



Shire of  
**Peppermint Grove**

# **ORDINARY COUNCIL MEETING**

# **AGENDA**

**TO BE HELD ON**  
**TUESDAY 26 MARCH 2019**  
**AT**  
**5.30 PM**



# Shire of Peppermint Grove

## **NOTICE OF MEETING**

Dear Councillor

It is advised that the **COUNCIL MEETING** will be held in the Council Chamber of the **Shire of Peppermint Grove**, 1 Leake Street, Peppermint Grove, on Tuesday **26 MARCH 2019**, commencing at 5.30 pm.

Yours faithfully



Don Burnett  
**CHIEF EXECUTIVE OFFICER**

**26 MARCH 2019**

## **MEETING AGENDA ATTACHED**

### **DISCLAIMER**

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# Shire of Peppermint Grove

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# Shire of Peppermint Grove

## ORDINARY COUNCIL MEETING AGENDA

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### 1 DECLARATION OF OFFICIAL OPENING

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

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

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

#### **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

Cr R Thomas  
Cr C Hohnen  
Cr K Farley  
Cr D Horrex  
Cr P Macintosh

Chief Executive Officer  
Manager Library and Community Services  
Manager Corporate Services  
Manager Infrastructure Services  
Manager Development Services

Mr D Burnett  
Ms D Burn  
Mr P Rawlings  
Mr D Norgard  
Mr R Montgomery

**Visitors** \_\_\_\_\_, from \_\_\_\_\_  
**Gallery** \_\_\_\_\_ Members of the Public  
\_\_\_\_\_ Members of the Press

## **2.2 APOLOGIES**

## **2.3 LEAVES OF ABSENCE**

Cr G Peters was granted leave of absence for March at OCM 26 February 2019.

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

## **3 DELEGATIONS AND PETITIONS**

### **3.1 DELEGATIONS**

### **3.2 PETITIONS**

#### **4 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.

- The Agenda
- Question to Council and
- 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.

#### **Rules for Council Meeting Public Question Time**

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

#### **4.3 DEPUTATIONS OF THE PUBLIC**

## **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**

*A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.*

*Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.*

### **5.2 PROXIMITY INTEREST**

*A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.*

*Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.*

### **5.3 IMPARTIALITY INTEREST**

*Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.*

### **5.4 INTEREST THAT MAY CAUSE A CONFLICT**

*Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.*



## **5.5 STATEMENT OF GIFTS AND HOSPITALITY**

*Councillors and staff are required (Code of Conduct), to disclose gifts and acts of hospitality which a reasonable person might claim to be a conflict of interest. Gifts and acts of hospitality which exceed that amount of prescribed by regulation are to be recorded in the Councils Gift Register.*

## **6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

## **7 CONFIRMATION OF MINUTES**

<b>COUNCIL DECISION</b>
-------------------------

### **7.1 ORDINARY COUNCIL MEETING 26 FEBRUARY 2019**

Moved:

Seconded:

That the Minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 26 February 2019 be confirmed as a true and accurate record.

## 8 OFFICER REPORTS

### 8.1 MANAGER DEVELOPMENT SERVICES

#### 8.1.1 Development – Replacement of Approved Plan – 9 Keane Street Peppermint Grove

#### URBAN PLANNING

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 – Item refers	Location Plan; Approved Plan; Replacement Approved Plan; Checklist

Voting Requirement	:	Simple Majority
Subject Index	:	DB027B
Location / Property Index	:	9 Keane Street, Peppermint Grove
Application Index	:	DA 015-160
LPS No 4 Zoning	:	R-12.5
Land Use	:	Single House - Additions
Lot Area	:	n/a
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	C & R Newton
Owner	:	C & R Newton
Responsible Officer	:	Manager Development Services – Mr Ross Montgomery

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

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## **PURPOSE OF REPORT**

Council is informed of the variations to the approved plans at 9 Keane Street, and the request for retrospective planning approval

