



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

MINUTES

HELD ON
TUESDAY 22ND OCTOBER 2024
AT
5.30 PM



Shire of Peppermint Grove

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Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING MINUTES

1. DECLARATION OF OFFICIAL OPENING

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

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

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

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. RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE

2.1 ATTENDANCE

Shire President	Cr Karen Farley SC
Deputy Shire President	Cr P Dawkins
Elected Member	Cr P Macintosh
Elected Member	Cr J Mahony
Elected Member	Cr D Jackson
Elected Member	Cr E Bond
Elected Member	Cr C Hohnen
Chief Executive Officer	Mr D Burnett
Manager Development Services	Mr J Gajic
Manager Corporate & Community Services	Mr J Clapham

Gallery Nil Members of the Public
 1 Members of the Press

2.2 APOLOGIES

Manager Infrastructure Services

Mr D Norgard

2.3 LEAVES OF ABSENCE

Nil

2.4 NEW REQUEST FOR A LEAVE OF ABSENCE

Nil

3. DELEGATIONS AND PETITIONS

Nil

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

Nil

5.0 DECLARATIONS OF INTEREST

5.1 FINANCIAL INTEREST

5.2 PROXIMITY INTEREST

5.3 IMPARTIALITY INTEREST

Item 8.1.1 Impartiality Interest Cr Bond, Member of the WA Tree Canopy Associates (WATCA)

5.4 INTEREST THAT MAY CAUSE A CONFLICT

5.5 STATEMENT OF GIFTS AND HOSPITALITY

Shire President attended the season opening of the Royal Fresh Water Bay Yacht Club.

Shire President advised she attended the official opening of the Soleil Health facility on 16 October.

6.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil.

7.0 CONFIRMATION OF MINUTES

OFFICER RECOMMENDATION– ITEM NO 7.1

Moved: Cr Hohnen

Seconded: Cr Dawkins

That the minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 24th September 2024 be confirmed as a true and accurate record.

CARRIED

7/0

For: Shire President Karen Farley, Councillors Patrick Dawkins, Charles Hohnen, Emerald Bond, Peter Macintosh, Doug Jackson and Jessamy Mahony.

Against: Nil

8.0 OFFICERS REPORTS

1 MANAGER DEVELOPMENT SERVICES

Impartiality Interest Cr Bond, Member of the WA Tree Canopy Associates (WATCA)

8.1.1 Adoption of Local Planning Policy 7 – Tree Retention (LPP7)

ATTACHMENT DETAILS

Attachment No	Description
Attachment 1	Draft LPP7
Attachment 2	Written Submissions Summary Table (Redacted)

Voting Requirement	:	Simple Majority
Disclosure of Interest	:	Nil.
Previous Items	:	Item 8.1.1, 27 August 2024
Assessing Officer	:	Joel Gajic
Authorising Officer	:	Joel Gajic

PURPOSE OF REPORT

To inform Council on the outcome of community consultation for Draft LPP7 Tree Retention and to seek a resolution as to whether the local planning policy is adopted, adopted with modifications, readvertised with modifications, or withdrawn.

SUMMARY AND KEY ISSUES

- Following a substantive review and reporting period the Council has deemed adoption of a local planning policy to be the most appropriate regulatory tool to protect significant vegetation on private land.
- Draft LPP7 is a new local planning policy substantively based on the Western Australian Local Government Association (WALGA) Model Local Planning Policy.
- The Shire may adopt LPP7 without the need for referral to or the approval of the Western Australian Planning Commission (WAPC).
- The Information Sheet – Residential Development that captures the nuances of the local planning policy framework and reflects how planning officers are interpreting this framework will be further updated pending confirmation of any local planning policy amendments.

BACKGROUND

Perth has the lowest tree canopy cover of any Australian capital city. The Shire of Peppermint Grove has one of the highest tree canopy coverages of any metropolitan local government area in Perth. Notwithstanding, state planning policy dictates that residential densities in established suburbs must be lifted to slow expansion of the metropolitan area and associated environmental impacts on the rural-urban fringe.

Infill development, subdivision, capital investment, and change in ownership all contribute to facilitate vegetation removal.

The Residential Design Codes of Western Australia (R-Codes) incorporates provisions for minimum soft landscaping areas and tree requirements. The R-Codes does not address tree retention or restrict vegetation removal.

There is an expectation that local government should introduce tree retention controls for private property.

McLeod's legal advice to WALGA and verbal feedback from the Department of Planning Lands and Heritage (DPLH) supports the premise that vegetation removal falls under the legislated definition of development.

