

Town of Mosman Park



REGULATORY SERVICES COMMITTEE MEETING

AGENDA

FOR

TUESDAY 16 OCTOBER 2012

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Town of Mosman Park for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with Council members or staff.

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Town of Mosman Park during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Town of Mosman Park

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

Town of Mosman Park

SUMMARY AGENDA TO BE PRESENTED TO THE REGULATORY SERVICES COMMITTEE MEETING TO BE HELD ON TUESDAY 16 OCTOBER 2012 AT 6.00PM

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ATTENTION !!

Mosman Park Community Members

We at the Town of Mosman Park are keen to help you,
our community members,
raise matters of importance to you either by consultation with our
staff or participation at our meetings.

Contact our staff:

- please discuss a matter of importance to you with our staff
in the first instance

Participate in our Committee Meetings:

- please contact Council staff to apply to make an oral presentation of
up to three minutes on your topic/concern, or an Agenda item of
particular interest to you

Participate in our Council Meetings:

- ask questions during 'Question Time'
- apply to our Chief Executive Officer prior to the meeting to make a brief
address to Council on an Agenda item
- attend the meeting, for all non-confidential items, as an observer of the
Council business

Need more information?
Then contact the CEO's office on
9384-1633
ceo@mosmanpark.wa.gov.au

Town of Mosman Park

AGENDA TO BE PRESENTED TO THE REGULATORY SERVICES COMMITTEE MEETING TO BE HELD ON TUESDAY 16 OCTOBER 2012 AT 6.00PM

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The meeting was opened at

2. RECORD OF ATTENDANCE/ APOLOGIES/ LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

IN ATTENDANCE:

His Worship the Mayor R Norris
Councillor W Davies (Presiding Member)
Councillor E Eustance
Councillor M Harcombe

MEMBERS OF STAFF:

Mr Kevin Poynton	Chief Executive Officer
Mr Ian Bignell	Executive Manager Regulatory Services
Mr Thomas Abbott	Senior Planning Officer
Ms Samantha Edmonds	Senior Environmental Health Officer
Ms. Erica Boyne	Community Development Officer

VISITORS:

Councillor I Flack
Councillor Z Johnson
Councillor B Pollock

PRESS:

APOLOGIES – ELECTED MEMBERS:

APOLOGIES – MEMBERS OF STAFF:

LEAVE OF ABSENCE:

3. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

Mr Roger Davis, to attend the meeting from 6.00pm – 6.10pm to make a short deputation regarding Item 10.1 – Payment Agreement – 20 Mathieson Avenue, Mosman Park.

Mr Don Rae, to attend the meeting from 6.10pm – 6.20pm to make a short deputation regarding Item 6.2.1 – Proposed Toilet Facility for Leighton Battery Heritage Site – Buckland Hill, Reserve No 41749, 2A Boundary Road, Mosman Park.

4. DECLARATION OF INTEREST**4.1 INTERESTS AFFECTING IMPARTIALITY****4.2 FINANCIAL INTEREST****5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

5.1 MINUTES OF THE REGULATORY SERVICES COMMITTEE MEETING HELD 18 SEPTEMBER 2012
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OFFICER RECOMMENDATION

That the Minutes of the Regulatory Services Committee Meeting held 18 September 2012 be confirmed as a true and accurate record of that meeting.

6. REPORTS OF OFFICERS

6.1 ENVIRONMENTAL HEALTH

6.1.1 HEALTH AMENDMENT LOCAL LAW 2012
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File/ Assessment No.:	HEA1, BL27
Responsible Executive/ Manager:	IAN BIGNELL EXECUTIVE MANAGER REGULATORY SERVICES
Author:	SAMANTHA EDMONDS SENIOR ENVIRONMENTAL HEALTH OFFICER
Author Disclosure of Interest:	NIL
Attachments:	TOWN OF MOSMAN PARK HEALTH AMENDMENT LOCAL LAW, COPY OF MARKUP OF CHANGES.

EXECUTIVE SUMMARY

The attached Health Amendment Local Law 2012 is provided for consideration by the Council and for the Presiding Member to give notice of the purpose and effect of the amendment and for approval to advertise seeking community comments on the proposed amendment local law.

BACKGROUND/DETAIL

The Town has prepared an amendment to the Health Local Law to introduce new provisions related caged birds.

The Town engaged BHW Consulting (the Consultant) to assist in the development of the amendment.

The amendment to the Health Local Law has been created following a Council resolution from the Ordinary Council Meeting dated 28 February 2012 (Resolution OCM-019-2012) to investigate Local Law amendments to reduce the impact of noisy birds in the community.

STRATEGIC PLAN ALIGNMENT

NIL

STATUTORY IMPLICATIONS

Section 3.12 of the Act outlines the procedure for making local laws which is broadly as follows:

- the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner;
- the Town is to give state wide public notice stating:

- the local government proposes to make a local law the purpose and effect of which is summarised in the notice;
- a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
- submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than six (6) weeks after the notice is given;
- give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the legislation under which the local law is proposed to be made, to that other Minister;
- provide a copy of the proposed local law to any person requesting it;
- at the close of submissions consider any submissions made and take into consideration any comments provided;
- adopt the local law as originally published or as amended, subject to the amendments not substantially altering the intent of the local law;
- publish the local law in the *Government Gazette*;
- give a copy of the local law to the Minister and, if another Minister administers the legislation under which the local law is proposed to be made, to that other Minister;
- after the local law has been published in the *Government Gazette* the local government is to give local public notice;
 - stating the title of the local law;
 - summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - advising that copies of the local law may be inspected or obtained from the local government's office; and
 - within 10 days of the publication in the *Government Gazette* submit the local law to the Joint Standing Committee on Delegated Legislation.

The proposed local law is outlined below together with the purpose and effect of the proposal.

Town of Mosman Park Health Amendment Local Law 2012

Purpose:

The purpose of the proposed local law is to provide for the regulation, control and management of caged birds within the Town of Mosman Park.

Effect:

The effect of the proposed local law is to establish health standards and requirements for the keeping of caged birds within the Town of Mosman Park

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Advertising and publication of the local laws in the Government Gazette will require appropriate allocation of funds for the purpose.

COMMUNITY ENGAGEMENT

NIL

COMMENT

Section 3.12(5) of the *Local Government Act 1995* (the Act) requires the Town to give state wide notice for a period of forty two (42) days from the date of publication of the advertisement inviting submissions on the proposed amendment.

Following the approval to advertise a copy of the proposed local law must be submitted to the Minister for Local Government and the Minister for Health.

Additional Comments for the Regulatory Services Committee Meeting, 18 September 2012

This item was deferred from the Ordinary Council Meeting held in August 2012 to the Regulatory Services Committee Meeting in September 2012 as further information was required regarding the changes made to the Health Amendment Local Law 2012.

Please find the response to Councillor comments below:

- The Health Amendment Local Law does not require residents to notify or seek approval from the Town if they have any of the birds listed under the definition of cage-birds. These local laws will only come into use if and when the Town receives a complaint regarding a bird. It will be used to guide the Town's Officers when dealing with complaints which can include noise, odour, flies and rodents in relation to the keeping of caged birds.
- This Local Law has been created to deal with not just a single bird but multiple birds kept in a cage that may create a nuisance to surrounding neighbours, as it likely that such complaints may arise in future.
- It is recommended that the reference to "15m" in Clause 70A sub-clauses a, b, c be amended to "9m", which is consistent with similar local laws across the state (as is the general wording of the clauses). If the distance of 9m is unachievable, the Senior Environmental Health Officer may grant a conditional approval that permits a suitable distance that does not create a nuisance to surrounding neighbours.