## **SUMMARY AND KEY ISSUES**

- Original Development Application for Alternations and Additions was received by the Shire on the 23/2/2016 and Approval issued on 2/5/16.
- Building plans have been certified deemed to comply with R Codes and these included revisions to the design associated with windows and a balcony.
- Shire was alerted to the discrepancy between the Approved Plan of 2016 and the completed building works.
- Builder and Applicant confirmed that changes introduced through the building certification of drawings altered windows and openings but that these changes did not alter compliance with LPS 4 and R Codes.
- Shire instructed Applicant to confirm certified compliance with R codes and to lodge a formal request to update the Approved Plan associated with Planning Approval DA015-160
- New submitted plans show three minor alterations to the approved plans, each of which are deemed to comply under the R-Codes.

## **LOCATION**

9 Keane Street, Peppermint Grove

## **BACKGROUND**

The application for Planning Approval for additions and alterations at 9 Keane Street was approved by the Shire on the 2<sup>nd</sup> May 2016.

## **CONSULTATION**

A neighbour alerted the Shire to changes in design of windows from plans advertised by the Shire for comment and so queried their design compliance with R Codes. Following this enquiry the Shire contacted the builder and applicant to confirm that the revised design has been certified to be compliant with the R Codes.

The applicant has provided evidence of compliance by certified assessment. This addresses privacy impact of the design changes.

The neighbour has been informed of the application to replace the Approved Plan.

### **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 application addresses the three areas where the development departs from the original set of approved plans and these are summarised as follows:

1. Inclusion of a non-glazed window less than 1m<sup>2</sup> in area on the second floor.  
*In the R-Codes a window of this type is **not** a major opening and therefore meets deemed to comply design.*
2. Section of blade wall added to the north wall.  
*This wall is setback 44m from the northern boundary, and 2.24m from the western boundary, and this meets deemed to comply design.*
3. Alteration to the door frame from full glass sliding door to a full glass fixed window frame.  
*This meets deemed to comply design as per the R-Codes.*

The plans submitted are consistent with the approved building plans. The changes are certified to be deemed design compliant with the R Codes (for the purposes of LPS 4).

The modifications to the design are therefore satisfactory and acceptable to the Shire for the purposes of the request to replace the Approved Plan associated with the Planning Approval.

**OFFICER RECOMMENDATION/S – ITEM NO 8.1.1**

**Council approves for Approved Plan dated October 2018 to be adopted as the replacement for the Approval (DA015-160) for the extensions to the single house at 9 Keane Street, Peppermint Grove with no other changes to the design or conditions of that Approval.**

**Advice to Applicant**

- 1. The Applicant has provided certification the revised design is compliant with the R Codes.**
- 2. In granting approval for the replacement of the Approved Plans, the Shire recognises this has been necessary to ensure consistency with Building modifications and that it is consistent with the Shire requirement that all works are to be subsequent to the issue of a Building Permit and are to be carried out in accordance with this Permit and consistent at all times with the Planning Approval.**

## 8.1.2 Outbuilding on Boundary for boat storage – Amendment of Approved Plan – 47 Johnston Street Peppermint Grove.

## URBAN PLANNING

### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
<b>Attachment 1</b>	Location Plan
<b>Attachment 2</b>	Checklist
<b>Attachment 3</b>	Amended Plans

Voting Requirement	:	Simple Majority
Subject Index	:	DB027B
Location / Property Index	:	47 Johnston Street
Application Index	:	DA2017/0009
LPS No 4 Zoning	:	R-12.5
Land Use	:	Single House – Storage outbuilding
Lot Area	:	718.3m <sup>2</sup>
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	Oswald Homes P/L
Owner	:	Tupac investments P/L
Responsible Officer	:	Manager Development Services – Mr Ross Montgomery

### COUNCIL ROLE

- Advocacy**      *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
  
- Executive**      *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
  
- Legislative**      *Includes adopting local laws, town planning schemes & policies.*
  
- Review**      *When Council reviews decisions made by Officers.*
  
- Quasi-Judicial**      *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

## **PURPOSE OF REPORT**

Council is requested to consider an amendment to the approved plans at 47 Johnston Street Peppermint Grove, to include a garage/storage outbuilding in the north-west corner of the lot.