The WALGA model tree retention local planning policy is considered the most appropriate planning tool to maintain and enhance tree canopy cover on private land within the Shire of Peppermint Grove.

Draft LPP7 fundamentally repackages the WALGA model tree retention local planning policy to align with the Shire's local planning policy structure and conventions. The principal proposed departure from the WALGA model tree retention local planning policy is that a regulated tree must satisfy at least two of the three WALGA proposed qualifiers. The rationale for this departure is that the WALGA model tree retention local planning has the potential to capture trees that lack either aesthetic or habitat significance.

There have been no changes to the state planning policy framework since Council resolved to advertise the draft policy. The information contained in Item 8.1.1 of the 27 August Ordinary Council Meeting remains current and should be read in conjunction with this report.

Subsequent to advertising a minor change to the definition of 'maintenance pruning' is recommended. This change will align the definition with that contained in the policy recently adopted by the City of Nedlands.

CONSULTATION

Draft LPP7 was advertised in the 'have your say' page of the Shire's website with the ability to submit a response through that portal, as well as a public notice being published in The Post. Advertising closed on Sunday 29 September 2024.

Forty-two (42) valid responses were received through the have your say portal and the Shire's email address.

The WA Tree Canopy Advocates were the only association or organisation that responded, all other submissions were individuals or households.

Of the valid responses, five (5) objected or sought significant revisions, and thirty-seven (37) supported adoption of the policy. Notwithstanding over 88% of all submissions were supportive it should be recognised that many submissions

nominated addresses from outside the Shire. All submissions objecting or seeking significant revisions nominated a Peppermint Grove address.

There were three (3) responses deemed to be invalid as they failed to provide any comment to indicate support or otherwise and simply indicated they wished to be notified of the outcome. A further submission sought information on Shot Hole Borer resilient species and was unrelated to the policy.

The three (3) objections and submission from the WA Tree Canopy Advocates received via the Shire’s email address will be made available to Councillors and separately tabled.

A summary of the grounds of objection or amendments being sought, and the officer’s response follows:

Grounds of Objection	Officer Comment
The definition of ‘maintenance pruning’ should align with the policy recently adopted by the City of Nedlands.	Agreed. Draft LPP7 includes the additional requirement to accord with Australian Standard AS4373-2007 Pruning of Amenity Trees. It is acknowledged that this standard is a licenced product of a technical nature for which the Shire is unable to provide copies. Without reference to the standards the definition would remain sufficiently robust. It is agreed that the benefits of alignment and potentially not requiring the standard to be purchased outweigh any retention of this reference.
Unintended consequences (will encourage tree removal)	Noted. The Shire must assume people will act lawfully and take appropriate compliance and enforcement action when necessary.
Un-necessary regulation/impinges on private property rights	Not agreed. Regulation for the sake of regulation, or that which cannot be effectively managed should be avoided. The protection of urban canopy cover is not only a local government obligation but is aligns with the garden suburb narrative of the local planning policy framework. In lieu of effective alternative controls the Shire has an obligation to regulate tree damaging activities on private property.
Does not address over-hanging vegetation, or nuisance from blocked gutters	Not agreed. The WALGA model policy recognises that nuisance by way of leaf, fruit or bark shedding or the like is not a sufficient ground to undertake a tree damaging activity. Where risk to life or property (other than a minor structure) cannot be otherwise managed, or maintenance pruning would be ineffective, development approval remains an option available to the Shire. It is expected that maintenance pruning would address most cases of overhanging branches causing a nuisance.
Does not address vegetation infested by pests or poisonous to children	Partially agreed. Tree damaging activities including removal of a species listed on a State weed register is as of right.

	Nuisance from pests is not a ground to undertake a tree damaging activity to a regulated tree. Pest management would be required in lieu of removal.
The Council should be obligated to maintain trees on private property should they wish to regulate them	Not agreed. Draft LPP7 does not impose any additional obligation on a property owner with respect to maintenance. It does, however, require the need for development approval to be obtained prior to undertaking a tree damaging activity to a regulated tree.
Maintenance pruning definition of 10% too arbitrary	Agreed. This criterion was not carried across from the WALGA model draft policy into Draft LPP7.
Risk of financial costs resulting from legal challenges	Not agreed. The WALGA model draft policy was reviewed by suitably qualified lawyers. Should a State Administrative Tribunal (SAT) review eventuate it is more likely to pertain to a larger local government authority. Subsequent reviews would be unlikely as policies would either need to be rescinded, or appellants risk costs being awarded against them for disregarding precedence.
The officer report lacks detail to make an informed decision	Noted. This comment is related to financial costs from potential legal challenges. The previous officer report acknowledged the potential for a proponent to challenge whether a tree damaging activity constituted development for the purposes of requiring development approval. Without more, WALGA’s legal advice should not be discounted.
Does not prevent poisoning of trees	Not agreed. The poisoning of a regulated tree would be an offence under section 214 of the Planning and Development Act 2005. The challenges of compliance and enforcement are acknowledged.
Stick to managing reserves and verges	Not agreed. 80% of the Perth metropolitan tree canopy cover is attributed to private property. The Shire’s Tree Management Strategy 2022 that seeks to enhance vegetation with Shire managed reserves, verges and median strips. This strategy is unable to ensure an environmental ‘net gain’ across the Shire.

