



Peppermint Grove

The Garden Shire

NOTICE OF MEETING

Dear Councillor

It is advised that the **Ordinary Council Meeting** will be held in the Council Chamber on the Shire of Peppermint Grove, 1 Leake Street, Peppermint Grove, on 24th March 2026 commencing at 5.30pm.

MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink, appearing to read 'Don Burnett', written in a cursive style.

Mr Don Burnett
CHIEF EXECUTIVE OFFICER

19th March 2026

Date: Tuesday, 24th March 2026
Time: 5.30 pm
Location: Council Chamber at the Shire of Peppermint Grove
1 Leake Street Peppermint Grove



Peppermint Grove

The Garden Shire

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Peppermint Grove

The Garden Shire

ORDINARY COUNCIL MEETING AGENDA

1 DECLARATION OF OFFICIAL OPENING

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

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

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

Members of the Public present at the Council meeting need to be aware that the meeting is recorded and any of their presentations will be recorded and published on the Shire's website.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Councillors and Officers of the Shire of Peppermint Grove. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgment and ability. We will observe the Shire's Code of Conduct and meeting procedures to ensure efficient, effective and orderly decision making within this forum.

2.0 RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE

2.1 ATTENDANCE

Shire President	Cr K Farley SC
Deputy Shire President	Cr P Dawkins
Elected Member	Cr J Mahony
Elected Member	Cr P Macintosh
Elected Member	Cr E Bond
Elected Member	Cr C Hohnen
Elected Member	Cr D Singleton
Chief Executive Officer	Mr D Burnett
Manager Corporate and Community Services	Mr J Clapham
Manager Development Services	Mr J Gajic
Manager Infrastructure Services	Mr D McBride

Gallery Members of the Public
 Members of the Press

2.2 APOLOGIES

2.3 LEAVES OF ABSENCE

2.4 NEW REQUEST FOR A LEAVE OF ABSENCE

3.0 DELEGATIONS AND PETITIONS

4.0 PUBLIC QUESTION TIME

The Presiding Member will open the public question time by asking the gallery if there were any questions or deputation for Council.

1. The Agenda;
2. Question to Council; and
3. Deputation Forms.

Have been placed at the end of the Council Meeting table in front of the public gallery, for the public, as well as on the Shire Webpage. In the event there are no public members present, the Presiding Member will dispense with Public Question Time.

Rules for Council Meeting Public Question Time

- a) *Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.*
- b) *During the Council meeting, after Public Question Time no member of the public may interrupt the meeting's proceedings or enter into conversation.*
- c) *Whenever possible, questions should be submitted in writing at least 48 hours prior to the start of the meeting.*
- d) *All questions should be directed to the President and only questions relating to matters affecting Council may be answered at an Ordinary meeting, and at a Special meeting only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting, at the discretion of the President.*
- e) *The person presiding will control Public Question Time and ensure that each person wishing to ask a question should state his or her name and address before asking the question. If the question relates to an item on the agenda, the item number should also be stated. In general, persons seeking to ask a question will be given 2 minutes within which to address their question to the Council. The person presiding may shorten or lengthen this time in their discretion.*

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE FROM A PREVIOUS MEETING

4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

5.0 DECLARATIONS OF INTEREST

5.1 FINANCIAL INTEREST

5.2 PROXIMITY INTEREST

5.3 IMPARTIALITY INTEREST

5.4 INTEREST THAT MAY CAUSE A CONFLICT

5.5 STATEMENT OF GIFTS AND HOSPITALITY

6.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.0 CONFIRMATION OF MINUTES

OFFICER RECOMMENDATION– ITEM NO 7.1

Moved:

Seconded:

That the minutes of the Ordinary Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 24th February 2026 be confirmed as a true and accurate record.

