



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 10th June commencing at 5.30pm.

MEETING AGENDA ATTACHED

Yours faithfully

Mr Don Burnett
CHIEF EXECUTIVE OFFICER

5th June 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. The final Agenda will be placed on the Shire's website on Friday before the scheduled meeting. Council does not make determinations at the Agenda Briefing Forum.

**TO BE HELD ON
TUESDAY 10TH JUNE 2025
AT 5.30 PM**

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



Shire of Peppermint Grove

TABLE OF CONTENTS

ITEM	SUBJECT HEADING	PAGE
1	DECLARATION OF OFFICIAL OPENING	5
2.0	RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE	5
2.1	ATTENDANCE	5
2.2	APOLOGIES	6
2.3	LEAVES OF ABSENCE	6
2.4	NEW REQUEST FOR A LEAVE OF ABSENCE	6
3.0	DELEGATIONS AND PETITIONS	6
4.0	PUBLIC QUESTION TIME	6
5.0	DECLARATIONS OF INTEREST	7
5.1	FINANCIAL INTEREST	7
5.2	PROXIMITY INTEREST	7
5.3	IMPARTIALITY INTEREST	7
5.4	INTEREST THAT MAY CAUSE A CONFLICT	7
5.5	STATEMENT OF GIFTS AND HOSPITALITY	7
6.0	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	7
7.0	CONFIRMATION OF MINUTES	7

8.0	OFFICERS REPORTS.....	8
8.1	MANAGER DEVELOPMENT SERVICES.....	8
8.2	MANAGER INFRASTRUCTURE SERVICES	8
8.3	MANAGER CORPORATE AND COMMUNITY SERVICES	9
8.3.1	LIST OF ACCOUNTS PAID – 31 ST MAY 2025.....	9
8.3.2	FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 ST MAY 2025	9
8.4	CEO MANAGEMENT/GOVERNANCE/POLICY	10
8.4.1	PRESBYTERIAN LADIES COLLEGE – ROAD MURAL.....	10
8.4.2	DELEGATIONS REGISTER.....	12
8.4.3	MATTERS FOR INFORMATION AND NOTING.....	14
9	COMMITTEE REPORTS.....	16
9.4.1	APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER OF THE AUDIT AND RISK COMMITTEE	16
10	NEW BUSINESS INTRODUCED BY DECISION OF COUNCIL	18
12	CONFIDENTIAL ITEMS OF BUSINESS.....	18
13	CLOSURE OF MEETING	18



Shire of
Peppermint Grove

DRAFT ORDINARY COUNCIL MEETING AGENDA

1 DECLARATION OF OFFICIAL OPENING

At ____ pm, the Presiding Member 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 ready 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

Deputy Shire President

Cr P Dawkins

Elected Member

Cr E Bond

Elected Member

Cr C Hohnen

Elected Member

Cr D Jackson

Chief Executive Officer

Mr D Burnett

Manager Corporate and Community Services

Mr J Clapham

Manager Development Services

Mr J Gajic

Manager Infrastructure Services

Mr D Norgard

Gallery Members of the Public

..... Members of the Press

2.2 APOLOGIES

Shire President
Elected Member
Elected Member

Cr Karen Farley SC
Cr J Mahony
Cr P Macintosh

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 27th May 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 – 31st May 2025

Due to the early closing of the agenda, the list of accounts for 31st May 2025 will be presented at the Ordinary Council Meeting scheduled for 24th June 2025.

8.3.2 Financial Statements for the period ending 31st May 2025

Due to the early closing of the agenda, the financial statements for 31st May 2025 will be presented at the Ordinary Council Meeting scheduled for 24th June 2025.

8.4 CEO MANAGEMENT/GOVERNANCE/POLICY

MANAGEMENT/GOVERNANCE/POLICY

8.4.1 Presbyterian Ladies College – Road Mural

ATTACHMENT DETAILS

Attachment	Description
Attachment	
Voting Requirement	: Simple Majority
Subject Index	: Nil
Disclosure of Interest	:
Author	: Mr Don Burnett, Chief Executive Officer
Responsible Officer	: Mr Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

Presbyterian Ladies College (PLC) have request Council approval to paint a Noongar based artwork on View Street, in the section connecting the junior and senior schools.

