



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

DRAFT

AGENDA

The draft agenda submitted to this Forum is subject to change and should not be read as the final Agenda to the next Ordinary Council Meeting. The final Agenda will be placed on the Shire's website on the Friday before the scheduled meeting.

**TO BE HELD ON
TUESDAY 24 AUGUST 2021
AT
5.30 PM**



Shire of Peppermint Grove

DRAFT MEETING AGENDA ATTACHED

DISCLAIMER

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council or Forum meetings regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

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

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

7	CONFIRMATION OF MINUTES	9
7.1	ORDINARY COUNCIL MEETING 27 JULY 2021	9
8	OFFICER REPORTS	10
8.1	MANAGER DEVELOPMENT SERVICES	10
8.1.1	Development – Saint Mary Star of The Sea Church – Garden Shrine & Columbarium	10
8.1.2	Local Planning Policy 7 – Improved Local Access to Service Subdivision and Redevelopment in the Residential Zone (R10 & R12.5)	16
8.2	MANAGER INFRASTRUCTURE SERVICES	20
8.3	MANAGER CORPORATE AND COMMUNITY SERVICES	20
8.3.1	Financial Statements for Period Ended 31 July 2021	20
8.3.2	Accounts Paid July 2021	20
8.4	CEO/ MANAGEMENT / GOVERNANCE / POLICY	21
8.4.1	2021 – 2025 Corporate Business Plan	21
8.4.2	Matters for Information and Noting	24
8.5	COMMITTEE REPORTS	26
9	NEW BUSINESS OF AN URGENT NATURE	26
10	MOTIONS ON NOTICE	26
11	CONFIDENTIAL ITEMS OF BUSINESS	26
12	CLOSURE	26

Shire of
Peppermint Grove

DRAFT 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
Elected Member

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

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

Mr D Burnett
Mr R Montgomery
Mr M Costarella
Mr D Norgard

Gallery Members of the Public
 Members of the Press

2.2 APOLOGIES

2.3 LEAVES OF ABSENCE

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

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

5.4 INTEREST THAT MAY CAUSE A CONFLICT

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

5.5 STATEMENT OF GIFTS AND HOSPITALITY

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

6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7 CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 27 JULY 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 27 July 2021 be confirmed as a true and accurate record.

8 OFFICER REPORTS

8.1 MANAGER DEVELOPMENT SERVICES

8.1.1 Development – Saint Mary Star of The Sea Church – Garden Shrine & Columbarium

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Locality Plan
Attachment 2	Site Plan, Elevation Plan, 3D Renders, Cover Letter (circulated under separate cover), Heritage Report (circulated under separate cover)

Voting Requirement	: Simple Majority
Acceptance Date	: 25 June 2021
Location / Property Index	: 2 (Lot 28) McNeil Street and 430 (Lot 31) Stirling Highway, Peppermint Grove
Application Index	: DA 2021/00021
LPS No 4 Zoning	: Private Clubs, Institutions and Places of Worship
Land Use	: Private Clubs and Institutions
Lot Area	: 410m ²
Disclosure of any Interest	: Nil.
Previous Items	: Nil.
Applicant	: Santelli Architects P/L
Owner	: Roman Catholic Archbishop of Perth
Assessing Officer	: Mr. M Stocco
Authorising Officer	: Mr. R Montgomery

PURPOSE OF REPORT

An application has been received to develop the front setback area of a Heritage listed property for landscape works including a water feature, statue, and garden plantings as well as a Shrine and Columbarium to 2 McNeil Street and 430 Stirling Highway, Peppermint Grove – Saint Mary Star of the Sea Church.

A columbarium is a set of walls with niche's - the ashes of deceased parishioners. 392 niches are proposed. The Shrine will encompass a fountain element that can be seen from Stirling Highway

This report assesses the proposal for impact of the proposed structures and landscaping on the heritage values of the Church and site as well as land uses and overall streetscape.

SUMMARY AND KEY ISSUES

- A set of plans lodged to the Shire on June 26, 2021 (DA2021/00021).
- Application consists of Shire internal checklist, Development Proposal (Santelli Architects), Heritage Report (Griffiths Architects) and standard set of plans.
- Land is zoned Private Clubs and Institutions in LPS4.
- Use is compatible with zoning.
- LPS 4 does not identify the use as separate from a Place of Worship and it is encompassed by general religious activities by definition.

LOCATION

2 (Lot 28) McNeil Street and 430 (Lot 31) Stirling Highway, Peppermint Grove.

