



**MINUTES OF THE ORDINARY MEETING OF THE  
MOSMAN PARK TOWN COUNCIL HELD IN THE  
ADMINISTRATION CENTRE, BAY VIEW TERRACE,  
MOSMAN PARK ON TUESDAY, 26 FEBRUARY,  
2008, COMMENCING AT 7.30 P.M.**

**TOWN OF MOSMAN PARK**

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**MINUTES OF THE ORDINARY MEETING OF THE MOSMAN PARK TOWN COUNCIL HELD IN THE ADMINISTRATION CENTRE, BAY VIEW TERRACE, MOSMAN PARK ON TUESDAY, 26 FEBRUARY, 2008, COMMENCING AT 7.30 P.M.**

**PRESENT:**

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

**IN ATTENDANCE:**

Mr P. G. Anderson - Chief Executive Officer,  
Mr A. Gertenbach - Executive Manager Corporate Services,  
Mr P. Pikor - Executive Manager Technical Services,  
Mr J. G. Humphreys - Executive Manager Development Services,  
Mr B. G. Burnett - Manager Environmental Services,  
Mr B. J. Pike - Manager Building Services,  
Miss Valerie Booker - Personal Assistant to the Chief Executive Officer.

**1.0 OFFICIAL OPENING:**

The Mayor declared the meeting open at 7.30 p.m.

**2.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:**

Nil.

### **3.0 PUBLIC QUESTION TIME:**

#### **QUESTIONS:**

##### **Question No.1:**

Mr K. Ashford – 5 Minim Close

- (a) Tom Perrott Reserve and Reserve 31156 have now been classified by the Department for Environmental Protection as being possibly contaminated. Would the Council please confirm if the Preliminary Site Investigation it has instructed for Reserve 31156 will also include Tom Perrott Reserve ?
- (b) Can the Council also confirm if it will submit a disclosure statement to the DEP potentially seeking exemption, bearing in mind that the State might be the official owner of Tom Perrott Reserve under the Act, also bearing in mind that Tom Perrott Reserve could be cross contaminating Reserve 31156.

##### **Response by the Mayor:**

Answering your second question first, I advise that Tom Perrott Reserve is the responsibility of the State Government. The Council is aware that this site contains Iron Pyrites, but the Council does not know what else is there.

##### **Response by the Chief Executive Officer:**

The Council has declared Tom Perrott Reserve under the Act, to be a possible contaminated site as it is the occupier of that site.

To answer your first question, I advise that Tom Perrott Reserve has not been included in the Preliminary Site Investigation. The reason for that is that the Council will be submitting a disclosure statement to the DEP seeking exemption, which provides the answer to your second question.

**Question No.2:**

Mr J. Macfarlane – 11 Fairbairn Street

- (a) The Mayor and the Council have been on record stating that the proposed ideal for the use of Minim Cove Park and Fairbairn Street Park is for public recreation. I am asking you now, on the appointment of a contamination consultant, to review what might be potential problems which we have to face, and whether that has been stated, as part of the message to the contamination consultant, as to what the preferred use of those sites would be ?

**Response by the Mayor:**

- (a) At the moment the Council is only undertaking a Desktop Review and this is going to happen in a two stage approach.

The Desktop Review is a superficial historical analysis of what is there, what could be there and how the site could be defined. I expect that once the Council receives the preliminary results of that Desktop Review, it can then decide how it wishes to proceed in more broader terms.

It would be premature to rule out, or in, anything, until we know just what is actually within the site.

- (b) Will the Council include in the Desktop Review, a risk assessment, i.e. an assessment of any harm that could occur to human movement around the site, and within that risk assessment, will the Council declare what the future use of the site should be, and reinforce to the contamination consultant that the preferred use should be Public Recreation ?

**Response by the Mayor:**

Your request is premature. At the present time the Council does not have enough information to form a view as to what the preferred use of the site should be, and when it is in possession of enough information, it will then proceed to public consultation.

The use of the site will depend on the nature and magnitude of what it contains and what this Council needs to do to remedy the site, if indeed, it is responsible for undertaking that work.

**Response by the Chief Executive Officer:**

While the Council would not want to prejudice the consultant in any way, the final decision on what the land will be used for will be predominantly based upon the findings of the Preliminary Site Investigation.

When it is established as to what is actually there, then the Council can make a decision.

Unfortunately at this point in time, as stated by the Mayor, it is too early to give a clear indication to anybody, and for the Council to express its preferred option for the site as the matter is mainly out of the Council's hands.

**Question No.3:**

Ms. J. Ledgerwood – 4 Chipperfield Court

I have spent some time in the last couple of months walking between Mosman Waters and North Fremantle. In doing so I have noticed that there is an enormous amount of money being spent and wasted by Landcorp and after speaking with the Council's Executive Manager Technical Services, Mr Peter Pikor, he referred me to Landcorp with whom I have spoken at length on two occasions.

I have spoken to other residents about this matter with a view to forming an Action Group to address the issues involved.

Why are the residents of Mosman Park having to take Landcorp to task over this matter and advise them that it is proposed to form an action group in this respect, when this location is deteriorating. Obviously millions of dollars have been spent on it with the intent to beautify the area.

No-one is in charge of supervision of the contract which was let for the maintenance of this location and I understand that the landscape architect concerned has now been asked to produce a new landscape plan.

Will the Council change its previous position of not getting involved in the maintenance of this location by Landcorp, with a view to improving the current situation of poor or minimal maintenance, dead plantings and a rapidly deteriorating amenity for the residents of that area ?

**Response by the Mayor:**

The reason you have been referred to Landcorp is because the property under discussion is Landcorp's responsibility and not this Council's who have no legal right to undertake any work at the site.

The Council is waiting for Landcorp to bring the landscaping of the area back to a satisfactory condition before it would even remotely contemplate assuming this responsibility.

**Response by the Chief Executive Officer:**

In discussions with Landcorp, I was advised that they are presenting a new landscape plan which utilises more waterwise plantings to address the water shortage problem they have in this location.

The Council has been encouraging Landcorp to use waterwise plants as a large amount of the landscaping originally planted did not take into consideration the lack of water available at the site and the State Government's water restrictions, with resultant problems being experienced to maintain their condition.

It is important to note that when the site is re-landscaped it will not be restored to its former glory, but by utilising waterwise plantings, it will become environmentally sustainable.

Landcorp are also reviewing all their reticulation systems which are currently sub-standard, and the Council has been in dialogue with them for a number of months in an effort to ensure that they achieve an acceptable and environmentally sustainable level of landscaping before the Council will assume responsibility for the maintenance of this location.

The Council are aware of your concerns in this respect. The difficulties being experienced by Landcorp include limited water supplies which they are attempting to address with provision of a new bore although that may be some months away at this point, and the long hot summer we have experienced.

**Response by the Mayor:**

You have brought this matter to the attention of the Council and the best way to now deal with it is for you to bring a deputation to the March meeting of the Council's Corporate and Technical Services Committee, should you wish to do so.

This action will allow sufficient time for the Council to obtain further information from Landcorp prior to receiving your deputation.

**Question No.4:**

Mr M. Hobbs – 10 Thelma Street

Why are buildings with parapet walls allowed to be constructed on property fenceline boundaries, in particular relating to the residence at No.7 Cain Mews which is next to mine ?