STRATEGIC IMPLICATIONS

Clause 67 of the Deemed Provisions outlines the case and procedure for the preparation and adoption of local planning policies.

LOCAL PLANNING POLICY IMPLICATIONS

Draft LPP7 aligns with the objectives of Local Planning Policy 1 – Design and Development and Local Planning Policy 2 – Ecological Urban Design and Sustainability to champion a ‘garden suburb’ and does not adversely impact on other local planning policies.

STATUTORY IMPLICATIONS

There are no statutory implications evident at this time.

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 suite of current vegetation protection controls including the R-Codes, Significant Tree Registers, or the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 have proven ineffective in protecting urban tree canopy cover.

A local planning policy is the most effective planning tool available to local government to protect trees on private property. The WALGA model policy has been informed by a legal review and, anecdotally, has the support of the DPLH. There is no indication that the current state government will seek to introduce state planning policy or model planning scheme provisions. There is an expectation that local government lead the introduction of vegetation protection controls through their respective local planning policy frameworks.

Local policies are important because they articulate local values and link these to how we will plan and make decisions for the benefit of Peppermint Grove as a place and community. Local planning policies also serve the function of articulating local planning scheme provisions and guide the application of Council discretion.

Local planning policies are not a law or a statute and are not to be applied inflexibly. For this reason, local planning policies cannot allow or disallow. They may encourage and discourage siting and design and establish expectations regarding the provision of supporting documentation and site management practices.

The premise of development approval being required for a tree damaging activity may well be challenged at the SAT. This should not be a reason to defer introduction of a policy.

Council has an opportunity to proactively champion the garden suburb attributes of the Shire and further strength the local planning policy framework in this respect through the adoption of Draft LPP7.

It is recommended that Draft LPP7 be adopted with the further modification to the definition of ‘maintenance pruning’. This minor change will not introduce ambiguity, simplifies the policy, and is consistent with the state government planning reform agenda to seek policy alignment and consistency.

Council can proceed with the advertised draft policy with or without further modifications or can resolve to not proceed with the policy. Should the Council resolve to proceed with the policy a further public notice will be published confirming adoption.

OFFICER RECOMMENDATION/S

That Council adopts Draft Local Planning Policy 7 – Tree Retention with the definition of ‘maintenance pruning’ to delete reference to AS4373-2007 Pruning of Amenity Trees in accordance with the procedures contained in Schedule 2, Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

The Officer Recommendation was not moved.

Alternative Motion

OFFICER RECOMMENDATION/S

Moved: Cr Dawkins

Seconded: Cr Mahony

That Council defer consideration on the draft Local Planning Policy 7, pending further resident consultation, including a householder flyer and FAQ sheet.

CARRIED

7/0

For: Shire President Karen Farley, Councillors Patrick Dawkins, Charles Hohnen, Emerald Bond, Peter Macintosh, Doug Jackson and Jessamy Mahony.

Against: Nil

8.2 MANAGER INFRASTRUCTURE SERVICES

Nil

8.3 MANAGER CORPORATE AND COMMUNITY SERVICES

8.3.1 List of Accounts Paid – 30th September 2024

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Description</u>
Attachments	Accounts Paid – September 2024 Credit Card expenses – September 2024

Voting Requirement : Simple Majority
 Subject Index : Financial Management
 Disclosure of Interest : Nil
 Responsible Officer : Jeremy Clapham, Manager Corporate and Community Services
 Authorising Officer : Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

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

SUMMARY AND KEY ISSUES

- The following payments in excess of \$20,000 were paid in September 2024:
- Iconic Property Services – Anti-graffiti film removal and public toilet cleaning \$21,540.73
 - Tim Davies Landscaping – Memorial Wall construction \$29,432.33
 - ATO – BAS \$47,130.42
 - Professional Tree Surgeons – various street tree pruning \$34,169.05

BACKGROUND

The Attachment lists detail all payments made in September 2024 and credit card transactions for September 2024 (paid in October 2024). The following summarises credit card payments, electronic fund transfers, direct debits and BPAY included in the list presented for information.

