

Town of Mosman Park



ORDINARY COUNCIL MEETING

MINUTES

TUESDAY - 25 MARCH 2008

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The Town of Mosman Park advises that no action should be taken on any application or item discussed at a Council meeting and should only rely on **WRITTEN ADVICE** of the outcome, and any conditions attaching to the decision made by the Town of Mosman Park.

Town of Mosman Park

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 25 MARCH 2008, AT 19:32

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UNCONFIRMED

Presentation of Illuminated Script by the Congregation of Presentation Sisters

Prior to the opening of the Meeting, the Mayor was presented with Mother Angela Treacey's Illuminated script by Sisters Irene and Anna from the Congregation of the Presentation Sisters.

The script, which was restored with funds partly provided by the Council, was being loaned to the Council by the Congregation of the Presentation Sisters for display purposes to enable as many people as possible to view it before its return to the Convent.

1. DECLARATION OF OPENING

The meeting was declared opened at 19:32.

2. RECORD OF ATTENDANCE / APOLOGIES

Present:

His Worship the Mayor Mr R. A. Norris,
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
J. Humphreys	Executive Manager Development Services
B G Burnett	Manager Environmental Services
Valerie Booker	Personal Assistant to the Chief Executive Officer

Apologies:

Councillor V. A. Melville-Levay - Deputy Mayor – granted Leave of Absence by the Council at this meeting.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

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

Mr J. Mcfarlane – 11 Fairbairn Street

- (a) Does the Council still have a policy of trying to raise revenue from the urbanisation of the public reserves vested in the Council for public recreation ?

Response by the Mayor:

No, the Council does not have, and never has had a policy in that regard.

- (b) Does the Mayor and Chief Executive Officer still have the ambition to raise revenue from the urbanisation of parkland ?

Response by the Mayor:

No.

Question No.2

Ms. Sylvia Chang – Cnr. Manning & Wellington Street

Will the Council address the disruption and inconvenience being endured by residents in the vicinity of the restaurants in Wellington Street through noise from the alfresco areas, obstruction of residents driveways, lack of observation of parking laws and noise from the raised voices of late night and early morning departures by customers from this location ?

Response by the Mayor:

- (a) As soon as the Council became aware of the problems being experienced by residents through alfresco trading in this location, the Council moved to ensure that it ceased.
- (b) The Council's Executive Manager Development Services, Mr Humphreys has prepared a Council policy on alfresco dining, which is quite a complicated process, and that policy is contained within tonight's Council meeting Agenda for the Council's consideration.
- (c) Each restaurant within the Town of Mosman Park which wishes to use alfresco dining will be required to make an application and all of the issues which you have raised will be incorporated within that policy and considered by the Council before approval is granted.

Question No.3

Mr Andrew McKenzie – 1 Fairbairn Street

Why won't the Council commit to a preferred use of the Minim Cove Parklands as the Council's absolute failure to maintain a consistent position on the issue is causing enormous uncertainty to residents.

Response by the Mayor:

The reason that the Council will not be pushed into a specific position is simply that if it emerges that the site is contaminated and requires remediation, and this Council is responsible for that, then clearly that is an option the Council has to consider.

I make the point that the Council is in the process of investigating the site and when the Council is in possession of adequate information to enable it to make a decision, it will do so, with public consultation.

I think that the rush to try and lock the Council into a position which is premature to the knowledge it currently has is irresponsible. When the Council is in possession of enough information to make a decision it will do so and as a resident, you will be part of that process.

Question No.4

Mr K. Ashford – 5 Minim Close

- (a) Reserve 31156 - Tom Perrott Reserve and also Nashfield, have been classified by the DEC as being possibly contaminated, investigation required.

Can the Council confirm that it will be dealing with, on an holistic basis, all the classified and contaminated sites classified by the DEC, and with the same speed that the Council is dealing with Reserve 31156 ?

- (b) Can the Council advise the nature of the brief it has given to the environmental consultant in respect to Reserve 31156, and does this include soil and groundwater testing which is normally included on a PSI study ?

Response by the Chief Executive Officer:

The brief given to the consultant in respect to Reserve 31156 has been in line with the DEC's recommendations in regard to preliminary site investigations.

The study is progressing and they will advise if further testing is required.

- (c) Would I be able to obtain a copy of the study through Freedom of Information ?

Response by the Chief Executive Officer:

The study will be presented to the Council and will be a document readily available to the public.

- (d) In terms of economies of scale to reduce the cost to residents, would it be possible for the Council to wait until it has all sites classified and then have the environmental consultant look at them as a whole ?

Response by the Mayor:

I am not sure that there are economies of scale to be achieved in this respect. I suspect that environmental consultants charge by the hour from when they start to when they finish and that there are no economies of scale to be achieved in this respect.

As to your question as to why the Council is fixated upon Minim Cove, it is because that is just where the journey started.

Question No.5

Ms. J. Watt – 5 Fairbairn Street

I refer to recent publicity in the Post newspaper about the proposal for the Town of Cottesloe and the Shire of Peppermint Grove to share the Mosman Park Council's Works Depot facilities.

- (a) Is it true that there is a feasibility study in this respect being undertaken. If so, is McCabe Street the only area under consideration in the feasibility study or are other locations also involved ?
- (b) Is the possible sale of the depot sites of the Town of Cottesloe and the Shire of Peppermint Grove linked with the funding those Councils need to provide as their contribution to the new library project ?

Response by the Mayor:

Essentially this issue boils down to the question of what impact a combined "three in one" works depot would have upon residents in the area.

By way of providing some background I advise that an inspection by the Council in February this year revealed that the Council's Works Depot facilities were in some need of upgrading. Additionally a staff review of the employees using the facility had been conducted.

Those two areas, the adequacy of the building and the structure of the staff were the subject of a review which was dealt with by the Council at its meeting held in February 2008.

Last month, because the Council needed to ascertain just what was required for its own staff and facilities, it resolved to take no further action in respect to giving consideration to permitting the Town of Cottesloe and the Shire of Peppermint Grove to utilise the Council's Works Depot facilities.

In response to that decision, the Mayor and Chief Executive Officer of the Town of Cottesloe and the President and Chief Executive Officer of the Shire of Peppermint Grove then requested a meeting with our Chief Executive Officer Mr Anderson, and myself. We explained to them that the Council had to deal with and sort out structural issues of its own before it could give any consideration to the idea of a joint use facility.

The Council has a large Works Depot in McCabe Street which is capable of accommodating the needs of the other two municipalities, and the intention is to engage an architect to explore just what those needs are, and a recommendation in this respect for the Council's consideration this evening is contained in the meeting Agenda within the minutes of the Corporate and Technical Services Committee.