**Response by Executive Manager Development Services:**

In principle, if parapet walls comply with the Residential Design Codes architectural design standards they are entitled to be constructed as of right, and there is nothing the Council can do to prevent that. They can't be constructed over the boundary and usually they stop a few millimetres short of the boundary fenceline which belongs to both parties.

**Question No.5:**

Mr M. Pettitt – 18 Solomon Street

What does the Council intend to do to restore access to my property and what action will it take to warn road users of the obstruction they placed by the narrowing of my driveway ?

**Response by Chief Executive Officer:**

The Council is arranging for the surveying of all properties that abutt Witt Lane to ensure that they are actually built on private property and are not encroaching onto Witt Lane.

When that work is completed the Council will determine what action it can take to address the issue of your property access difficulties from Witt Lane.

**4.0 APOLOGIES AND LEAVE OF ABSENCE:**

Nil.

## **5.0 PETITIONS/DEPUTATIONS:**

Nil.

## **6.0 CONFIRMATION OF MINUTES:**

- (a) Ordinary Meeting of Council, 18 December, 2007

Council considered the minutes of the Ordinary Meeting of Council held on 18 December, 2007.

It was moved Councillor Martin, seconded Councillor Eustance that the minutes of the Ordinary Meeting of Council held on 18 December, 2007 be confirmed.

CARRIED

## **7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION:**

- (a) Meeting at Minim Cove Park

The Mayor advised that he had attended a meeting on February 15 at Minim Cove Park in company with members of the proposed action group "Friends of Minim Cove Park".

He then advised that the meeting had been a successful one and that a detailed examination of the site had been carried out.

The Mayor then made the point that whilst "friends of parks" were welcome to participate in the maintenance of the park, it was a community resource, and that at all times it would be maintained and developed in accordance with the Council's plans.

He then said that the meeting had been a positive one, and was useful and worthwhile.



(b) Library Project - Forum

The Mayor advised that a Forum had been held at the Council's Administration Centre on February 13 to update the participant Councils and others involved on the current stage reached with the project.

(c) Presentation to Mr Julien Blunsdon

The Mayor advised that Works Depot staff member Mr Julien Blunsdon had now completed his horticultural apprenticeship and extended the congratulations of the Council to him, and then presented him with his trade certificate and a copy of the Council's district history book in commemoration of the occasion.

**8.0 REPORTS OF COMMITTEES:**

(a) Corporate and Technical Services Committee Meeting, 19 February, 2008

Council considered the report of the meeting of the Corporate and Technical Services Committee held on 19 February, 2008.

INTEREST:

7.55 p.m. Councillors. Melville-Lévy and Moore disclosed an interest in item 3.5 – Application from Rotary Club of Mosman Park for Funding for Conduct of ANZAC Day Gunfire Breakfast, and left the Chamber.

Nature of Interest: Members of Rotary Club of Mosman Park

It was moved Councillor Martin, seconded Councillor Eustance, that item 3.5 be removed from the Corporate and Technical Services Committee report.

CARRIED

**3.5 Application From Rotary Club of Mosman Park for Funding for Conduct of ANZAC Day Gunfire Breakfast**

It was moved Councillor Martin, seconded Councillor Flack;

- 3.5.1 The application dated 12 February, 2008 submitted by the Rotary Club of Mosman Park for funding for the conduct of a Gunfire Breakfast at the Alf Adams Pavilion on ANZAC Day, Friday 25<sup>th</sup> April, 2008, be approved to a maximum cost of \$2,000, with any unexpended funds being returned to the Council after the event.

CARRIED

- 7.57 p.m. Councillor Melville Lèvay and Councillor Moore returned to the Chamber and resumed their seats.

To facilitate discussion of item 3.6 – Telstra Lease – Depot, it was moved Councillor Martin, seconded Councillor Eustance that item 3.6 be removed from the Corporate and Technical Services Committee report.

CARRIED

Councillor Martin drew attention to a report relating to this item dated 21 February, 2008 which had been prepared by the Executive Manager Corporate Services.

### **3.6 Telstra Lease – Depot**

It was moved Councillor Martin, seconded Councillor Melville-Lèvay;

- 3.6.1 Council delegate authority to the Chief Executive Officer to negotiate with United Group Services, a fair rental value to the maximum amount possible within the justifying evidence supplied by AVP Valuers, for the rental of the land and part of the building to Telstra Corporation Limited for the purposes of the Telecommunications tower and equipment shed, as covered by the License issued in 1994.
- 3.6.2 Council advise United Group Services that when the renewal document for the lease is drawn up Council will be seeking to have an annual licence fee increase of 7.5% or CPI whichever is the greater and a change to clause 5.6, which will require any arbitration of the annual rental fee to be referred to the Australian Property Institute (Western Australian branch).

CARRIED

INTEREST:

7.58 p.m. Councillors Melville-Lèvey and Moore disclosed an interest in item 3.7 – Rotary Club of Mosman Park – Request for Donation of Copies of Town History Book "Between River and Sea", and left the Chamber.

Nature of Interest: Members of Rotary Club of Mosman Park

It was moved Councillor Martin, seconded Councillor Eustance that item 3.7 be removed from the Corporate and Technical Services Committee report.

CARRIED

**3.7 Rotary Club of Mosman Park – Request for Donation of Copies of Town History Book "Between River and Sea"**

It was moved Councillor Martin, seconded Councillor Eustance;

- 3.7.1 That sufficient copies as are needed of the Council's Mosman Park history book "Between River and Sea", be donated to the Rotary Club of Mosman Park to be used in accordance with their e-mail request dated 14<sup>th</sup> February, 2008, and that the number of donated books not exceed 75 copies.

CARRIED

7.59 p.m. Councillor Melville Lèvey and Councillor Moore returned to the Chamber and resumed their seats.

The Mayor advised that an absolute majority vote of Council was needed for item 5.1 – Review of Policies, and it was moved Councillor Martin, seconded Councillor Melville-Lèvey that item 5.1 be removed from the Corporate and Technical Services Committee report.

CARRIED

## **5.1 Review of Policies**

It was moved Councillor Martin, seconded Melville-Lèvy;

- 5.1.1 The review of the policies made by the Council under Division 4 of Part 5 of the Local Government Act, in accordance with section 5.46(2) be noted and the following amended policies be adopted:

### **CS14 Bank Authorities**

*“The payment of Creditors who have supplied the relevant banking information”*

*“or Co-ordinator Accounting Services”* and now reads:

*“(c) All transactions for Electronic Funds Transfers and direct debits for the purposes mentioned above, shall be signed by the Chief Executive Officer or officer delegated by the Chief Executive Officer and countersigned by the Executive Manager Corporate Services or Co-ordinator Accounting Services.”*

### **CS19 Members – Declaration of Office**

*“Immediately prior to the meeting a qualified person may be invited to attend for the purpose of administering the Declaration as required by the Local Government Act.”*

### **CS34 Australia Day Awards**

*“A citizenship committee shall comprise of His Worship the Mayor, Chief Executive Officer or their representative, a representative from the Rotary Club of Mosman Park and a representative from the Mosman Park Ratepayers Association.”*

### **TS1 Motor Vehicles and Plant**

***(g) Operations Engineer, Community Development Officer, Coordinator Accounting Services and the Senior Ranger.***

“Suitable motor vehicles are to be provided for official use by the Operations Engineer, the Community Development Officer, the Administration Centre Staff and the Senior Ranger.

