



SHIRE

Of

MEEKATHARRA

MINUTES

Of

HEALTH, BUILDING & TOWN PLANNING MEETING

Held

AT THE COUNCIL CHAMBERS, MEEKATHARRA

On

SATURDAY 19 JANUARY 2013

COMMENCING AT 8.32AM

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

1.1 DECLARATION OF OPENING

The Chairperson, Cr NL Trenfield, declared the meeting open at 8.32am

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 aloud.

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

Members

**Cr NL Trenfield Chairperson
Cr TR Hutchinson Deputy Chairperson
Cr JE Burgemeister**

Staff

**Murray Brown Acting Chief Executive Officer
Krys East Corporate Services Manager/Deputy Chief Executive Officer
Bill Atyeo Principle Environmental Health Officer/Building Surveyor**

Apologies

Cr AG Burrows

Approved Leave of Absence

Cr PS Clancy

Observers

**Ross Howden 8.36am
Harvey Nichols 8.52am**

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Committee Resolution:

Moved: Cr TR Hutchinson

Seconded: Cr NLTrenfield

That Cr JE Burgemeister be granted leave of absence for the February 2013 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 DECEMBER 14, 2012.**

Committee Resolution:

Moved: Cr TR Hutchinson

Seconded: Cr JE Burgemeister

That the minutes from the Health, Building and Town Planning Committee held Friday December 14, 2012 be confirmed.

CARRIED 3/0

7. PETITION/ DEPUTATIONS/ PRESENTATION/ SUBMISSIONS

Nil

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

Nil

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 4

9. REPORTS OF COMMITTEES AND OFFICERS

9.1 OFFICERS MONTHLY REPORTS

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

No report is available as Officer was not in attendance from date of last meeting until 15 January 2013

9.2 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.	20.06.11
						Draft design presented to Councillors at Ordinary Council meeting held 19.08.11 for comments/suggestions/alterations	19.08.11
						Architect commenced preparation of tender documents on agreed draft plan.	31.10.11
						CDSM prepared tender documents and tender has been called with closing date 24.08.12	27.07.12
						Tenders have closed and an agenda item will be presented at the September Ordinary Council Meeting	28.08.12
						Tender awarded to Murchison Carpentry	15.09.12
						Commencement of works by Murchison Carpentry	20.09.12

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 6

Committee Resolution:



Moved: Cr TR Hutchinson

Seconded: Cr JE Burgemeister

That the Status Report for December 2012 be received.

CARRIED 3/0

**9.3 TOWN PLANNING PROPOSAL TO DEVELOP ACCOMMODATION UNITS –
LOTS 1008, 1009, 1010 AND 1011 OLIVER STREET MEEKATHARRA**

Title/Subject:	TOWN PLANNING – PROPOSAL TO DEVELOP ACCOMMODATION UNITS – LOTS 1008, 1009, 1010 AND 1011 OLIVER STREET- MEEKATHARRA
Agenda/Minute Number:	9.3
Applicant:	King Spring Contracting Pty Ltd – Contact Person Peter Metcalf acting on behalf of King Spring
File Ref:	
Disclosure of Interest:	Nil
Date of Report:	16 January 2013
Author: WV Atyeo	Principal Environmental Health Officer Building Surveyor Town Planner
	
	<i>Signature of Author</i>
Senior Officer:	Murray Brown Acting Chief Executive Officer
	
	<i>Signature Senior Officer</i>

Summary/Matter for Consideration:

King Spring Contracting are in the process of possibly purchasing four Lots in Oliver Street and providing accommodation for workers. The Lots are 1008, 1009, 1010 and 1011 Oliver Street. King Spring Contracting have submitted an application for Planning Approval for their proposed development of these Lots.

It is important to note here that the application form was signed by the applicant as owner of the relevant land whereas a legal application for Planning Approval **must** be signed by the owner of the land, which is LandCorp. The application therefore is not a legal application under the Town Planning Scheme, but it will allow Council to assess the proposed development and advise the proponents of changes or additions required for a re-submission.

The proposed development will cater for 44 rooms and provide a swimming pool and a kitchen/dining facility. This proposal is more complicated than the normal situation and thus it was referred to our Planning Consultant for comment and recommendations.

The full report from the Consultant will be issued to the members at the Health Building Town Planning Committee (HBTP) for discussion and decisions at a later date. Following this meeting the proponent may need to address Committee concerns, make the appropriate changes, and resubmit the final application signed by the legal owners of the Lots.

Attachments:

- The application along with the design and layout plans of the proposed development for the accommodation units on the relevant lots.
- Mr Paul Bashall's preliminary Report in note form with matters to consider.
- Final Report from Mr Paul Bashall will be handed to Committee members as soon as we receive it.

Background:

On the 18th December 2012 I received an Email from Bradley Gregg Director of King Spring Contracting stating that they proposed to purchase Lots 1008 – 1011 Oliver Street in order to develop the land for accommodation for 24 persons, stating that he realised that they might need to change their way of thinking in buildings.

I responded to Mr Gregg offering advice in regards to such a development and recommended that he engage the services of a Town Planner which would save processing time in making the application and who would be able to explain the obstacles that may occur through the Town Planning evaluation and processes. I also indicated that "Donga" style units in a residential area may not be viewed favourably by Council.

On 10th January 2013 I received via Email the application and documents as attached from Mr Gregg, with the applicant being nominated as Peter Metcalf for and on behalf of King Spring Contracting. It appeared that the applicant had not sought advice from a Town Planning Consultant on the issue, and so I requested that our CEO refer this application to our Town Planning consultant Mr Paul Bashall (Friday 11th January 2013) for comment and a report.

15th January 2013 we received points for discussion back from Paul Bashall and these are listed in the Comments section of this committee agenda item.

Comments: (taken from the initial comments of Mr Paul Bashall)

The Application

- An application for planning approval has been received from King Spring Contracting for Lots 1008-1011 Oliver Street in Meekatharra.
- The application is composed of; a covering letter; application forms; plans and copies of titles.
- The titles state that the land (4 lots in Oliver Street – corner of Savage Street) is owned by the WA Land Authority (now called LandCorp).
- The application forms are signed by the applicant not the owner (as required).

The Proposal

- The proposal seeks approval for several (10) accommodation units over the 4 lots.
- Lots 1008 and 1009 have 3 accommodation units (for 15 persons).
- Lot 1010 has one accommodation unit (for 5 persons), a kitchen and pool.
- Lot 1011 has two accommodation units, one for 4 persons and one for 5.

