



SHIRE

Of

MEEKATHARRA

MINUTES

Of

HEALTH, BUILDING & TOWN PLANNING MEETING

Held

AT THE COUNCIL CHAMBERS, MEEKATHARRA

On

WEDNESDAY JUNE 8, 2011

COMMENCING AT 5:03 PM

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

1.1 DECLARATION OF OPENING

Cr NL Trenfield declared the meeting open at 5:03 pm.

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 Chairperson
Cr TR Hutchinson
Cr AG Burrows
Cr JE Burgemeister**

Staff

Bill Atyeo Principal Environmental Health Officer/Building Surveyor

Apologies

**Cr PS Clancy
Krys East Corporate & Development Services Manager**

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 MAY 11, 2011.**

Committee Resolution:

Moved: Cr TR Hutchinson

Seconded: Cr AG Burrows

**That the minutes from the Health, Building and Town Planning
Committee held Wednesday, May 11, 2011 be confirmed.**

CARRIED 4/0

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

May 2011

I was in attendance at the Shire from the 9th to the 13th May 2011.

BUILDING LICENSES ISSUED:

There were Nil (0) Building Licenses processed 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.

DEMOLITION LICENSES ISSUED:

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

CONTROLLED WASTE TRACKING FORMS:

Mr Smith submitted his controlled waste tracking forms which have now been entered into the Controlled Waste Tracking data base on the internet, and have been signed off on as required by the relevant legislation.

Note: Over 350,000 Lts has been trucked in from Sandfire Resources NL since Feb 2011 till now.

ISSUES:

- Schedule of Fees – Changes
Time was spent on making amendments to the schedule of fees and charges for Council to consider and adopt for the up-coming financial year. The following document was submitted to management for the inclusion of the matters and items mentioned.

BUDGET 2011/2012

Schedule of Fees and Charges

It is THAT time of the year and there are changes to be made to the Schedule of Fees and Charges for 2011/2012 financial year. I have tried to put all of these together for you and please contact me if you are not sure of anything stated here or you think I have missed anything that is within my area.

Planning Fees:

I have attached these as each one will need to be checked. If there is anything missing, please contact me. *See Attachment 1*

Building Fees:

We have not yet been advised at whether or not there are any changes to the legislative fees for Building Licenses etc so all will be the same as last year until further advised. However, we are now permitted to charge for retrospective approvals, so an added category will need to be added. Please note that these are legislated and so there is no GST to be included in the fees..

The added sections are listed below:

Application for a building approval certificate for unauthorised building work

Scale of fees

Description	Fee
For the issue of a building approval certificate in relation to a building of Class 1 or 10.	0.7% of 10/11 of the estimated current value of the unauthorised building work as determined by the local government, but not less than \$170.
For the issue of a building approval certificate in relation to a building other than a building of Class 1 or 10.	0.4% of 10/11 of the estimated current value of the unauthorised building work as determined by the local government, but not less than \$170.

Food Act:

The Food Act 2006 allows Council to set rates for various matters in regards to Food Businesses under the *Local Government Act 1995* Part 6 Division 5 Subdivision 2.

I am attempting to draw-up an agenda item for Council that will set the fees as listed below, and these will need to be added to your Schedule of Fees and Charges.

- ***Notification of conduct of food businesses***
- ***Registration of food businesses and certification***
- ***Variation of conditions or cancellation of registration of food businesses***
- ***Provision of information and inspections in excess of the 3 per annum as an enforcement agency***

I would suggest the following be applied to your schedule of fees and charges and if there are changes following a Council decision then adjustments will need to be done.

Notification of a Food Business	\$50.00	Per Notification ✓
Application for a Food Business License	\$55.00	Per Application ✓
Issuing of Food Business License (allows for up to 3 inspections annually)	\$160.00	Per Annum ✓
Variation of conditions or cancellation of registration of food businesses	\$80.00	Per Event ✓
Provision of information and inspections in excess of the 3 per annum as an enforcement agency	\$100.00 per hour	hour ✓

✓ Please note that I think GST will need to apply to these fees in this table, but the CEO will need to determine this. The amount of fees charged must be set by Council, and the legislative power to set these is within the Food Act 2006, through the *Local Government Act 1995* Part 6 Division 5 Subdivision 2.

In other words the Food Act states that the Local Government may set these fees under the Local Government Act.

AEHS Pty Ltd Charges 2011/2012

I have verbally stated that AEHS Pty Ltd would be increasing its fees for the 2011/2012 financial year.