Question No.6

Mr J. Mcfarlane - 11 Fairbairn Street

- (a) In October last year, I presented a petition to the Council which had been signed by 732 Mosman Park residents who requested at Item 3 on that petition, that the Council should support an application for the Minim Cove Parklands to be classified as an "A" Class Reserve. The Council refused this request on the grounds that contaminants in the park might perhaps be polluting the environment.

Will the Council reconsider its decision to refuse the request for the Minim Cove Parklands to be classified as an "A" Class Reserve ?

Response by the Mayor:

This matter has not reached the point where the Council needs to consider it, which is the same response from the Council given to you previously. When the Council knows what the site contains, then the matter of classification to an "A" Class Reserve will be considered. It is a long and complicated process and the Council will commence that process when it has determined how the site should be used.

The petition you presented to the Council has not been ignored. That part of it to which you refer in your question has just not been acted upon at the present time.

5. APPLICATIONS FOR LEAVE OF ABSENCE

An application for Leave of Absence from the March Meeting of the Council was submitted by Councillor V. A. Melville-Lévay and dealt with by the Council at item 8.1 of the Corporate and Technical Services Committee report.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Council Meeting held Tuesday, 26 February 2008

Council considered the minutes of the Ordinary Meeting of the Council held on February 26, 2008.

It was moved Councillor Martin, seconded Councillor Moore that the minutes of the Ordinary Meeting of the Council held on 26 February, 2008, be adopted.

CARRIED (6/0)

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

(a) Mosman Park Arts Foundation

The Mayor advised that a meeting had been held with the Mosman Park Arts Foundation to clarify the role of that organisation.

(b) One Steel Site – McCabe Street, North Fremantle

The Mayor advised that he had met with the developers of the One Steel site, in company with the Chief Executive Officer and the Executive Manager Development Services, and drew attention to a public meeting to be held on April 9th at the Alf Adams Pavilion, which would enable residents to express their views about the proposed development at this site.

(c) Iona Centenary Mass

The Mayor advised that he had attended the Iona Centenary Mass which he had found very enjoyable.

(d) Climate Change Forum

The Mayor advised that he had, in company with Councillor Eustance, attended a forum on climate change, which had dealt specifically with carbon trading, which had been of particular interest.

(e) Meeting with Town of Cottesloe & Shire of Peppermint Grove Re: Possible Sharing of Works Depot

The Mayor advised that in company with the Chief Executive Officer, he had met with the Mayor and Chief Executive Officer of the Town of Cottesloe and the President and Chief Executive Officer of the Shire of Peppermint Grove in accordance with their request to consider the sharing of the Council's Works Depot facilities.

8. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil.

9. REPORTS – CORPORATE AND TECHNICAL SERVICES COMMITTEE MEETING HELD TUESDAY, 18 MARCH, 2008

9.3 CONFIRMATION OF MINUTES

Moved: Cr. Martin Seconded: Cr. Moore

The Minutes of the Corporate and Technical Services Committee held on 19 February 2008, and presented to the Council Meeting on 26 February 2008, be confirmed.

CARRIED (6/0)

9.5 REPORTS – FINANCE

9.5.1 FINANCIAL STATEMENTS

LOCATION:	Town of Mosman Park
APPLICANT:	N/A
FILE REF:	FIN13A
DISCLOSURE OF INTEREST:	NIL
DATE OF REPORT:	11 MARCH 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

Moved: Cr. Martin **Seconded:** Cr. Moore

The Financial Statements for the period ended 29 February 2008 be noted.

The Budget Review conducted by the Co-ordinator Accounting Services in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996 be adopted.

CARRIED (6/0)

9.5.2 INVESTMENT REGISTER

LOCATION:	TOWN OF MOSMAN PARK
APPLICANT:	N/A
FILE REF:	FIN13E
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	11 MARCH 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

Moved: Cr. Martin **Seconded:** Cr. Moore

The Investment Register for the period ended 29 February 2008 be noted.

CARRIED (6/0)

9.5.3 ACCOUNTS FOR PAYMENT

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: N/A
FILE REF: fin13d
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 11 MARCH 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

Moved: Cr. Martin Seconded: Cr. Moore

- 1 The payment of Municipal Fund Cheque Vouchers Numbered 26267 to 26316 inclusive totalling \$87,246.34 be endorsed.
- 2 The Payment of Municipal Fund Electronic Funds Transfer Vouchers Numbered 200208.1, 210208.1 to 210208.25, 250208.1, 290208.1 to 290208.28, 290208A.1, 070308.1 to 070308.17 and 110308.1 to 110308.2 inclusive totalling \$293,402.39 be endorsed.
- 3 The Municipal Fund Electronic Funds Transfer Vouchers numbered 110308A.1 to 110308A.27 inclusive totalling \$37,792.38 be approved for payment.
- 4 The Schedule of Accounts paid by Direct Debit totalling \$142,709.02 be endorsed.

CARRIED (6/0)

9.6. REPORTS – STAFF

9.6.1 DEPOT SERVICES REVIEW – IMPLEMENTATION PLAN

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: N/A
FILE REF: STAFF1
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 12 MARCH 2008
REPORTING OFFICER: P PIKOR
TITLE: EXECUTIVE MANAGER TECHNICAL SERVICES

VOTING REQUIREMENTS:

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

The Implementation Report and progress of actions to carry out the recommendations of the review for efficient delivery of the Depot Services be noted.

CARRIED (6/0)

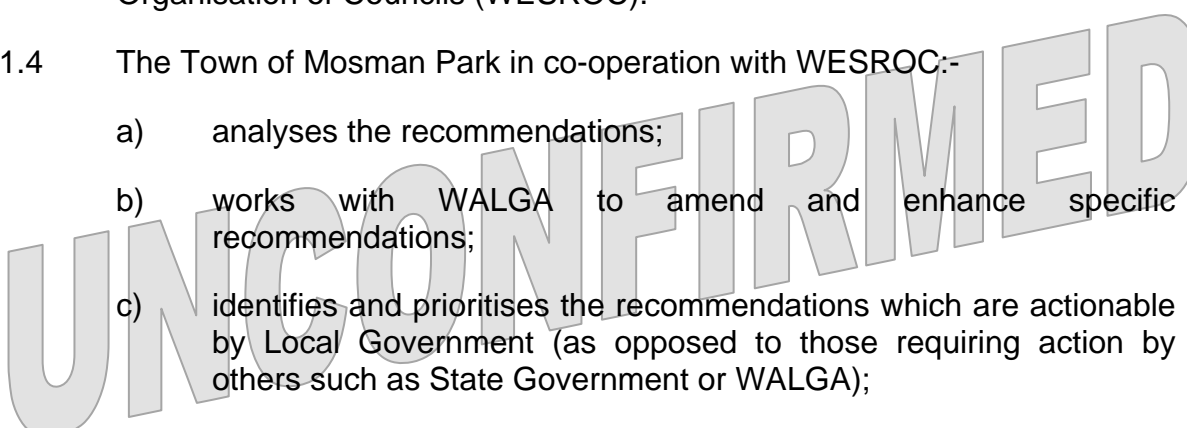
9.7 REPORTS – ADMINISTRATION**9.7.1 SYSTEMIC SUSTAINABILITY STUDY- WALGA REVIEW**

LOCATION: N/A
APPLICANT: N/A
FILE REF: SUST.1
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 13 MARCH 2008
REPORTING OFFICER: P G ANDERSON
TITLE: CHIEF EXECUTIVE OFFICER

VOTING REQUIREMENTS

Simple Majority.

