

# Town of Mosman Park



## ORDINARY COUNCIL MEETING

# MINUTES

**TUESDAY – 22 APRIL 2008**

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# Town of Mosman Park

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 22 APRIL 2008, AT 19:30

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**1. DECLARATION OF OPENING**

The meeting was declared opened at 19:30.

**2. RECORD OF ATTENDANCE / APOLOGIES***Present:*

His Worship the Mayor Mr R. A. Norris,  
Councillor V. A. Melville-Lévy,  
Councillor C. F. Chomley,  
Councillor B. J. Moore,  
Councillor P. H. Martin,  
Councillor I. S. Flack,  
Councillor E. J. Eustance.

*In Attendance:*

P G Anderson Chief Executive Officer  
P Pikor Executive Manager Technical Services  
A Gertenbach Executive Manager Corporate Services  
B G Burnett Manager Environmental Services  
B. Pike Manager Building Services  
Valerie Booker Personal Assistant to the Chief Executive Officer

*Apologies:* Nil

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. PUBLIC QUESTION TIME****Question No.1**

Mr D. Crawford – 130 Palmerston Street

I refer to item 6.3 – Proposed Entrance Portico to Existing House, 30 Palmerston Street, and ask if the Council will support our application to replace a existing solid 1800mm high timber fence with a solid rendered brick wall

**Response by the Mayor:**

There was some division at Committee level over this item and your comments will be taken into consideration by the Council when this item is reached on the meeting agenda.

**Question No.2:**

Mr J. P. Orsini – 15 Hooley Street, Swanbourne

Will the Council reconsider their previous decision to carry out a limited cull of ravens in Mosman Park ?

**Response by the Mayor:**

There have been complaints from residents received by the Council over a period of many years, relating to Australian Ravens within the Town.

The Council sought a professional assessment by the Department of Conservation and Environment as to the existence of a problem in the Town with the ravens and the professional assessment revealed that there was a problem which then led to the Council making a decision to deal with the issue.

**Response by Manager Environmental Services:**

The Council did not have the expertise to undertake an assessment as to whether or not a problem existed with Australian Ravens within the Town and requested the appropriate Government Department which is the Department of Conservation and Environment, to undertake this work and the Council has been guided by their advice.

**Response by the Mayor:**

The Chief Executive Officer will consider the comments you have raised and will then consider whether or not there is a need to review the previous decision made by the Council in respect to this issue.

**Question No.3:**

Mr C. Percival – 13 Riversea View

- (a) In respect to the plans for the proposed high rise development at the One Steel site in McCabe Street, North Fremantle, I ask if such a development plan was approved by the City of Fremantle, and are there any other options that this Council can take to oppose that approval ?

- (b) Has there been any assessment of the impact on local infrastructure and the costs of the Council providing local infrastructure for such high density proposals which would ultimately fall to Mosman Park to provide due to its geographic proximity to this site ?

**Response by the Mayor:**

- (a) I understand your sense of injustice about this, the City of Fremantle would get the rate income and the Town of Mosman Park would get the problems.

A meeting has been held between this Council and the City of Fremantle Mayor and their Planning Officer at which this Council's concerns about the visual bulk and the height of the proposed building were expressed.

The City of Fremantle is undertaking a height study at the present time and I know that they are treating that study extremely seriously.

I am confident that when the City of Fremantle deal with the development application for this site, that the application in its present form, will not be approved.

- (b) In terms of infrastructure problems, you are quite right, the proposed development would create traffic problems in McCabe Street and other issues.

**Question No.4:**

Mr J. Mcfarlane – 11 Fairbairn Street

I refer to the Council Depot on Lot 593, adjoining Fairbairn Street which has been expanded over the years and has encompassed some 1500m<sup>2</sup> of Tom Perrott Reserve (Lot 612). This area of 1500m<sup>2</sup> has been fenced off from the public and is locked up to restrict public access. The only fence that secures the Depot encloses the sequestered area referred to.

If Tom Perrott Reserve is vested in the Council for public recreational purposes, has the Council sought a change in the vesting and perhaps the zoning of this land, to be used for other purposes ?

**Response by the Mayor:**

The area of land you are talking about is steeply sloped, there is a drop of about 5 metres from one side to the other and it is not interfering with the recreational use of Tom Perrott Reserve.

The encroachment you mention could be dealt with simply by realignment of the boundary and remain as it is, or to relocate that existing use to the south side of the site or somewhere else around the area where it could be accommodated more readily. In real terms the area is largely unusable and the Council does see it as an issue.

**Question No.5:**Ms. K. Brown – 12 Portsea Rise

I refer to item 6.5 of the Development Services Committee minutes – Proposed Two Storey Residence, No.11 Portsea Rise, and advise that although when invited by the Council to comment on the proposal, and I had lodged an objection to it, this objection was apparently misplaced within the Council Administration.

I ask if consideration of this item by the Council can be deferred to enable due process to be served in this respect.

**Response by the Mayor:**

By way of explanation, I am advised by the Chief Executive Officer that your letter of objection was received by the Council on April 11 and the Committee Meeting Agenda was distributed on that date. The Council's Executive Manager Development Services was on leave at that time and your letter was not subsequently brought to the attention of the Development Services Committee at its meeting on April 16.

To ensure that due process is served in this respect, I requested the Chief Executive Officer to review your letter to ascertain if there were areas of concern raised that may influence the outcome of the Council's decision.

There are three ways in which this matter can be dealt with when this item is reached on the meeting Agenda this evening, the first being to defer consideration of this item to the May meeting of the Development Services Committee, the second is to approve the application and the third is to reach a compromise solution. The Council understands the issues which you raised in your letter.

**Question No.6:**Mr K. Ashford – 5 Minim Close

The Council's Plan for the Future Action Plans specifically include upgrading and improving of native bushland/parkland within the Minim Cove parkland as well as enhancing and preserving the natural flora and fauna.

Can the Council consider allocating a reasonable amount of money in its 2008/09 Budget for undertaking this work at the Minim Cove parkland and as it involves quite a large area, can the amount allocated be in the region of \$25,000-\$30,000 ?

**Response by Executive Manager Technical Services:**

As part of the Budget, the Council does have a Green Plan and also a management plan, so while not specifically aimed at the Minim Cove Parklands, there will be an amount recommended for inclusion in the coming Budget.

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Applications for Leave of Absence from the May meeting of the Council were submitted by Councillor P. H. Martin and Councillor I. S. Flack and were dealt with by the Council at item 8.1 of the Corporate and Technical Services Committee report in the case of Councillor Flack, and at item 19.4 in the case of Councillor Martin.

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**6.1 Ordinary Council Meeting held Tuesday, 25 March, 2008**

Council considered the minutes of the Ordinary Meeting of the Council held on March 25, 2008.

It was moved Councillor Flack, seconded Councillor Melville-Lèvy that the minutes of the Ordinary Meeting of the Council held on 25 March, 2008, be adopted.

**CARRIED 7/0**

**7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil.

**8. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil.



**9. REPORTS – CORPORATE AND TECHNICAL SERVICES COMMITTEE MEETING HELD TUESDAY, 15 APRIL, 2008****9.3 CONFIRMATION OF MINUTES**

**Moved** COUNCILLOR I FLACK  
**Seconded** COUNCILLOR V MELVILLE-LÉVAY

The Minutes of the Corporate and Technical Services Committee held on 15 April, 2008, and presented to the Council Meeting on 22 April 2008, be confirmed.