- In relation to noisy birds, there must be sufficient evidence to prove that the bird is emitting unreasonable noise. Unreasonable noise is defined under the Environmental Protection (Noise) Regulations 1997. The noise will need to breach the assigned dB level for it to be considered unreasonable. Alternatively, the Senior Environmental Health Officer who is considered an Authorised Officer under the Environmental Protection Act can deem the noise unreasonable upon hearing the noise.
 - It is recommended that the title of Division 4 be changed from 'Keeping of poultry and pigeons' to 'Keeping of poultry, pigeons and caged birds'.
 - Canaries and Budgies – the definition of caged birds is consistent with the Local Laws of the other local governments; however the definition could be changed to specifically include canaries and budgies if Council wishes it so. A commonsense application of the local law will be applied by the Town when dealing with such matters on a case-by-case basis. The preference is that this remain unchanged.
- Alternatively, the clause 70A "Caged Birds" could be removed including its definition and reference in the table of contents. The local law could be amended to simply include clause 70B "Nuisance caused by birds" which will deal with nuisance as defined as:
 - (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
 - (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
 - (c) interference which causes material damage to land or other property on the land affected by the interference, and
"unreasonable noise" has the meaning given to it by the Environmental Protection Act 1986."

The Health Amendment Local Law is attached.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That the Council in accordance with section 3.12 of the *Local Government 1995* resolve:

1. To approve the proposed Health Amendment Local Law 2012 attached to this Agenda to:
 - a. Amend references to “15m” in Clause 70A sub-clauses a, b, c to “9m”;
 - b. Amend the title of Division 4 from “Keeping of poultry and pigeons” to “Keeping of poultry, pigeons and caged birds”.
2. To approve the giving of state wide public notice of the proposed Health Amendment Local Law 2012;
3. To submit to the Minister for Local Government a copy of the proposed Health Amendment Local Law 2012; and
4. To submit to the Minister for Health a copy of the proposed Health Amendment Local Law 2012.

TOWN OF MOSMAN PARK

HEALTH AMENDMENT LOCAL LAW 2012

HEALTH ACT 1911**LOCAL GOVERNMENT ACT 1995****TOWN OF MOSMAN PARK****HEALTH AMENDMENT LOCAL LAW 2012**

Under the powers conferred by section 342 of the *Health Act 1911*, subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Mosman Park resolved on the *[insert date]* to make the following local law.

1. Citation

This local law may be cited as the Town of Mosman Park Health Amendment Local Law 2012.

2. Commencement

This local law comes into operation on the date of its publication in the *Government Gazette*.

3. Application

This local law applies throughout the district.

4. Principal local law

In this local law the *Town of Mosman Park Health Local Laws 1995* as published in the *Government Gazette* on 9 September 1996, is referred to as the principal local law. The principal local law is amended.

5. Table of Contents amended

The Table of Contents is amended as follows—

- (a) the heading *Division 4 – Keeping of Poultry and Pigeons* in PART 5 – NUISANCES AND GENERAL is amended by deleting all of the words after the word “*Poultry*” and inserting “, *Pigeons and Caged Birds*”;
- (b) after Clause 70 insert new headings as follows—
 - (i) “70A Caged birds”; and
 - (ii) “70B Nuisance caused by birds”.

6. Clause 67 amended

In Clause 67 in alphabetical order of the terms being interpreted insert the following interpretations—

“ **“caged birds”** includes parrots, cockatoos, galahs, corellas and the like.”;

“ **“nuisance”** means —

(a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;

(b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or

(c) interference which causes material damage to land or other property on the land affected by the interference.” and

“ **“unreasonable noise”** has the meaning given to it by the *Environmental Protection Act 1986*.”.

7. Clause 70 amended

Clause 70 is amended as follows—

(a) in subclause (1) after the word “not” in line 1 delete “without the written approval of the Council” and after the word “any” in line 2 delete the words “one or more”; and

(b) delete subclauses (2), (3) and (4).

8. New clauses inserted

The principal local law is amended by inserting after Clause 70 the following—

“Caged birds

70A A person who keeps, or permits to be kept caged birds shall ensure that—

(a) Caged birds are not permitted to approach within 15 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;

(b) Subject to subclause (c), cages are to be located at least 15 metres from a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold and 1.2 metres from the boundary of adjoining properties;

(c) The approval of the Principal Environmental Health Officer is to be obtained before a cage is kept closer than 15 metres. Such approval will be granted subject to conditions specific to the property in which the caged bird is located and surrounding properties;

(d) All cages shall be kept in a clean condition to the satisfaction of the Principal Environmental Health Officer.

Nuisance caused by birds

70B (1) An owner or occupier of land shall not keep any bird or birds which—

- (a) are or create a nuisance; or
- (b) emit an unreasonable noise.

(2) The Principal Environmental Health Officer may direct the owner or occupier to remove any bird or birds that are or create a nuisance and/or emits an unreasonable noise.”

Dated _____

The Common Seal of)
the Town of Mosman)
Park was affixed by)
authority of a resolution)
of the Council in the)
presence of —

Ron A Norris
Mayor

Kevin F Poynton
Chief Executive Officer

Consented to

Executive Director
Public Health

dated this day of2012

**TOWN OF MOSMAN PARK
LOCAL LAWS
HEALTH**

- (6) The Council may impose conditions describing the manner in which each cat is kept by a person who is granted exemption under subclause (3).
- (7) A person may keep more than 2 cats on premises used for veterinary purposes or as a pet shop.

[Clause 64A inserted by No. 135 of 1999 s.27.]

Division 3 - Keeping of Large Animals

Interpretation

65. In this Division, unless the context otherwise requires -

"large animal" includes a horse, mare, pony, camel, bull, cow, ox, ass, mule, donkey, sheep, goat, pig and the young of those animals.

Keeping of Large Animals prohibited

66. An owner or occupier of premises in the district shall not keep or permit to be kept on the premises a large animal.

Division 4 - Keeping of Poultry and Pigeons

Interpretation

67. In this Division, unless the context otherwise requires -

"Affiliated Person" means a person who is a member of -

- (a) the Pigeon Racing Federation of Western Australia;
- (b) the Fancy Utility Pigeon Club of Western Australia;
- (c) the Southern Districts Pigeon and Bantam Club; or
- (d) any other properly constituted Pigeon Club.

"caged bird" includes parrots, cockatoos, galahs, corellas and the like.

"nuisance" means —

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;

**TOWN OF MOSMAN PARK
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HEALTH**

(b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or

(c) interference which causes material damage to land or other property on the land affected by the interference."

"poultry" includes fowls, bantams, ducks and other domestic fowls.

"unreasonable noise" has the meaning given to it by the *Environmental Protection Act 1986*.

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Limitation on Numbers of Poultry and Pigeons

68. An owner or occupier of premises -
- (a) who is not an Affiliated Person, shall not keep a combined total of more than 12 poultry and pigeons; or
 - (b) who is an Affiliated Person, shall not keep a total of more than 50 pigeons and 12 poultry;
- on any one lot of land.

Conditions for Keeping Poultry

69. (1) A Person who keeps or permits poultry or pigeons to be kept shall ensure that -
- (a) no poultry is able to approach, or pigeons kept within 15 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
 - (b) all poultry and pigeons are kept within properly constructed and securely fastened structures, enclosures or cages.
 - (c) the structure, enclosure or cage is in a yard having an otherwise unobstructed area of at least 30 square metres;
 - (d) no poultry is able to approach or pigeons kept within 15 metres of a street other than a right-of-way unless, in the case of land at the junction of two or more streets, Council has approved a lesser distance; and
 - (e) all structures, enclosures or cages within which poultry or pigeons are kept are provided with concrete floors trowelled to a smooth finish and laid with a fall of 1 in 50 to the front, maintained at all times in a clean condition and shall be disinfected or otherwise dealt with as directed by an Environmental Health Officer.

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LOCAL LAWS
HEALTH**

- (2) If a structure, enclosure or cage is used for the keeping of poultry or pigeons contrary to the provisions of this Clause, the Principal Environmental Health Officer may direct the owner or occupier to remove it.
- (3) An owner or occupier shall comply with a direction from the Principal Environmental Health Office under this Clause.

