



***SHIRE***  
***Of***  
***MEEKATHARRA***

MINUTES  
Of  
HEALTH, BUILDING & TOWN PLANNING MEETING

Held  
AT THE COUNCIL CHAMBERS, MEEKATHARRA

On  
WEDNESDAY JULY 4th, 2012  
COMMENCING AT 5:00 PM

## ***MINUTES***

### **1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:**

#### ***1.1 DECLARATION OF OPENING***

**The Deputy Chairperson, Cr TR Hutchinson, declared the meeting open at 5.00pm**

#### ***1.2 DISCLAIMER READING***

*No responsibility whatsoever is implied or accepted by the Shire of Meekatharra for any act, omission or statement or intimation occurring during this Meeting.*

*It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this Meeting*

**The Deputy Chairperson, Cr TR Hutchinson, read the disclaimer aloud.**

### **2. RECORD OF ATTENDANCE/ APOLOGIES/ APPROVED LEAVE OF ABSENCE**

#### **Members**

**Cr TR Hutchinson**

**Cr JE Burgemeister**

**Cr PS Clancy**

#### **Staff**

**Krys East - Corporate & Development Services Manager**

**Bill Atyeo – Principle Environmental Health Officer/Building Surveyor**

#### **Apologies**

**Cr NL Trenfield**

**Cr AG Burrows**

#### **Approved Leave of Absence**

**NIL**

#### **Observers**

**NIL**

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

**NIL**

### **4. PUBLIC QUESTION TIME**

**NIL**

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 2

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

**Moved: Cr PS Clancy**

**Seconded: Cr TR Hutchinson**

**That Cr JE Burgemeister be granted leave of absence for the August 2012 Health Building and Town Planning Committee Meeting**

**CARRIED 3/0**

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

**6.1 HEALTH, BUILDING AND TOWN PLANNING COMMITTEE MEETING  
HELD MAY 2, 2012.**

**Committee Resolution:**

**Moved: Cr JE Burgemeister**

**Seconded: Cr PS Clancy**

**That the minutes from the Health, Building and Town Planning Committee held Wednesday May 2, 2012 be confirmed.**

**CARRIED 3/0**

**7. PETITION/ DEPUTATIONS/ PRESENTATION/ SUBMISSIONS**

**Nil**

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

**NIL**

## 9. REPORTS OF COMMITTEES AND OFFICERS

### 9.1 OFFICERS MONTHLY REPORTS

#### 9.1.1 PRINCIPAL ENVIRONMENTAL OFFICER/BUILDING SURVEYOR'S REPORT

##### Principal Environmental Health Officer/Building Surveyor's Report

##### Meekatharra Health, Building, Town Planning Committee

W.V. Atyeo

May 2012

I was in attendance at the Shire from the 30<sup>th</sup> April to the 4<sup>th</sup> May 2012.

#### BUILDING LICENSES ISSUED:

There were nil (0) Building Licenses processed and issued during this time.

#### Building License Statistics:

- The statistics as required by the ABS and WorkSafe, and others were dispatched accordingly within the required framework as laid down by WorkSafe. Monthly reporting is now required.

Further to many complaints and inquiries from many Building Surveyors in regard to the new Building Act and Regulations, WALGA has finally taken up the concerns and will be meeting with the Building Commission on many matters we have raised and referred to them for action. We have also sought legal clarification in regard to liability in the case where we are to issue Certificates of Compliance.