**CARRIED 7/0**

**9.5 REPORTS – FINANCE****9.5.1 FINANCIAL STATEMENTS**

<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	FIN13A
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	3 APRIL 2008
<b>REPORTING OFFICER:</b>	Scott Sewell
<b>TITLE:</b>	COORDINATOR ACCOUNTING SERVICES
<b>EXECUTIVE OFFICER:</b>	A J GERTENBACH
<b>TITLE:</b>	EXECUTIVE MANAGER CORPORATE SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****CTS-1-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B. MOORE

The Financial Statements for the period ended 31 March 2008 be noted

**CARRIED 7/0**

**9.5.2 INVESTMENT REGISTER**

**LOCATION:** TOWN OF MOSMAN PARK  
**APPLICANT:** N/A  
**FILE REF:** FIN13E  
**DISCLOSURE OF INTEREST:** NIL  
**NATURE OF INTEREST:** NIL  
**DATE OF REPORT:** 2 APRIL 2008  
**REPORTING OFFICER:** Scott Sewell  
**TITLE:** COORDINATOR ACCOUNTING SERVICES  
**EXECUTIVE OFFICER:** A J GERTENBACH  
**TITLE:** EXECUTIVE MANAGER CORPORATE SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**CTS-2-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

The Investment Register for the period ended 31 March 2008 be noted

**CARRIED 7/0**

**9.5.3 ACCOUNTS FOR PAYMENT**

**LOCATION:** TOWN OF MOSMAN PARK  
**APPLICANT:** N/A  
**FILE REF:** FIN13D  
**DISCLOSURE OF INTEREST:** NIL  
**NATURE OF INTEREST:** NIL  
**DATE OF REPORT:** 3 APRIL 2008  
**REPORTING OFFICER:** S SEWELL  
**TITLE:** COORDINATOR ACCOUNTING SERVICES  
**EXECUTIVE OFFICER:** A J GERTENBACH  
**TITLE:** EXECUTIVE MANAGER CORPORATE SERVICES

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****CTS-3-2008**

**Moved** COUNCILLOR P MARTIN

**Seconded** COUNCILLOR B MOORE

- 1 The payment of Municipal Fund Cheque Vouchers Numbered 26317 to 26376 inclusive totalling \$84,637.09 be endorsed.
- 2 The Payment of Municipal Fund Electronic Funds Transfer Vouchers Numbered 190308.1, 190308A.1 to 190308A.13, 270308.1 to 270308.25, 280308.1, 280308A.1, 310308.1, 030408.1 to 030408.31 and 080408.1 to 080408.27 inclusive totalling \$640,022.39 be endorsed.
- 3 The Municipal Fund Electronic Funds Transfer Vouchers numbered 080408A.1 to 080408A.17 inclusive totalling \$42,278.14 be approved for payment.
- 4 The Schedule of Accounts paid by Direct Debit totalling \$154,017.84 be endorsed.

**CARRIED 7/0**

**9.6. STAFF**  
NO BUSINESS

**9.7. ADMINISTRATION**

<b>9.7.1 Library Redevelopment - Project Brief</b>
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<b>LOCATION:</b>	Peppermint Grove
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	LIB4
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	2 APRIL 2008
<b>REPORTING OFFICER:</b>	A J GERTENBACH
<b>TITLE:</b>	EXECUTIVE MANAGER CORPORATE SERVICES

**VOTING REQUIREMENTS****ABSOLUTE MAJORITY OF COUNCIL REQUIRED.****Moved**: COUNCILLOR P MARTIN**Seconded**: COUNCILLOR B MOORE

That this item be removed from the report of the Corporate and Technical Services Committee.

**CARRIED 7/0****OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****CTS-4-2008****Moved** COUNCILLOR P MARTIN**Seconded** COUNCILLOR E EUSTANCE

The budgeted expenditure from the loan repayments for the Library Building be reallocated to the Library Redevelopment expenditure area and that any over expenditure be sourced from the Infrastructure Reserve.

**CARRIED BY AN ABSOLUTE MAJORITY VOTE OF COUNCIL 7/0****9.7.2 COUNCIL REPRESENTATION - SWAN RIVER TRUST FUTURE PLANNING FOR SWAN RIVER - ADVISORY COMMITTEE**

<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	P&G2
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	10 APRIL 2008
<b>REPORTING OFFICER:</b>	Peter Pikor
<b>TITLE:</b>	EXECUTIVE      MANAGER      TECHNICAL SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

- 1 The Town of Mosman Park accepts the invitation from the Swan River Trust to be represented on its River Protection Strategy Advisory Committee.
- 2 Councillor \_\_\_\_\_. be nominated as the Town of Mosman Park's representative on the Swan River Trust's Advisory Committee.

### **COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

#### **CTS-5-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

- 1 The Town of Mosman Park accepts the invitation from the Swan River Trust to be represented on its River Protection Strategy Advisory Committee.
- 2 Councillor L Eustance be nominated as the Town of Mosman Park's representative on the Swan River Trust's Advisory Committee.

**CARRIED 7/0**

#### **9.8. MEMBERS**

##### **9.8.1 COUNCILLOR REQUEST FOR LEAVE OF ABSENCE**

<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	MEM7
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	9 APRIL 2008
<b>REPORTING OFFICER:</b>	Paul Anderson
<b>TITLE:</b>	CHIEF EXECUTIVE OFFICER

#### **VOTING REQUIREMENTS:**

Simple Majority

### **OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

#### **CTS-6-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

Councillor Flack be granted a leave of absence in accordance with section 2.25 of the Local Government Act 1995 from the Ordinary Meeting of Council scheduled to be held on 27 May 2008.

**CARRIED 7/0**

## 9.9 COMMUNITY DEVELOPMENT

### 9.9.1 COMMUNITY DEVELOPMENT FUND APPLICATION

<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	COMM6.2.14
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	9 APRIL 2008
<b>REPORTING OFFICER:</b>	Laura Garside
<b>TITLE:</b>	COMMUNITY DEVELOPMENT OFFICER
<b>EXECUTIVE OFFICER:</b>	A J GERTENBACH
<b>TITLE:</b>	EXECUTIVE MANAGER CORPORATE SERVICES

### **VOTING REQUIREMENTS**

Simple majority.

Councillor Martin advised that he wished to discuss this item and it was;

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR E EUSTANCE

that this item be removed from the report of the Corporate and Technical Services Committee.

**CARRIED 7/0**

Councillor Martin drew attention to a report which had been prepared by the Community Development Officer, Vanessa Macknay, which provided additional information relating to the eligibility of the Family Nurturing Centre for funding through the Council's Community Development Fund.

He advised that because the Family Nurturing Centre had been thought to be a commercial venture it had not been considered eligible for funding, however the additional information now provided advised that the Family Nurturing Centre's ABN was listed as a Public Benevolent Institution.

Councillor Martin advised that in view of this clarification of eligibility for funding, he now wished to include the Family Nurturing Centre on the list of organisations to receive funding through the scheme.

The Mayor then clarified with Council Members the amount of funding to be provided which was an amount of \$500.00, and advised that receipt of the Report submitted by the Community Development Officer should be noted within the Council resolution.

### **OFFICER RECOMMENDATION**

1. The following organisations be granted Community Development Funding:

Organisation	Project	Amount
1. Mosman Park Community Group	Day Outings for Seniors	\$2000.00
2. TOTPSS (Western Suburbs Branch)	Organisational Development and Promotion	\$500.00
3. Mosman Park Junior Cricket Club	Upgrade of Essential Equipment	\$500.00
4. Mosman Park Junior Football Club (Redbacks)	Purchase of Football Jumpers for Auskickers	\$1000.00
5. Carols By Candlelight	Carols By Candlelight	\$400.00
2. All applicants be commended for their commitment to the Mosman Park community.
3. The Family Nurturing Centre provide written confirmation that they have raised the necessary funds through their yoga workshop.

### **Amendment to Recommendation**

**Reason: It was considered that the Family Nurturing Centre is a commercial venture and therefore was not eligible. The recommendation was amended accordingly.**

**COMMITTEE RECOMMENDATION**

1. The following organisations be granted Community Development Funding:
 

Organisation	Project	Amount
1. Mosman Park Community Group	Day Outings for Seniors	\$2000.00
2. TOTPSS (Western Suburbs Branch)	Organisational Development and Promotion	\$500.00
3. Mosman Park Junior Cricket Club	Upgrade of Essential Equipment	\$500.00
4. Mosman Park Junior Football Club (Redbacks)	Purchase of Football Jumpers for Auskickers	\$1000.00
5. Carols By Candlelight	Carols By Candlelight	\$400.00
2. All applicants be commended for their commitment to the Mosman Park community.

**Amendment to Committee Recommendation**

**Reason:** Because of additional information provided to the Council by a report dated April 18, 2008 submitted by the Community Development Officer Vanessa Macknay, that the Family Nurturing Centre's ABN listed it as a Public Benevolent Institution, the Council decided to include the Centre in the list of organisations contained within the recommendation of this item and to receive \$500.00 funding through the Council's Community Development Fund.

**COUNCIL RESOLUTION**

**CTS-7-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR I FLACK

1. The following organisations be granted Community Development Funding:
 

Organisation	Project	Amount
1. Mosman Park Community Group	Day Outings for Seniors	\$2000.00
2. TOTPSS (Western Suburbs Branch)	Organisational Development and Promotion	\$500.00



- |    |   |   |           |
|----|---|---|-----------|
| 3. | Mosman Park Junior Cricket Club             | Upgrade of<br>Essential<br>Equipment              | \$500.00  |
| 4. | Mosman Park Junior Football Club (Redbacks) | Purchase of Football<br>Jumpers for<br>Auskickers | \$1000.00 |
| 5. | Carols By Candlelight                       | Carols By Candlelight                             | \$400.00  |
| 6. | The Family Nurturing Centre                 | Thearapeutic Yoga<br>Project                      | \$500.00  |
2. All applicants be commended for their commitment to the Mosman Park community.
  3. The report dated 18 April, 2008, submitted by the Community Development Officer, Vanessa Macknay, be noted.

