



# Peppermint Grove *The Garden Shire*

## Ordinary Council Meeting

### Minutes

Held on 26 August 2025



# Peppermint Grove

## *The Garden Shire*

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# Peppermint Grove *The Garden Shire*

## ORDINARY COUNCIL MEETING MINUTES

### 1 DECLARATION OF OFFICIAL OPENING

At 5.31 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 read aloud by Councillor Mahony.

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  
Elected Member  
Elected Member  
Elected Member

Cr Karen Farley SC  
Cr J Mahony  
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

**Gallery**            1 Members of the Public  
                         1 Members of the Press

## **2.2     APOLOGIES**

|                        |                |
|------------------------|----------------|
| Deputy Shire President | Cr P Dawkins   |
| Elected Member         | Cr D Jackson   |
| Elected Member         | Cr P Macintosh |

## **2.3     LEAVES OF ABSENCE**

Nil

## **2.4     NEW REQUEST FOR A LEAVE OF ABSENCE**

## **3.0     DELEGATIONS AND PETITIONS**

Mr David Singleton, 57 Keane Street, Peppermint Grove presented on Agenda item 8.4.1, proposing alternate parking materials be trialled.

## **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)**

The Shire President, Cr Karen Farley, advised that the first RAP meeting with Noongar Elders has been held.

#### **7.0 CONFIRMATION OF MINUTES**

#### **OFFICER RECOMMENDATION/DECISION– ITEM NO 7.1**

Moved: Cr Mahony

Seconded: Cr Hohnen

That the minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 22<sup>nd</sup> July 2025 be confirmed as a true and accurate record.

Carried 4/0

For: Councillors' Karen Farley SC, Jessamy Mahony, Charles, Hohnen, Emerald Bond.

Against: Nil

**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 – 31<sup>st</sup> July 2025

##### ATTACHMENT DETAILS

| Attachment No | Description                                                   |
|---------------|---------------------------------------------------------------|
| Attachments   | Accounts Paid – July 2025<br>Credit Card Expenses – July 2025 |

|                        |                                                            |
|------------------------|------------------------------------------------------------|
| 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 July 2025:

- Veolia – waste services \$21,823.18
- Axiis Contracting – footpath maintenance \$21,827.85
- Superchoice – superannuation \$20,492.59
- WMRC – waste services \$38,376.94
- Superchoice – superannuation \$20,126.25
- Open System Technology – finance system and ICT services \$22,073.29
- LGIS – insurance \$68,774.09

##### Background

The Attachment lists detail all payments made in July 2025 and credit card transactions for July 2025 (paid in June 2025). 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                      | EFT000077 - EFT000083 | \$520,706.84        |
| Direct Debits            | DD000083 - DD000089   | \$21,905.32         |
| BPAY                     |                       | \$0.00              |
| Credit Cards – June 2025 | CC000013              | \$5,430.40          |
| <b>TOTAL</b>             |                       | <b>\$548,042.56</b> |

**Consultation**

There was no consultation undertaken.

**Strategic Implications**

There were no strategic implications evident at this time.

**Policy Implications**

There were no 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 2025/26 Adopted Budget.

**Officer Comments**

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 8.3.1**

**Moved: Cr Hohnen**

**Seconded: Cr Bond**

**That Council receive the list of payment of accounts by electronic funds transfers, direct debit, BPAY and credit cards for the month of July 2025, totalling \$548,042.56.**

**Carried 4/0**

**For: Councillors' Karen Farley SC, Jessamy Mahony, Charles, Hohnen, Emerald Bond.**

**Against: Nil**

8.3.2 Financial Statements for the period ending 31<sup>st</sup> July 2025**ATTACHMENT DETAILS**

| Attachment No | Description                                                |
|---------------|------------------------------------------------------------|
| Attachments   | Monthly financial Report for the period ended 31 July 2025 |

|                        |                                                            |
|------------------------|------------------------------------------------------------|
| Voting Requirement     | : Simple Majority                                          |
| Subject Index          | : Financial Statements for the Period ended 31 July 2025   |
| Disclosure of Interest | : Nil                                                      |
| Responsible Officer    | : Jeremy Clapham, Manager Corporate and Community Services |
| Authorising Officer    | : Don Burnett, Chief Executive Officer                     |

**Purpose of Report**

To receive the monthly financial statements for the period ended 31 July 2025.

**Summary and Key Issues**

The opening surplus is \$475,007, which is \$143,502 less than budgeted for, resulting in a budgeted deficit of \$66,829 for the 2025/26 financial year. This can be adjusted during the budget review later in the year. The actual surplus at 31 July 2025 is \$4,051,581, which is \$177,277 more than budgeted for.