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**Moved: Cr. Martin Seconded: Cr. Moore**

- 7.1.1 WALGA be commended for development of the draft discussion document “shaping the future of Local Government in Western Australia.
- 7.1.2 The Town of Mosman Park generally support the draft document subject to the opportunity for discussion and possible amendment of specific proposals.
- 7.1.3 The Town of Mosman Park notes that the broad thrust of the draft document reflects the collaborative regional cooperation being successfully developed and applied by the Western Suburbs Regional Organisation of Councils (WESROC).
- 7.1.4 The Town of Mosman Park in co-operation with WESROC:-
- a) analyses the recommendations;
 - b) works with WALGA to amend and enhance specific recommendations;
 - c) identifies and prioritises the recommendations which are actionable by Local Government (as opposed to those requiring action by others such as State Government or WALGA);
 - d) Develops an action plan to implement relevant recommendations either regionally via WESROC where appropriate or otherwise by the Town of Mosman Park individually.
- 

CARRIED (6/0)

9.8 REPORTS – MEMBERS

9.8.1 - COUNCILLOR REQUEST FOR LEAVE OF ABSENCE

LOCATION: N/A
APPLICANT: N/A
FILE REF: MEM7
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 11 MARCH 2008
REPORTING OFFICER: P G ANDERSON
TITLE: CHIEF EXECUTIVE OFFICER

VOTING REQUIREMENTS

Simple Majority.

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin Seconded: Cr. Moore

Councillor Melville-Lévy 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 25 March 2008.

CARRIED (6/0)

9.12 REPORTS – PARKS / GARDENS

9.12.1 LANDCORP'S SUBDIVISION MINIM COVE

LOCATION: Minim COVE
APPLICANT: N/A
FILE REF: 3873
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 12 MARCH 2008
REPORTING OFFICER: P PIKOR
TITLE: EXECUTIVE MANAGER TECHNICAL
SERVICES

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

- 1 The status report on LandCorp's management responsibility for the standard of public open space at its subdivision at Minim Cove be noted.
- 2 LandCorp be requested to ensure that a high standard of maintenance is maintained for the public open space at its subdivision in Minim Cove.

Amendment to Officer Recommendation

Reason: The Members wanted a meeting to be held with LandCorp to discuss the maintenance and issues associated with the handover of the site. The recommendation was amended accordingly.

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

- 1 The Chief Executive Officer of LandCorp, Mr Ross Holt be invited to attend a meeting with Council to discuss a number issues raised by community members and Council in regard to the Minim Cove Subdivision.

CARRIED (6/0)

9.17 REPORTS – GENERAL BUSINESS

9.17.1 FEASIBILITY OF ERECTING BANNERS ACROSS THE ROADWAY AT MEMORIAL HALL

LOCATION:	MEMORIAL HALL – LOCHEE STREET
APPLICANT:	N/A
FILE REF:	3393
DISCLOSURE OF INTEREST:	n/a
DATE OF REPORT:	12 MARCH 2008
REPORTING OFFICER:	P PIKOR
TITLE:	EXECUTIVE MANAGER TECHNICAL SERVICES

VOTING REQUIREMENTS

Simple Majority

Councillor Martin drew attention to a typographical error in clause 1. of the Committee recommendation and advised that the word “barriers” in the second line, should be amended to read “banners”.

OFFICER RECOMMENDATION

The report on the feasibility of erecting banners across the roadway at Memorial Hall be noted.

Amendment to Officer Recommendation

Reason: The Members required information on the issues to install a single banner pole. The recommendation was changed to reflect this.

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

- 1 The report on the feasibility of erecting banners across the roadway at Memorial Hall be noted and that the most effective location for the banners to gain public exposure be explored.
- 2 Administration explore and report to Council the operational aspects of the banners and poles.

CARRIED (6/0)

9.18 BULLETIN

Monthly Bulletin for March 2008

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

The Corporate and Technical Services Bulletin for March 2008 be noted.

CARRIED (6/0)

9.19 LATE ITEMS**9.19.1 QUOTATIONS FOR SUPPLY AND DELIVERY OF NEW SEDANS, UTILITY AND CREW CAB**

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: N/A
FILE REF: QUOTATIONS 3 - 9 2007/2008
MR PETER PIKOR – FINANCIAL INTEREST
DISCLOSURE OF INTEREST: NATURE OF INTEREST:
VEHICLE SUPPLIED AS PART OF
REMUNERATION PACKAGE
DATE OF REPORT: 13 MARCH 2008
REPORTING OFFICER: P PIKOR
TITLE: EXECUTIVE MANAGER TECHNICAL
SERVICES

VOTING REQUIREMENTS

Simple Majority

DISCLOSURE OF INTEREST:

8.10 p.m. The Executive Manager Technical Services Mr P. Pikor disclosed an interest in this item and left the Chamber.
Nature of Interest: Vehicle supplied as part of remuneration package.

Moved: Cr. Martin **Seconded:** Cr. Moore

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

CARRIED (6/0)**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**

Moved: Cr. Martin **Seconded:** Cr. Moore

- 1 The quoted purchase price of \$35,440 inclusive of GST subject to variation in accordance with Government Contract Pricing submitted by Titan Ford for the supply and delivery of a Falcon G6E Turbo in accordance with the specification for Quotation 3-2007/2008 be accepted.
- 2 The quoted price of \$34,440 inclusive of GST from Titan Ford for the trade of Council's Plant 1 Registration 1CLY 424 be accepted.