**CARRIED 7/0**

<b>9.9.2 CULTURAL AND COMMUNITY DEVELOPMENT JUNIOR SCHOLARSHIPS</b>
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<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	COMM6.1.14
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	9 APRIL 2008
<b>REPORTING OFFICER:</b>	L GARSIDE
<b>TITLE:</b>	COMMUNITY DEVELOPMENT OFFICER
<b>EXECUTIVE OFFICER:</b>	A J GERTENBACH
<b>TITLE:</b>	EXECUTIVE MANAGER CORPORATE SERVICES

### **VOTING REQUIREMENTS**

Simple majority.

The Mayor advised that he wished to discuss this item and it was;

**Moved** COUNCILLOR P MARTIN

**Seconded** COUNCILLOR E EUSTANCE

that this item be removed from the Corporate and Technical Services Committee report.

**CARRIED 7/0**

The Mayor advised that as was the Council's practice, the two recipients of funding should be requested to provide the Council with a written report on their return from their respective events.

### **OFFICER AND COMMITTEE RECOMMENDATION**

1. Sanche Weinstein and Chloe Hayes be awarded an amount of \$400.00 each to assist with the costs associated with representing Australia or Western Australia at their respective events.
2. All applicants be congratulated on their achievements.

### **AMENDMENT TO OFFICER AND COMMITTEE RECOMMENDATION**

**Reason:** The Mayor advised that he wished to make an amendment to this item to require, as a condition of provision of the funding, the two recipients to provide a written report to the Council upon their return, as to the outcome of their participation in their respective events.

**CTS-8-2008**

### **COUNCIL RESOLUTION**

**Moved** COUNCILLOR P MARTIN

**Seconded** COUNCILLOR B MOORE

1. Sanche Weinstein and Chloe Hayes be awarded an amount of \$400.00 each to assist with the costs associated with representing Australia or Western Australia at their respective events and that they be requested to provide the Council with a written report on their participation in their respective events upon their return, as a condition of approval of the granting of funding.
2. All applicants be congratulated on their achievements.

**CARRIED 7/0**

### **9.10. HEALTH**

<b>9.10.1</b>	<b>PROPOSED NEW PUBLIC HEALTH ACT 2008</b>
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<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A

**FILE REF:** HEA1  
**DISCLOSURE OF INTEREST:** NIL  
**NATURE OF INTEREST:** NIL  
**DATE OF REPORT:** 7 APRIL 2008  
**REPORTING OFFICER:** B BURNETT  
**TITLE:** MANAGER ENVIRONMENTAL SERVICES

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

#### **CTS-9-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** by COUNCILLOR B MOORE

- 1 The following comments be conveyed to the Department of Health in regard to the Public Health Bill 2008;:
  - The Council supports in principle the proposed new Public Health Act, however is concerned that there is no 'saving' or 'transitional' provisions for the continuance of Local Health Laws,
  - Council seeks clarification as to the various roles and functions of enforcement agencies,
  - Council seeks consultation on the proposed draft agreement between the CEO of the DOH and Local Government.
  
2. The Western Australian Local Government Association be requested to ensure that all local governments are included in the consultation on any proposed draft agreement on the roles and functions between the Chief Executive Officer of the Department of Health and Local Government.

**CARRIED 7/0**

#### **9.11. ROADWORKS / FOOTPATHS**

<b>9.11.1</b>	<b>VICTORIA STREET SUMP AND PROPOSED CLOSURE OF COOKSEY LANE</b>
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**LOCATION:** TOWN OF MOSMAN PARK

**APPLICANT:** N/A  
**FILE REF:** WORKS3  
**DISCLOSURE OF INTEREST:** NIL  
**NATURE OF INTEREST:** NIL  
**DATE OF REPORT:** 10 APRIL 2008  
**REPORTING OFFICER:** P PIKOR  
**TITLE:** EXECUTIVE MANAGER TECHNICAL SERVICES

### **VOTING REQUIREMENTS**

Simple Majority

The Mayor advised that he wished to discuss this item and it was;

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

that this item be removed from the report of the Corporate and Technical Services Committee.

**CARRIED 7/0**

The Mayor advised that the opportunity should not be missed to ensure that the Victoria Street infiltration basin was named and that an additional recommendation should be included in this item to ensure that this occurred upon completion of the work to be undertaken.

### **OFFICER AND COMMITTEE RECOMMENDATION**

1. The landscaping of the Victoria Street infiltration basin be undertaken in accordance with sustainability principles and the retaining walls be located wholly within the lot.
2. The Department of Planning and Infrastructure be requested to defer progressing the closure of the northern end of Cooksey Lane pending future development application for Lot 26 Victoria Street.

### **CTS-10-2008 COUNCIL RESOLUTION**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR V MELVILLE-LÉVAY

1. The landscaping of the Victoria Street infiltration basin be undertaken in accordance with sustainability principles and the retaining walls be located wholly within the lot.

2. The Department of Planning and Infrastructure be requested to defer progressing the closure of the northern end of Cooksey Lane pending future development application for Lot 26 Victoria Street.
3. That consideration be given to the naming of the infiltration basin parkland once it is developed.

**CARRIED 7/0**

#### **9.12. PARKS / GARDENS**

NO BUSINESS

#### **9.13. STREET TREES / VERGES**

NO BUSINESS

#### **9.14. TENDERS / QUOTATIONS**

NO BUSINESS

#### **9.15. PARKING**

<b>9.15.1</b>	<b>PROPOSED PARKING RESTRICTIONS OWSTON STREET AND HANLIN STREET</b>
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<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	PARK1
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	3 APRIL 2008
<b>REPORTING OFFICER:</b>	A JACKSON
<b>TITLE:</b>	SENIOR RANGER
<b>EXECUTIVE OFFICER:</b>	A J GERTENBACH
<b>TITLE:</b>	EXECUTIVE MANAGER CORPORATE SERVICES

#### **VOTING REQUIREMENTS**

Simple majority.

Councillor Chomley indicated that he wished to discuss this item and it was;

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

that this item be removed from the report of the Corporate and Technical Services Committee.

**CARRIED 7/0**

Councillor Chomley advised that he felt that the residents in Owston Street had wanted the parking restrictions proposed which would assist in preventing the unsafe situation now occurring with vehicle drivers delivering students to St. Hilda's not doing the right thing and parking in Owston Street where they had been asked not to.

The Mayor advised that the residents in the vicinity of the intended parking restrictions should be advised of the purpose of those restrictions and the implementation details to ensure that they are fully informed in this respect.

The Mayor asked why the bus bay outside St. Hilda's Junior School in Owston Street had not yet been removed.

The Executive Manager Technical Services advised that he had contacted St. Hilda's School about this matter and had been advised that they were still awaiting receipt of a traffic control plan from their contractor which was required to be submitted to the Council.

He then advised that he had been told that the plan should be received shortly and once the plan had been approved, construction works could then proceed on the bus bay in its new location.

#### **OFFICER RECOMMENDATION**

Council approve:

1. The installation of 'No Stopping' sign restrictions on the west side of Owston Street, between Arthur Street and Hanlin Street between the hours of 7:30 to 9:00 and 14:30 to 16:00 Monday to Friday.
2. Install 'No Stopping' signs on the east side of Owston Street between St Hilda's school driveway to Hanlin Street.
3. Install 'No Stopping' signs on the east side of Owston Street between St Hilda's school driveway to opposite 52 Owston Street between the hours of 7:30 to 9:00 and 14:30 to 16:00 Monday to Friday.

#### **Amendment to Recommendation**

**Reason: It was considered that parking on the west side of Owston Street between Arthur Street and Hanlin Street provided parking for residents and should not have restricted parking. The recommendation was amended accordingly.**

**COMMITTEE RECOMMENDATION**

1. Install 'No Stopping' signs on the east side of Owston Street between St Hilda's school driveway to Hanlin Street as shown on attachment 2 to the Officer's Report dated 3 April 2008.
2. Install 'No Stopping' signs on the east side of Owston Street between St Hilda's school driveway to opposite 52 Owston Street between the hours of 7:30 to 9:00 and 14:30 to 16:00 Monday to Friday as shown on attachment 2 to the Officer's Report dated 3 April 2008
3. St Hilda's provide a completion date for the bus embayment construction on Hanlin Street.

