



Shire of  
Peppermint Grove

## **ORDINARY COUNCIL MEETING**

# **AGENDA**

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



# Shire of Peppermint Grove

## **MEETING AGENDA ATTACHED**

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# Shire of Peppermint Grove

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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  
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>
<b>Attachment 1</b>	Locality Plan
<b>Attachment 2</b>	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 <sup>2</sup>
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.

<b>LOCAL PLANNING SCHEME NO. 4</b>		
	<b>Scheme Requirement/Clause</b>	<b>Assessment/Comment</b>
<b>1.</b>	(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.
<b>1.</b>	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.**

**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>
<b>Attachment</b>	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.

**Further information following the Agenda Briefing Forum 10 August 2021**

***Point 3 of the recommendation requires to be updated to read “Advise all residents who made submissions to the Shire in response to the advertisement of LPP7, about this decision.”***

**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

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment	Financial Statements for the period ended 31/07/2021

Voting Requirement	:	Simple Majority
Subject Index	:	Financial Statements- 2021/22
Disclosure of Interest	:	Nil
Responsible Officer	:	Michael Costarella, Manager Corporate and Community Services

#### PURPOSE OF REPORT

To receive the financial statements for the period ended 31 July 2021

#### SUMMARY AND KEY ISSUES

During the month of July 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 July 2021. These include:

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

#### 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 1% 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**

This report is compiled in accordance with the 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-\$52,000

This shows an amount of \$52,000 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 (this will be corrected in August financials).

(2) Contributions, Reimbursements-\$31,000

The YTD budget includes an amount of \$34,000 for contributions for the Community History and Community Centre to be received in July, however invoices for these will be raised in August (this will be corrected in August financials).

(3) Employee Costs- \$ 68,000

The amount of \$68,000 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-\$47,000

The actual expenditure is some \$47,000 more than the year to date budget and relates to amounts paid to WMRC and other consultants (this will be corrected in August financials).

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

**That Council receive the financial report for the period 1 July 2021 to 31 July 2021.**

### 8.3.2 Accounts Paid July 2021

## CORPORATE

### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment	Accounts Paid – July 2021

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 July 2021 included the following:

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

### 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.

PAYMENT TYPE	NUMBER SERIES	AMOUNT
EFT	EFT423-424	\$513,049.75
Direct Debits	DD245-252	\$ 13,217.84
Cheque- Petty Cash	CN446	\$ 126.60
Credit Cards- June		\$ 4,756.09
<b>TOTAL</b>		<b>\$531,589.94</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 2020/21 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 July 2021, totalling \$526,833.85**
- 2. Credit card payments for June 2021 totalling \$ 4,756.09**



## 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>
<b>Attachment refers to</b>	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.

### **Further information following the Agenda Briefing Forum 10 August 2021**

***Following on from the Agenda Briefing Forum 10 August, several changes were made to the plan:***

- 1. Page 5- Change 2021/22 to 2024/25***
- 2. Page 6- Change 2021/22( 4 dates) to 2021/22; 2022/23;2023/24 & 2024/25***
- 3. Page 9 – More detailed description and amounts for the Infrastructure Services Asset management***
- 4. Page 17- Amendment to the 4 year budget to reflect transfers to reserves.***

***The Corporate Business Plan attached to this report has been updated to reflect these changes.***

**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**

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

Voting Requirement	Simple majority
Subject Index	Matters for Information
Disclosure of any Interest	Nil
Responsible Officer	Don Burnett, Chief Executive Officer

**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

### 9.1 LATE ITEM Combined Councils' Australia Day Celebrations MOU

#### COMMUNITY DEVELOPMENT

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment	Draft MOU

Voting Requirement	:	Simple
Subject Index	:	Australia Day Combined MoU
Disclosure of Interest	:	Nil
Author	:	Don Burnett, Chief Executive Officer
Responsible Officer	:	Don Burnett, Chief Executive Officer

#### PURPOSE OF REPORT

The Shire currently has a Memorandum of Understanding (MOU) with the Towns of Mosman Park and Cottesloe for the joint holding on a rotational basis for the Australia Day ceremony for new Australian citizens and to award Citizen awards. It is proposed that an updated MOU be entered into with the main change to have citizen awards based on combined nominations across the three local governments, rather than reach local government doing their own awards.

#### SUMMARY AND KEY ISSUES

- The current MOU was last reviewed in 2015
- The draft MOU is proposed to be for the next 3 years
- The major change is the replacing of individual citizen awards to have combined awards to recognise citizens, groups or events that provide broader service to the local communities regardless of local government boundaries.

#### LOCATION

N/A

## **BACKGROUND**

The Towns of Mosman Park and Cottesloe along with the Shire have for a number of years held joint Australia Day Citizenship ceremonies for new Australians and Citizen awards. The protocols and organisation of the wards is covered by an MOU. The MOU was last reviewed in 2015.

There has been discussion with the three local governments Mayors/President and CEOs regarding updating the MOU. One of the key areas of the update is the combining of the individual local government awards to a higher level that will see the awards cover service to the wider community, either for an individual, youth, senior or community group or event. Quite often the significance of the individual or community group impact across local government boundaries and it was considered more appropriate that this service is recognised more broadly rather than just the one local government.

## **CONSULTATION**

Discussions have taken place with the Mayor and CEO from the Towns of Mosman Park and Cottesloe

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

## **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time. Under the draft MOU, the same cost sharing arrangement of 1/3 each is maintained.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

## **SOCIAL IMPLICATIONS**

Individual or community group recipients will be recognised for their services across a larger area.



## **OFFICER COMMENT**

The draft MOU proposes the following award categories;

There are four awards categories:

- Community Citizen of the Year
- Community Citizen of the Year – Youth (under 25 years of age)
- Community Citizen of the Year – Senior (over 65 years of age)
- Active Citizenship – group or event

The recipients will be judged to have met a number of criteria including significant contribution to building harmony and inclusion with the local community, leadership on a community issue resulting in the enhancement of community life, a significant initiative which has brought about positive change and added value to community life and inspiring qualities as a role model for the community.

The categories match the categories of the Australia Day Council, run as the Aspire program, which coordinates nominations across the state. Nominations open in September and close at the end of October. Nominations received by the Australia Day Council will be forwarded to the relevant local government. All nominations from the three local governments will then be considered by the selection panel. The MOU proposes that the selection panel will be comprised of the Mayor/President or their nominee and one other representative from each local government selected by the local government.

It is pointed out that panel will make the final determination of the awardees.

## **OFFICER RECOMMENDATION/S – ITEM NO 9.1**

**That Council endorses the attached Combined Councils' Australia Day Celebrations MOU and authorise the President and CEO to sign the MOU.**

**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.

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**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.*