



Shire of
Peppermint Grove

ORDINARY COUNCIL MEETING

AGENDA

TO BE HELD ON
TUESDAY 26TH SEPTEMBER 2023
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 on the Shire of Peppermint Grove, 1 Leake Street, Peppermint Grove, on 26th September 2023, 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

21st September 2023



Shire of Peppermint Grove

TABLE OF CONTENTS

ITEM	SUBJECT HEADING	PAGE
1.	DECLARATION OF OFFICIAL OPENING	5
2.	RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE	5
2.2	APOLOGIES.....	6
2.3	LEAVES OF ABSENCE	6
2.4	NEW REQUEST FOR A LEAVE OF ABSENCE	6
3.	DELEGATIONS, PRESENTATIONS AND PETITIONS	6
4.0	PUBLIC QUESTION TIME.....	6
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE FROM A PREVIOUS MEETING.....	7
4.2	QUESTIONS FROM MEMBERS OF THE PUBLIC	7
5.0	DECLARATIONS OF INTEREST	7
5.1	FINANCIAL INTEREST	7
5.2	PROXIMITY INTEREST	7
5.3	IMPARTIALITY INTEREST	7
5.4	INTEREST THAT MAY CAUSE A CONFLICT	7
5.5	STATEMENT OF GIFTS AND HOSPITALITY	7
6.0	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	7
7.0	CONFIRMATION OF MINUTES	7

8.0 OFFICERS REPORTS.....	8
8.3 MANAGER CORPORATE AND COMMUNITY SERVICES	9
8.3.1 LIST OF ACCOUNTS PAID – AUGUST 2023.....	9
8.3.2 FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 ST AUGUST 2023	11
8.4.1 CEO MANAGEMENT/GOVERNANCE/POLICY	13
8.4.1 POLICY FOR LEGAL REPRESENTATION FOR ELECTED MEMBERS AND EMPLOYEES.....	13
8.4.2 MATTERS FOR INFORMATION AND NOTING.....	15
9. COMMITTEE REPORTS.....	17
10. NEW BUSINESS INTRODUCED BY DECISION OF COUNCIL	17
11. MOTIONS ON NOTICE.....	17
12. CONFIDENTIAL ITEMS OF BUSINESS.....	17
13. CLOSURE OF MEETING	17



Shire of
Peppermint Grove

AGENDA BRIEFING FORUM AGENDA

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 ready 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 efficient, effective and orderly decision making within this forum.

2. RECORDING OF ATTENDANCE, APOLOGIES AND LEAVES OF ABSENCE

2.1 ATTENDANCE

Shire President	Cr Rachel Thomas
Deputy Shire President	Cr C Hohnen
Elected Member	Cr P Macintosh
Elected Member	Cr D Horrex
Elected Member	Cr D Jackson
Elected Member	Cr K Farley
Elected Member	Cr P Dawkins

Acting Chief Executive Officer	Mr D Norgard
Manager Corporate & Community Services	Mr J Clapham

Gallery Members of the Public
 Members of the Press

2.2 APOLOGIES

Chief Executive Officer
Manager Development Services

Mr D Burnett
Mr J Gajic

2.3 LEAVES OF ABSENCE

2.4 NEW REQUEST FOR A LEAVE OF ABSENCE

3. DELEGATIONS, PRESENTATIONS AND PETITIONS

4.0 PUBLIC QUESTION TIME

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

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

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

Rules for Council Meeting Public Question Time

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

- 4.1 **RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE FROM A PREVIOUS MEETING**
Nil
- 4.2 **QUESTIONS FROM MEMBERS OF THE PUBLIC**
- 5.0 **DECLARATIONS OF INTEREST**
- 5.1 **FINANCIAL INTEREST**
- 5.2 **PROXIMITY INTEREST**
- 5.3 **IMPARTIALITY INTEREST**
- 5.4 **INTEREST THAT MAY CAUSE A CONFLICT**
- 5.5 **STATEMENT OF GIFTS AND HOSPITALITY**
- 6.0 **ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**
- 7.0 **CONFIRMATION OF MINUTES**

OFFICER RECOMMENDATION/COUNCIL DECISION – 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 22nd August 2023 be confirmed as a true and accurate record.