**CTS-11-2008****COUNCIL RESOLUTION****Moved** COUNCILLOR C. CHOMLEY**Seconded** COUNCILLOR V MELVILLE-LÉVAY

1. Install 'No Stopping' signs on the east side of Owston Street between St Hilda's school driveway to Hanlin Street as shown on attachment 2 to the Officer's Report dated 3 April 2008.
2. Install 'No Stopping' signs on the east side of Owston Street between St Hilda's school driveway to opposite 52 Owston Street between the hours of 7:30 to 9:00 and 14:30 to 16:00 Monday to Friday as shown on attachment 2 to the Officer's Report dated 3 April 2008
3. St Hilda's provide a completion date for the bus embayment construction on Hanlin Street.
4. That the residents in the vicinity of the proposed parking restrictions in Owston Street be advised of the Council's intention to alter the parking requirements in that location, that they be advised of the purpose of the restrictions and of the implementation details prior to their application, to ensure that they are kept fully informed.

**CARRIED 7/0****9.16. RANGER SERVICES**  
NO BUSINESS**9.17. GENERAL**

<b>9.17.1</b>	<b>CITIES FOR CLIMATE PROTECTION (CCP) PROGRAM AUSTRALIA</b>
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<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	SUST.1
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	10 APRIL 2008
<b>REPORTING OFFICER:</b>	P PIKOR
<b>TITLE:</b>	EXECUTIVE      MANAGER      TECHNICAL SERIVES

**VOTING REQUIREMENTS****ABSOLUTELY MAJORITY OF COUNCIL REQUIRED**

It was noted that this item required an absolute majority vote of the Council and it was;

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

that this item be removed from the report of the Corporate and Technical Services Committee.

**CARRIED 7/0**

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**CTS-12-2008**

**Moved** COUNCILLOR B MOORE  
**Seconded** COUNCILLOR E EUSTANCE

- 1 The Town of Mosman Park participates in the Cities for Climate Protection (CCP) Program Australia and undertakes work to complete the milestones.
- 2 The unbudgeted expenditure of \$1,000 for the participation fee for the Town of Mosman Park to become a Cities for Climate Protection participant be approved.

**CARRIED BY AN ABSOLUTE MAJORITY VOTE OF COUNCIL 7/0**



**9.18. MONTHLY BULLETIN****COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****CTS-13-2008****Moved** COUNCILLOR MARTIN**Seconded** COUNCILLOR B MOORE

- 1 The Bulletin for the month of April 2008 be noted.
- 2 The Operations Manager for the Western Metropolitan Regional Council be congratulated on the work for the Hazardous Household Waste Collection Day.

**CARRIED 7/0****9.19. LATE ITEMS****9.19.1 Employee Retention Initiatives**

<b>LOCATION:</b>	Town of Mosman Park
<b>APPLICANT:</b>	N/A
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>FILE REF:</b>	STAFF1
<b>DATE OF REPORT:</b>	10 APRIL 2008
<b>REPORTING OFFICER:</b>	Paul Anderson
<b>TITLE:</b>	CHIEF EXECUTIVE OFFICER

**VOTING REQUIREMENTS**

Simply Majority

**OFFICER RECOMMENDATION**

Funding to enable the proposals presented by the Chief Executive Officer in the confidential report dated 10 April 2008 in relation to staff benefits to attract and retain employees for the Town of Mosman Park, be included in the 2008/2009 draft budget deliberations.

**Amendment to Recommendation**

**Reason:** The Committee felt that a greater degree of research was required and amended the recommendation to possibly include the proposals.

**COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****CTS-14-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

Funding to enable the possible inclusion of the proposals presented by the Chief Executive Officer in the confidential report dated 10 April 2008 in relation to staff benefits to attract and retain employees for the Town of Mosman Park, be included in the 2008/2009 draft budget deliberations.

**CARRIED 7/0**

**9.19.2 Curtin Aged Persons Homes**

<b>LOCATION:</b>	WEARNE HOSTEL SITE
<b>APPLICANT:</b>	CURTIN AGED PERSONS HOMES INCORPORATED
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>FILE REF:</b>	2189
<b>DATE OF REPORT:</b>	14 APRIL 2008
<b>REPORTING OFFICER:</b>	Paul Anderson
<b>TITLE:</b>	CHIEF EXECUTIVE OFFICER

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****CTS-15-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

- (1) The signing of the Transfer of Land form and the attached Co-ownership Agreement and Lease relating to the Wearne Hostel, Lot 87 Marine Parade, Cottesloe be approved and the Mayor and Chief Executive Officer be authorised to sign and affix the Council seal to the documents.
- (2) The attached proposed constitution for Curtin Aged Persons Homes Incorporated (CAPH); be endorsed, and

- (3) Councillor V A Melville-Levay be appointed to the Management Committee pursuant to clause 8.2 of the Co-ownership Agreement.

**CARRIED 7/0**

<b>9.19.3</b>	<b>UPGRADE OF SLAB FOOTPATH IN PEDESTRIAN ACCESS WAY - SAUNDERS STREET TO WELLINGTON STREET, MOSMAN PARK</b>
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<b>LOCATION:</b>	SAUNDERS STREET
<b>APPLICANT:</b>	N/A
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>FILE REF:</b>	52 SAUNDERS STREET
<b>DATE OF REPORT:</b>	15 APRIL 2008
<b>REPORTING OFFICER:</b>	Peter Pikor
<b>TITLE:</b>	EXECUTIVE MANAGER TECHNICAL SERVICES

**VOTING REQUIREMENTS**

**ABSOLUTE MAJORITY OF COUNCIL REQUIRED**

It was noted that this item required an absolute majority vote of the Council and it was;

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

that this item be removed from the report of the Corporate and Technical Services Committee.

**CARRIED 7/0**

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**CTS-16-2008**

**Moved** COUNCILLOR P MARTIN

**Seconded** COUNCILLOR V MELVILLE-LÈVAY

- 1 The unbudgeted estimated expenditure of \$8,000 for the replacement of the slab footpath in the pedestrian access way between Saunders Street and Wellington Street be approved.
- 2 The funds for the unbudgeted estimated expenditure of \$8,000 for the replacement of the slab footpath in the pedestrian access way between Saunders Street and Wellington Street be allocated from the 2007/2008 Capital Works Budget - Footpath Construction Program.

**CARRIED BY AN ABSOLUTE MAJORITY VOTE OF COUNCIL 7/0**

<b>9.19.4 COUNCILLOR REQUEST FOR LEAVE OF ABSENCE</b>
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<b>LOCATION:</b>	N/A
<b>APPLICANT:</b>	COUNCILLOR MARTIN
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>FILE REF:</b>	MEM7
<b>DATE OF REPORT:</b>	16 APRIL 2008
<b>REPORTING OFFICER:</b>	Paul Anderson
<b>TITLE:</b>	CHIEF EXECUTIVE OFFICER

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**CTS-17-2008**

**Moved** COUNCILLOR P MARTIN

**Seconded** COUNCILLOR B MOORE

Councillor Martin be granted a leave of absence in accordance with section 2.25 of the local government Act 1995 for the Ordinary Meeting of Council scheduled to be held on 27 May 2008.

**CARRIED 7/0**

<b>9.19.5</b>	<b>SAMSON STREET - PALMERSTON STREET TO MANNING STREET - TRAFFIC CONCERNS</b>
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<b>LOCATION:</b>	TOWN OF MOSMAN PARK
<b>APPLICANT:</b>	N/A
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>FILE REF:</b>	46 SAMSON STREET
<b>DATE OF REPORT:</b>	15 APRIL 2008
<b>REPORTING OFFICER:</b>	Peter Pikor
<b>TITLE:</b>	EXECUTIVE      MANAGER      TECHNICAL SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

The information on the traffic volumes and speed data for Samson Street between Palmerston Street and Manning street be noted.

**Amendment to Recommendation**

**Reason: The Committee noted the information on the traffic situation in Samson Street and considered that no further action was warranted. The recommendation was amended accordingly.**

**COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**CTS-18-2008**

**Moved COUNCILLOR P MARTIN**  
**Seconded COUNCILLOR B MOORE**

The information on the traffic volumes and speed data for Samson Street between Palmerston Street and Manning Street be noted and no further action be taken.

