided a statement:

*“The master bedroom bay window does not comply with the privacy requirements or setbacks as it is a major opening. This window looks into a neighbour’s solid wall. We would be prepared to provide extra boundary fence screening to protect this neighbours’ privacy”.*

In this context the requested design variation is not considered to affect neighbour privacy.

## **3. LPP – Vehicular Crossovers.**

The front crossover is proposed to be removed. The removal would benefit the streetscape and be in compliance with LPP1. The applicant is proposing all vehicular access from the rear RoW. The RoW behind the property is minimum width in this location and therefore suitable truncations for the driveway will need to be provided to ensure all vehicles can enter and leave the property in safety. This is not shown in the current set of plans and will need to be submitted before a consideration for approval. Therefore, the applicant must submit proposed driveway design specifications for the review and approval by Manager of Infrastructure Services.

#### **4. LPP 3 – Heritage Places.**

The application proposes to demolish a house which is on the heritage list. Reference to LPP 3 states:

*In accordance with State Planning Policy 3.5 Council holds the view that demolition of heritage places should be avoided wherever possible.*

*However, if following further historical research, if it is assessed by a qualified heritage architect, that demolition can be considered, a replacement building should recognise and respect by its form and position the original building and adjoining residences so that the aesthetic values of the streetscape are maintained. The owner is to provide an archival record for any building demolished under this category and the Shire to provide a plaque for inclusion in the adjoining footpath to recognise the cultural significance of the property.*

The applicant has been advised of the Council policy requirement and has undertaken to obtain a report of the likely heritage impact of the proposal. This report will be tendered for additional information prior to a decision in the Ordinary Council Meeting.

#### **5. LPP 12 – Front Fences.**

Refer to Figure 1:

- The stone clad height of the eastern most section - proposed 2.5m (400mm variation over height).
- The off-white rendered masonry eastern section – proposed 1.2m (300mm variation over height).

The current property has no streetscape presence other than a solid brick wall. The proposal replaces a solid brick wall with an open aspect masonry front fence with steel fencing infill panels. This substitution will open the view to the new house from the street, presenting views of the new house and front garden. It therefore proposes a more positive streetscape impact than the current wall.

#### **Site Assessments**

- Plot Ratio (0.19) is compliant with LPS 4 (<0.5).
- Building height for pitched roof is 9.0m – R Codes compliant.
- The street, eastern and western side setbacks are compliant with R Codes.

#### **Conclusion**

The advice of the heritage architect will update knowledge about the current house at 22 Irvine Street and will inform whether a replacement house is justified. Officers are not able to assess this aspect of the proposal because this information is not available at the time of Agenda Briefing.

Should the further heritage study indicate the original survey is inaccurate, the Shire would also need to be satisfied that the replacement house would make a positive contribution to the overall streetscape taking account of front fencing.

The proposal requests Council exercise its discretion to approve a design with variation to a side setbacks and to the front fencing height. The officer assessment of the replacement house takes account of the overall functionality and appearance and its setting in the streetscape.

Assessment indicates the overall design is sympathetic to the streetscape, it is of a scale and form that blends with neighbouring houses, noting that some individual houses nearby in this locality have been approved and built with a more contemporary style. It is setback from the street and has a front presentation and overall height which is a respectful addition to abutting properties and the overall streetscape. This design is a modern-reinterpretation of the Peppermint Grove design idiom and is assessed to be suitable for the area and the section of streetscape.

The variations to R Codes are assessed overall to be of a minor consequence for neighbouring properties.

The issue of Approval to the application should await the finding of the heritage architect report. Council will need to be satisfied the report provides the following information:

- Heritage Impact report to assess the value of the current house, and the impact of its demolition will be required to be lodged for consideration prior to a Council decision.
- Approval of a replacement house would need to appropriately reference the heritage values lost but attributed to the site in the demolition of a Category 2 heritage property.

**Further Information provided following Agenda Briefing Forum held 14 September 2021**

***The applicant undertook to provide a heritage architect report to justify to council the merit of demolition of the heritage listed property. Applicant has advised a delay to this report and will not be available by the time of this meeting.***

