



SHIRE
Of
MEEKATHARRA

MINUTES

Of

HEALTH, BUILDING & TOWN PLANNING MEETING

Held

AT THE COUNCIL CHAMBERS, MEEKATHARRA

On

WEDNESDAY APRIL 6 2011

COMMENCING AT 5.05
PM

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

1.1 DECLARATION OF OPENING

Cr NL Trenfield declared the meeting open at 5.03pm.

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 Committee Chairperson, Cr NL Trenfield, read the disclaimer aloud.

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

Members

Cr NL Trenfield	Committee Chairman
Cr JE Burgemeister	
Cr TR Hutchinson	
Cr PS Clancy	
Cr AG Burrows	

Staff

Krys East	Corporate & Development Services Manager
Bill Atyeo	Principal Environmental Health Officer/Building Surveyor

Apologies

Nil

Approved Leave of Absence

Nil

Observers

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**6.1 HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD MARCH 19, 2011.**

Committee Resolution:

Moved: Cr PS Clancy

Seconded: Cr TR Hutchinson

**That the minutes from the Health, Building and Town Planning
Committee held Wednesday, March 19, 2011 be confirmed.**

CARRIED 5/0

7. PETITION/ DEPUTATIONS/ PRESENTATION/ SUBMISSIONS

Nil

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

Nil

Principal Environmental Health Officer/Building Surveyor's Report

Meekatharra Health, Building, Town Planning Committee

W.V. Atyeo

March 2011

I was in attendance at the Shire from the 7th March to the 11th March 2011.

BUILDING LICENSES ISSUED:

There was One (1) Building License processed during this time.

•**Building License BL02/11** was issued to Patrine HOWDEN, 79 Hill Street Meekatharra for the construction of a patio/lean-to at Lot 387 Hill Street Meekatharra.

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.

DEMOLITION LICENSES ISSUED:

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

SEPTIC TANK PERMITS ISSUED:

There was One (1) Septic Tank Installation permit issued during this time.

•**ST01/11/M** was issued to Talisman Mining, PO Box 641, Newman WA 6753, for the installation of a 3200 Ltr Plastic baffled tank, with 50 M Atlantis leach drain segments at the Monty area Talisman Exploration Campsite on Doolgunna Station.

ISSUES:

•**Royal Mail Hotel Inspection:**

I inspected the Royal Mail hotel but the manager was not present at the time. There were a number of issues that I raised even though there was some improvement with the laying of new flooring in the main area of the hotel. This certainly improved the look of the place, but it also highlighted other areas such as skirting boards, walls, and bar area that were not being cleaned properly.

I learnt that the present manager is leaving the hotel and a new manager has been engaged and should be in Meekatharra by the time I return.

I highlighted areas in the kitchen, dining room, toilets, and outside passage areas that required attention (cleaning) in order to raise significantly the standards of the hotel, which have slipped away in the last two months or so.

Since being in Meekatharra I have received three complaints in regard to the standard of the accommodation and the state of the hotel. One person claims that "bed bugs" attacked him. Following this I emailed the manager and owner in regard to the complaints, and will definitely

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING
COMMITTEE TO BE HELD WEDNESDAY 6 APRIL, 2011

Page 12

be re-visiting the hotel as a matter of priority, especially as a new manager will be in place by then.

I will re-inspect when I am in Meekatharra in April.

•**New Development of the Capricorn Roadhouse:**

I received a lengthy phone call from the proposed new owners of the Capricorn Roadhouse who wanted to meet with me when he is in the area last week in March. Unfortunately I stated that I would not be there that week, but was willing to meet him in Perth at his convenience.

He stated that he had not yet drawn-up a concept plan but would get back in touch with me for advice and the documentation required in order to obtain a Building license. From what was stated it appears that the new development of the roadhouse will be quite extensive.

With this in mind I will be asking for dust suppression and handling of effluent as a major priority. I am confident that the development will greatly enhance the appearance and running of the facility.

•**Inspection of 255 Darlot Street:**

I accompanied the Corporate and development Services Manager on an inspection of the dwelling located on Lot 255 Darlot Street. The house had had some renovations carried out to improve it to a state where it could be occupied.

The dwelling is to that state, but there were a few little items that will require attention and then the dwelling will be inspected and the conditions recorded prior to habitation. There was to be a complete cleanup of the yards, and cleaning of the outside.