BACKGROUND

The site was redeveloped to construct an existing Presbytery building to the south of the heritage listed Church. The new garden is proposed to be located in front of both buildings and the columbarium is proposed in front of the new building.

LPS4 defines as Place of Worship as: “premises used for religious activities such as a chapel, church, mosque, synagogue, or temple”.

Included in this development proposal are;

Shrine: A niche or enclosure containing a religious statue or other object.

The fountain element of the shrine will have the water limited to a maximum depth of 300mm. The water level within the fountain will be regulated by a cut-in & cut-out system connected to a soakwell. If water rises over 300mm the excess will flow into a soakwell via an overflow pipe. No barrier or pond fencing required as water depth sits 300mm or lower. There will be small LED uplighters to illuminate the statue within the fountain.

Columbarium: A room or building with niches for funeral urns to be stored.

The columbarium walls will allow for niches on both sides of the wall. The fourth wall has a single sided niche as its bordering the carpark. The niches contain receptacles for the ashes to be stored behind commemorative plaques. Each wall is 4 metres long x 1.8 metres high x 0.35 metres deep. The wall bordering the carpark has future capacity to store more niches.

The current use (Church) is included on the Shire of Peppermint Grove Heritage MHI and local heritage list.

The proposed development also includes and re-instates a relocated and original iron entry arch from the Stirling Highway driveway into the garden. The land around the proposed development is landscaped with trees, shrubs. All mature Peppermint trees will be retained. An existing Palm tree that is causing damage to Stirling Highway stone wall will be removed as part of the landscaping works.

The applicant obtained a Heritage Impact Report by Griffiths Architects outlining the heritage impact of the proposed works and structures on the value of the area.

This report concludes the proposal would contribute rather than detract from current heritage values of Saint Mary Star of the Sea Church

CONSULTATION

There has been no specific consultation undertaken in respect to this matter, however LPS 4 identifies this as an A use and so a period of advertising is necessary before a decision may be made. *Refer Cl.64 P & D Regulations.*

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Local Planning Scheme No.4

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

LOCAL PLANNING SCHEME NO. 4		
	Scheme Requirement/Clause	Assessment/Comment
1.	(a) Development abutting Stirling Highway is required to rationalise access arrangements such that no direct vehicular access is obtained from Stirling Highway unless otherwise supported as part of an access strategy approved by Main Roads Western Australia.	The proposal is an addition to the current Church and religious administration centre and is therefore unlikely to impact current levels of access or use.
1.	Place of Worship: 1 space per six persons the premises is designed to accommodate.	There is already a large area of car parking adjacent to the site in front of the Parish Hall.

- The storage and disposal of ashes is to be in accordance with the Cemeteries Act 1986 and to be carried out by the applicant.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

The proposal indicates that all peppermint trees will be retained. A palm tree growing into the stone wall on Stirling highway is intended to be removed. Other various shrubs and bushes will also be removed and replaced with a more structured and ornamental design in keeping with a memorial garden.

SOCIAL IMPLICATIONS

- **Ensure that the community has access to the services and facilities it needs;**
The proposed development augments the uses associated with religious worship in a church building. Appropriate access is included in the proposal with the main access road from the east.
- **Support community groups;**
The facility is for the parishioners of this Church and other worshippers of the Roman Catholic Church of Perth.
- **Enhance a sense of community and the image of Peppermint Grove;**
Possible enhancement of the Stirling Highway Road infrastructure.
Some parishioners may reside in Peppermint Grove or Cottesloe.
- **Contribute to an environment where residents are safe and feel safe;**
The proposal once completed, will create a local and safer space for private reflection.

OFFICER COMMENT

The application proposes a garden with ornamental planting and memorial shrine with niche-wall for interment of ashes, all located in the front setback of the Star of the Sea Church and Parish Centre. This area is currently covered in chip mulch and several mature planting.

Although this proposal is consistent with the historical use of the site for religious worship, and the planning approval is sought for development works within a section of the current site. The use to be conducted should also be in accordance with the Cemeteries Act 1986.

The heritage architect report indicates the proposal would not detract and may enhance the heritage value of the site and buildings. The LPS 4 Part 2 (cl.18) indicates the procedure for this to be considered requires the proposal to be advertised by public notice for 14 days prior to Council consideration. The specific Planning and Development Regulations requirement for the special notice requires a sign to be placed on site and a Notice placed in a local newspaper circulating the district advising for any public comments to be provided to the CEO of the Shire of Peppermint Grove. Comment period is no less than 14 days.