I have tried to keep the rise to a minimum as I am fully aware of the financial constraints that Councils are experiencing. The only increase is to the base hourly rate with all others stated remaining the same, unless a third party increases their charges, and are stated as “at cost”.

I have tried to allow for the maximum AEHS services might cost you in a year but there are variables (such as extra time above what I have allowed for). As a Shire you are also to negotiate with me on the figures used so that the service you get is what you require. Please consult with me on any matter you feel is relevant to your needs.

See Attachment 2

Attachment 1

Maximum Fees for Planning: From the 1st July 2011

Item	Description of planning service	
1	Determination of development application (other than for an extractive industry) where the estimated cost of the development is:	
	a) Not more than \$50,000	\$139 (GST exempt)
	b) More than \$50,00 but not more than \$500,000	0.32% of the estimated cost of the development (GST exempt)
	c) More than \$500,000 but not more than \$2.5 million	\$1,600 + 0.257% for every \$1 in excess of \$500,000 (GST exempt)
	d) More than \$2.5 million but not more than \$5 million	\$6,740 + 0.206% for every \$1 in excess of \$2.5 million (GST exempt)
	e) More than \$5 million but not more than \$21.5 million	\$11,890 + 0.123% for every \$1 in excess of \$5 million (GST exempt)
	f) More than \$21.5 million	\$32,185 (GST exempt)
2	Determine a development application (other than for an extractive industry) where the development has commenced or been carried out	The fee in item 1 plus, by the way of penalty, twice that fee. (GST exempt)
3	Determining a development application for an extractive industry where the development has not commenced or been carried out	\$696 (GST exempt)
4	Determining a development application for an extractive industry where the development has commenced or been carried out	The fee in item 3 plus, by the way of penalty, twice that fee. (GST exempt)
5	Provision of a sub-division clearance:	
	a) Not more than 5 lots	\$69 per lot (GST exempt)
	b) More than 5 lots but not more than 195 lots	\$69 per lot for the first 5 lots and then \$35 per lot (GST exempt)
	c) More than 195 lots	\$6,959 (GST exempt)
6	Determine an initial application for approval of a home occupation where the home occupation has not commenced	\$209 (GST exempt)
7	Determine an initial application for approval of a home occupation where the home occupation has commenced	The fee in item 6, by way of penalty, twice that fee. (GST exempt)
8	Determining an application for the renewal of an approval of a home occupation where the application is made before the approval expires	\$69 (GST exempt)
9	Determining an application for the renewal of an approval of a home occupation where the application is made after the approval has expired	The fee in item 8 plus, by way of penalty, twice that fee (GST exempt)
10	Determining an application for a change of use or for a change of use or for an alteration or extension or change of a non-conforming use to which item 1 does not apply, where the change or the alteration, extension or change has not commenced or been carried out	\$278 (GST exempt)

11	Determining an application for a change of use or for a change of use or for an alteration or extension or change of a non-conforming use to which item 2 does not apply, where the change or the alteration, extension or change has commenced or been carried out	The fee in item 10 plus, by way of penalty, twice that fee (GST exempt)
12	Providing a zoning certificate	\$69 (GST exempt)
13	Replying to a property settlement questionnaire	\$69 (GST not included)
14	Providing written planning advice	\$69 (GST not included)
Part 2 - Maximum fees: Scheme Amendments		
1	Director/ City/ Shire Planner	\$83.00 (GST not included)
2	Manager/ Senior Planner	\$63.00 (GST not included)
3	Planning Officer	\$34.70 (GST not included)
4	Other staff e.g. Environmental Health Officer	\$34.70 (GST not included)
5	Secretary/ administrative clerk	\$28.40 (GST not included)
Part 3 - Maximum fees: Structure Plans		
1	Director/ City/ Shire Planner	\$83.00 (GST not included)
2	Manager/ Senior Planner	\$63.00 (GST not included)
3	Planning Officer	\$34.70 (GST not included)
4	Other staff e.g. Environmental Health Officer	\$34.70 (GST not included)
5	Secretary/ administrative clerk	\$28.40 (GST not included)

Note:

All fees are exclusive of GST unless otherwise indicated.

Goods and Services Tax:

It has been determined that the Goods and Services Tax (GST) will not apply to fees for development applications, subdivision clearances, home occupations, change of use and issue of zoning certificates as they are application and certificate type fees that are compulsory in nature. These items have been listed in A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2000 (No. 2).

GST will apply to fees for property settlement questionnaires and written planning advice, and scheme amendments and structure plans, as these are in the nature of a service. The estimated cost of development cited in schedule 1, part 1, item 1, is exclusive of GST.