•**Inquiry from Oakajee Port and Rail:**

I received an inquiry in regard to the requirements for camps along the railway link to be built through part of our Shire. It appears that the camps will be quite substantial with large infrastructure. It appears that one will be in Meekatharra and the other Yalgoo Shires.

Details have been forwarded to the person and they will contact the Shire as the time approaches. There was obviously no time-line indicated.

•**Pensioner Quarters concerns:**

I was referred to the condition of the Pensioner Quarters as there were concerns with the conditions there. I attempted to contact the new manager of Ministry of Housing for Meekatharra but she was not available. I will meet with her when in Meekatharra next and discuss some of the issues that I found when I inspected them.

Rubbish, car bodies, cleanliness, and unauthorised persons staying in the complex resulting in overcrowding are the main issues I found.

•**Meekatharra Butchers:**

I spoke with the owner of the Meekatharra Butchers and indicated to him concerns that have been raised with me in regard to the food handling, and the fact of kids and others behind the counter while serving customers.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING
COMMITTEE TO BE HELD WEDNESDAY 6 APRIL, 2011


Page 13

He indicated to me that he would address the concerns, and would improve the food handling techniques.

I indicated that I would meet with him when I am next in Meekatharra to discuss things further, and he was appreciative of this.

•Development Assessment Panels – Update on Implementation:

The Shire has received an update on the progression towards the establishment of DAPs within the region. Thus my Agenda item as follows:

Title/Subject:	Planning – Development Assessment Panels – Progress and members
Agenda/Minute Number:	
Applicant:	Administrative Matter
File Ref:	XXXXXX
Disclosure of Interest:	Nil
Date of Report:	1st April 2011
Author:	WV Atyeo Principal Environmental Health Officer Building Surveyor
	
	<i>Signature of Author</i>
Senior Officer:	Roy McClymont Chief Executive Officer
	<i>Signature Senior Officer</i>

Summary/Matter for Consideration:

Regional Development Assessment Panels (DAP) will soon be established or formed by the State Government under new legislative changes. There will be one that will cover the Shire of Meekatharra which may also cover other Local Governments within the region.

Under the new changes Local Governments throughout the State are required to nominate 2 Councillors to be a part of the DAP for their region, plus 2 alternative Councillors, for the Ministers consideration and appointment.

This item will recommend that these Councillors be nominated and submitted to the Minister.

Attachments:

Nil

Background:

Councillors will be aware that we have objected to the introduction of Development Assessment Panels for Western Australia, as did 98% of the Local Governments that responded to the comment papers circulated for comment. Well they are here and here to stay. Their formation and implementation is as follows.

As you are aware, fifteen new Development Assessment Panels ('DAPs') are scheduled to commence operation from **1 July 2011**.

On **24 March 2011**, Part 11A of the *Planning and Development Act 2005* (the 'PD Act') will commence operation. Part 11A contains the heads of powers required to introduce DAPs in this State, through the making of regulations by the Governor.

On **24 March 2011**, the new *Planning and Development (Development Assessment Panels) Regulations 2011* (the 'DAP regulations') will also commence operation. The regulations were formulated with the assistance of a working group, comprising representatives from the Western Australian Local Government Association ('WALGA'), the Property Council and the Planning Institute of Western Australia. The working group endorsed the DAP regulations on 10 February 2011.

On **24 March 2011**, amendments to the *Planning and Development Regulations 2009* (the 'PDR') will also commence. Regulation 8(1)(b) of the new DAP regulations state that any DAP application of development within a district for which a DAP is established cannot be determined by the local government for the district – they must be determined by the DAP. As such, local governments cannot charge a fee under regulation 47 and Schedule 2 PDR for DAP applications, as they will not be the determining body for such applications.

In order to address this situation, and with the assistance of the working group, amendments to the PDR will allow local governments to continue charging fees for applications that will be subject to the new DAP process under the DAP regulations. In particular, a new regulation 48A has been inserted into the PDR, which states:

48A. Fees for DAP applications

- (1) *A local government may impose a fee for services in respect of a DAP application made to it notwithstanding that it will not itself determine the application.*
- (2) *The fee must be decided by the local government but must not exceed the maximum fee specified in Schedule 2 in relation to a development application in respect of the same kind of development.*
- (3) *Any fee imposed under sub regulation (1) must be paid to the local government by the applicant when making the DAP application.*

This has been one outcome that Local Government will be pleased with.