It is prudent that Council agrees for the proposal to be put to public notice prior any further consideration. On the basis of the design improvement to the streetscape, the compatibility with the use of the premises and the neutral impact on heritage values of the site and buildings, there is merit for the proposal to be advertised subject to special notice requirements for 14 days prior to further consideration. The scheme states that the proposed

use may only be permitted once it's been advertised, however, this report informs the Council about the proposal to confirm whether advertised.

Agreement to advertising does not bind the Council to approve the proposal by default.

Upon the close of the comment period, and in the case of there being no objections received, the Council could authorise the issue of an approval with appropriate Conditions by Chief Executive Officer acting under delegation.

OFFICER RECOMMENDATION/S – ITEM NO 8.1.1

That Council:

- 1. Approves the Shrine & Columbarium 2 (Lot 28) McNeil Street and 430 (Lot 31) Stirling Highway, Peppermint Grove to be advertised for public comment for 14 days' as per cl.64 of the Planning and Development Regulations.**
- 2. Subject to there being no objection received following the close of the public notice period, Council authorises the Chief Executive Officer to issue an Approval for the Shrine and Columbarium to be developed in accordance with submitted plans DA 2021/00021 and subject to the following Conditions:**

Standard 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.**
- 3. The development, the subject of this approval shall be substantially commenced within two years of the date of issue of this consent form 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; and**
 - **Other matters likely to impact on surrounding properties.**
- 5. Landscape Plans provided to the Shire during the application submission, is to be carried out when development approval is issued. Any departure from the approved plan will result in an inspection from Shire services.**

DRAFT

8.1.2 Local Planning Policy 7 – Improved Local Access to Service Subdivision and Redevelopment in the Residential Zone (R10 & R12.5)

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment	Nil

Voting Requirement	:	Simple Majority
Acceptance Date	:	n/a
Location / Property Index	:	n/a
Application Index	:	n/a
LPS No 4 Zoning	:	Residential, R-10, R12.5 & R20
Land Use	:	Residential
Lot Area	:	n/a
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	n/a
Owner	:	n/a
Assessing Officer	:	Mr R Montgomery
Authorising Officer	:	Mr R Montgomery

PURPOSE OF REPORT

Council is requested to consider the next steps in formulating Local Planning Policy 7 (LPP7) following recent notification and submission of comment from residents.

Since the previous consideration of this matter the Western Australian Planning Commission (WAPC) has approved two subdivisions with ceding of land to widen the right of way. Both decisions varied from what was recommended by the Shire based on the draft policy. The WAPC report indicated it would make decisions about subdivision with regard to WAPC policy and Department of Planning advice and without regard to local government policy advice.

SUMMARY AND KEY ISSUES

- LPP7 was re-promulgated to set out the basis for the Shire to continue its design approach to residential infill subdivision which created new rear lots accessed by right of way only. A similar policy was part of the TPS 3 and was applied consistently since the 1960's by the WAPC in support of requests from the Shire. (last applied in 2018)
- LPS 4 was gazetted without reference or inclusion of Scheme policies in 2017.
- The Shire has updated and re-adopted its policies. LPP 7 was drafted to replace policies previously contained in TPS 3.
- The Department of Planning advised the WAPC it does not accept Shire advice where it is contrary to its standard guidance notes on subdivision and neighbourhood design.

LOCATION

Applies only to subdivisible residential land abutting rights of way.

BACKGROUND

The Shire prepared LPP 7 as its updated policy for ensuring infill residential subdivision would accommodate new development and safe vehicular access. It was required to update and continue past policy applied by both the Shire and the WAPC.

All subdivisions are routinely referred to local government by the DPLH however there is no statutory requirement for the local government to provide comment.

Recent DPLH/WAPC decisions signalled no support for Shire request for widening rights of way as a subdivision requirement. Officers indicated such a request needed to be justified by an adopted local policy or planning scheme.

CONSULTATION

The Shire has consulted the residents on several previous occasions when drafting the policy. In the last round of submissions 93 responses were lodged with 70 supporting some form of widening as a condition of subdivision. The majority of these did not support the 4.27m and favoured a reduced widening, some down to only 1m each side.

STRATEGIC IMPLICATIONS

It is the responsibility of the WAPC to assess and issue decisions relating to all land matters such as subdivision, strata title and related matters. The WAPC routinely refers all applications to the Shire prior to its own assessment and relies upon Shire advice to assist it to decide and to frame conditions of approval. It expects the Shire to undertake local implementation of WAPC subdivision decisions, and to clear conditions which require site and technical appraisal. The Shire has responded in the past to achieve a positive outcome for the neighbourhood. This approach no longer needs to apply.