## **SUMMARY AND KEY ISSUES**

- The amended plans show a building described as a 2-bay boat shed in the north-west corner of the lot, with the northern wall abutting the northern boundary.
- Approval of a boundary wall requires the discretion of Council and the proposal has been referred to the neighbour for review and comment.
- There has been no objection received to the proposal.

## **LOCATION**

47 Johnston Street, Peppermint Grove

## **BACKGROUND**

The original Development Application for a single house was received in October of 2017 and approved in November of the same year (DA2017/00009). The new application is to construct an outbuilding with one wall along the northern boundary for the purposes of boat storage. The building does not impact the approved house and does not increase the plot ratio above the Scheme requirement of 0.5.

## **CONSULTATION**

The land owner at 56 View Street (adjoins to the north) was contacted and given 14 days to respond. This neighbour has viewed the plans however no response has been received.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

### **Local Planning Scheme No.4**

The proposal complies with relevant Scheme provisions, Residential Design Codes and Scheme Policies with the exception of those outlined in the table below.

<b><u>RESIDENTIAL DESIGN CODES</u></b>		
<b>Acceptable Development/Performance Criteria</b>		
<b>Assessment/Comment</b>		
<b>1.</b>	0.5 Plot Ratio	Under the LPS4 plot ratio calculation it is 0.62. Under the new guidelines for plot ratio calculations based on R-Codes, the plot ratio of the proposed development is 0.495. The proposed development also takes advantage of all exclusions within these guidelines to achieve this plot ratio.
<b>2.</b>	2.4 metre wall height for out buildings	Proposed development includes an exterior wall height of 2.66m which is in excess of the allowed 2.4m outlined in the R-Codes. This is compensated for by the pitch of the roof which keeps the overall height of the out building to 4m and compliant with the R-Codes.

## **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**

Approval DA2017/00009 granted approval for a two-storey single house on Johnston Street Peppermint Grove. The house is nearing completion and this proposal adds an outbuilding for boat storage purposes to the approved plans.

The building is described as a 2-bay boat shed (similar to a garage) and is located in the north-west corner of the lot, abutting the northern boundary and relying on the laneway for access. The Manager Infrastructure Services assessed the outbuilding as having an acceptable impact on the laneway thoroughfare.



Existing development on the abutting lot includes a boundary wall and so the outbuilding is deemed to comply under the R-Codes (5.1.3 C3.2 (i)) where the wall abuts an existing or simultaneously constructed wall of similar or greater dimension.

The abutting neighbour at 56 View Street was contacted and invited to view plans and make comment prior to Council assessment. The owners of 56 View Street viewed the plans, however no written comments have been received.

The effect of the proposed outbuilding is that it removes area from what was garden space.

This may be considered to affect the plot ratio because although the R-Codes definition of plot ratio area would exclude a non-habitable outbuilding from the calculation, LPS 4 does not contain this definition however, and so some discretion is required to be exercised by the Council in considering approval. Under the LPS4 definition for plot ratio, it would be 0.62.

Assuming the outbuilding is to be excluded from calculation the overall plot ratio for the site is 0.495 which is just under the LPS 4 limit of 0.5.

LPS 4 defines plot ratio to “*mean(s) the ratio of the floor area of a building to an area of land within the lot boundaries of the lot or lots on which the building is located*”. This does not discriminate between habitable or non-habitable spaces or between outbuildings or the main house structure.

Considering the objectives to provide for orderly and proper planning and to provide for high quality amenity and streetscapes it is recommended that the boat storage be approved because the storage of boats out of sight and away from the street will result in better design outcomes for the neighbourhood.

In addition, it is considered that a boundary wall will reduce the footprint of the outbuilding onto the remaining garden area and so, on this basis the application is recommended for approval.