The Council's Scheme

- The land is zoned 'Residential R10/30' in the Shire of Meekatharra Local Planning Scheme No 1.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 9

- Table 1 Zoning Table of the Scheme does not list any use that this proposal may be referred to. For example if the proposal is defined as a 'Work camp', or 'Workers' Accommodation' or Accommodation Village', these are not listed.
- Amendment No 2 to the Scheme was prepared to permit the development of an Accommodation Village on the west of the Highway (Lot 1017 High Street).
- The Scheme's objectives (clause 3.2.1) for a 'Residential' zone are as follows;
 - (a)*The zone shall be predominantly residential.*
 - (b)*Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.*
 - (c)*A non-residential use shall only be permitted if the use does not detract from the amenity of the area.*
- The Scheme provides for the Council to use its discretion where a use is not listed;
 - 3.3.5*If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes, the Council may:*
 - (a)*determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or*
 - (b)*determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 6.2 in considering an Application for Planning Consent.*
- It is unlikely that the proposed development can be designated as 'Residential - Grouped Dwelling' as the units are not dwellings.
- If the Council considers this proposal to be a 'Residential - grouped dwelling' the proposal will need to comply with all aspects of the Residential Design Codes (R Codes), and any residential development of a density greater than R10 shall comply with Clause 5.6.3 as follows;
 - (c)*Any development proposed at a density greater than R10, subject to clause (b) above, will only be considered by the Council if it can be proven that an effective method of effluent disposal, satisfactory to the Council's requirements, can be provided. If this cannot be provided, development of residential use shall be permitted to the R10 code.*

For Discussion

- The Application must be signed by the owner of the land.
- The proposal could be approved in accordance with Clause 3.3.5 however the effluent disposal issue remains.
- In any event Clause 3.3.5 requires that the application be advertised in accordance with Clause 6.2.
- The visual and operational impact of the proposal on the existing streetscape will need to be separately assessed. This will require street elevations to assess whether the proposal will be in keeping with the existing character and scale of the residential development in the locality, and operational details to assess the impact of shift workers' activities and their impact on the residential amenity.

Options

The options are as follows;

- Refuse the application as;
 - The application has not been signed by the owner of the land;
 - the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted;

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 10

o the Council is not satisfied that the on-site effluent disposal can satisfactorily operate; and

o the Council is not satisfied that the proposal is in keeping with the existing character and scale of the residential development in the locality.

- Determine that the application is *compatible in character, scale and operation with the predominant residential use* and advertise the application in accordance with clause 3.3.5 and assess the submissions received prior to determining the application.

Comments: (Bill Atyeo)

I fully agree with the appraisal and comments made by Paul Bashall in regards to this proposed development and while personally supporting the concept of the proponent I feel that Council now needs to offer direction to King Spring Contracting in order to ensure compliance with the Town Planning Scheme and to ensure that the development is compatible with the aesthetic amenity of the residential area.

The proposal will significantly increase the number of persons that can be catered for from 24 to 44 persons. This concerns me as the method for handling the effluent generated on each Lot (especially the 30 person ones) may not adequately handle it.

It appears from the application that the proponent has not engaged the services of a Planning Consultant to assist in the drawing up of the documentation and so the process will be more drawn-out than hoped for. Also I feel that the drawings of the units and their layout reflect “donga” type accommodation, especially the pitch of the roofs to all buildings.

I feel that although there are applications for each of the four Lots of land, the whole development needs to be treated as one project that utilises four Lots of land. While I feel that through a technicality we are unable to accept the application as a valid one as King Spring are not the owners, we are able to accept a valid application providing we inform King Spring of the changes we require in order for it to be advertised as reflected in Mr Bashall’s report.

The process will take longer as it will have to be advertised as stated, and if all the paperwork is in order then it is more than likely Council may approve the application if King Spring has addressed all the issues stated in the report.

We would need from King Spring the following:

- The application signed by the legal owners of the land.
- Change the profile of the buildings to reflect more of a residential type building which would require the pitch of the roofs to be increased to say a 15°.
- Street elevation and include details of fencing to be provided so that Council is better able to assess the compatibility of the proposed development in the area. Is the Committee comfortable with the layout of the proposed buildings for the development.
- Details of stormwater drainage of the development.
- Finished ground levels to be indicated.
- Revised proposed effluent disposal for the development for all Lots.
- Landscaping proposal for the Lots.
- Parking? Is the Committee comfortable with all of the parking being to the front of the Lots as shown? Will the parking area be screened from public view?
- Would it be an advantage for the developer to amalgamate the allotments into one Lot and perhaps re-design the layout?

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 11

Had the developer taken my advice that I issued with my email and engaged the services of a Town Planner, then all of these issues may have already been addressed.

Consultation:

Paul Bashall – Planning Consultant
Murray Brown – Chief Executive Officer

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: (This may be amended depending on the final report of Council's Town Planning Consultant)

Moved: Cr TR Hutchison

Seconded: Cr JE Burgemeister

That the Health, Building and Town Planning Committee recommend to Council to advise King Spring Contracting that the application submitted by Peter Metcalf on behalf of King Spring Contracting is not a valid and legal application under the Meekatharra Town Planning Scheme No 3 as the form is not signed by the legal owner of the properties, and therefore cannot be approved at this time.

Further: That the Committee advises the applicant that a legal application may be considered favourably should the applicant provide the following more in depth details of the layout plan and changes are presented at a later date.

- The application must be signed by the legal owners of the land under *Building Act 2011*
- Change the profile of the buildings to reflect more of a residential type building which would require the pitch of the roofs to be increased to say a 15° or greater.
- Provide street elevation and include details of fencing to be provided so that Council is better able to assess the compatibility of the proposed development in the area. Is the Committee comfortable with the layout of the proposed buildings for the development?
- Provide details of stormwater drainage of the development.
- Provide finished ground levels.
- Revised proposed effluent disposal for the development for all Lots.
- Provide landscaping designs for the proposal for the Lots.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 12

- **Parking – Advise how many vehicles will be parked at each Lot and will the parking be screened from the public view.**

The Committee further determines that the proposed legal application will need to be advertised in accordance with clause 3.3.5 of the Meekatharra Town Planning Scheme No 3, and a final decision made after Council has received and assessed any submissions.

