



TOWN OF
MOSMAN PARK

AGENDA FORUM
TUESDAY 16 FEBRUARY 2021



NOTICE OF MEETING

Councillors are advised that an Agenda Forum will be held in the Council Chambers, Administration Centre, Bay View Terrace, Mosman Park on Tuesday 16 February 2021 at 6:00pm.

Your attendance is kindly requested.

Carissa Bywater
CHIEF EXECUTIVE OFFICER



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1. DECLARATION OF OPENING

The Presiding Member is to declare the meeting open.

2. RECORD OF ATTENDANCE

Members:

Mayor	B. Pollock
Deputy Mayor	A. Maurice
Councillor	Z. Johnson
Councillor	P. Shaw
Councillor	A. Baird
Councillor	G. Carey
Councillor	J. Ledgerwood

Officers:

Chief Executive Officer	C. Bywater
Director Planning and Operations	A. Nancarrow
A/Director Operations	B. Moorman
Executive Officer	C. Markovic

Apology

Observers:

Press:

Leave of absence (previously approved):

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. PETITIONS/DEPUTATIONS/PRESENTATIONS

6. DECLARATION OF INTEREST

In accordance with section 5.65 of *the Local Government Act 1995* a member who has an interest in any matter to be discussed at a Council or Committee meeting, that will be attended by the 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.

7. APPLICATION FOR LEAVE OF ABSENCE

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Nil endorsement of Minutes at the Agenda Forum.

10. REPORTS OF COMMITTEES

11. REPORTS OF OFFICERS

11 (i) ADOPTION BY EXCEPTION RESOLUTION

11.1 REGULATORY & PLANNING SERVICES

11.1.1 PLANNING APPROVALS, SUBDIVISION REFERRAL RESPONSES AND CLEARANCES ISSUED FOR DECEMBER 2020 AND JANUARY 2021

File No.: ADMIN5

Responsible Executive/ Manager: ERINA PARSONS
SENIOR PLANNING OFFICER

Author: ANJALY VIJAYAKRISHNAN
PLANNING & BUILDING ASSISTANT OFFICER

Author Disclosure of Interest: NIL

Attachments provided under separate cover: NIL

Authority/Discretion

- 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. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.
- Quasi-Judicial When Council determines an application/matter that directly affects 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 licenses, applications for other permits/licenses (e.g. under *Public Health Act 2016*, *Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes Includes items provided to Council for information purposes.

OFFICER RECOMMENDATION

That Council receives the report on Planning Approvals issued for December 2020 and January 2021.

VOTING REQUIREMENTS

Simple majority.

EXECUTIVE SUMMARY

This report provides a summary of the Planning Approvals issued for December 2020 and January 2021.

BACKGROUND

The following list indicates Planning Approvals, Subdivision Referral Responses and Clearances issued from 1 December 2020 to 31 January 2021 inclusive.

SUBDIVISION REFERRAL RESPONSES TO WAPC

Date Issued	Address	Development	Supported / Not Supported
23/12/2020	14 Harvey Street	Subdivision Referral –Three Lots	Not Supported

SUBDIVISION CLEARANCES - DETERMINED UNDER DELEGATED AUTHORITY

Date Issued	Address	Development	Supported / Not Supported
22/12/2020	25 Victoria Street	Subdivision Clearance - Three Lots	Supported

PLANNING APPROVALS – DETERMINED UNDER DELEGATED AUTHORITY

Date Issued	Address	Development
02/12/2020	9 Kenny Street	Addition of Verandah and Awning
02/12/2020	93B Wellington Street	New Double Storey Dwelling, with Ancillary Dwelling (Under Main Roof)
02/12/2020	7 Somerset Crescent	Renovation of Existing Balcony, Addition of Roof and Staircase
03/12/2020	21 Beagle Street	Two Storey Single Dwelling
04/12/2020	28 Willis Street	Two Storey Single Dwelling
04/12/2020	7 Saunders Street	Alterations and Additions to Existing Dwelling Including New Pool, Terrace and Garage
08/12/2020	102 Buckland Avenue	Chook House / Storage Structure (Retrospective)
16/12/2020	6 Rudwick Street	Carport
18/12/2020	3A Frances Terrace	Retrospective Retaining Walls, Planter Boxes and Bin Enclosure

Date Issued	Address	Development
18/12/2020	3A Frances Terrace	Pergola, Decking, Bin Store and Retaining Walls
24/12/2020	10 Owston Street	Retrospective Approval - Fill to Existing Ground Levels and Modifications to Boundary Fencing
12/01/2021	46 Owston Street	Second Storey Addition to Existing Dwelling
25/01/2021	18 Winifred Street	Proposed Ancillary Accommodation
25/01/2021	6 York Terrace	Patio Addition
29/01/2021	2 Tregonning Lane	Two Storey Single House with Basement, Pool, Alfresco, Balcony and Gate House
29/01/2021	18 Mathieson Avenue	New Two Storey Residence with Pool

DEEMED TO COMPLY ADVICE PROVIDED

Date Issued	Address	Development
Nil		

PLANNING APPROVALS – DETERMINED BY DEVELOPMENT ASSESSMENT PANEL

Date Issued	Address	Development
Nil		

PLANNING APPROVALS – DETERMINED BY COUNCIL

Date Issued	Address	Development
Nil		

STRATEGIC PLAN ALIGNMENT

Nil.

LEGAL/ POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

11.1.2 BUILDING APPROVALS FOR DECEMBER 2020 AND JANUARY 2021

File/ Assessment No.: BC1

Responsible Executive/ Manager: ABRAHAM GEHA
BUILDING SURVEYOR

Author: ANJALY VIJAYAKRISHNAN
PLANNING & BUILDING ASSISTANT OFFICER

Author Disclosure of Interest: NIL

Attachments provided under separate cover: NIL

Authority/Discretion

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- Information Purposes Includes items provided to Council for information purposes.

OFFICER RECOMMENDATION

That Council receives the report on Building Approvals issued for December 2020 and January 2021.

VOTING REQUIREMENTS

Simple majority.

EXECUTIVE SUMMARY

Build Type	Permit Number	Location of Building Lot and Street Number	Description of Building Work	Name and Address of Contractor
BAC	6316	102 Buckland Avenue	Shed	Milestone Certifiers Pty Ltd 1 The Esplanade MOUNT PLEASANT WA 6153
CERT	6321	21 Beagle Street	Two Storey Residential Dwelling	Tangent Nominees Pty Ltd 242 Leach Highway MYAREE 6154
CERT	6331	41 Somerset Crescent	Steel Patio	Abel Roofing 2/453 Yangebup Road COCKBURN CENTRAL WA 6164
UNCERT	6349	25 Samson Street	Swimming Pool and Safety Barrier	Barrier Reef Pools Perth 28 Da Vinci Way FORRESTDALE WA 6112
UNCERT	6350	86 Glyde Street	Steel framed and Metal Clad Shed	John Victor Werndly 86 Glyde Street MOSMAN PARK WA 6012
CERT	6353	50 Harvey Street	Fit-out	Damon Stent PO Box 1069 EPPING VIC 3076
CERT	6358	10 Saunders Street	New Dwelling including Retaining Wall	Bauen Projects WA Pty Ltd 6/62 Bay View Terrace CLAREMONT WA 6010
CERT	6359	38 Owston Street	Two Storey Dwelling including Garage, Porch, Alfresco Decking,Swimming Pool Safety Barrier and Letterbox - Amendment to Original Building Permit #6241	Building Corporation WA Pty Ltd PO Box 1169 OSBORNE PARK DC WA 6916

Agenda Forum

Build Type	Permit Number	Location of Building Lot and Street Number	Description of Building Work	Name and Address of Contractor
UNCERT	6360	4 Hayes Terrace Mosman Park 6012 24 Hayes Terrace	Patio	Australian Outdoor Living 2/35 Prosperity Avenue WANGARA WA 6065
BAC	6361	5 Bird Street	Swim Spa and Barrier	Silke Fiddes 5 Bird Street MOSMAN PARK WA 6012
BAC	6362	10 Saunders Street	1a and 10a - Ground Floor and First Floor Slab 70% of the Brickwork and Structural Steel to the First Floor	Bauen Projects WA Pty Ltd 6/62 Bay View Terrace CLAREMONT WA 6010 AUSTRALIA
UNCERT	6363	7 York Terrace	Swimming Pool and Swimming Pool Safety Barrier	Factory Pools Perth 28 Davinci Way FORRESTDALE WA 6112
CERT	6364	7 Rudwick Street	Louvred Pergola	Louvre Shade 107 Serpentine Road BALDIVIS WA 6012
DEM	6365	7 Horgan Street	Full Demolition	AAA Demolition and Tree Services 4 Janter Close WILLETTON WA 6155
CERT	6366	15 Riversea View	Cabana and Retaining Wall	Devinda Gajanayake 15 Riversea View MOSMAN PARK WA 6012
DEM	6367	33 Jimbell Street	Partial Demolition	Jag Demolition PO Box 1133 WANGARA WA 6947
DEM	6368	16 Gill Street	Full Demolition	Bellaluca Construction and Stone Pty Ltd 64 Buckingham Drive WANGARA WA 6065

Agenda Forum

Build Type	Permit Number	Location of Building Lot and Street Number	Description of Building Work	Name and Address of Contractor
CERT	6369	72 Johnston Street	Amendment to Building Permit No: BP6260 - Side of Driveway and Boundary Fence	Minchin and Sims Builders Pty Ltd 8/24 Leura Street NEDLANDS WA 6009
CERT	6370	7 Saunders Street	Swimming Pool and Safety Barrier	Palazzo Exclusive Homes Pty Ltd 229 Stirling Highway CLAREMONT WA 6910
OP	6372	38 Glyde Street	Temporary Occupancy Permit -Residential Mixed-use Development	Resolve Group Pty Ltd 3/48 Kishorn Road APPLE CROSS WA 6153
OP	6375	33 Palmerston Street	Occupancy Permit - Refurbishment - East Wing only	Tecon Australia Pty Ltd 4/29 Carey Street BUNBURY WA 6230
CERT	6377	3A Frances Terrace	Front Pergola and Privacy Screen	Square One Landscapes PO Box 2116 KARDINYA WA 6163
CERT	6379	123 Palmerston Street	Proposed Verandah	Tangent Nominees Pty Ltd 242 Leach Highway MYAREE 6154
CERT	6382	1 Bond Street	Proposed Verandah Addition including Boundary Wall, Existing Verandah Alterations, Decking, Retaining Wall, Front Fence Frameless Glass Pool ,Fencing/Gate, Access and Below Ground Concrete Swimming Pool and Swimming Pool Safety Barrier	Pek Enterprises Pty Ltd 47 Brighton Street COTTESLOE WA 6011

BACKGROUND

The list above indicates Building Approvals issued from 1 December 2020 to 31 January 2021 inclusive.

BUILDING APPROVALS ISSUED

Legend:

UNCERT = Uncertified Permit

CERT = Certified Permit

DEM = Demolition Permit

OP = Occupancy Permit

BAC = Building Approval Certificate

SUMMARY SHEET

This report provides a summary of the Building Approvals issued for December 2020 and January 2021.

CHANGE OF BUILDER

Nil.

CANCELLED PERMITS

Nil.

BUILDING ORDERS ISSUED

Nil.

11.1.3 DRAFT TOWN CENTRE PLAN PETITION

File No.:	TP88.10 / ICR130962
Responsible Executive/ Manager:	ERINA PARSONS SENIOR PLANNING OFFICER
Author:	LEIGH ASHBY PLANNING OFFICER
Author Disclosure of Interest:	NIL.
Attachments provided under separate cover:	1. TOWN CENTRE PLAN PETITION – ICR130962

Authority/Discretion

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- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

1. Accepts the Town Centre Plan petition received on 12 October 2020 and requires that it be considered collectively with other submissions regarding the draft Town Centre Plan as part of a future report to Council.
2. Requires the CEO to contact the lead petitioner to advise the outcome of the petition.

VOTING REQUIREMENTS

Simple Majority.

PREVIOUSLY BEFORE COUNCIL

N/A

PURPOSE OF REPORT

For Council to accept the petition, in accordance with the *Town of Mosman Park Meeting Procedure Local Law 2010*, which relates to the draft Town Centre Plan (TCP).

EXECUTIVE SUMMARY

The Town has received a petition in relation to the draft TCP. It is recommended that Council accepts and notes this petition and that it be forwarded to the Town's Planners for consideration along with the other submissions received on the draft TCP.

Text of petition reads:

"We, the undersigned, residents of St Leonards Street and Ecclesborne Street, Mosman Park, request due consideration to the following objections relating to certain proposals in the Town Centre Plan:..."(continued in **Attachment 1**)

BACKGROUND

At the December 2019 Ordinary Council Meeting, Council resolved to advertise the draft Town Centre Plan for public comment. The public comment period on the draft TCP has been ongoing since February 2020. Messaging from the Town around the draft TCP is that the 'proposals' contained within the document are conceptual only, and community input is welcome.

To date, the Town has received approximately 150 submissions on the draft TCP. The public comment period is ongoing. A future report to Council will be required to determine whether the draft TCP is recommended to be adopted with or without modification (further advertising may be required), or rejected. This will occur once the public comment period concludes and all submissions have been considered.

To be considered a petition, certain requirements must be met. These requirements are contained within the *Town of Mosman Park Meeting Procedure Local Law 2010*, section 6.10 Petitions:

- (1) A petition is to –
 - a) Be address to the Mayor;
 - b) Be made by electors of the district;
 - c) State the request on each page of the petition;

- d) Contain the name, address and signature of each elector making the request, and the date each elector signed;*
- e) Contain a summary of the reasons for the request; and*
- f) State the name of the person to whom, and an address at which, notice to the petitioners can be given.*

Sub-clause (2) and (3) of section 6.10 below outline how a petition is to be processed once received by the Town.

- (2) Upon the receiving a petition, the local government is to submit the petition to the relevant officer to be included in his or her deliberations and report on the matter that is the subject of the petition, subject to subclause(3).*
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless –*
 - a) The matter is the subject of a report included in the agenda; and*
 - b) The Council has considered the issues raised in the petition.*

The petition meets all of the above requirements except for the requirement for each elector to provide the date they signed the petition. Despite this, and given that all other requirements have been met, the document will be treated as a petition.