Issue
<b><i>Use of the application forms – any difficulties, concerns or suggested changes?</i></b> –the application for building approval certificate has no area for the estimated value of the completed works to be noted. This makes it difficult to calculate fees payable for the application –Where is the Building Order form? –Different fonts on the word documents off the Commission's website
<b><i>Ownership details</i></b> –for the above, builders are experiencing frustration with some councils giving adjoining owners details to them, and others refusing – wanting a stat dec. –Definition of “owner” – relating to land sold without title & application for permit being lodged. LGA's are taking different attitudes on accepting an offer/acceptance agreement. –The need for the Commission to clarify by definition what an “agent” is. Many

Issue
builders seem to think/want to be able to sign an application as an “agent”. This issue needs to be clarified
<p><i>Work affecting other land</i></p> <p>–BA20 (ties in with work affecting other land): From a builders perspective with the BA20 forms. It is frustrating that the legislation is open to interpretation, and if being enforced differently from council to council. They have some LG’s asking for the BA20 forms for ANYTHING built on the boundary (limestone or panel and post retaining / zero lot walls etc) – where others are only interested if they plan on encroaching. The main problem they have had, and foresee having in the future, is with neighbours refusing to sign the BA20 simply because they do not want a zero lot wall on their boundary. They are explaining to people that they are not asking for their consent on the wall itself – but rather the construction and excavation along the boundary. It seems tough that a design can pass through Planning – only to be knocked back at Building because the neighbour doesn’t like the look of zero lot walls. This is HUGE – The impact to builders with a discrepancy of 2 legislative pieces – Planning and Building. The other issue they have experienced is neighbours using their consent as leverage for things like; avoiding sharing fencing costs, or requests to have zero lot walls rendered / painted to their choice of colour. The Commissions recent “Permit Authority Advice” still doesn’t adequately cover it.</p> <p>–The guide from BC (Page 4) states <b>what is not</b> “work affecting other land”. Noise. That’s it, noise. From site radios or power tools. Suggest that the BC seek independent advise from professionals, get the SSO to vet if necessary, and then release the advice. This may solve around 80% of the cases where both builders and LG’s are either confused or at loggerheads. Whilst seemingly simple on the surface it is overly onerous, ambiguous and unwieldy when you put it in to practice. The scope of affectation is just too potentially wide. Among other things for example, drainage flows are particularly hard to determine, especially sub-soil flows, that depend on where sand, clay and rock layers start and finish. Not to mention the Pandora's box of tree affectation nuttiness going on in NSW. I notice that the affectation is on, land, so are going to go down the path of someone not being able to build on their land because there are neighbours trees on either side boundary that have roots extending into the property 6.0 metres on either side and any work could affect the health of the trees? With the exception of major excavation/retaining where support of land is required to prevent collapse of adjoining land, this needs to be left to common law and/or there needs to be some specific dimensions, such as depth of excavation, or distance from boundary with advice to the applicant that even though they may be outside those distances this does not absolve them of their responsibilities. In addition, leaving it to common law or Building Permit Conditions of approval, means the Builder and Engineer can check things such as sub-soil drainage during excavation and take the appropriate action, otherwise every job will require full site testing for</p>

Issue
things that are generally unnecessary, such as hydrology reports before being approved.
<p><b><i>BA017 Certificate of Construction compliance</i></b></p> <ul style="list-style-type: none"><li>-liability issues for LG's in signing off this form</li><li>-Transitional arrangements have been messy- builders having to pay for Certificate of Construction Compliance /certifier which is an uncosted item</li><li>-There is a bit of confusion of when for builders to submit the notice of completion. Do they hand it in to councils when they submit the form for certificate of construction compliance or do they submit it with the certificate of construction compliance when applying for an occupancy permit? This is because (from the builders end) sometimes the Building Surveyor comes with a list of things they want changed in order to get the Certificate of Construction Compliance so technically the builder has not completed the building until they get the Certificate of Construction Compliance.</li></ul>
<p><b><i>Lists of Plans on the Certificate of Design Compliance.</i></b></p> <ul style="list-style-type: none"><li>• Could this please be changed in the Regulations/Standard Certificate of Design Form?</li><li>• While it seems like it is a good idea to list every plan, specification and technical document, in practice it is not practical, is very likely to lead to errors and serves no real practical purpose. This was the experience in NSW. The reason it is not practical is that quite often plans or standard specifications have no plan numbers, so what do you list? You can list the date they were received but that does not particularly identify the plans. Also architects commonly do not alter or update the plan numbers when modifying or amending plans for approval. Listing these numbers on the CDC results in people, (particularly contractors), relying on the plan numbers listed on the CDC which can often be the previous unamended plans that they were given earlier for quotation, resulting in errors during construction. Errors are also likely to occur in transcription of plan numbers as the person drafting the approval reads them from the plans and types them onto the certificate, especially when large numbers of plans and specifications are involved on large expensive projects, where the CDC and Permit are more likely to be challenged. This can result in a legally invalid CDC and legally invalid Building Permit, whether challenged or not. Listing the plan numbers serves no real practical purpose. i.e. If a builder or architect produces a plan with the same date and number, through accident or on purpose, does this then mean it is the new approved plan?, How do you tell which is which? To circumvent these issues, all that is needed on the CDC is a reference to an approval number and stamp that is placed on the plans. Then is there is no room for error, the stamped plans are the approved certified plans. This is used by the ABSA Energy Efficiency certifiers for this reason.</li></ul>
<p><b><i>Specification of Applicable Building Standards that relate to the approval.</i></b></p> <p>Is this really necessary, since these should be listed on the copies of the plans or</p>

