



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

MINUTES

**HELD ON
TUESDAY 21 DECEMBER 2021
AT
5.30 PM**



Shire of Peppermint Grove

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ORDINARY COUNCIL MEETING AGENDA

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.

The media indicated they were not recording the meeting.

The Presiding Member caused the Affirmation of Civic Duty and Responsibility to be read aloud by Councillor Charles Hohnen.

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 P Macintosh
Cr P Dawkins
Cr D Horrex
Cr K Farley
Cr D Jackson

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

Mr D Norgard
Mr R Montgomery
Mr M Costarella

Gallery 0 Members of the Public
1 Members of the Press

2.2 APOLOGIES

Chief Executive Officer

Mr D Burnett

2.3 LEAVES OF ABSENCE

2.4 NEW REQUEST FOR A LEAVE OF ABSENCE

Cr Patrick Dawkins – Agenda Briefing Forum/Concept Forum 8 February 2022

3 DELEGATIONS AND PETITIONS

3.1 DELEGATIONS

NIL

3.2 PETITIONS

NIL

4 PUBLIC QUESTION TIME

The Presiding Member opened 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

Were 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

- (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

4.3 DEPUTATIONS OF THE PUBLIC

NIL

4.4 PRESENTATIONS FROM THE PUBLIC

NIL

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

Councillor Rachel Thomas – Item 8.1.1 Draft Heritage Conservation Grants Scheme – Guidelines

The nature of the interest being that she owns a property on the LPS4 Heritage List.

5.2 PROXIMITY INTEREST

NIL

5.3 IMPARTIALITY INTEREST

NIL

5.4 INTEREST THAT MAY CAUSE A CONFLICT

NIL

5.5 STATEMENT OF GIFTS AND HOSPITALITY

NIL

6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

NIL

7 CONFIRMATION OF MINUTES**7.1 ORDINARY COUNCIL MEETING 23 NOVEMBER 2021****OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM 7.1****Moved: Cr Farley****Seconded: Cr Hohnen**

That the Minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 23 November 2021 be confirmed as a true and accurate record.

CARRIED 7/0

8 OFFICER REPORTS

8.1 MANAGER DEVELOPMENT SERVICES

FINANCIAL INTEREST DECLARED – CR RACHEL THOMAS

Councillor Rachel Thomas left the room at 5.33pm and Councillor Charles Hohnen assumed the chair.

8.1.1 Draft Heritage Conservation Grants Scheme – Guidelines

URBAN PLANNING

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Local Heritage Conservation Grants Scheme – form and guidelines

Voting Requirement	:	Simple Majority
Subject Index	:	Draft Heritage Scheme
Disclosure of Interest	:	Cr Rachel Thomas – Financial Interest
Authors	:	Mr M Stocco; Ms J Court
Responsible Officer	:	Mr Ross Montgomery

PURPOSE OF REPORT

The Shire Community Strategic Plan indicated the heritage and protection of heritage value is a priority for the community. The Heritage Conservation Grants Scheme is a way for the Shire to offer assistance to owners of heritage property so that repairs and maintenance can be made to the exterior of the property. This report explains the proposed Scheme.

SUMMARY AND KEY ISSUES

- The Shire community has identified the importance of conserving places and buildings of local heritage.
- Many of these places are in private ownership and the majority are places of residence, people's homes and gardens.
- The Shire proposes to initiate a heritage conservation grants scheme to offer assistance to eligible property owners to undertake repairs, conservation and related maintenance work to ensure the value of heritage properties is maintained and enhanced.
- The proposed Scheme will operate on a disbursement basis to recoup costs up to an amount (<\$6 500) as agreed during the Approval process.

LOCATION

The Shire has 146 properties on the Local Planning Scheme 4 heritage list. The Scheme applies to all properties on the Shire heritage list.

BACKGROUND

Several local governments throughout the state have adopted heritage conservation grants schemes to offer financial assistance to owners of heritage listed properties to carry out studies and repairs. Each local government scheme varies due to the availability of resources, the nature of heritage listed properties and the administration of each local government.

The Shire has the majority of its listed properties as residential homes, occupied often by the owner and so the appearance and functionality of each home needs to reflect the balance of heritage conservation authenticity and liveability – tailored to the cost premium of effecting works faithful to the design, crafts and materials of the period.

The proposed Scheme will provide reimbursement up to a figure of \$6 500 for each bid so that owners may recover some of the cost of their conservation works.