DETAILS

Strategic Plan Alignment

Strategic Planning Projects – *“We plan for future growth and development; we facilitate economic development and undertake place management.”*

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Community Engagement

Depending on the outcome of this report, the Town will advise the lead petitioner that the petition has been formally accepted by Council, and the content of the petition will be

considered together with other submissions on the draft TCP. The public comment period for the draft TCP is ongoing.

COMMENT

The Town has received a petition in relation to the draft TCP. The petition meets all but one of the formal requirements to be considered a petition under the Town's Meeting Procedure's Local Law. Therefore, it is recommended that Council accept the petition and require that it be considered by the Town's planners as part of the review of all public submissions received on the draft TCP.

AGENDA FORUM COMMENTS

11.2 COMMUNITY DEVELOPMENT

11.2.1 COMMUNITY PARTNERSHIP PROGRAM

File No.:	COMM6.8
Responsible Executive/ Manager:	CARISSA BYWATER CHIEF EXECUTIVE OFFICER
Author:	TESSA FLUGGE PROJECT OFFICER COMMUNITY
Author Disclosure of Interest:	NIL.
Attachments provided under separate cover:	1. DRAFT COMMUNITY PARTNERSHIP PROGRAM ASSESSMENT PANEL TERMS OF REFERENCE 2. AMENDED COMMUNITY PARTNERSHIP PROGRAM POLICY 3. COMMUNITY PARTNERSHIP PROGRAM POLICY

Authority/Discretion

- | | |
|---|---|
| <input type="checkbox"/> Advocacy | When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input checked="" type="checkbox"/> Legislative | Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers. |
| <input type="checkbox"/> Quasi-Judicial | When Council determines an application/matter that directly affects 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 permits, applications for other permits/licences (e.g. under <i>Public Health Act 2016</i> , <i>Dog Act 1976</i> or local laws) and other decisions that may be appealable to the State Administrative Tribunal. |
| <input type="checkbox"/> Information Purposes | Includes items provided to Council for information purposes |

OFFICER RECOMMENDATION

That Council:

1. Approves the Terms of Reference for the Community Partnership Program Assessment Panel.
2. Approves amendments to the Community Partnership Program policy.

VOTING REQUIREMENTS

Simple majority.

PREVIOUSLY BEFORE COUNCIL

The Community Partnership Program policy was adopted by Council on 27 November 2018 (OCM-200-2018).

PURPOSE OF REPORT

The purpose of this report is to consider amendments as detailed in **Attachment 2**, to the Community Partnership Program policy to include reference to the Terms of Reference (**ToR**) for the Community Partnership Program Assessment Panel and to remove an error relating to funding limits.

EXECUTIVE SUMMARY

The governance structure of the Town's informal committees, groups and panels was reviewed in 2019. When this review was completed, it was not deemed necessary to review the current Community Partnership Program policy (**Attachment 3**). It was noted that there was a need to draft ToR for the Community Partnership Program Assessment Panel.

Terms of Reference for the Community Partnership Program Assessment Panel have now been drafted and are at **Attachment 1** for Council to consider. Additionally, amendments are proposed to the Community Partnership Program Policy, as detailed in **Attachment 2**, to include reference to the ToR and to remove an error relating to funding limits.

BACKGROUND

The Community Partnership Program Policy was adopted by Council at its Ordinary Meeting in November 2018. It sets out the eligibility requirements and assessment criteria for applicants seeking to access financial support for their activities.

Eligibility and assessment criteria are based on the core objectives of:

- Improving the capacity and long term viability of the applicant to operate more efficiently and effectively or attract new members.
- Delivery of new and/or improved services, programs, events or other activities to the Mosman Park Community.
- The potential for long term benefit to the Mosman Park Community.

Consideration must be given to the various weightings set in the policy against each criterion when evaluating applications.

Recognising that the criteria can be met in different ways, the eligibility criteria allows the assessment panel to review a broad range of applications and make recommendations that maximise long term community benefit.

The Community Partnership Program Assessment Panel comprises of seven members: the Mayor and two elected members; three community representatives; and one staff member.

Applications that demonstrate financial commitment to the project through an equal or greater contribution from the applicant (or other contributors) are prioritised in the assessment process.

DETAILS

Strategic Plan Alignment

The Town's Strategic Community Plan requires that we will facilitate a thriving community. One of the strategies we will employ to achieve this will be to partner with others to enable the delivery of services that align with community requirements. The Town's grants program is consistent with facilitating these partnerships.

Statutory Implications

Council allocates funds in the annual budget to offer as grants to community groups and individuals. The power to do so is provided by s.2.7(2)(a) of the *Local Government Act 1995*. Section 2.7(2)(b) provides that Council's role extends to determining policies. Amendments to the Community Partnership Program policy is the subject of this report.

Local Government Act 1995

"2.7. Role of council

(1) The council –

- (a) Governs the local government's affairs; and*
- (b) Is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to –

- (a) Oversee the allocation of the local government's finances and resources; and*
- (b) Determine the local government's policies."*

Policy Implications

This report is seeking Council's approval for amendments to the Community Partnership Program policy. The amendments are to include references to newly drafted ToR for the Community Partnership Program Assessment Panel.

Financial Implications

Nil.

Community Engagement

Nil.

COMMENT

The Community Partnership Program policy (**Attachment 3**) was adopted by Council in November 2018 (OCM-200-2018). The revised draft Community Partnership Program policy (Attachment 2) removes the condition that the Community Partnership Program Assessment Panel can only recommend full or partial funding of the amount requested to a maximum of 50% of the total project cost.

During development of the original Community Partnership policy, both assessment criteria weighting and a percentage cap were considered as means to encourage applicants to apply for 50% or less of the total project cost. Officers determined that a weighting would provide more flexibility with the Council report stating that "Applications that demonstrate financial commitment to the project through budgeting of an equal or greater contribution from the applicant or other contributors will be prioritised as part of the assessment process."

An additional 20% was included in the assessment weighting for projects applying for 50% or less of the total project cost in both the policy and application form, however, the percentage cap restricting applications over 50% was also inadvertently included in the final Community Partnership policy adopted by Council. This error has now been corrected.

AGENDA FORUM COMMENTS

11.3 FINANCE

11.3.1 FINANCIAL REPORTS

File No.:	FIN13A
Responsible Executive/ Manager:	EMMA BEBB MANAGER FINANCE
Author:	AYSHA CEH SENIOR ACCOUNTANT
Author Disclosure of Interest:	NIL
Attachments provided under separate cover:	1. FINANCIAL REPORTS – DECEMBER 2020 – NCR30540 2. FINANCIAL REPORTS – JANUARY 2021 – NCR30540

Authority/Discretion

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- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council notes the Financial Statements for the period ended 31 December 2020 (**Attachment 1**) and 31 January 2021 (**Attachment 2**).

VOTING REQUIREMENTS

Simple majority.

PREVIOUSLY BEFORE COUNCIL

N/A

PURPOSE OF REPORT

This report is presented to Council to note the Financial Statements for the period ended 31 December 2020 and 31 January 2021.

EXECUTIVE SUMMARY

This report appraises Council of the financial position of the Town for the period ended 31 December 2020 (**Attachment 1**) and 31 January 2021 (**Attachment 2**).

BACKGROUND

A set of financial reports are submitted for Council's information each month. These financial reports are prepared in accordance with the *Local Government Act 1995* and Local Government (Financial Management) Regulations 1996, as amended.

DETAILS

Strategic Plan Alignment

The Town ensures it complies with Local Government Financial Regulations and the requirements of the *Local Government Act 1995* through integrating the Town's key strategies, plans, resources and reporting.

Statutory Implications

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare an annual financial report for the preceding year and such other financial reports as prescribed. The Local Government (Financial Management) Regulations 1996, as amended, requires the Town to prepare each month a statement of financial activity, accompanying documents and such other supporting information as is considered relevant. The Town of Mosman Park produces a number of reports to assist in understanding of its operations and financial position.

Policy Implications

Nil.

Financial Implications

Attachments 1 and 2 provide the financial reports for the reporting period, along with any explanation of material variances.

A monthly financial statement snapshot is provided as at 31 December 2020 as follows:

OPERATING				
	Annual Budget	YTD Budget	YTD Actual	YTD % Spent
Expenditure	(12,652,840)	(6,559,686)	(5,812,251)	46%
	Annual Budget	YTD Budget	YTD Actual	YTD % Received
Revenue (excl rates)	3,290,991	2,511,518	2,382,198	72%
CAPITAL				
	Annual Budget	YTD Budget	YTD Actual	YTD % Spent
Expenditure (excl commitments)	(1,815,472)	(870,694)	(418,970)	23%
	Annual Budget	YTD Budget	YTD Actual	YTD % Received
Revenue	260,312	201,810	61,022	23%

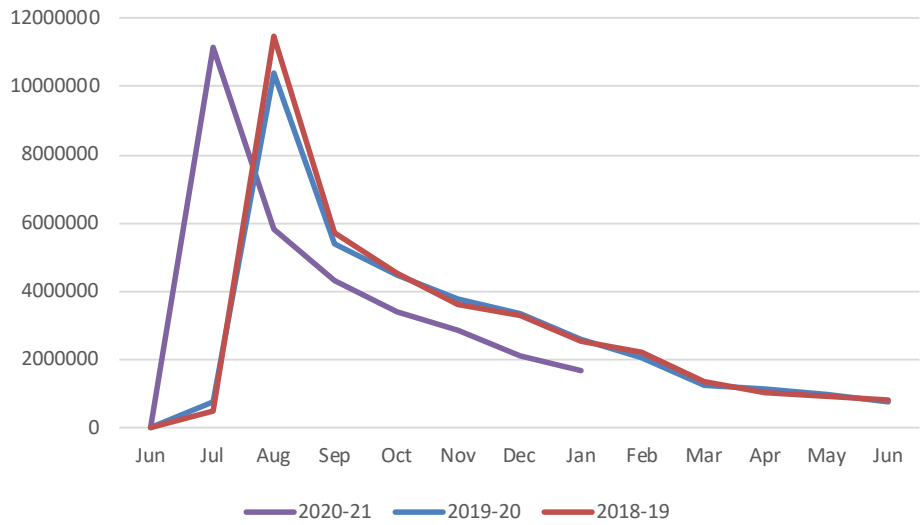
A monthly financial statement snapshot is provided as at 31 January 2021 as follows:

OPERATING				
	Annual Budget	YTD Budget	YTD Actual	YTD % Spent
Expenditure	(12,652,840)	(7,736,140)	(6,718,828)	53%
	Annual Budget	YTD Budget	YTD Actual	YTD % Received
Revenue (excl rates)	3,290,991	2,595,435	2,428,484	74%
CAPITAL				
	Annual Budget	YTD Budget	YTD Actual	YTD % Spent
Expenditure (excl commitments)	(1,815,472)	(1,066,926)	(430,105)	24%
	Annual Budget	YTD Budget	YTD Actual	YTD % Received
Revenue	260,312	202,393	68,726	26%

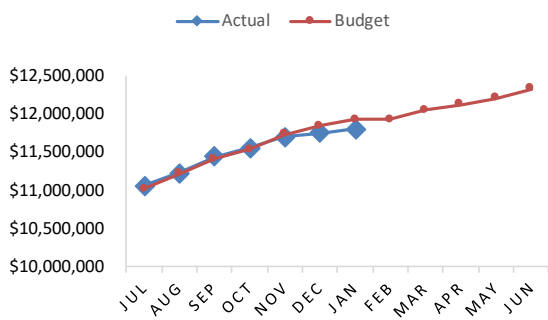
In addition to the below graph a detailed report, following this one, is now provided for rates and charges received.

Agenda Forum

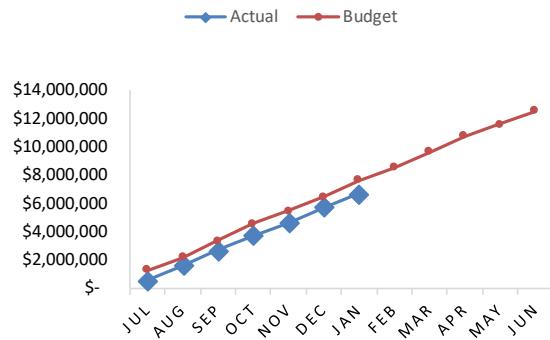
Rates Receivable



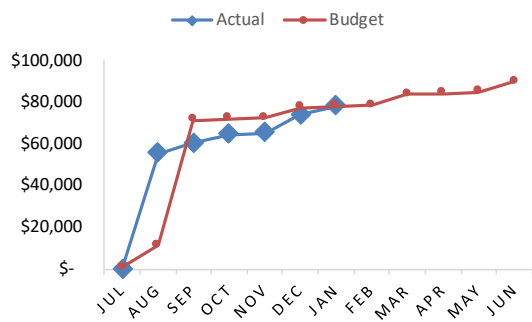
Operating Revenue



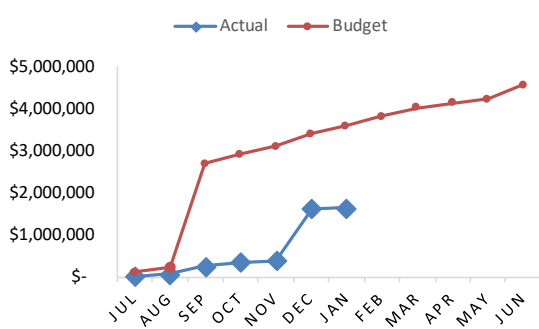
Operating Expenditure



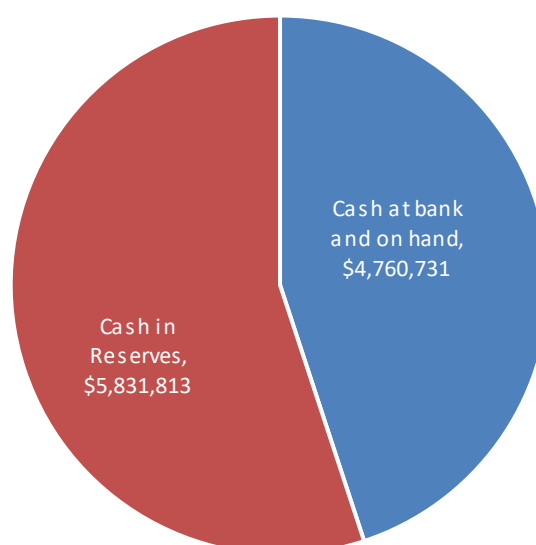
Non-Operating & Capital Revenue



Capital Expenditure



Total Cash and Cash Equivalents



Community Engagement

Nil.