Roosters, Geese, Turkeys and Peafowls

70. (1) An owner or occupier of premises shall not ~~without the written approval of the Council~~ keep or permit to be kept on those premises any ~~one or more~~ of the following -
- (a) a rooster;
 - (b) a goose or gander;
 - (c) a turkey;
 - (d) a peacock or peahen.
- ~~(2) The Council may, upon written application and subject to Clause 68, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subclause (1) of this Clause.~~
- ~~(3) An approval granted under this Clause is not transferable.~~
- ~~(4) The Council may revoke an approval granted under this Clause if, in its opinion, the keeping of such bird or birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health whether by reason of noise or otherwise.~~

Caged birds

- ~~70A A person who keeps, or permits to be kept caged birds shall ensure that—~~
- ~~(a) Caged birds are not permitted to approach within 15 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;~~
 - ~~(b) Subject to subclause (c), cages are to be located at least 15 metres from a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold and 1.2 metres from the boundary of adjoining properties;~~

**TOWN OF MOSMAN PARK
LOCAL LAWS
HEALTH**

(c) The approval of the Principal Environmental Health Officer is to be obtained before a cage is kept closer than 15 metres. Such approval will be granted subject to conditions specific to the property in which the caged bird is located and surrounding properties;

(d) All cages shall be kept in a clean condition to the satisfaction of the Principal Environmental Health Officer.

Nuisance caused by birds

70B (1) An owner or occupier of land shall not keep any bird or birds which—

(a) are or create a nuisance; or

(b) emit an unreasonable noise.

(2) The Principal Environmental Health Officer may direct the owner or occupier to remove any bird or birds that are or create a nuisance and/or emits an unreasonable noise.

Restrictions on Pigeon Nesting or Perching

71. (1) The Council may order an owner or occupier of a house in or on which pigeons are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so.
- (2) An owner or occupier shall comply with the Council order under this Clause.

6.2 PLANNING SERVICES

6.2.1 PROPOSED TOILET FACILITY FOR LEIGHTON BATTERY HERITAGE SITE – BUCKLAND HILL RESERVE NO 41749, 2A BOUNDARY ROAD, MOSMAN PARK

File/ Assessment No.:	3880
Responsible Executive/ Manager:	IAN BIGNELL EXECUTIVE MANAGER REGULATORY SERVICES
Author:	IAN BIGNELL EXECUTIVE MANAGER REGULATORY SERVICES
Property Address	RESERVE 41749, LOT 456 (NO 2A) BOUNDARY ROAD, MOSMAN PARK
Owners Name;	DEPARTMENT OF REGIONAL DEVELOPMENT & LANDS
Applicant's Name;	ROYAL AUSTRALIAN ARTILLERY HISTORICAL SOCIETY OF WA (INC).
Author Disclosure of Interest;	NIL
Attachments:	IPA40458

EXECUTIVE SUMMARY

An application has been received from the Royal Australian Artillery Historical Society of WA (Inc) for construction of a toilet facility for the Leighton Battery Heritage Site at Buckland Hill Reserve No 41749, 2A Boundary Road, Mosman Park.

The Society leases the subject site from the Town. The lease requires the Council's approval to all improvements within the leased area.

The subject site is Reserved for Parks and Recreation under the Metropolitan Region Scheme. As such the responsible authority for approval of this application is the Western Australian Planning Commission.

It is recommended that the lessee improvements to the leased area be approved and the application be supported and comments/recommendation to be referred to the Western Australian Planning Commission for consideration.

BACKGROUND/DETAIL

Approval is sought for a toilet facility for Leighton Battery Heritage Site at Buckland Hill Reserve No 41749, 2A Boundary Road, Mosman Park. The development comprises a toilet facility for visitor use during the opening hours of the site. The universal accessible toilet is of concrete tilt panel construction with a steel outer door to complement the adjoining command post building.

The Society leases the subject site from the Town. The lease requires Council's approval to all improvements within the leased area.

The subject site is Reserved for Parks and Recreation under the Metropolitan Region Scheme. As such the responsible authority for approval of this application is the Western Australian Planning Commission.

STRATEGIC PLAN ALIGNMENT

2. Planning for the Future (planned activity)

2.1 Ensure our future plans create community places, which meet the needs of diverse groups

2.2 Ensure redevelopment growth and density are managed

STATUTORY IMPLICATIONS

Metropolitan Region Scheme
Town Planning Scheme No.2

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

COMMUNITY ENGAGEMENT

Nil as there is considered to be no impact on the wider community from the proposal and which is consistent with the 'Parks and Recreation' Reservation of the site.

COMMENT

There are no specific development control provisions in the Scheme for buildings on this site being a reserve under the MRS. The toilet facility is a minor structure of 2350mm by 2850mm and 2500mm height. It will be effectively screened by existing vegetation from nearby residences.

It is recommended that the lessee improvements to the leased area be approved and the application be supported and comments/recommendation be referred to the Western Australian Planning Commission for consideration.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- A. Approve the lessee improvements, being a toilet facility for the Leighton Battery Heritage Site at Buckland Hill Reserve No 41749, 2A Boundary Road, Mosman Park.
- B. Advise the Western Australian Planning Commission (WAPC) that the application for a proposed toilet facility for the Leighton Battery Heritage Site at Buckland Hill Reserve No 41749, 2A Boundary Road, Mosman Park is supported as per the forwarded plans 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 Building Code of Australia 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 Town.
2. The selection of roofing material to be other than zincalume, white or off-white colours.
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. 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.

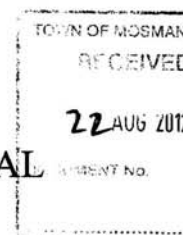
Notwithstanding the above, works of a minor nature may be performed on the site at any reasonable times (in the opinion of the Council) provided that no noise is generated.

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.
8. The building is not to exceed the 8.5 metre height restriction in Town Planning Scheme No. 2.
9. The toilet facility to be constructed in accordance with the Building Code of Australia and the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.



ROYAL AUSTRALIAN ARTILLERY HISTORICAL
SOCIETY OF WESTERN AUSTRALIA (INC.)



16th August 2012

Chief Executive Officer
Town of Mosman Park
Post Office Box 2
Mosman Park WA 6012

For the attention of Mr. Thomas Abbott

Dear Mr. Abbott,

Application for Approval to Commence Development:
Leighton Battery Proposed Toilet

Further to recent communication on this subject, the Society wishes to make formal application for the installation of a Visitor Toilet facility at Leighton Battery Heritage Site and encloses Metropolitan Region Scheme Form 1 with 5 sets of supporting plans, an electronic version of which has already been sent to your Office.

Supporting plans are as detailed:

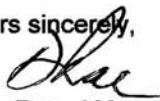
- Cadastral Plan for proposed toilet within Lot 456
- Plan view of Command Post
- Construction views
- Proposed toilet block front elevation
- Rendered photograph depicting proposed construction with existing Command Post

Design is based on the provisions of Australian Standard AS 1428.1 – 2009 and incorporates those additional comments by your Building Surveyor in recent correspondence.