**CARRIED 7/0**

**9.19.6 MOSARTS ADVERTISING**

**LOCATION:** TOWN OF MOSMAN PARK  
**APPLICANT:** COUNCILLOR MOORE  
**DISCLOSURE OF INTEREST:** NIL  
**NATURE OF INTEREST:** NIL  
**FILE REF:** 3393  
**DATE OF REPORT:** 15 APRIL 2008  
**REPORTING OFFICER:** Paul Anderson  
**TITLE:** CHIEF EXECUTIVE OFFICER

**COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****CTS-19-2008**

**Moved** COUNCILLOR P MARTIN  
**Seconded** COUNCILLOR B MOORE

Clarification be sought from Mosarts as to when the Town of Mosman Park's Logo is to be included on advertising brochures in light of the contribution Council makes to Mosarts.

**CARRIED 7/0****10. REPORTS – DEVELOPMENT SERVICES COMMITTEE MEETING HELD WEDNESDAY, 17 MARCH, 2008****10.3. CONFIRMATION OF MINUTES****COUNCIL RESOLUTION**

**Moved** COUNCILLOR V MELVILLE-LÉVAY  
**Seconded** COUNCILLOR P MARTIN

The minutes of the Development Services Committee held on 17 March 2008 and presented to the Council meeting on 25 March 2008, be confirmed.

**CARRIED 7/0****10.4 DEPUTATIONS/PRESENTATIONS**  
Nil.**10.5. REPORTS - BUILDING SERVICES**

**10.5.1 BUILDING PERMITS ISSUED MARCH 2008**

**LOCATION:** TOWN OF MOSMAN PARK  
**APPLICANT:** N/A  
**FILE REF:** BC1BC1  
**DISCLOSURE OF INTEREST:** NIL  
**NATURE OF INTEREST:** NIL  
**DATE OF REPORT:** 10 APRIL 2008  
**REPORTING OFFICER:** Brad Pike  
**TITLE:** MANAGER BUILDING SERVICES

**VOTING REQUIREMENTS**

Nil

**COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

DEV-1-2008

**Moved** COUNCILLOR MELVILLE-LÈVAY  
**Seconded** COUNCILLOR MARTIN

Information be received.

**CARRIED 7/0****10.6 REPORTS - DEVELOPMENT SERVICES****10.6.1 HOME OCCUPATION - REAL ESTATE  
AGENT/CONSULTANT**

**LOCATION:** LOT 69 (NO 1) HARLEY TERRACE,  
MOSMAN PARK  
**APPLICANT:** MASTERS  
**FILE REF:** 855/IPA222  
**DISCLOSURE OF INTEREST:** NIL  
**NATURE OF INTEREST:** NIL  
**DATE OF REPORT:** 7 APRIL 2008  
**REPORTING OFFICER:** John Humphreys  
**TITLE:** EXECUTIVE MANAGER DEVELOPMENT  
SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****DEV-2-2008**

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR P MARTIN

1. Approval be granted to a Home Occupation (Real Estate Agent/Consultant) at Lot 69 (No. 1) Harley Terrace, Mosman Park as per the application dated received 4 March 2008 subject to:
  1. Conformity with Council's Home Occupation Guidelines and Policy.
  2. An application for renewal being lodged in August 2009 and thereafter renewed annually every August for the term of the additional use of the property.

**CARRIED 7/0**

**10.6.2 GARAGE**

<b>LOCATION:</b>	LOT 31 (NO 25) YORK TERRACE, MOSMAN PARK
<b>APPLICANT:</b>	SYMINTON
<b>FILE REF:</b>	30543054
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	8 APRIL 2008
<b>REPORTING OFFICER:</b>	Brad Pike
<b>TITLE:</b>	MANAGER BUILDING SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****DEV-3-2008**

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR P MARTIN

Approval be granted to the proposed garage on Lot 31 (No. 25) York Tce, Mosman Park as per the plans dated received 2 April 2008, subject to:

1. Any obsolete existing cross-overs being removed and verges reinstated



at the owner's expense, and new crossovers being constructed to the Council's specifications.

2. All services (power, water, sewer, telephone, gas and Council assets i.e. street trees, etc) that conflict with crossovers to be relocated or modified to Council's satisfaction.

3. No damage to or removal of existing street trees unless approved by Council.

4. The selection of roofing material to minimise glare in conformity with Council's policy on roofing material.

5. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.

6. All air conditioning systems, pool filtration equipment, motors, pumps and mechanisms shall be suitably located and enclosed if necessary to comply with the provisions of the Environmental Protection Act and relevant legislation.

7. The proponent not causing or continuing to allow the occurrence of a nuisance to adjoining properties by the emission of dust or noise (which exceeds the limitations of the Environmental Protection Act) in conducting the land use or building activity which is the subject of this approval.

8. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.

9. Any new building (not including alterations and additions) shall be provided with an underground power connection from the property line to the building in accordance with Western Power specifications.

10. No boundary wall (including retaining wall) shall exceed 1.8 metres in height above natural ground level unless special approval is granted by Council.

11. For the purpose of the preservation of the amenity of the area and in particular, for the protection of residents from noise and disturbance, the hours during which any work may be performed on the site are limited to the following:

Monday - Friday 7.00 am - 6.00 pm

Saturday 8.00 am - 4.00 pm

Sundays and Public Holidays - No work to be performed on the site.

Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.

12. The placement of a sign on all sites advising builders that work should not commence before:

7.00 am Monday - Friday

8.00 am Saturdays  
No work on Sundays or Public Holidays.

**CARRIED 7/0**

<b>10.6.3</b>	<b>PROPOSED ENTRANCE PORTICO TO EXISTING HOUSE</b>
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<b>LOCATION:</b>	LOT 112 (NO 130) PALMERSTON STREET, MOSMAN PARK
<b>APPLICANT:</b>	CRAWFORD
<b>FILE REF:</b>	1709
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	1 APRIL 2008
<b>REPORTING OFFICER:</b>	John Humphreys
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**VOTING REQUIREMENTS**

Simple Majority

Councillor Melville-Lèvy advised that she wished to discuss this item and it was;

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR C CHOMLEY

that this item be removed from the Development Services Committee report.

**CARRIED 7/0**

Councillor Melville-Lèvy advised that she wished to move a motion of rescission of the approval which had been granted to this development on 25 July, 2007.

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR C CHOMLEY

That condition 3 of the approval granted to this development on 25 July, 2007, in relation to the nature of the fence that was approved, be rescinded.

**CARRIED 6/7**

Councillor Chomley advised that to refuse the application for a solid front wall in this location would be unfair to the applicants and that the section of Palmerston Street in which they lived was a very busy area with a much

increased traffic volume in more recent times due to the establishment of several new residential areas and a school.

Councillor Martin advised that it would appear to be grossly unfair to deny the applicants approval to construct the solid fence that they wanted which was vastly superior to what currently existed at their property and other properties within the street.

He then said that somewhere the Council had to draw the line and that Mosman Park was beginning to look like a gated community with walls everywhere and that the applications for them kept on coming.

Councillor Martin advised that he did not think that construction of a stone wall would assist in noise reduction as he felt that noise would go over the top of the wall, and would not make a huge difference in that respect.

He advised that he would be happy to see the item sent back to the Committee for further consideration as he felt that permeability was possible within the wall and for the applicants to maintain their privacy.

Councillor Melville-Lévay advised that she felt that the applicant had every right to expect that they would be able to replace an existing solid wall with a new solid wall and made the point that the new wall was a replacement for the existing wall and not an application for something different.

### **OFFICER AND COMMITTEE RECOMMENDATION**

1. Approval be granted to the entrance portico and new windows to the existing residence on Lot 112 (No. 130) Palmerston Street, Mosman Park as per the amended plans dated received 25 February 2008 subject to the same conditions of approval dated 25 July 2007.
2. The request for a solid front fence without permeability as required in condition 3 of the approval dated 25 July 2007 be declined.

### **COUNCIL RESOLUTION DEV-4-2008**

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR C CHOMLEY

1. Approval be granted to the entrance portico and new windows to the existing residence on Lot 112 (No. 130) Palmerston Street, Mosman Park as per the amended plans dated received 25 February 2008 subject to the same conditions of approval dated 25 July 2007.

2. The request for a solid front fence without permeability as required in condition 3 of the approval dated 25 July 2007 be approved.