COMMENT

Material Threshold for Variance Analysis

Each year a local government is to adopt a 'percentage or value' for which it will consider to be material variances which are required to be reported to Council.

At the June 2020 Special Council Meeting, in accordance with Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, Council adopted 10% and \$20,000 as the threshold for reporting material variances for 2020/21.

Attachment 1 includes a variance analysis of accounts at 31 December 2020.

Attachment 2 includes a variance analysis of accounts at 31 January 2021.

Overall, the financial situation is sound and operating in accordance with the approved budgets or otherwise detailed in the variance analysis (**Attachments 1 and 2**). The Capital Expenditure is showing as underspent year to date, this relates to the transport capital program that is due to commence in the first quarter of 2021 and delayed transfers to reserves (capital expense).

AGENDA FORUM COMMENTS

11.3.2 RATES: UPDATE ON DEBT RECOVERY AND SMALL BALANCE WRITE-OFF

File No.:	FIN13A
Responsible Executive/ Manager:	EMMA BEBB MANAGER FINANCE
Author:	AYSHA CEH SENIOR ACCOUNTANT
Author Disclosure of Interest:	NIL
Attachments provided under separate cover:	1. LIST OF RATES ASSESSMENTS WITH SMALL BALANCES DEC 20 (<i>CONFIDENTIAL</i>) – NCR30505 2. LIST OF RATES ASSESSMENTS WITH SMALL BALANCES JAN 21 (<i>CONFIDENTIAL</i>) – NCR30505

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.
- Quasi-Judicial When Council determines an application/matter that directly affects 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 (e.g. under *Public Health Act 2016, Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

1. Notes the outstanding rates balances as at 31 December 2020 and 31 January 2021.
2. Authorises the write-off of the penalty interest of \$153.87 on the rates assessments referenced in **Attachments 1 and 2**.

VOTING REQUIREMENTS

Absolute majority.

PREVIOUSLY BEFORE COUNCIL

N/A

PURPOSE OF REPORT

This report is to update Council on the rates debt recovery process and to seek Council's approval to write-off small balances in relation to penalty interest on rates (**Attachments 1 and 2**).

EXECUTIVE SUMMARY

This report provides Council an update on the rates debt recovery process and seeks Council's approval to write-off small balances in relation to penalty interest on rates. Further to Council's request at the November 2020 Ordinary Council Meeting, the administration is reviewing the possibility of seeking delegation for the CEO to write-off these minor balances.

BACKGROUND

The Town has taken an active approach to address the outstanding rates balance. This has yielded improvements in the level of outstanding rates and charges as well as the establishment of a number of new payment plans for outstanding accounts. A break-down of actions for the current year is provided below:

- The current year's rates were due on 20 August 2020.
- Reminder notices were sent on 3 September 2020.
- Final reminders were sent on 17 September 2020.
- List of unpaid accounts sent to the Town's debt recovery agency in October 2020.
- As per Council approval to extend the debt recovery process (OCM-185-2020) a list of unpaid accounts authorised by the CEO to progress to the next stage (Step 5) was sent to the Town's debt recovery agency on 18 January 2021.

An additional reminder report has been generated to ensure that those paying by instalments are up to date with their payments. A summary of timeframes for this year's instalments is provided below:

- The first instalment was due on 20 August 2020.
- The second instalment was due on 20 October 2020.
- A reminder was sent to those who paid the first instalment but were two weeks late for the second instalment on 3 November 2020.

- The third instalment was due on the 21 December 2020.
- A reminder was sent to those who were paying by instalments but were two weeks late for the third instalment on 5 January 2021.

The small balance write-off of \$153.87 is recommended to be written-off; this total comprises a number of small balances that have accrued as a result of rates payments made after the due date.

DETAILS

Strategic Plan Alignment

The Town ensures it complies with Local Government Financial Regulations and the requirements of the *Local Government Act 1995* through integrating the Town's key strategies, plans, resources and reporting.

Council has granted the Chief Executive Officer (CEO) delegation to waive or grant concessions in relation to any amount of money owed to the Town, other than an amount of money owing rates and service charges. Council has granted to the CEO and the CEO has given sub-delegation to the Manager Finance pursuant to s5.44 of the *Local Government Act 1995*.

Statutory Implications

Relevant legislation includes:

- *Local Government Act 1995*, Part 6, Division 6
- Local Government (Financial Management) Regulations 1996, Part 5
- *Rates and Charges (Rebates and Deferrals) Act 1992*
- *Civil Judgements Enforcement Act 2004*.

Policy Implications

The Town's Debt Recovery Policy applies. Under this policy, interest is not to be applied on administration errors and financial hardship matters.

Financial Implications

Rates & Charges Collection Analysis 31 December 2020

Arrears Outstanding		
Arrears outstanding at 1 July 2020 (includes ESL & service charges, excludes pensioners deferred)	\$ 832,186	
Arrears received	\$ 380,086	45.7% collected
Arrears outstanding	\$ 452,100	54.3% outstanding
Arrears Outstanding Detail		
Arrears outstanding payment plan	\$ 212,853	25.6% payment plan
Arrears outstanding debt recovery agency	\$ 239,247	28.7% debt recovery, including caveats
Arrears outstanding total	\$ 452,100	54.3% total
Arrears pensioners deferred	\$ 129,677	

Agenda Forum

The total monthly reduction in arrears for the period from 20 November to 31 December 2020 is \$97,325.

Current Year Outstanding		
Rates & charges levied (includes ESL & service charges) 2020/2021	\$ 12,416,572	
Current year received	\$ 10,614,189	85.5% collected
Current year outstanding	\$ 1,802,383	14.5% outstanding
Current Year Outstanding Detail		
Current year outstanding payment plan	\$ 21,816	0.18% payment plan
Current year paying by instalments	\$ 922,435	7.4% instalments
Current year outstanding with debt recovery agency	\$ 378,511	3.0% debt recovery (sent October 2020)
Current year pensioners outstanding	\$ 479,621	3.9% pensioners outstanding (deferrals to be determined at year end)
Current year outstanding total	\$ 1,802,383	14.5% total
Current year pensioners deferred	\$ -	Deferred to be determined at year end

The total monthly reduction in the current year outstanding from 20 November to 31 December is \$853,215.

In December 2020, two payment plans were completed and four new plans authorised.

Rates & Charges Collection Analysis 31 January 2020

Arrears Outstanding		
Arrears outstanding at 1 July 2020 (includes ESL & service charges, excludes pensioners deferred)	\$ 832,186	
Arrears received	\$ 408,854	49.1% collected
Arrears outstanding	\$ 423,332	50.9% outstanding
Arrears Outstanding Detail		
Arrears outstanding payment plan	\$ 213,696	25.7% payment plan
Arrears outstanding debt recovery agency	\$ 209,636	25.2% debt recovery, including caveats
Arrears outstanding total	\$ 423,332	50.9% total
Arrears pensioners deferred	\$ 129,677	

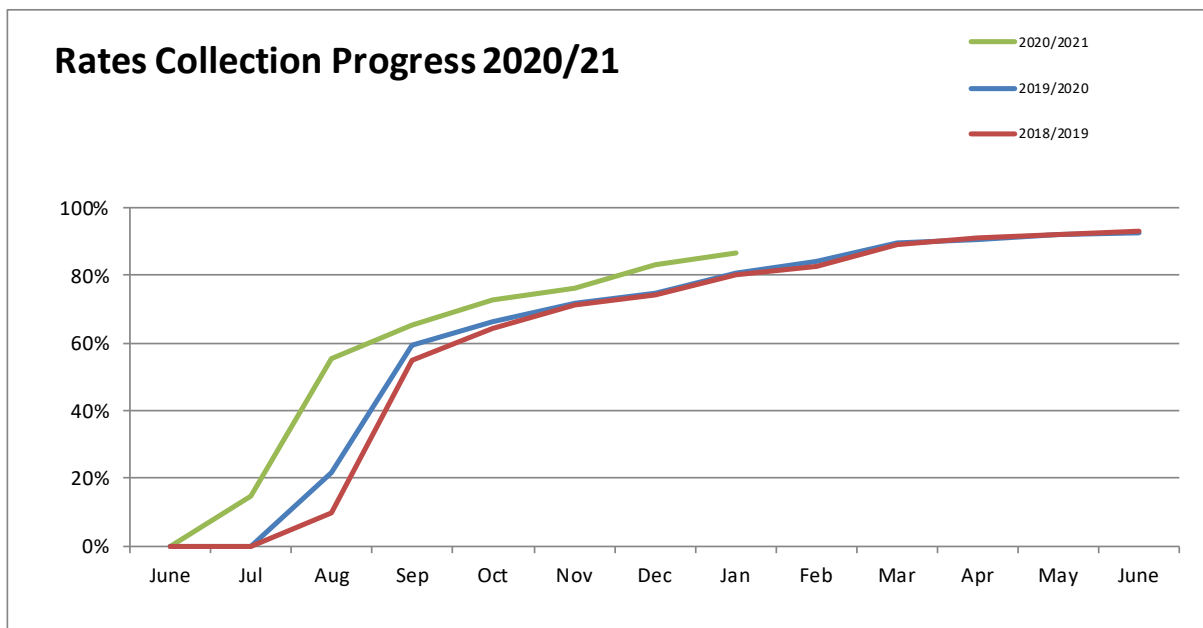
The total monthly reduction in arrears for the period from 31 December to 31 January 2021 is \$28,768.

Current Year Outstanding		
Rates & charges levied (includes ESL & service charges) 2020/2021	\$ 12,416,572	
Current year received	\$ 11,060,795	89.1% collected
Current year outstanding	\$ 1,355,778	10.9% outstanding
Current Year Outstanding Detail		
Current year outstanding payment plan	\$ 23,576	0.19% payment plan
Current year paying by instalments	\$ 597,881	4.8% instalments
Current year outstanding with debt recovery agency	\$ 316,910	2.6% debt recovery (sent October 2020)
Current year pensioners outstanding	\$ 417,410	3.4% pensioners outstanding (deferrals to be determined at year end)
Current year outstanding total	\$ 1,355,778	10.9% total
Current year pensioners deferred	\$ -	Deferred to be determined at year end

The total monthly reduction in the current year outstanding from 31 December to 31 January 2021 is \$446,606.

In January 2021, one payment plan was completed and one new plan authorised. At 31 January 2021 there were 34 active payment plans. There is currently one active payment plan with financial hardship and two financial hardship applications have been received and are being assessed.

The graph below shows the amount of arrears and current year rates collected at 31 January 2020. The graph shows that the collection for 2020/21 is tracking well at 31 January compared with February 2019/20 and February 2018/19, (note that February figures have been used for comparison due to the earlier issue of rates notices this year).



Should Council grant approval, the amount being written-off is \$153.87 and relates to small balances accrued on 27 properties (**Attachments 1 and 2**).

Community Engagement

N/A

COMMENT

These penalty interest charges are a result of late rates payments on 27 properties, the administration cost to recover these charges will exceed the \$153.87.

On this basis, it is recommended Council approve the write-off of these interest charges referenced in **Attachments 1 and 2**.

AGENDA FORUM COMMENTS

11.3.3 INVESTMENT REGISTER

File No.:	FIN13E
Responsible Executive/ Manager:	EMMA BEBB MANAGER FINANCE
Author:	AYSHA CEH SENIOR ACCOUNTANT
Author Disclosure of Interest:	NIL
Attachments provided under separate cover:	NIL

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.
- Quasi-Judicial When Council determines an application/matter that directly affects 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 (e.g. under *Public Health Act 2016*, *Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- × Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council receives the Investment Portfolio Reports for the months ended 30 November 2020, 31 December 2020, and 31 January 2021.

VOTING REQUIREMENTS

Simple Majority.

PREVIOUSLY BEFORE COUNCIL

N/A

PURPOSE OF REPORT

To provide Council with the Town's Investment Register details. As per delegation 1.1.15. (b) a report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided to Council at least once every three months.

EXECUTIVE SUMMARY

This report presents the Investment Register for the months ended 30 November 2020, 31 December 2020, and 31 January 2021. The early Council meeting in December 2020 only allowed for part of November 2020 to be reported. The remaining portion of November 2020 investments are included in this report.

BACKGROUND

This report is for Council to receive the Town's Investment Registers as at 30 November 2020, 31 December 2020, and 31 January 2021.

Council's Investment of Funds Policy sets the criteria for making authorised investments of surplus funds after assessing credit risk and diversification limits to maximise earnings and ensure the security of the Town's funds.

DETAILS

Strategic Plan Alignment

The Town ensures it complies with Local Government Financial Regulations and the requirements of the *Local Government Act 1995* through integrating the Town's key strategies, plans, resources and reporting.

Statutory Implications

The *Local Government Act 1995* and Local Government (Financial Management) Regulations 1996 sets out the statutory conditions under which funds may be invested.

Policy Implications

All investments are made in accordance with Council Policy - Investment of Funds.

To control the credit quality over the entire portfolio, the following credit framework limits the percentage of the portfolio exposed, as detailed in Column C of the table below.

Exposure to an individual counterparty/institution is restricted by any particular rating category, as detailed in Column D of the table below.

A. S&P Long Term Rating	B. S&P Short Term Rating	C. Investment portfolio Maximum %	D. Investments with individual counterparty Maximum %
AAA	A1+	100%	50%
AA	A1	100%	45%
A	A2	60%	20%

In the absence of any evidence to the contrary unrated wholly owned subsidiaries of a rated financial institution will be taken to have the same credit rating as their parent entity.

Financial Implications

Two Municipal Investments were redeemed between 20 November 2020 and 30 November 2020. One Municipal Investment was redeemed during December 2020, and another was redeemed in January 2021. These redemptions total \$1,250,047.

No new investments were entered into during this period and as such, the portfolio ratios at the time of investment were below the thresholds as per the Investment of Funds Policy.

The 2020/21 Budget for investment interest income is \$66,600. The interest earned on investments at 31 January 2021 is \$12,104. Interest is applied at maturity of each investment.

The Reserve Bank of Australia did not change its cash rate in December 2020 or January 2021. The current cash rate at 31 January 2021 is 0.10%

Community Engagement

Nil.

Agenda Forum

COMMENT

The following tables summarise how funds are invested as per the Town's Investment Policy.