**OFFICER RECOMMENDATION/S – ITEM NO 8.1.2**

- A Council will consider the matter of demolition of the heritage listed house at 22 Irvine Street Peppermint Grove with regard to a heritage architect's advice about the impact on residual heritage values, and, if satisfied that demolition is justified, to approve and issue a notice to**
- B Approve –Replacement Single Storey Residence at 22 Irvine Street, Peppermint Grove in accordance with submitted plans (Approved Plans DA2021/00028) and is subject to the following conditions:**
- 1. 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. All works to be undertaken at the site shall be consistent with the Approved Plans at all times.**
  - 2. No works to the building are to be undertaken prior to the issue of a Building Permit for such works. All work to the buildings on this site shall be in accordance with the Approved Plans and to match certified building permit plans at all times.**
  - 3. Prior to the lodgement of a building permit application, a schedule must be submitted to the Shire for approval of Chief Executive Officer. The schedule is to confirm the detail the colour and texture of the building materials selected in this approval to complement the streetscape and setting of the site.**
  - 4. Prior to the commencement of works, the applicant shall submit for approval and thereafter implement to the satisfaction of the Shire of Peppermint Grove, a construction management plan detailing:**
    - How materials and equipment will be delivered and removed from the site;**
    - How materials and equipment will be secured/stored on the site;**
    - Local parking impact management plan for contractors and site workers;**
    - Traffic management planning for heavy vehicles and materials entering or leaving the site;**
    - Construction Waste disposal strategy and location of waste disposal bins;**
    - How any cranes, large trucks or similar equipment which may block public thoroughfares during construction shall be managed to reduce off-site impacts;**
    - How risks of wind and/or water born erosion and sedimentation will be managed during works to contain all materials on-site;**
    - Management of other likely impact of the works on surrounding properties.**
  - 5. Submission of a Landscape Plan prior to the issue of a Building Permit and completed to the satisfaction of the Shire (CEO) and indicating the:**

- **Scale (recommended 1:100), dimensions and any offsets of the landscaping areas;**
  - **Location of and species of planting;**
  - **Materials, levels and surfacing of ground areas;**
  - **Deep soil planting areas and shade trees (refer SPP 7.3 R Codes);**
  - **Drainage paving and irrigation; and**
  - **Location of any incidental structures such as ponds, steps, screens, fencing or gates.**
- 6. Prior to the occupation of the development, all boundary walls and surfaces that adjoin another property are to be finished and jointed to a good and clean standard as per the approved plans.**
  - 7. Prior to lodgement of a building permit application, the applicant is to submit for the approval of the Shire (on advice from Manager of Infrastructure) construction and engineering details of the driveway abutting the rear right of way, and for these plans to confirm suitable truncation to preserve sightlines and safety for all vehicle manoeuvres associated with accessing the site.**
  - 8. 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. Council advises in approving this application it considered and exercised discretion subject to Clause 34 of the Local Planning Scheme 4 to vary boundary setbacks to the western and eastern boundaries and with regard to the front fence. The approved variations when read as an overall design were considered minor, appropriate to this site and context and to have an overall positive design outcome from the ‘*deemed to comply*’ design standards.**
- 2. In respect to Condition 2, only site or related works in accordance with this Planning Approval may be undertaken prior to issue of Building Permit. Building certifier is to have regard to the requirement for consistency between the Approved Plans and certified building permit plans.**
- 3. In conjunction with Condition 5, the landscape plan is to be prepared and submitted for the Approval of the Chief Executive Officer of the Shire prior to the issue of a Building Permit and may include reference to adjoining properties including the Shire managed street verges and right of way. The Shire officers may provide additional advice on plant selection and horticulture should this be required prior to submission of the plan.**

- 4. In respect to Conditions 4, 7 and 8, the Shire requires the applicant to arrange for the inspection of all Shire infrastructure including the street verge and rear right of way adjacent to the property both prior to works and post completion to establish the impact and necessary remediation of impacts on all public infrastructure and lands. The Shire does not warrant or exempt the applicant from civil claim arising from damage to private property and associated with the approved works.**
- 5. Applicant is advised that demolition work of the house on the Shire Heritage List shall not be commenced until a photographic record and measured drawings of the house are completed for submission to the Shire as a record of the premises. The issue of a Demolition Permit of the house will be conditional upon this architectural survey work being satisfactorily completed and lodged with the Shire prior to demolition works commencing.**
- 6. Prior to lodgement of a building permit application, the applicant is to submit for the approval of the CEO, construction and engineering details of a permitted crossover in conjunction with Local Planning Policy 4.4 Crossovers / Vehicle Access.**

**The property is zoned 'Residential' in Local Planning Scheme 4. A home business cannot be operated without lodgement of a separate Development Application for Council Approval**

## **8.2 MANAGER INFRASTRUCTURE SERVICES**

NIL

### 8.3 MANAGER CORPORATE AND COMMUNITY SERVICES

#### 8.3.1 Financial Statements for Period Ended 31 August 2021

#### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment	Financial Statements for the period ended 31/08/2021

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 August 2021

#### SUMMARY AND KEY ISSUES

During the month of August there are limited number of transactions and some of the differences relate to timing of the receipt of invoices and the raising of rates and charges. Some variances between the year to date budget and the actual expenditure and income to the 31 August 2021. These include:-

- Fees & Charges
- Contributions, Reimbursements
- Employee Costs
- Materials and Contracts

There are also two budget amendments (2021/22 budget) that require Council approval:-

- Reallocation of \$11,000 for additional cleaning of the Manners Hill and Keane's Point toilets. The funds need to be reallocated from account 28273 Parks & Reserves Maintenance.