**CARRIED BY AN ABSOLUTE MAJORITY VOTE OF COUNCIL 4/3**

<b>10.6.4 PROPOSED ALFRESCO AND STUDIO ADDITIONS TO EXISTING RESIDENCE</b>
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<b>LOCATION:</b>	LOT 9 (NO 5) GLANVILLE STREET, MOSMAN PARK
<b>APPLICANT:</b>	REES
<b>FILE REF:</b>	684
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	8 APRIL 2008
<b>REPORTING OFFICER:</b>	John Humphreys
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**DEV-5-2008**

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR P MARTIN

1. Approval be granted to the proposed alfresco and studio addition to the existing residence on Lot 9 (No 5) Glanville Street, Mosman Park as per the plans dated received 19 February 2008, subject to:
  1. Where cut and/or fill is required along a lot boundary common with adjoining properties and the angle of repose in accordance with the BCA cannot be achieved, retaining walls are to be provided concurrent with the construction of the dwelling or other buildings, to a specification satisfactory to the Manager Building Services.
  2. No damage to or removal of existing street trees unless approved by Council.
  3. The selection of roofing material to minimise glare in conformity with Council's policy on roofing material.
  4. Any mechanical plant being installed so that the amenity of surrounding

properties shall not be diminished.

5. All air conditioning systems, pool filtration equipment, motors, pumps and mechanisms shall be suitably located and enclosed if necessary to comply with the provisions of the Environmental Protection Act and relevant legislation.

6. The proponent not causing or continuing to allow the occurrence of a nuisance to adjoining properties by the emission of dust or noise (which exceeds the limitations of the Environmental Protection Act) in conducting the land use or building activity which is the subject of this approval.

7. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.

8. No boundary wall (including retaining wall) shall exceed 1.8 metres in height above natural ground level unless special approval is granted by Council.

9. For the purpose of the preservation of the amenity of the area and in particular, for the protection of residents from noise and disturbance, the hours during which any work may be performed on the site are limited to the following:

Monday - Friday 7.00 am - 6.00 pm

Saturday 8.00 am - 4.00 pm

Sundays and

Public Holidays - No work to be performed on the site.

Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.

10. The placement of a sign on all sites advising builders that work should not commence before:

7.00 am Monday - Friday

8.00 am Saturdays

No work on Sundays or Public Holidays.

11. The residence is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

**CARRIED 7/0**

<b>10.6.5</b>	<b>PROPOSED TWO STOREY RESIDENCE</b>
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<b>LOCATION:</b>	LOT 52 (NO 11) PORTSEA RISE, MOSMAN PARK
<b>APPLICANT:</b>	DOUGLASS
<b>FILE REF:</b>	3494
<b>DISCLOSURE OF INTEREST:</b>	NIL

**NATURE OF INTEREST:** NIL  
**DATE OF REPORT:** 7 APRIL 2008  
**REPORTING OFFICER:** John Humphreys  
**TITLE:** EXECUTIVE MANAGER DEVELOPMENT SERVICES

### **VOTING REQUIREMENTS**

Simple Majority

Councillor Melville-Lèvy advised that she wished to discuss this item and it was;

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR B MOORE

that this item be removed from the Development Services Committee report.

**CARRIED 7/0**

It was noted that an objection to this development had been the subject of a question raised by an adjoining owner, Ms. Brown of 12 Portsea Rise, during Question Time earlier in the meeting.

Councillor Melville-Lèvy advised that she had received a phone call today from Ms. Brown of 12 Portsea Rise who had faxed to her, a copy of her letter of objection to this development.

Councillor Melville-Lèvy advised that she was well aware of the location of the Brown's house and was well aware that the lot to be developed had substantial retaining walls.

She then advised that the matter was a little too complex to deal with at this meeting and that the best thing to do was to refer this item back to the Committee for further consideration.

### **OFFICER AND COMMITTEE RECOMMENDATION**

1. Approval be granted to the proposed two storey residence with detached garage/activity rooms building on Lot 52 (No 11) Portsea Rise, Mosman Park as per the amended plans dated received 19 March 2008, subject to:

1. Where cut and/or fill is required along a lot boundary common with adjoining properties and the angle of repose in accordance with the BCA cannot be achieved, retaining walls are to be provided concurrent with the construction of the dwelling or other buildings, to a specification satisfactory to the Manager Building Services, subject to favourable comment from the

adjoining affected landowner as per Policy DS11 - Cut and Fill and Retaining walls.

2. All privacy screening shown on the approved plans to have a minimum height of 1650mm and installed concurrently with the construction and prior to occupation of the dwelling.

3. The detached garage and activity rooms building must not be converted or used as ancillary living accommodation.

4. Roofing material to be other than zincalume, white or off-white colours.

5. Any obsolete existing cross-overs being removed and verges reinstated at the owner's expense, and new crossovers being constructed to the Council's specifications.

6. All services (power, water, sewer, telephone, gas and Council assets i.e. street trees, etc) that conflict with crossovers to be relocated or modified to Council's satisfaction.

7. No damage to or removal of existing street trees unless approved by Council.

8. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.

9. All air conditioning systems, pool filtration equipment, motors, pumps and mechanisms shall be suitably located and enclosed if necessary to comply with the provisions of the Environmental Protection Act and relevant legislation.

10. The proponent not causing or continuing to allow the occurrence of a nuisance to adjoining properties by the emission of dust or noise (which exceeds the limitations of the Environmental Protection Act) in conducting the land use or building activity which is the subject of this approval.

11. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.

12. Any new building (not including alterations and additions) shall be provided with an underground power connection from the property line to the building in accordance with Western Power specifications.

13. For the purpose of the preservation of the amenity of the area and in particular, for the protection of residents from noise and disturbance, the hours during which any work may be performed on the site are limited to the following:

Monday - Friday    7.00 am - 6.00 pm

Saturday            8.00 am - 4.00 pm

Sundays and Public Holidays - No work to be performed on the site.

Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.

14. The placement of a sign on all sites advising builders that work should not commence before:

7.00 am Monday - Friday

8.00 am Saturdays

No work on Sundays or Public Holidays.

15. The residence is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

**DEV-6-2008  
COUNCIL RESOLUTION**

**Moved** COUNCILLOR V MELVILLE-LÉVAY  
**Seconded** COUNCILLOR E. EUSTANCE

That this item be referred to the May meeting of the Development Services Committee for further consideration.

**CARRIED 7/0**

<b>10.6.6</b>	<b>AMENDED PLAN FOR APPROVED ADDITIONS TO EXISTING RESIDENCE</b>
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<b>LOCATION:</b>	LOT 101 (NO 5) SAUNDERS STREET, MOSMAN PARK
<b>APPLICANT:</b>	MCINTOSH
<b>FILE REF:</b>	1913
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	8 APRIL 2008
<b>REPORTING OFFICER:</b>	John Humphreys
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**VOTING REQUIREMENTS**

Simple Majority



**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****DEV-7-2008****Moved** COUNCILLOR MELVILLE-LÈVAY**Seconded** COUNCILLOR P MARTIN

1. The amended plans dated received 3 April 2008 for additions and alterations to the existing residence on Lot 101 (No. 5) Saunders Street, Mosman Park be approved subject to the same conditions of approval dated 29 August 2007.

**CARRIED 7/0****10.6.7 ALTERATIONS, ADDITIONS AND REROOFING OF EXISTING RESIDENCE**

<b>LOCATION:</b>	LOT 18 (NO 5) DOYLE STREET, MOSMAN PARK
<b>APPLICANT:</b>	PHILLIPS
<b>FILE REF:</b>	381
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	8 MARCH 2008
<b>REPORTING OFFICER:</b>	John Humphreys
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**DEV-8-2008**

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR P MARTIN

1. Approval be granted to the alterations, additions and re-roofing of the residence on Lot 18 (No. 5) Doyle Street, Mosman Park as per the plans dated received 21 February 2008 subject to:

1. Where cut and/or fill is required along a lot boundary common with adjoining properties and the angle of the repose is in accordance with the BCA cannot be achieved, retaining walls are to be provided concurrent with the construction of the dwelling or other buildings, to a specification satisfactory to the Manager Building Services.

2. No damage to or removal of existing street trees unless approved by Council.

3. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.

4. The proponent not causing or continuing to allow the occurrence of a nuisance to adjoining properties by the emission of dust or noise (which exceeds the limitations of the Environmental Protection Act) in conducting the land use or building activity which is the subject of this approval.

5. For the purpose of the preservation of the amenity of the area and in particular, for the protection of residents from noise and disturbance, the hours during which any work may be performed on the site are limited to the following:

Monday - Friday 7.00 am - 6.00 pm

Saturday 8.00 am - 4.00 pm

Sundays and

Public Holidays - No work to be performed on the site.

Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.

6. The placement of a sign on all sites advising builders that work should not commence before:

7.00 am Monday - Friday

8.00 am Saturdays

No work on Sundays or Public Holidays.