- 3 The quoted purchase price of \$30,531.31 inclusive of GST subject to variation in accordance with Government Contract Pricing by Titan Ford for the supply and delivery of a Ford XR6 – G Series in accordance with the specification for Quotation 4–2007/2008 be accepted.
- 4 The quoted price of \$22,660 inclusive of GST from Titan Ford for the trade of Council's existing Plant No P3 Registration 1CNE 329 be accepted.
- 5 The quoted purchase price of \$33,217.55 inclusive of GST by Phoenix Holden for the supply and delivery of a new Berlina in accordance with the specification for Quotation 5-2007/2008 be accepted.
- 6 The quoted price of \$19,500 inclusive of GST from Phoenix Holden for the trade of Council's existing Plant 5 Registration 1CGE 043 be accepted.
- 7 The quoted purchase price of \$33,217.55 inclusive of GST by Phoenix Holden for the supply and delivery of a new Berlina in accordance with the specification for Quotation 6-2007/2008 be accepted.
- 8 The quoted price of \$20,000 inclusive of GST from Phoenix Holden for the trade of Council's Plant 6 Registration 1CGF 120 be accepted.
- 9 The quoted purchase price of \$21,725.50 inclusive of GST by John Hughes for the supply and delivery of a new Lancer Wagon in accordance with the specification for Quotation 7-2007/2008 be accepted.
- 10 The quoted price of \$15,300 inclusive of GST from John Hughes for the trade of Council's existing Plant No P7 Registration 1CJH 508 be accepted.
- 11 The quoted purchase price of \$29,188 inclusive of GST by Lynford for the supply and delivery of a new Ranger vehicle (diesel) in accordance with the specification for Quotation 8-2007/2008 be accepted.
- 12 The quoted price of \$20,611 inclusive of GST from Lynford for the trade of Council's existing Plant No P8 Registration 1CMF 233 be accepted.
- 13 The quoted purchase price of \$22,041.50 inclusive of GST by Lynford for the supply and delivery of a new Focus Hatch in accordance with the specification for Quotation 9-2007/2008 be accepted.
- 14 The quoted price of \$19,111 inclusive of GST from Lynford for the trade of Council's existing Plant No P11 Registration 1CJY 432 be accepted.
- 15 Authorises the Chief Executive Officer to approve variations up to \$6,000 in accordance with Government Contract Pricing for the new model Falcon G6E turbo and Ford XR6 – G Series for Quotations 3 and 4 2007/2008 respectively.

CARRIED BY AN ABSOLUTE MAJORITY VOTE OF COUNCIL (6/0)

8.11 p.m. The Executive Manager Technical Services, Mr P. Pikor, was recalled to the Chamber and resumed his seat.

9.19.2 REQUEST FOR DONATION – AUSTRALIAN RED CROSS

LOCATION: ADMINISTRATION
APPLICANT: AUSTRALIAN RED CROSS
FILE REF: FIN12
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 29 FEBRUARY 2008
OFFICER: A J GERTENBACH
TITLE: EXECUTIVE MANAGER CORPORATE SERVICES

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

Council advise the Australian Red Cross that it is unable to donate to the 2008 Red Cross Calling Appeal as it already makes significant contributions to community services within the Town and in the correspondence commend the Australian Red Cross for the work that it does.

CARRIED (6/0)

9.19.3 LIBRARY PROJECT TENDERS

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: LIBRARY PROJECT STEERING COMMITTEE
FILE REF: LIB2
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 17 MARCH 2008
REPORTING OFFICER: P G ANDERSON
CHIEF EXECUTIVE OFFICER

VOTING REQUIREMENTS

Simple Majority.

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

The Library Project Steering Committee be advised that the Town of Mosman Park requires the Tender Evaluation Committee to comprise of two members from each participating Council.

The following Council members be nominated to represent the Town of Mosman Park on the Tender Evaluation Committee for the Joint Library Project;

- Mayor R Norris
- Councillor P Martin

CARRIED (6/0)

9.19.4 TOM PERROTT RESERVE

LOCATION:	TOM PERROTT RESERVE
APPLICANT:	NIL
FILE REF:	PERROTT/5
DISCLOSURE OF INTEREST:	NIL
DATE OF REPORT:	17 MARCH, 2008
REPORTING OFFICER:	P G ANDERSON
TITLE:	CHIEF EXECUTIVE OFFICER

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

The Department of Land Administration (Land Gate) be advised of the classification of reserve 36788 assigned by the Department of Environment and Conservation in accordance with the Contaminated Sites Act 2003 of "possibly contaminated – investigation required", and be advised as owners of the site at the time the site may have been contaminated, of their responsibility to carry out the investigations required.

CARRIED (6/0)

9.19.5	SHARING OF WORKS DEPOT FACILITY
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LOCATION: COUNCIL WORKS DEPOT, MCCABE STREET
APPLICANT: N/A
FILE REF: 3871
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 18 MARCH 2008
REPORTING OFFICER: P G ANDERSON
TITLE: CHIEF EXECUTIVE OFFICER

VOTING REQUIREMENTS

Simple Majority

To facilitate discussion it was;

Moved: Cr. Flack **Seconded:** Cr. Eustance

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

CARRIED (6/0)

Councillor Flack advised that he was concerned that a report in the Post newspaper which had been attributed to the Mayor of Cottesloe, indicated that the proposed sharing of this Council's Depot Facilities by the Town of Cottesloe and Shire of Peppermint Grove was a "done deal".

He then advised that he wanted to clarify the statements attributed to the Mayor of Cottesloe to ensure that Mosman Park residents did not get the wrong idea about what this Council had decided in relation to this matter.

Councillor Flack then advised that he had concerns which were not so much about how would the Council fit the 3 Councils' staff and equipment onto the Depot site, but more about how that was going to operate and the significant concern about how the nearby residents would be taken into consideration in regard to this proposal.

He then said that it seemed to him from the contents of a late report which had been provided to Members, that the Council had moved from a plan from Christou and Associates determining how the facility would be accommodated for various functions, to a study which mentioned environment, operations, etc.

Councillor Flack advised that to his knowledge, the Council had not commissioned Christou and Associates to do any such study and that there seemed to be a few loose ends which needed to be clarified which was why he was drawing the matter to the attention of Members.

The Mayor advised that the Council was in process of reviewing the use of its Works Depot site, how it worked, and what could be accommodated, and more importantly how it functioned in that location.

OFFICER RECOMMENDATION

- 1 The Shire of Peppermint Grove and the Town of Cottesloe be invited to contribute towards a proposed study and master plan for the Town of Mosman Park works depot which incorporates joint use facilities.
- 2 The Chief Executive Officer and Executive Manager Technical Services be authorised to negotiate with the Town of Cottesloe and the Shire of Peppermint Grove, the scope and required deliverables of the proposed study and master plan for the Town of Mosman Park works depot, to incorporate joint use facilities.

Amendment to Officer Recommendation

Reason: The recommendations were changed due to the Members requiring more information prior to considering any contributions from the Town of Cottesloe and Shire of Peppermint Grove.