The Scheme has been conceived with guidelines and this will assist applicants to tailor their project to meet criteria and provide evidence that works are consistent with the heritage value of the property.

CONSULTATION

The Strategic Community Plan resulted from community consultation. This Plan identified the protection of heritage properties as a key outcome for the future of the Shire. This proposal addresses this objective. Research of other local governments has informed this proposal.

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

STRATEGIC IMPLICATIONS

This Scheme targets the Community Strategic Plan outcome for heritage protection of shire listed properties and enabling the community to achieve objectives.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

All eligible properties must be on the Shire heritage list and the works must be assessed and already approved for planning and issue of building permits.

Work associated with research and conservation management planning may also be eligible for grant funding. Interior decorative works are generally not eligible for funding.

FINANCIAL IMPLICATIONS

\$50 000 has been allocated to the 2021/22 Budget to fund this Grants Scheme.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The proposal will

- Assist in developing community capacity;
- Support community groups;
- Enhance a sense of community and the image of Peppermint Grove;

OFFICER COMMENT

Council is advised of the Scheme proposal for their consideration and adoption of the attached proposed Scheme and guidelines.

Further information following the Agenda Briefing Forum 14 December 2021

The attached Guidelines have had some minor changes and these are highlighted with tracked changes.

OFFICER RECOMMENDATION/COUNCIL DECISION– ITEM NO 8.1.1**Moved: Cr Farley****Seconded: Cr Horrex****That Council adopt the Local Heritage Conservation Grants Scheme and Guidelines and approve an annual budget provision of \$50 000 to fund the program.****CARRIED 7/0****Councillor Rachel Thomas returned to the room at 5.38pm and resumes the chair.**

8.2 MANAGER INFRASTRUCTURE SERVICES

NIL

8.3 MANAGER CORPORATE AND COMMUNITY SERVICES

8.3.1 Financial Statements for Period Ended 30 November 2021

CORPORATE

ATTACHMENT DETAILS

Attachment No	Details
Attachment	Financial Statements for the period ended 30/11/2021

Voting Requirement	:	Simple Majority
Subject Index	:	Financial Statements- 2021/22
Disclosure of Interest	:	Nil
Responsible Officer	:	Michael Costarella

PURPOSE OF REPORT

To receive the financial statements for the period ended 30 November 2021

SUMMARY AND KEY ISSUES

During the month of November there are some differences between the year to date budget and the actual income and expenditure. This relates to timing of the receipt of invoices and the raising of rates and charges. The main variance between the year- to-date budget and the actual expenditure and income to the 30 November 2021 was additional Fees & Charges.

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 10% (less) variance between the operating 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

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**

This shows an amount of \$11,000 more than the YTD budget and it relates to additional planning fees received for the period to the end of November.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.3.1

Moved: Cr P Dawkins

Seconded: Cr Horrex

That Council receive the financial report for the period 1 July 2021 to 30 November 2021.

CARRIED 7/0

8.3.2 Accounts Paid November 2021
CORPORATE
ATTACHMENT DETAILS

Attachment No	Details
Attachment	Accounts Paid – November 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 November 2021 included the following:

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

BACKGROUND

The Attachment lists details of all payments made in October & November 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	EFT00441 - 444	\$154,162.59
Direct Debits	DD00277 - 281	\$4,529.10
BPAY	BPAY 232 - 237	\$445.40
Credit Cards - October	CCP00023	\$7,730.21
CHQ	CHQ448	\$161.00
TOTAL		\$167,028.30

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 2021/22 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/COUNCIL DECISION – ITEM NO 8.3.2

Moved: Cr Horrex

Carried: Cr Dawkins

That Council receive the list of payment of accounts by:-

- 1. Cheques, electronic funds transfers, BPay and direct debit payments for the month of November 2021, totalling \$159,298.09**
- 2. Credit card payments for October 2021 totalling \$7,730.21**

CARRIED 7/0

8.4 CEO/ MANAGEMENT / GOVERNANCE / POLICY

8.4.1 Local Government Reforms

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

Attachment No	Details
Attachment 2	Department of Local government, Sport and Cultural Industries summary of Proposals.