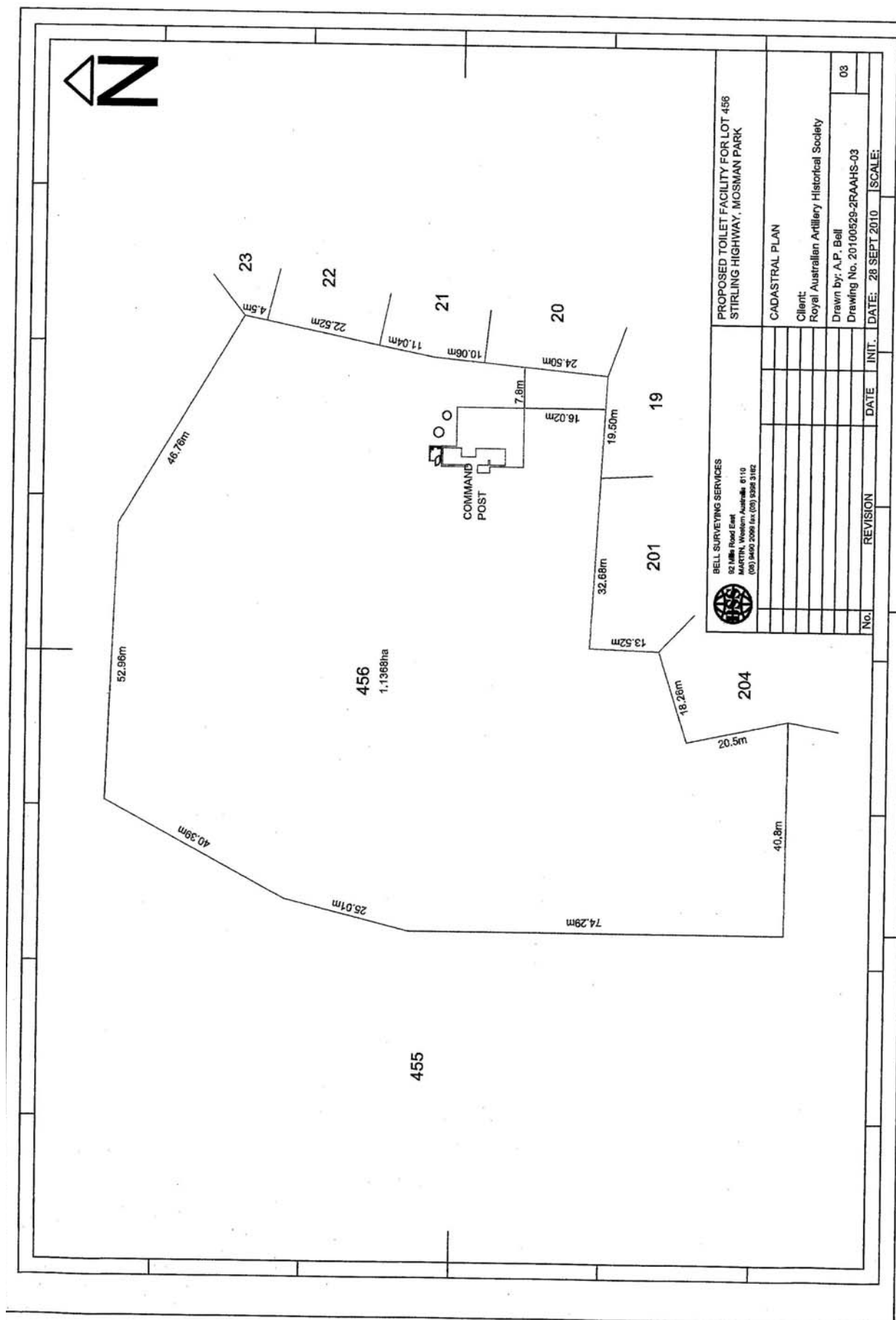
At your convenience the Society will appreciate advice whether or not Council approves the application. It is understood that the final decision rests with the State Planning Commission.

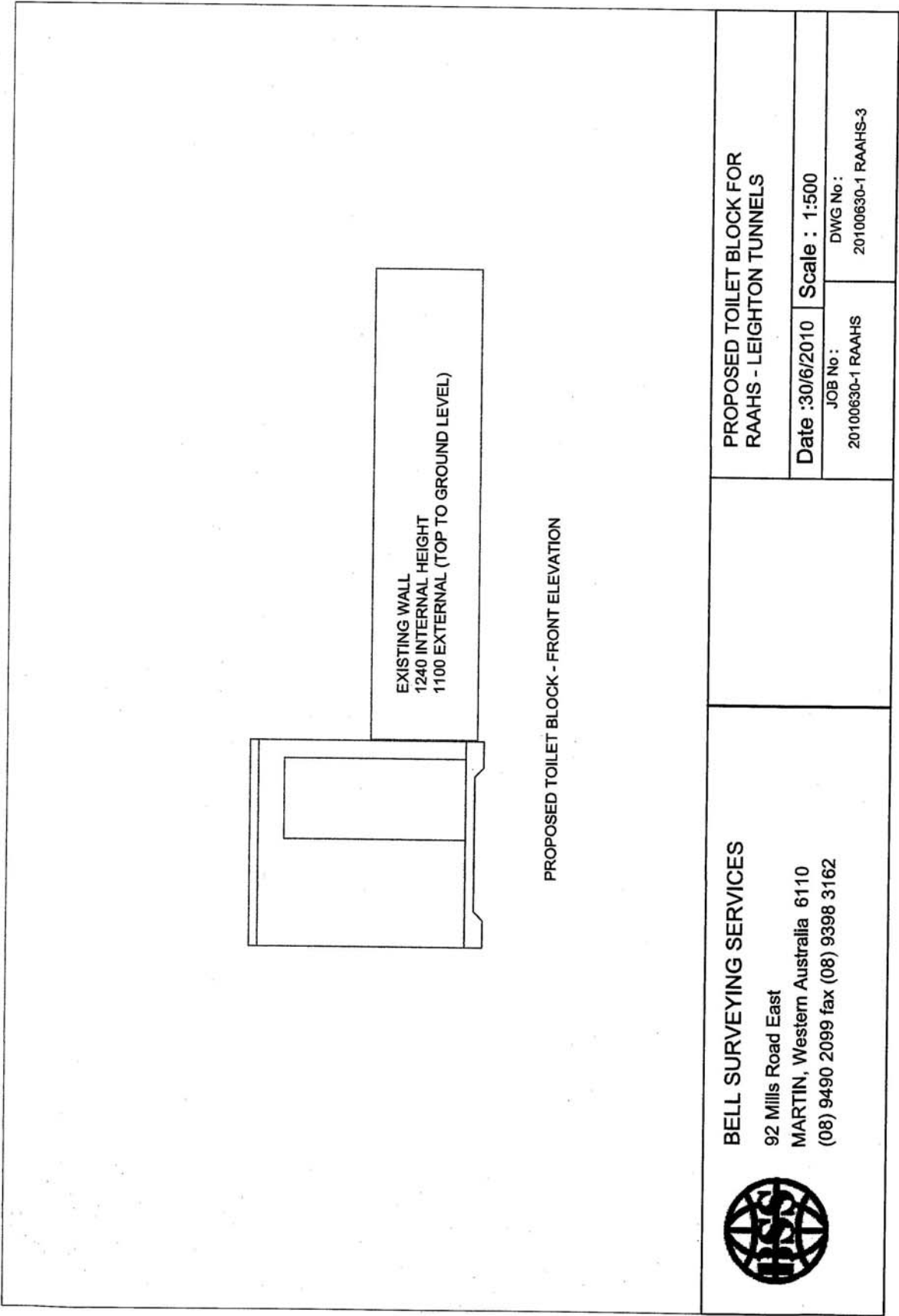
Should you wish to discuss any aspect of this application please contact the signatory.