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 6

Issue
<p>approvals that are part of or submitted with the CDC? This again can lead to errors and legal challenge or validity, because of a typo or inadvertently not listing something in this section.</p>
<p><b><i>The lack of information on the amended plans process prior to the issue of a building permit.</i></b> There is information on the process after a building permit is issued, but not prior to a permit being issued.</p>
<p>Changes to the uncertified application process, allowing concurrent assessments to occur</p>
<p>R-Codes variations, having to send the application back through planning for approval is adding to the time taken to assess an application.</p>
<p>LG's and potential conflict with giving "advice" to private certifiers</p>
<p>Under Part 8 of the Building Regulations 2012 Part 8 Division 2- Private Swimming Pools</p> <p>I have spoken to a few colleagues in Perth and they had not realised...where is the provision to infringe in relation to the inspection of the enclosure of a private swimming pool? Seems to have been left out.</p> <p>The only option is to prosecute for a maximum penalty of \$5000...NOT practical at all, especially out here in the country Shires!! Those colleagues have contacted members within the Building Commission, apparently this has been an oversight and is to be rectified, and the provision is to be included within the next couple of months</p>
<p>Can we get the Act altered so that local authorities can certify their own dunny blocks etc!!!</p> <p>Apparently this is an oversight and will be rectified. Just a few words in the appropriate clause exempting LA's from certifying buildings on land owned by them...simple</p>
<p>The proposed "avoidance of doubt provisions" the Commission is citing will come about via the urgent bill and amendments. Will industry actually be invited to comment? Perhaps this panel will be able to.</p>
<p><u>Finish of Walls</u> This really should be dealt with at Planning Approval stage, why do we need another level of assessment for this? Also, what is "not reasonably practicable to build a fence" with respect to a <i>Close Wall</i>? This is also ambiguous and just needs a dimension that can be used that covers most situations. Surely if a wall is going to be of concern it will be picked up by the R-codes or require Planning Approval where it can be assessed and negotiated, or will be under Dividing Fence legislation.</p>
<p><u>Terms Used</u> Could we get these put into the main dictionary, it makes it very hard and time consuming to filter through each section in the terms used to find definitions</p>
<p>Building permit pre-application checklists – useful addition to the process?</p>

The next few months will be very interesting for all concerned.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 7

**DEMOLITION LICENSES ISSUED:**

There were Nil (0) Demolition Licenses issued during this time.

**OTHER MATTERS:**

● **AMENDMENTS TO THE ENVIRONMENTAL PROTECTION (NOISE) REGULATIONS 1997.**

Proposed amendments to the Environmental Protection (Noise) Regulations 1997 have been through a consultation phase and comments have been received. The current regulations deal with noise emitted on a premises or public place and received on another premises. They do not deal with noise from traffic on roads, trains, aircraft, emergency vehicles and safety warning devices (that are required under other legislation).