*The Operations Engineer, Community Development Officer, Coordinator Accounting Services (Administration Centre Vehicle) and the Senior Ranger are permitted to use the vehicles for limited private use within the State. Use outside the Metropolitan area is permitted only with approval from the Chief Executive Officer.”*

**(h) Senior Works Supervisor, Senior Leading Hands and Reticulation Fitter.**

*The Senior Works Supervisor, Senior Leading Hands and Reticulation Fitter or their relief replacement are granted permission to use the Council's allocated vehicle for commuting between his/her place of work and his/her place of residence.*

**CARRIED BY AN ABSOLUTE  
MAJORITY VOTE OF COUNCIL**

Councillor Martin advised that an absolute majority vote of Council was required for item 6.1 – Members Allowance, and it was moved Councillor Martin, seconded Councillor Eustance, that item 6.1 be removed from the Corporate and Technical Services Committee report.

**CARRIED**

**6.1 Members Allowance**

It was moved Councillor Martin, seconded Councillor Melville-Lèway;

**6.1.1 The Policy number CS 37 be amended**

**POLICY NO. CS 37**

**REIMBURSEMENT OF EXPENSES**

**Objective:**

To identify the type and authorise the reimbursement of expenses to Members not specified in the Act

**Statutory Provisions:**

Local Government (rules of conduct) regulations 2007

Local Government Act s.5.98(2)(b)

Local Government (Administration) Regulations r.32

Readers should also be aware of the implications of The Criminal Code.

**Responsible Officer:**

Chief Executive Officer.

**Policy:**

▪ Members Expenses:

Expenses incurred by a Member performing a function by express authority of the Council and the expenses incurred by one person accompanying a Member performing that function shall be reimbursed by the Council in accordance with Regulation 32(2) of the Local Government (Administration) Regulations 1996.

Expenses incurred by a Member in performing a function in the capacity, as a Council Member shall be reimbursed by the Council in accordance with Regulation 32(2), of the Local Government (Administration) Regulations 1996.

▪ Meal Expenses:

The Council will meet the cost of meals of Councillors (and staff where appropriate) following or during attendance at Council meetings, committee meetings, conferences, seminars, attendance at deputations or attendance at other functions on Council business authorised by the Council or by the Chief Executive Officer.

▪ Information Technology Expenses

The Council will reimburse the costs of a Councillor leasing/purchasing a laptop computer that is suitable (in the opinion of the CEO) for the Councillor to carry out their duties subject to the presentation of documentation verifying that actual amounts claimed and subject to the following conditions.

The annual maximum reimbursement of leasing costs does not exceed the annual equivalent amount the Council would pay to lease a computer, suitable for Council purposes (in the opinion of the CEO).

The Council will only reimburse the outright purchase cost of a computer to the extent of the maximum annual leasing cost pro rata to Council and this amount will be reimbursed over a three year period.

CARRIED BY AN ABSOLUTE  
MAJORITY VOTE OF COUNCIL

In respect to item 8.3 – Management Proposal for Australian Ravens, Councillor Martin indicated that Councillor Eustance would like to amend the recommendation contained in this item.

It was moved Councillor Martin, seconded Councillor Moore that item 8.3 be removed from the Corporate and Technical Services Committee report.

CARRIED

Councillor Eustance advised that she wished to amend the wording contained in clause 8.3.3 of the recommendation to remove the reference to “eradication plan” and replace it with wording which better reflected the action to be taken.

**8.3 Management Proposal for Australian Ravens**

It was moved Councillor Martin, seconded Councillor Melville Lèvy;

- 8.3.1 The Administration be authorised to take out a Department of Environment and Conservation Control Permit to manage the Australian Ravens nuisance in the Town.
- 8.3.2 The Manager Environmental Services be authorised to engage suitable qualified persons to undertake the cull of Australian Ravens.
- 8.3.3 Residents be advised of the cull and a vigorous education plan be carried out by the Administration to ensure the public is aware of the issues so that the Raven population does not reach the same levels in the future.

CARRIED

Councillor Moore requested that her vote against the motion be recorded in the minutes of the meeting.

Councillor Martin advised that an absolute majority vote of Council was required for item 10.2 – Potential Sharing of Resources at the McCabe Street Depot with the Shire of Peppermint Grove/Town of Cottesloe, and it was moved Councillor Martin, seconded Councillor Eustance that item 10.2 be removed from the Corporate and Technical Services Committee report.

CARRIED

**10.2 Potential Sharing of Resources at the McCabe Street Depot With the Shire of Peppermint Grove / Town of Cottesloe**

It was moved Councillor Martin, seconded Councillor Moore;

10.2.1 The preparation of a draft Master Plan for the Town of Mosman Park Works Depot be endorsed.

10.2.2 The unbudgeted expenditure for fees associated with preparing a draft Master Plan for the Depot be drawn from the Infrastructure Reserve.

10.2.3 Consultants James Christou and Partners Architects be commissioned to prepare the draft Master Plan for the Town of Mosman Park Works Depot up to \$30,000.

10.2.4 The Shire of Peppermint Grove and Town of Cottesloe be advised that no further action will be taken in regards to sharing of facilities at this time.

CARRIED BY AN ABSOLUTE  
MAJORITY VOTE OF COUNCIL

Councillor Martin advised that he wished to discuss item 17.5 – Report on Memorial Hall Banners Across Street, and it was moved Councillor Martin, seconded Councillor Eustance that item 17.5 be removed from the Corporate and Technical Services Committee report.

CARRIED



Councillor Martin advised that he wished to amend the wording of the recommendation contained in this item to place a time limit on the production of the report to be provided by the Administration.

**17.5 Report on Memorial Hall Banners Across Street**

It was moved Councillor Martin, seconded Councillor Melville-Lèvy;

- 17.5.1 Administration prepare a report on the feasibility of erecting banners across the roadway at Memorial Hall, and that the report be presented to the March meeting of the Corporate and Technical Services Committee.

CARRIED

Councillor Flack advised that he wished to discuss item 17.6 – David Jones Management Committee, and it was moved Councillor Martin, seconded Councillor Flack that item 17.6 be removed from the Corporate and Technical Services Committee report.

CARRIED

Councillor Flack advised that he wished to amend the wording of the recommendation contained in this item by including the nature of the concerns he had with the David Jones Management Committee.

**17.6 David Jones Management Committee**

It was moved Councillor Martin, seconded Councillor Flack;

- 17.6.1 The verbal report by Cr Flack on the operations of the Management Committee, his concerns about the structure of the Committee contained within the Lease, and his concerns with the process of communication with the Council and its officers with the David Jones Management Committee, be noted.

CARRIED

It was moved Councillor Martin, seconded Councillor Moore that the recommendations of the Corporate and Technical Services Committee meeting held on 19 February, 2008, as amended, be adopted as resolutions of the Council.