A short-list working group has already been established to assist the Minister with the selection of specialist DAP members. It is expected that the Minister and Cabinet will approve the appointment of specialist DAP members on or around **4 April 2011**. The names of appointments for each DAP area will be communicated to each respective local government before the 40-day local government nomination period formally begins.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING
COMMITTEE TO BE HELD WEDNESDAY 6 APRIL, 2011

Page 15

On **2 May 2011**, the Ministerial Order formally creating the 15 DAPs will be gazetted. This order will set out which local government district falls within the jurisdiction of each DAP area, and a copy of the order will also be published on the DAP website.

As outlined in the DAP regulations, DAP will not start to consider new applications until 60 days after their establishment. Therefore, DAPs will effectively commence operation on **1 July 2011**.

The new DAP regulations prescribe local governments with a 40-day period, from the establishment of the 15 DAPs, to submit to the Minister nominations for 2 DAP members and 2 alternate DAP members (i.e. 4 names in total). As DAPs will be formally created on 2 May 2011, local governments will have until **13 June 2011** to submit their nominations.

However, the Department of Planning would greatly appreciate if local government could start the process of selecting their DAP nominations from their pool of councillors. They would also appreciate names being submitted to the Department from this point onwards, if possible.

If a local government fails to provide the requisite nominations within the 40-day deadline of 13 June 2011, the Minister is empowered to nominate replacements from eligible voters in the district to which the DAP is established. In turn, the Minister and Cabinet is expected to formally approve the local government nominations on or around **15 June 2011**.

The DAP regulations prevent a DAP member from attending a meeting without first completing mandatory training. Please keep in mind that any DAP member who successfully completes training is entitled to the payment of \$400 from the Department.

Given the very tight deadlines, the Department proposes to begin training DAP members as soon as they are nominated by their respective local governments, starting from **3 May 2011**. Priority will be given to those areas that are expected to have a high-volume of DAP applications. Therefore, the Department would greatly appreciate local government nominations as soon as possible from this point onwards.

Comment:

Council really does not have a choice but to nominate the four required Councillors, otherwise the Minister will canvas eligible voters in the district to which the DAP applies.

It needs to be pointed out further that those Councillors appointed by the Minister, **MUST** attend and complete the required training to the level required and this commences from 3rd May 2011. Thus the urgency to nominate the Councillors.

Consultation:

Statutory Environment:

- *Planning and Development Act 2005*
- *Planning and Development (Development Assessment Panels) Regulations 2011*

Policy Implications:

Nil

Budget/Financial Implications:

Not Known at this stage

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Officers Recommendation:

Moved:

Seconded:

That the Health Building and Town Planning Committee recommend to Council that Council nominate

➤Councillor

➤Councillor

to the Minister as members of the relevant Development Assessment Panel for the Shire of Meekatharra, and nominate

➤Councillor

➤Councillor

as alternative members to the relevant DAP for the Shire of Meekatharra.

and

That Council forward the names of the nominated Councillors to the Minister and to the Department of Planning as required.

Committee Resolution:

This item is to lay on the table

Thus ends my report.



Principal Environmental Health Officer
Building Surveyor

Committee Resolution:

Moved: Cr JE Burgemeister

Seconded: Cr AG Burrows

That the Principal Environmental Officer/Buildings Surveyor's Report for March 2011 be received.

CARRIED 5/0

Status Report

DATE	SUBJECT	PROPERTY	ACTION REQUIRED	RESPONSIBLE PERSON	STATUS	ACTION TAKEN	DATE
5-Nov-08	Design works for future renovations	Lot 87 Main St Lot 208 Hill St Swimming Pool	Engage designer to draw up plans and specifications for renovations to lots 87 Main St & 208 Hill St and for the installation of a roof on the swimming pool kiosk/change rooms	CDSM	Onhold	Lot 208 Hill Street Tender not awarded and need to revise scope of works	June 2010
					Completed	Lot 87 Main Street Work Completed Awaiting maintenance period for defects	Dec 2010
					Completed	Swimming Pool Tender awarded and work to commence Mid July	June 2010
						Swimming Pool Work completed Awaiting maintenance period for defects	Feb 2010
July 09	Cleanup of town site and surrounds for abandoned vehicles and general rubbish	N/A	Ongoing inspections and cleanup of Meekatharra town site and surrounds for a distance of no less than of 1km. Cleanup to include car bodies, general rubbish and weeds from vacant blocks, town streets and immediate surrounding bushlands. Town streets to include the Airport Rd to the Met Bureau.	CDSM/Town Works Crew	Ongoing	Initial Inspection and cleanup commenced	July 09
						Discussions commenced with Mission Australia Re: using Work for the Dole participants	Feb 10