TOWN OF MOSMAN PARK INVESTMENTS REGISTER REPORT AS AT 30 NOVEMBER 2020							
Investment #	Date Invested	Maturity Date	Fund	Bank	Interest Rate	Days Invested	Amount \$
1-R20/21	30-Jul-20	14-Jun-21	Reserves	NAB	0.81%	319	1,800,000
2-R20/21	30-Jul-20	25-Feb-21	Reserves	CBA	0.76%	210	1,400,000
3-R20/21	31-Jul-20	03-Feb-21	Reserves	Suncorp*	0.85%	188	800,000
5-M20/21	25-Sep-20	09-Dec-20	Municipal	CBA	0.41%	76	200,000
6-M20/21	25-Sep-20	15-Jan-21	Municipal	NAB	0.60%	112	450,000
7-M20/21	25-Sep-20	01-Feb-21	Municipal	CBA	0.46%	130	400,000
8-M20/21	25-Sep-20	12-Feb-21	Municipal	CBA	0.47%	141	350,000
9-M20/21	30-Sep-20	30-Mar-21	Municipal	Suncorp*	0.75%	181	200,000
10-M20/21	30-Sep-20	30-Mar-21	Municipal	Suncorp*	0.75%	181	350,000
11-M20/21	25-Sep-20	07-May-21	Municipal	NAB	0.60%	224	300,000
12-M20/21	25-Sep-20	15-Feb-21	Municipal	CBA	0.47%	144	1,050,000
13-M20/21	30-Sep-20	03-Feb-21	Municipal	Suncorp*	0.60%	127	450,000
15-M20/21	09-Nov-20	08-Apr-21	Municipal	CBA	0.30%	151	250,092
Total Funds Invested							8,000,092

*Fossil fuel free investment

TOWN OF MOSMAN PARK INVESTMENTS REGISTER REPORT AS AT 31 DECEMBER 2020							
Investment #	Date Invested	Maturity Date	Fund	Bank	Interest Rate	Days Invested	Amount \$
1-R20/21	30-Jul-20	14-Jun-21	Reserves	NAB	0.81%	319	1,800,000
2-R20/21	30-Jul-20	25-Feb-21	Reserves	CBA	0.76%	210	1,400,000
3-R20/21	31-Jul-20	03-Feb-21	Reserves	Suncorp*	0.85%	188	800,000
6-M20/21	25-Sep-20	15-Jan-21	Municipal	NAB	0.60%	112	450,000
7-M20/21	25-Sep-20	01-Feb-21	Municipal	CBA	0.46%	130	400,000
8-M20/21	25-Sep-20	12-Feb-21	Municipal	CBA	0.47%	141	350,000
9-M20/21	30-Sep-20	30-Mar-21	Municipal	Suncorp*	0.75%	181	200,000
10-M20/21	30-Sep-20	30-Mar-21	Municipal	Suncorp*	0.75%	181	350,000
11-M20/21	25-Sep-20	07-May-21	Municipal	NAB	0.60%	224	300,000
12-M20/21	25-Sep-20	15-Feb-21	Municipal	CBA	0.47%	144	1,050,000
13-M20/21	30-Sep-20	03-Feb-21	Municipal	Suncorp*	0.60%	127	450,000
15-M20/21	09-Nov-20	08-Apr-21	Municipal	CBA	0.30%	151	250,092
Total Funds Invested							7,800,092

*Fossil fuel free investment

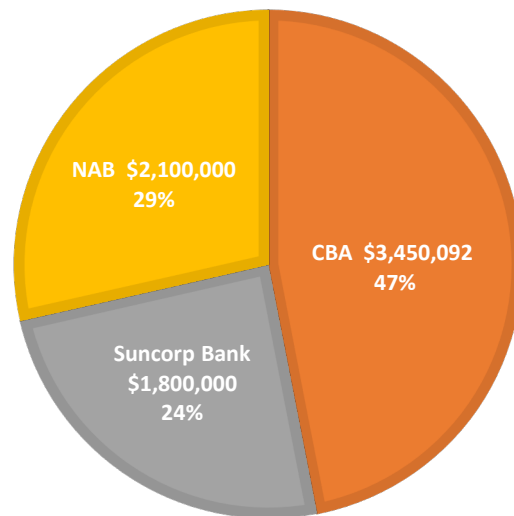
Agenda Forum

TOWN OF MOSMAN PARK INVESTMENTS REGISTER REPORT AS AT 31 JANUARY 2021

Investment #	Date Invested	Maturity Date	Fund	Bank	Interest Rate	Days Invested	Amount \$
1-R20/21	30-Jul-20	14-Jun-21	Reserves	NAB	0.81%	319	1,800,000
2-R20/21	30-Jul-20	25-Feb-21	Reserves	CBA	0.76%	210	1,400,000
3-R20/21	31-Jul-20	03-Feb-21	Reserves	Suncorp*	0.85%	188	800,000
7-M20/21	25-Sep-20	01-Feb-21	Municipal	CBA	0.46%	130	400,000
8-M20/21	25-Sep-20	12-Feb-21	Municipal	CBA	0.47%	141	350,000
9-M20/21	30-Sep-20	30-Mar-21	Municipal	Suncorp*	0.75%	181	200,000
10-M20/21	30-Sep-20	30-Mar-21	Municipal	Suncorp*	0.75%	181	350,000
11-M20/21	25-Sep-20	07-May-21	Municipal	NAB	0.60%	224	300,000
12-M20/21	25-Sep-20	15-Feb-21	Municipal	CBA	0.47%	144	1,050,000
13-M20/21	30-Sep-20	03-Feb-21	Municipal	Suncorp*	0.60%	127	450,000
15-M20/21	09-Nov-20	08-Apr-21	Municipal	CBA	0.30%	151	250,092
Total Funds Invested							7,350,092

*Fossil fuel free investment

INVESTMENT PORTFOLIO BY FINANCIAL INSTITUTION 31 JANUARY 2021



AGENDA FORUM COMMENTS

11.3.4 ACCOUNTS FOR PAYMENT

File No.:	FIN13D
Responsible Executive/ Manager:	EMMA BEBB MANAGER FINANCE
Author:	AYSHA CEH SENIOR ACCOUNTANT
Author Disclosure of Interest:	NIL
Attachments provided under separate cover:	<ol style="list-style-type: none"> 1. SCHEDULE OF PAYMENTS – DECEMBER 2020 – NCR32651 2. SCHEDULE OF PAYMENTS – JANUARY 2021 – NCR32651 3. PURCHASING CARDS – NOVEMBER 2020 – NCR32651 4. PURCHASING CARDS - DECEMBER 2020 – NCR32651

Authority/Discretion

- | | |
|--|--|
| <input type="checkbox"/> Advocacy | When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> Legislative | Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers. |
| <input type="checkbox"/> Quasi-Judicial | When Council determines an application/matter that directly affects 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 (e.g. under <i>Public Health Act 2016</i> , <i>Dog Act 1976</i> or local laws) and other decisions that may be appealable to the State Administrative Tribunal. |
| <input checked="" type="checkbox"/> Information Purposes | Includes items provided to Council for information purposes |

OFFICER RECOMMENDATION

That Council:

1. Receives the schedules of payments made for 21 November 2020 to 31 January 2021 amounting to: \$2,745,468.64 (**Attachments 1 and 2**).

2. Receives the schedule of purchasing card payments made for November and December 2020 (**Attachments 2 and 3**).

VOTING REQUIREMENTS

Simple Majority.

PREVIOUSLY BEFORE COUNCIL

N/A

PURPOSE OF REPORT

This report is presented to Council to provide the schedule of accounts for payment.

EXECUTIVE SUMMARY

This report presents the schedule of accounts for payments made between 21 November 2020 and 31 January 2021. The early Council meeting in December 2020 only allowed for part of November to be reported on. As such, the remaining portion of the November 2020 accounts are included in this report.

BACKGROUND

The reported schedules are submitted in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996.

DETAILS

Strategic Plan Alignment

The Town ensures it complies with Local Government Financial Regulations and the requirements of the *Local Government Act 1995* through integrating the Town's key strategies, plans, resources and reporting.

Statutory Implications

Regulation 13 of the Local Government (Financial Management) Regulations 1996 requires that a list of accounts paid by the Chief Executive Officer be prepared each month and presented to the Council at the next Ordinary Meeting of Council.

Policy Implications

The Procurement Policy applies.

Financial Implications

All payments submitted are provided for within the 2020/21 Budget or have otherwise been approved by Council.

Community Engagement

Nil.

COMMENT

A schedule of payments made from 21 November 2020 to 31 January 2021 by cheques, electronic funds transfers and direct debits is provided for Council's information – refer **Attachments 1 and 2.**

A schedule of purchasing card payments is provided for November and December 2020 – refer **Attachments 3 and 4.**

AGENDA FORUM COMMENTS

11.4 TECHNICAL SERVICES

11.4.1 WHITTAKER MEWS LANEWAY

File No.:	WORKS18.1
Responsible Executive/ Manager:	BRUCE MOORMAN A/DIRECTOR OPERATIONS
Author	ANTHONY BOOTH MANAGER WORKS AND ASSETS
Author Disclosure of Interest:	NIL.
Attachments provided under separate cover:	NIL.

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.
- Quasi-Judicial When Council determines an application/matter that directly affects 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 permits, applications for other permits/licences (e.g. under *Public Health Act 2016*, *Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

1. Approves the laneway forming works of Whittaker Mews laneway to be completed as part of the 2020/21 Budget.
2. Approves and effects a transfer of \$29,000 from Transport Reserves to RP0147 Whittaker Mews to enable these works.

VOTING REQUIREMENTS

Simple majority.

PREVIOUSLY BEFORE COUNCIL

Nil.

PURPOSE OF REPORT

To provide Council with information regarding 30 metres of unformed laneway within Whittaker Mews designated thoroughfare which requires forming to provide a suitable access for properties adjoining Whittaker Mews.

EXECUTIVE SUMMARY

Since, (at least) 2003 access to Whittaker Mews has been blocked by a gate and fence installed by the property owner of Lot 15 and 5 Frances Terrace. A recently submitted development application has necessitated an investigation into the requirement to provide vehicle access to both Lot 15 and 5 Frances Terrace.

The Town is obligated to provide adequate thoroughfares for vehicle access to properties under Section 3.52 of *the Local Government Act 1995*. It is therefore recommended the Town form the 30 metre section of Whittaker Mews laneway to provide access for vehicles. The cost of forming this 30 metres of laneway is \$29,000 with an additional \$7,000 to provide an asphalt surface. It is recommended the asphalt surfacing be programmed in 2021/22 to ensure Council gets best use of its financial resources. The asphalt surfacing would form part of the 2021/22 Budget deliberations.

BACKGROUND

Whittaker Mews is 95 metres long and 3.5 metres wide, with 30 metres of unformed laneway at 3.5 metres wide. It serves as direct vehicle access to seven properties. The laneway provides a corridor for the sewer system servicing the property and forming part of the wider sewer network. The laneway also provides a corridor for the underground power servicing the two Town operated light poles within Whittaker Mews.

The Town received a development application, in January 2020, for Lot 15 and 5 Frances Terrace, previously the site of a single residential property. The review of this application raised investigation into the condition and serviceability of Whittaker Mews adjacent to the properties, approximately 30 metres in length at the southern end of the laneway. This identified the need for development of this 30 metres of laneway through forming the laneway to a width and level suitable for current and intended future use.

Previously, this 30 metre section of laneway was closed off due to the installation of a gate on the southern end of the laneway at the extent of the asphalt surface, and the installation of fencing on the southern extremity of the laneway by the property owner of 5 Frances Terrace. The Town had made contact with the property owner in 2003 regarding the gate blocking access to the property, but the Town records do not indicate if a response from the property owner had been received. The Town again made contact with the property owner in May 2019 about the gate blocking access, to which the owner indicated their intention to remove the gate as part of plans to redevelop Lot 15 and 5 Frances Terrace. The owner requested the Town to reinstate Whittaker Mews to provide vehicle access to both properties.

DETAILS

Engineering Investigation

The Town has investigated all potential options for vehicle access to the new dwellings at Lot 15 and 5 Frances Terrace.

Access from Frances Terrace would be difficult due to the existing site already gaining access from Whittaker Mews and the site level differences at Frances Terrace would have meant extensive preparation causing significant disruption in and around the properties.

The Town encourages the use of laneway access for properties where possible. Given that Lot 15 and 5 Frances Terrace both have access to Whittaker Mews laneway, vehicle access from the laneway is preferred.

Access to the properties is the responsibility of the owners. This is not uncommon within Mosman Park. Examples of this include 11 Beagle Street, which gains access from Stranton Mews by a 10 metre length of brick paved crossover along the Stranton Mews thoroughfare alignment. 1 Bateman Street and 1 Chidley Way both have crossovers that follow the alignment of Bateman Street thoroughfare to gain access to property.

The following two options are available to Council to address this issue and provide a consistent level of service:

1. Formation of the laneway, by the Town, up to the minimum distance required for vehicle access to both Lot 15 and 5 Frances Terrace is required. This is approximately 20 of the 30 metres in length of the unformed laneway. Cost saving with this option is minimal and does present potential future issues if the laneway is to be formed further.
2. Formation of the laneway, by the Town, up to the boundary with Memorial Drive thoroughfare. This would be approximately 30 metres of forming which would be the best outcome for the Town. This ensures the laneway is formed to levels that are compliant with guidelines and standards and that any requirement for future forming work, such as connection with Memorial Drive (if required), would be minimal.

Based on the standard level of service the Town provides for laneway access, formed and sealed, it is recommended the Town provide a formed laneway for the remaining 30 metres of Whittaker Mews. Future intent to asphalt this 30 metre surface may be considered by Council as part of the 2021/22 Budget process. This ensures that the best use of Council resources is considered for the benefit of the community.

Strategic Plan Alignment

Enhancing Our Town

2. Maintain and develop Town infrastructure for the benefit of our community *The Town to preserve, maintain and enhance built community facilities to facilitate community connectedness*

Statutory Implications

The Local Government Act 1995 and the Main Roads Act 1930 applies.

Policy Implications

The Thoroughfares Policy applies.

Financial Implications

An allocation of \$29,000 from Transport Reserves to RP0147 Whittaker Mews is required. This will require Council approval to effect a transfer of \$29,000 from this reserve to form this lane.

Community Engagement

Community engagement is not required, however, residents in the vicinity will receive notification of the works.

