



Shire of
Peppermint Grove

NOTICE OF MEETING

Dear Councillor

It is advised that the **Agenda Briefing Forum** will be held in the Council Chamber on the Shire of Peppermint Grove, 1 Leake Street, Peppermint Grove, on 11th March 2025 commencing at 5.30pm.

MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink, appearing to read 'Don Burnett', is written over a light blue horizontal line.

Mr Don Burnett
CHIEF EXECUTIVE OFFICER

6th March 2025



Shire of
Peppermint Grove

AGENDA BRIEFING FORUM

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. Council does not make determinations at the Agenda Briefing Forum.

**TO BE HELD ON
TUESDAY 25th March 2025
AT 5.30PM**

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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

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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_____.

Members of the Public present at the Council meeting need to be aware that the meeting is recorded and any of their presentations will be recorded and published on the Shire's website.

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 efficient, effective and orderly decision making within this forum.

2.0 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 Karen Farley SC
Cr P Dawkins
Cr P Macintosh
Cr J Mahony
Cr D Jackson
Cr E Bond
Cr C Hohnen

Chief Executive Officer
Manager Corporate and Community Services
Manager Development Services

Mr D Burnett
Mr J Clapham
Mr J Gajic

Manager Infrastructure Services

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

3.0 DELEGATIONS AND PETITIONS

4.0 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.

1. The Agenda;
2. Question to Council; and
3. 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. In the event there are no public members present, the Presiding Member will dispense with Public Question Time.

Rules for Council Meeting Public Question Time

- a) *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.*
- b) *During the Council meeting, after Public Question Time no member of the public may interrupt the meeting's proceedings or enter into conversation.*
- c) *Whenever possible, questions should be submitted in writing at least 48 hours prior to the start of the meeting.*
- d) *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.*
- e) *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

5.0 DECLARATIONS OF INTEREST

5.1 FINANCIAL INTEREST

5.2 PROXIMITY INTEREST

5.3 IMPARTIALITY INTEREST

5.4 INTEREST THAT MAY CAUSE A CONFLICT

5.5 STATEMENT OF GIFTS AND HOSPITALITY

6.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.0 CONFIRMATION OF MINUTES

OFFICER RECOMMENDATION– ITEM NO 7.1

Moved:

Seconded:

That the minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 25TH February 2025 be confirmed as a true and accurate record.

8.0 OFFICERS REPORTS

8.1 MANAGER DEVELOPMENT SERVICES

Nil

8.2 MANAGER INFRASTRUCTURE SERVICES

Nil

8.3 MANAGER CORPORATE AND COMMUNITY SERVICES

8.3.1 List of Accounts Paid – 28th February 2025

Due to the early closing of the agenda, the list of accounts for February 2025 will be presented at the Ordinary Council Meeting scheduled for 25th March 2025.

8.3.1 Financial Statements – 28th February 2025

Due to the early closing of the agenda, the Financial Statements for February 2025 will be presented at the Ordinary Council Meeting scheduled for 25th March 2025.

8.4 CEO MANAGEMENT/GOVERNANCE/POLICY

MANAGEMENT/GOVERNANCE/POLICY

8.4.1 Mode of Election and Appointment of Returning Officer – 18 October 2025

ATTACHMENT DETAILS

Attachment	Description
1	WAEC Cost Estimate Letter: 2025 Local Government Ordinary Election

Voting Requirement	:	Absolute Majority
Subject Index	:	Election 2025
Disclosure of Interest	:	Nil
Author	:	Jennifer Court, Projects and Policy Officer
Responsible Officer	:	Mr Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

To consider the method for conducting the Shire of Peppermint Grove's Local Government Ordinary Election on the 18th October 2025.

SUMMARY AND KEY ISSUES

- Notification of the 2025 Ordinary Election to held on the 18^h of October 2025.
- Appointment of the Western Australian Electoral Commission (WAEC) to the position of Returning Officer for the postal election.
- Notes that the estimated cost of the Electoral Commissioner conducting the Shire of Peppermint Grove's 2025 Ordinary Election by postal vote.

BACKGROUND

The *Local Government Act 1996* requires a local government to decide, by Absolute Majority, whether to conduct a postal or in-person election. Where a local government chooses to hold a postal election, the election must be run by the WAEC.

In accordance with s4.20(4) of the *Local Government Act*, the Shire can declare the Electoral Commissioner be appointed to conduct an election on its behalf.

WAEC has advised that the cost to conduct the Council's election in 2025 as a postal election has been based on the following assumptions.

- The method of election will be postal
- 4 Councillor(s) vacancies.
- 1200 electors.
- Response rate of approximately 40%
- Appointment of a local Returning Officer; and

- Count to be conducted at the Shire office using CountWA software.

CONSULTATION

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

STRATEGIC IMPLICATIONS

The Shire's Strategic and Community Plan, outlines its commitment to enhancing transparency in decision making.

POLICY IMPLICATIONS

Voting in local elections has important policy implications because it directly affects how communities are governed. Local elections can determine both the types and quantity of services provided to residents.

When residents can vote, policies become more responsive to the diverse needs of the community, ensuring that concerns and priorities of residents are considered in decision making.

STATUTORY IMPLICATIONS

Part 4 of the *Local Government Act 1995* outlines the processes for conducting local government elections.

The *Local Government (Elections) Regulations 1997* and the *Local Government (Constitution) Regulations 1998* provide for the conduct of local government elections.

FINANCIAL IMPLICATIONS

The WAEC has advised that the cost of the election is \$15,107 (ex GST). The cost of the election will be included in the 2025/26 budget.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

Voting in council elections has important social implications. It gives individuals a voice in local decision making, allowing them to influence policies that affect them.