PAYMENT TYPE	NUMBER SERIES	AMOUNT
EFT	EFT000013 - EFT00020	\$363,387.80
Direct Debits	DD00013 - DD00016	\$9,531.58
BPAY		\$0.00
Credit Cards – August 2024		\$10,968.89
TOTAL		\$383,888.27

CONSULTATION

There was no consultation undertaken.

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.” 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 2024/25 Adopted Budget.

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 8.3.1

Moved: Cr Jackson

Seconded: Cr Dawkins

That Council receive the list of payment of accounts by electronic funds transfers, direct debit, BPAY and credit cards for the month of September 2024, totalling \$383,888.27.

CARRIED

7/0

For: Shire President Karen Farley, Councillors Patrick Dawkins, Charles Hohnen, Emerald Bond, Peter Macintosh, Doug Jackson and Jessamy Mahony.

Against: Nil

8.3.2 Financial Statements for the period ending 30th September 2024

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachments	Financial Statements for the period ended 30 September 2024

Voting Requirement	Simple Majority
Subject Index	: Financial Statements 2024/25
Disclosure of Interest	: Nil
Responsible Officer	: Jeremy Clapham, Manager of Corporate and Community Services
Authorised by	: Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

To receive the monthly financial statements for the period ended 30 September 2024.

SUMMARY AND KEY ISSUES

The opening surplus for 1 July 2024 was forecast as \$821,747, but has now been amended to \$687,887 due to the processing of year end adjustments. This figure is subject to final audit adjustments.

BACKGROUND

The Monthly Financial Statements are prepared in accordance with the requirements of the *Local Government Act 1995* and Local Government (Financial Management) Regulations 1996. Monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 30 September 2024.

CONSULTATION

There was no consultation undertaken.

STRATEGIC IMPLICATIONS

Objectives within the Governance section of the Strategic Community Plan.

POLICY IMPLICATIONS

Shire of Peppermint Grove Financial Management Policies and Investment Policy.

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996.

FINANCIAL IMPLICATIONS

There are no detrimental financial implications evident at this time.

OFFICER COMMENT

The audit for 2023-24 is due to be completed before the end of October 2024, may result in further adjustments to the opening surplus.

Investment of Municipal and Reserve Funds - as at 30 September 2024:

The Shire has the following funds invested with the National Australia Bank. A new Term Deposit was opened on 6 September with an amount equal to the balance of the Reserve Accounts - \$2,125,604

Fund	Purpose	Amount Invested	Start Date	Maturity Date	Term (Days)	Interest Rate %	Expected Interest for the year
Corporate cheque account	Municipal Funds	\$2,260,349.80.	Ongoing	Ongoing	N/A	4.15%	\$100,000
Term Deposit	Reserve Funds	\$2,125,604	6 September 2024	27 June 2025	276	4.93%	\$80,000

OFFICER RECOMMENDATION/S – ITEM NO 8.3.2

Moved: Cr Hohnen

Seconded: Cr Dawkins

That Council receives the monthly financial report for the period ended 30 September 2024.

CARRIED

7/0

For: Shire President Karen Farley, Councillors Patrick Dawkins, Charles Hohnen, Emerald Bond, Peter Macintosh, Doug Jackson and Jessamy Mahony.

Against: Nil

8.4 CEO MANAGEMENT/GOVERNANCE/POLICY

MANAGEMENT/GOVERNANCE/POLICY

8.4.1 Local Government Elections Advocacy Positions

ATTACHMENT DETAILS

Attachment	Description
Attachment 1	Local Government Reform Proposal Submission
Attachment 2	Advocacy Positions for a New Local Government Act

Voting Requirement	: Simple Majority
Subject Index	: Governance
Disclosure of Interest	: Nil
Author	: Jennifer Court, Projects and Policy Officer
Responsible Officer	: Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

For Council to advise WALGA, on it's Local Government Elections Advocacy Positions, by Monday 28th October 2024.

SUMMARY AND KEY ISSUES

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms.

The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia. Refer attachment 1 "Local Government Reform Proposal Submission".

The Elections Analysis Review and Report was presented to State Council on the 4TH September 2024, with State Council supporting a review of WALGA’s Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting. Refer to attachment 2 ‘Advocacy positions for New Local Government Act, Key Issues from recent inquiries into Local government dated December 2020.’ This report outlines various reform initiatives.