POLICY IMPLICATIONS

Although this issue is important because it will impact the liveability of Peppermint Grove; WAPC standard guidance (PB 33/2018) will in future prevail in these matters. Subdivision issues relating to access for new lots is to be addressed exclusively by the WAPC. Local Planning Policy should just in future address matters related directly to LPS 4, development control and building related matters.

STATUTORY IMPLICATIONS

There is no requirement for the Shire to provide advice to the WAPC on subdivision. It is noted the Shire is required to seek permission to present to the WAPC about subdivision and (as for other third parties) has no right of appeal to WAPC decisions on subdivision matters even though these decisions may ultimately impact the Shire as the manager of

public lands also responsible for achieving good neighbourhood design of future infill on behalf of residents.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

Future social impacts associated with infill residential subdivision may be experienced by residents abutting those rights of way affected by infill subdivision approved by the WAPC.

OFFICER COMMENT

Following advice from Department of Planning Lands and Housing (DPLH) the Shire developed a policy to address the likely impacts of infill rear lot subdivision reliant on rights of way for all vehicular access. This policy considered the likely impact of parking and access to new properties which had no direct access from a gazetted road, other than via an unconstructed and ungazetted Crown owned and Shire managed right-of-way.

The Shire has concerns about the long term impacts infill subdivision will have on parking, congestion of local streets and issues associated with large service and emergency vehicles negotiating narrow rights-of-way to access new houses. The Shire researched the issues and impacts of the policy in terms of social, economic impact and engineering requirements.

The draft policy was referred twice to the community for review and comment. The initial draft adopted long-standing policy approach which had been agreed by WAPC and it was modified in the light of resident comments. The recent (June/July) consultation (93 submissions) indicates little support for the policy to progress in its current form of 4.27m, with many of those residents (70 submissions) in favour of some form of widening, but sufficient in width (>1m) to improve the operation of rights of way in the future.

In addition to the overall comment about the widening requirement, residents conveyed concern for rights of way to be protected because they contribute to the character of the neighbourhood and provide a safe environment of walkers and cyclists.

In addition to consultation, the Shire sought technical advice about economic impacts, traffic and emergency vehicle access requirements of infill subdivision and development. Although this approach was explained to the WAPC it was not addressed or countered as part of the WAPC decision for the two subdivision applications. The Shire initially requested 4.27m widening applied to east-west boundaries only. This request matched the last infill lot decision made by the WAPC on a right of way behind Leake St in the Shire in 2018. When questioned by the Committee in July meeting the Shire advised a minimum of 2.9m (either side of the base 3.5m right of way) was required to achieve safe visitor parking and access including emergency and service vehicles (based on civil engineering consultant study).

The WAPC decided in both cases a widening of 0.75m is sufficient when applied to all right of way boundaries. This was based upon Planning Bulletin 33/2018 (5m minimum width overall) and now confirms the WAPC requirement for all similar future subdivisions.

The WAPC makes all decisions about the design of subdivision, including residential infill. The DPLH officer report reminded Commission members there is no obligation to have regard for local government policy or advice (such as Shire advice about design, social, economic and traffic impact management).

This decision signals a departure from the past WAPC practice of a consultative assessment of subdivision, and shared role in the setting and clearance of conditions to deliver good design for local infill development. The DPLH report confirms no regard is to be given for local government advice that does not coincide with WAPC guidance or policies.

The decisions clarify draft LPP 7 is not required to be progressed further. A decision to cease development of this policy will satisfy residents who did not support the policy.

OFFICER RECOMMENDATION/S – ITEM NO 8.1.2

That Council

- 1) Notes the WAPC decision in regard to approving road widening for residential infill subdivision and that all decisions about future widening will be in accordance with Planning Bulletin 33 /2018; and**
- 2) Discontinues the development of Local Planning Policy 7; and**
- 3) Advise all residents about this decision.**

8.2 MANAGER INFRASTRUCTURE SERVICES

NIL

8.3 MANAGER CORPORATE AND COMMUNITY SERVICES

8.3.1 Financial Statements for Period Ended 31 July 2021

CORPORATE

Due to end of month processing and the cut off dates for agenda reports, this report will be included in the FINAL Ordinary Council Agenda 24 August 2021

8.3.2 Accounts Paid July 2021

CORPORATE

Due to end of month processing and the cut off dates for agenda reports, this report will be included in the FINAL Ordinary Council Agenda 24 August 2021

8.4 CEO/ MANAGEMENT / GOVERNANCE / POLICY

8.4.1 2021 – 2025 Corporate Business Plan

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment</u>	<u>Details</u>
Attachment refers to	2021-2025 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 2021- 2025 Corporate Business Plan following the adoption of 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 our 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

Staff engaged the services of Learning Horizons (Helen Hardcastle) to assist in the development of the strategies and the services (and the costs) associated with Objectives contained in the Strategic Community Plan.