CARRIED

RESOLUTIONS ADOPTED

**3.1 Financial Statements for the Period Ended 31 December 2007 and 31 January 2008**

3.1.1 The Financial Statements for the period ended 31 December 2007 and 31 January 2008 be noted.

**3.2 Investment Register for the Period Ended 31 December 2007 and 31 January 2008**

3.2.1 The Investment Register for the period ended 31 December 2007 and 31 January 2008 be noted.

**3.3 Schedule of Accounts for Payment**

3.3.1 The payment of Municipal Fund Cheque Vouchers Numbered 26183 to 26266 inclusive totalling \$150,208.02 be endorsed.

3.3.2 The payment of Municipal Fund Electronic Funds Transfer Vouchers numbered 131207.1 to 131207.16, 181207.1 to 181207.17, 181207A.1 to 181207A.4, 181207AA.1 to 181207AA.25, 181207AAA.1 to 181207AAA.2, 211207.1 to 211207.9, 130108.1 to 130108.46, 170108.1 to 170108.26, 070208.1 to 170208.51 and 120208.1 to 120208.28 inclusive totalling \$1,009,219.69 be endorsed.

3.3.3 The Municipal Fund Electronic Funds Transfer Vouchers numbered 130208.1 to 130208.24 inclusive totalling \$19,090.65 be approved for payment.

3.3.4 The Schedule of Accounts paid by Direct Debit totalling \$293,855.05 be endorsed.

**3.4 Buckland Hill Tennis Courts**

3.4.1 Council pay for the cost of research into the license for the Buckland Hill Tennis courts of \$1,588.91 and invoices the Buckland Hill Estate Residents Association Inc for the \$357.50 which is for the review of the licence fee.

**3.5 APPLICATION FROM ROTARY CLUB OF MOSMAN PARK FOR FUNDING FOR CONDUCT OF ANZAC DAY GUNFIRE BREAKFAST**

**INTEREST:** COUNCILLOR MELVILLE-LÉVAY AND COUNCILLOR MOORE

**NATURE OF INTEREST:** MEMBERS OF ROTARY CLUB OF MOSMAN PARK

ITEM 3.5 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT

**3.6 Telstra Lease – Depot**

ITEM 3.6 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT

**3.7 Rotary Club of Mosman Park – Request for Donation of Copies of Town History Book “Between River and Sea”**

**INTEREST:** COUNCILLOR MELVILLE-LÉVAY AND COUNCILLOR MOORE

**NATURE OF INTEREST:** MEMBERS OF ROTARY CLUB OF MOSMAN PARK

ITEM 3.7 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT

**5.1 Review of Policies**

ITEM 5.1 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT

**5.2 ICLEI Water Campaign – Milestone 2 and 3**

5.2.1 The following water consumption goals for the Town of Mosman Park are endorsed:

- (a) To reduce Corporate scheme water consumption by 30% on 2003/2004 levels by 2012/2013.

- (b) To reduce Community scheme water consumption by 15% on 2005/2006 levels by 2012/2013.
- 5.2.2 The following water quality improvement goals for the Town of Mosman Park are endorsed:
- (a) To implement 60 points worth of Corporate actions from the Water Campaign™ action cards by 2012/2013.
- (b) To implement 60 points worth of Community actions from the Water Campaign™ action cards by 2012/2013.
- 5.2.3 The Town of Mosman Park's ICLEI Water Campaign Local Action Plan as shown on attachment 1 be adopted.
- 5.2.4 Notes that Council's endorsement fulfils the requirement of Milestone 2 and 3 of the Water Campaign™ program.
- 5.2.5 The progress of the Water Campaign™ be reported on a regular basis.
- 5.3 Local Government Statutory Compliance Return**
- 5.3.1 Council notes the presentation of the Statutory Compliance Return for the period 1 January 2007 to 31 December 2007 contained within the report submitted by the Executive Manager corporate Services dated 24 January 2008.
- 5.3.2 Council adopts the Statutory Compliance Return as the official return of Council for the period 1 January 2007 to 31 December 2007.
- 5.4 Advisory Committee Membership**
- 5.4.1 The report submitted by the Chief Executive Officer relating to nominations received for membership of Council Advisory Committees dated 12 February 2008, be noted.
- 5.4.2 Notes that the Council advisory committee structure is being reviewed at a future date to be confirmed and the community representatives who nominated to serve on the advisory committees be thanked for their interest and will be advised of the Council's decision at the earliest opportunity.

**5.5 Rates Collection**

- 5.5.1 The Executive Manager Corporate Services' report on the collection of Rates dated 12 February 2008 be noted.

**5.6 Review of Efficient and Effective Delivery of Service for the Depot**

- 5.6.1 In relation to the review on the Depot carried out in line with the Council's strategic direction to maintain, train and retain skilled human resources to ensure the effective and efficient delivery of services to the community and the recommendations contained therein concerns are expressed at the conclusions contained in the review report.

- 5.6.2 The Administration to prepare an implementation report and progress of actions undertaken including budgetary implications to carry out the recommendations of the review for efficient delivery of the Depot Services with this report to be presented to the next meeting of Council in March 2008.

- 5.6.3 The existing organisational structure at the depot be reviewed.

**5.7 Environmental Sustainability Within Public Open Space**

- 5.7.1 Dr David Deeley be appointed to carry out an environmental sustainability audit within public open space based upon the scope of works contained within the report submitted by the Chief Executive Officer in his report dated 12 February 2008.

- 5.7.2 Funding for development of a comprehensive sustainability programme and the employment of a sustainability/grants officer be included in the 2008/2009 draft budget deliberations.

**6.1 Members Allowance**

ITEM 6.1 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT.

**7.1 Community Development Fund – Grant Acquittal – Carols by Candlelight**

- 7.1.1 The Community Development Officer's report dated 12 February 2008, regarding the Carols by Candlelight Community Development Fund grant acquittal, be noted.

**8.1 Request For Permission to Place a Clothing Recycling Container in Willis Street, Mosman Park.**

8.1.1 Paraquad Industries be advised that the Council considers that the Town is well served with drop off facilities for second hand clothing and accordingly does not support the location of additional facilities on Council property.

**8.2 Alleged Dust Nuisance**

8.2.1 The Manager Environmental Services investigate any further occurrence of the dust nuisance and report any determination back to Council.

**8.3 Management Proposal for Australian Ravens**

ITEM 8.3 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT

**10.1 Paragliding Operations – Mosman Park**

10.1.1 The Cloudbase Paragliding Club Inc be advised that the draft Site Management Plan is endorsed subject to:

- i plaques not being installed on the existing lookout wall on Bay View Park.
- ii the Swan River Trust's approval of the application.

**10.2 Potential Sharing of Resources at the McCabe Street Depot With the Shire of Peppermint Grove / Town of Cottesloe**

ITEM 10.2 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT

**12.1 Abandoned Vehicles**

12.1.1 The following vehicles be disposed of to the tenderer listed at the tender price below:

1.	Mazda 626	Simsmetal	\$150.00
2.	Mazda 626	Simsmetal	\$150.00
3.	Daewoo Espero	Nathan Koffel	\$160.00
4.	Mitsubishi Magna	Simsmetal	\$150.00
5.	Ford Laser	Simsmetal	\$150.00
6.	Nissan	Simsmetal	\$150.00
7.	Mitsubishi Magna	Simsmetal	\$150.00
8.	Toyota Corolla	Simsmetal	\$150.00
9.	Mitsubishi Magna	Simsmetal	\$150.00
10.	Mazda 121	A F Stanley	\$560.00

**13.1 Glyde Street – Proposed Parking Restrictions – Mosman Video / Lounge Lizard Clothing Co**

- 13.1.1 The installation of 30 minute time parking restriction on the carriageway 8.30am – 9.00pm Monday to Saturday in Glyde Street adjacent to 13 and 15 Glyde Street as shown on attachment 1 be approved.