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Eustance

- 1 The Chief Executive Officer and Executive Manager Technical Services be authorised to determine with the Town of Cottesloe and the Shire of Peppermint Grove, the scope and required deliverables of the proposed study and master plan for the Town of Mosman Park Works Depot, to incorporate joint use facilities.
- 2 Subject to the outcomes from Item 19.5.1 further consideration be given to inviting Town of Cottesloe and Shire of Peppermint Grove to contribute towards the study and master plan.

CARRIED (6/0)

9.19.6 VICTORIA STREET SUMP

LOCATION: VICTORIA STREET
APPLICANT: N/A
FILE REF: 22 VICTORIA STREET
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 18 MARCH 2008
REPORTING OFFICER: N/A
TITLE: N/A

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

Administration report to the April Meeting of Council on the most appropriate solution for the construction and finalisation of the Victoria Street sump.

CARRIED (6/0)

9.19.7 RAVEN MANAGEMENT PLAN

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: N/A
FILE REF: HEA1
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 18 MARCH 2008
REPORTING OFFICER: N/A
TITLE: N/A

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

The Public comments received about the proposed management plan of Ravens be noted and only written questions be considered at the next Corporate and Technical Services Committee Meeting.

CARRIED (6/0)

9.19.8 WASTE REDUCTION CONFERENCE - CHINA

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: MAYOR NORRIS
FILE REF: HEA1
DISCLOSURE OF INTEREST: Mayor Norris - Financial Interest:
Nature of Interest: Recipient of financial benefit
DATE OF REPORT: 18 MARCH 2008
REPORTING OFFICER: N/A
TITLE: N/A

VOTING REQUIREMENTS

Simple Majority

DISCLOSURE OF INTEREST:

8.15 p.m. The Mayor disclosed an interest in this item and left the Chamber.
Nature of Interest: Recipient of financial benefit.

In the absence of the Mayor, Councillor P. Martin took the Chair.

Moved: Cr. Martin **Seconded:** Cr. Moore

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

CARRIED (5/0)

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Moore

The expenditure be authorised for the Mayor to attend a conference in China on Zero Waste to present a paper on the DiCOM process and that a request be made to the Western Metropolitan Regional Council to recover the costs incurred.

CARRIED (5/0)

8.16 p.m. The Mayor was recalled to the Chamber and resumed the Chair.

9.19.9 MOSARTS – MEMORIAL HALL

LOCATION:	TOWN OF MOSMAN PARK
APPLICANT:	N/A
FILE REF:	3871
DISCLOSURE OF INTEREST:	NIL
DATE OF REPORT:	18 MARCH 2008
REPORTING OFFICER:	N/A
TITLE:	N/A

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION

The Mayor correspond with the Mosarts Board of Management encapsulating the discussion and vision presented on capital improvements to the facility at the informal meeting held with Council representatives on 12 March 2008 and outline the responsibilities of the Arts Foundation as contained within the lease in regards to ongoing maintenance at Memorial Hall.

Amendment to Officer and Committee Recommendation

Reason: Councillor Martin advised that he wished to make an amendment to this item to indicate that responsibilities relating to Memorial Hall not only involved the Mosman Park Arts Foundation but also the Council.

He then advised that this could be achieved by the insertion of the words “and the Council” in line four of the recommendation, immediately after the word “Foundation”.

COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Flack

The Mayor correspond with the Mosarts Board of Management encapsulating the discussion and vision presented on capital improvements to the facility at the informal meeting held with Council representatives on 12 March 2008 and outline the responsibilities of the Arts Foundation and the Council as contained within the lease in regards to ongoing maintenance at Memorial Hall.

CARRIED (6/0)

10. REPORTS – DEVELOPMENT SERVICES COMMITTEE MEETING HELD MONDAY, 17 MARCH, 2008**10.3 CONFIRMATION OF MINUTES**

Moved: Cr. Eustance **Seconded:** Cr. Martin

The Minutes of the meeting held on 20 February 2008 and presented to the Council Meeting on 26 February 2008 be confirmed.

CARRIED (6/0)

10.5 REPORTS – BUILDING SERVICES

10.5.1 BUILDING PERMITS ISSUED FEBRUARY 2008

LOCATION:	N/A
APPLICANT:	N/A
FILE REF:	BC1
DISCLOSURE OF INTEREST:	NIL
DATE OF REPORT:	13 MARCH 2008
REPORTING OFFICER:	BRAD PIKE
TITLE:	MANAGER BUILDING SERVICES

VOTING REQUIREMENTS

Nil

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**Moved:** Cr. Eustance**Seconded:** Cr. Martin

Information be received.

CARRIED (6/0)

10.6 REPORTS – DEVELOPMENT APPLICATIONS**10.6.1 FOUR STOREY RESIDENCE AND GATEHOUSE**

LOCATION: LOT 24 (NO 6) RIVERVIEW PLACE, MOSMAN PARK
APPLICANT: THIO
FILE REF: 1801/117207
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 11 MARCH 2008
REPORTING OFFICER: JOHN HUMPHREYS
TITLE: EXECUTIVE MANAGER DEVELOPMENT SERVICES

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**Moved:** Cr. Eustance**Seconded:** Cr. Martin

1. Approval be granted to the proposed four storey residence and gatehouse on Lot 24 (No 6) Riverview Place, Mosman Park as per the amended plans dated received 16 January 2008, subject to:
 1. Stormwater drainage shall be contained on site or connected to the local government drainage system. (SRT)
 2. During construction, adequate measures shall be taken to ensure that stormwater discharged from the site is minimised and does not carry sediment or other deleterious material in the Parks and Recreation foreshore reserve or the river. Sedimentation fencing shall be installed if the need arises. (SRT)
 3. The development shall be connected to the reticulated sewerage system. (SRT)

4. All waste materials from the development to be completely removed from the site upon completion of the development. (SRT)
5. No development, including fill, building materials, rubbish or any other deleterious matter shall be deposited on the foreshore reserve or allowed to enter the river as a result of the development. (SRT)
6. No vehicle or earthmoving machinery shall be permitted to access the foreshore reserve without the prior approval of the General Manager, Swan River Trust. (SRT)
7. Fencing on the riverside of the development shall be "open view" with a total height not exceeding 1.8 metres inclusive of any retaining structures that shall not exceed one metre in height. (SRT)
8. In the event that Western Power requires the owner to fund the installation of a transformer to meet the electrical power needs of the development, the transformer is to be located within the boundaries of the subject lot.
9. The maximum height of the building is not to exceed the AHD levels shown on the approved plans. Air conditioning plant, hot water systems and the like are not to be located on the roofs.
10. 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.
11. The western dining window to be either fixed obscure glazed or have a minimum sill height of 1.6 metres above finished floor level.
12. All privacy screening and obscure glazed windows shown on the approved plans to be installed concurrently with the construction and prior to occupation of the dwelling.
13. The residence may not be used for business purposes other than in accordance with the home occupation provisions of the Scheme and upon application.
14. 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.
15. 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.