### **FURTHER INFORMATION**

*Under LPS4 for plot ratio calculation, the plot ratio of the site is 0.62 meaning council discretion will be required.*

*Heights of the outbuilding were checked in reference to the R-Codes and while the overall height of the building is compliant (4m proposed, 4.2m allowed), the proposed wall height (2.66m) exceeds the allowed 2.4m.*

*Both of these variations are indicated as not being compliant in Attachment 2 – Checklist.*

**OFFICER RECOMMENDATION/S – ITEM NO 8.1.2**

**Council approves the development of a storage outbuilding at 47 Johnston Street in accordance with the submitted plans (32473) and dated January 2019 to supplement Approval (DA2017/00009) and to be subject to the same conditions of that Approval and an additional condition to be applied to the Approval:-**

- 1. All works are to be subsequent to the issue of a Building Permit and to be carried out in accordance with this Permit and consistent at all times with this Planning Approval.**

**8.2 MANAGER INFRASTRUCTURE SERVICES**

NIL

**8.3 MANAGER LIBRARY SERVICES & COMMUNITY DEVELOPMENT**

NIL

## 8.4 MANAGER CORPORATE SERVICES

### 8.4.1 Financial Report – February 2019

#### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment	Financial Report – February 2019

Voting Requirement	:	Simple Majority
Subject Index	:	FM026A
Location / Property Index	:	N/A
Application Index	:	N/A
LPS No 4 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Paul Rawlings, Manager, Corporate Services

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

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## **PURPOSE OF REPORT**

To report on financial activity for the period 1 July 2018 to 28 February 2019.

## **SUMMARY AND KEY ISSUES**

- The financial report for the eight months ended 28 February 2019 indicates a YTD surplus some \$245,881 more than YTD budget – see Officer Comment note 7 for additional information;
- Operating revenue is some \$125,520 more than YTD budget (note: the budget is yet to be amended to reflect an additional grant of \$103,300);
- Operating expenditure (to date but subject to outstanding invoices not yet received) is some \$92,036 less than YTD budget;
- Capital expenditure totalling \$227,238 has been incurred.

## **LOCATION**

N/A

## **BACKGROUND**

Nil

## **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**

The financial report forecasts a closing (30 June 2019) surplus of \$78. This figure appears in the yellow column in the attached financial report.

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## **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) Rates**

Some \$16,400 worth of interim rates have been raised during the year (with the budget forecasting \$5,000). As a result, general purpose funding from rates is some \$16,180 more than expected at this time.

### **(2) Grants and Subsidies**

The \$103,300 grant for the Swan River headland and associated works has already been brought to account (following execution of the funding agreement). The 2018/19 budget will be amended at this meeting to reflect this revenue plus the matching contribution by Council (from the infrastructure cash reserve) and the revised capital budget allocation of \$206,600.

### **(3) Contributions and Reimbursements**

Additional reimbursements for paid parental leave and workers compensation payments have yet to be reflected in the revised budget

### **(4) Materials and Contracts**

Materials and contracted expenses are some \$77,268 less than expected at this stage. This relates to timing variances only with many January and February invoices yet to be received.

### **(5) Public Utilities**

Expenditure on electricity and water remains slightly less than anticipated but much of the \$10,180 underspent relates to the timing of utility invoicing.

### **(6) Plant CAPEX and Proceeds from Disposal of Assets**

Replacement of the Manager, Development Services vehicle has been delayed pending completion of the workforce plan.

