



SHIRE

Of

MEEKATHARRA

MINUTES

Of

HEALTH, BUILDING & TOWN PLANNING MEETING

Held

AT THE COUNCIL CHAMBERS, MEEKATHARRA

On

SATURDAY 18 MAY 2013

COMMENCING AT 08.43AM

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

1.1 DECLARATION OF OPENING

The Chairperson, Cr NL Trenfield, declared the meeting opened at 08.43am.

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 Chairperson, Cr NL Trenfield, read the disclaimer out loud.

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

Members

Cr NL Trenfield Chairperson
Cr TR Hutchison Deputy Chairperson
Cr AG Burrows
Cr PS Clancy

Staff

Samantha Tarling Acting/Community Development Services Manager

Apologies

Bill Atyeo Principle Environmental Health Officer/Building Surveyor

Approved Leave of Absence

Nil

Observers

Cr HJ Nichols

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
20 APRIL, 2013.**

Committee Resolution:

Moved: Cr PS Clancy
Seconded: Cr TR Hutchison

**That the minutes from the Health, Building and Town Planning Committee held
Saturday 20 April, 2013 be confirmed.**

Carried 4/0

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**

I was in attendance at the Shire from the 6 to 10 May 2013.

Please accept my apologies for non-attendance at this meeting of the Committee, as I will be in Perth and not able to be present. However, if you need to contact me, please try me on my mobile 0409981144.

BUILDING PERMITS:

There were Nil (0) Building Permits issued during this time but there were Two (2) Occupation Permits issued.

- OP13-006 issued to Karalundi Aboriginal Education Centre Inc., PMB 6, Meekatharra WA 6642 for the two units constructed under the one roof with each unit having two bedrooms.
- OP13-007 issued to Karalundi Aboriginal Education Centre Inc., PMB 6, Meekatharra WA 6642 for the five units constructed under the one roof with each unit having one bedroom.

Building Permit 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 required.

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- The Building Commission has requested particular statistics (Month by Month) for all permits submitted between April 2012, when the new Building Act, came into force and March 2013. The spreadsheet they provided for this has been filled out and returned. Another survey.

DEMOLITION PERMITS:

There were Two (2) Demolition License issued during this time.

- **DP13-001** issued to Richard Dean WILLIAMS and TRINATION STEEL, 9E Johnston Street, Boulder WA 6432 for the demolition of the canopy and signs Lot 821 Main Street (GNH) – Coles Express.
- **DP13-003** issued to Royal Flying Doctor Service of Western Australia (Western Operations) 3 Eagle Drive, Jandakot WA 6164 for the demolition of the dwelling located on Site 5 of Lot 811 High Street (Hospital area).
- **DP13-004** issued to Royal Flying Doctor Service of Western Australia (Western Operations) 3 Eagle Drive, Jandakot WA 6164 for the demolition of the dwelling located on Site 6 of Lot 811 High Street (Hospital area).

OTHER MATTERS:

• ***PROPOSED DEVELOPMENT AT MEEKATHARRA AIRPORT:***

Sandeep Shankar, Senior Planner for GHD requested information in regards to the planning requirements for a DVOR Counterpoise development being proposed by Silcar Pty Ltd at the Meekatharra Airport. DVOR is a type of short-range radio navigation system for aircraft, enabling the aircraft to determine their position and stay on course by receiving radio signals transmitted by a network of fixed ground radio beacons, with a receiver unit.

They do not have any designs as yet, but did attach some photos of similar structures which are existent in other localities. They were asking for the Shire's planning requirements and the approximate time frames in gaining approvals.

The following was my response, given that the Shire owns the land:

"I inform you that the land is owned by the Shire of Meekatharra and this land does not come under the Meekatharra Town Planning Scheme. As such, all development is controlled by the Shire of Meekatharra in consultation with the manager of the airport, Mr Mal Trenfield. You will need to place your proposal before Council for their approval especially given that you will need to negotiate also with Council for the use of the land. Ownership of the land is more effectively and efficiently handled by my superior Samantha Tarling and the CEO of the Shire, Mr Roy McClymont. I am unsure of timelines in regards to these matters but suggest that you make immediate contact with both Samantha and Roy to discuss your proposal more fully.

The issue of Building Permits will follow with you lodging a Certified Building Permit Application with the Shire following successful negotiations in regards to the land to be used etc. If I receive a Certified Building Permit Application then generally the permit to build will follow within 10 working days of it being lodged."