BACKGROUND

PLC have requested approval to paint an indigenous mural on View Street at the crossing point connecting the junior and senior schools. This will be an indigenous artwork mural developed by the students with assistance from Noongar leaders.

The location of the mural will be on View Street, with is under the control and management of the Shire as a local road.

SUMMARY AND KEY ISSUES

- PLC wish to paint an Indigenous artwork mural on View Street.
- The artwork would be created by students with Noongar leaders providing assistance.
- View Street is under control and management of the Shire.

CONSULTATION

PLC has undertaken its own internal consultation.

STRATEGIC IMPLICATIONS

There are no strategic implications arising from this report.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

STATUTORY IMPLICATIONS

Main Roads WA have conditions relating to paintings on roads and PLC will be required to adhere to these conditions.

Subject to approval, it is proposed that the painting takes place on the PLC open day in October, when the street is already closed to traffic. Any other date would require a complaint road closure plan developed by and paid for by PLC.

FINANCIAL IMPLICATIONS.

There are no financial implications arising from this report. All costs associated with the project will be met by PLC.

OFFICER COMMENT

Council can issue an approval for the installation of the mural, however there are number of issues in relation to meeting Main Roads requirements and ongoing management and maintenance issues.

Main Roads specify a certain type of paint and conditions on where the mural can be placed, i.e. not close to traffic lights, not near a zebra crossing, not depicting a 3D image etc. Based on the information provided so far, the mural would be compliant with Main Roads conditions.

From a Shire perspective, ongoing maintenance and the long-term issues of either repainting or painting over/removal needs to be addressed. Any painted surface has a defined lifespan, and more so with mural on a trafficable road surface.

PLC will be required to provide a management plan for the ongoing maintenance of the mural and plan to either repaint it or paint it out when the Shire determines it has reached the end of its useful life as artwork.

OFFICER RECOMMENDATION/S – ITEM 8.4.1

That Council approves the request from Presbyterian Ladies College for the installation of a mural on View street connecting the junior and senior schools, subject to an installation and ongoing management plans being submitted to the Shire CEO's satisfaction, with both plans to address Main Roads requirements and an ongoing maintenance/replacement plan.

MANAGEMENT/GOVERNANCE/POLICY

8.4.2 Delegations Register

ATTACHMENT DETAILS

Attachment	Description
Attachment 1	Amended Delegations Register (yellow highlight)
Voting Requirement	: Absolute Majority
Subject Index	: Review of Delegations Register
Disclosure of Interest	: Nil
Author	: Jennifer Court, Projects and Policy Officer
Responsible Officer	: Mr Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

The purpose of this report is to review the Shire's Delegation Register.

BACKGROUND

The delegations to the Chief Executive Officer are made to ensure that the effective and efficient management of the Shire is maintained and contains limits on the types of decisions that can be made under the Delegation.

SUMMARY AND KEY ISSUES

The Delegations Register contains all delegations made to the Chief Executive Officer. The Shire's delegations to the Chief Executive Officer are required to be reviewed at least once in a financial year and the delegations were last reviewed in May 2024.

CONSULTATION

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

STRATEGIC IMPLICATIONS

There are no strategic implications in respect of this matter.

POLICY IMPLICATIONS

There are no policy implications in respect of this matter.

STATUTORY IMPLICATIONS

References to legislation have been updated in the Delegations Register that relate to the following Acts:

- *Public Sector Management Act 1995*
- *The Public Sector Health Act 2016*
- *The Health Act*
- *The Food Act 2008*

FINANCIAL IMPLICATIONS.

There are no financial implications in respect to this matter.

