



*Shire*  
*of*  
*Meekatharra*

**MINUTES**  
**Of**  
**HEALTH, BUILDING & TOWN PLANNING MEETING**  
**Held**  
**AT THE COUNCIL CHAMBERS, MEEKATHARRA**  
**On**  
**FRIDAY 20 DECEMBER 2013**  
**COMMENCING AT 1.01PM**



## ***AGENDA***

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

The Executive Officer took the Chair and called for nominations for Chairperson of the Health, Building & Town Planning Committee. Cr NL Trenfield was nominated by Cr PS Clancy and Seconded by Cr AJ Binsiar. Cr NL Trenfield accepted the nomination, it was put to the vote and carried unanimously.

### **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, took the Chair and read the disclaimer aloud.**

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

#### **Members**

Cr NL Trenfield           (Chairperson)  
Cr PS Clancy  
Cr AJ Binsiar  
Cr HJ Nichols           (Joined the meeting at 1.07 pm)

#### **Staff**

Bill Atyeo               Principal Environmental Health Officer/Building Surveyor  
Samantha Tarling      Acting Community and Development Services Manager

#### **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  
21 SEPTEMBER, 2013.**

**Committee Resolution:**

**Moved: Cr PS Clancy**

**Seconded: Cr AJ Binsiar**

**That the minutes from the Health, Building and Town Planning Committee held  
Saturday 21 September 2013 be confirmed.**

**CARRIED 3/0**

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

Nil

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

Nil

**9. REPORTS OF COMMITTEES AND OFFICERS**

**9.1 OFFICERS MONTHLY REPORTS**

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

I was in attendance at the Shire from the 2<sup>nd</sup> to the 6<sup>th</sup> of December 2013 but attended Wiluna on the 4<sup>th</sup> due to problems experienced there following the resignation of their Health and Building Officer, Mr Gary Agnew.

**BUILDING PERMITS:**

There were Nil (0) Building Permit issued during this time.

**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.

**DEMOLITION PERMITS:**

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

**OTHER MATTERS:**

**LOT 301 DARLOT STREET – DECLARED UNFIT FOR HUMAN HABITATION:**

Since issuing the letter confirming that the dwelling at Lot 301 Darlot Street was unfit for human habitation, the water to the property has been cut and I have served the official Health Notice on the property. I have not yet called for the demolition of the property in the Notice, and this may be served at a later date which depends on the responses from the affected parties.

The Notice states:

**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 **Twenty-second (22<sup>nd</sup>) day of November 2013**, and that the works detailed in the **SECOND SCHEDULE** hereto have been satisfactorily completed by the date stated.*

***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: Two storey Timber framed, Fibro and asbestos cladding dwelling.  
Location: Lot 301 Darlot Street – Meekatharra WA 6642*

**Owner: Shirlene Dawn RILEY and Robert GILBERT  
PO Box 142  
Meekatharra WA 6642**

**SECOND SCHEDULE**

*Pursuant to Section 137 of the Health Act 1911, the owner will, on or before the **Eighth (8<sup>th</sup>) Day of December 2013**, secure the building so as to prohibit the entry of any person to the premises or reside on the property. **Further** the owners will on or before the **Twenty-eight (28<sup>th</sup>) Day of January 2014** undertake renovations to the dwelling in order to bring the building into compliance with all relevant legislation under the Health Act and regulations, as well as the Building Code of Australia. Failure to do this will result in the building being issued with a further*

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*Notice under the Health Act directing the owners to demolish the building by a stated compliance date.*

***Dated this First (3<sup>rd</sup>) Day of December 2011.***

*Issued by and under the direction of Council.*

**APPLICATION TO OPERATE MOBILE FOOD VAN FROM WELCOME  
PARK AND TRADE FROM AIRPORT**

I have spent much time in discussions in regards to this matter, and have prepared an agenda item for the committee and council which follow after this report. In summary, Mr and Mrs David Cowled the owners of a food van have sought to operate a mobile food van from Welcome Park and also to prepare the food in the van and sell through the airport terminal at the airport.

I take this opportunity to wish all Committee members and their families a most wonderful festive season and safe travel. I also take this opportunity to thank all of Council's officers, contractors and staff for all of their support over time and also wish them a wonderful festive season and I look forward to the coming year of 2014.



**Principal Environmental Health Officer  
Building Surveyor**

**Cr HJ Nichols joined the meeting at 1.07pm.**



**Mobile Food Van – Mr David Cowled**



**Committee Resolution:**

**Moved: Cr PS Clancy**  
**Seconded: Cr HJ Nichols**

**That the Principal Environmental Officer / Building Surveyor's Report be received.**  
**CARRIED 4/0**

<b>Title/Subject:</b>	<b>APPLICATION TO OPERATE MOBILE FOOD VAN FROM WELCOME PARK AND TRADE FROM AIRPORT</b>
<b>Agenda/Minute Number:</b>	9.5.1
<b>Applicant:</b>	David and Kheann Cowled
<b>File Ref:</b>	ADM 0001
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	14 December 2013
<b>Author:</b>	WV Atyeo Principal Environmental Health Officer Building Surveyor Town Planner
	
	<i>Signature of Author</i>
<b>Senior Officer:</b>	Roy McClymont Chief Executive Officer
	
	<i>Signature Senior Officer</i>

**Summary/Matter for Consideration:**

The owners of the food van have sought to operate a mobile food van from Welcome Park and also to prepare the food in the van and sell through the airport terminal at the airport.