Committee Resolution:

Moved: Cr PS Clancy

Seconded: Cr TR Hutchinson

That the Status Report for March 2011 be received.

CARRIED 5/0

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


Moved: Cr TR Hutchinson

Seconded: Cr AG Burrows

**That the following item be included as an item of an urgent nature
introduced by Resolution of the Committee**

CARRIED 5/0

- 10.1 Cr PS Clancy brought to the committees attention that the outside of both the new Centrelink and Mission Australia buildings are rapidly looking unattractive due to litter. This matter was discussed amongst the committee and it was suggested that the Committee recommend to Council that the Police Officer in Charge be invited to Council meeting to ascertain steps to rectify the situation.**

Title/Subject	KINTYRE URANIUM PROJECT
Agenda/Minute Number:	10.2
Applicant:	SHIRE OF MEEKATHARRA
File Ref:	Kintyre Uranium Project
Disclosure of Interest:	Nil
Date of Report:	5th April 2011
Author:	WV Atyeo Principal Environmental Health Officer Building Surveyor
	
	<i>Signature of Author</i>
Senior Officer:	Roy McClymont Chief Executive Officer
	<i>Signature Senior Officer</i>

Summary/Matter for Consideration:

To submit comments to the Environmental Protection Authority in regard to the Environmental Scoping Document submitted to Council for comments on the Kintyre Uranium Project.

Attachments:

Nil

Background:

Council has received an Environmental Scoping Document (ESD) from the Department of Environment Protection Authority in regard to the proposal by Cameco Australia Pty Ltd to the Kintyre Uranium Project.

The project will consist of an open cut uranium mine, process plant and associated infrastructure and is located in the Shire of East Pilbara. The main issue for the Shire of Meekatharra in regard to this project is that one of the routes being considered for the road transportation of the Uranium Oxide Concentrate (UOC) is through the town of Meekatharra, to Mount Magnet, Sandstone, Kalgoorlie, to South Australia.

Environmental Scoping Document (ESD) is the document prepared either by the EPA, or by the proponent in conjunction with the EPA, which sets out the EPA's determination as to the form, content, timing

and procedure of the environmental review required to be undertaken by the proponent under section 40(2)(b) of the Act where the PER level of assessment has been determined by the EPA.

The ESD describes the proposal, summarises current knowledge about the area, identifies environmental issues associated with the proposal and further works to be carried out, and provides an outline of the contents for the Environmental Review and Management Program (ERMP).

There is a two week period, closing on the 11th April 2011, for submissions. After giving consideration to public comments, the ESD will be finalised. Once the EPA has accepted the final ESD, it will be used by the proponents for preparing their ERMP and made available when the public review period for the Public Environmental Review (PER) commences.

Comment:

This means that there is a lot of reviews and public commenting period to come before anything is final in regard to this project. However, I feel that Council needs to advise the EPA at this early stage that they have a major interest in ensuring that the transportation of the UOC through the Shire and neighbouring Shires is fully scrutinised and included in the consultation process at all times.

Consultation:

Chief Executive Officer – Roy McClymont

Statutory Environment:

- Environmental Protection Act 1986

Policy Implications:

Nil

Budget/Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Simple Majority

Officers Recommendation / Committee Resolution:

Moved: Cr AG Burrows

Seconded: Cr PS Clancy

That the Committee recommends to Council that:

Council submit to the Environmental Protection Authority the comment in regard to being fully consulted and informed in regard to the Transport Risk Study for the Kintyre Uranium Project for the proposed Transport Risk Study to be included in the Environmental Review and Management Program (ERMP)

CARRIED 5/0

- 11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
Nil
- 12. CLOSE OF MEETING**
Cr NL Trenfield declared the meeting closed at 6.12pm