8.0 OFFICERS REPORTS

8.1 List of Accounts Paid – 28 February 2026

ATTACHMENT DETAILS

Attachment No	Description
Attachments	Accounts Paid – February 2026 - Payment Details - Feb 26.pdf Credit Card Expenses – February 2026 - Credit Cards Feb 26.pdf

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 February 2026:

- Superchoice – superannuation \$20,263.22
- Superchoice – superannuation \$20,630.31
- ATO – BAS \$25,266.04
- DFES – ESL (Emergency Services Levy) \$136,886.10

Background

The Attachment lists detail all payments made in February 2026 and credit card transactions for February 2026 (paid in March 2026). 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	EFT00116 – EFT00121	\$378,264.58
Direct Debits	DD00127 and DD00137 – DD00143	\$13,258.34
BPAY	Nil	\$0
Credit Cards – January 2026		\$3,649.86
Payroll		\$120,960.86
Bank charges		\$612,57
TOTAL		\$516,746.21

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– ITEM NO 8.1

That Council receive the list of payment of accounts by electronic funds transfers, direct debit, BPAY and credit cards for the month of February 2026.

8.2 Financial Statements for the period ending 28th February 2026

ATTACHMENT DETAILS

Attachment No	Description
Attachments	Monthly financial Report for the period ended 28 th February 2026 - Monthly Financial Report February 2026.pdf

Voting Requirement : Simple Majority
 Subject Index : Financial Statements for the Period ended 28th February 2026
 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 28th February 2026.

Summary and Key Issues

The surplus at 28 February 2026 is \$2,296,414, which is \$993,930 more than budgeted for. The main reasons for this variance are: underspend in operating expenditure of \$308,173, more income than budgeted of \$178,472, non cash amounts excluded from operating activities of \$17,111, underspend in capital expenditure of \$691,427, less capital grants than budgeted for in the amount of -\$111,691 and a lower than forecasted opening surplus in the amount of -\$89,562.

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 28 February 2026.

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 at 28 February 2026 is \$2,296,414, which is \$993,930 more than budgeted for.

Officer Comments

The opening surplus is \$528,946 (confirmed after completion of the 2024-25 audit) is \$89,562 less than estimated at the time that the budget was compiled, and \$448,628 more than budgeted for.

The surplus at 28 February 2026 is \$2,296,414, which is \$993,930 more than budgeted for.

Investment of Municipal and Reserve Funds - as at 28th February 2026:

Fund	Purpose	Amount Invested	Start Date	Maturity Date	Term (Days)	Interest Rate %	Expected Interest for the year
Corporate Cheque Account	Municipal Funds	\$2,504,511	Ongoing	Ongoing	N/A	3.65%	\$100,000
Term Deposit	Reserve Funds	\$2,148,466	27/10/2025	24/06/2026	276	4.10%	\$88,000

OFFICER RECOMMENDATION– ITEM NO 8.2

That Council receives the monthly financial statements for the period ended 28 February 2026.

8.3 Mid Year Budget Review – 2025-26

ATTACHMENT DETAILS

Attachment No	Details
Attachment	8.3 2025/26 Budget Review - 2025-26-Budget-Review-Template-V1-0.pdf

Voting Requirement : Absolute Majority
 Subject Index : 2025/26 Financial Management
 Responsible Officer : Jeremy Clapham, Manager of Corporate & Community Services
 Approved by : Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

To consider and adopt a revised budget for the 2025/26 Financial year.

SUMMARY AND KEY ISSUES

- The 2024/25 annual budget review builds upon the adopted budget in the current financial year.
- The review has resulted in an increase of \$39,957 in the estimated surplus, taking it from \$76,673 to \$116,630.
- Various capital projects not going ahead this year.

CONSULTATION

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

BACKGROUND

Staff have revised the income and expenditure of the 2025/26 amended budget to provide for amendments that will reflect the amounts estimated at 30 June 2026.

Details of the changes are included on page 2 of the 2025/26 Budget Review Report.