**CARRIED 3/0
ABSOLUTE MAJORITY**



Principal Environmental Health Officer
Building Surveyor

SHIRE OF MEEKATHARRA
Application for Planning Approval
Lots 1008-1011 Oliver Street, Meekatharra

The Application

- An application for planning approval has been received from King Spring Contracting for Lots 1008-1011 Oliver Street in Meekatharra.
- The application is composed of; a covering letter; application forms; plans and copies of titles.
- The titles state that the land (4 lots in Oliver Street – corner of Savage Street) is owned by the WA Land Authority (now called LandCorp).
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- Table 1 Zoning Table of the Scheme does not list any use that this proposal may be referred to. For example if the proposal is defined as a 'Work camp', or 'Workers' Accommodation' or 'Accommodation Village', these are not listed.
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- The Scheme's objectives (clause 3.2.1) for a 'Residential' zone are as follows;
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 - (b)Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.*
 - (c)A non-residential use shall only be permitted if the use does not detract from the amenity of the area.*
- The Scheme provides for the Council to use its discretion where a use is not listed;
 - 3.3.5If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes, the Council may:*
 - (a)determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or*
 - (b)determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 6.2 in considering an Application for Planning Consent.*
- It is unlikely that the proposed development can be designated as 'Residential - Grouped Dwelling' as the units are not dwellings.
- If the Council considers this proposal to be a 'Residential - grouped dwelling' the proposal will need to comply with all aspects of the Residential Design Codes (R Codes), and any residential development of a density greater than R10 shall comply with Clause 5.6.3 as follows;
 - (c)Any development proposed at a density greater than R10, subject to clause (b) above, will only be considered by the Council if it can be proven that an effective method of effluent disposal, satisfactory to the Council's requirements, can be provided. If this cannot be provided, development of residential use shall be permitted to the R10 code.*

For Discussion

- The Application must be signed by the owner of the land.
- The proposal could be approved in accordance with Clause 3.3.5 however the effluent disposal issue remains.
- In any event Clause 3.3.5 requires that the application be advertised in accordance with Clause 6.2.
- The visual and operational impact of the proposal on the existing streetscape will need to be separately assessed. This will require street elevations to assess whether the proposal will be in keeping with the existing character and scale of the residential development in the locality, and operational details to assess the impact of shift workers' activities and their impact on the residential amenity.

Options

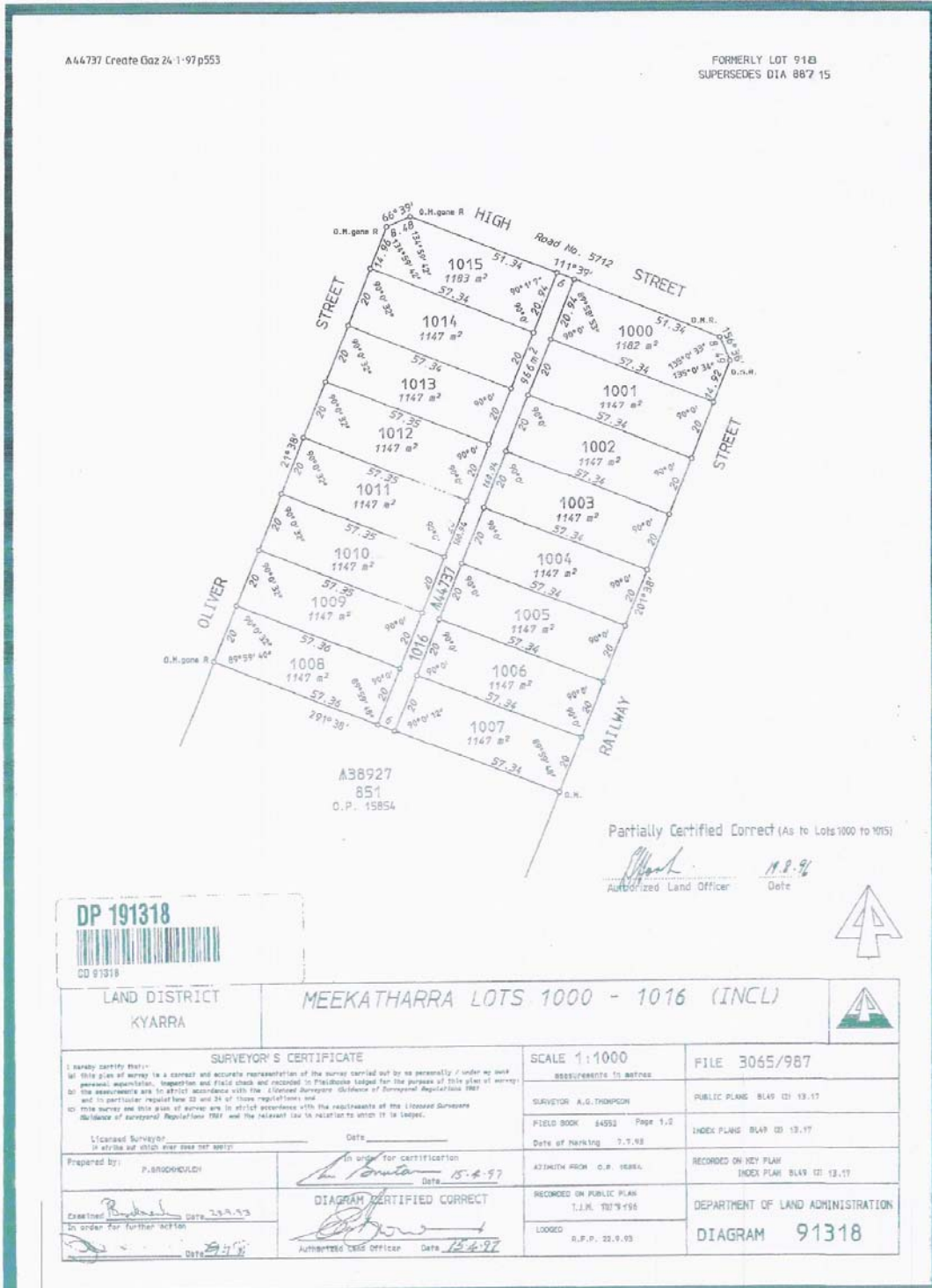
The options are as follows;

- Refuse the application as;
 - The application has not been signed by the owner of the land;
 - the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted;
 - the Council is not satisfied that the on-site effluent disposal can satisfactorily operate; and
 - the Council is not satisfied that the proposal is in keeping with the existing character and scale of the residential development in the locality.
- Determine that the application is *compatible in character, scale and operation with the predominant residential use* and advertise the application in accordance with clause 3.3.5 and assess the submissions received prior to determining the application.

Footnote:

These notes have been prepared using the best information available at the time. A follow up report will be presented at the Council Meeting.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013



MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 16



REGISTER NUMBER 1011/DP191318	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

WESTERN AUSTRALIA
RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 2220 FOLIO 766

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 1011 ON DEPOSITED PLAN 191318

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WESTERN AUSTRALIAN LAND AUTHORITY OF LEVEL 3, 40 THE ESPLANADE, PERTH
(T 1063331) REGISTERED 4 APRIL 2002

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: LR3101-433 (1011/DP191318).
PREVIOUS TITLE: LR3101-433.
PROPERTY STREET ADDRESS: 71 OLIVER ST, MEEKATHARRA.
LOCAL GOVERNMENT AREA: SHIRE OF MEEKATHARRA.
RESPONSIBLE AGENCY: WESTERN AUSTRALIAN LAND AUTHORITY.