**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 31 July 2025.

**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**

The surplus for the year ended 30 June 2025 is \$475,007, subject to further adjustments by the auditors. The surplus at 31 July 2025 is \$4,051,581.

**Officer Comments**

The opening surplus is \$475,007, which is \$143,502 less than budgeted for, resulting in a budgeted deficit of \$66,829 for the 2025/26 financial year. This can be adjusted during the budget review later in the year. The actual surplus at 31 July 2025 is \$4,051,581, which is \$177,277 more than budgeted for.

**Investment of Municipal and Reserve Funds - as at 31 July 2025:**

| <b>Fund</b>              | <b>Purpose</b>  | <b>Amount Invested</b> | <b>Start Date</b> | <b>Maturity Date</b> | <b>Term (Days)</b> | <b>Interest Rate %</b> | <b>Expected Interest for the year</b> |
|--------------------------|-----------------|------------------------|-------------------|----------------------|--------------------|------------------------|---------------------------------------|
| Corporate Cheque Account | Municipal Funds | \$659,692.42           | Ongoing           | Ongoing              | N/A                | 4.15%                  | \$100,000                             |
| Term Deposit             | Reserve Funds   | \$2,148,466            | 27/6/25           | 27/10/25             | 276                | 4.25%                  | \$80,000                              |

**OFFICER RECOMMENDATION/COUNCIL DECISION – ITEM NO 8.3.2**

**Moved:** Cr Mahony

**Seconded:** Cr Hohnen

**That Council receives the monthly financial statements for the period ended 31 July 2025.**

**Carried 4/0**

**For:** Councillors' Karen Farley SC, Jessamy Mahony, Charles, Hohnen, Emerald Bond.

**Against:** Nil

**8.4 CEO MANAGEMENT/GOVERNANCE/POLICY****MANAGEMENT/GOVERNANCE/POLICY****8.4.1 Bay View Terrace and Keane Street Parking****ATTACHMENT DETAILS**

|                        |                                            |
|------------------------|--------------------------------------------|
| <b>Attachment 1</b>    | Design documentation – scope of works      |
| <b>Attachment</b>      | RfQ assessment panel report (confidential) |
| Voting Requirement     | : Absolute Majority                        |
| Subject Index          | : Request for Quote                        |
| Disclosure of Interest | : Nil                                      |
| Author                 | : Don Burnett                              |
| Responsible Officer    | : Don Burnett                              |

**PURPOSE OF REPORT**

To consider the awarding of the contract to construct verge parking along Bay View Terrace and Keane Street.

**SUMMARY AND KEY ISSUES**

- The Shire has a 2025/26 budget provision to construct verge parking along Bay View Terrace and Keane Street, east of Bay View.
- A Request for Quotes (RfQ) was forwarded to six contractors on the WALGA civil construction panel.
- It is recommended that due to budget constraints, that only stage 1, Bay View parking be awarded.
- Should Council award the contract, a budget amendment will be required.

**BACKGROUND**

The formalising of parking along Bay View and Keane has been on the Shire's capital works program for a number of years. The project is to improve parking, particularly on Bay View Terrace, where there is high use due to the Tennis Club parking. Parking along Keane is a mixture of Tennis Club users, Manners Hill users and for overflow for significant events, such as events at the Royal Freshwater Bay Yacht Club. The attached plan (attachment 1) shows the scope of works.

Should the Tennis Club develop the corner lot as tennis courts at Bay View and Keane intersection, which is currently used for informal parking, there will be a greater demand for off street parking at this location.

RfQs were sent to six contractors on the WALGA Civil Works panel.

## **CONSULTATION**

The Peppermint Grove Tennis Club have been consulted. Residents along Bay View Terrace and Keane Street were advised of the project, with several along Keane providing input into the design.

## **STRATEGIC IMPLICATIONS**

There are no strategic implications from this report.

## **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

## **STATUTORY IMPLICATIONS**

The Local Government Act 1995 allows Local Governments to issue RfQs to contractors on a WALGA panel. Alternatively, council could have called tenders as the proposed works are over the \$250,000 threshold requiring tenders to be called.

New regulations for Caretaker Provisions commence on the closing of nominations on 4 September for the upcoming Shire elections. During the caretaker period, Council would not be able to award a contract over \$250,000. If the four vacancies are fill at close of nominations on 4 September, then there will be no election and the Return Officer can declare the result, meaning there will be no caretaker period. If there is a requirement for an election, the results cannot be declared until after the count on 18 October, which is when the caretaker period would finish.