STRATEGIC IMPLICATIONS

There are no strategic 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 proposed variations to the 2025/26 budget are included in the attached Budget Review Report.

The original 2025/26 budget forecast a surplus at 30 June 2026 of 76,673. The proposed net variations totalling \$39,957 have increased the estimated closing surplus to \$116,630.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The following is a summary of the major changes:

- Revenue from operating activities decreases by \$341,591. Main changes are;
 - \$20,000 - increase in interim rates
 - \$90,000 – increase in sundry revenue licences plate revenue and legal fees
 - \$37,100 – decrease in Federal Assistance Grants - not predicted to be prepaid
 - \$17,381 – decrease in Library contributions from the Town’s of Mosman Park and Cottesloe due to Library capital projects not proceeding – decking project and design of entrance protection
 - \$416,000 – decrease in profit on sale of assets – sale of sump and replacement of vehicles. Please note: this amount does not affect the surplus as it is not cash related

- Expenditure from operating activities decreases by \$35,000. This is mainly due to:
 - \$20,000 – decrease in legal fees
 - \$32,000 – decrease in consulting fees
 - \$16,000 – increase in advertising and printing costs
 - \$20,000 – increase in foreshore reserve costs – beach renourishment
 - \$40,000 – decrease in street tree contractor services, path repairs and admin garden expenses
 - \$65,000 – decrease in town planning scheme expenses
 - \$52,000 – increase in waste services, due to realignment of services
 - \$13,000 – increase in heritage grants

- Capital expenditure (with related reserve transfers) decreases by \$1,632,865:
 - \$477,268 – roadwork projects estimated to cost more than originally budgeted for
 - \$1,536,000 - Johnston St sump project not proceeding this financial year
 - \$100,000 – Foreshore Works not proceeding this financial year (The Shire’s portion of the project that is partly funded by a grant from DBCA)
 - \$300,000 – Parking bay project not proceeding
 - \$110,000 – vehicle replacement not going ahead

- Proceeds from new loans decreases by \$1,700,000:
 - \$1,500,000 – loan no longer required this financial year for purchase of Johnston St sump

- \$200,000 – self supporting loan for Tennis Club no longer required this financial year. Depending on the requirements of the Tennis Club, this loan may be required in 2026/27.

The surplus at the beginning of the financial year is also less than originally budgeted for by \$89,562, due to year end and audit adjustments and has been factored into the projections.

OFFICER RECOMMENDATION/S – ITEM No. 8.3

That Council adopts the revised 2025/26 financial year budget which replaces the Adopted Budget.

8.4 Matters for Information and Noting

ATTACHMENT DETAILS

Attachment No	Description
Attachment 1	Building/Planning/ Library Statistics and Infringements Issued - Development Services Statistics February 2026.pdf
Attachment 2	Library Management Group Meeting Notes February 2026 Library Management Group Meeting Notes February 2026.pdf

Voting Requirement	:	Simple Majority
Subject Index	:	Matters for Information x
Disclosure of Interest	:	Nil
Author	:	Allana West
Responsible Officer	:	Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

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

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

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

Building Applications Determined February 2026

Application Number	Location	Description	Decision
BA2025/00034	6 The Esplanade	Forward Works for a Single House (Retaining Walls, Piling and Fencing)	Approved
BA2026/00001	28 The Esplanade	Partial Demolition of a Single House (Stage One of Building Works)	Approved
BA2026/00002	42A View Street	Retaining Wall and ROW Fencing	Withdrawn

Development Applications Determined February 2026

Application Number	Location	Description	Discretion Sought	Decision
DA2025/00024	9 View Street	Alterations and Additions to a Single House, Swimming Pool, Fencing and Ancillary Works	Visual privacy	Approved under Delegation
DA2026/00001	42A View Street	Retaining Wall and ROW Fencing	Fence height	Withdrawn
DA2026/00002	127 Forrest Street	Demolition and Replacement of a Large Outbuilding (Garden Shed)	Lot boundary setback	Approved under Delegation

Infringements Issued February 2026

Location	Breach	Amount
Leake Street	Stopping within Continuous Yellow Lines (Obstructing a Driveway)	\$100
Johnston Street	Obstructing a Path or Driveway	\$100

Library Statistics for February 2026

Library Stats	Feb-26	Feb-25	Feb-24
Loans	17,599	19,958	20,001
Borrowers Registered	87	103	271

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 – ITEM 8.4

That Council receives the information in this report.