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF MEEKATHARRA TOWN LOT/LOT 1011 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 1011 ON DEPOSITED PLAN 191318 ON 03-OCT-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Application For Planning Approval
SHIRE OF MEEKATHARRA

Schedule 5

Town Planning Scheme No 3

Health Act 1911 as amended

Name of Owner of land on which development is proposed:

Surname: GRIGG
 Other Names: BRADLEY
 Address in Full: PO Box 90 Donnybrook Post Code: 6239
 Telephone No: 0402 669 702 Fax: 9723 273 Email: BRADLEY@King Spring Contracting
 Contact Person: Bradley Grigg
 Signature: [Signature] Date: 10/10/2013
 Signature: _____ Date: _____

The signature of the landowner(s) is required on all applications. This application will not proceed without that signature.

Applicant Details:

Name: (In full) King Spring Contracting Pty Ltd
 Address in Full: 19 TUMULTUA Cres Cople Post Code: 6271
 Telephone No.: 9727 8865 Fax: 9727 273 Email: Peter@King Spring Contracting
 Contact Person for Correspondence: Peter METCALF / BRADLEY GRIGG
 Signature: [Signature] Date: 8-1-2013
Peter on behalf of King Spring Contracting

Property Details:

Street Name: OLIVER Suburb/Town: MEEKATHARRA
 Nearest Street Intersection: SAUER ST.
 Lot No.: 1008 House No.: 77 Location No.: _____
 Diagram or Plan No.: DP1318 Certificate of Title No: 2200 Folio: 763
 Title Encumbrances (e.g. easements, restrictive covenants) NIL KNOWN

Existing Building/Land Use:

Description of proposed development and/or use: 3 Accommodation Units
15 Persons
 Nature of any existing buildings and/or use: Nil existing
 Approximate cost of proposed development: \$540,000.00

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Estimated time of completion: 6 months

Building Materials:

External Walls Fridge Panels 75MM

Roof Fridge Panels 125MM

Floor Steel & Timber

Total Floor Area (M²): 146.25 M²

Office Use Only

Acceptance Officer's Initials: Date Received:

Wiluna Shire Reference Number:

Fees Paid: Date: Receipt No.:

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 19



REGISTER NUMBER 1008/DP191318	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2220** FOLIO **763**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 1008 ON DEPOSITED PLAN 191318

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WESTERN AUSTRALIAN LAND AUTHORITY OF LEVEL 3, 40 THE ESPLANADE, PERTH
(T 1063331) REGISTERED 4 APRIL 2002

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: LR3101-430 (1008/DP191318).
PREVIOUS TITLE: LR3101-430.
PROPERTY STREET ADDRESS: 77 OLIVER ST, MEEKATHARRA.
LOCAL GOVERNMENT AREA: SHIRE OF MEEKATHARRA.
RESPONSIBLE AGENCY: WESTERN AUSTRALIAN LAND AUTHORITY.

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF MEEKATHARRA TOWN LOT/LOT 1008 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 1008 ON DEPOSITED PLAN 191318 ON 03-OCT-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Application For Planning Approval
SHIRE OF MEEKATHARRA

Schedule 5

Town Planning Scheme No 3

Health Act 1911 as amended

Name of Owner of land on which development is proposed:

Surname: GREGG
Other Names: BRADLEY
Address in Full: PO Box 90 Denny Brook Post Code: 6239
Telephone No.: 0402 667 702 Fax: 97273273 Email: BRADLEY@King Spring Contracting
o Lem o 141
Contact Person: Bradley Gregg
Signature: [Signature] Date: 10/01/2013
Signature: _____ Date: _____

The signature of the landowner(s) is required on all applications. This application will not proceed without that signature.

Applicant Details:

Name (In full) King Spring Contracting Pty Ltd
Address in Full: 19 Ilmore Gos Cntr Post Code: 6271
Telephone No.: 97272865 Fax: 97273273 Email: Peter@King Spring Contracting
o Lem o 141
Contact Person for Correspondence: Peter HERALD / Bradley GREGG
Signature: [Signature] Date: 8-1-2013
For & on behalf of
King Spring Contracting

Property Details:

Street Name: OLIVIER Suburb/Town: MEEKATHARRA
Nearest Street Intersection: SANABR ST
Lot No.: 1009 House No.: 75 Location No.: _____
Diagram or Plan No.: P41318 Certificate of Title No: 2000 Folio: 764
Title Encumbrances (e.g. easements, restrictive covenants) NK Known

Existing Building/Land Use:

Description of proposed development and/or use: 3 Accommodation UNITS
15 person
Nature of any existing buildings and/or use: NK Existing
Approximate cost of proposed development: \$540,000.00

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Estimated time of completion: 6 months

Building Materials:

External Walls Fridge Panels 75mm

Roof Fridge Panels 125mm

Floor Timber + Steel

Total Floor Area (M²): 146.25m²

Office Use Only

Acceptance Officer's Initials: Date Received:

Wiluna Shire Reference Number:

Fees Paid: Date: Receipt No.:

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 22

WESTERN  AUSTRALIA

REGISTER NUMBER 1009/DP191318	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2220** FOLIO **764**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 1009 ON DEPOSITED PLAN 191318

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WESTERN AUSTRALIAN LAND AUTHORITY OF LEVEL 3, 40 THE ESPLANADE, PERTH
(T 1063331) REGISTERED 4 APRIL 2002

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: LR3101-431 (1009/DP191318).
PREVIOUS TITLE: LR3101-431.
PROPERTY STREET ADDRESS: 75 OLIVER ST, MEEKATHARRA.
LOCAL GOVERNMENT AREA: SHIRE OF MEEKATHARRA.
RESPONSIBLE AGENCY: WESTERN AUSTRALIAN LAND AUTHORITY.

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF MEEKATHARRA TOWN LOT/LOT 1009 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 1009 ON DEPOSITED PLAN 191318 ON 03-OCT-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Application For Planning Approval
SHIRE OF MEEKATHARRA

Schedule 5

Town Planning Scheme No 3

Health Act 1911 as amended

Name of Owner of land on which development is proposed:

Surname: GRACE
 Other Names: BRADLEY
 Address in Full: PO Box 90 Denny Creek Post Code: 6239
 Telephone No: 01102 69702 Fax: 97273273 Email: Bradley@KingSpringContracting.com.au
 Contact Person: Bradley Grace
 Signature: [Signature] Date: 10/01/2013
 Signature: _____ Date: _____

The signature of the landowner(s) is required on all applications. This application will not proceed without that signature.