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DWELLING – LOTS 647 AND 648 QUEEN ROAD - MEEKATHARRA:

The owners of the property, Wayne Jones and Paul Yates, have responded by email following my letter to them of last month.

"We are in receipt of your letter regarding enforcing the demolition order on the house on Lot 648 Queen Road. We seek a further 90 days grace, regarding the council's right to enforce the Demolition Notice under the Health Act. We appreciate the council's position, that this has not been enforced by the Shire until now.

We have paid a local contractor to tidy up the site and board up the building, in recent months, which is now in a respectable state. The current vandalism was caused by trespassers and we are trying to maintain an acceptable level of street appeal in the interim.

Previously, we indicated that someone was interested in purchasing it and doing it up. This deal fell through but we are in discussions with another party that may require a new transportable dwelling for the site and or purchase it in its current state. The further 90 days would be greatly appreciated to follow through will negotiations.

Paul Yates and I have been unable to contact Mr Burrows (local contractors) to-date, as he is out of town. We will discuss its demolition, should we be unsuccessful with our other two options as stated."

I would appreciate an indication from the Committee as to how they wish me to continue. I feel that we can afford to extend the compliance date by 90 days (2 September 2013) providing the appropriate action has been taken. This would mean that if the land is sold, then the new owner would need to fully comply within 30 days of taking possession of the property. That is, the house would be demolished and the land cleared unless renovations had commenced.

If the land is not sold, then the current owners will have the house demolished by the 2 September 2013 and the Lot totally cleared of all refuse and rubbish to the satisfaction of the Committee. Failure to comply, then a recommendation will be presented to Council to cause the demolition of the house and the clearance of land, with all costs levied against the owners of the land.

If the Committee feels that they are not willing to wait any longer, then I am able to draft a recommendation to the following meeting of Council.

Please indicate.

•SEWERAGE FLOWING – DWELLING LOT 194 HILL STREET - MEEKATHARRA:

I have returned to these premises as I was informed by the manager of the house that the situation had not been resolved and there appeared nothing else would be forthcoming in regards to engaging a plumber.

The tank had been pumped out but sewage was still flowing from the tank directly onto the top of the ground and moving down the Lot to the rear of the property. The tank lid is defective and the wrong size for the small out-dated tank that is present. Even with the right sized lid the problems associated with effluent flowing to the surface would still be present, or there could be complete blockage of the drains within the house. Either way this is unacceptable.

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I contacted the owner and she has made a commitment to install a new system if unable to correct the current situation. The owner was not aware of the severity of the problem until I emailed her a copy of the photos I took on the day, and was disappointed that the manager of the property had told her it was so serious. She was also not aware that the "fix-up" job carried out by the people engaged to pump out the tank was of such a poor standard.

I have given the owner the contact details of the plumber and also the telephone number of her tenant, as the property manager has withdrawn his services. I also gave the contact phone number of the owner to the tenant so that they can contact her directly.

I have also spoken to the neighbour about what is envisaged and I will continue to monitor the situation.

•CRC PROPOSED DEVELOPMENT - MEEKATHARRA:

The CRC Committee have made an inquiry to the Shire to ascertain where the property boundary is located on Main Street and how close to that boundary a fixed structure can be built.

I have informed the CEO that:

The boundary of the CRC land (Lots 56 and 57 Main St) appears to be approx 450 mm from the front edge of the disabled access ramp. However, this is only an approx position and can only be verified by the engagement of a land surveyor.

The CRC are able to build on the actual boundary of the property, but any encroachment onto the footpath will need to be sanctioned by the Council. This would include any ramps, verandahs etc that the CRC might want to build over the footpath.

I could further assist perhaps if the CRC had provided us with some proposed plans and the intended layout of facilities. The land is a Local Scheme Reserve under the Town Planning Scheme, and the permitted use is Public Purposes, which I am sure the CRC would be a permitted type development.

•MEETING WITH DEPARTMENT OF HOUSING – MEEKATHARRA OFFICE:

I was invited to attend the Meekatharra Office of the Department of Housing to open communications with staff and to discuss some issues within the Region. The meeting was very fruitful and I commented on the positive changes that had occurred at the Pensioner Units in Hill Street with the application of the liquor restrictions.

The area is much tidier and it is reported to be less police presence required with the occupants very pleased with the outcomes. It is also reported that 4 more premises have applications to have their premises as Liquor Restricted Premises.