Moved:

Seconded:

That the minutes of the Special Council Meeting, of the Shire of Peppermint Grove held in the Council Chambers on 12th September 2023 be confirmed as a true and accurate record.

8.0 OFFICERS REPORTS

8.1 MANAGER DEVELOPMENT SERVICES

NIL

8.2 MANAGER INFRASTRUCTURE

NIL

8.3 MANAGER CORPORATE AND COMMUNITY SERVICES

8.3.1 List of Accounts Paid – August 2023

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Description</u>
Attachment 1	Accounts Paid – August 2023 Credit Cards – July 2023

Voting Requirement : Simple Majority
 Subject Index : Financial Management
 Disclosure of Interest : Nil
 Responsible Officer : Jeremy Clapham, Manager Corporate and Community Services

PURPOSE OF REPORT

The purpose of this report is to advise the details of all cheques drawn, credit card, electronic funds payments, direct debits and BPAY since the last report.

SUMMARY AND KEY ISSUES

Significant payments in August 2023 included the following:

- ATO Pay as you go Tax
- Superannuation
- WMRC – Bin service
- WALGA – annual subscription services

BACKGROUND

The Attachment lists detail all payments made in August 2023. The following summarise credit card payments, electronic fund transfers, direct debits and BPAY included in the list presented for information.

PAYMENT TYPE	NUMBER SERIES	AMOUNT
EFT	EFT00533-537	\$232,747.07
Direct Debits	DD00444-452	\$11,062.16
BPAY	BPAY301	\$84.25
Credit Cards – July 2023		\$12,380.28
TOTAL		\$256,273.76

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.” 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 2023/24 Adopted Budget.

COMMENT

The list of Accounts paid are provided to Council for information purposes and in accordance with the delegation to the CEO.

OFFICER RECOMMENDATION/S – ITEM NO. 8.3.1

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

- 1. Electronic funds transfers, cheque, direct debit & BPAY payments for the month of August 2023, totalling \$243,893.48**
- 2. Credit Card payments for July 2023 totalling \$12,380.28**

8.3.2 Financial Statements for the period ending 31st August 2023

CORPORATE

<u>Attachment No</u>	<u>Details</u>
Attachment	Financial Statements for the period ended August 2023

Voting Requirement	: Simple Majority
Subject Index	: Financial Statements 2023/24
Disclosure of Interest	: Nil
Responsible Officer	: Jeremy Clapham, Manager of Corporate and Community Services
Authorised by	: Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

To receive the financial statements for the period ended 31st August 2023.

SUMMARY AND KEY ISSUES

Up to August there was limited expenditure, while the full rates revenue has been recognised. This has resulted in a large surplus that will be drawn down over the course of the year. Please see attached Monthly Financial Report for an explanation of any material variances.

BACKGROUND

The Monthly Financial Statements are prepared in accordance with the requirements of the Local Government Act 1995 & Financial Management regulations (1996). Monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31st August 2023.

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

There are no detrimental financial implications evident at this time.

OFFICER COMMENT

The Monthly Financial Statements show a large surplus that can be attributed to the levying of the Rates and Refuse Charges in July 2023

Details of material variances are shown in Note 3 of the attached Monthly Financial Report.

Depreciation has not yet been processed as it is necessary to wait until the completion of the 2022/23 audit.

The estimated closing surplus as at 30 June 2023 may change pending the completion of the 2022/23 audit.

Investment of Municipal and Reserve Funds - as at 31st August 2023.

The Shire has the following funds invested as 'on call' and fixed term deposits with the National Australia Bank:-

Fund	Purpose	Amount Invested	Start Date	Maturity Date	Term (Days)	Interest Rate %	Expected Interest
Term Deposit	Reserve Funds	\$1,988,560.40	15 August 2023	28 June 2024	313	5.20%	\$8,600 per month
Corporate cheque account	Municipal Funds	\$1,650,424.34	Ongoing	Ongoing	N/A	4.15%	\$5,700 per month
Professional Funds Account	Municipal Funds	\$939,863.07	Ongoing	Ongoing	N/A	4.15%	\$3,200 per month

OFFICER RECOMMENDATION – ITEM NO. 8.3.2

That Council receives the financial report for the period ended 31 August 2023.