Applicant Details:

Name: (In full) King Spring Contracting Pty Ltd
 Address in Full: 19 Ilwaco Gas Cople Post Code: 6271
 Telephone No: 97272865 Fax: 97273273 Email: Peter@KingSpringContracting.com.au
 Contact Person for Correspondence: Peter METCALF / Bradley Grace
 Signature: [Signature] Date: 8-1-2013
for & behalf of King Spring Contracting

Property Details:

Street Name: OLIVER Suburb/Town: MEEKATHARRA
 Nearest Street Intersection: SAVAGE ST
 Lot No.: 1010 House No.: 73 Location No.: _____
 Diagram or Plan No.: P191318 Certificate of Title No.: 2225 Folio: 765
 Title Encumbrances (e.g. easements, restrictive covenants) NK Known

Existing Building/Land Use:

Description of proposed development and/or use: 1. Accommodation Unit 5 persons.
1. Ketcher's Pool area.
 Nature of any existing buildings and/or use: NK Existing.
 Approximate cost of proposed development: \$360,000.00

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Estimated time of completion: 6 months

Building Materials:

External Walls..... Fridge Panels 75 MM

Roof..... Fridge Panels 125 MM

Floor..... Timber & Floor.

Total Floor Area (M²): 97.5 M²

Office Use Only		
Acceptance Officer's Initials:	Date Received:	
Wiluna Shire Reference Number:		
Fees Paid:	Date:	Receipt No.:

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 25



REGISTER NUMBER 1010/DP191318	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2220** FOLIO **765**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 1010 ON DEPOSITED PLAN 191318

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WESTERN AUSTRALIAN LAND AUTHORITY OF LEVEL 3, 40 THE ESPLANADE, PERTH
(T 1063331) REGISTERED 4 APRIL 2002

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: LR3101-432 (1010/DP191318).
PREVIOUS TITLE: LR3101-432.
PROPERTY STREET ADDRESS: 73 OLIVER ST, MEEKATHARRA.
LOCAL GOVERNMENT AREA: SHIRE OF MEEKATHARRA.
RESPONSIBLE AGENCY: WESTERN AUSTRALIAN LAND AUTHORITY.

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF MEEKATHARRA TOWN LOT/LOT 1010 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 1010 ON DEPOSITED PLAN 191318 ON 03-OCT-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Application For Planning Approval
SHIRE OF MEEKATHARRA

Schedule 5

Town Planning Scheme No 3

Health Act 1911 as amended

Name of Owner of land on which development is proposed:

Surname: GRIGG
Other Names: BRADLEY
Address in Full: P.O. Box 90, Downy Brook Post Code: 6239
Telephone No.: 0802 669702 Fax: 97273273 Email: Bradley@KingSpringContracting.com.au
Contact Person: BRADLEY GRIGG
Signature: [Signature] Date: 10/01/2013
Signature: _____ Date: _____

The signature of the landowner(s) is required on all applications. This application will not proceed without that signature.

Applicant Details:

Name: (In full) King Spring Contracting Pty Ltd
Address in Full: 19 Thiruvide Ave Copple Post Code: 6271
Telephone No.: 97273265 Fax: 97273273 Email: Peter@KingSpringContracting.com.au
Contact Person for Correspondence: Peter METCALF / BRADLEY GRIGG
Signature: [Signature] Date: 8-1-2013
for use behalf of King Spring Contracting

Property Details:

Street Name: OLIVER Suburb/Town: MEEKATHARRA
Nearest Street Intersection: SAVAGE ST.
Lot No.: 1011 House No.: 71 Location No.: _____
Diagram or Plan No.: P19131R Certificate of Title No.: 2220 Folio: 766
Title Encumbrances (e.g. easements, restrictive covenants): N/A Krossel

Existing Building/Land Use:

Description of proposed development and/or use: 1 Accommodation Unit 5, 1 Accommodation Unit 4, 1 Accommodation Unit 3, 1 Accommodation Unit 2, 1 Accommodation Unit 1
Nature of any existing buildings and/or use: N/A Existing
Approximate cost of proposed development: \$360,000.00

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Estimated time of completion: 6 months

Building Materials:

External Walls Fridge Panels 75 MM

Roof Fridge Panels 125 MM

Floor Steel & Timber

Total Floor Area (M²): 97.5 M²

Office Use Only

Acceptance Officer's Initials: Date Received:

Wiluna Shire Reference Number:

Fees Paid: Date: Receipt No.:

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

Page 28



King Spring Contracting Pty Ltd

p.08 9727 2861 or f.08 9727 3273
m.0402 669 702
admin@kingspringcontracting.com.au

P.O. Box 90 Donnybrook 6239
19 Ilmenite Cres. Capel 6271
ABN. 88 138 969 954

Meekatharra Shire Council
Main Street,
Meekatharra, 6642

10 Jan. 13

Attention :- Mr Roy McClymont, CEO Meekatharra Shire Council.
Attention :- Mr Bill Ateyo, Health and Building Surveyor, Meekatharra Shire Council

Dear Sir

Relative to:-

1. Completed and signed Application for Planning Approval
2. Plan of proposed location of accommodation units which are to be located on Oliver Street, Lots 1008, 1009, 1010 and 1011
3. Accommodation Units.
4. Site Plan Proposal

Application for Planning Approval

Please find attached a completed and signed application for planning approval for development of lots 1008, 1009, 1010 and 1011 Oliver Street

Site Plan :-

Attached hereto is floor plan of where the 8 of 5 bedroom accommodation units are to be located as well as the kitchen and managers house. You will also note where the proposed pool will be located.

Annexed Here to:-

- a. Please find attached a copy of the site plans
- b. Application for Planning Approval
- c. A copy of the drawing for the 5 bed accommodation units and managers residence.

As discussed with Councillor Norm Trenfield, King Spring Contracting have had these documents drawn up in time for the Council meeting on the 14th January.

We look forward further discussions in the near future.