### **(7) Net Current Assets Year-to-Date**

Net current assets as at 28 February 2019 exceed the revised budgeted figure by some \$245,881 at this stage. This is determined as follows:

<b>Category</b>	<b>Impact on YTD Position</b>	<b>Notes</b>
<b>Revenue</b>		
Rates	\$16,181	Interim rating raised
Fees & Charges	(\$60)	Timing variance
Grants & Subsidies	\$103,800	Unexpected grants
Contributions & Reimbursements	\$21,317	Additional reimbursements
Interest on Investments	(\$1,133)	Timing of maturing term deposits
Other Revenue	\$1,597	Interest on outstanding rates
Proceeds of sale of assets	(\$29,682)	Trade-in values slightly lower
<b>Expenditure</b>		
Employee Costs	(\$809)	Timing variance
Materials & Contracts	\$77,268	See note (4) above – timing related
Utilities	\$10,180	Timing of/savings in electricity expenses
Insurances	(\$53)	Premiums slightly higher
Other Expenses	\$5,450	Savings in Council member allowances
Plant & Equipment Purchases	\$33,376	Skoda yet to be replaced
Road Infrastructure	\$5,209	Savings on The Esplanade project
Drainage Infrastructure	\$4,677	Savings in cost of sump fence
Transfers to Cash Reserves	(\$1,437)	Additional interest earned
<b>Value of YTD variances at 28.2.19</b>	<b>\$245,881</b>	<b>Year-end forecast surplus is \$78</b>

Once the 2018/19 budget is amended to reflect the \$103,300 riverwall grant the difference between YTD Budget and YTD Actuals will narrow to \$245,881 - \$103,300 = \$142,581. Allowing for outstanding invoices and identified minor savings the forecast end-of-year surplus (at this time) is \$78.

#### **OFFICER RECOMMENDATION/S – ITEM No. 8.4.1**

**That Council receives the financial report for the period 1 July 2018 to 28 February 2019.**

**8.4.2 ACCOUNTS PAID – FEBRUARY 2019**
**CORPORATE**
**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
<b>Attachment</b>	<b>Accounts Paid – February 2019</b>

Voting Requirement	:	Simple Majority
Subject Index	:	FM045A
Location / Property Index	:	N/A
Application Index	:	N/A
TPS No 3 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Paul Rawlings, Manager Corporate Services

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

## **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 February 2019 included the following:

- GST & PAYG remittance to ATO;
- Payments for waste disposal to WMRC;
- Staff & Shire superannuation contributions.

## **LOCATION**

N/A

## **BACKGROUND**

Attachment 1 lists details of all payments made 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	FUND	NUMBER SERIES	AMOUNT
EFT	MUNICIPAL	273 – 277	\$260,983.86
EFT	TRUST	T002 – T006	\$7,000.00
CHEQUES	MUNICIPAL	416 – 419	\$1,226.50
CHEQUES	TRUST	400202 – 213	\$13,000.00
BPAY	MUNICIPAL	20 – 24	\$2,608.36
DIRECT DEBITS	MUNICIPAL	46 – 52	\$10,460.94
<b>TOTAL</b>			<b>\$295,279.66</b>

## **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 2018/19 annual budget.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

There are no social implications at this time.

**OFFICER COMMENT**

Nil

**OFFICER RECOMMENDATION/S – ITEM NO. 8.4.2**

**That Council receives the list of payment of accounts by cheques, electronic funds transfers, direct debit payments and BPAY payments for February 2019, totalling \$295,279.66.**

**8.4.3 2018/19 BUDGET REVIEW**
**CORPORATE**
**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
Nil	Nil

Voting Requirement	:	Absolute Majority
Subject Index	:	FM026A
Location / Property Index	:	N/A
Application Index	:	N/A
TPS No 3 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Paul Rawlings, Manager, Corporate Services

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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## **PURPOSE OF REPORT**

To consider and adopt further amendments to the 2018/19 budget (following a review last year).

## **SUMMARY AND KEY ISSUES**

- The 2018/19 annual budget review builds upon a previous review of the budget in the current financial year;
- The review seeks to allocate further surplus funds as well as introducing one new major capital project (construction of a new headland along the river foreshore following a successful grant application and deferral of another in favour of a continuation of footpath renewal works.