Submissions were received on the proposed amendments. The amendments that attracted the most comments – and the widest range of suggested improvements – were the four new regulations for motor sports venues, shooting venues, major concert venues and local government essential services, together with the proposed reduction in noise limits for blasting.

Two general themes that emerged from the submissions and seminars are as follows –

- Community members and others perceived a shift in the regulatory role from DEC towards local government. While this was seen as a negative move in some quarters, it was welcomed by many local governments, and seen by DEC as a natural development from the current role where local governments make a range of ‘social decisions’ in relation to noise management.
- Many industry and local government submissions identified the need for guidelines to accompany both the new and existing regulations to achieve more consistent application of the regulations and provide more guidance for industry in meeting the expectations of Government and the community. DEC agrees with this approach, and will develop such guidelines in consultation with the relevant stakeholders.

It is expected that the final draft of the regulations will be released to stakeholders for comment.

I have sought clarification in regard to the need for Local Government Officers to be delegated/authorised by the CEO of DEC before they are able to carry out particular regulations with regard to Noise complaints.

John Macpherson, Principal Environmental Noise Officer for the Dept of Environment and Conservation emailed me and stated that:

*“The amendment regulations themselves will not give powers directly to an EHO or his CEO. These powers will be delegated from DEC’s CEO under s20 of the EP Act.”*

*He also stated that “You are right that an EHO has no powers under the noise regs unless he has been appointed by the DEC CEO as an authorized person under s87 and/or an inspector under s88 of the EP Act. This appointment is dependent on having attended and passed a relevant course run by either Curtin Uni or the course run by Noise and Vibration Measurement Systems (NVMS) for this purpose. We also like the EHO to attend a refresher course run by DEC every so often, but this is not mandatory.”*



MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 8

The reason I asked this question is that we have had criticism levelled at Council staff in regards to our failure to act on complaints made to us by the general public on matters of noise at night. All these have been referred to the Police as they are delegated the powers to respond under the Act, and I feel that in most part they respond accordingly.

•**INQUIRY IN RELATION TO AVAILABLE COMMERCIAL AND INDUSTRIAL LAND:**

In particular there have been three inquiries in regard to the availability of suitable land fronting the Great Northern Highway for suitable land for the development of an automated fuel dispensing facility for trucks, and a possible restaurant type facility to service what they consider trucks could utilise. I indicated that there was no land available that I could ascertain, and that their best option would be to discuss the matter further with Landgate.

•**KUMARINA ROADHOUSE/TAVERN:**

I have had discussions with the owner of the Kumarina Roadhouse/Tavern in regard to the unacceptable disposal of effluent generated by the facilities. This is coming to the land surface and is pooling where it is exposed for mosquito breeding, odours, etc etc. I indicated that immediate action was required to address the problems and that if this was not forthcoming then I would close the roadhouse until such time as the problems were fixed.

I referred him to wastewater experts (?) and suggested he had meaningful discussions with them in regard to looking at a full in-house sewerage system so that he could eventually re-use the waste water if required.

Discussions will continue.



Principal Environmental Health Officer  
Building Surveyor

**Principal Environmental Health Officer/Building Surveyor's Report**

**Meekatharra Health, Building, Town Planning Committee**

**W.V. Atyeo**

**June 2012**

I was in attendance at the Shire from the 5<sup>th</sup> to the 8<sup>th</sup> June 2012. The 4<sup>th</sup> was a Public Holiday

**BUILDING LICENSES ISSUED:**

There were nil (0) Building Licenses processed and issued during this time.

**Building License Statistics:**

- The statistics as required by the ABS and WorkSafe, and others were dispatched accordingly within the required framework as laid down by WorkSafe. Monthly reporting is now required.

Further to many complaints and inquiries from many Building Surveyors in regard to the new Building Act and Regulations, WALGA has finally taken up the concerns and will be meeting with the Building Commission on many matters we have raised and referred to them for action. We have also sought legal clarification in regard to liability in the case where we are to issue Certificates of Compliance.