OFFICER COMMENT

The Delegation's Register is a key governance tool for the Shire, supporting accountability, operational efficiency, risk management and alignments with strategic objectives. Regular reviews are essential to ensure its continued relevance and effectiveness.

The review has:

1. Updated the presentation of information in the Delegations Register against the following criteria where applicable:
 - Delegation
 - Head of Power
 - Delegator
 - Express Power or Duty Delegated
 - Function
 - Delegates
 - Conditions on this Delegation
 - Express power to sub delegates
2. Reviewed the existing Delegation Register to be inclusive of additional legislative clauses in some instance.

There are no significant changes to the Delegation Register proposed in this review. A further review will take place in 2025/26 to consider any further amendments.

OFFICER RECOMMENDATION/S – ITEM 8.4.2

That Council adopt the amended Delegation Register.

MANAGEMENT/GOVERNANCE/POLICY

8.4.3 Matters for Information and Noting

ATTACHMENT DETAILS

Attachment	Description
Attachment 1	Building/Planning Statistics
Attachment 2	Infringements Issued
Attachment 3	Library Statistics
Attachment 4	Recycling Statistics
Attachment 5	Library Management Group Meeting

Voting Requirement	:	Simple Majority
Subject Index	:	Matters for Information May 2025
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 statical 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.

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

SUMMARY AND KEY ISSUES

The following information is presented to Council:

- Building Permits Determined
- Development Applications Determined
- Infringements
- Library Statistics
- Notes for the Library Management Group Meeting held on 13th May 2025

CONSULTATION

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

STRATEGIC IMPLICATIONS

There are no strategic implications in respect to this matter.

POLICY IMPLICATIONS

There are no policy implications in respect to this matter.

STATUTORY IMPLICATIONS

There are no statutory implications in respect to this matter.

FINANCIAL IMPLICATIONS

There are financial implications in respect to this matter.

OFFICER COMMENT

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

Notes from the May Library Management Group held on 13 May 2025 are attached.

OFFICER RECOMMENDATION/S – ITEM 8.4.3

That Council receives the information in this report.

9 COMMITTEE REPORTS

9.4.1 Appointment of Presiding Member and Deputy Presiding Member of the Audit and Risk Committee

ATTACHMENT DETAILS

Attachment	Description
Attachment	Nil

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

PURPOSE OF REPORT

Amendments to Section 5.12 of the Local Government Act 1995 require councils to appoint new committee presiding members and deputy presiding members by 1 July 2025.

BACKGROUND

Due to the amendments to Section 5.12 of the Local Government Act 1995 having already been passed by Parliament, it has made it necessary to make these appointments, and then make these appointments again after the October 2025 local government election. The difference between these two appointments is that the appointment of independent members is not required by 1 July 2025, but is required in October 2025.

SUMMARY AND KEY ISSUES

These appointments must be made by an absolute majority decision of the Council from this point forward. This change was introduced to assist the local government sector in removing the need for the conducting of a secret preferential ballot at a committee meeting, and to give Council's the role of deciding the leadership of Council committees. There is currently no requirement for an independent presiding member to be appointed to an existing Audit Committee by 1 July 2025

CONSULTATION

Advice provided by WALGA and Local Government Professionals WA was used in the preparation of this report.

STRATEGIC IMPLICATIONS

There were no strategic implications evident at this time.

POLICY IMPLICATIONS

Financial management and governance policies.

STATUTORY IMPLICATIONS

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

FINANCIAL IMPLICATIONS

There were no financial implications evident at this time.

OFFICER COMMENT

The Audit and Risk Committee at the Shire of Peppermint Grove is currently presided over by Cr Patrick Dawkins and does not have a Deputy Presiding Member. It is now required that the appointment of a Presiding Member and a Deputy Presiding Member take place.

OFFICER RECOMMENDATION/S – ITEM 9.4.1

That Council appoints Cr _____ as Presiding Member and Cr _____ as Deputy Presiding Member of the Audit and Risk Committee at the Shire of Peppermint Grove.

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.