STRATEGIC IMPLICATIONS

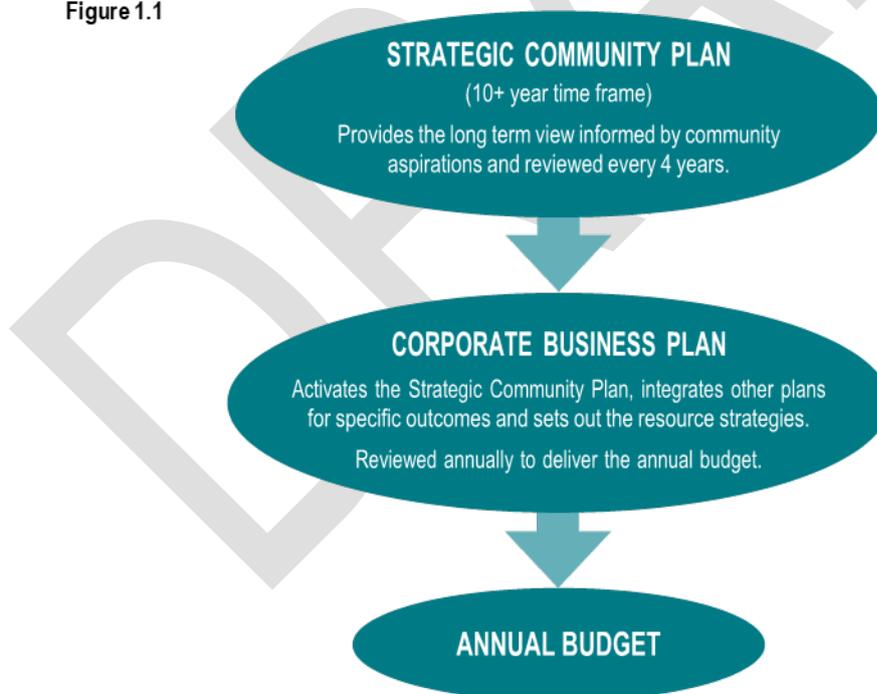
The Town is required to develop the following:

- 10-year Strategic Community Plan - (reviewed every 4 years).
- 4-Year Corporate Business Plan - (reviewed annually); and
- Informing Strategies - Asset Management Plan, Workforce Plan and Long-Term Financial Plan. (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 2021-2025 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 – ITEM 8.4.1

That Council adopts the 2021-2025 Corporate Business Plan

8.4.2 Matters for Information and Noting
MANAGEMENT/GOVERNANCE/POLICY
ATTACHMENT DETAILS

<u>Attachment</u>	<u>Details</u>
Attachment refers to	Building/Planning Statistics Library Statistics Recycling Statistics

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 24 August 2021:

1. Building/Planning Statistics
2. Library Statistics
3. Recycling Statistics

CONSULTATION

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

OFFICER RECOMMENDATION – ITEM NO. 8.4.2

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.

DECLARATION OF
FINANCIAL / PROXIMITY / IMPARTIAL INTEREST
THAT MAY CAUSE A CONFLICT

TO: Chief Executive Officer
SHIRE OF PEPPERMINT GROVE

NAME: _____

POSITION: _____

MEETING DATE: _____

ITEM NO & SUBJECT: _____

NATURE OF INTEREST: Financial / Proximity / Impartiality Interest that may cause a Conflict* * Please Circle applicable

EXTENT OF INTEREST: _____

SIGNATURE: _____

DATE: _____

Section 5.65(1) of the Local Government Act 1995 states that:

FINANCIAL & PROXIMITY INTERESTS

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

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

DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

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

“A member who has an interest in any matter to be discussed at a Council or Agenda Briefing Forum meeting that will be attended by that member must disclose the nature of the interest”:

- (a) In a written notice given to the CEO before the meeting; or*
- (b) At the meeting immediately before the matter is discussed.*