Yours faithful

Bradley Gregg

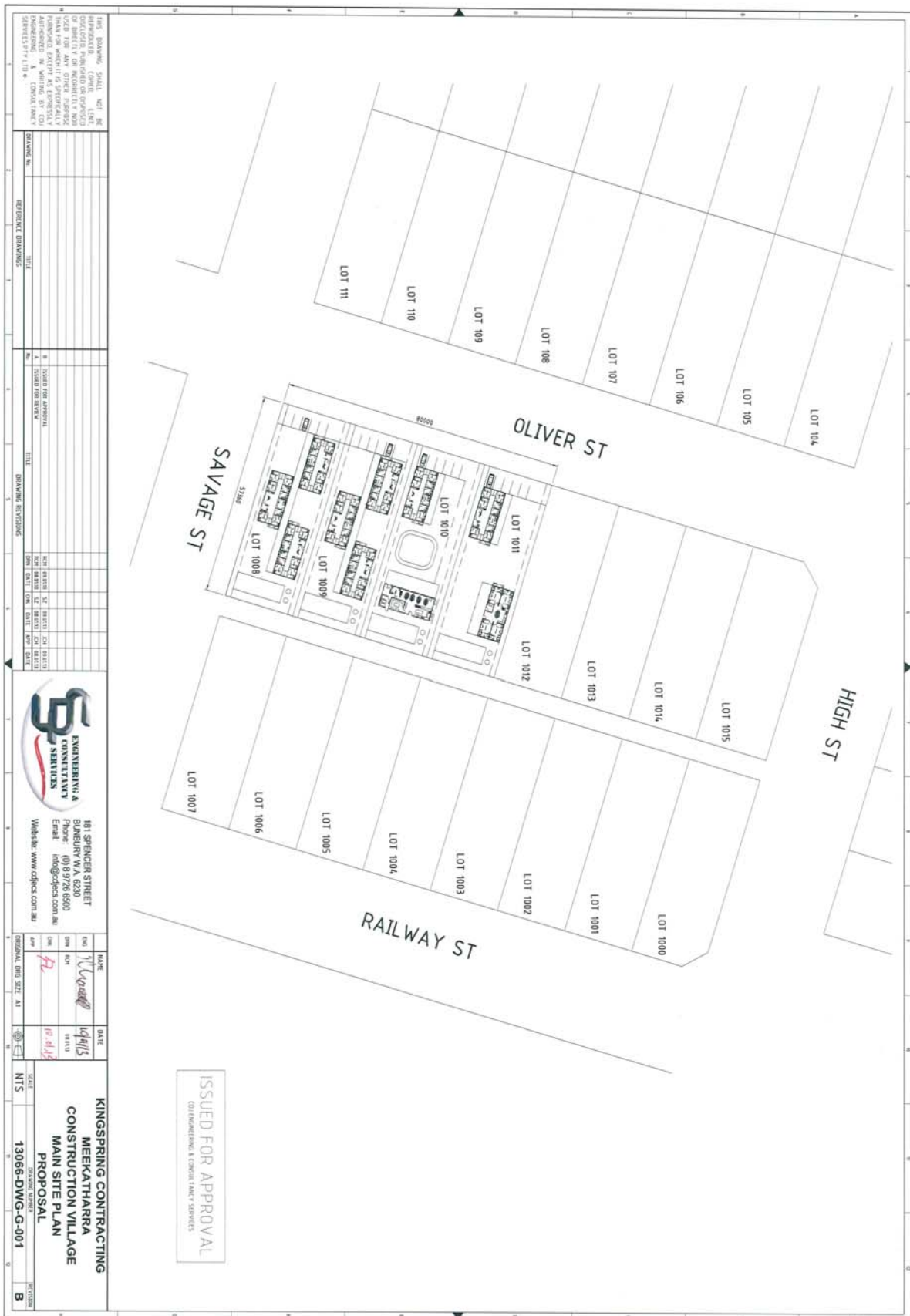
Director

Ph: 9727 2861

Mob: 0402 669 702

King Spring Contracting

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013



MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

The image contains architectural drawings for a kitchen unit. At the top is a floor plan showing a kitchen area with a sink, stove, and refrigerator, a dining area with four tables, and a lounge area with a sofa and chairs. Dimensions are provided for various sections. Below the floor plan are two elevations of the kitchen unit, showing its profile and a person standing next to it for scale. The left elevation shows a width of 2400 and a height of 1975. The right elevation shows a width of 10500 and a height of 1975. A title block at the bottom contains the following information:

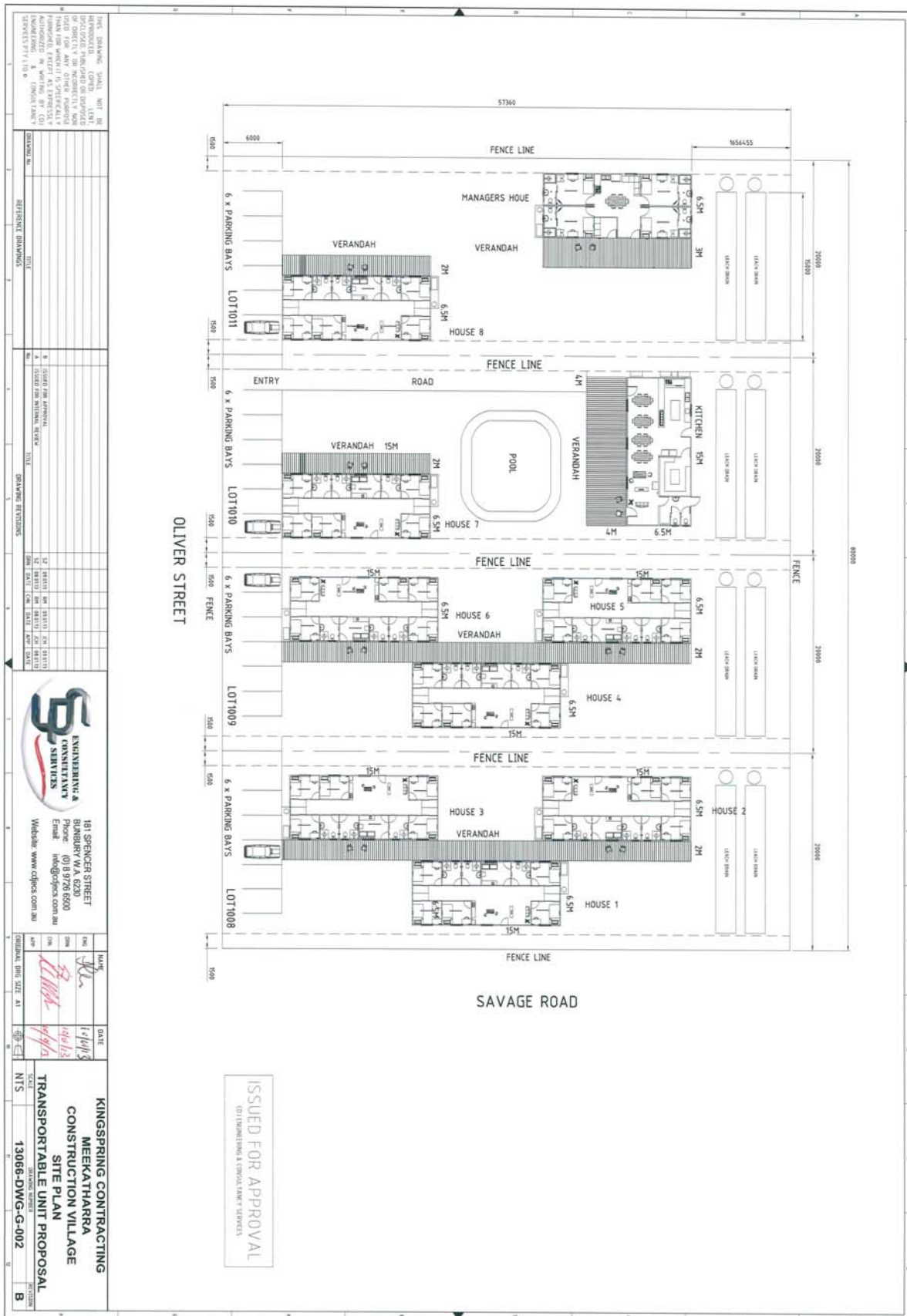
ISSUED FOR APPROVAL
E31 ENGINEERING & CONSULTANT SERVICES

KINGSPRING CONTRACTING
MEEKATHARRA
CONSTRUCTION VILLAGE
KITCHEN AREA
TRANSPORTABLE UNIT PROPOSAL

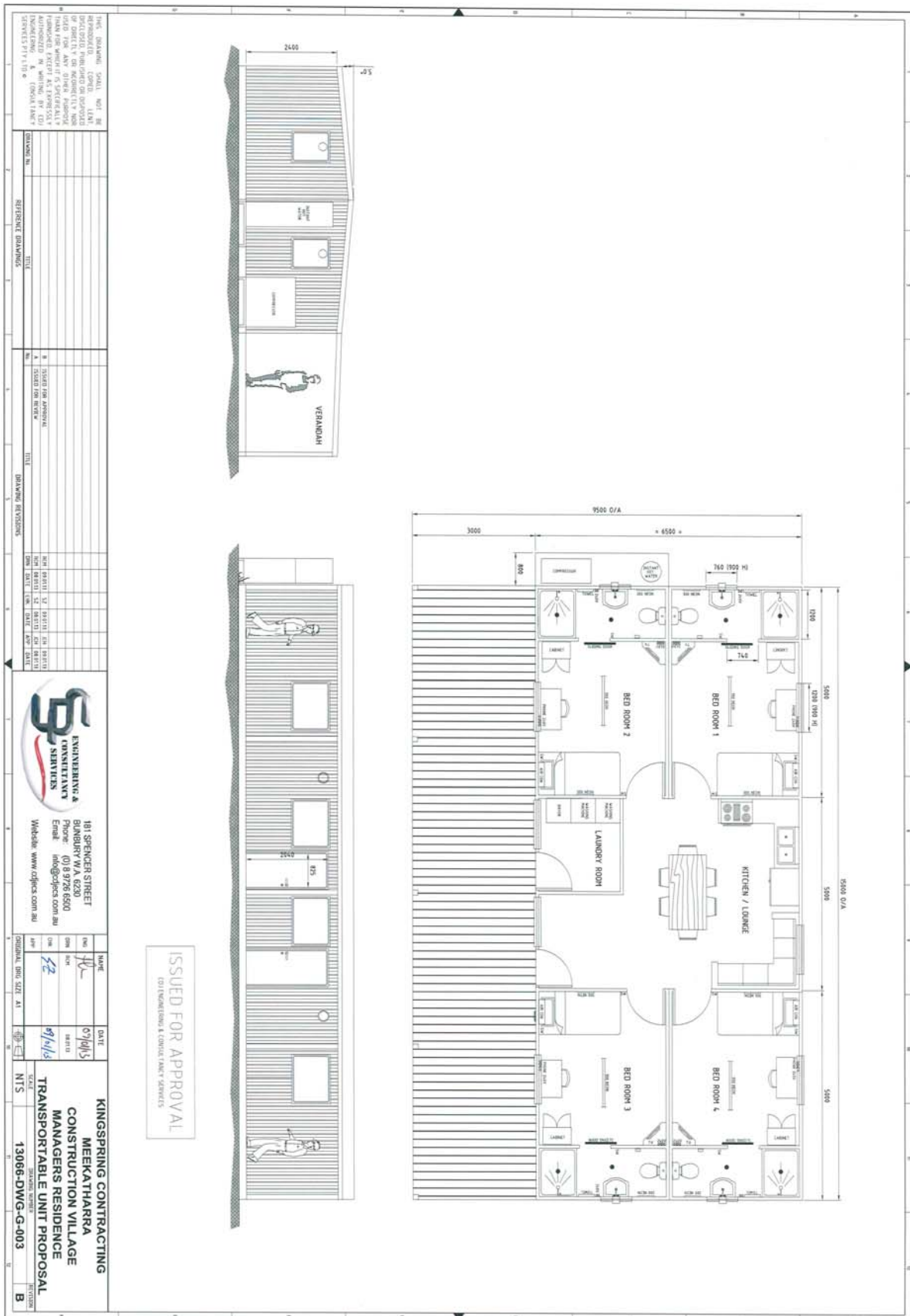
181 SPRENGER STREET
BUNBURY W.A. 6230
Phone: (0)8 9726 6500
Email: info@edcs.com.au
Website: www.edcs.com.au

DATE: 07/11/12
SCALE: N1S
PROJECT: TRANSPORTABLE UNIT PROPOSAL
DRAWING NO: 13066-DWG-G-005

MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013



MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013



MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE
MEETING HELD SATURDAY 19 JANUARY 2013

The drawing set includes a detailed floor plan and two elevations of a portable unit. The floor plan shows a central lounge and TV area, a laundry room, three bathrooms, and five bedrooms. Dimensions are provided for the overall unit (15400 D/A) and individual rooms. Two elevations show the exterior of the unit, one with a person standing for scale. A 'VERANDAH' is indicated on the left elevation.

ISSUED FOR APPROVAL
DESIGN/ENGINEERING & CONSULTING SERVICES

KINGSPRING CONTRACTING
MEEKATHARRA
CONSTRUCTION VILLAGE
5 BEDROOM & LIVING AREA
TRANSPORTABLE UNIT PROPOSAL

181 SPENCER STREET
BLUNDEY W.A. 6230
Phone: (0)8 9726 6500
Email: info@spcs.com.au
Website: www.spcs.com.au

NO.	NAME	DATE
1	W.C.	07/11/12
2	W.C.	08/11/12
3	W.C.	07/12/12

DATE: 07/12/12

SCALE: 1:50

PROJECT NO: 13066-DWG-G-004

REVISIONS:

NO.	DESCRIPTION	DATE
1	ISSUED FOR APPROVAL	07/12/12
2	ISSUED FOR REVIEW	07/12/12

REFERENCE DRAWINGS:

TITLE	NO.	DATE

THIS DRAWING SHALL NOT BE REPRODUCED, COPIED, LENT OR OTHERWISE DISSEMINATED OR USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN AUTHORIZATION OF THE ARCHITECT. ANY UNAUTHORIZED USE OR REPRODUCTION OF THIS DRAWING IS PROHIBITED.

SHIRE OF MEEKATHARRA
Application for Planning Consent
Lots 1008-1011 Oliver Street, Meekatharra

1 Introduction

King Spring Contracting has submitted an application for planning consent for the construction of 10 buildings on Lots 1008-1011 corner of Oliver and Savage Streets in Meekatharra (see **Figure 1**). The application is composed of; a covering letter; application forms; plans and copies of titles.