**15.1 Request from City of Subiaco**

- 15.1.1 The City of Subiaco be advised that in the opinion of the Town of Mosman Park there is adequate provision of recreation facilities in the Western Suburbs.
- 15.1.2 The Council advise that it is unwilling to financially contribute towards the construction and/or operation of a recreational facility as a regional initiative without adequate research being undertaken or the provision of a detailed business plan.

**16.1 Monthly Bulletin for February 2008**

- 16.1.1 The Corporate and Technical Services Bulletin for February 2008 be noted.

**17.1 Lochee Street – Request for Parking Restriction Opposite Memorial Hall**

- 17.1.1 The Administration prepare options for parking restrictions on the northern carriageway of Lochee Street between Harvey Street and Solomon Street and undertake consultation with the adjacent residents.

**17.2 Friends of Minim Cove Park Proposal**

- 17.2.1 The Administration provides support and assistance to the members of the community in their endeavours to establish a properly constituted Friends of Minim Park group.
- 17.2.2 Persons interested in forming the Friends of Minim Cove Park to be invited to a Council forum to discuss the Terms of Reference and Scope of Activities.
- 17.2.3 That a quotation be sought to prepare a management and rehabilitation plan for the area of remnant bushland in Minim Cove Park recently affected by fire and contained within reserve 31157 and extending into reserve 31156.
- 17.2.4 That two skip bins of adequate size, in the opinion of the Executive Manager Technical Services, be provided by the Council and placed in areas adjacent to reserve 31157 to assist the clean up of the reserve on Clean Up Australia Day 2008.

**17.3 Alfresco Dining on Wellington Street**

- 17.3.1 The owners of the Restaurants currently conducting alfresco dining without Council approval be instructed to cease this activity.
- 17.3.2 The Chief Executive Officer examine the manner in which licences are issued in other Councils for Alfresco Dining.
- 17.3.3 The Memo from the Manager Environmental Services regarding the issues raised by residents in relation to alfresco dining in Wellington Street be noted.

**17.4 Administration Report for Councillors**

- 17.4.1 The Mayor requested that the implementation plan drafted in relation to the report presented by the Chief Executive Officer on the administration report be distributed to Councillors for information.

**17.5 Report on Memorial Hall Banners Across Street**

ITEM 17.5 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT



**17.6 David Jones Management Committee**

ITEM 17.6 WAS REMOVED FROM THE REPORT AND DEALT WITH PRIOR TO ADOPTION OF THE REPORT EN BLOC, DECISION RECORDED IN MINUTES AT COMMENCEMENT OF THE CORPORATE AND TECHNICAL SERVICES COMMITTEE REPORT

**17.7 Request for funding from Total Theatre**

17.7.1 Administration upon receipt of a request from Total Theatre, investigate the application to provide urgent financial assistance and report to Council at the earliest opportunity.

17.7.2 Consideration of ongoing financial assistance be listed for consideration in the draft 2008/2009 budget.

**(b) Development Services Committee Meeting, 20 February, 2008**

Council considered the report of the meeting of the Development Services Committee held on 20 February, 2008.

It was moved Councillor Melville-Lèvy, seconded Councillor Moore, that the recommendations of the Development Services Committee meeting held on 20 February, 2008, be adopted as resolutions of the Council.

CARRIED

**RESOLUTIONS ADOPTED**

**3.1 Building Permits Issued December 2007 and January 2008**

3.1.1 Information be received.

**3.2 Application For Strata Title Certificate  
Lot 9 (16/11) Boundary Road, Mosman Park  
(Hutchings)**

3.2.1 Approval be granted to the proposed application for strata title certificate for the built residential lot development comprising an additional two storey residence on Lot 9 (No.16/11) Boundary Road, Mosman Park as per the strata plan 46289 by Cottage Engineering Surveys, Licenced Land Surveyors.

**3.3 Building Amendment Regulations 2007 And Local Government (Building Surveyors) Regulations 2008**

3.3.1 That the draft Building Amendment Regulations (No. 5) 2007 and Local Government (Building Surveyors) Regulations 2008 be noted.

**4.1 Two-Storey Residence  
Lot 9 (No. 10) Briggs Street, Mosman Park  
(Forbes)**

4.1.1 Approval be granted to the proposed two storey residence on Lot 9 (No 10) Briggs Street, Mosman Park as per the amended plans dated received 23 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 consistent and concurrent with the construction of the garage.
3. All privacy screening shown on the approved plans to be installed concurrently with the construction and prior to occupation of the dwelling.
4. This approval does not include any changes to dividing fences which should be negotiated with the adjoining affected landowner and in accordance with the Dividing Fences Act and local laws relating to fencing.
5. The front boundary fence to be constructed in accordance with cl. 3.2.5 A5 of the Residential Design Codes.
6. Roofing material to be other than zincalume, white or off-white colours.
7. 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.
8. 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.

9. No damage to or removal of existing street trees unless approved by Council.
10. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.
11. 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.
12. 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.
13. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.
14. 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.
15. 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.
16. 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.

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

CARRIED

**4.2 Alterations, Including Swimming Pool And Front Boundary Wall  
Lot 36 (No. 6a) Briggs Street, Mosman Park  
(Mead)**

- 4.2.1 Approval be granted to the proposed alterations to the existing residence, swimming pool and front boundary wall on Lot 36 (No 6A) Briggs Street, Mosman Park as per the amended plans dated received 3 December 2007 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 front boundary wall to be a maximum height of 1.8 metres.
3. This approval does not include any changes to dividing fences which should be negotiated with the adjoining affected landowner as per the Dividing Fences Act and in accordance with local laws relating to fencing.
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. The selection of roofing material to minimise glare in conformity with Council's policy on roofing material.
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.
14. The residence is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

**4.3 Storage Shed And Front Boundary Fence**  
**Lot 13 (No. 17) Samson Street, Mosman Park**  
**(Merritt)**

- 4.3.1 Approval be granted to the proposed storage shed and front boundary fence on Lot 13 (No 17) Samson Street, Mosman Park as per the plans dated received 26 November 2007, 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 storage shed to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the shed.
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. 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.

**4.4 Limestone Retaining Walls (Minim Cove Stage 6)  
Lots 9004 And 9503 McCabe Street, Mosman Park  
(Landcorp)**

- 4.4.1 Approval be granted for the construction of mass limestone retaining walls for Stage 6 Minim Cove Estate subdivision, Lot 9004 and Lot 9503 McCabe Street, Mosman Park as per plans dated received 19 December 2007 subject to:

1. No vehicular access is permitted on the Parks and Recreation reserve without the approval of the General Manager, Swan River Trust. (SRT)
2. No development, fill, building materials, rubbish or any other deleterious matter shall be deposited on the Parks and Recreation reserve or allowed to enter the river as a result of the development. (SRT)
3. The provision of certification from a practising structural engineer stating that the walls have been constructed as approved by the Town of Mosman Park.
4. No damage to or removal of existing street trees unless approved by Council.
5. 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.
6. 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.