## **LOCATION**

N/A

## **BACKGROUND**

The Rivers and Estuaries branch of the Dept. of Biodiversity, Conservation and Attractions has entered into a grant agreement with Council to fund around half the cost of a headland extension to the Swan river-wall. It should be remembered that funds were transferred to the building/infrastructure cash reserve last year to fund Council's half share of the project in anticipation of this grant becoming available. It is these funds that are proposed to be transferred to this year's capital budget.

A number of other budget amendments are proposed including:

- Equal contributions for the three library-participant local governments to fund a building asset management plan covering the library, community centre, Shire office and adjacent structures as well as contributions towards the cost of legal advice on a proposed replacement management agreement;
- Allocation of additional rate revenue to fund several minor projects including a conservation strategy for the Manners Hill Park Pavilion, a traffic review and an information and communication technology plan;
- A lesser transfer to the art and culture cash reserve to cover the cost of artworks purchased in 2018;
- Deferral of the Hobbs Place project and transfer of its \$120,000 budget to enable the continuation of footpath renewal works in accordance with the recent footpath condition assessment undertaken by Council's asset management consultant;
- Re-allocation of the balance of the expected closing year surplus to finalise the implementation and training for the new Office 365 Records Management system (further records migration expenses of around \$15,000 will be incurred in 2019/20);
- Other additional revenue (reimbursements and investment interest) and expenditure savings will offset other unexpected expenses.

## CONSULTATION

Consultation with senior officers has been 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

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires:

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Consideration and review is to be given to a local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year.

## FINANCIAL IMPLICATIONS

The following variations to the 2018/19 budget are proposed:

Item	Acct.	Particulars	Original	Proposed	Variance	Comments
1	41131	Other Infrastructure Acquired at Cost	0	206,600	206,600	Extension to River wall (see items 2 & 3)
2	15120	Other Non-Operating Grants	0	(103,300)	(103,300)	Grant - DPaW - River wall (refer item 1)
3	96200	Transfer ex Infrastructure/Building Reserve	0	(103,300)	(103,300)	River headland construction - Shire contribution (refer item 1)
4	12135	Grove LEGAL/AMP contributions	0	(16,667)	(16,667)	Towns of Mosman Pk & Cottesloe (see items 5 & 6)
5	27640	Legal expenses - Library	0	10,000	10,000	Legal Costs - Proposed new Library Agreement
6	27680	Office/Library Asset Management Plan	0	15,000	15,000	Asset Management Plan expenses
7	11120	Interim Rates	(5,000)	(21,000)	(16,000)	Additional interim rates raised.
8	27600	Heritage Architect	4,000	7,175	3,175	Manners Hill Park Pavilion - conservation strategy (\$6,750)
9	28238	Records Management	35,000	50,000	15,000	Office 365 Records Management system implementation costs
10	27570	Engineering Consultancy	20,300	27,885	7,585	Johnston, View & Leake St Traffic Review (\$15,385 less savings)
11	41131	Depot fence	20,000	0	(20,000)	Project deferred
12	41031	Office Furniture & Equipment	0	35,000	35,000	Office partitioning, IT equipment, Phone system, Firewall
13	96200	Transfer ex IT Reserve	0	(15,000)	(15,000)	Additional funds to replace Office PC's & fund firewall (see item 12)
14	27140	Other Office Expenses	6,500	8,950	2,450	Artworks
15	96100	Transfer to Arts/Culture Reserve	20,000	17,550	(2,450)	Reduction in reserve transfer to cover artworks cost
16	17160	Interest on Reserves Investments	(20,000)	(32,000)	(12,000)	Additional investment interest
17	17150	Interest on Municipal Investments	(25,000)	(21,200)	3,800	Reduction in investment interest
18	13120	Reimbursements	(22,358)	(29,023)	(6,665)	Workers compensation payment reimbursement (\$8,700 adjusted in September)
19	26630	Workers Compensation payments	0	15,365	15,365	Unbudgetted workers compensation payments
20	27680	ICT Consultancy	0	5,000	5,000	ICT Plan (Integrated Planning format)
21	37120	Councillor Allowances	52,500	45,000	(7,500)	Savings due to only six Council members in 2018/19
22	41121	Hobbs Place	120,000	0	(120,000)	Project deferred
23	41131	Footpath Renewals	50,000	170,000	120,000	Re-allocation of infrastructure renewal allocation as per asset management plan
24	95902	Surplus 30 June 2019	16,171	78	(16,093)	Re-allocation of balance of surplus funds
		<b>NET VARIATION</b>			<b>0</b>	