8.4.1 CEO MANAGEMENT/GOVERNANCE/POLICY

MANAGEMENT/GOVERNANCE/POLICY

8.4.1 Policy for Legal Representation for Elected Members and Employees

ATTACHMENT DETAILS

<u>Attachment</u>	<u>Details</u>
Attachment 1	Policy for Legal Representation Costs for Elected Members and Employees

Voting Requirement	:	Simple
Subject Index	:	Policy
Disclosure of Interest	:	Nil
Author	:	Jennifer Court, Executive Services
Responsible Officer	:	Don Burnett, Chief Executive Officer

PURPOSE OF REPORT

The purpose of the report is for Council to consider the draft policy on Legal Representation Costs for Elected Members (EM) and Employees.

SUMMARY AND KEY ISSUES

This policy provides guidelines to assist the Shire in determining when it is appropriate to pay legal representation costs attributed to EM and Employees when they have become involved in legal proceedings as a result of their official functions.

BACKGROUND

There is no current provision for legal expenses to be met by the Council for this purpose. The Policy outlines the process for seeking reimbursement when the expense relates to their duties for the Shire.

The policy requires a written submission to be provided to the CEO which must address compliance with criteria set out in the policy.

A limit will be set on the level of legal representation costs to be paid, based on the estimated costs in the application of the Shires' annual budget.

The Council will approve all applications under this policy.

CONSULTATION

There has been no consultation on this matter.

STRATEGIC IMPLICATIONS

There are no strategic implications identified in this report.

POLICY IMPLICATIONS

There are no policy implications identified in this report.

STATUTORY IMPLICATIONS

There are no statutory implications evident at this time.

FINANCIAL IMPLICATIONS

If there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$5,000.

Any amount recovered by the EM or Employee whether for costs or damages shall be offset against any monies paid or payable by the Shire.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications identified in this report at this time.

OFFICER COMMENT

This policy is designed to protect the interests of EM and employees when they become involved in civil legal proceedings because of their official functions. The Shire will assist the individual in meeting reasonable expenses in relation to proceedings. A number of other local councils have adopted similar policies.

FURTHER INFORMATION

The draft policy was considered at the Agenda Briefing Forum on 12th September and the wording under point 5, paragraph 3 was to be changed from 'Shire' to 'Council.'

OFFICER RECOMMENDATION – ITEM NO. 8.4.1

That Council adopt the policy on Legal Representation for Elected Members and Employees.

MANAGEMENT/GOVERNANCE/POLICY

8.4.2 Matters for Information and Noting

ATTACHMENT DETAILS

<u>Attachment</u>	<u>Description</u>
Attachment 1	Building/Planning Statistics
Attachment 1	Infringements Issued
Attachment 1	Library Statistics
Attachment 2	Recycling Statistics
Attachment 3	Library Management Group Meeting Notes 15th August 2023

Voting Requirement	:	Simple Majority
Subject Index	:	Matters for Information August 2023
Disclosure of Interest	:	Nil
Author	:	Jennifer Court, Executive Services
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 of 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.

It is intended that the following information will be 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 issued.
- Demolition permits issued.
- Seal register advising of when the Shire seal has been applied.
- Infringements for parking and dogs etc.
- Recycling Statistics.
- Library Statistics.

SUMMARY AND KEY ISSUES

The following reports are presented to Council:

- Planning Approvals.
- Building Approvals
- Infringements
- Library Statistics
- Recycling

OFFICER COMMENT

The Library Management Group met on 15th August 2023. In addition to discussing usual financial matters, updates were provided to the group on the proposed installation of the digital parking and events sign at the Library carpark.

CONSULTATION

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

OFFICER RECOMMENDATION/S – ITEM NO 8.4.2

That Council receives the information in this report.

9. COMMITTEE REPORTS

Nil

10. NEW BUSINESS INTRODUCED BY DECISION OF COUNCIL

11. MOTIONS ON NOTICE

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

12. CONFIDENTIAL ITEMS OF BUSINESS

13. CLOSURE OF MEETING

At___pm, there being no further business, the meeting closed.