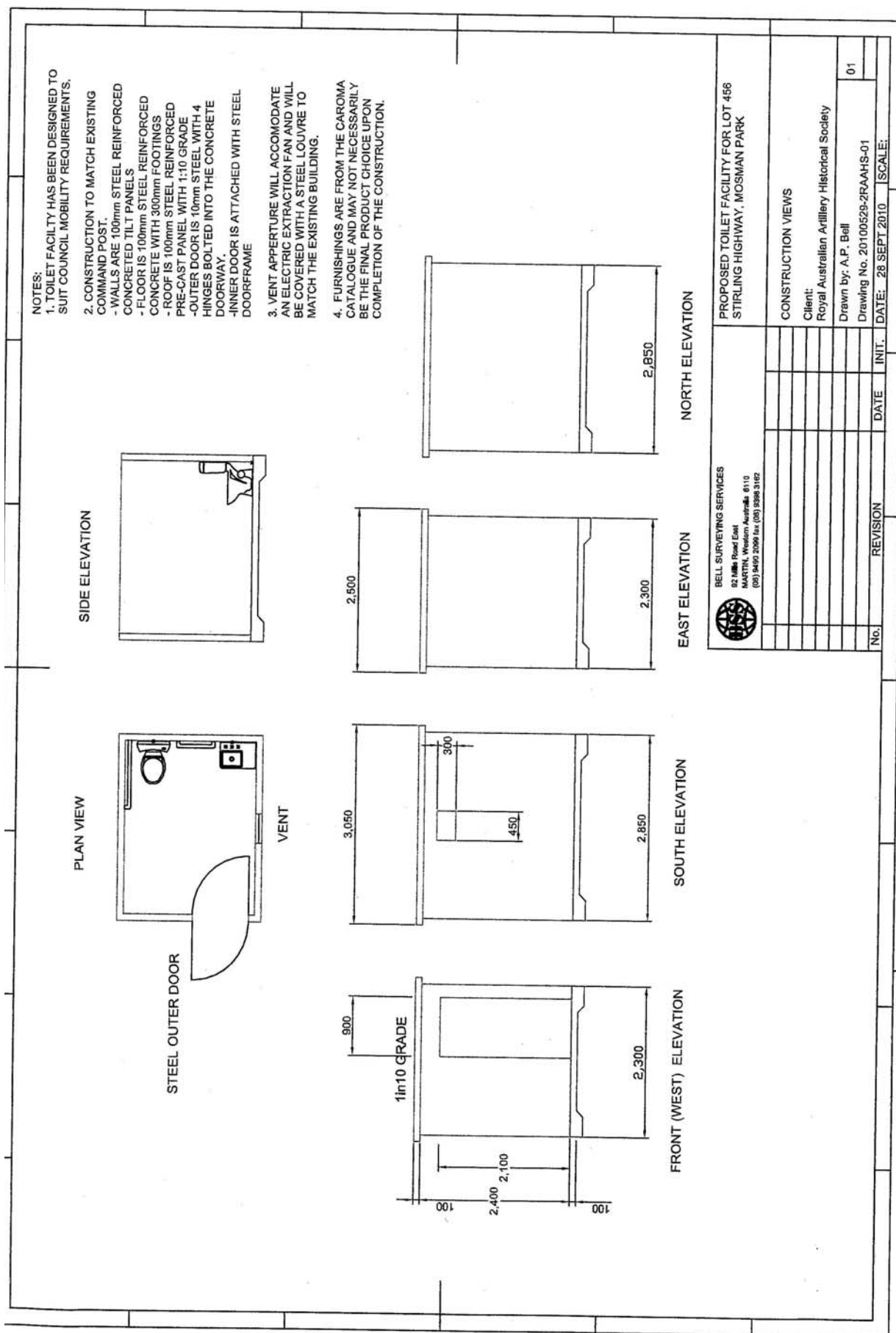
Yours sincerely,

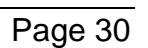

D. L. Rae, AM
Project Coordinator

Hon. Secretary, Royal Australian Artillery Historical Society of WA (Inc.)
Post Office Box 881, Claremont, Western Australia 6910, (08) 9269 4544
ABN 90 413 942 429, email: info@artillerywa.org.au, website: www.artillerywa.org.au









	<p>ROYAL AUSTRALIAN ARTILLERY HISTORICAL SOCIETY LEIGHTON BATTERY</p> <p>PROPOSED CONSTRUCTION OF TOILET FACILITY RENDERED PHOTOGRAPH DEPICTING PROPOSED CONSTRUCTION WITH EXISTING COMMAND POST</p>	
	<p>Bell Surveying Services 92 Mills Road East, MARTIN, Western Australia 6110 Tel: (08) 9490 2099 Fax: (08) 9398 3162</p>	<p>DRAWN BY: APB SCALE: no scale DATE: 30 SEP 2010</p>

6.2.2 REVIEW OF MUNICIPAL HERITAGE INVENTORY AND SCHEME HERITAGE LIST

File/ Assessment No.: TP30/3

Responsible Executive/ Manager: IAN BIGNELL
EXECUTIVE MANAGER REGULATORY SERVICES

Author: IAN BIGNELL
EXECUTIVE MANAGER REGULATORY SERVICES

Author Disclosure of Interest: NIL

Attachments: PROJECT BRIEF

EXECUTIVE SUMMARY

The Heritage of Western Australia Act requires all local governments to compile and maintain a Municipal Inventory (MI) of its heritage places. A review of the Town's MI and accompanying Scheme Heritage List is now proposed.

The Town's current MI was prepared in 1997/98 and comprises sixty (60) places. A Heritage List prepared pursuant to Town Planning Scheme No 2 comprises twenty one (21) places.

Council has previously resolved to investigate a review of the MI (September 2010) and to consider budget funding for the project during 2011/12 (February 2011). The project was funded in 2011/12 but not progressed. Budget funding has again been provided to progress the project during 2012/13. A specialist heritage consultant is required to undertake the review.

A Project Brief and Indicative Timeline are submitted for Council endorsement.

BACKGROUND/DETAIL

The Heritage of Western Australia Act requires all local governments to compile and maintain a Municipal Inventory (MI) of its heritage places. The State Heritage Office now recommends a MI review in conjunction with the preparation of a Local Planning Strategy. The Town has recently adopted its Local Planning Strategy for final approval.

A MI comprises a report recording the places of cultural heritage significance to the local community. Aside the obligation to prepare it, the MI (including places identified within it) has no legal status. Places having the highest local heritage significance are afforded additional protection (eg from demolition and inappropriate development) through their inclusion on a Heritage List prepared pursuant to the Planning and Development Act and Town Planning Scheme. Places having State significance may also be included on the State Register of Heritage Places (eg Memorial Hall).

The Town's current MI was prepared in 1997/98 and comprises sixty (60) places. A Heritage List prepared pursuant to Town Planning Scheme No 2 comprises twenty one (21) places.

Council has previously resolved to investigate a review of the MI (September 2010) and to consider budget funding for the project during 2011/12 (February 2011). The project was funded in 2011/12 but not progressed. Budget funding has again been provided to progress the project during 2012/13. A specialist heritage consultant is required to undertake the review.

A Project Brief and Indicative Timeline are submitted for Council endorsement.

STRATEGIC PLAN ALIGNMENT

2. Planning for the Future (planned activity)

*2.1 Ensure our future plans create community places,
which meet the needs of diverse groups*

2.2 Ensure redevelopment growth and density are managed

STATUTORY IMPLICATIONS

Heritage of Western Australia Act
Planning and Development Act
Town Planning Scheme No.2

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

An amount of \$50,000 has been listed in the 2012/13 Budget for this project. The cost of engaging a specialist heritage consultant, plus funds for community engagement and advertising, are anticipated to be well within the allocated budget.

COMMUNITY ENGAGEMENT

There will be several stages of community consultation and engagement as part of the project.

COMMENT

Project Brief

A Project Brief has been prepared to outline the objectives, process, desired outcomes and deliverables for the project, as well as responsibilities of the Town and the Consultant. The Brief is closely modelled on a draft standard brief document provided by the State Heritage Office. Refer attached Project Brief.

If preferred, there is opportunity for several Councillors (suggested maximum three) to be included on the Project Steering Committee to guide and monitor the progress of the project together with the Project Manager (Executive Manager Regulatory Services). The

nominated Councillors would need to be available for occasional meetings during day time business hours. A Terms of Reference of the Project Steering Committee is appended to the Project Brief. A modified recommendation to nominate Councillors to the Project Steering Committee and modify the Brief to refer to this is suggested if taking this option.

Indicative Timeline

An Indicative Timeline for the project is as follows:

Appoint consultant – Project Inception Meeting:	30 November 2012
Stage 1 - progress report:	15 January 2013
Stage 2 – first draft Inventory	31 March 2013
Council adoption draft for advertising	30 April 2013
Stage 3 – final draft for Council adoption	30 September 2013
Stage 4 – final documents/project completion	30 November 2013

An invited Request for Quotations process would be undertaken to appoint a heritage consultant to undertake the project.

It is recommended Council endorse the Project Brief and Indicative Timeline.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

Endorse the Project Brief and Indicative Timeline as attached to the Agenda for the Review of the Municipal Heritage Inventory and Scheme Heritage List.

PROJECT BRIEF
REVIEW of LOCAL GOVERNMENT INVENTORY and HERITAGE LIST

TOWN OF MOSMAN PARK

I. OBJECTIVES OF THE PROJECT

Periodic review of each Local Government Inventory (commonly referred to as Municipal Inventory or MI) is a requirement of section 45 of the Heritage of Western Australia Act, 1990. The Town of Mosman Park MI was last reviewed in 1998 and has sixty (60) entries.

The Planning and Development Act, 2005 allows for the protection of heritage places or areas that are identified in a Heritage List. Town Planning Scheme No. 2 includes provisions for the protection of places listed in the Heritage List. The Heritage List has twenty one (21) entries.

The specific aims of this project are to:

- Ensure that the MI is comprehensive, up to date, and represents community views and values.
- Ensure that the MI is consistent with the common standards for inventories recommended by the Office of Heritage.
- Review the policies and processes for creating a Heritage List under TPS No. 2
- Recommend heritage planning policies to provide guidance for Councillors and staff in exercising their town planning functions.
- Assist the Council in considering public submissions relating to proposals to list places in the MI and/or Heritage List.