A revised Statement of Financial Activity taking into account the above proposed variations follows:

	REVISED BUDGET 2018/19	PROPOSED NEW BUDGET 2018/19
<b>Operating Revenue</b>		
FEES & CHARGES	213,165	213,165
GRANTS & SUBSIDIES	133,311	236,611
CONTRIBUTIONS, REIMBURSEMENTS	1,281,694	1,305,026
INTEREST ON INVESTMENTS	53,000	61,200
OTHER REVENUE	14,250	14,250
PROFIT ON SALE OF ASSETS	0	0
	<b>1,695,420</b>	<b>1,830,252</b>
<b>Operating Expenses</b>		
EMPLOYEE COSTS	(2,275,989)	(2,291,354)
MATERIALS & CONTRACTS	(1,909,669)	(1,967,879)
PUBLIC UTILITIES	(130,043)	(130,043)
DEPRECIATION	(386,563)	(386,563)
INTEREST EXPENSES	(61,030)	(61,030)
INSURANCES	(94,256)	(94,256)
LOSS ON SALE OF ASSETS	0	0
OTHER EXPENSES	(77,250)	(69,750)
	<b>(4,934,800)</b>	<b>(5,000,875)</b>
<b>CHANGE IN NET ASSETS</b>	<b>(3,239,380)</b>	<b>(3,170,623)</b>
<b>Adjustments for Non-Cash (Revenue) and Expenditure</b>		
(Profit)/Loss on Asset Disposals	0	
Depreciation on Assets	386,563	386,563
	386,563	386,563
<b>Capital Expenditure</b>		
Land & Buildings	0	0
Plant and Equipment	(164,500)	(164,500)
Furniture & Equipment	0	(35,000)
Infrastructure Assets - Roads	(270,000)	(150,000)
Infrastructure Assets - Other	(20,000)	(206,600)
Infrastructure Assets - Footpaths	(50,000)	(170,000)
Infrastructure Assets - Parks & Reserves	0	0
Infrastructure Assets - Drainage	(9,000)	(9,000)
	<b>(513,500)</b>	<b>(735,100)</b>
<b>Capital Revenue</b>		
Proceeds from Disposal of assets	130,000	130,000
<b>Debt Management</b>		
Repayment of Debentures	(27,701)	(27,701)
<b>Reserves and Restricted Funds</b>		
Transfers to Reserves	(200,300)	(197,850)
Transfers from Reserves	22,920	141,220
	<b>(177,380)</b>	<b>(56,630)</b>
Net Current Assets July 1 B/Fwd	234,565	234,565
Net Current Assets Year to Date	16,171	78
<b>Amount Raised from Rates</b>	<b>3,223,004</b>	<b>3,239,004</b>

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

There are no social implications at this time.

**OFFICER COMMENT**

This budget review has excluded savings in waste collection and disposal costs for the time being.

It is intended to re-introduce the waste options paper from November 2018's concept forum to the April 2019 concept forum to enable further consideration of the issues surrounding waste disposal, particularly following further clarification from the State Government around the implementation of its draft *Waste Strategy 2030*.

In addition, the issues paper will look closely at changes to waste collection costs as well as opportunities for further savings from bin number and route rationalisation as well as the impact of the State Government's preferred three-bin system.