If the contract is awarded, a budget amendment is required, which needs to be passed by absolute majority.

## **FINANCIAL IMPLICATIONS.**

The 2025/26 budget made provision of \$330,000 made up of a \$250,000 transfer from Infrastructure Reserve and \$80,000 municipal funds. The contract to do just stage 1 would be \$80,000 over budget, so a budget reallocation from the reserve fund would be required.

## **OFFICER COMMENT**

RfQ document had three separate portions for quoting, with three different verge treatments in each.

The three stages quoted were:

Stage1 Bay View Terrace

Stage 2 Keane Street

Stage 3 Both combined.

The pavement options are:

1. Dense graded Red Laterite Asphalt with A15E polymer and red iron oxide pigment.
2. Exposed Aggregate 32MPa concrete
3. Permeable Paving (e.g. interlocked cells with crushed stone or gravel fill).

The preferred option is the exposed aggregate due to its durability. The Tennis Club have previously advised this is their preferred option along Bay View. There are a number of colour finishes to choose from and a colour sympathetic to the location can be selected. Red laterite, although the cheapest option may be subject to maintenance issues with nearby trees roots raising the asphalt and may not have a continuity of colour over time.

Permeable paving is not recommended as it will require ongoing maintenance for weed management and renourishing of the cell infill.

The assessment panel have recommended contactor A.

There is the opportunity to reduce costs by deleting several elements of the Bay View Terrace stage. This includes the removal of existing drainage infrastructure in the corner lot (Bay View and Keane) that has been incorporate into the Club's lease and adding some additional pits on the road. The drainage infrastructure is no longer required, and it was being removed to facilitate the Club constructing two courts in this location. The court expansion project by the Club is on hold and as such these works are not required to be done at this stage. The onsite variable message board used during the project can also be deleted.

It is recommended that the project be awarded to contractor A, with the exclusion of the drainage works incorporated into the Bay View Project and variable message board. The total for the contract would be \$410,505.95 excluding GST.

#### **OFFICER RECOMMENDATIONS – ITEM 8.4.1**

**That Council**

1. **Authorise the CEO to award the RfQ contract, for the Verge Parking project for Stage 1 only, deleting the drainage component and the variable messaging board and utilising exposed aggregate to contractor A for a contract value of \$410,505.95 excluding GST.**
2. **Defers Stage 2 works indefinitely.**
3. **Allocate a further \$80,000 from the Infrastructure Reserve fund to complete the project es.**
4. **Authorise the CEO to approve contract variations up to 10% of the contract value.**

**Moved: Cr Hohnen**

**Seconded: Cr Mahony**

**Cr Hohnen withdrew his motion with the permission of councillors'.**

**COUNCIL DECISION – ITEM 8.4.1**

**Moved: Cr Bond**

**Seconded: Cr Hohnen**

**That Council:**

- 1 Does not award a contract for RFQ2025VPBS**
- 2 Request the CEO to provide an estimate of costs to implement a trial of GeoHex mesh on several parking bays on Bay View Terrace**

**Carried 4/0**

**Council did not support the Officers Recommendation due to budget constraints and a desire to trial a different methodology.**

**For:** Councillors' Karen Farley SC, Jessamy Mahony, Charles Hohnen, Emerald Bond.

**Against:** Nil

**MANAGEMENT/GOVERNANCE/POLICY****8.4.2 Matters for Information and Noting****ATTACHMENT DETAILS**

| <b>Attachment</b>      | <b>Description</b>                            |
|------------------------|-----------------------------------------------|
| <b>Attachment 1</b>    | <b>Nil</b>                                    |
| Voting Requirement     | : Simple Majority                             |
| Subject Index          | : Matters for Information July 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.

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.

**BACKGROUND**

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

- Seal register (when the Shire seal has been applied)
- Development applications determined including amendments and deemed-to-comply checks
- Building permits determined including demolition permits, occupancy permits and time extensions
- Miscellaneous approvals including new food premise registrations, stallholder and trader permits, environmental health approval to construct, extend or alter a public building, and applications approved under the heritage grant scheme
- Subdivisions and amalgamations approved by the Western Australian Planning Commission
- Local laws parking and dog infringements
- Library statistics

**SUMMARY AND KEY ISSUES**

The following reports are presented to Council in the following tables:

- Building Applications Determined

- Development Applications Determined
- Miscellaneous Approvals
- Infringements Issued
- Library Statistics
- Recycling.