II. PROJECT MANAGEMENT

The project will be managed by Ian Bignell, Executive Manager Regulatory Services, Town of Mosman Park.

III. COMMUNITY CONSULTATION

The Town will:

- Identify affected property owners and undertake any general mailings required.
- Arrange any public forums, presentations or workshops, with regard to venue hire, publicity, invitations, refreshments etc.
- Act as the first line of enquiry, passing on contact details to the consultant if personal contact is required.
- Prepare and provide written materials, information, maps and other materials as required to provide relevant information.

The consultant will:

- Provide general advice and support to the project manager as to the process of conducting the consultation and the information that will be provided.
- Attend meetings or consult by telephone with affected owners or community representatives.
- Attend one public forum with owners and community representatives, where they will act as facilitator for discussion and information sharing.

IV. PROJECT OUTPUT

1. Advise on the Town's heritage strategies

The consultant will provide advice to the Town on creating an effective framework for heritage conservation management, including:

- the process for creating an appropriate heritage inventory;
- planning scheme provisions and planning policy for heritage places;
- financial incentives or other assistance for owners;
- other issues relevant to the local community and/or places.

In each case, make recommendations for improvement where required.

2. Research and Assessment for MI

The Town will:

- Update records of properties where development or demolition has, or may have, significantly affected the cultural heritage value of a place.
- Make available all information held by the Town that may be of value in determining the heritage significance of a place.
- Make initial contact with property owners whose places are to be assessed. Process of making appointments to be arranged with the consultant.
- Provide sufficient information and authority for the consultant to act on the Town's behalf in undertaking place assessments.

The consultant will:

- Review and update the documentation for places already in the MI to bring it into line with the standard identified in the HCWA document 'Basic Principles for Local Government Inventories'. (A sample of current documentation is attached as Appendix A.)
- Review the Management Categories used in the Inventory and, if necessary, make recommendations on changes required to bring the MI up to current standards.
- Provide the project manager with advice on identifying places not currently listed in the MI (e.g. public nominations, places that have been identified through other surveys or reports).
- Undertake an assessment of each new place nominated for the MI and make a recommendation on whether it should be adopted and in which category. Assessment to follow the process given in 'Guidelines to the Assessment of Local Heritage Places'.
- Make a recommendation on whether any places should be removed from the MI as a result of demolition, adverse development or revised assessment.
- Assist the Town, through public consultation (see above) in explaining the process and purpose of the Inventory, and, within the project period, respond to questions relating to heritage issues in general.
- Create and maintain records of all relevant actions, including photographs, meeting notes, heritage assessments and others.

3. Assessment of Submissions

The Town will:

- Receive and acknowledge all written submissions.
- Report on and manage any submission that does not relate to the cultural heritage significance of the place.

- Create a schedule of submissions.

The consultant will:

- Review submissions impacting on heritage significance and, where indicated, update the heritage assessment (e.g. where internal inspection is now available, or work has been done since last assessment).
- Make recommendations on any changes to management category or inclusion in the MI as a result of the revised assessment.

4. Update of the Inventory

The Inventory is currently held as a hard copy document only. To facilitate transfer and management of data, it will be necessary for the Inventory to be held in database format. As part of the project, place records will be transferred to Microsoft Access, Excel or other agreed database format.

Responsibility for transferring the place records lies with the consultant.

The Town will:

- Make available all current records and background material.
- Be responsible for retaining a copy of the original Inventory and, on completion, for management and safekeeping of the revised Inventory.
- Provide the consultant with access to workstation if required.
- Create the format required for printing and displaying the Inventory.

The consultant will:

- Enter any new records or revisions to existing records in the Inventory database.
- Include at least one digital image with the record of each place.
- Provide reports in the format requested.

5. Update of the Heritage List

The Town will:

- Communicate the proposed listing to property owners and other parties as required under the Scheme.
- Receive and acknowledge all written submissions.
- Use established policy to advise the Council on which properties to include in the Heritage List and, where relevant, in which category.
- Be responsible for all processes required to amend the Heritage List within the Scheme.

The consultant will:

- Review submissions impacting on heritage significance and, where indicated, update the heritage assessment (e.g. where internal inspection is now available, or work has been done since last assessment).
- Make recommendations on any changes to management category or inclusion in the Heritage List as a result of the revised assessment.

V. REPORTING

1. Progress Reports

The consultant will:

- provide regular verbal reports to the Project Manager on progress of the project.
- attend meetings of the project steering committee as required (at least every 2 months).
- provide written reports in the following stages:

Stage 1 Project familiarisation and recommendations on policy and processes for conducting the review, including required changes to clarify policy on creating a Heritage List, heritage planning policy etc.

(Completion Time: 4 weeks)

Stage 2 First draft of the Inventory, to include new assessments and changes arising from information held by the Town (development, demolition etc). To be in a format suitable for approval by the Council for advertising and invitation of public submissions and nominations.

(Completion Time: 8 weeks)

Stage 3 Second draft for Council adoption, following submissions made as a result of advertising the first draft and new assessments and changes arising from public nomination.

(Completion Time: 16 weeks)

Stage 4 Final Report to include the adopted Inventory, as determined by Council resolution, plus recommendations on adoption of places into the Heritage List, based on submissions made as a result of the Town advertising its intention to list.

(Completion Time: 4 weeks)

(NB. Time taken by the Council to review the written reports and provide comment between the stages is not included in the Completion Time).

2. Final Report:

The consultant will supply:

- A full copy of the database containing the Local Government Inventory, including any records created but not adopted within the Inventory.
- All records relating to the assessment of places or consultation during the project.
- Any photographic material, indexed or titled to be identifiable as associated with the subject
- A publication quality final report and Inventory in an agreed format.

Terms of Reference of the MI Review Project Steering Committee

1. Assist the Project Manager in managing the MI review project.
2. Review the work of the consultant including:
 - recommend places to be considered;
 - review consultant recommendations for inclusion or deletion from the MI;
 - review consultant research and documentation.
3. Assist the consultant with local information and source material.
4. Assist the consultant in liaising with property owners or community representatives, if required.

6.2.3 HOME OCCUPATION RENEWAL – 28 JIMBELL STREET, MOSMAN PARK

File/ Assessment No.:	TP31
Responsible Executive/ Manager:	IAN BIGNELL EXECUTIVE MANAGER REGULATORY SERVICES
Author:	JUDY BOLITHO ADMINISTRATION OFFICER
Property Address::	LOT 367 (NO 28) JIMBELL STREET, MOSMAN PARK
Owners Name:	MS PATRICIA WILLIAMS
Attachments:	NIL

EXECUTIVE SUMMARY

The owner of the Home Occupation at 28 Jimbell Street, Mosman Park has applied for renewal of this Home Occupation.

Recommended for approval.

BACKGROUND

At the Ordinary Council Meeting held on 28 August 2012 (*Item 10.2.2.7 refers*), Council resolved to approve the annual Home Occupation renewals for the 2012/2013 year.

The owner of the Home Occupation (Organisational and Management Psychologist) conducted at 28 Jimbell Street, Mosman Park submitted the required renewal application including the fee on 23 July 2012. However, due to an administrative error, the renewal application was not recorded. The home owner has provided proof of payment and therefore, it is requested that a new resolution be implemented to rectify this error.

COMMENT

This Home Occupation renewal is recommended for approval.

STRATEGIC PLAN ALIGNMENT

NIL

STATUTORY IMPLICATIONS

Town Planning Scheme No 2

POLICY IMPLICATIONS

3.2.3 – Home Occupations

FINANCIAL IMPLICATIONS

NIL

COMMUNITY ENGAGEMENT

NIL

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

Approve renewal of the Home Occupation (Organisational and Management Psychologist) to be carried out from Lot 367 (No 28) Jimbell Street, Mosman Park for the 2012 to 2013 year.

6.2.4 PLANNING APPROVALS AND SUBDIVISION CLEARANCES ISSUED UNDER DELEGATED AUTHORITY FOR THE MONTH OF SEPTEMBER 2012.
--

File/ Assessment No.: ADMIN5
Responsible Executive/ Manager: IAN BIGNELL
 EXECUTIVE MANAGER REGULATORY SERVICES
Author: THOMAS ABBOTT
 SENIOR PLANNING OFFICER
Author Disclosure of Interest: NIL
Attachments: NIL

EXECUTIVE SUMMARY

Report on the planning approvals and subdivision clearances issued under delegated authority for the month of September 2012.