16. No damage to or removal of existing street trees unless approved by Council.
17. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.
18. 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.
19. 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.
20. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.
21. 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.
22. 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.

23. 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 (6/0)

10.6.2 AMENDMENT TO APPROVED TWO STOREY RESIDENCE

LOCATION: LOT 43 (NO. 3) THE COOMBE, MOSMAN PARK
APPLICANT: JENZEN
FILE REF: 2412/116650
DISCLOSURE OF INTEREST: MR JOHN HUMPHREYS – IMPARTIALITY INTEREST
NATURE OF INTEREST:
OBJECTOR IS OFFICER'S NEUROSURGEON
DATE OF REPORT: 10 MARCH
REPORTING OFFICER: JOHN HUMPHREYS
TITLE: EXECUTIVE MANAGER DEVELOPMENT SERVICES

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Eustance **Seconded:** Cr. Martin

Approval be granted to the proposed amendments to the approved two storey residence on Lot 43 (No 3) The Coombe, Mosman Park as per the amended plans dated received 4 March 2008, subject to:

1. The colour of the metal deck roof to be to the satisfaction of the Executive Manager Development Services in consultation with the owner/applicant and the owners of No. 1 The Coombe and No. 11 Saunders Street.
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. All privacy screening shown on the approved plans to be installed concurrently with the construction and prior to occupation of the 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. 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.
 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. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.
 11. 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.
 12. 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.
13. 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.
 14. The residence is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

CARRIED (6/0)

10.6.3 EXTENSION TO EXISTING DECK

LOCATION: LOT 4 (NO. 10) OWSTON STREET,
MOSMAN PARK
APPLICANT: BLACK
FILE REF: 1614/118325
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 11 MARCH 2008
REPORTING OFFICER: JOHN HUMPHREYS
TITLE: EXECUTIVE MANAGER DEVELOPMENT
SERVICES

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Eustance

Seconded: Cr. Martin

1. Approval be granted to the extension of the existing deck at the rear of the residence on Lot 4 (No. 10) Owston Street, Mosman Park as per the amended plans dated received 12 March 2008 subject to:
 1. The privacy screens on the southern and western sides as shown on the approved plans to be a minimum height of 2.4 metres from the floor level of the deck and installed within four weeks from the date of this approval.
 2. The screens to be designed to prevent visual permeability to the extent that it achieves the objective of protecting visual privacy as per the Residential Design Codes, to the satisfaction of the Executive Manager Development Services.
 3. No damage to or removal of existing street trees unless approved by Council.
 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. 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.

CARRIED (6/0)

10.6.4 PRIVACY SCREENING TO EXISTING RESIDENCE

LOCATION: LOT 118 (NO. 9) PETHYBRIDGE HEIGHTS, MOSMAN PARK
APPLICANT: GIBSON
FILE REF: 3797/102449
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 10 MARCH 2008
REPORTING OFFICER: JOHN HUMPHREYS
TITLE: EXECUTIVE MANAGER DEVELOPMENT SERVICES

VOTING REQUIREMENTS

Item 1 requires the support of a minimum of one third of Members
Item 2 requires an absolute majority of Members
Item 3 requires a simple majority

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

Moved: Cr. Eustance

Seconded: Cr. Moore

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

CARRIED (6/0)

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Eustance

Seconded: Cr. Martin

1. An amendment to the approval dated 4 April 2007 issued under delegated authority be considered.

SUPPORT EXCEEDED ONE THIRD MEMBERS (6/0)

Moved: Cr. Eustance

Seconded: Cr. Moore

2. The approval dated 4 April 2007 issued under delegated authority be amended by deleting condition 1 requiring:

The balcony on the side elevations shall be screened so as not to have visual permeability into the adjacent properties, to the satisfaction of the Executive Manager Development Services and to be installed concurrently with the construction of the balcony.

And a new condition 1 be inserted as follows:

Suitable screening to be provided so as to prevent visual permeability into the adjoining properties from the eastern and western sides of the balcony, to the satisfaction of the Executive Manager Development Services and to be installed concurrently with the construction of the balcony.

CARRIED BY AN ABSOLUTE MAJORITY VOTE OF COUNCIL (6/0)

Moved: Cr. Eustance

Seconded: Cr. Moore

3. Approval be granted to the privacy screens on Lot 118 (No. 9) Pethybridge Heights, Mosman Park as per the plans dated received 24 January 2008 subject to the same conditions of approval dated 4 April 2007, including the modified condition 1.

CARRIED (6/0)

10.6.5 HOME OCCUPATION - HISTORIAN

LOCATION: LOT 53 (NO. 7) GLENN AVENUE, MOSMAN PARK
APPLICANT: HEARD
FILE REF: 710/IPA83
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 13 MARCH 2008
REPORTING OFFICER: JOHN HUMPHREYS
TITLE: EXECUTIVE MANAGER DEVELOPMENT SERVICES

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Eustance

Seconded: Cr. Martin

1. Approval be granted to a Home Occupation (Historian) at Lot 53 (No. 7) Glen Avenue, Mosman Park as per the application dated received 21 February 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 (6/0)

10.8 REPORTS – OTHER BUSINESS**10.8.1 CLUBTAB FACILITY AT MOSMAN PARK BOWLING CLUB**

LOCATION: LOT 105 (NO. 39) BAY VIEW TERRACE, MOSMAN PARK
APPLICANT: MOSMAN PARK BOWLING CLUB
FILE REF: 72/1CR144
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 10 MARCH 2008
REPORTING OFFICER: JOHN HUMPHREYS
TITLE: EXECUTIVE MANAGER DEVELOPMENT SERVICES

VOTING REQUIREMENTS

Simple Majority

DISCLOSURE OF INTEREST:

Councillor Flack disclosed an impartiality interest in this item.

Nature of Interest: Social member of the Mosman Park Bowling Club.

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**Moved:**

Cr. Eustance **Seconded:** Cr. Martin

The Mosman Park Bowling Club and Racing and Wagering WA be advised that no objections are raised to the installation of a ClubTAB facility within the Bowling Club premises on Lot 105 (No. 39) Bay View Terrace, Mosman Park subject to separate application for consideration being made for signage.