7. The residence is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

**CARRIED 7/0**

**10.6.8 PROPOSED RETAINING WALL AND FILL**

<b>LOCATION:</b>	LOT 3 (NO 5) BIRD STREET, MOSMAN PARK
<b>APPLICANT:</b>	FIDDES
<b>FILE REF:</b>	145
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	8 APRIL 2008
<b>REPORTING OFFICER:</b>	CASIMIR PENHEIRO
<b>TITLE:</b>	CONTRACT PLANNING OFFICER
<b>SENIOR OFFICER:</b>	JOHN HUMPHREYS
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**VOTING REQUIREMENTS**

Requires a simple majority of Members.

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****DEV-9-2008**

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR P MARTIN

1. Approval be granted to the extension of the retaining wall, steps and fill on Lot 3 (No. 5) Bird Street, Mosman Park as per the plans dated received 15 February 2008 subject to:
  1. The retaining wall to be set back a minimum of 2.5 metres from the Riverside Drive boundary.
  2. No damage to or removal of existing street trees unless approved by Council.
  3. The proponent not causing or continuing to allow the occurrence of a nuisance to adjoining properties by the emission of dust or noise (which exceeds the limitations of the Environmental Protection Act) in conducting the land use or building activity which is the subject of this approval.
  4. For the purpose of the preservation of the amenity of the area and in particular, for the protection of residents from noise and disturbance, the hours during which any work may be performed on the site are limited to the following:  
Monday - Friday 7.00 am - 6.00 pm  
Saturday 8.00 am - 4.00 pm  
Sundays and  
Public Holidays - No work to be performed on the site.

Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.

5. The placement of a sign on all sites advising builders that work should not commence before:

7.00 am Monday - Friday

8.00 am Saturdays

No work on Sundays or Public Holidays.

**CARRIED 7/0**

<b>10.6.9</b>	<b>ALTERATIONS AND ADDITIONS TO EXISTING RESIDENCE</b>
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<b>LOCATION:</b>	LOT 18 (NO 13) ALBERT STREET, MOSMAN PARK
<b>APPLICANT:</b>	HILHORST
<b>FILE REF:</b>	7
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	8 MARCH 2008
<b>REPORTING OFFICER:</b>	CASIMIR PENHEIRO
<b>TITLE:</b>	CONTRACT PLANNING OFFICER
<b>SENIOR OFFICER:</b>	JOHN HUMPHREYS
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**DEV-10-2008**

**Moved** COUNCILLOR V MELVILLE-LÉVAY

**Seconded** COUNCILLOR P MARTIN

1. Approval be granted to the alterations and additions (alfresco and garage) to an existing residence on Lot 18 (No. 13) Albert Street, Mosman Park as per the plans dated received 30 January 2008 subject to:

1. Where cut and/or fill is required along a lot boundary common with adjoining properties and the angle of repose in accordance with the BCA cannot be achieved, retaining walls are to be provided concurrent with the construction of the dwelling or other buildings, to a specification satisfactory to the Manager Building Services.

2. The external finish of the boundary facing wall of the garage to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the garage.
3. Any obsolete existing cross-overs being removed and verges reinstated at the owner's expense, and new crossovers being constructed to the Council's specifications.
4. All services (power, water, sewer, telephone, gas and Council assets i.e. street trees, etc) that conflict with crossovers to be relocated or modified to Council's satisfaction.
5. No damage to or removal of existing street trees unless approved by Council.
6. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.
7. The proponent not causing or continuing to allow the occurrence of a nuisance to adjoining properties by the emission of dust or noise (which exceeds the limitations of the Environmental Protection Act) in conducting the land use or building activity which is the subject of this approval.
8. For the purpose of the preservation of the amenity of the area and in particular, for the protection of residents from noise and disturbance, the hours during which any work may be performed on the site are limited to the following:  
Monday - Friday 7.00 am - 6.00 pm  
Saturday 8.00 am - 4.00 pm  
Sundays and  
Public Holidays - No work to be performed on the site.  
Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.
9. The placement of a sign on all sites advising builders that work should not commence before:  
7.00 am Monday - Friday  
8.00 am Saturdays  
No work on Sundays or Public Holidays.
10. The residence is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

**CARRIED 7/0**

<b>10.6.10</b>	<b>GROUND AND UPPER FLOOR ADDITIONS TO AN EXISTING RESIDENCE</b>
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<b>LOCATION:</b>	LOT 9 (NO 127) VICTORIA STREET, MOSMAN PARK
<b>APPLICANT:</b>	BAKER & COURT
<b>FILE REF:</b>	2582
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>NATURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	8 APRIL 2008
<b>REPORTING OFFICER:</b>	CASIMIR PENHEIRO
<b>TITLE:</b>	CONTRACT PLANNING OFFICER
<b>SENIOR OFFICER:</b>	JOHN HUMPHREYS
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**DEV-11-2008**

**Moved** COUNCILLOR V MELVILLE-LÉVAY  
**Seconded** COUNCILLOR P MARTIN

1. Approval be granted for ground and upper floor additions and alterations to an existing residence on Lot 9 (No. 127) Victoria Street, Mosman Park as per the amended plans received 31 March 2008 subject to:

1. Where cut and/or fill is required along a lot boundary common with adjoining properties and the angle of the repose is in accordance with the BCA cannot be achieved, retaining walls are to be provided concurrent with the construction of the dwelling or other buildings, to a specification satisfactory to the Manager Building Services.

2. The upper floor bedroom 3 window on the western façade to be constructed with obscure glazing.

3. The residence is to be reduced in height so as not to exceed the 8.5 metre height restriction under Town Planning Scheme No. 2.

4. All privacy screening to be installed concurrent with the construction of the dwelling.

5. Any obsolete existing cross-overs being removed and verges reinstated at the owner's expense, and new crossovers being constructed to the Council's specifications.
6. All services (power, water, sewer, telephone, gas and Council assets i.e. street trees, etc) that conflict with crossovers to be relocated or modified to Council's satisfaction.
7. No damage to or removal of existing street trees unless approved by Council.
8. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.
9. The proponent not causing or continuing to allow the occurrence of a nuisance to adjoining properties by the emission of dust or noise (which exceeds the limitations of the Environmental Protection Act) in conducting the land use or building activity which is the subject of this approval.
10. For the purpose of the preservation of the amenity of the area and in particular, for the protection of residents from noise and disturbance, the hours during which any work may be performed on the site are limited to the following:  
Monday - Friday 7.00 am - 6.00 pm  
Saturday 8.00 am - 4.00 pm  
Sundays and  
Public Holidays - No work to be performed on the site.  
Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.
11. The placement of a sign on all sites advising builders that work should not commence before:  
7.00 am Monday - Friday  
8.00 am Saturdays  
No work on Sundays or Public Holidays.

**CARRIED 7/0**

#### **10.7. REPORTS - SUBDIVISION / STRATA APPLICATIONS**

NIL.

#### **10.8. REPORTS - OTHER BUSINESS**

<b>10.8.1</b>	<b>REQUEST FOR REFUND OF PLANNING APPLICATION FEES</b>
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<b>LOCATION:</b>	LOTS 52 & 53 (NOS 1 & 2) KAVANAGH MEWS, MOSMAN PARK
<b>APPLICANT:</b>	BRIAN BURKE HOMES
<b>FILE REF:</b>	3789, 3790/1CR325
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	3 APRIL 2008
<b>REPORTING OFFICER:</b>	JOHN HUMPHREYS
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**DEV-12-2008**

**Moved** COUNCILLOR V MELVILLE-LÈVAY  
**Seconded** COUNCILLOR P MARTIN

The request by Brian Burke Homes for a refund of the planning application fee for the development of a new residence on Lots 52 & 53 (Nos 1 & 2) Kavanagh Mews, Mosman Park following the applicant withdrawing the application be denied and Council's solicitors, McLeods, be authorised to respond in accordance with the draft letter attached to the report.

**CARRIED 7/0**

<b>10.8.2</b>	<b>AMENDMENT TO MINIM COVE ESTATE OUTLINE DEVELOPMENT PLAN AND DESIGN GUIDELINES POLICY DS2</b>
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<b>LOCATION:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	1253
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	7 APRIL 2008
<b>REPORTING OFFICER:</b>	JOHN HUMPHREYS
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**VOTING REQUIREMENTS**

Simple Majority



**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****DEV-13-2008****Moved** COUNCILLOR V MELVILLE-LÉVAY  
**Seconded** COUNCILLOR P MARTIN

1. The revised Outline Development Plan dated 4 April 2008, including the datum levels, be adopted.
2. In accordance with clause 5.12 of Town Planning Scheme No 2 the draft amended Policy DS29 – Minim Cove Estate Design Guidelines as presented in Executive Manager Development Services report dated 7 April 2008 be adopted, advertised for public comment and referred to the Western Australian Planning Commission for consideration.