BACKGROUND

The following list indicates planning approvals and subdivision clearances issued from 1 September to 30 September 2012 inclusive:

SUBDIVISION CLEARANCES

Date Issued	Address	Description
-	-	-

PLANNING APPROVALS BY EXECUTIVE MANAGER REGULATORY SERVICES

Date Issued	Address	Owner	Development
12/9/12	Lot 270 (2) McEwan Crescent	Cronstedt	Demolition
14/9/12	Lot 21 (11) Doyle Street	Cullity	Swimming Pool
14/9/12	Lot 270 (2) McEwan Crescent	Cronstedt	Swimming Pool
14/9/12	Lot 1 (106) Glyde Street	Palassis	Swimming Pool/Retaining Walls
19/9/12	Lot 24 (130A) Glyde Street	Fisher	Shade Sails
19/9/12	Lot 11 (66) Palmerston Street	Simpson-Thomas	Two Storey Addition/Swimming Pool/Garage/Front Boundary Wall/Gatehouse
24/9/12	Lot 21 (22) Doyle Street	Cullity	Demolition
28/9/12	Lot 11 (22) Stuart Street	Small	Retrospective Carport / Patio

OFFICER RECOMMENDATION

That Council receive the report on Planning Approvals and Subdivision Clearances issued under delegated authority in September 2012.

6.3 RANGER SERVICES

NO REPORTS

6.4 BUILDING SERVICES**6.4.1 BUILDING PERMITS ISSUED FOR THE MONTH OF SEPTEMBER 2012**

File/ Assessment No.: BC1

Responsible Executive/ Manager: IAN BIGNELL
EXECUTIVE MANAGER REGULATORY SERVICES

Author: RICHARD OLSEN
BUILDING SURVEYOR

Author Disclosure of Interest: NIL

Attachments: NIL

EXECUTIVE SUMMARY

Report on the Building Permits issued in September 2012.

BACKGROUND

The following list indicates building permits issued from 1 September to 30 September 2012 inclusive:

BUILD TYPE	PERMIT NO	SITUATION OF BUILDING LOT AND STREET NO	DESCRIPTION OF BUILDING	NAME AND ADDRESS OF OWNER	NAME AND ADDRESS OF CONTRACTOR
UNCERT	4487	Lot 71 (44) Hutchinson Avenue	Alterations / Additions / Balcony Extension / Canopy	Michael and Samantha Doust 44 Hutchinson Avenue Mosman Park 6012	Flecker Court Pty Ltd (Atf Signature Custom Homes) PO Box 516 Fremantle 6959
DEM	4488	Lot 26 (2) Riverview Place	Demolition of House & Carport	Peter Joseph Burns PO Box 4031 Mosman Park 6021	Becker Demolition PO Box 3266 Mandurah East 6210

BUILD TYPE	PERMIT NO	SITUATION OF BUILDING LOT AND STREET NO	DESCRIPTION OF BUILDING	NAME AND ADDRESS OF OWNER	NAME AND ADDRESS OF CONTRACTOR
UNCERT	4490	Lot 401 (111) Wellington Street	New Shed / Relocation of Existing Shed	SD Cowie 111 Wellington Street Mosman Park 6012	Stuart David Cowie 111 Wellington Street Mosman Park 6012
UNCERT	4491	Lot 10 (12) Jimbell Street	Carport In Front Yard & Bathroom Extension	RW & MS Johnston 12 Jimbell Street Mosman Park 6012	Dane Beer [Atf West Built Construction] 52 Fenton Way Hillarys 6025
BAC	4492	Lot 8 (3) Bay View Terrace	Retrospective - Timberdeck	R J Ardon 3 Bay View Terrace Mosman Park 6012	Rick Ardon 3 Bay View Terrace Mosman Park 6012
DEM	4493	Lot 270 (2) McEwan Crescent	Demolition	M & M Cronstedt 2 McEwan Crescent Mosman Park 6012	JAG Demolition PO Box 1133 Wangara 6947
UNCERT	4495	Lot 111 (27) Riversea View	Alterations / Additions	SP & MP Kumarasinghe 27 Riversea View Mosman Park 6012	Tangent Nominees P/L [Atf Summit Homes Group U/T] PO Box 4028 Myaree BC 6960
UNCERT	4496	Lot 12 (153) Victoria Street	Shade Sails	N. Morlet & P. Lamont 153 Victoria Street Mosman Park 6012	Aqua Shades U1/15 Principal Link Malaga 6090
UNCERT	4497	Lot 13 (18) Jimbell Street	Two Storey Residence / Front Boundary Wall	M & L Griffith 42/35 Winnacott Street Willagee 6156	Aintree Holdings Pty Ltd [Atf Beaumonde Homes] PO Box 190 Osborne Park 6917
BUILD TYPE	PERMIT NO	SITUATION OF BUILDING LOT AND	DESCRIPTION OF BUILDING	NAME AND ADDRESS OF OWNER	NAME AND ADDRESS OF CONTRACTOR

		STREET NO			
DEM	4498	Lot 89 (1) Cable Cove	Demolition of Property	S Shakur 1 Cable Cove Mosman Park 6012	Vinsan Contracting 25 Katanning Street Bayswater 6053
DEM	4499	Lot 8 (18) Owston Street	Demolition	S & C Coxon 12 Rudwick Street Mosman Park 6012	Brajkovich Demolition & Salvage PO Box 417 Northbridge 6865
UNCERT	4504	Lot 21 (11) Doyle Street	Swimming Pool	A Cullity PO Box 248 Mosman Park 6912	Imperial Pools 1/1 Furniss Road Darch 6065
CERT	4508	Lot 1 (106) Glyde Street	Swimming Pool / Retaining Wall	Palassis, M & Anastasas, E 106 Glyde Street Mosman Park 6012	Quality Dolphin Pools 2 Venture Loop Wangara 6065
DEM	4510	Lot 21 (11) Doyle Street	Demolition of Residence	A Cullity PO Box 248 Mosman Park 6912	Brajkovich Demolition & Salvage PO Box 417 Northbridge 6865

Summary Sheet - September 2012

CHANGE OF BUILDER				
PROPERTY	DESCRIPTION OF BUILDING	OWNER	PREVIOUS BUILDERS DETAILS	NEW BUILDERS DETAILS
-	-	-	-	-

CANCELLED LICENCES			
PROPERTY	DESCRIPTION OF BUILDING	OWNER	BUILDERS DETAILS
6 Swan Street	Alterations / Additions / Garage / Addition of a Second Storey	Mr M Taylor Ms M Sulaiman 6 Swan Street Mosman Park 6012	Owner Builder
2A Mosman Terrace	Retaining Wall	Ms K Wilson	TBA
39 Bayview Terrace	Shed	Department of Land Administration Private Bag 22 East Perth 6892	Mosman Park Bowling Club 39 Bayview Terrace Mosman Park 6012
14 Murray Avenue	Re-Roof	Katimer P/L [ATF Cunningham] PO Box 1325 South Perth 6951	R Cunningham PO Box 1325 South Perth 6951
52 Monument Street	Timber Deck - Retrospective	Mr C & Mrs J Radunovich 52 Monument Street Mosman Park 6012	
55 Samson Street	Cabana	Mr T & Mrs J Gray 55 Samson Street Mosman Park 6012	Owner Builder
30 Solomon Street	Verandah	Mr G & Mrs D Paterson 30 Solomon Street Mosman Park 6012	Paterson Group Architects 9 Havelock Street West Perth 6005
156 Wellington Street	Patio	Mr S & Mrs K Kelly 156 Wellington Street Mosman Park 6012	Eden Outdoor PO Box 782 Joondalup DC 6919

SUMMARY

It should be noted that the summary of figures and averages below relate to the period from 1 September – 30 September 2012 inclusive.