*Note: the reallocation of funds does not affect the Budget Closing Surplus*

#### 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 2% variance between the year to date budget and year to date actuals.

**CONSULTATION**

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

**STRATEGIC IMPLICATIONS**

Objectives within the Governance section of the Strategic Community Plan

**POLICY IMPLICATIONS**

Shire of Peppermint Grove Financial Management Policies

**STATUTORY IMPLICATIONS**

Local Government ( Financial Management) Regulations 1996

**FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications evident at this time.

**SOCIAL IMPLICATIONS**

There are no social implications evident at this time.

**OFFICER COMMENT**

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

(1) Fees & Charges

This shows an amount of \$15,000 more than the YTD budget and it relates to the levying of refuse charges for a 12 month period and the total income is shown in July.

(2) Contributions, Reimbursements-\$21,000

The YTD budget includes an amount of \$21,000 for contributions towards the capital expenditure that is yet to be expended and not yet claimable from the two other Councils.

(3) Employee Costs- \$ 46,000

The amount of \$46,000 is more than the year-to-date budget and relates to the year to date budget allowing for two pays instead of three pays.

**(4) Materials & Contract-\$59,000**

The actual expenditure is some \$59,000 more than the year to date budget and relates to ( mainly due to YTD budget allocation in future months)

- WALGA annual subscriptions      \$ 28,000
- Christmas Lights part payment      \$ 10,000
- Internal Audit fees      \$ 8,000
- Other Consultants      \$ 4,000
- Contribution to SHINE      \$ 9,000

**OFFICER RECOMMENDATION/S – ITEM NO 8.3.1****That Council**

- 1. Receive the financial report for the period 1 July 2021 to 31 August 2021; and**
- 2. Reallocated \$11,000 from account 28273- Parks & Reserves maintenance as follows:-**
  - a. Account 29130- Manners Hill Toilets- \$5,500**
  - b. Account 29140- Keanes Point Toilets- \$5,500**

**8.3.2 Accounts Paid August 2021**
**CORPORATE**
**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
<b>Attachment</b>	<b>Accounts Paid – August 2021</b>

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 August 2021 included the following:

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

**BACKGROUND**

The Attachment lists details of all payments made in May 2021 & June 2021 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.

<b>PAYMENT TYPE</b>	<b>NUMBER SERIES</b>	<b>AMOUNT</b>
EFT	425-430	\$448,109.76
Direct Debits	253-259	\$4,453.15
BPAY	219-223	\$672.81
Credit Cards- July	CCP00020	\$9,807.06
<b>TOTAL</b>		<b>\$463,042.78</b>

**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/S – ITEM NO 8.3.2**

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

- 1. Cheques, electronic funds transfers, direct debit payments for the month of August 2021, totalling \$ 453,235.72**
- 2. Credit card payments for July 2021 totalling \$ 9,807.06**

## 8.4 CEO/ MANAGEMENT / GOVERNANCE / POLICY

### 8.4.1 Matters for Information and Noting

#### MANAGEMENT/GOVERNANCE/POLICY

#### ATTACHMENT DETAILS

<u>Attachment</u>	<u>Details</u>
Attachment refers to	<b>Building/Planning Statistics</b> <b>Library Statistics</b> <b>Recycling Statistics</b> <b>Library Management Group Notes</b>

Voting Requirement	Simple majority
Subject Index	Matters for Information
Disclosure of any Interest	Nil
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
- Library Management Group Meeting Notes

## **SUMMARY AND KEY ISSUES**

The following reports are presented to Council 28 September 2021:

1. Building/Planning Statistics
2. Library Statistics
3. Recycling Statistics
4. Library Management Group Notes

## **CONSULTATION**

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

## **OFFICER RECOMMENDATION – ITEM NO. 8.4.1**

**That Council receives the information in this report.**

**8.5 COMMITTEE REPORTS**

NIL

**9 NEW BUSINESS OF AN URGENT NATURE**

NIL

**10 MOTIONS ON NOTICE***(Automatically sent back to Administration for consideration at the next Council Meeting)***11 CONFIDENTIAL ITEMS OF BUSINESS**

NIL

**12 CLOSURE**

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