For example if the estimated cost of development is \$300,000 excluding GST, the fee chargeable for determination of the development application at time of lodgement is \$960.

Attachment 2

Meekatharra				
Hrs/Week	\$/Hr	Weeks/Year	Cost No GST	
50	\$86.50	12	\$51,900.00	Salary
5	\$45.00	12	\$2,700.00	Meals
			\$0.00	Airfares
			\$0.00	Hire Vehicle
			\$0.00	Fuel
			\$0.00	Accom
			\$54,600.00	\$4,550.00 per month

At cost
At cost
At cost
At cost

2010/2011	2011/2012	% Increase
82.70	86.50	4.59

- **Meekatharra Hotel – Inspection:**
I inspected the hotel in the presence of Lee and Gee who are leasing the business from their uncle who resides in Perth. There were a number of items I discussed with them and indicated that I would return next visit and sit down with them and explain more fully what I required.

I also stated that I required the area behind the front fence needs to be cleaned and kept clean at all times. In order to assist in communication I tried a program off the internet with translation.

This was effective as Lee informed me that he understood the written request that I made using the translation software. I also informed him that I would do a further inspection when next in town.

"Can you please clean up the garbage behind the fence and keep it clean. Thank you."

Translated as:

能否请你清理垃圾从属性围栏后, 保持干净

- **Lot 220 Darlot Street – Water flowing to adjacent bedroom**
Kelly and I inspected the Darlot property as water was reported by the tenant.

It appears that the grouting to the shower base has deteriorated and seeping through to the wall cavity and then into the bedroom adjacent to the bathroom. This has caused soaking of the carpet in this room and has resulted in a wet musty smell to the premises.

The tenant will seal the defective grout area and then we will determine what is required during my next visit to Meekatharra.

- **Review of the Tobacco Products Control Act 2006**

A late but urgent item was prepared and submitted to the Council due to the very limited time Council had to make a submission in regard to 15 options proposed to be changed in the Tobacco Products Control Act 2006. Because time was short, I submitted my comments in regard to the 15 options, with an opportunity for Council to change and submit them as Council's comments.

Fifteen potential legislative options have been identified for further consideration and discussion with stakeholders:

Option 1: Ban the sale of fruit and confectionery flavoured cigarettes and split packs;

Option 2: Prevent tobacco purchases being included in reward schemes;

Option 3: Introduce a buffer zone around entrances, air conditioning intakes and in relation to alfresco eating areas;

Option 4: Extend smoke-free restrictions to other public outdoor areas;

Option 5: Clarification of local governments' powers to regulate smoking in outdoor areas under their control;

Option 6: Introduce a complete ban on smoking in all outdoor eating areas;

Option 7: Consider removing the smoking exemption applying to the Burswood Casino International Room;

Option 8: Extend smoke-free legislation to include common shared areas in boarding and lodging houses and residential strata complexes;

Option 9: Amend the defence provision permitting display of tobacco products by specialist tobacco retailers;

Option 10: Amend the requirements relating to the size and display of price boards and price tickets and including new graphic health warnings;

Option 11: Introduce a requirement that tobacco can only be sold by persons over 18 years;

Option 12: Amend the tobacco licensing provisions;

Option 13: Amend the investigation provisions in the Act;

Option 14: Amend the provision providing a defence for smoking in a live stage performance; and

Option 15: Amend the provisions relating to the Western Australian Health Promotion Foundation (Healthway).

Council's decision was to approve my comments on each of these for submission to the Department of Health.

- **Other Issues in progress at the time:**
 - ✓ Further Development of Sandfire Mining, with the registration of a Food Business and the issuing of Sect 30 and Sect 40 Certificates for the Liquor Licensing Commission.
 - ✓ Further Development on Plutonic Mining Lease
 - ✓ Re-Development of the Capricorn Roadhouse with proposed demolition of some buildings, the temporary accommodation to be installed, and the re-development of the Capricorn Roadhouse complex.

Thus ends my report.



Principal Environmental Health Officer
Building Surveyor

Committee Resolution:

Moved: Cr AG Burrows
Seconded: Cr JE Burgemeister

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

CARRIED 4/0

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE HELD WEDNESDAY 8 JUNE, 2011
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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 TE Hutchinson
Seconded: Cr JE Burgemeister

That the Status Report for May 2011 be received.

CARRIED 4/0

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

- 11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE
HAS BEEN GIVEN
Nil**

- 12. CLOSE OF MEETING
Cr NL Trenfield declared the meeting closed at 5:45 pm**