TOTAL BUILDING PERMITS ISSUED FOR THE PERIOD	14
(Year to date building permits issued Total – 29)	
TOTAL DEMOLITION PERMITS ISSUED FOR THE PERIOD	5
(Year to date demolition permits issued Total - 5)	
TOTAL SWIMMING POOL/SPA PERMITS ISSUED FOR THE PERIOD	2
(Year to date swimming pool permits issued Total – 7)	
TOTAL SIGN LICENCES ISSUED FOR THE PERIOD	0
(Year to date sign licences issued Total - 0)	
CONSTRUCTION VALUE OF ALL PERMITS	\$978,969
(Value of all permits issued -Total year to date - \$4,322,374)	
BUILDING LICENCE FEES ISSUED FOR THE PERIOD	\$1,891.03

STRATEGIC PLAN ALIGNMENT

NIL

STATUTORY IMPLICATIONS

NIL

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

COMMUNITY ENGAGEMENT

NIL

COMMENT

NIL

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council receive the report on Building Permits issued in September 2012.

6.5 CHIEF EXECUTIVE OFFICER REPORTS

6.5.1 ALF ADAMS PAVILION

File/ Assessment No.: 3871.1

**Responsible Executive/
Manager:** KEVIN POYNTON
CHIEF EXECUTIVE OFFICER

Author: ERICA POYBE
COMMUNITY DEVELOPMENT OFFICER

Author Disclosure of Interest: NIL

Attachments:

EXECUTIVE SUMMARY

The purpose of this report is to:

1. Recommend the allocation of wall space for user group memorabilia in Alf Adams Pavilion.
2. Recommend the allocation of \$30,000 to fund the fit out and furnishing of Alf Adams Pavilion.
3. Recommend the approval of a facility management model that incorporates the following:
 - a. The assembly of user group forums at Alf Adams Pavilion every three months;
 - b. The appointment of a representative from the Town's Administration to act as a main point of contact; and
 - c. A appointment of a Councillor to act as an additional point of contact.

BACKGROUND

Alf Adams Pavilion is a Council-owned facility that was constructed in 1971. The structure initially operated as a football clubroom and has since transformed into a community facility, accommodating a diverse body of community groups. Regular users of the Pavilion include the Mosman Park Community Group, the Combined Probus Club of Mosman Park, the Mosman Park Sub-Branch RSL, the Camelot Chorale, the Mosman Park Playgroup, the Mosman Park Ratepayers and Residents Association, the Swedish Women's Association, Veg et. Al, the Local Spiritual Assembly of Bahais of Mosman Park, the Mosman Park Junior Cricket Club and the Mosman Park Junior Football Club. Local primary schools also book the Pavilion for dances and school events that were held throughout the year.

The building had not undergone any significant work since it was first built. While structurally sound, the building was tired in appearance and in need of an upgrade. In early 2011, Administration engaged an Architect/Builder to examine and propose a design that would improve the functionality, floor space and aesthetics of Alf Adams Pavilion. The resulting design was approved in principle by Council in April 2011. The eleven regular user groups

of the Pavilion were then consulted on the evolving design and the implications this design had on future use of the structure in October 2011, January 2012, April 2012 and October 2012. The renovations are set to be complete in early to mid November 2012.

COMMENT

As the reopening of the Pavilion draws closer, three issues must be addressed to ensure the facility and its management systems are ready for user groups' move back into the building. These issues include the display of memorabilia, the provision of furnishings and fittings and the development of an ongoing management structure for the facility.

Display of User Group Memorabilia

Prior to the closure of Alf Adams Pavilion for renovation, the Mosman Park Junior Football Club and the Mosman Park Sub-Branch RSL displayed memorabilia on the walls that represented the organisations' history. This memorabilia was removed prior to the commencement of renovation works.

In a user group forum held on 10 October 2012, representatives from each organisation were asked to discuss their views on the display of individual organisations' memorabilia in the community facility. No objections were raised to the suggestion of designated wall space for each community group interested in displaying memorabilia. Therefore, it is recommended that Council approve the allocation of wall space for each interested community group.

Furniture and Fittings

An inventory of the furnishings and fittings in Alf Adams Pavilion was taken prior to the commencement of renovation works. While there are many items that are being reused in the refurbished structure, additional items have been suggested by Councillors, Administration and user groups that would need to be purchased. These items include:

- A commercial refrigerator
- Window coverings for the meeting room
- Proper tables and chairs for meeting room
- Window covers that comply with all fire and emergency exit standards for the windows and doors in the main hall
- Lightweight tables and trolley accompanying trolley for easy moving and assembly
- Chair trolley
- Microphone and speakers
- Projector screen
- Vacuum, carpet sweeper and other standard cleaning items

Standard trolley for movement of items

The provision of the items above would ensure safe, effective and efficient use of the community facility. It is therefore recommended that Council allocate \$30,000 to purchase the furniture and fittings previously listed.

It is important to note that user groups were assured they would receive a new, larger refrigerator and a standard trolley following the user group information session held in April 2012. It is also important to note that user groups requested external lighting in the Pavilion. This is a matter that can be dealt with at a later time.

Ongoing Management of the Facility

To ensure the new Pavilion is effectively used and properly maintained, the Town needs to develop a facility management model that establishes guidelines for use and provides user groups a forum for discussing their concerns and ideas that relate to the use of the Pavilion. In a user group forum held on 10 October 2012, no objections were raised to a proposed management model that includes:

- a. Regular user group forums, held every three months at Alf Adams Pavilion;
- b. The appointment of a main point of contact in the Town's Administration; and
- c. The appointment of a Councillor to act as an additional point of contact.

Therefore, it is recommended that Council approve this facility management structure for Alf Adams Pavilion.

STRATEGIC PLAN ALIGNMENT

The recommendations in this report align with Objectives 2, 6 and 7 of the Town of Mosman Park's DRAFT Strategic Community Plan:

Objective 2 - "Maintain and develop Town infrastructure for the benefit of our community."

Objective 6 - "Effective engagement to encourage community members to participate in the Town's future."

Objective 7 - "Foster effective partnerships as a way of meeting community needs."

STATUTORY IMPLICATIONS

NIL

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The recommendation in this report requests \$30,000 for the provision of furnishings and fittings that have not been budgeted for in the Town's Annual Budget. It is requested that these funds be taken from the Infrastructure Reserve.

COMMUNITY ENGAGEMENT

User groups, surrounding neighbours and the wider Mosman Park community were initially consulted on the design of the refurbished Alf Adams Pavilion in October 2011. Following this initial round of consultation, user groups were again consulted on the design of the kitchen and the provision of storage space in February 2012. A user group forum was then held in April 2012 to discuss the updated building design and comments were incorporated into the building where feasible. A final user group forum was held in October 2012 to discuss the issues addressed in this report.

All user groups were invited to every round of consultation. In the October 2012 user group forum, representatives from six of the eleven user groups attended.

VOTING REQUIREMENTS

Absolute

OFFICER RECOMMENDATION

That Council:

1. Approve the allocation of wall space for user group memorabilia in Alf Adams Pavilion.
2. Approve the allocation of \$30,000 from the Infrastructure Reserve to fund the fit out and furnishing of Alf Adams Pavilion, this being an unbudgeted item.
3. Approve a facility management model that incorporates the following:
 - a.. The assembly of user group forums at Alf Adams Pavilion every three months;
 - b. The appointment of a representative from the Town's Administration to act as a main point of contact; and
 - c. The appointment of a Councillor to act as an additional point of contact.

7. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NIL

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NIL

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

NIL

10. MATTERS BEHIND CLOSED DOORS

10.1 PAYMENT AGREEMENT – 20 MATHIESON AVENUE, MOSMAN PARK

File No.:	224537
Responsible Executive/ Manager:	KEVIN POYNTON CHIEF EXECUTIVE OFFICER
Author:	ANDRIES GERTENBACH EXECUTIVE MANAGER CORPORATE SERVICES
Author Disclosure of Interest:	NIL
Attachments:	RATE NOTICES 2011 AND 2012 and SUMMARY AND PROPOSED REPAYMENT SCHEDULE (Under Separate Cover)

Confidential report circulated under separate cover.

Under the Local Government Act 1995, Section 5.23, this item be discussed behind closed doors due to:

- “(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting”.

OFFICER RECOMMENDATION

That Council

Authorise the Chief Executive Officer to enter into a repayment agreement with the owners of 20 Mathieson Avenue, Mosman Park to enable the rates on the property to be repaid in full by September 2015.

11. MEETING CLOSURE

There being no further business, the meeting was declared closed at