CARRIED (6/0)

10.8.2 ALFRESCO DINING IN PUBLIC THOROUGHFARES POLICY

LOCATION:	N/A
APPLICANT:	N/A
FILE REF:	ADMIN29.2
DISCLOSURE OF INTEREST:	NIL
DATE OF REPORT:	13 MARCH 2008
REPORTING OFFICER:	JOHN HUMPHREYS
TITLE:	EXECUTIVE MANAGER DEVELOPMENT SERVICES

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

1. That Council adopt the Draft Alfresco Dining In Public Thoroughfares Policy for the purposes of advertising.
2. The Draft Alfresco Dining In Public Thoroughfares Policy be advertised for public comment for a period of 30 days.
3. All restaurant and café owners and operators be invited to comment on the Draft Alfresco Dining In Public Thoroughfares Policy.
4. The Draft Policy be considered at a Council meeting following the close of the 30 day advertising period.

Amendment to Officer Recommendation

Reason: The Committee agreed that the Wellington Street residents in the vicinity of the commercial areas should be advised of Council's policy and invited to comment.

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Eustance **Seconded:** Cr. Martin

1. That Council adopt the Draft Alfresco Dining In Public Thoroughfares Policy for the purposes of advertising.
2. The Draft Alfresco Dining In Public Thoroughfares Policy be advertised for public comment for a period of 30 days and the residents adjacent to Wellington Street be advised of the policy and invited to comment.
3. All restaurant and café owners and operators be invited to comment on the Draft Alfresco Dining In Public Thoroughfares Policy.
4. The Draft Policy be considered at a Council meeting following the close of the 30 day advertising period.

CARRIED (6/0)

10.9 BULLETIN**OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION****Moved:** Cr. Eustance**Seconded:** Cr. Martin

The Bulletin be noted.

CARRIED (6/0)

10.10 LATE ITEMS

10.10.1 STRUCTURE PLAN – ONE STEEL SITE, NORTH FREMANTLE

LOCATION:LOT 2 (NO. 140) MCCABE STREET,
NORTH FREMANTLE**APPLICANT:**

N/A

FILE REF:

TP8

DISCLOSURE OF INTEREST:

NIL

DATE OF REPORT:

14 MARCH 2008

REPORTING OFFICER:

JOHN HUMPHREYS

TITLE:EXECUTIVE MANAGER DEVELOPMENT
SERVICES**VOTING REQUIREMENTS**

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**Moved:** Cr. Eustance**Seconded:** Cr. Martin

1. A public meeting be convened for the second week in April 2008 in Alf Adams Pavilion and the developers of the former One Steel site, corner McCabe Street and Stirling Highway, North Fremantle be invited to make a presentation on the proposed future development of the land.
2. A notice to be placed in the local media advising Mosman Park residents of the public meeting.

CARRIED (6/0)

11. REPORTS – AUDIT COMMITTEE MEETING HELD TUESDAY, 18 MARCH 2008**11.4 CONFIRMATION OF MINUTES**

Moved: Cr. Martin **Seconded:** Cr. Flack

The minutes of the Audit Committee meeting held on Tuesday, 17 July 2007 and presented to the Council Meeting held on 24 July 2007, be confirmed.

CARRIED (6/0)

11.5 REPORTS – OTHER BUSINESS**1.5.1 APPOINTMENT OF AUDITOR - ONE YEAR TERM**

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: ADMINISTRATION STAFF
FILE REF: FIN4
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 10 MARCH 2008
REPORTING OFFICER: A GERTENBACH
TITLE: EXECUTIVE MANAGER CORPORATE SERVICES

VOTING REQUIREMENTS

Simple Majority

OFFICER AND COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Flack

Council reappoint Macri Partners as its Auditor for a one year period commencing 1 July 2008 and ending 30 June 2009 for a fee of \$7,200 plus GST.

CARRIED (6/0)

11.5.2 PURCHASING POLICY - AMENDMENT

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: ADMINISTRATION STAFF
FILE REF: ADMIN29.1
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 7 MARCH 2008
REPORTING OFFICER: A GERTENBACH
TITLE: EXECUTIVE MANAGER CORPORATE SERVICES

VOTING REQUIREMENTS

Note: To be considered this item requires the Support of One Third of Council Members.

Moved: Cr. Martin **Seconded:** Cr. Moore

That this item be removed from the report of the Audit Committee.

CARRIED (6/0)

Moved: Cr. Martin **Seconded:** Cr. Moore

1. The amendment of Corporate and Technical Services Policy CS56 -Purchasing be considered.

SUPPORT EXCEEDED ONE THIRD MEMBERS (6/0)

OFFICER RECOMMENDATION

Council adopt the attached amended Purchasing Policy.

Amendment to Officer Recommendation

Reasons: The Members felt the need to change the format of the Purchasing Policy and amended the recommendation accordingly.

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION**Moved:** Cr. Martin**Seconded:** Cr. Moore

Council adopt the following Purchasing Policy as amended by the Audit Committee.

CARRIED BY AN ABSOLUTE MAJORITY VOTE OF COUNCIL (6/0)

TOWN OF MOSMAN PARK PURCHASING POLICY**1.1 OBJECTIVES**

To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).

To deliver a best practice approach and procedures to internal purchasing for the Local Government.

To ensure consistency for all purchasing activities that integrates within all the Town of Mosman Park operational areas.

1.2 ETHICS & INTEGRITY

All officers and employees shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Town of Mosman Park.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Town of Mosman Park policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;

- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Town of Mosman Park by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

1.3 VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Local Government. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

1.4 AUTHORISED PURCHASING OFFICERS

An authorised purchasing officer (APO) is an officer or officer position delegated by the CEO to purchase goods and services by the use of official order forms.

An APO may be authorised generally or have limited authority in accordance with the Instrument of Delegation.

The period of delegation may be indefinite or for a specified period.
The office copies of the official order forms shall be sufficient for the record of use of the power of delegation as required by the Local Government Act.

Those Officers with delegated authority are:-

- Executive Manager Corporate Services
- Executive Manager Technical Services
- Executive Manager Development Services
- Manager Building Services
- Manager Environmental Services
- Co-ordinator Accounting Services
- Personal Assistant to the Chief Executive Officer
- Operations Engineer
- Works Supervisors

1.5 SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

The Town of Mosman Park is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Town of Mosman Park's sustainability objectives.

Practically, sustainable procurement means the Town of Mosman Park shall endeavour at all times to identify and procure products and services that:

Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling.

Demonstrate environmental best practice in water efficiency.

Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;

Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.

For motor vehicles – consider vehicles featuring high fuel efficiencies, based on vehicle type and within the designated price range;

For new buildings and refurbishments – where available use renewable energy and technologies.