FIGURE 1 – SITE AREA



Source: Google Earth, Planwest

2 The Proposal

The proposal seeks approval for several (10) buildings over the 4 lots. Lots 1008 and 1009 have 3 accommodation units (for 15 persons), Lot 1010 has one accommodation unit (for 5 persons), a kitchen and pool and Lot 1011 has two accommodation units, one for 4 persons (termed a manager's residence) and one for 5. A copy of the application is provided in the **Attachments**.

3 The Site

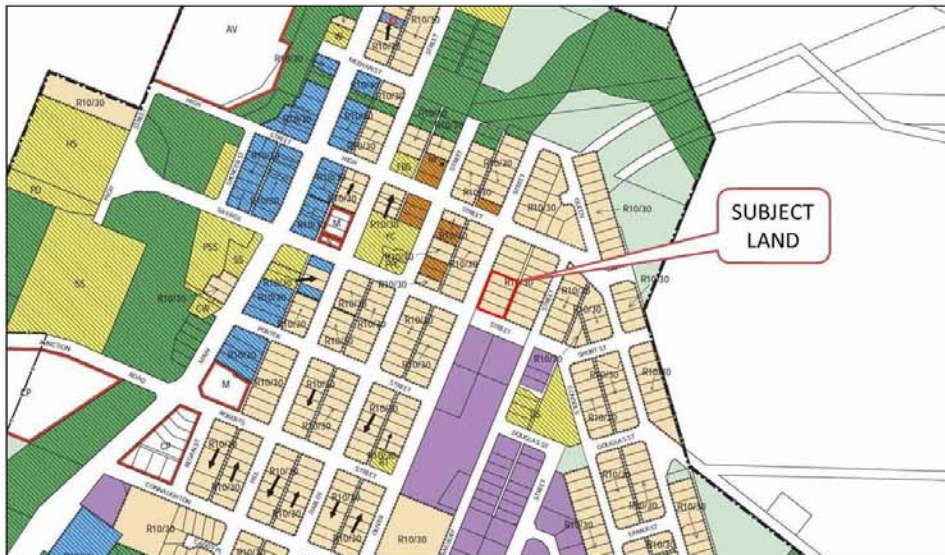
The site for this development is spread over 4 lots of about 1,147m² each. Copies of each Certificate of Title were submitted as part of the requirements for lodging an application for planning consent. These titles (see **Attachments**) show all the properties are owned by the WA Land Authority (now called LandCorp). The application was not signed by the owner.

As can be seen in **Figure 1** the whole site is currently undeveloped.

4 The Council's Scheme

The land is zoned 'Residential R10/30' in the Shire of Meekatharra Local Planning Scheme No 1. Figure 2 provides an extract from the Scheme.

FIGURE 2 – EXTRACT FROM SCHEME No 1



Source: Department of Planning, Planwest

The Scheme's objectives (clause 3.2.1) for a 'Residential' zone are as follows;

- The zone shall be predominantly residential.
- Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.
- A non-residential use shall only be permitted if the use does not detract from the amenity of the area.

Table 1 - Zoning Table of the Scheme does not list any use that this proposal may be referred to as. For example a 'Work camp', or 'Workers' Accommodation' or 'Accommodation Village' are not listed uses.

The Scheme provides for the Council to use its discretion where a use is not listed;

3.3.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes, the Council may:

- (a) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or
- (b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 6.2 in considering an Application for Planning Consent.

It is unlikely that the proposed development can be designated as 'Residential - Grouped Dwelling' as the units are not dwellings.

However, if the Council considers this proposal to be a 'Residential - grouped dwelling' the proposal will need to comply with all aspects of the Residential Design Codes (R Codes), and

any residential development of a density greater than R10 shall comply with Clause 5.6.3 as follows;

(c) *Any development proposed at a density greater than R10, subject to clause (b) above, will only be considered by the Council if it can be proven that an effective method of effluent disposal, satisfactory to the Council's requirements, can be provided. If this cannot be provided, development of residential use shall be permitted to the R10 code.*

Compliance with the R10 code will allow only one dwelling per 1,000m².

5 For Discussion

Amendment No 2 to the Scheme was prepared to permit the development of an Accommodation Village on the west of the Highway (Lot 1017 High Street).

The titles accompanying the application state that the land (4 lots in Oliver Street – corner of Savage Street) is owned by the WA Land Authority (now called LandCorp).

The application forms are signed by the applicant not the owner (as required). The Application is therefore non-compliant as it must be signed by the owner of the land.

The proposal could be approved in accordance with Clause 3.3.5 however the effluent disposal issue remains. There is no accompanying report that details the proposed operation and method of effluent disposal for the site.

In any event Clause 3.3.5 requires that the application be advertised in accordance with Clause 6.2 whereby adjoining neighbours are advised of the proposal.

The visual and operational impact of the proposal on the existing streetscape will need to be separately assessed. This will require street elevations of the whole development to assess whether the proposal will be in keeping with the existing character and scale of the residential development in the locality, and operational details to assess the impact of shift workers' activities and their impact on the residential amenity.

6 Options

The options for the Council to determine this application are as follows;

- a) **Refuse to determine the application as;**
 - o The application has not been signed by the owner of the land;
- b) **Refuse the application as;**
 - o the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted;
 - o the Council is not satisfied that the on-site effluent disposal can satisfactorily operate; and
 - o the Council is not satisfied that the proposal is in keeping with the existing character and scale of the residential development in the locality.
- c) **Accept the application and determine that the application is *compatible in character, scale and operation with the predominant residential use* and advertise the application in accordance with clause 3.3.5 (b) and 6.2 of the scheme. On the completion of the advertising period the Council will need to assess the submissions received prior to determining the application.**

7 Recommendation

It is recommended that the current application be refused in accordance with **Option b)** above, and the applicant be advised of the need;

- to obtain the owner's signature on the application form;
- to provide more information about the site's capacity to deal with on-site effluent disposal and the possible need to dispose of the effluent off-site;
- To provide the Council and nearby residents of the visual and operational impact of the proposal on the streetscape and the amenity of the surrounding residential development.

The applicant could be advised of the quality of the group housing development on the corner of Connaughton and Railway Street in Meekatharra. This development provides for off-site effluent disposal.

FIGURE 3 – EXISTING GROUP HOUSING



Source: Google Earth, Planwest

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

10.1. DOG PROBLEM

Cr JE Burgemeister expressed concern regarding the number of dogs still roaming in the street and the unavailability of the Ranger to be able to respond immediately to certain situations eg. a dog attack.

Committee Resolution:

Moved: Cr TR Hutchinson

Seconded: Cr JE Burgemeister

The committee authorises the Acting Chief Executive Officer, Murray Brown, to organise a meeting with Peter Smith of Canine Control so that concerns regarding the dog problem in Meekatharra can be discussed.

CARRIED 3/0

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 09.07am.