COMMENT

Under Section 3.52 of *the Local Government Act 1995*, the Town is obliged to provide an adequate thoroughfare for vehicle access to property. The level of service the Town provides to property owners accessing from Town controlled laneways is a formed laneway with asphalt surface. Therefore, it is recommended that Council authorise the formation of the 30 metre section of Whittaker Mews with future intent to asphalt surface as part of the capital works program.

AGENDA FORUM COMMENTS

11.4.2 ENDORSEMENT OF THE DRAFT WASTE PLAN 2020-25

File No.: WST3

Responsible Executive/ Manager: BRUCE MOORMAN
ACTING DIRECTOR OF OPERATIONS

Author: MEG ROGERS
WASTE AND SUSTAINABILITY OFFICER

Author Disclosure of Interest: NIL.

Attachments provided under separate cover: 1. DRAFT WASTE PLAN

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council adopts the Town’s Draft Waste Plan 2020-2025 (**Attachment 1**).

VOTING REQUIREMENTS

Simple majority.

PURPOSE OF REPORT

The purpose of this report is to provide a summary of feedback received as part of the community engagement process and for Council to adopt the draft Waste Plan 2020-2025 (**Attachment 1**) prior to submitting it to the Department of Water and Environmental Regulation (DWER).

EXECUTIVE SUMMARY

Council at the October 2020 Ordinary meeting endorsed the Draft Waste Plan 2020-2025 for the purpose of community engagement for a period of 28 days (OCM-147-2020).

The Draft Waste Plan 2020-2025 was advertised on the Town's Your Say portal from 23 November 2020 until 20 December 2020.

A total of 16 people engaged with the Draft Waste Plan 2020-2025 page, with two submissions received.

Following advice received from the Department of Water and Environmental Regulation (DWER) during community engagement, the Town has been requested to add an action within the Draft Waste Plan 2020-2025, relating to the diversion of residual waste from landfill to Waste to Energy.

BACKGROUND

Western Australian local governments and regional councils have an important contribution to make to the Waste Strategy vision for the State. Aligning waste services through a waste plan consistent with the Waste Strategy provides a mechanism for them to contribute to, and achieve the targets and objectives of, the Waste Strategy, and to increase consistency in waste planning across local government.

Council resolved at the October 2020 Ordinary meeting to endorse the Draft Waste Plan 2020-2025 for the purpose of public advertising (OCM-147-2020). This draft plan was subsequently advertised by the Town and public submissions invited.

DETAILS

Strategic Plan Alignment

Promote, protect and enhance the Town's natural environment in activities, the Town works to protect and enhance the air, sea, river, groundwater, parks, ovals, streetscapes and bush land and promote the natural assets of the Town to the wider community.

Statutory Implications

The Waste Avoidance and Resource Recovery (WARR) Strategy 2030 applies. Waste plans will inform and be informed by the strategic planning activities which local governments undertake under the requirements of the *Local Government Act 1995*.

Policy Implications

Nil.

Financial Implications

Some activities in the Waste Plan require a financial commitment for future years. This will be addressed through the annual Budget process.

Community Engagement

The draft Waste Plan 2020-2025 was advertised on the Town's Your Say portal from 23 November 2020 until 20 December 2020. Social media was used to raise community awareness of the engagement process.

A total of 16 people visited the Draft Waste Plan 2020-2025 page and two submissions were received. Both submissions were positive and supportive of the plan. Once the waste plan has been adopted by Council, it will be submitted to DWER's CEO for endorsement.

COMMENT

The Town's draft Waste Plan 2020-2025 aligns with the actions and targets in the State Government's Waste Strategy, to ensure the Town meets its obligations with respect to waste management. It focuses on improving the Town's management of waste, increasing diversion from landfill and to inform long term planning for waste.

The Town's draft Waste Plan 2020-2025 provides a framework for waste management that focuses on:

- Food Organics Garden Organics Systems (FOGO).
- Development of a Waste Local Law.
- Strategies to reduce illegal dumping and littering.
- Implementation of waste behaviour change programs and community education.
- Reduction of contamination in recycling streams.
- Improvement in data collection.
- Incorporation of waste and sustainability measures in the Town's policies where appropriate.

Following recent advice from the Department of Water and Environmental Regulation (DWER), the Town has added an action within the Draft Waste Plan 2020-2025, relating to the diversion of residual waste from landfill to Waste to Energy. The Draft Waste Plan (**Attachment 1**) reflects this action – with no other changes made to the plan that was approved in-principle by Council at its October 2020 Ordinary Council Meeting.

AGENDA FORUM COMMENT

11.4.3 PETITION FOR THE TOTAL BAN OF GLYPHOSATE USE

File No.: P&G9/ADMIN79.1

Responsible Executive/ Manager: BRUCE MOORMAN
A/DIRECTOR OPERATIONS

Author: BRUCE MOORMAN
A/DIRECTOR OPERATIONS

Author Disclosure of Interest: NIL

Attachments provided under separate cover: NIL

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

1. Supports the Town's continued approach to reduce the use of Glyphosate and other herbicides in the Town of Mosman Park.
2. Approves the establishment of a dedicated operational budget to fund Non-Chemical Weed Control.

3. Requires the CEO to write to the lead petitioner outlining the Town's ongoing commitment to reduce its use of Glyphosate, but advises that Council does not support a ban on the use of Glyphosate in the Town of Mosman Park.

VOTING REQUIREMENTS

Simple majority.

PREVIOUSLY BEFORE COUNCIL

The Town received a 259-signature petition in October 2020. The petition was received by Council at its Ordinary Council Meeting in October 2020.

PURPOSE OF REPORT

The purpose of this report is to provide Council with information regarding the use of chemical weed control in the Town of Mosman Park.

EXECUTIVE SUMMARY

A petition was received by Council at the Ordinary Council Meeting (OCM) in October 2020. The petition calls for a total ban on the use of Glyphosate in the Town of Mosman Park. Glyphosate (also known as Roundup) is one of the herbicides used by contractors for weed control in the Town.

BACKGROUND

A petition containing 259 signatures, was submitted by a resident at the October 2020 OCM along with a deputation.

The petitioners have expressed concerns about the use of Glyphosate for weed control in the Town and have requested that Council immediately ban the use of Glyphosate within the Town of Mosman Park. The Manager Parks and Environment had previously identified the need to reduce the use of Glyphosate in the Town, and prior to the petition had instituted several changes.

DETAILS

The Town of Mosman Park uses three types of herbicides for chemical weed control: Fusilade for the control of grasses, Spearhead for control of broadleaf weeds, and Glyphosate as a non-selective herbicide. Since April 2020, operational changes have been implemented to reduce the use of herbicides in the Town including the following:

- Contractors engaged by the Town are no longer allowed to use Glyphosate in the Town for weed control around trees, bollards, edges, park furniture, and other infrastructure.
- Town operational staff are no longer authorised to use Glyphosate in the Town for any purpose. Access to the Depot Chemical Shed has been restricted.
- Town staff and contractors use only manual and mechanical weed control methods for managing weeds in parks, playgrounds, streetscapes, footpaths, round-a-bouts and street kerbs.
- Manual and mechanical weed control is used for clearing of laneways.
- Alternate chemicals such as Fusilade and Spearhead are used by contractors in place of Glyphosate, if manual control is not practicable.
- There has been a reduced use of Glyphosate, increase in manual weed removal and use of Fusilade (instead of Glyphosate), within our Bushland Areas including: Bay View Park, Chidley Point, Chidley Sanctuary, Point Roe, Minim Cove Park, Garangup Park, and the bushland component of Mt Lyell, Buckland Hill and Mosman Beach. Russell Brown Nature Play area and the Minim Cove Cooling Ponds are no longer managed using Glyphosate.
- The trial of organic herbicides in various locations around the Town is ongoing.

The Town's operational staff have made changes to how they manage weeds and will continue to search for innovative ways to reduce herbicide use. The Town has not purchased Glyphosate since February 2020.

As far as the use of herbicides, including Glyphosate, the Town takes guidance from the Department of Health and the Australian Pesticides and Veterinary Medicines Authority (APVMA). Products containing Glyphosate are registered for use in Australia, and APVMA approved products containing Glyphosate can continue to be used safely according to label directions. The Town's contractors are trained in the safe and proper use of herbicides and strictly adhere to best practice management as guided by these regulatory bodies.

The only areas Glyphosate is used in the Town is for spot spraying in our natural areas. The use of Glyphosate in our natural areas is still considered an important part of the holistic weed management approach and a valuable tool in controlling outbreaks and protecting native flora and the habitat they provide for fauna.

Additionally, as the climate changes certain weed species may proliferate and all effective tools (including herbicides) need to be available for our use.

For these reasons, it is not recommended to ban the use of Glyphosate in the Town of Mosman Park, but rather work to reduce its use where possible.

To track the cost of non-chemical weed control, it is proposed that a specific budget is created. This can be funded from existing budgets and will be reviewed at the end of 2020/21.

Strategic Plan Alignment

Community Strategic Plan objectives are:

1.0 OUR COMMUNITY

1.1 We effectively and responsibly manage the Town’s assets to provide a range of community services that meets the needs of current and future residents.

2.0 NATURAL AND BUILT ENVIRONMENT

2.3 We continually advocate for accessible and safe transport, and pathway networks that connect people and services and that encourage pedestrians and cyclists

Statutory Implications

The *Local Government Act 1995* applies.

Policy Implications

The Use of Herbicide in the Town policy applies.

Financial Implications

It is proposed, as part of the mid-year budget review, that 5% of each operational park budget is reallocated to provide a new budget for non-chemical weed control account. This will provide a budget of \$28,797 for the next six months.

Community Engagement

Nil.

Comment

Nil.

AGENDA FORUM COMMENTS

11.4.4 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PROGRAM – PHASE 2

File No.:	ADMIN12.5
Responsible Executive/ Manager:	BRUCE MOORMAN A/DIRECTOR OPERATIONS
Author:	ANTHONY BOOTH MANAGER WORKS & ASSETS
Author Disclosure of Interest:	NIL
Attachments provided under separate cover:	1. LOCAL ROADS & COMMUNITY INFRASTRUCTURE - PRIORITY PROJECTS SPREADSHEET

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

1. Receives the Local Roads and Community Infrastructure (LRCI) program phase 2 - Priority Projects Spreadsheet (**Attachment 1**).
2. Requests the Chief Executive Officer to nominate Chidley Point public toilet replacement and area improvement as a project for the LRCI phase 2 funding prior to the 31 July 2021 deadline.

VOTING REQUIREMENTS

Simple majority.

PREVIOUSLY BEFORE COUNCIL

Phase one of the LRCI funding was presented to the September and November Ordinary Council Meetings in 2020 (OCM-117-2020 and OCM-133-2020).

PURPOSE OF REPORT

The purpose of this report is to provide Council with a list of eligible Local Roads and Community Infrastructure (LRCI) program Phase 2 projects.

EXECUTIVE SUMMARY

The Town of Mosman Park has received a further \$300,845 in funding from the Federal Governments Local Roads and Community Infrastructure (LRCI) program. This program is designed to boost local community economies via local government authorities – and is identified as phase 2 of the LRCI program. There are guidelines identifying what works are eligible for funding support under the LRCI program phase 2. Project nomination must be submitted before 31 July 2021. The approved project works must be completed no later than 30 June 2022.

To assist Council with the decision making process, each project has been classified as either requiring or not requiring additional Council funding and a priority ranking has been noted.

BACKGROUND

As part of the Federal Government's \$1.8 billion boost for road and community projects, the LRCI program was announced by the Government on 22 May 2020 as a \$500 million package to help communities recover from the COVID-19 pandemic. Phase 2 was announced on 22 December 2020.

Allocation of LRCI grant funding phase 2 is provided in a similar way to how the Federal Government allocates Roads to Recovery and Financial Assistance Grants. The Town has been allocated \$300,845 in LRCI grant funding. It is expected, under the LRCI program, the Town will use local businesses and workforce to deliver projects, where possible.

There are three main criteria when assessing what the LRCI funding phase 2 can be used for:

1. Local roads projects that involve the construction or maintenance of roads such as signage, traffic control, street lighting, and road and footpath maintenance. Community infrastructure projects that involves the construction, maintenance, and/or improvement to council owned assets such as improvement to community facilities, repairing or replacing fencing, improved accessibility to facilities or areas, shelters and

barbeques in parks, landscaping improvements, playgrounds and skate parks, and off road car parks for facilities and areas.

2. The identified project or projects must be an addition to existing work plans of 2020/21. The project can be brought forward from future years.
3. Construction of the project must be done between 1 January 2021 and 30 June 2022.

The LRCI funding cannot cover costs incurred for the preparation of project documentation, administrative overheads and staff salaries not linked to the project, costs of any other project that receives other State Government funding, plant and equipment costs, ceremonies related to the project, community or public art, and planning studies.

There are quarterly reporting requirements associated with the LRCI program. The Town will submit status reports in a similar manner to the Roads to Recovery program. It is also expected that signage be erected identifying the works as LRCI program funded. The signage is required on all projects over \$10,000.

DETAILS

Overview

The Town has identified a list of priority projects (**Attachment 1**) that meets the LRCI program's eligibility criteria. Along with this list, a priority ranking system has been provided next to each project to identify priority.

Below is an overview of eligible projects from an asset maintenance and renew perspective:

Transport projects

Fencing – The Town has an extensive fence network within Mosman Park. The majority of the Town's fence assets are in good to fair condition. The LRCI funding can be used to renew or replace fencing that is in fair to poor condition but not identified to be replaced in the current works program. The cost of fencing can range from \$20-\$200 per linear metre based on the style and function, and therefore the length of fencing replaced can vary.

Path Maintenance – The 600m concrete principal shared path at Mosman Beach that connects with the City of Fremantle to the south and the Town of Cottesloe to the north is in a good to fair condition. Ongoing maintenance is required to address common concrete footpath issues such as lifting at joins and occasional removal and replacement of sections due to severe cracking damage. The LRCI funding can be used to upgrade this path to an asphalted principal shared path to increase the path's function and serviceability for the local and wider community.

Road Maintenance – The LRCI phase 2 funding can be used to offset the 2021/22 capital roads renewal projects.