**Building Act 2011:**

There has been much discussion between the Building Commission and Building Surveyors group represented by WALGA in regard to many issues that have been very complicated leading to much unrest in the whole of the industry which includes builders, owners, and Building Surveyors. As a result of the concerns we have raised the Commission, to their credit, and through the excellent lobbying by WALGA, have agreed that there are a number of matters that are required to be addressed.

The issues discussed were:

- Difficulty in training staff within local government authorities and builders to adapt to new systems.
- Lack of understanding in some permit authorities of transitional provisions and dealing with existing applications.
- A high proportion of incomplete applications resulting in the need for permit authorities to seek further information from applicants, delaying approvals.
- Confusion and changed arrangements for other written laws applicable to building such as crossovers for planning, and water services.
- Confusion over the introduction of adjoining owner consent for encroachments and adverse effect on neighbouring land.
- Confusion over notification and adjoining owner consent for fence renewal or temporary access to land for the purpose of building.
- Understanding the new options available for certification of building design compliance.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 10

As a result the Minister for Commerce has signed a Ministerial Order designed to expedite the flow of home building work. This order, which will take effect from Saturday 16 June 2012, will allow a person who applied for a building permit to build a house or associated building (Class 1 and 10) to start building work BEFORE the building permit is granted by the local government/permit authority.

This is only for projects that have a building permit/licence application that was, or will be, lodged with local government from 1 January 2012 to 30 June 2012, and that has not been granted or rejected.

This will not remove the obligation (if required) to obtain all other necessary approvals such as planning, give required notifications and to build in accordance with the building standards. Non-compliant building work will still be subject to enforcement action by the local government, including the potential for orders to cease work or demolish the building or structure.

A number of amendments to the Building Regulations 2012 that will simplify the approvals process and make it easier for local governments to apply the law consistently will also take effect from Saturday 16 June 2012. The changes to the regulations mean that applications will require less paperwork and approvals can be obtained faster.

### Key Changes

To make an application for a building permit:

1. Notification to and consent from the Water Corporation will no longer be required.
2. Consent for crossovers will no longer be required.
3. A registered builder, building surveyor, architect or engineer can attach a statement to the application confirming there is no encroachment or adverse effect on neighbouring land.
4. For uncertified applications (those without a certificate of design compliance), if the planning and building applications are lodged together the set time frame starts from when the planning approval is granted.
5. The set timeframes (25 days for uncertified applications, 10 days for certified applications) can be extended by agreement between the applicant and the local government.

Forms will be amended to reflect these and other changes. The new forms will be available on the Building Commission website, however the current forms will still be acceptable, and those already in the system will not need to be changed.

A checklist to assist permit authorities to consistently apply the requirements associated with the new building approval processes has also been developed.

### **Changes to work affecting other land consent requirements (This has been a matter that required further clarification as time taken to obtain this permission was excessive)**

The Building Commission is also acting on feedback regarding the issue of work affecting other land. New forms will be available that will simplify the process of gaining consent to affect someone else's land.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 11

An applicant may attach to a building permit application a written statement signed by:

- a building practitioner or a builder surveyor registered under the *Building Services (Registration) Act 2011* section 17; or
- an architect registered under the *Architects Act 2004* section 29; or
- a professional engineer as defined in the Interpretation part of the Building Code (Part A1 of Volume One and Part 1.1 of Volume Two).

that the following will not occur in respect of the building or incidental structure which is the subject of the application:

- part of the building or structure will be placed into, onto or over land beyond the boundaries of the work area; or
- land beyond the boundaries of the work area will be adversely affected.

The permit authority should take such written statement into account for the purposes of satisfying itself that the application meets the requirements of section 20(1)(g) and (h) of the *Building Act 2011* and regulation 16(3)(a) of the *Building Regulations 2012*.