9. ARIC COMMITTEE REPORTS

Item 9.1 Matters for Information and Noting

ATTACHMENT DETAILS

Attachment No	Description
Attachments	Draft ARIC Terms of Reference - DRAFT ARIC Terms of Reference with highlighted proposed amendments.pdf Internal Audit Plan – 2026/27 to 2028/29 - Shire of Peppermint Grove - Internal Audit Plan Final 2025-2028 V2.pdf

Voting Requirement	Simple Majority
Subject Index	Financial management Audit
Disclosure of any Interest	Nil
Responsible Officer	Jeremy Clapham, Manager Corporate & Community Services

PURPOSE OF REPORT

The Shire of Peppermint Grove regularly receives and produces information for receipt by the ARIC (Audit, Risk and Improvement Committee) Members. The purpose of this item is to keep ARIC Members informed on items of information received and produced by the Shire.

The Matters for Information and Noting Report includes the following matters:-

- Updating of the Terms of Reference/Charter for the ARIC.
- Small Rates balances written off under CEO Delegated Authority.
- Internal Audit Plan for the next 3 years.

SUMMARY AND KEY ISSUES

- With the new ARIC regulations coming into place in 2026, the Shire needs to update the Terms of Reference/ Charter for the ARIC.
- There were a number of small rates balances written off under CEO delegation in February 2026 amounting to a total of \$33.17.
- An Internal Audit Plan has been prepared by Australian Audit for the next 3 financial years. A second quote will be obtained before the work commences in 2026/27.

CONSULTATION

Internal Audit Plan received from Australian Audit to cover internal audit areas for the next 3 financial years.

STRATEGIC IMPLICATIONS

Strategic Priority 5- Governance

Item 5.1- Continue to monitor the financial sustainability of the Shire's resources

POLICY IMPLICATIONS

Financial Management Policies

STATUTORY IMPLICATIONS.

Local Government (Financial Management) Regulations 1996.

FINANCIAL IMPLICATIONS

Rates written off of \$33.17 and estimated internal audit costs of \$12,000 per year for the next 3 financial years based on an hourly rate of \$190 plus GST fixed for the term of 3 years.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no Social Implications identified at this time.

OFFICER COMMENT

Updated Terms of Reference/Charter for the ARIC

The current Terms of Reference were last updated in 2019 and are now outdated. With the new ARIC regulations coming into effect in 2026, the Shire is required to update the Terms of Reference. The attached document takes into account the requirements of the new legislation and clarifies the responsibilities of all ARIC members.

Small Rates balances written off under CEO Delegated Authority.

From time to time the Shire writes off small rates balances, mainly due ratepayers short paying outstanding accounts that have had interest accruing on them. It is not considered worthwhile chasing up these small balances and is better practice to write them off. The amounts are considered insignificant. The Shire wrote off 6 small balances under \$10 for Rates outstanding totalling \$33.17 in February 2026, under CEO Delegation 2.4 – Authority to Write Off Rates and Service Charges. The CEO is required to Report to the ARIC six monthly on the exercise of this delegation.