Off-street Car Park – The Tom Perrott reserve car park is in a fair to poor condition with an ongoing maintenance regime of patch repairing damage to the current surface. Recent works in the car park has seen the installation of trees to improve aesthetics and increase tree canopy. Resurfacing works will address ongoing maintenance issues and have a fit for purpose product supporting the community engaged in organised and individual sport and recreation activity. The cost is estimated to be \$130,000.

Recreation Projects

Chidley Point – The Town has a public toilet facility located at Chidley Point. Recent information has identified that this facility is frequently used by the community. Over a 200 day period, the facility was used on average 22 times per day with more frequent use outside of winter months. Based on the recent replacement of a similar public toilet in Minim Cove, the cost of replacing the facility would be approximately \$150,000. Improvement of accessibility to Chidley Point may be enabled by: the installation of line marking (with an ACROD bay) in the lower and upper car parks, with an option to resurface the lower car park and improve paths leading down to the area from the upper car park. The replacement of furniture inside Chidley Point may also be beneficial.

Furniture Maintenance – The Town has approximately 856 structures. The LRCI funding could be used to renew 10-20 shelters and benches that require replacement in the near future. The number of assets to be replaced will depend on the cost of each asset. The LRCI phase 2 funding would cover the entire cost of this project.

Playground Maintenance – The playground soft fall replacement at Stringfellow Park, Tom Perrott Reserve, and Federation Park are identified in the 2022/23 works program. These projects can be brought forward to receive LRCI phase 2 funding. The costs associated with each are \$34,000 at Stringfellow Park, \$76,000 at Tom Perrott Reserve, and \$28,000 at Federation Park.

Attachment 1 indicates the priority of each project, with one being the highest priority. Each project is assessed against the benefit it would contribute to the community, when it is due for renewal or replacement under future works programs, safety, risks and ongoing maintenance costs to the community as it stands.

Strategic Plan Alignment

3.0 OUR COMMUNITY

3.1 We effectively and responsibly manage the Town’s assets to provide a range of community services that meets the needs of current and future residents.

4.0 NATURAL AND BUILT ENVIRONMENT

2.4 We continually advocate for accessible and safe transport, and pathway networks that connect people and services and that encourage pedestrians and cyclists

Statutory Implications

The Local Government Act 1995 applies.

Policy Implications

Asset Management

- Renewal of existing assets before acquiring new ones.
- Reviewing current usage and need for an asset.
- Feasibility and long term sustainability of an asset.
- Whole of life cost of an asset.

Community Engagement

- Application of the community engagement framework for the projects.

Procurement Policy

- Value for money.
- Use of local businesses where appropriate..
- Purchasing from existing contracts and agreements

Sport and Recreation

- Managing resources devoted to the promotion of sport and recreation in the Town in a manner that is equitable, effective, and efficient where possible.
- Making a positive contribution to the community.

Financial Implications

Further Council contribution is not required should Council approve the officers recommendation.

Community Engagement

The level of community engagement may be different for each project and the Town's community engagement framework will determine to what level the community is engaged on the successful project.

Comment

Nil.

AGENDA FORUM COMMENTS

11.4.5 UNDERGROUND POWER PETITION

File No.:	WORKS4
Responsible Executive/ Manager:	BRUCE MOORMAN A/DIRECTOR OPERATIONS
Author	ANTHONY BOOTH MANAGER WORKS & ASSETS
Author Disclosure of Interest:	NIL.
Attachments provided under separate cover:	NIL.

Authority/Discretion

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- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

1. Notes the information presented in this report identifying steps taken by the Town to deliver underground power to the community.
2. Considers whether to engage a project manager to develop civil engineering and financial models necessary for the Underground Power project.
3. Requires the CEO to inform the lead petitioner of the outcome of this report.

VOTING REQUIREMENTS

Simple majority.

PREVIOUSLY BEFORE COUNCIL

Previously, Underground Power has been the subject of two Council reports. A report, (OCM-312-2016) was presented to Council to apply for Stage 6 funding of the State Government Underground Power Program (SUPP) and the second report, (OCM-015-2019) was presented to establish an Underground Power Advisory Group to further assist underground power completion in Mosman Park.

In October 2020, a petition was presented to the Ordinary Council Meeting. The petition called for Council to pursue completion of underground power in Mosman Park through lobbying State Government and thinking outside the box.

PURPOSE OF REPORT

To report on a petition submitted to Council at the October 2020 Ordinary Meeting by members of the Mosman Park community seeking completion of underground power in Mosman Park.

EXECUTIVE SUMMARY

The Town understands the importance of underground power to the Mosman Park community. The strong community desire has featured frequently in community strategy feedback, along with survey feedback directly related to underground power completion.

To enable the Town be in the best position possible, Council may wish to engage a project management consultant with civil engineering and financial modelling expertise. This consultant would be responsible for engaging with relevant stakeholders and developing financial (and rating) models.

BACKGROUND

The Town has previously applied for every round of funding in the State Government's Underground Power Funding Program since its inception. The Town was fortunate enough to be part of the initial pilot project and since that time, underground power has been at the forefront of resident requests with approximately 2250 dwellings that are yet to be connected to underground power.

Unfortunately, the Town was unsuccessful with its application for stage 6 of the State Government's Underground Power Program (SUPP) with the successful local government areas being awarded on qualitative and quantitative criteria.

In early 2019, Council endorsed the establishment of an Underground Power Advisory Group to create a blueprint to improve the Town's chances of completing underground power in Mosman Park.

At the completion of Stage 6 of the SUPP, the Town understand that new selection criteria and a new program will be developed for underground power. This change is designed to level the playing field for those local governments who were unable to compete with others who pledged a considerable percentage of total costs for works.

DETAILS

State Government Underground Power Program (SUPP)

In the last stage of the SUPP the Town submitted a proposal in 2016 for underground power completion in Mosman Park. Ultimately the Town was unsuccessful, totalling a score of 20.78 via the criteria (14.28 for the priority condition of the overhead power network and proposing a 13% increase on top of the minimum funding of total costs for the Town's contribution equating to the remaining 6.5 points of total score given). This score was well below those that were successful for the stage 6 SUPP for two main reasons:

1. The overhead power network in the Town is in considerably better condition and received a lower priority score of 14.28, and
2. The Town was not able to contribute as high a percentage of total costs over and above its required minimum.

Those locations that had substantially ageing power networks either had to contribute no or very minimal additional costs for the project due to a high priority score, or those areas with a similar priority score to the Town, and in some cases lower, were willing to contribute a substantial amount more towards the total cost – as high as 40% extra of total costs.

The Future Process of the State Government Underground Power Program (SUPP)

The process for allocation of underground power in the Perth metropolitan area is changing at the completion of stage 6 projects. The new process will be based predominantly on a priority criteria of the condition of the overhead power distribution network as opposed to just the level of financial contribution from a local government.

This new process would see the eventual undergrounding of all power in the Perth metropolitan area over the next 40 or so years at a set contribution level of total costs incurred by local governments where the works take place.

Western Power is yet to release the priority ratings of the remaining overhead power network so it is unknown where the Town sits regarding priority of underground power completion. It is important for the Town to understand this to form a tangible strategy for underground power completion in the Town. It is expected that Western Power will release the list of priority sites over the next few months.

Alternatives to the State Government Underground Power Program (SUPP)

There are alternatives to relying on the SUPP – that is for the Town to fully fund underground power in Mosman Park. This is something the Town can choose to do at any time, but it does come with the drawback of needing to be fully funded by the Town. Last pricing, in 2016, estimated the cost of underground power completion in the Town at approximately \$21million.

Another option to progressively transition to underground power arises where Western Power evaluates that the existing network would benefit more from being underground power, rather than replacing the ageing overhead power assets. This operates similar to the SUPP, but the local government only covers the cost of connections to each property which is less than SUPP costs. Due to the condition of the Town's overhead power network it is unlikely the Town would be able to benefit from this program. Further, only the ageing assets are replaced, which is likely to result in portions of the Town's overhead powerlines not qualifying for replacement.

General Information

In 2019, Council endorsed the establishment of an advisory group to act on behalf of the Town to advocate and work towards underground power completion in the Town. This group, made up of Councillors and staff, produced a strategy for underground power to identify opportunities, and engage with external stakeholders and the community. Since the formation of this group an underground power reserve has been established; Council has resolved to transfer funds from the lease of the Town depot (to the Town of Cottesloe) to this reserve to reduce community contributions.

Should Council wish to progress this project and leverage any further funding opportunities to complete Underground Power in Mosman Park it is recommended that a project manager be engaged to develop the requisite civil engineering and financial (and rating) models.

Strategic Plan Alignment

Enhancing our Town:

1. Create a multi-faceted Town to cater for wide community interests. These places will cater for a range of community, business and social activities. These should be developed within the timeframe of this plan.
2. Maintain and develop Town infrastructure for the benefit of our community The Town to preserve, maintain and enhance built community facilities to facilitate community connectedness.

Statutory Implications

Nil.

Policy Implications

The following policies apply:

- Underground Power Policy
- Financial Reserves Funds Policy.

Financial Implications

There are short-term financial implications should Council wish to engage the services of a project manager to progress this project. Funding is available in the Underground Power Reserve to procure this service.

Community Engagement

Nil.

COMMENT

Nil.

AGENDA FORUM COMMENTS

11.5 CHIEF EXECUTIVE OFFICER

11.5.1 DECEMBER 2020 LIBRARY MANAGEMENT COMMITTEE MINUTES

File No.:	VIT3
Responsible Executive/ Manager:	CARISSA BYWATER CHIEF EXECUTIVE OFFICER
Author	CARISSA BYWATER CHIEF EXECUTIVE OFFICER
Author Disclosure of Interest:	NIL.
Attachments provided under separate cover:	1. THE LIBRARY MANAGEMENT COMMITTEE DECEMBER 2020 MEETING MINUTES

Authority/Discretion

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- Executive The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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- Quasi-Judicial When Council determines an application/matter that directly affects 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 permits, applications for other permits/licences (e.g. under *Public Health Act 2016*, *Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council notes the unconfirmed minutes of the December 2020 Library Management Committee (**Attachment 1**).

VOTING REQUIREMENTS

Simple majority.

PREVIOUSLY BEFORE COUNCIL

Nil.

PURPOSE OF REPORT

The purpose of this report is for Council to note the minutes of the December 2020 Library Management Committee Meeting (**Attachment 1**).

EXECUTIVE SUMMARY

The Library Management Committee (the Committee) met on 3 December 2020 at the Shire of Peppermint Grove. The meeting agenda comprised of topics such as the Grove Asset Management Plan 2020-2031, the Library's financial reports, and the foyer way-finder signage.

The unconfirmed minutes from this meeting are at **Attachment 1**.

BACKGROUND

The Committee was established to oversee the management of The Grove library and meets quarterly. The Committee is comprised of the three co-owner councils: Town of Mosman Park, Town of Cottesloe, and Shire of Peppermint Grove.

Under the Project Construction and Management Agreement established in 2009, each council is to elect two representatives to the Committee. The Town's representatives are Mayor Pollock and Councillor Carey (Deputy).

DETAILS

Strategic Plan Alignment

1.0 We will facilitate a thriving community

We want to promote sustainable, connected, safe and diverse places for everyone

3.0 We will govern as sustainable and positive leaders

We are committing to sound strategy and governance, excellence in customer service, and effective and sincere engagement with stakeholders.

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Community Engagement

Nil.

COMMENT

The Library Management Committee met on 3 December at the Shire of Peppermint Grove. The unconfirmed minutes of this meeting are at Attachment 1 for information purposes.

The next Library Management Committee is scheduled for Thursday, 18 February 2021.

AGENDA FORUM COMMENTS

11.5.2 ANNUAL REPORT 2019/20 AND ELECTORS' GENERAL MEETING

File No.: NAM32621

Responsible Executive/ Manager: CARISSA BYWATER
CHIEF EXECUTIVE OFFICER

Author: KATE JONES
SENIOR GOVERNANCE OFFICER

Author Disclosure of Interest: NIL.

Attachments provided under separate cover: 1. DRAFT TOWN OF MOSMAN PARK 2019/20 ANNUAL REPORT (INCORPORATING ANNUAL FINANCIAL STATEMENTS AND AUDITOR'S REPORT).

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.
- Quasi-Judicial When Council determines an application/matter that directly affects 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 permits, applications for other permits/licences (e.g. under *Public Health Act 2016*, *Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes Includes items provided to Council for information purposes

IMPORTANT NOTE

The draft 2019/20 Annual Report at **Attachment 1** to this report incorporates the Annual Financial Statements and Auditor's Report that are the subject of a report and officer recommendation at Agenda Item 11.5.2 of this agenda (for the avoidance of doubt, that is the agenda for the Ordinary Council Meeting 22 February 2021).

The officer recommendation in this report relies on Council resolving **firstly**, by absolute majority, to accept both the Annual Financial Statements/Auditor's Report that are the subject of the officer's recommendation in Agenda Item 11.5.2.

OFFICER RECOMMENDATION

That Council:

1. Pursuant to s.5.54 of the *Local Government Act 1995*, accepts the Town of Mosman Park 2019/20 Annual Report (incorporating Annual Financial Statements and Auditor's Report) as detailed in **Attachment 1**.
2. Pursuant to s. 5.27(2) of the *Local Government Act 1995*, authorises **16 March 2021** as the date selected by Council for a general meeting of electors to be held to discuss the matters prescribed by s.5.27(3) of the *Local Government Act 1995* and R.15 of the Local Government (Administration) Regulations 1996.

VOTING REQUIREMENTS

Absolute majority.

PREVIOUSLY BEFORE COUNCIL

The 2018/19 Annual Report was presented to Council at the Ordinary Council Meeting held on 26 November 2019. The narrative of the Annual Report was presented in one report; and the financial statements and auditor's report in another.