Voting Requirement	:	Simple
Subject Index	:	Local Government Reforms
Disclosure of Interest	:	Nil
Author	:	CEO Don Burnett
Responsible Officer	:	CEO Don Burnett

PURPOSE OF REPORT

The Minister for Local government has announced the next stage of reform of the Local Government Act 1995. Attachment 1 outlines the proposed reforms with the main areas of focus being

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

In the Comments column WA Local government Association (WALGA) has provided their comments.

Council has been asked for feedback on the proposed changes to the Act and Regulations

SUMMARY AND KEY ISSUES

- The changes will address some of the discrepancies that occur in the reporting requirements for very large local governments compared to small local governments
- The changes will provide greater flexibility in dealing with disruptive members.
- Proposed changes will affect the Shire with the number of elected members.

LOCATION

N/A

BACKGROUND

The Local Government Act 1995 is going through a review phase. Most recent changes have included a review of the Code of Conduct for elected members and staff, CEO performance and recruitment process, and a complaints mechanism for elected members.

The current raft of proposed changes are based on the following 6 themes

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

The Minister has asked for comment on the proposed changes. Attachment 1 goes into detail on the changes with WALGA adding their comments to each section. Council is requested to provide feedback to the Department by 4 February 2022.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter, although WALGA will reference previous consultation with member Councils.

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.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The CEO has provided comments on the WALGA comments in the attached reform document. The CEO's comments relate to the impact of the changes from an operational perspective and elected members may have comments from a council perspective.

In general, Council can support WALGA's recommendations on the proposed changes. Some area that may impact the Shire

1.5 Rapid Response Red Card – the Shire does not have a Standing Order or Meeting Procedure Local Law. If a red card process is introduced, the Shire may have to adopt a Standing Order Local Law.

2.6 Standardised Meeting Procedure – as above.

3.1 Recording and Live Streaming of all Council meetings – under this reform Council would be required to record meetings and make the recordings available. This would require a technical upgrade to equipment in the Chambers.

4.3 Introduction of Preferential Voting – WALGA has specifically asked for local government feedback. It is not clear why the need to change the first past the post voting system. A move to the preferential voting will mean the voting process will be more complicated, more difficult to explain to voters and potentially mean more politicised local government Councils.

4.4 Public Vote to Elect the Mayor and president - WALGA has specifically asked for local government feedback. As proposed, the method of electing the Shire President doesn't change, i.e. elected by the Councillors. The proposal is that band 1 and 2 Councils would have their Mayors/Presidents elected by the community. Council is generally supportive of

each local government being able to determine its own procedures and protocols, so this should apply here as well, the current options in the Local government Act 1995 should be retained, this gives local governments the choice on how the Mayor/President is elected.

6.4 Monthly Reporting of Credit Card Statements- the Shire already does this.

6.8 Cost of Waste Service to be Specified on rate Notices – the Shire currently includes the cost of waste services within the general rate. This change is not supported.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.4.1

Moved: Cr Farley

Seconded: Cr Jackson

That Council authorise the CEO to finalise the Shire’s submission on the Local Government Reform proposals, based on the contents of this report and WALGA’s recommendations.

CARRIED 7/0

8.4.2 Budget reallocation for CAPEX Projects
INFRASTRUCTURE
ATTACHMENT DETAILS

Attachment No	Details
Attachment	CAPEX Reallocation doc

Voting Requirement	:	Absolute
Subject Index	:	CAPEX Projects
Disclosure of Interest	:	NIL
Author	:	CEO Don Burnett
Responsible Officer	:	CEO Don Burnett

PURPOSE OF REPORT

Council is requested to reallocate Local roads and Community Infrastructure (LRCI) Phase 3 grant to an alternate capital works project (CAPEX)

SUMMARY AND KEY ISSUES

- The Federal government has provided local governments with capital works grants to facilitate economic development in response to COVID concerns and its impact on the economy.
- A phase 3 grant for \$99,284 was to be partially allocated to an extension of the Stirling Highway footpath upgrade south of Irvine street.
- Main Roads WA (MRWA) have advised that they may be undertaking some working in this vicinity that could impact the kerbing and levels.
- This project will be delayed pending the MRWA, therefore the grant needs to be reallocated to another project.
- This report recommends the phase 3 grant be reallocated to the street furniture upgrade in accordance with the Asset plan.

LOCATION

N/A

BACKGROUND

The Federal Government has provided LCRI grants to local governments in order to offset the anticipated negative effect to the economy because of COVID.