WALGA’S current Advocacy Positions

The following is a summary of WALGA’s current Advocacy Positions in relation to Local Government Elections:

2.5.15 ELECTIONS

Position Statement

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
 - Online voting
 - Postal voting, and
 - In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if ‘first past the post’ voting is not retained then optional preferential voting is preferred.

Background

The first past the post (FPTP) method is simple, allows an expression of the electorate’s wishes and does not encourage tickets and alliances to be formed to allocate preferences.

2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement

Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

2.5.18 CONDUCT OF POSTAL ELECTIONS

Position Statement	The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.
Background	Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

- (a) The sector continues to support voluntary voting at Local Government elections.
OR
- (b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

- (a) The sector continues to support four-year terms with a two year spill;
OR
- (b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

OR
- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
OR
- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

- (a) Electronic voting; and/or
- (b) Postal voting; and/or
- (c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR/PRESIDENT

The sector supports:

- (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors' method), with regulations preventing a change in this method.
- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

- (c) Apply current provisions to all Bands of Local Governments – apply the election by electors' method to all classes of local governments.

STRATEGIC IMPLICATIONS

Strategic implications will be known once results of electoral reform are determined.

POLICY IMPLICATIONS

Policy will be amended when amendments to *Local Government Act 1995* are proclaimed.

STATUTORY IMPLICATIONS

Local Government Act 1995.

FINANCIAL IMPLICATIONS

None at this time, however, should reforms of the local elections remove 'in person voting' financial savings in staff and administration costs would be achieved.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications evident at this time.

SOCIAL IMPLICATIONS

Depending on reform decisions, should voting become mandatory, all residents of the Shire will be required vote.

CONSULTATION

WALGA have sought feedback from Council on the advocacy positions for Local Government Elections.

OFFICER COMMENT

The recommendations for Councils consideration are based on WALGA's current Advocacy Positions regarding Local Government Elections. These are underlined in the preceding paragraphs and detailed in the recommendations.

OFFICER RECOMMENDATION/S – ITEM 8.4.1

Moved: Cr Macintosh

Seconded: Cr Bond

That Council recommends that WALGA adopt the following Local Government Election Advocacy Positions in relation to:

1. **“Participation”, the sector continues to support voluntary voting at Local Government elections**
2. **“Terms of Office”, the sector supports four-year terms with a two-year spill;**
3. **“Voting Methods”, the sector supports First Past the Post voting as the preferred voting method for general elections. However, if ‘first past the post’ voting is not retained then optional preferential voting is preferred.**
4. **“Internal Elections”, the sector supports First Past the Post as the preferred voting method for all internal elections.**
5. **“Voting Accessibility”, the sector supports the option to hold general elections through (a) Electronic voting and (b) Postal voting and (c) In-Person voting.**
6. **“Method of Election of Mayor”, the sector support that all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.**

CARRIED

6/1

For: Shire President Karen Farley, Councillors Patrick Dawkins, Charles Hohnen, Emerald Bond, Peter Macintosh and Jessamy Mahony.

Against: Councillor Doug Jackson

8.4 CEO MANAGEMENT/GOVERNANCE/POLICY

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

Voting Requirement	:	Simple Majority
Subject Index	:	Matters for Information September 2024
Disclosure of Interest	:	Nil
Author	:	Jennifer Court, Projects and Policy Officer
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 of 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 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 issued
- Demolition permits issued
- Seal register advising of when the Shire seal has been applied
- Infringements for parking and dogs etc.
- Recycling Statistics
- Library Statistics

SUMMARY AND KEY ISSUES

The following reports are presented to Council:

- Planning Approvals
- Building Approvals

- Infringements
- Library Statistics
- Notes the renewal of Coffee Shop Lease with the Grove library.

CONSULTATION

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

OFFICER COMMENT

The Grove Coffee Shop

The new café lease has been advertised in accordance with the *Local Government Act 1995*, with no submissions being received. The current lessee and the Shire CEO have signed the lease.

OFFICER RECOMMENDATION/S – ITEM 8.4.2

Moved: Cr Dawkins

Seconded: Cr Jackson

That Council receives the information in this report.

CARRIED

7/0

For: Shire President Karen Farley, Councillors Patrick Dawkins, Charles Hohnen, Emerald Bond, Peter Macintosh, Doug Jackson and Jessamy Mahony.

Against: Nil

9. COMMITTEE REPORTS

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 6.04pm, there being no further business the meeting closed.