Internal Audit Plan

The Shire carries out internal audit processes as and when required. In the 2023/24 financial year, the Shire carried out a Regulation 17 Review and a Financial Management Review. The Shire has not carried out any internal auditing in the 2024/25 or 2025/26 financial years. It is deemed prudent to carry out internal auditing in the 2026/27, 2027/28 and 2028/29 financial years as per the attached program, as these areas of focus are considered to be worth reviewing. The first area of focus will be Information Technology – General Controls and Security Environment, the second will be Contracts and Tenders and the third will be Human Resource Management (this area of focus is still to be confirmed).

OFFICER RECOMMENDATION– ITEM NO 9.1

That Council:

- 1. Receives the information in this report,**

COMMITTEE RECOMMENDATION – ITEM NO 9.1

That Council:

- 2. Receives the information in this report,**
- 3. Adopts the Terms of Reference/Charter for the ARIC as amended and highlighted in the attachment**

10. NEW BUSINESS INTRODUCED BY DECISION OF COUNCIL

Item 10.1 Electoral Reform Discussion Paper - WALGA

ATTACHMENT DETAILS

Attachment No	Description
Attachment 1	Draft Discussion Paper – Electoral Reform Draft - Discussion paper - Electoral Reform.pdf
Attachment 2	Sector Consultation Electoral Reform Discussion Paper InfoPage - Sector Consultation Electoral Reform Discussion Paper.pdf

Voting Requirement	:	Simple
Subject Index	:	WALGA
Disclosure of Interest	:	Nil
Author	:	CEO
Responsible Officer	:	CEO

PURPOSE OF REPORT

To consider Council's response to the WA Local Government Association's (WALGA) discussion paper on electoral reform.

SUMMARY AND KEY ISSUES

WALGA has requested Councils to respond to a number of questions relating compulsory voting and all full spill elections.

BACKGROUND

The Minister for Local Government has intimated the possibility of a four (4) yearly election cycle of a full spill of elected members. In the past, there has also been discussion around the possibility of compulsory elections for local government.

WALGA is seeking feedback from local governments so that it can update its advocacy positions on these two subjects. The Info page and discussion papers are attached.

CONSULTATION

There has been no specific consultation undertaken on the matter.

STRATEGIC IMPLICATIONS

There are no specific strategic implications with this matter.

POLICY IMPLICATIONS

There is no policy implication with this matter.

STATUTORY IMPLICATIONS

The are no statutory implications with this recommendation.

FINANCIAL IMPLICATIONS

There are no financial implication with this matter.

ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications with this report.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

WALGA have requested a response to the following questions. These questions were discussed by elected members at a recent Concept Forum and the responses reflect the elected member groups position.

Full spill elections every 4 years.

Questions

1. Does your Local Government support half spill elections every 2 years or full spill elections every 4 year? *Answer – Council supports the status quo of half spill elections every 2 years.*
2. What are the key considerations informing this view? *Answer – It is considered important to have continuity of elected members with some retention of corporate knowledge.*
3. If full spill elections every 4 years were introduced, what transitional arrangements and consequential amendments may be required. *Answer – recently elected members at the 2025 election to serve their full term to 2029. Elections in 2027 to be for 2 years only, therefore all positions vacant in 2029.*
4. Any other comments? *Answer – the system isn't broken, so no need to fix.*

Compulsory Voting

Questions

1. Does your Council support compulsory voting or voluntary voting in Local Government elections? *Answer – Voluntary voting.*
2. If the frequency of Local Government elections were changed to every 4 years, would your Local Government support compulsory or voluntary voting? *Answer – voluntary.*
3. What are the key considerations informing this view? *Answer – There is a concern that compulsory voting will politicise local governments, creating a focus on party politics rather than looking after the interests of Local Government residents.*
4. Any other comments? *Answer – no*

OFFICER RECOMMENDATION/S – ITEM NO 10.1

That Council authorise the CEO to respond to WALGA's discussion paper in accordance with the responses contained in this report.