7. 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.

**4.5 Request For Reduced Side Setback**  
**Lots 10 & 11 (Nos 4 & 6) Buckland Avenue, Mosman Park**

4.5.1 Approval be granted to the reduced side setback to the new boundary on Lot 10 (No 4) Buckland Avenue, Mosman Park as depicted on the submitted plans dated received 29 January 2008.

4.5.2 The Mayor and Chief Executive Officer be authorised to sign and seal the Section 70A Notification relating to condition 14 of the subdivision approval dated 27 April 2005.

**4.6 Additions And Alterations**  
**Lot 42 (No. 7) Briggs Street, Mosman Park**  
**(O'Keefe)**

4.6.1 Approval be granted to the proposed additions and alterations to the existing residence on Lot 42 (No 7) Briggs Street, Mosman Park as per the plans dated received 15 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. 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. 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.



5. 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.
6. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.
7. 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.
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 additions are not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

**4.7 Patio**  
**Lot 9 (No. 9) Victoria Street, Mosman Park**  
**(Carlin)**

- 4.7.1 Approval be granted to the proposed patio on Lot 9 (No 9) Victoria Street, Mosman Park as per the plans dated received 12 December 2007, 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. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.
4. 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.
10. The residence is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.

**4.8 Additions And Alterations**  
**Lot 3 (No. 10) Arthur Street, Mosman Park**  
**(Roads)**

4.8.1 Approval be granted to the proposed additions and alterations to the existing residence on Lot 3 (No 10) Arthur Street, Mosman Park as per the plans dated received 13 December 2007, 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 and workshop to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the garage and workshop.
3. The front boundary fence/wall is to be constructed in accordance with cl. 3.2.5 A5 of the Residential Design Codes.
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. The selection of roofing material to minimise glare in conformity with Council's policy on roofing material.
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.

**4.9 Home Occupation (Art Gallery)**  
**Lot 17 (Unit 2, No 6) Gibbon Street, Mosman Park**  
**(Farquharson)**

- 4.9.1 The application for a Home Occupation (Art Gallery) at Lot 17 (Unit 2 No 6) Gibbon Street, Mosman Park as per the application dated received 17 December 2007 be refused on the grounds that an art gallery (public building) is not considered an appropriate use within the curtilage of a private residence.

**4.10 Existing Room Addition and Re-Roof of Existing Residence**  
**Lot 1 (No. 22) Victoria Street, Mosman Park**  
**(Cox & Bailey)**

4.10.1 Approval be granted to the proposed family room addition and re-cladding of the roof of the existing residence using zincalume custom orb sheeting on Lot 1 (No 22) Victoria Street, Mosman Park as per the plans dated received 3 December 2007, 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 walls of the addition to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the addition.
3. 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.
4. No damage to or removal of existing street trees unless approved by Council.
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. 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.

**4.11 Garage**  
**Lot 2 (No. 33) Owston Street, Mosman Park**  
**(Mitchell – Bathgate)**

4.11.1 Approval be granted to the proposed carport on Lot 2 (No.32) Owston Street, Mosman Park as per the plans dated received 25 January 2008, subject to:

1. The garage incorporating architectural characteristics consistent with the existing residence, including the materials and colours to match the existing residence.
2. 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.
3. 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.
4. No damage to or removal of existing street trees unless approved by Council.
5. The selection of roofing material to minimise glare in conformity with Council's policy on roofing material.
6. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.

7. 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.
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. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.
10. 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.
11. No boundary wall (including retaining wall) shall exceed 1.8 metres in height above natural ground level unless special approval is granted by Council.
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.

**4.12 Carport**  
**Lot 28 (No.4), Doyle Street Mosman Park**  
**(Seeber)**

4.12.1 Approval be granted to the proposed carport on Lot 28 (NO.4), Doyle Street Mosman Park as per the plans dated received 21 December 2007, subject to:

1. The carport incorporating architectural characteristics consistent with the existing residence, including the materials and colours to match the existing residence.
2. 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.
3. 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.
4. No damage to or removal of existing street trees unless approved by Council.
5. The selection of roofing material to minimise glare in conformity with Council's policy on roofing material.
6. Any mechanical plant being installed so that the amenity of surrounding properties shall not be diminished.
7. 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.
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. Submission of details on the proposed method of on-site stormwater disposal for approval prior to the issue of a building licence.
10. 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.
11. No boundary wall (including retaining wall) shall exceed 1.8 metres in height above natural ground level unless special approval is granted by Council.



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.

#### **4.13 Two-Storey Residence**

##### **Lot 379 (No. 35) McCabe Street, Mosman Park** **(Argos Pty/Ltd)**

- 4.13.1 Approval be granted to the proposed two storey residence on Lot 379 (No 35) McCabe Street, Mosman Park as per the plans dated received 11 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 walls of the dwelling to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the dwelling.
3. The choice of roofing material to be such that the impact of glare/reflectivity on surrounding properties is minimised and shall be other than zincalume metal deck, white or off-white colours.
4. Any air conditioning plant, hot water systems, satellite dishes, non-standard television antennae and the like are not to be located on the roof of the dwelling where they will exceed the 8.5 metre height restriction.

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.

#### **4.14 Two-Storey Residence**

##### **Lot 378 (No. 33) McCabe Street, Mosman Park** **(Argos P/L)**

4.14.1 Approval be granted to the proposed two storey residence on Lot 379 (No 33) McCabe Street, Mosman Park as per the plans dated received 11 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 walls of the dwelling to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the dwelling.
3. The choice of roofing material to be such that the impact of glare/reflectivity on surrounding properties is minimised and shall be other than zincalume metal deck, white or off-white colours.
4. Any air conditioning plant, hot water systems, satellite dishes, non-standard television antennae and the like are not to be located on the roof of the dwelling where they will exceed the 8.5 metre height restriction.
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.

**5.1 Proposed Subdivision – Lot 200 (No 3) Bateman Street, Mosman Park**  
**(Wapc Ref: 136512)**

5.1.1 The Western Australian Planning Commission be advised that no objections are raised to the proposed subdivision of Lot 200 (No. 3) Bateman Street, Mosman Park in accordance with the application (WAPC Ref: 136512) subject to:

1. Battle-axe accessway being constructed and drained at the applicant's/owner's cost to the specification of the Local Government.
2. All buildings having the necessary clearances from new boundaries.
3. Connection to water and sewerage reticulation.
4. Application being made to the Town of Mosman Park for the demolition of existing buildings that straddle new lot boundaries.