Council approved the 2018/19 narrative component of the Annual Report at its Ordinary Council Meeting on 26 November 2019:

OCM-159-2019

Moved: DEPUTY MAYOR A MAURICE

Seconded: COUNCILLOR P SHAW

That Council:

1. *Approves the draft Town of Mosman Park Annual Report 2018/19*
2. *Approves the Annual General Meeting of Electors, in accordance with the Local Government Act 1995, at the Administration Centre on Monday 16 December 2019, commencing at 5:30pm.*

CARRIED 6/0

The 2018/19 Financial Statements and Auditor's Report were approved separately at the same meeting via the following resolution:

OCM-149-2019

Moved: COUNCILLOR J LEDGERWOOD

Seconded: COUNCILLOR Z JOHNSON

That the Audit and Risk Management Committee:

- 1. Accepts the Audited Financial Statements for the year ended 30 June 2019 including the Independent Auditor's Report and Auditor's Management Report (Attachment 1).*
- 2. Recommends Council receive the Audited Financial Report for the year ended 30 June 2019, including the Independent Auditor's Report, and Auditor's Management Report.*
- 3. In accordance with Regulation 51(2) of the Local Government (Financial Management) Regulations 1996, submit a copy of the 2018/19 Annual Financial Report to the Department of Local Government, Sport and Culture Industries, within 30 days of receipt by the Chief Executive Officer of the auditor's report on that financial report.*

CARRIED 6/0

A Special Council Meeting was convened on 10 December 2019, to enable the 2018/19 Annual Report and financial statements to be presented (as a whole) to Council. At that meeting, Council resolved:

SCM-008-2019

Moved: COUNCILLOR JENNA LEDGERWOOD

Seconded: COUNCILLOR PAUL SHAW

That Council accepts the Town of Mosman Park 2018/19 Annual Report, incorporating the 2018/19 Audited Financial Statements (as at Attachment 1), no later than 31 December, in compliance with section 5.54(1) of the Local Government Act 1995.

CARRIED 7/0

PURPOSE OF REPORT

The purpose of this report is twofold:

1. To present the draft 2019/20 Annual Report (incorporating Annual Financial Statements/Auditor's Report) (detailed in **Attachment 1**) to Council for it to consider accepting it by absolute majority in compliance with s.5.54 of the *Local Government Act 1995*.
2. If Council resolves to accept the 2019/20 Annual Report (incorporating Annual Financial Statements/Auditor's Report) (detailed in **Attachment 1**), to then select **16 March 2021**, as the date for a general meeting of electors to present the annual report, in compliance of s.5.27(2) of the *Local Government Act 1995*.

EXECUTIVE SUMMARY

Local governments are required to report annually on various matters prescribed by the *Local Government Act 1995* and other legislation.

The Town of Mosman Park draft 2019/20 Annual Report narrative has been prepared, in consultation with Council, to include these matters and some additional statistics and information. It also incorporates the 2019/20 Annual Financial Statements and Auditor's Report.

The draft 2019/2020 Annual Report is presented to Council within the statutory timeframe provided. It is recommended it be accepted in the form detailed at **Attachment 1**. Assuming the report is accepted, it is further recommended Council set **16 March 2021** as the date for a general meeting of electors at which the annual report is to be presented.

BACKGROUND

Throughout 2020, the Administration consulted closely with Council to ensure the 2019/20 Annual Report narrative would be produced, not only to report on statutory matters, but to do so in a form that would translate well to the Mosman Park community.

The Town of Mosman Park draft 2019/20 Annual Report narrative has been prepared, taking into account feedback from Council. It includes content as prescribed and some additional statistics and information. It also incorporates the 2019/20 Annual Financial Statements and Auditor's Report.

DETAILS

Strategic Plan Alignment

The 2019/20 Annual Report details financial information, statistics and other information to demonstrate how the work the Town has done during 2019/20 aligns with achieving community aspirations.

Various sections in the 2019/20 Annual Report relate particular commentary to relevant Strategic Community Plan (SCP) objectives. This transparency enables the community to understand how the Town's works and services are aligned with the community's strategic objectives.

Statutory Implications

Annual Report

Local Government Act 1995

s.5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president; and
 - (b) a report from the CEO; and

[(c), (d) deleted]

(e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and

(f) the financial report for the financial year; and

(g) such information as may be prescribed in relation to the payments made to employees; and

(h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and

(ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*; and

(hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —

(i) the number of complaints recorded in the register of complaints; and

(ii) how the recorded complaints were dealt with; and

(iii) any other details that the regulations may require; and

(iv) such other information as may be prescribed.

s.5.54. Acceptance of annual reports

(1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

* Absolute majority required.

(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Local Government (Administration) Regulations 1996

19B. Information to be included in annual report (Act s. 5.53(2)(g) and (i))

(1) In this regulation —

remuneration has the meaning given in the *Salaries and Allowances Act 1975* section 4(1).

(2) For the purposes of section 5.53(2)(g) and (i), the annual report for a financial year beginning on or after 1 July 2020 must contain the following —

(a) the number of employees of the local government entitled to an annual salary of \$130 000 or more;

(b) the number of employees of the local government entitled to an annual salary that falls within each band of \$10 000 over \$130 000;

(c) any remuneration and allowances paid by the local government under Schedule 5.1 clause 9 during the financial year;

(d) any amount ordered under section 5.110(6)(b)(iv) to be paid by a person against whom a complaint was made under section 5.107(1), 5.109(1) or 5.114(1) to the local government during the financial year;

(e) the remuneration paid or provided to the CEO during the financial year;

- (f) the number of council and committee meetings attended by each council member during the financial year;
- (g) if available, the gender, linguistic background and country of birth of council members;
- (h) if available, the number of council members who are aged —
 - (i) between 18 years and 24 years; and
 - (ii) between 25 years and 34 years; and
 - (iii) between 35 years and 44 years; and
 - (iv) between 45 years and 54 years; and
 - (v) between 55 years and 64 years; and
 - (vi) over the age of 64 years;
- (i) if available, the number of council members who identify as Aboriginal or Torres Strait Islander;
- (j) details of any modification made to a local government's strategic community plan during the financial year;
- (k) details of any significant modification made to a local government's corporate business plan during the financial year.

Elector's General Meeting

Local Government Act 1995

s.5.27 Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the Annual Report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

Local Government (Administration) Regulations 1996

R.15. Matters to be discussed at general meeting (Act s. 5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

Policy Implications

Nil.

Financial Implications

Costs of the graphic design for the draft 2019/20 Annual Report were \$3190. Funds will be drawn from the 2020/21 Budget to meet these costs.

Community Engagement

Should Council resolve to accept the 2019/20 Annual Report, it must be presented to a general meeting of electors within 56 days of acceptance (s5.27(2)).

It is recommended Council resolve to approve **16 March 2021** as the date to convene a general meeting of electors for these purposes. It is proposed that this meeting be held immediately before the Agenda Forum scheduled for the same date.

COMMENT

2019/20 Annual Report

The draft 2019/20 Annual Report (incorporating Annual Financial Statements/Auditor's Report) (**Attachment 1**) includes:

- All necessary information required by s.5.53 of the *Local Government Act 1995*, Regulation 19B of the Local Government (Administration) Regulations 1996 and other statutory reports;
- Statistics about Mosman Park;
- How the Town has managed the COVID-19 pandemic response and recovery;
- Top projects;
- Information and statistics about the Town's services; and
- Annual Financial Statements and Auditor's Report.

The *Local Government Act 1995* (the Act) provides an annual report must be accepted (by absolute majority) by Council no later than 31 December after the financial year. That could not happen in 2020 due to delays in the OAG signing off on the 2019/20 final financial statements.

In cases such as this, the Act provides an annual report must be accepted no later than two months after the auditor's report becomes available. The relevant date under these circumstances as far as the Town is concerned is **22 February 2021**.

It is recommended Council accept, by absolute majority, the draft Town of Mosman Park 2019/20 Annual Report (incorporating Annual Financial Statements/Auditor's Report) (**Attachment 1**).

Elector's General Meeting

To meet the compliance obligations of s.5.27(2) of the Local Government Act 1995, a general meeting of electors is to be held 56 days after acceptance of the annual report. Matters to be discussed at the meeting are, firstly, the contents of the annual report and then any other general business (s.5.27(3), R.15 Local Government (Administration) Regulations 1996).

It is recommended that Council set 16 March 2021 as the date for a general meeting of electors to present the Town of Mosman Park 2019/20 Annual Report.

AGENDA FORUM COMMENTS

11.5.3 APPOINTMENT OF WESTERN AUSTRALIAN ELECTORAL COMMISSIONER – OCTOBER 2021 ELECTION

File No.: NAM32543

Responsible Executive/ Manager: CARISSA BYWATER
CHIEF EXECUTIVE OFFICER

Author: KATE JONES
SENIOR GOVERNANCE OFFICER

Author Disclosure of Interest: NIL.

Attachments provided under separate cover: 1. LETTER/WRITTEN AGREEMENT FROM WESTERN AUSTRALIAN ELECTORAL COMMISSIONER DATED 16 DECEMBER 2020

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.
- Quasi-Judicial When Council determines an application/matter that directly affects 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 permits, applications for other permits/licences (e.g. under *Public Health Act 2016*, *Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

1. Declare, in accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the 2021 Ordinary Elections together with any other elections or polls which may also be required.
2. Decide, in accordance with Section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.
3. Authorise the Australia Post regular delivery service as the postal service to be used for the postal election.

VOTING REQUIREMENTS

Absolute majority.

PREVIOUSLY BEFORE COUNCIL

Since 2009, Council has resolved to appoint the Western Australian Electoral Commissioner (WAE Commissioner) to run its local government elections.

PURPOSE OF REPORT

The purpose of this report is to provide Council with relevant information to enable it to declare the WAE Commissioner to be responsible for the conduct of the Town of Mosman Park 2021 ordinary election via postal voting.

EXECUTIVE SUMMARY

Local government elections are to be held on 16 October 2021. Elections at the Town of Mosman Park will be held for vacancies for three offices of Council and for the office of Mayor.

This report recommends the WAE Commissioner be responsible for conducting the election via postal vote.

BACKGROUND

The principal electoral office of a local government is that of the returning officer (s.4.19 Local Government Act 1995 (LGA)). The CEO is the returning officer for each election unless Council appoints a person other than the CEO to be the returning officer (s.4.20(2) LGA).

Council can declare the WAE Commissioner to be the returning officer. It can also decide that the election will be conducted via a postal vote. The latter must be done before the 80th day before an election (in the case of 2021 that date is 28 July).

The WAE Commissioner sent correspondence to the Town dated 16 December 2020, detailing an estimate of costs to conduct the election via a postal vote (Attachment 1).

The estimate was \$38,000 (GST inclusive) to conduct the election using the regular Australia Post service for the lodgement of election packs. An additional estimate of \$1,250 applies if the Australia Post priority service is used.

The WAE Commissioner's written agreement must be obtained before Council votes on the matter. The letter at **Attachment 1** can be taken as agreement that the WAE Commissioner will be responsible for the conduct of the 2021 ordinary elections in accordance with s.4.20(4) of the LGA, together with any other elections or polls that may also be required. The agreement is subject to Council agreeing that the election be undertaken as a postal election.

DETAILS

Strategic Plan Alignment

The strategic objective of Leadership and Governance is furthered by ensuring there is sound governance around Council elections.

Statutory Implications

Local Government Act 1995

4.20. CEO to be returning officer unless other arrangements made

- (1) *Subject to this section the CEO is the returning officer of a local government for each election.*
- (2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for-*
 - (a) *an election; or*
 - (b) *all elections held while the appointment of the person subsists.*
- (3) *An appointment under subsection (2) –*
 - (a) *is to specify the term of the person's appointment; and*
 - (b) *has no effect if it is made after the 80th day before an election day.*
- (4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

** Absolute majority required.*

4.61. Choice of methods of conducting the election

- (1) *The election can be conducted as a —*
postal election *which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or*
voting in person election *which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.*
- (2) *The local government may decide* to conduct the election as a postal election.*

** Absolute majority required.*

Policy Implications

The [Town of Mosman Park Council Elections Policy](#) states:

- a. The Town of Mosman Park will use postal voting for its elections on the basis that this method attracts higher voter participation.
- b. The Electoral Commission is to be engaged to undertake Town of Mosman Park elections.
- c. The Administration building is to be used for in person voting.
- d. The Town is to promote voter participation through the use of its media communications and signage.
- e. An employee assisting in an election is to be paid at her/his current pay level, including any provisions for overtime where they apply.

Financial Implications

As can be seen in the letter at **Attachment 1**, the WAEC has estimated a cost of \$38,000 (GST inclusive) for the Electoral Commission to run the 2021 if conducted as a postal ballot. This estimate is based on the following assumptions:

- 6,250 electors
- Response rate of approximately 45%
- 4 vacancies
- Count to be conducted at the offices of the Town of Mosman Park
- Appointment of a local Returning Officer
- Regular Australia Post delivery service to apply for the lodgement of the election packages.

These assumptions are considered to be reasonable, although it is noted the [WAEC's report on the 2019 Local Government Ordinary Elections](#) calculates the Town of Mosman Park's response rate as 36.4%.

The WAEC has estimated an additional cost of \$1,250 if Council opts for the Australia Post priority service for the lodgement of election packages. Incurring this additional cost is not considered necessary.

Final costs may vary depending on a number of factors including cost of materials or number of replies received.

Costs to have the WAE Commissioner conduct the 2021 election by postal vote will be included in the 2021/22 Budget.

Community Engagement

Nil.

COMMENT

The WAE Commissioner has advised that the letter at **Attachment 1** containing the costs estimate can be used as a written agreement for the WAE Commissioner to be responsible for the conduct of the 2021 ordinary elections as per s.4.20(4) of the *Local Government Act 1995*.

With the requirement of s.4.20(4) satisfied (to obtain this written agreement before Council votes on the matter), it remains for Council to declare the WAE Commissioner be responsible for the 2021 elections via postal vote. It is recommended Council make such a declaration. It is further recommended the postal vote be conducted using the regular Australia Post service, rather than the priority service.

11.5.4 ORGANISATIONAL STRUCTURE

File No.:	STAFF388
Responsible Executive/ Manager:	CARISSA BYWATER CHIEF EXECUTIVE OFFICER
Author:	CARISSA BYWATER CHIEF EXECUTIVE OFFICER
Author Disclosure of Interest:	NIL
Attachments provided under separate cover:	NIL

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.
- Quasi-Judicial When Council determines an application/matter that directly affects 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 permits, applications for other permits/licences (e.g. under *Public Health Act 2016*, *Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

1. Authorises a modification to the organisational structure which splits the Director Planning and Operations role over two divisions: Director Operations and Principal Planning and Development (or equivalent title).

2. Authorises a variation of \$62,000 to the 2020/21 Planning and Building salaries budget to provide additional technical resources to respond to increasing service demands
3. Authorises and effects a transfer of \$62,000 from the Strategic Projects Reserve to fund this budget variation.

VOTING REQUIREMENTS

Absolute majority.

PREVIOUSLY BEFORE COUNCIL

Nil.