The Department is to be commended for taking the initiative and also offering the tenants/occupants their support as well as the Police in Meekatharra as they appear to be totally supportive as well.

•DWELLING – LOT 645 QUEEN ROAD - MEEKATHARRA:

I have been trying to get contact details for the owner of the badly vandalised house on Lot 645 Queen Road. I was informed that all mail sent to the registered address on our rates database is returned. I

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have now learned that the owner is residing in Paraburdoo, but do not have an address to send letters etc to.

Nevertheless, I have declared the house unfit for Human Habitation pursuant to the Health Act and have served the following Notice on the building as required and posted a copy of that with a covering letter to the official address as stated on the rates system. It may well be returned, but it is important that it be sent and if returned then this is proper procedure under the Health Act.

It should be noted that the compliance date on the Notice is stated as the 3 June 2013, by which time the dwelling is required to be demolished. Once this time has passed, then Council may cause the demolition to be carried out in accordance with the Notice, and all costs to the owners.

Health Act 1911 (as amended)

NOTICE

TAKE NOTICE that by virtue of the powers conferred under the provisions of the Health Act 1911 (as amended), the Council of the Shire of Meekatharra, being the Local Authority in and for the health district of Meekatharra, **DECLARES** that, pursuant to Section 135, the dwelling described in the **FIRST SCHEDULE** hereto, of which you are the owner, is **Unfit For Human Habitation** and shall not be occupied after the **12 Day of May 2013**, and that the works detailed in the **SECOND SCHEDULE**.

FURTHER TAKE NOTICE that the dwelling shall not be inhabited or occupied by any person from the date stated above. Any person who permits any person to occupy the above dwelling, or any person who occupies the dwelling, is in breach of the provisions of the said Act. Any breach of this Notice constitutes an offence, and may result in the matter being placed in the hands of Council's Solicitors for prosecution.

FIRST SCHEDULE

Premises: SINGLE STORY, TIMBER FRAMED DWELLING WITH FIBRO AND POSSIBLE ASBESTOS EXTERNAL CLADDING, AND STEEL CLADDING TO ROOF.

Location: Lots 645 Queen Road, Meekatharra WA 6642

Owner: Barry and Cheryl CONDON
Lot 645 Queen Road
Meekatharra WA 6642

SECOND SCHEDULE

Pursuant to Section 137 of the Health Act 1911, the owner will, on or before the 3 June 2013 totally demolish the whole of the building and all associated buildings on the Lot stated in the First Schedule of this Notice. Also, the complete allotment is to be cleared of all rubbish, which shall be removed to the licensed landfill of the Shire of Meekatharra and the septic tank and leach drain system is to be totally de-commissioned.

Dated this 11 Day of May 2013
Issued by and under the direction of Council.

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DWELLING – LOT 301 DARLOT STREET – MEEKATHARRA:

On the 10 May I inspected the property in the presence of the owner's son, as the owner was away from town at the time. I recorded the following:

- Dangerous and severe leaking from top story plumbing into the laundry area below on ground floor. The effluent from above washes over live power-points below and has been recorded tripping out the electrical circuit.
- This has been happening for some time and the leaking effluent has significantly affected the ceiling to the laundry and also the timber beams etc that are supporting the top floor.
- Drains appear to be blocked leading from the sink in the kitchen on the 1st floor level to the main drain at ground level, pooling at the base.
- Septic tanks are defective and sewerage flows to the surface. It appears the leach drains are defective or the whole system is. The lids to the tanks are defective also and need to be replaced as sewerage pools around them and is flowing in the yard.

This premise will need to be closely monitored, and I told the owner's son, that the family will need to quickly address the items that I feel are most serious at this time. It was noted that the yard has been cleaned up, but the fact of effluent flowing over live power-points and also pooling on top of the ground creates a danger to the physical well-being of the family and occupants.

I stated that urgent action was required, and if not then I will issue a Health Notice declaring the dwelling unfit for human habitation, which will result in the people not being permitted to live in the house until all is fixed to the appropriate standards.

This situation will be monitored on a regular basis, and I will draft a letter to the owner and send it to her pointing out the above, and calling for action.



Principal Environmental Health Officer
Building Surveyor

Committee Resolution:

Moved: Cr PS Clancy

Seconded: Cr AG Burrows

That the Principal Environmental Officer / Building Surveyor's Report be received.

Carried 4/0

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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. CLOSURE OF MEETING

The Chairperson, Cr NL Trenfield, declared the meeting closed at 8.58am.