**5.2 Proposed Subdivision**  
**Lot 30 (No 6) Johnson Parade, Mosman Park**  
**WAPC REF: 1171-07)**

5.2.1 The Western Australian Planning Commission be advised that no objections are raised to the proposed subdivision of Lot 30 (No 6) Johnson Parade, Mosman Park (WAPC Ref: 136477) subject to:

1. A 1.0 metre wide strip of land being ceded free of cost for the purpose of widening Hawley Lane (underwidth road) in accordance with Council's Policy DS28 - SUBDIVISION AND DEVELOPMENT OF LOTS ADJOINING UNDERWIDTH ROADS.
2. A contribution being paid by the applicant/owner towards the construction/upgrading of the underwidth road and the provision of street lighting in the underwidth road (Hawley Lane) in accordance with Council's Policy DS28 - SUBDIVISION AND DEVELOPMENT OF LOTS ADJOINING UNDERWIDTH ROADS.
3. Connection to water and sewer reticulation.
4. All new buildings having the necessary clearances from new boundaries.
5. All existing buildings and structures to be demolished prior to survey clearances being issued.

**6.1 Resolution to Prepare Town of Mosman Park Local Planning Scheme**  
**No. 3 (Review of Town Planning Scheme No. 2)**

6.1.1 The Council, pursuant to Section 72 of the Planning and Development Act 2005, resolves to prepare Town of Mosman Park Local Scheme No. 3 with reference to an area situated wholly within the Town of Mosman Park and that portion of the Swan River that forms an annexure to the Scheme area and enclosed within the inner edge of the broken black border on the Scheme Map shown on the attachment to the Executive Manager Development Services report dated 11 February 2008.

6.1.2. The following statement be endorsed for forwarding to the Western Australian Planning Commission pursuant to sub regulation 4(3) of the Town Planning Regulations 1967:

1. Objectives and intensions of the Scheme:

To provide a statutory land use planning framework to facilitate the achievement of the long-term planning directions to be identified in the Local Planning Strategy which is to be prepared in conjunction with the preparation of the Scheme. Those directions are intended to include consideration of:

- (i) Relevant state and regional planning policies and strategies.
- (ii) Relevant local planning policies and strategies.

2. Anticipated format of the Scheme:

- (i) Scheme Text.
- (ii) Scheme Maps including zoning and residential density coding. A Local Planning Strategy will identify the long-term planning directions for the Town, apply relevant state and regional planning policies, and provide the rationale for the zones and other provisions of the Scheme.

**6.2 Alfresco Dining And Restaurant Liquor Licence  
Lot 572 (No. 120) Wellington Street, Mosman Park**

6.2.1 The application for an alfresco dining area on the footpath outside Maretti Café on Lot 572 (No. 120) Wellington Street, Mosman Park be refused.

6.2.2 A Section 40 - Certificate of Local Planning Authority be issued on the condition that the extended trading permit for the serving of alcohol without a meal be applicable to the internal area of the premises and not on the public thoroughfare (footpath).

6.2.3 The Executive Manager Development Services prepare an appropriate alfresco dining in public thoroughfares policy for consideration by Council.

6.2.4 The applicants be advised that Council is supportive of the concept of alfresco dining in public thoroughfares and is developing a policy and guidelines to accommodate alfresco dining where appropriate.

6.2.5 All cafes and food premises currently utilising footpaths for outdoor dining be requested to cease forthwith until appropriate guidelines are in place for alfresco dining in public thoroughfares.

#### **7.1 Monthly Bulletin for December 2007 & January 2008**

7.1.1 Development Services Committee Bulletin for December 2007 and January 2008 be noted.

#### **8.1 Three-Storey Residence Lot 380 (No. 37) McCabe Street, Mosman Park (Duke Street Capital P/L)**

8.1.1 Approval be granted to the proposed three storey residence on Lot 381 (No 39) McCabe Street, Mosman Park as per the plans dated received 11 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 walls of the dwelling to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the dwelling.
3. The choice of roofing material to be such that the impact of glare/reflectivity on surrounding properties is minimised and shall be other than zincalume metal deck, white or off-white colours.
4. Any air conditioning plant, hot water systems, satellite dishes, non-standard television antennae and the like are not to be located on the roof of the dwelling where they will exceed the 8.5 metre height restriction.
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.

## **8.2 Three-Storey Residence**

### **Lot 381 (No. 39) McCabe Street, Mosman Park** **(Duke Street Capital P/L)**

8.2.1 Approval be granted to the proposed three storey residence on Lot 381 (No 39) McCabe Street, Mosman Park as per the plans dated received 11 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 walls of the dwelling to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the dwelling.
3. The choice of roofing material to be such that the impact of glare/reflectivity on surrounding properties is minimised and shall be other than zinalume metal deck, white or off-white colours.
4. Any air conditioning plant, hot water systems, satellite dishes, non-standard television antennae and the like are not to be located on the roof of the dwelling where they will exceed the 8.5 metre height restriction.
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.

**8.3 Three-Storey Residence**  
**Lot 382 (No. 41) McCabe Street, Mosman Park**  
**(Duke Street Capital P/L)**

- 8.3.1 Approval be granted to the proposed three storey residence on Lot 382 (No 41) McCabe Street, Mosman Park as per the plans dated received 11 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 maximum height of the building is not to exceed the AHD levels shown on the approved plans. Air conditioning plant, hot water systems, antennae and the like are not to be located on the roof.
3. The choice of roofing material to be such that the impact of glare/reflectivity on surrounding properties is minimised and shall be other than zincalume metal deck, white or off-white colours.
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.

8.3.2 Approval be granted to the overheight residence.

**8.4 Three-Storey Residence**  
**Lot 383 (No. 43) McCabe Street, Mosman Park**  
**(Duke Street Capital P/L)**

8.4.1 Approval be granted to the proposed three storey residence on Lot 383 (No 43) McCabe Street, Mosman Park as per the plans dated received 11 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 walls of the dwelling to be completed to the satisfaction of the Manager Building Services, concurrent with the construction of the dwelling.
3. The choice of roofing material to be such that the impact of glare/reflectivity on surrounding properties is minimised and shall be other than zincalume metal deck, white or off-white colours.

4. Any air conditioning plant, hot water systems, satellite dishes, non-standard television antennae and the like are not to be located on the roof of the dwelling where they will exceed the 8.5 metre height restriction.
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.

**8.5 Use Of Zincalume Roofing Material**  
**Lot 34 (No. 26) Glanville Street, Mosman Park**  
**(Line Investments P/L)**

- 8.5.1 Approval be granted to the use of custom orb “zincalume” roof sheeting for the residence on Lot 34 (No. 26) Glanville Street, Mosman Park as per the request dated 27 November 2007.

**8.6 Two-Storey Residence**  
**Lot 520 (No. 27) Samson Street, Mosman Park**  
**(Davies)**

- 8.6.1 Approval be granted to the proposed two storey residence on Lot 520 (No 27) Samson Street, Mosman Park as per the amended 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. The external finish of the boundary facing wall of the garage to be completed consistent and concurrent with the construction of the garage.
  3. All privacy screening shown on the approved plans to be installed concurrently with the construction and prior to occupation of the dwelling.

4. This approval does not include any changes to dividing fences which should be negotiated with the adjoining affected landowner and in accordance with the Dividing Fences Act and local laws relating to fencing.
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.

**8.7 Maintenance Of Memorial Hall**  
**Lochee Street, Mosman Park**

- 8.7.1 The Mosman Park Arts Foundation be invited to meet with the Council and Administration to discuss the Board's future vision and the associated implications in regards to the funding of any capital, building works and maintenance works required to be undertaken.

**9.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

Nil.