PURPOSE OF REPORT

This report seeks Council approval of the Organisational Structure and associated funding requirements to fulfil service demands in the planning and development areas.

EXECUTIVE SUMMARY

This report seeks Council approval of the Organisational Structure and for funding to align the Town's people resources to the surge in demand for planning services.

This review recommends we transition to a Director of Operations and Principal Planning and Development model. To progress strategic planning projects an additional resource will be required.

BACKGROUND

Over the past 12 months, the Town has been committed to driving a number of important initiatives across the organisation including: a flatter [and de-siloed] structure, a positive culture aligned to our values, a sharper focus on what really matters, and modernising our systems.

The one-director organisational structure applied from 1 July, 2020. It was designed pre-COVID and could not have reasonably foreseen the extra demands it has required from the organisation. COVID-19 presented many challenges including a surge in planning and development applications, changes in legislation, and more engaged residents.

At the time the 2020/21 Budget was developed, it was flagged that to meet the Town's goals for customer satisfaction, modernisation and to achieve good results, more resources were required in specific service areas.

However, it was agreed that during this period of uncertainty, the priority was to maintain services. Consequently, no changes were made.

Since then, the volume of applications for renovations and residential development across the Town has increased significantly. We have seen more complex planning matters and have been interacting with residents who are aware and concerned about what is happening in their neighbourhoods. Resourcing the workflow of current planning and building applications in itself has been challenging, leaving little or no time to spend on important strategic and policy work.

Having considered a business case for extra resources late 2020, Council approved the engagement of two temporary resources in the areas of planning and compliance. Subsequent to this, two temporary officers have been employed on a contract basis to 30 June 2021. Review of the ongoing service demands to justify continued employment of these roles will be considered as part of developing the 2021/22 Budget.

The Town has four planning officers (including a vacant graduate planner position and a temporary senior planner), one building surveyor, and a temporary compliance officer. The team has some limited assistance from external consultants in periods of peak workload. The breadth of responsibilities for these officers range from strategic planning and assessment of planning and building applications, to fielding complaints from residents on building activity or proposed applications and implementing compliance action. The assessment work – like many of the Town’s activities - is largely done manually with limited capacity from technology.

With the resignation of the Director Planning and Operations, a review of the organisational structure has been carried out. This review has taken into account the pipeline of planning and development projects.

Risk implications

If more resources cannot be provided, the operational and strategic risks to the Town will continue to increase – and customer satisfaction and the timeframes to complete a number of statutory and strategic planning projects will also suffer. This may lead to reputation damage, lost opportunities, poor planning outcomes, and capable staff leaving because of burnout, lack of support and inadequate leadership.

The vigorous community engagement involved with the Wellington Street LDP in the midst of a pandemic crisis stretched resources across the Town’s planning and administrative team almost to breaking point. Introducing a model where similar projects can be managed more strategically will mitigate risks to the Town’s reputation.

DETAILS

At the time the 2020/21 Budget was developed, it was identified that to meet the Town’s goals for customer satisfaction, modernisation and to achieve good results, more resources were required in specific service areas. However, it was agreed that during this period of uncertainty, the priority was to maintain services. Consequently, no changes were made.

The Town aspires to position ourselves as enabling good development; that is above board, and largely acceptable for residents. The Town's Local Planning Scheme No.3 has unleashed demand for development in Mosman Park and while the economic outlook is unknown, the pipeline of projects and market trends do not show any sign of easing of service demands. Aside from servicing the immediate needs of incoming DAs – we are aware of the following short-term planning projects:

- Progressing the Mosman Park Town Centre Plan and associated planning activities including traffic impact studies, civil infrastructure needs assessment, and implementation of a Developer Contribution Plan
- A LDP for local school
- The Wellington Street DA
- Mosman's Restaurant (clearance of conditions)
- 40-42 Glyde Street (clearance of conditions)
- 30 Colonial Gardens
- Amendment of processes and procedures; along with deletion of policies to give effect to amendments to the *Planning Regulation Amendment Regulations 2020* and SPP7.2.
- Review of the Laneways policy and development of a plan to manage laneways set aside in the recent policy review
- Community engagement
- Matilda Bay planning application (while this is a City of Fremantle development, staff time will be required to handle any resident queries)
- Developers taking advantage of stimulus and demand for western suburb living.

The Planning and Development team are operating at full capacity and do not have capacity to manage the above projects. While the impact of this demand on the Town's resources is not contained to the planning and building functions – the focus of this request is to prioritise and adjust resources to fill demands for planning and development services.

This review recommends we move to a Director of Operations and Principal Planning and Development model. The Principal Planning and Development will lead the Planning, Building and Health functions. The Principal role will have capacity to manage up to two complex planning matters (depending on the project) and manage escalated customer enquiries. The Director of Operations will lead the Town's public facing services. The back-of-house services (Finance and IT, Governance, People and Culture, Community Engagement, and Communications) will continue to report to the CEO.

Should Council wish to progress strategic projects (outlined above), an additional resource will be required. Taken together with the changes outlined in the organisational structure, the estimated 2020/21 pro-rata cost (including overheads) of engaging additional resources is \$62,000.

With more help, we can and we will meet this challenge, and make a remarkable difference to our community and to Mosman Park.

Strategic Plan Alignment

1.0 OUR COMMUNITY

Aspiration: We will facilitate a thriving community

We want to promote sustainable, connected, safe and diverse places for everyone

3.0 LEADERSHIP AND GOOD GOVERNANCE

Aspiration: We will govern as sustainable and positive leaders

We are committing to sound strategy and governance, excellence in customer service, and effective and sincere engagement with stakeholders.

The Town has embarked on a process to shape the long-term strategic priorities of the Town, in consultation with our residents. This major review will enable a more holistic review of the Town's strategic priorities and services over the next ten years. This review process will not be adversely affected by any decision made now to adjust resources to fill the prevailing service need.

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Budget changes are required to effect the new structure. The estimated 2020/21 pro-rata cost (including overheads) of the additional resources is \$62,000.

In the medium term, it is proposed that savings realised from reclassification of the Director Planning and Operations will be used to fund the Director Operations and some of the Principal Planning and Development. The (majority of the) Principal Planning and Development position can be funded by a reallocation of funds within the salaries and wages allocation (assuming COVID-19 is no longer an issue). Funding the remaining balance will require medium-term sacrifice of projects – and may be financed by individual project allocations or by a combination of organic rates growth (increase in rates revenue) and effecting a transfer from the Strategic Initiatives reserve.

Community Engagement

Nil.

AGENDA FORUM COMMENTS

11.5.5 INTERNAL COUNCIL MEETINGS POLICY

File No.:	GOVERN006/NAM32675
Responsible Executive/ Manager:	CARISSA BYWATER, CHIEF EXECUTIVE OFFICER
Author:	KATE JONES, SENIOR GOVERNANCE OFFICER
Author Disclosure of Interest:	NIL.
Attachments provided under separate cover:	1. AGENDA FORUM POLICY 2. DRAFT INFORMAL COUNCIL MEETINGS POLICY

Authority/Discretion

- 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. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.
- Quasi-Judicial When Council determines an application/matter that directly affects 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 permits, applications for other permits/licences (e.g. under *Public Health Act 2016*, *Dog Act 1976* or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes Includes items provided to Council for information purposes

OFFICER RECOMMENDATION

That Council:

Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*:

1. Deletes the Agenda Forum Policy at **Attachment 1**.
2. Adopts the Informal Council Meetings Policy as detailed in draft at **Attachment 2**.
3. Notes that General Procedures for informal meetings proposed in the Informal Council Meetings Policy will be presented to Council in March 2021 for approval.

VOTING REQUIREMENTS

Simple majority.

PREVIOUSLY BEFORE COUNCIL

In November 2016, Council resolved to trial an informal meeting structure that introduced Concept Forums and Agenda Forums (**The Trial**):

OCM-475-2016

That Council:

- 1. endorses the new meeting structure including Concept forums, Agenda Forums and Ordinary Council meetings on a trial basis, which is to be reviewed in July 2017.*
- 2. adopts the Agenda Forums Policy as per attachment 1 of this report; and*
- 3. notes the introduction of the en bloc voting procedure for the Ordinary Meeting of Council.*

In October 2017, Council considered the results of the review of The Trial and resolved to continue the meeting structure as proposed in November 2016, with several amendments to the Agenda Forums Policy:

OCM-137-2017

That Council:

- 1. Approves continuation of the Briefing Sessions and Agenda Forums meetings; and*
- 2. Adopts the Agenda Forums Policy as per attachment 1 of this report.*

The [Agenda Forums Policy](#) referred to in the October 2017 resolution is current and was due for review in August 2020. The review has been conducted and results are the basis of this report.

PURPOSE OF REPORT

This report seeks approval from Council to delete the current Agenda Forum Policy as detailed at **Attachment 1**. It is proposed to replace this policy with a new policy entitled “Informal Council Meetings Policy” as detailed in draft at **Attachment 2**. The latter provides details of an amended informal Council meeting structure. Agenda Forums are retained, Concept Forums are removed and Strategic Workshops and issue-specific workshops are introduced.

EXECUTIVE SUMMARY

Since 2017, the current [Agenda Forum Policy](#) at **Attachment 1** has been applied to guide Council’s informal meetings.

The policy was due for review in August 2020. The review, having been completed, is recommending to amend the informal Council meeting structure to:

- Retain Agenda Forums;
- Remove Concept Forums; and
- Introduce Strategic Workshops and issue-specific workshops.

In addition, the review recommends:

- Removing the detailed guidance related to Agenda Forums (the current policy is limited only to Agenda Forum procedures) and including it in General Procedures to be drafted for each type of informal meeting; and
- Re-naming the policy “Informal Council Meetings Policy” to more adequately reflect the scope of the informal meetings structure proposed.

BACKGROUND

The *Local Government Act 1995*, prescribes provisions for formal Council meetings of Council. Meeting procedures relating to formal meetings are detailed, insofar as the Town is concerned, in the Meeting Procedures Local Law 2010.

Other Council meetings not covered by the Act, are classified as informal meetings. At the Town, guidance about these meetings is currently detailed in the Agenda Forum Policy at **Attachment 1**.

DETAILS

Strategic Plan Alignment

An Informal Council Meetings Policy aligns with the strategy to continuously review governance systems identified in the Town’s Strategic Community Plan objective of *Leadership and Good Governance – We will govern as sustainable and positive leaders*.

Statutory Implications

Local Government Act 1995

Section 2.7(2)(b) of the *Local Government Act 1995*, provides that determining local government policies is part of Council’s role.

Policy Implications

This report proposes that the draft Informal Council Meetings Policy at **Attachment 1** replaces the current Agenda Forum Policy in its entirety.

Financial Implications

Nil

Community Engagement

The draft Informal Council Meetings Policy proposes that Strategic Workshops be closed to the public. These workshops are specifically to enable Elected Members to enjoy the freedom to express ideas, explore concepts – some of which may result in a formal decision, others may not. The strategic matters discussed at these meetings will generally be in the preliminary stages of development. Keeping discussions confidential in these early stages enables the free flow of creativity and is consistent with the Department of Local Government, Sport and Cultural Industries guidance on concept forums in its [Operational Guideline No 5](#).

Other issue-specific workshops may be confidential, depending on the subject matter.

Agenda Forums will be open to the public, unless confidentiality is claimed for one of the reasons provided in s.5.23 of the *Local Government Act 1995*.

COMMENT

A review of the current Agenda Forum Policy has been conducted. Key issues the review noted were:

Informal Meeting Structure

- The scope of the current Agenda Forum Policy is limited to agenda forums. It gives no guidance about other informal meetings such as the briefings that have been taking place regularly since the current policy was approved in 2017. Providing this guidance in a new Informal Council Meetings Policy will improve the governance of all informal meetings, not just Agenda Forums.
- By including Strategic Workshops in the informal meetings structure, it clearly sets the expectation that the focus of these meetings will be on strategic matters only.
- Including the ability to convene, as required, an issue-specific workshop, builds the opportunity for flexibility into the informal meetings structure.

General Procedures

- The Informal Council Meetings Policy will achieve best results when supported by General Procedures to guide meeting procedures. They will provide clarity on matters that would otherwise be uncertain. They can reduce confusion and provide a greater opportunity to stay on track with matters under discussion.
- The vast majority of the current policy content relates to procedural matters, eg, meeting days and times, how the agenda is to be considered, and how discussions are to be noted. This content would be more appropriate for General Procedures.
- The best outcome would be for separate General Procedures to be developed for each of the informal meetings proposed in the draft Internal Council Meetings Policy at **Attachment 2**.

The review of the current Agenda Forum Policy recommends deleting the current Agenda Forum Policy at **Attachment 1** and adopting the draft Internal Council Meetings Policy at **Attachment 2**. A further recommendation is that the new policy be supported by detailed General Procedures for each type of internal Council meeting. These are currently being drafted with the intention to present them to Council to consider at the March 2021 OCM.

AGENDA FORUM COMMENTS

12. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 – NOTICE OF MOTION

MOTION

That Council apply penalty interest to any overdue sundry debtor accounts from 1 July 2021 (noting accounts are overdue if not paid within 60 days from the date of the invoice). This interest rate will be set each as part of the annual budget process.

JUSTIFICATION

The Town's ratepayers are charged penalty interest charges on outstanding rates and/or service charges. However, a person who uses the Town's services and pays for this service as a sundry debtor does not pay any interest penalties if the account is not paid on-time. This does not demonstrate equity between ratepayers and sundry debtors – and has an unfair impact on ratepayers. A policy position to treat outstanding rates and sundry debtors the same is required.

OFFICER COMMENT

The Town's Debt Recovery policy is applicable to all debtors who owe outstanding amounts to the Town after the due date. This policy provides that "Interest rates shall be applied in accordance with the Town's Fees and Charges Schedule" unless debtors meet specific criteria (as listed in the Debt Recovery policy). The Town applies interest on overdue rates and service charges as per the *Local Government Act 1995*; but does not currently apply interest to outstanding sundry debtor accounts. The mechanism to apply an interest rate to sundry debtor accounts is the Town's Fees and Charges Schedule (determined as part of the annual budget process).

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBER / OFFICER BY DECISION OF MEETING

Nil.

15. MATTERS BEHIND CLOSED DOORS

16. NEXT MEETING DATE

The next Agenda Forum meeting will be held 16 March 2021.

17. MEETING CLOSURE

The Presiding Member to declare the meeting closed.