**CARRIED 7/0****10.9. MONTHLY BULLETIN****10.9.1 Bulletin for April 2008****OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****DEV-18-2008****Moved** COUNCILLOR V MELVILLE-LEVAY  
**Seconded** COUNCILLOR P MARTIN

1. The Bulletin for April, 2008 be noted.

**CARRIED 7/0****10.10.LATE REPORTS****10.10.1 Public Meeting - Structure Plan for One Steel Site, North Fremantle**

<b>LOCATION:</b>	Lot 2 (No 140) McCabe Street, North Fremantle
<b>APPLICANT:</b>	
<b>FILE REF:</b>	TP8
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	11 APRIL 2008
<b>REPORTING OFFICER:</b>	John Humphreys
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

**VOTING REQUIREMENTS**

Simple Majority

The Mayor advised that he wished to discuss this item and it was;

**Moved** COUNCILLOR V MELVILLE-LÈVAY

**Seconded** COUNCILLOR C CHOMLEY

that this item be removed from the Development Services Committee report.

**CARRIED 7/0**

The Mayor advised that the wording of the recommendation contained in this item was too vague in respect to the Council's grounds of objection and read aloud wording he wished to include in the recommendation.

He then advised that the City of Fremantle needed to understand that if the proposed development of the One Steel Site in North Fremantle were to proceed as per the current proposal for the site lodged with it, it would potentially create significant infrastructure problems for the Town of Mosman Park.

**OFFICER AND COMMITTEE RECOMMENDATION**

1. Council, on behalf of the residents of Mosman Park, write to the City of Fremantle expressing concerns and opposition to the proposed structure plan for the future development of the former One Steel site, Lot 2 (No. 140) McCabe Street, North Fremantle on the grounds put forward by those who attended the public meeting on 9 April 2008.

**DEV-14-2008****COUNCIL RESOLUTION**

**Moved** COUNCILLOR MELVILLE-LÈVAY

**Seconded** COUNCILLOR C CHOMLEY

1. Council, on behalf of the residents of Mosman Park, write to the City of Fremantle expressing concern and opposition to the proposed structure plan for the future development of the former One Steel site, Lot 2 (No. 140) McCabe Street, North Fremantle on the following grounds:-

- The excessive height and visual bulk of the proposed building,
- The undesirable precedent that it would set for high rise development in the area,
- The adverse impact it would have on the infrastructure of the Town of Mosman Park.

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**CARRIED 7/0**

<b>10.10.2</b>	<b>Proposed Relocation of Western Power Transformer</b>
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<b>LOCATION:</b>	Wellington Street
<b>APPLICANT:</b>	PETER WEBB & ASSOCIATES
<b>FILE REF:</b>	3885
<b>DISCLOSURE OF INTEREST:</b>	NIL
<b>DATE OF REPORT:</b>	14 APRIL 2008
<b>REPORTING OFFICER:</b>	Paul Anderson
<b>TITLE:</b>	CHIEF EXECUTIVE OFFICER

**VOTING REQUIREMENTS**

Simple Majority

Councillor Melville-Lèvy advised that she wished to discuss this item and it was;

**Moved** COUNCILLOR MELVILLE-LÈVAY  
**Seconded** COUNCILLOR C CHOMLEY

that this item be removed from the Development Services Committee report.

**CARRIED 7/0**

Councillor Melville-Lèvy advised that the original location for the Western Power transformer had been within the subdivision and hard up against the neighbouring property on the western boundary.

She then said that when the Council considered the matter, it considered that the proposed location of the transformer was unfair to the western neighbour whose property existed well before the subdivision was created, and required the transformer to be located further into the subdivision.

Councillor Melville-Lèvy advised that for the applicant to now request that the transformer be located within one of the Council's parks was unacceptable and that she supported the recommendation contained in this item not to support the proposal to re-locate the transformer to E. G. Smithfield.

Councillor Chomley advised that the transformer could be moved within an arc of about 50-60 metres but that if it was located within E. G. Smithfield it would be very noticeable, however rather than the Council disapproving of the application at this point in time, he had confidence that the approval process for the application which involved the State Government, would result ultimately in an outcome acceptable to the Council in this respect.

The Mayor advised that the Council was not the approving authority in this instance, and that the Council was just indicating whether or not it had an objection to the proposal and that once the matter went out to public comment, the Council was effectively out of the process.

### **OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**DEV-15-2008**

**Moved** V MELVILLE-LEVAY  
**Seconded** COUNCILLOR L EUSTANCE

1. The applicant be advised that the proposed relocation of the Western Power transformer to reserve number 25466 (E G Smith Field) on the southern side of Wellington Street is not supported and the Manager Metropolitan Branch State Land Services of the Department of Land Administration be advised of the Council's decision.

**CARRIED 6/1**

Councillor Chomley advised that he wished to record his vote against the motion in the minutes of the meeting.

<b>10.10.3 Two Grouped Dwelling Development</b>
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<b>LOCATION:</b>	LOT 403 (NO 48A) GLYDE STREET
<b>APPLICANT:</b>	BALL
<b>FILE REF:</b>	224687
<b>DATE OF REPORT:</b>	9 APRIL 2008
<b>REPORTING OFFICER:</b>	John Humphreys
<b>TITLE:</b>	EXECUTIVE MANAGER DEVELOPMENT SERVICES

### **VOTING REQUIREMENTS**

Simple Majority

INTEREST:

8.45p.m Councillor Moore disclosed a proximity interest in this item and left the Chamber.

Nature of Interest: Resides at nearby property.

It was;

**Moved** V MELVILLE-LEVAY  
**Seconded** COUNCILLOR L EUSTANCE

that this item be removed from the Development Services Committee report.

**CARRIED 7/0**

**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

**DEV-17-2008**

**Moved** V MELVILLE-LEVAY  
**Seconded** COUNCILLOR L EUSTANCE

1. Approval be granted to the alterations and additions (alfresco and garage) to an existing residence on Lot 403 (No. 48A) Glyde Street, Mosman Park as per the amended plans dated received 28 March 2008 subject to:
  1. Provide a landscaping area in front of the porch and entry stairs to the dwelling to the Glyde Street frontage.
  2. Where cut and/or fill is required along a lot boundary common with adjoining properties and the angle of repose in accordance with the BCA cannot be achieved, retaining walls are to be provided concurrent with the construction of the dwelling or other buildings, to a specification satisfactory to the Manager Building Services.
  3. The external finish of the boundary facing walls of the garage and dwelling (east and west) to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the garage and dwelling.
  4. Any obsolete existing cross-overs being removed and verges reinstated at the owner's expense, and new crossovers being constructed to the Council's specifications.
  5. All services (power, water, sewer, telephone, gas and Council assets i.e. street trees, etc) that conflict with crossovers to be relocated or modified to Council's satisfaction.
  6. No damage to or removal of existing street trees unless approved by Council.
  7. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.

8. The proponent not causing or continuing to allow the occurrence of a nuisance to adjoining properties by the emission of dust or noise (which exceeds the limitations of the Environmental Protection Act) in conducting the land use or building activity which is the subject of this approval.

9. For the purpose of the preservation of the amenity of the area and in particular, for the protection of residents from noise and disturbance, the hours during which any work may be performed on the site are limited to the following:

Monday - Friday 7.00 am - 6.00 pm

Saturday 8.00 am - 4.00 pm

Sundays and

Public Holidays - No work to be performed on the site.

Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.

10. The placement of a sign on all sites advising builders that work should not commence before:

7.00 am Monday - Friday

8.00 am Saturdays

No work on Sundays or Public Holidays.

11. The residence is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

**CARRIED 6/0**

8.46 p.m. Councillor Moore was recalled to the Chamber and resumed her seat.

#### **11. REPORTS – AUDIT COMMITTEE**

NIL.

#### **12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

NIL.

#### **13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

NIL.

**14. MATTERS BEHIND CLOSED DOORS**

NIL.

Prior to closure of the meeting, the Mayor advised that the Dedication Ceremony for the new limestone entry walls to Memorial Park had been held that morning and that it had been a successful event. He then advised that the new walls would have plaques placed upon them which recorded the details of service personnel, living and deceased.

He then drew attention to the ANZAC Day Commemoration Service to be held in Memorial Park on Friday, 25 April, commencing at 10am.

**15. CLOSURE**

The meeting was declared closed at 8.47 p.m.

I hereby certify that the minutes of the Ordinary Meeting of Council held on 22 April, 2008, were confirmed on May 27, 2008.

Signed: ..... Mayor