**10.0 URGENT BUSINESS APPROVED BY DECISION OF THE COUNCIL:**

The Mayor advised that he had four items of urgent business which he wished to submit to the meeting.

It was moved Councillor Melville-Lévy, seconded Councillor Moore, that approval be granted to the Mayor to submit the first of the urgent items of business to the meeting, which consisted of a report prepared by the Chief Executive Officer, dated 21 February, 2008, relating to a request from Total Theatre for funding.

**CARRIED**



10.1 Report Prepared by the Chief Executive Officer dated 21 February, 2008 – Total Theatre Request for Funding

Councillor Melville-Lèvey advised that she wished to amend the wording contained in clause 10.1 of the recommendation contained in the report to include the words “*subject to Total Theatre becoming an Incorporated Body*”, and advised that she did not think that Total Theatre should be provided with further funding unless they became an Incorporated Body.

The Mayor advised that while he felt that the requirement for Total Theatre to become an incorporated body was a desirable thing for the future, they needed financial assistance now.

Councillor Martin advised that Total Theatre would be involved in significant expense to become an incorporated body and in his view, incorporation would make little difference to the current situation whereby Total Theatre operated as private individuals.

He then advised that Total Theatre had been operating within the Town for a number of years and had expended an enormous amount of effort into their operations for the benefit of the community and he felt that there was no need for a requirement for incorporation, and certainly not at this point in time.

Councillor Melville-Lèvey advised that specifically, she had a little disquiet at clause 10.2 of the recommendation which proposed a subsidy of \$25,000 for consideration in the 2008/09 draft budget.

She then said that in view of this proposal she felt that Total Theatre could be asked to become an incorporated body.

The Mayor advised that he did not think that the Council should lock Total Theatre into becoming an incorporated body because, as was pointed out by Councillor Martin, there may be no significant difference in the manner in which they operate or the financial implications to the Council.

Councillor Chomley advised that the advantage of requiring incorporation for Total Theatre was mainly from an accountability point of view.

Councillor Flack queried whether there would be some consideration given by the Council as to how the proposed subsidy to Total Theatre would integrate with the Council's Community Picnics.

The Chief Executive Officer advised that subject to the agreement of Total Theatre, and subject to consultation with Council's Community Development Officers, it would be proposed to hold one joint Festival.

It was moved Councillor Martin, seconded Councillor Eustance;

10.1.1 Total Theatre be granted an amount of \$10,000 to assist their proposed theatre projects for 2008.

10.1.2 A subsidy of \$25,000 be included in the 2008/2009 draft budget deliberations for consideration of the granting of funding to Total Theatre on the following basis:-

- \$15,000 to be paid to Total Theatre on 1<sup>st</sup> August 2008, conditional upon Total Theatre providing Financial and Activity Reports for the period 01 January to 30 July 2008 that in the opinion of the Council, warrant the additional payment being granted.

10.1.3 Consideration of funding to Total Theatre for the 2009 calendar year be subject to the provision of:-

- A comprehensive review of the preceding year's operations.
- A proposed Activity Plan and program of events for the forth-coming year.
- Detailed budget estimates reflecting comparisons to the preceding year.

10.1.4 The provision of additional funding be subject to Total Theatre investigating the processes and progressing towards becoming an incorporated body."

CARRIED

It was moved Councillor Melville-Lèvy, seconded Councillor Eustance, that approval be granted to the Mayor to submit the second of the urgent items of business to the meeting, which consisted of a memo prepared by the Chief Executive Officer, dated 25 February, 2008, relating to the minutes of the Salary Review Committee meeting held on 22 February, 2008.

CARRIED

10.2 Memo dated February 25, 2008 submitted by the Chief Executive Officer - Salary Review Committee Meeting Minutes - 22 February, 2008

The Mayor drew attention to a Memo submitted by the Chief Executive Officer which included the minutes of the meeting of the Salary Review Committee held on February 22, 2008 to review the performance of the Chief Executive Officer.

It was moved Councillor Melville-Lèvy, seconded Councillor Flack;

10.2.1 In accordance with the Contract of Employment (Clause 4.4) between the Town of Mosman Park and the Chief Executive Officer, Mr Paul Anderson, Council appoints WALGA's Workplace Solutions service to facilitate the 2008 annual appraisal of the Chief Executive Officer. The appointment is in accordance with WALGA's letter and quotation of a maximum fee of \$4,000 dated 30 January, 2008

CARRIED

It was moved Councillor Flack, seconded Councillor Melville-Lèvy, that approval be granted to the Mayor to submit the third of the urgent items of business to the meeting, which consisted of a report prepared by the Executive Manager Technical Services, dated 26 February, 2008 relating to an application by the Western Knights Soccer Club to use portion of Tom Perrott Reserve.

CARRIED

10.3 Western Knights Soccer Club – Junior Soccer Tom Perrott Reserve, Mosman Park

The Mayor advised that he and officers from the Council had met with a representative from the Western Knights Soccer Club on Friday, 22<sup>nd</sup> February and had viewed a presentation presented by the Club which related to the development of the Club and the enhancement of their Clubrooms.

The Mayor advised that he had advised the Club's representative that in his view the Club had integrated very well into the community. He then advised that they were starting to develop their Junior Football program which had been part of their original commitment, and were now more firmly entrenched into the Town by the expansion of their junior sporting program.

It was moved Councillor Melville-Lévy, seconded Councillor Martin;

10.3.1 The Western Knights Soccer Club be advised that approval is given to utilise the eastern section of Tom Perrott Reserve for Junior Soccer matches on Sundays for the 2008 season subject to;

- (i) removal and storage of the portable goals to the satisfaction of the Executive Manager Technical Services.
- (ii) Complying with Council's Policy CS47 Public Reserves and Buildings and Conditions of Use, including indemnifying the Council in writing against any loss or damage incurred through the Junior Soccer Club's actions.

10.3.2 The Western Knights Soccer Club be advised that arrangements are required to be made with the lessees of the David Jones Pavilion for access and use of those building facilities.

CARRIED

It was moved Councillor Chomley, seconded Councillor Melville-Lévay, that approval be granted to the Mayor to submit the fourth of the urgent items of business to the meeting, which consisted of a report prepared by the Manager Environmental Services dated February 21, 2008 relating to various complaints received from residents residing in the vicinity of the Wellington Street Shopping Precinct.

CARRIED

10.4 Noise Complaints, Parking and Street Drinking Issues at Wellington Street Shopping Precinct

The Mayor drew attention to the report from the Manager Environmental Services which outlined complaints which had been received relating to noise, parking problems and street drinking issues experienced by residents residing in the vicinity of the Wellington Street Shopping Centre.

It was moved Councillor Melville-Lévay, seconded Councillor Eustance;

- 10.4.1 The Administration be authorised to obtain a legal opinion from Woodhouse Legal in regard to the ability or otherwise for Council to use permits for trading in thoroughfares and public places (includes alfresco dining) under the existing provisions.

CARRIED

**11.0 MATTERS BEHIND CLOSED DOORS:**

Nil.

**12.0 CLOSURE:** The Mayor declared the meeting closed at 8.25 p.m.

I hereby certify that the minutes of the Ordinary Meeting of Council held on February 26, 2008, were confirmed on March 25, 2008.

Signed: ..... Mayor