Item 10.2 Governance Policy – Amendment to Code of Conduct for Elected Members, Committee Members and Candidates

ATTACHMENT DETAILS

Attachment No	Description
Attachment 1	1. Model Code of Conduct Local Government (Model Code of Conduct) Regulations 2021 - [00-c0-00].pdf
Attachment 2	2. Shire of Peppermint Grove DRAFT Amended Code of Conduct for Elected Members, Committee members and Candidates DRAFT EM Code of Conduct 2026.pdf

Voting Requirements : Simple Majority
 Subject Index : Policy Update
 Disclosure of Interest : Nil
 Author : Allana West
 Responsible Officer : CEO

PURPOSE OF REPORT

The purpose of this report is to ensure that the Shire of Peppermint Grove makes requested amendments to its Code of Conduct for Elected Members, Committee Members and Candidates. These amendments are required to reflect the changes brought about by the introduction of the Local Government Inspector and to clarify decision-making responsibilities for behavioural breach complaints.

All local governments must amend their adopted Code of Conduct to incorporate the amendments by no later than 31 March 2026 [s.5.104(2)]. The CEO must publish the updated Code on the website [s.5.104(7)].

Once adopted, the Shire of Peppermint Grove will also be required to review and update its Behavioural Breach Complaint Management Policy and Procedures to align with the amended regulations. This will be developed against the model code provided by WALGA.

SUMMARY AND KEY ISSUES

The Local Government Inspector is a statutory officer appointed to improve the accountability, transparency, and decision-making of local governments across Western Australia. The Inspector provides oversight through complaint handling, inquiries, compliance review, and education. To ensure the Inspector’s role and authority is incorporated into the operation of local governments, some policies will require amendments.

BACKGROUND

The Office of the Local Government Inspector has been established to improve the way that council member and local government staff conduct is regulated.

The Inspector will:

- receive breach complaints about council members
- oversee complaints about CEOs

- have the powers of a standing inquiry to be able to investigate and intervene in any local government where potential issues are identified
- have the authority to assess, triage, refer, investigate, or close complaints – having regard to various public interest criteria
- have the power to order a local government to address non-compliance.

Local governments will still be responsible for dealing with behavioural complaints from the Local Government (Model Code of Conduct) Regulations 2021.

CONSULTATION

There has been no consultation done by the Shire of Peppermint Grove in relation to this matter. It is however a requirement set by the Department of Local Government, Industry Regulation and Safety that these amendments be incorporated.

SOCIAL IMPLICATIONS

No social implications are predicted with the amendment of this policy.

POLICY IMPLICATIONS

Update to the current policy and changes to the way complaints are handled for CEO's, elected members, committee members and candidates of the Shire.

STATUTORY IMPLICATIONS

Amendments to the Local Government (Model Code of Conduct) Regulations 2021 take effect on **1 January 2026**. Under section 5.104(2) of the *Local Government Act 1995*, local governments must update their adopted code of conduct within 3 months of commencement (**by 1 April 2026**).

FINANCIAL IMPLICATIONS

No Financial Implications however additional training may be required which will have associated costs.

ENVIRONMENTAL IMPLICATIONS

No Environmental Implications.

OFFICER COMMENT

Recommend that council adopt the amendments the Code of Conduct for Council Members, Committee Members and Candidates in line with the Model Code of Conduct outlined in attachment 1.

Amendments include the addition of:

- 11 Complaint about alleged breach Section 4 (a and b); 5 and 6
- 14A Appointment of a monitor Section 1, 2 subsections a and b
- 14B Performance of local government's functions under cl. 12 and 13. Sections 1 to 5
- 21 Disclosure of information add 1 subsection (b) additional description of terms of 'closed meeting'

OFFICER RECOMMENDATION/S – ITEM NO 10.2

That Council adopt the amended Code of Conduct for Elected Members, Committee members and Candidates.

11. MOTIONS ON NOTICE

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

12 CONFIDENTIAL ITEMS OF BUSINESS

13 CLOSURE OF MEETING

At ___pm, there being no further business the meeting closed.