### Building Applications Determined July 2025

| Application Number | Location                                                 | Description                                                 | Decision |
|--------------------|----------------------------------------------------------|-------------------------------------------------------------|----------|
| BA2025/00020       | Tenancy 1A, 460-476 Stirling Highway (Cottesloe Central) | Occupancy Permit for 2 Tenancies created under BA2025/00013 | Approved |
| BA2025/00017       | 44 Keane Street                                          | Single House, Retaining Walls and Boundary Fencing          | Approved |
| BA2025/00018       | 30A Johnston Street                                      | Boundary Fencing                                            | Approved |
| BA2025/00019       | 44 View Street                                           | Boundary Wall                                               | Approved |
| BA2025/00021       | Tenancy 1D, 460-476 Stirling Highway (Cottesloe Central) | Shop Fit Out (Scoop Wholefoods)                             | Approved |
| BA2025/00009       | 147A Forrest Street                                      | Alterations and Additions to a Single House                 | Approved |

### Development Applications Determined July 2025

| Application Number | Location        | Description                                                    | Discretion Sought                                                 | Decision                              |
|--------------------|-----------------|----------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------|
| DA2025/00010       | 33 Keane Street | Alterations and Additions to Single House and Boundary Fencing | Lot Boundary Setback, Vehicular Access, and Dividing Fence Height | Approved under Section 257C (P&D Act) |

### Infringements Issued July 2025

| Location     | Breach                                   | Amount |
|--------------|------------------------------------------|--------|
| Leake Street | Parking Contrary to Signs or Limitations | \$50   |
| Leake Street | Parking Contrary to Signs or Limitations | \$50   |

### Library Statistics for July 2025

| Library Stats            | July 2025 | July 2024 | June 2023 |
|--------------------------|-----------|-----------|-----------|
| Loans                    | 21,908    | 22,986    | 22,441    |
| New Borrowers Registered | 103       | 116       | 305       |

## Recycling Recovery

### TYD Product Tonnes

#### TONNAGES

| MONTH                 | YEAR | FOGO<br>TONNAGES | WASTE<br>TONNAGES | RECYCLING<br>TONNAGES |
|-----------------------|------|------------------|-------------------|-----------------------|
|                       |      |                  |                   |                       |
| JULY                  | 2024 | 18.92            | 39.89             | 16.11                 |
| AUGUST                | 2024 | 22.28            | 38.21             | 11.41                 |
| SEPTEMBER             | 2024 | 22.76            | 39.45             | 11.33                 |
| OCTOBER               | 2024 | 33.30            | 46.70             | 11.92                 |
| NOVEMBER              | 2024 | 23.58            | 41.36             | 11.97                 |
| DECEMBER              | 2024 | 22.72            | 43.47             | 16.55                 |
| JANUARY               | 2025 | 23.04            | 48.33             | 19.20                 |
| FEBRUARY              | 2025 | 23.86            | 41.61             | 12.03                 |
| MARCH                 | 2025 | 21.90            | 42.72             | 11.78                 |
| APRIL                 | 2025 | 33.12            | 46.49             | 10.68                 |
| MAY                   | 2025 | 23.66            | 38.09             | 10.49                 |
| JUNE                  | 2025 | 26.80            | 39.98             | 11.53                 |
|                       |      |                  |                   |                       |
| ANNUAL TOTAL TONNAGES |      | 295.94           | 506.30            | 155.00                |

#### 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 above tables across a number of areas of the Shire's operations.

## **OFFICER RECOMMENDATIONS/COUNCIL DECISION – ITEM 8.4.2**

**Moved: Cr Mahony**

**Seconded: Cr Hohnen**

**That Council receives the information in this report.**

**Carried 4/0**

**For:** Councillors' Karen Farley SC, Jessamy Mahony, Charles Hohnen, Emerald Bond.

**Against:** Nil

**8 COMMITTEE REPORTS**

Cr Hohnen updated Council on WALGAs Central Zone activities.

**9 NEW BUSINESS INTRODUCED BY DECISION OF COUNCIL**

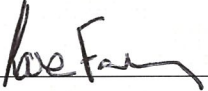
**11 MOTIONS ON NOTICE**

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

**12 CONFIDENTIAL ITEMS OF BUSINESS**

**13 CLOSURE OF MEETING**

At 6.33pm, there being no further business the meeting closed.

Confirmed by  this 23<sup>rd</sup> day of September 2025

PRESIDING MEMBER