**OFFICER RECOMMENDATION/S – ITEM No. 8.4.3**

**That Council adopts the review of the 2018/19 budget with the variations listed above and amends the budget accordingly.**

#### 8.4.4 Matters for Information and Noting

#### **ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
<b>Attachments</b>	<b>1. Building Permits Issued Feb 2019</b> <b>2. Planning Approvals Issued Feb 2019</b> <b>3. Library Statistics Feb 2019</b>

Voting Requirement	:	Simple Majority
Subject Index	:	Multiple
Location / Property Index	:	N/A
Application Index	:	N/A
TPS No 3 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Don Burnett, Chief Executive Officer

#### **COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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## **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
- Advisory notes from WALGA, DLG&C or other stakeholders
- WESROC Mayor/President forum notes
- WALGA Zone minutes
- WALGA State Council minutes
- Seal register advising of when the Shire seal has been applied
- Shine statistics
- Infringements for parking/dogs etc
- Waste and recycling data
- Library statistics

## **SUMMARY AND KEY ISSUES**

The following reports are presented to Council at the Ordinary Council Meeting of February 2019:

1. Building Permits Issued Feb 2019
2. Planning Approvals Issued Feb 2019
3. Library Statistics Feb 2019

## **CONSULTATION**

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

## **OFFICER RECOMMENDATION/S – ITEM NO. 8.4.4**

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



## 8.5 CEO/MANAGEMENT / GOVERNANCE / POLICY

### 8.5.1 Change of Meeting date – April Council meeting

#### MANAGEMENT/GOVERNANCE/POLICY

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	GV043A
Location / Property Index	:	N/A
Application Index	:	N/A
TPS No 3 Zoning	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	CEO

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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## **PURPOSE OF REPORT**

It is proposed to change the date of the April ordinary Council meeting from 23 April to 30 April to avoid a clash with Easter public holidays.

## **SUMMARY AND KEY ISSUES**

- The April Council meeting is scheduled for Tuesday 23 April, immediately following the Easter break.
- There is concern that staff will not be available after the issuing of the agenda on the Thursday before Easter to have time to deal with any queries raised by elected members due to the two Easter public holidays.
- It is proposed that the meeting is rescheduled to 30 April

## **LOCATION**

N/A

## **BACKGROUND**

Council had previously adopted a meeting timetable for the April Council meeting to be held immediately after the Easter break.

## **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**

Any change of meeting date will need to be advertised.

## **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**

It is proposed that the 23 April Council meeting be put back one week to 30 April to avoid a clash with the Easter public holidays.

**OFFICER RECOMMENDATION/S – ITEM NO 8.5.1**

**That Council reschedule the 23 April meeting to 30 April 2019.**

**8.6 COMMITTEE REPORTS**

NIL

**9 NEW BUSINESS OF AN URGENT NATURE**

*(New business of an urgent nature approved by the Presiding Member)*

**10 MOTIONS ON NOTICE**

*(Automatically sent back to Administration for consideration at the next Council Meeting)*

**11 CONFIDENTIAL ITEMS OF BUSINESS**

NIL

**12 CLOSURE**

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

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## **DECLARATION OF FINANCIAL / PROXIMITY / IMPARTIAL INTEREST THAT MAY CAUSE A CONFLICT**

**TO:** Chief Executive Officer  
SHIRE OF PEPPERMINT GROVE

**NAME:** \_\_\_\_\_

**POSITION:** \_\_\_\_\_

**MEETING DATE:** \_\_\_\_\_

**ITEM NO & SUBJECT:** \_\_\_\_\_

**NATURE OF INTEREST:** Financial / Proximity / Impartiality Interest that may cause a Conflict\*      \* Please Circle applicable

**EXTENT OF INTEREST:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Section 5.65(1) of the Local Government Act 1995 states that:**

## **FINANCIAL & PROXIMITY INTERESTS**

*A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.*

*Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.*

## **DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT**

*Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.*

*“A member who has an interest in any matter to be discussed at a Council or Agenda Briefing Forum meeting that will be attended by that member must disclose the nature of the interest”:*

- (a) In a written notice given to the CEO before the meeting; or*
- (b) At the meeting immediately before the matter is discussed.*