Phase 1 grant of \$49,642 was used as a contribution towards the footpath upgrade costs of the section of the Stirling Highway footpath from Cottesloe Shopping Centre to the Irvine Street intersection.

In the 2021/22 budget, Council allocated the Phase 2 grant of \$78,623 to the upgrade of parking around Manners Hill Park and the Peppermint Grove Tennis Club, along bay View Terrace and Keane Street.

The Phase 3 grant of \$99,284 was allocated to the same project as Phase 2 (\$36,903) and to the next stage of the Stirling Highway foot path project, Irvine Street south (\$62,380)

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

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

FINANCIAL IMPLICATIONS

Council adopted the 2021/22 CAPEX budget based on the Phase 2 and 3 grants being received. The recommendation of this report does not impact on the financial position of the Shire as it is reallocating the grant to a different CAPEX project.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The Shire's CAPEX project contributes to the social amenity of the Shire for residents and visitors.

OFFICER COMMENT

MRWA have advised they may be undertaking some remedial work on Stirling highway between Irvine and Keane streets to correct some ponding issues. It is not clear when this work will be undertaken, however it will impact the proposed footpath works the Shire is planning as it will entail new kerbing and levels. It is proposed that the Shire defers this project until after the MRWA work is completed.

This will impact the allocation of part of the LCRI Phase 3 grant. It was proposed that \$62,380 was allocated to this project. Council's 21/22 CAPEX budget made provision for the renewal of street furniture (seats, bins, drinking fountains, picnic tables etc) for \$57,000 and bollard removal (\$37,500). These works are in accordance with Council's Asset Plan. The Asset Plan also shows the replacement of the Shire's 2 electric BBQ in Keanes Point to be replaced in 2024/25 and it is proposed to bring forward this replacement to align the street furniture assets on the same renewal program and to also coordinate the colour/style guide. This would bring the estimate total CAPEX expenditure for street furniture to \$120,500, however cost estimates from suppliers indicate that costs, including installation could be around \$150,000.

It is proposed that the LCRI Phase 3 grant of \$99,284 is allocated to this project. This means that \$36,903 won't be allocated to the parking project around Manners Hill Park. This project is still subject to further consultation and the final design and costs are yet to be determined. If the full \$99,284 is allocated, it is estimated the Shire's municipal contribution will be around \$50,000. This will allow flexibility from a budget perspective if funds are needed for the parking project.

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.4.2

Moved Cr Jackson

Seconded: Cr Hohnen

That Council

- 1. Bring forward the Barbeque replacement in the Asset Plan to the 21/22 CAPEX program**
- 2. Allocate the LCRI Phase 3 grant of \$99,284 to the replacement of the Shire's street furniture as per the Asset Program**
- 3. Undertake the replacement of the Shire's Street furniture as per the amended Asset Plan and amend the CAPEX budget accordingly.**

CARRIED 7/0

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

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

Voting Requirement	Simple majority
Subject Index	Matters for Information
Disclosure of any Interest	Nil
Responsible Officer	CEO

PURPOSE OF REPORT

The Shire of Peppermint Grove regularly receives and produces information for receipt by the Elected Members. The purpose of this item is to keep Elected Members informed on items for information received by the Shire.

The Matters for information report will be presented at each Council meeting and will provide an update on a number of areas of the Shire's operations and also provide information and correspondence of interest to elected members.

It is intended that the following information is provided on a regular basis, either monthly or quarterly, noting some of this data is still to be collected in a presentable format.

- Building permits issues
- Demolition permits issued
- Seal register advising of when the Shire seal has been applied
- Infringements for parking/dogs etc
- Waste and recycling data
- Library statistics
- Library Management Group Meeting Notes

SUMMARY AND KEY ISSUES

The following reports are presented to Council 21 December 2021:

1. Building/Planning Statistics
2. Library Committee Meeting Minutes held 25 November 2021
3. Recycling Statistics

CONSULTATION

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

OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO. 8.4.3

**Moved: Cr Horrex
Dawkins**

Seconded: Cr

That Council receives the information in this report.

CARRIED 7/0

8.5 COMMITTEE REPORTS

NIL

9 NEW BUSINESS OF AN URGENT NATURE

NIL

10 MOTIONS ON NOTICE

NIL

11 CONFIDENTIAL ITEMS OF BUSINESS

NIL

12 CLOSURE

At 5.50pm, there being no further business the meeting closed.