It also promotes greater accountability and responsiveness from elected members as they consider the needs of those they represent.

OFFICER COMMENT

Council is required under the *Local Government Act 1995* for appoint the Electoral Commissioner to conduct the election and for the election to be by postal vote.

The *Local Government Amendments Bill 2023* mandates the public election of a Local Government's President and introducing optional preferential voting for Local Government elections.

OFFICER RECOMMENDATION/S – ITEM 8.4.1

That Council requests that the WAEC be responsible for the 2025 Local Government Elections, and

- 1. in accordance with section 4.20(4) of the *Local Government Act 1995*, declares the Electoral Commissioner to be responsible for the conduct of the 2025 Ordinary Election, together with any other elections or polls which may be required at this time.**
- 2. Decides in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.**
- 3. Notes that the estimated cost of the Electoral Commissioner conducting the Shire of Peppermint Grove's 2025 Ordinary Election by postal vote is estimated at \$15,107.**

MANAGEMENT/GOVERNANCE/POLICY

8.4.2 Matters for Information and Noting

ATTACHMENT DETAILS

Attachment	Description
Attachment 1	Building/Planning Statistics
Attachment 2	Infringements Issued
Attachment 3	Library Statistics
Attachment 4	Minutes from the Annual Electors Meeting
Attachment 5	The Grove Library Management Group Meeting

Voting Requirement	: Simple Majority
Subject Index	: Matters for Information December 2024
Disclosure of Interest	: Nil
Author	: Jennifer Court, Projects and Policy Officer
Responsible Officer	: Mr 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 and key statistical information not otherwise captured elsewhere.

BACKGROUND

The 'Matters of Information' report will be presented at each Council meeting. It is intended that the following information is provided on a regular basis, either monthly or quarterly.

- Building permits determined including amendments and time extensions
- Development applications determined including amendments, time extensions and deemed-to-comply checks
- Local Laws infringements (e.g. parking and dogs)
- Library statistics
- Demolition permits determined
- Seal register (when the Shire seal has been applied)

SUMMARY AND KEY ISSUES

The following information is presented to Council:

- Building Permits Determined
- Development Applications
- Local Laws Infringements
- Library Statistics
- Annual Electors Meeting
- Library Management Group Meeting Notes

CONSULTATION

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

STRATEGIC IMPLICATIONS

There are no strategic implications undertaken in respect to this matter.

POLICY IMPLICATIONS

There are no policy implications in respect to this matter.

STATUTORY IMPLICATIONS

Section 6.4 of the Local Government Act 1995 sets out the obligations of local government with regards to their annual financial report. In this regard, the Minute on the presentation of the Shire's annual report to the Annual General Meeting of Electors is attached.

FINANCIAL IMPLICATIONS

There are no financial implications in respect to this matter.

OFFICER COMMENT

That Council notes the updates outlined in the attached reports across several areas of the Shire's operations.

Annual Electors Meeting

Minutes from the 2025 Annual Electors meeting held on 11th February are attached. There are no motions from the Annual Electors meeting requiring consideration by Council.

The Grove Library Management Group Meeting

Attached are the notes from the Grove Library Management Group meeting held on 25th February 2025. During the meeting, the financial statements for the period from 1st July 2024 to 31st January 2025 were presented, along with the midyear budget review.

OFFICER RECOMMENDATION/S – ITEM 8.4.1

That Council receives the information in this report.

9 COMMITTEE REPORTS

The Audit Governance and Risk Management Committee Meeting held on the 11th March 2025 will consider this report.

9.1 2024 Compliance Audit Return

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 6.1.1	Compliance Audit Return for 2024
Voting Requirement	Simple Majority
Subject Index	Financial management Audit
Disclosure of any Interest	Nil
Responsible Officer	J Clapham, Manager Corporate & Community Services
Authorising Officer	D Burnett, Chief Executive Officer

PURPOSE OF REPORT

The purpose of this report is to advise Council that the 2024 Compliance Audit Return (CAR) has been presented to the Governance and Audit Committee on the 11th March 2025.

SUMMARY AND KEY ISSUES

The Compliance Audit Return comprises of a number of questions in regard to the Shire's compliance with regulation. There were no identified areas of non-compliance.

BACKGROUND

Completion of the Compliance Audit Return is a Statutory requirement and requires endorsement by the Audit Committee and adoption by Council.

Following the CAR being presented to Council, a certified copy of the return (signed by the Shire President and CEO), along with the relevant section of the minutes and any additional information be submitted to the Director General of the Department of Local Government no later than the 31 March 2025.

CONSULTATION

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

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Local Government (Audit) Regulations 1996- Clause 14

14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) *any additional information explaining or qualifying the compliance audit, is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*
- (2) *In this regulation —*

certified *in relation to a compliance audit return means signed by —*

- (a) *the mayor or president; and*
- (b) *the CEO.*

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 2024 CAR consisted of a number of questions within the following compliance areas:-

- Commercial Enterprises by Local Governments
 - Delegation of Power / Duty
 - Disclosure of Interest
 - Disposal of Property
 - Elections
 - Finance
 - Integrated Planning and Reporting
 - Local Government Employees
 - Official Conduct
-
- Tenders for Providing Goods and Services
 - Integrated Planning and Reporting
 - Optional questions

There were no matters of non-compliance.

OFFICER RECOMMENDATION/S – ITEM NO 9.1

That Council endorses the 2024 Compliance Audit Return.

10 NEW BUSINESS INTRODUCED BY DECISION OF COUNCIL

11 MOTIONS ON NOTICE

(Automatically sent back to administration for consideration at the next Council meeting)

12 CONFIDENTIAL ITEMS OF BUSINESS

13 CLOSURE OF MEETING

At ___pm, there being no further business the meeting closed.