As with all this type of legislation and legislation changes the “proof is in the pudding” and over the next couple of months we will continue to monitor the process and will be corresponding further with WALGA and the Commission. WALGA has in this case been very supportive and positive for Local Government, and their efforts have been appreciated.

**DEMOLITION LICENSES ISSUED:**

There were Nil (0) Demolition Licenses issued during this time.

**OTHER MATTERS:**

• **Budget Items.**

With the assistance of Krys I have reviewed all the items in the fees and charges relevant to my position and these have been amended where necessary.

As Councillors will know I have now re-located to Meekatharra (many thanks) and will be running my business from here which should result in a significant reduction to costs for Council as monthly airfares will be eliminated while I am resident in Meekatharra, and will make me a little more available when required. It will also increase the hours that I am actually working in Meekatharra during my scheduled week here. I am happy with the arrangements and it feels like “home”. Many thanks.

• **DORAY ACCOMMODATION VILLAGE – LOT 1017 MEEHAN STREET:**

As time was of essence for Doray Minerals I drew-up and submitted a planning application directly to Council's Ordinary Meeting in June. Since then the proponents have been informed of Council's decision and more meetings will be carried out with them as things progress. The estimated cost of the development is \$6.9 Million and therefore the application was not required to go before the Development Approvals Panel (DAP) for this region, and could be handled by the Council.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 12



•FOOD BUSINESS CERTIFICATES:

Food Business Certificates were issued to SODEXO catering for the minesite kitchens and messes for Plutonic and for Coobina mine sites. A further certificate was issued to Cater Care Services for the DeGrussa Minesite village (Sandfire).

•STORAGE UNITS – LOTS 2 and 836 MAIN STREET:

Agenda Item follows:

**Cr PS Clancy declared an impartial interest in this item and refrained from voting which resulted in insufficient members to vote. This item is to be referred to council.**

<b>Title/Subject:</b>	<b>TOWN PLANNING – PROPOSAL TO DEVELOP SECURE STORAGE UNITS - LOTS 2 AND 836 MAIN STREET - MEEKATHARRA</b>
<b>Agenda/Minute Number:</b>	
<b>Applicant:</b>	Michael CLANCY
<b>File Ref:</b>	A169 and A2531
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	13 <sup>th</sup> June 2012
<b>Author:</b>	WV Atyeo Principal Environmental Health Officer Building Surveyor Town Planner
	
	<i>Signature of Author</i>
<b>Senior Officer:</b>	Roy McClymont Chief Executive Officer
	
	<i>Signature Senior Officer</i>

**Summary/Matter for Consideration:**

Council has received a Planning Application from Michael CLANCY to develop secure storage units on the rear boundaries of Lots 2 and 836 Main Street, in the form of sea containers. Mr Clancy has submitted a layout plan identifying the position of the sea containers along with access for Council's consideration.

**Attachments:**

A Layout plan of the proposed development for the two Lots is attached.

**Background:**

Mr Clancy approached me with his development and submitted drawings of his proposal to develop up to 15 secure storage units utilising sea containers over the two Lots identified in this

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 13

agenda item. He stated that he had had approaches from persons wishing to establish secure lockup facilities. The people have businesses that would benefit from having smaller and compact storage facilities that they are able to access at any time.

The two Lots are zoned "Commercial" in accordance with the Shire of Meekatharra Town Planning Scheme No 3, and due to the small scale of the proposed development the proposed use would satisfy the objectives of "Commercial" zoned properties with conditions placed on any permit.

**Comments:**

The layout plan shows the number and positioning of the sea containers on the Lots. It is noted that the access to the units placed on Lot 2 is from the laneway, with the units setback 1 metre off the boundary so that when the doors to the units are open, there will be no obstruction to vehicle movement using the laneway. Access to those located on Lot 836 will be through the main gates located on the Main Street boundary.

The units will be placed on a concrete pad, and I have recommended a number of conditions be placed on the permit should Council approve the proposed development on each Lot.