1.6 PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Policy
Up to \$1,000	Direct purchase from suppliers
\$1,001 - \$10,000	Obtain at least two verbal quotations where practicable

Amount of Purchase	Policy
\$10,001 - \$20,000	Obtain at least two written quotations where practicable
\$20,001 – \$50,000	Obtain three written quotations
\$50,001 - \$99,999	Obtain three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$100,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$100,000 a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

1.6.1 Up to \$1,000

Where the value of procurement of goods or services does not exceed \$1,000 then direct purchase is permitted. However, it is recommended to use professional discretion and occasionally undertake market testing to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies.

1.6.2 \$1,001 to \$10,000

This category is for the procurement of goods or services where the value of such procurement ranges between \$1,001 and \$10,000.

At least two verbal quotations where practicable are to be sought. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

NOTE: The general principles for obtaining verbal quotations are:

Ensure that the requirement/specification is clearly understood by the Town of Mosman Park employee seeking the verbal quotations.

Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.

Read back the details to the Supplier contact person to confirm their accuracy.

Written notes detailing each verbal quotation must be recorded.

1.6.3 \$10,001 to \$20,000

This category is for the procurement of goods or services where the value of such procurement ranges between \$10,001 and \$20,000.

At least two written quotations are required where practicable. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

NOTE: The general principles relating to written quotations are;

An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.

The request for written quotation should include as a minimum:

- Written Specification
- Selection Criteria to be applied
- Price Schedule
- Conditions of responding
- Validity period of offer

Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.

Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.

Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.

Respondents should be advised in writing as soon as possible after the final determination is made and approved.

Record keeping requirements must be maintained in accordance with record keeping policies.

1.6.4 \$20,001 to \$50,000

For the procurement of goods or services where the value is between \$20,001 and \$50,000 it is required to obtain three written quotes.

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

NOTES: The general principles relating to written quotations are;

An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.

The request for written quotation should include as a minimum:

- Written Specification
- Selection Criteria to be applied
- Price Schedule
- Conditions of responding
- Validity period of offer

Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.

Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.

Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.

Respondents should be advised in writing as soon as possible after the final determination is made and approved.

1.6.5 \$50,001 to \$99,999

For the procurement of goods or services where the value is between \$50,000 and \$99,999 it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

1.7 REGULATORY COMPLIANCE

1.7.1 TENDER EXEMPTION

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

1.7.2 SOLE SOURCE OF SUPPLY (MONOPOLY SUPPLIERS)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

1.7.3 ANTI-AVOIDANCE

The Town of Mosman Park shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$100,000, thereby avoiding the need to publicly tender.

1.7.4 TENDER CRITERIA

The Town of Mosman Park shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

An evaluation panel consisting of at least two members shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

1.7.5 ADVERTISING TENDERS

Tenders are to be advertised in a state wide publication newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 **full** days are provided as a minimum.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;
- detailed information shall include;
 - such information as the Town of Mosman Park decides should be disclosed to those interested in submitting a tender;
 - detailed specifications of the goods or services required;
 - the criteria for deciding which tender should be accepted;
 - whether or not the Town of Mosman Park has decided to submit a tender; and
 - whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

1.7.6 ISSUING TENDER DOCUMENTATION

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Town of Mosman Park not to compromise its Duty to be Fair.

1.7.7 TENDER DEADLINE

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

1.7.8 OPENING OF TENDERS

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as *commercial-in-confidence* to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Town of Mosman Park Officers present at the opening of tenders.

1.7.9 NO TENDERS RECEIVED

Where the Town of Mosman Park has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$50,000 & \$99,999 (listed above);
- the specification for goods and/or services remains unchanged;

- purchasing is arranged within 6 months of the closing date of the lapsed tender.

1.7.10 TENDER EVALUATION

Tenders that have not been rejected shall be assessed by the Town of Mosman Park by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

1.7.11 ADDENDUM TO TENDER

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Town of Mosman Park may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

1.7.12 MINOR VARIATION

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Town of Mosman Park and tenderer have entered into a Contract, a minor variation may be made.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

1.7.13 NOTIFICATION OF OUTCOME

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer
- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

1.7.14 RECORDS MANAGEMENT

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Town of Mosman Park's internal records management policy.

11.5.3 CHANGES TO FUEL CARD SYSTEM

LOCATION:	TOWN OF MOSMAN PARK
APPLICANT:	N/A
FILE REF:	PLANT2
DISCLOSURE OF INTEREST:	NIL
DATE OF REPORT:	11 MARCH 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

Moved: Cr. Martin **Seconded:** Cr. Flack

A fuel card system be implemented for Council's fleet of vehicles.

CARRIED (6/0)

11.6 LATE ITEMS:

11.6.1 PROCESS AUDITS - MACRI PARTNERS

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: CR FLACK
FILE REF: ADMIN4E
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 18 MARCH 2008

COMMITTEE AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Flack

That Macri Partners be advised that Council requires the report on Process Audits as a matter of urgency.

CARRIED (6/0)

11.6.2 NOTICE OF MEETING - AUDIT COMMITTEE

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: CR FLACK
FILE REF: ADMIN4E
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 18 MARCH 2008

COMMITTEE AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Flack

That members of the Audit committee be given at least one months notice of when the next Audit Committee meeting is proposed to be held.

CARRIED (6/0)

11.6.3 STATUS REPORT – AUDIT COMMITTEE

LOCATION: TOWN OF MOSMAN PARK
APPLICANT: CR MARTIN
FILE REF: ADMIN4E
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 18 MARCH 2008

COMMITTEE AND COUNCIL RESOLUTION

Moved: Cr. Martin **Seconded:** Cr. Flack

That a status report be prepared for any issues raised at the Audit Committee and presented to the next Audit Committee meeting.

CARRIED (6/0)

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

Nil

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

- (1) The Chief Executive Officer advised that he wished to correct an answer he had given in response to a question asked by a member of the public gallery, Mr Ken Ashford, at the Council's February meeting.

He advised that the disclosure statement he had advised would be submitted by the Council to the DEP in respect to Tom Perrott Reserve would in fact not actually be a disclosure statement from the Council but an application to the DEP to ensure that correct ownership and responsibility for the site was taken by the owners of the site the State Government, and not by the Council.

- (2) Councillor Flack advised that he wished to draw residents' attention to the Strategic Plan Review Workshop to be held at the Alf Adams Pavilion on Wednesday, 26 March commencing at 7.30 p.m. which would be conducted by a consultant.

14. MATTERS BEHIND CLOSED DOORS

Nil.

15. CLOSURE

The meeting was declared closed at 8.30 p.m.

I hereby certify that the minutes of the Ordinary Meeting of Council held on March 25, 2008, were confirmed on April 22, 2008.

Signed: Mayor

UNCONFIRMED