I will be recommending Council approved the proposed development of the secure storage units in the form of sea containers on Lots 2 and 836 Main Street, with conditions.

**Consultation:**

Krys East – Community and Development Services Manager  
Michael Clancy – Owner and Developer of the Lots

**Statutory Environment:**

Town Planning Scheme No 3

**Policy Implications:**

Nil

**Budget/Financial Implications:**

Nil

**Strategic Implications:**

Nil

**Voting Requirements:**

Absolute Majority

**Officers Recommendation / Committee Resolution:**

**Moved:**

**Seconded:**

**That the Committee recommend that Council approve the development of secure storage units on Lots 2 and 836 Main Street Meekatharra as proposed by Michael Clancy, utilising**

sea containers, in line with the layout plan submitted with the application. This approval includes the following conditions which form part of the approval:

1. No polluted drainage shall be discharges beyond the boundaries of the lot from which it emanates or into a watercourse or easement drains.
2. The use hereby permitted shall not be carried on in a way which causes injury to or prejudicially affects the amenity of the locality by reason of the process carried on, the materials, goods and machinery used and stored or by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash dust, waste products, grit or oil, the appearance of the property or otherwise.
3. The use of the premises as applied for shall not be changed or added to without the consent of Council
4. No incinerator is to be provided or used on the site. All refuse shall be regularly removed to Council's tip.
5. Screen fencing to be provided where required by Council and to Council's satisfaction.
6. The applicant shall identify sufficient area inside the lot for the parking of lessee's vehicles and this area will be so constructed as to suppress dust from emanating as a result of its use.
7. The owner, the occupier and the manager of the premises shall at all times each make reasonable endeavours to ensure that the premises do not create a nuisance and annoyance to neighbours or otherwise disturb the amenity of the area.
8. All relevant fees and required documentation shall be lodged with Council, and all approvals issued in writing by the responsible Officer of Council.
9. No dangerous or hazardous goods are permitted to be stored on the Lots unless the leasee has all the required permits from the appropriate authorities, which clearly indicates the approved method of storage in the area identified.
10. The finish to the external surfaces of the sea containers are to be painted with a high quality paint in a "neutral" colour which is to be the same colour for each sea container, with no advertising on them at all.
11. All sea containers are to be fully maintained at all times in a sound condition and not permitted to deteriorate
12. The disposal of any hazardous wastes generated by the use of the units is to be disposed of in an approved manner, as determined by Council's Principal Environmental Health Officer.

Thus ends my report to the Committee



Principal Environmental Health Officer  
Building Surveyor

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 15

**Committee Resolution:**

**Moved: Cr PS Clancy**

**Seconded: Cr JE Burgemeister**

**That the Principal Environmental Officer/Buildings Surveyor's Reports for May and June 2012 be received.**

**CARRIED 3/0**



**10. STATUS REPORT**

DATE	SUBJECT	PROPERTY	ACTION REQUIRED	RESPONSIBLE PERSON	STATUS	ACTION TAKEN	DATE
June 2011	Staff Housing	Lot 208 Hill St	Council at Ordinary Council Meeting resolved to engage designer to draw up plans and specifications for renovations to Lot 208 Hill St for conversion of existing dwelling into two self contained 1 bedroom units	CDSM	Ongoing	Contacted Architect re quote for design  Quote accepted.  Draft design presented to Councillors at Ordinary Council meeting held 19.08.11 for comments/suggestions/alterations  Architect commenced preparation of tender documents on agreed draft plan.	20.06.11  19.08.11  07.10.11

**Committee Resolution:**

**Moved: Cr PS Clancy**

**Seconded: Cr JE Clancy**

**That the Status Report for June 2012 be received.**

**CARRIED 3/0**

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD WEDNESDAY 4 JULY 2012

Page 17

**11. NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION  
OF THE MEETING**

**NIL**

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

**NIL**

**13. CLOSURE OF MEETING**

**Deputy Chairperson Cr TR Hutchinson declared the meeting closed at 5.38pm**