**Attachments:**

Photo of Food Van as purchased by David Cowled.

**Background:**

Initially, Council received a letter seeking permission to operate a mobile food van on land that the owners of the van were trying to purchase. This land was south of the Coles Express allotment but is zoned "Recreational" and is a Reserve.

After discussions it was realised that to secure this land and to have it re-zoned through an amendment to the Meekatharra Town Planning Scheme would take some time. Mr Cowled was hoping to start operating before February and sooner if possible.

As the van is registered under the Food Act as a Mobile Food Business Mr Cowled has decided to apply to Council to operate the van in Welcome Park as it is relatively secure and within close proximity to public toilets. Mr Cowled would prefer to connect to existing power at Welcome Park and would do this at his own expense.



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In regards to the airport Mr Cowled would like to establish a small airport kiosk with a small counter inside the terminal with a small display fridge and coffee machine and serviced from the food van as necessary.

**Comments:**

Mr Cowled did establish and operate the café at Karalundi in partnership with Mrs Cowled. The operation was always very clean and the food sold was very good. There is no doubt that the right business would be an asset to the town and offer people an alternative to pub meals as the hours of operation are intended to service early mornings and later into the evenings. The food to be offered are considered to be healthier than what is available and the tourists visiting our town would benefit from extended hours, as well as the truck drivers passing through.

The location is ideal for tourists with vans and road trains, as there is ample parking for both on both sides of the highway.

The van is well equipped and in very good condition, and would not be “out of place” if permitted to operate from within Welcome Park. The van is a registered food business under the Food Act and has its own storage facilities for liquid wastes generated by the operations of the van.

Mr Cowled is very keen to commence trading as soon as the van arrives from interstate, but there would need to be conditions placed on its operations and would need an agreement drawn up between the Shire and Mr Cowled if Council was to agree to allow the van to operate within Welcome Park. These would include (but not restricted to):

- Placement of the van within the park
- Arrangements for Power to the van
- Cleaning of the public toilets
- Hours of operation

As far as the proposal at the airport is concerned, there would also need to be discussions between the CEO, Airport Manager and the person handling flights for Skippers. I can see no problems with the proposal of Mr Cowled, but I feel it is imperative that there is an agreement reached between them all in regards to this matter.

**Consultation:**

Health, Building and Town Planning Committee.  
Mr David and Mrs Kheann Cowled

**Statutory Environment:**

Local Government Act  
Food Act

**Policy Implications:**

Nil

**Budget/Financial Implications:**

Nil

**Strategic Implications:**

Nil

**Voting Requirements:**

Simple Majority

**Officer Recommendation:**

**That the Committee recommends to Council that Council:**

- 1. agrees to permit Mr and Mrs David Cowled to place and operate the food van within Welcome Park providing the Chief Executive Officer sanctions the agreed location and the arrangements in regards to the operations of the van. The matters to be finalised with the CEO may include but are not restricted to:**
  - Placement of the van within the park**
  - Arrangements for Power to the van**
  - Cleaning of the public toilets**
  - Hours of operation**
  
- 2. agrees to the operation of a small kiosk located inside the Meekatharra airport terminal after an agreement is reached between the CEO, the Airport Manager and the person handling flights for Skippers.**

**CARRIED 4/0**

**Committee Recommendation:**

**Moved: Cr AJ Binsiar**

**Seconded: Cr PS Clancy**



**The Committee recommends to refer the decision to full Council.**

**Reason for Recommendation Differing from Officers Recommendation:**

**More information was provided at the meeting which changed the context of the original request of the applicant and subsequently changed the outcome and further discussion is required by full Council.**

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<b>Title/Subject:</b>	<b>RESERVES 3135, 6342 AND 6398 – MANAGEMENT ORDERS OFFERED BY DEPARTMENT OF LANDS</b>
<b>Agenda/Minute Number:</b>	
<b>Applicant:</b>	Department of Lands
<b>File Ref:</b>	Reserve 3135, 6342, 6398
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	10 December 2013
<b>Author:</b>	Samantha Tarling Acting Community and Development Services Manager
	 <i>Signature of Author</i>
<b>Senior Officer:</b>	Roy McClymont Chief Executive Officer
	 <i>Signature Senior Officer</i>

**Summary/Matter for Consideration:**

To decide whether to take on the Management Order of Reserve 3135, 6342 and/or 6398.

**Attachments:**

Copy of letter and maps relating to Reserve 3135, 6342 and 6398.

**Background:**

Department of Lands (DoL) have written to Council advising that Reserve 3135, 6342 and 6398 are surplus to the Department of Water's requirements and propose to relinquish their Management Order. As a result the DoL are offering the Shire the opportunity to comment on their interest in taking on the Management Order.

**Comment:**

Officers have been consulted and they can't see any reason why the Shire may want to take over a Management Order of the Reserve/s and seek Council's local knowledge as to whether this would be of any advantage to the Shire.

In relation to Reserve 6342 – the DoL are requesting Council provide comments on the proposed cancellation of the Reserve if the Shire doesn't wish to enter into a Management Order.

**Consultation:**

CEO

Principal Environmental Health Officer and Building Surveyor

**Statutory Environment:**

*Local Government Act 1995*s.3.1 (1)

The general function of the local government is to provide for the good government of persons in its district.

**Policy Implications:**

Nil

**Budget/Financial Implications:**

Nil

**Strategic Implications:**

Strategic Plan 2012-2022:

Governance – Develop partnerships with stakeholders to enhance community services and infrastructure.

**Voting Requirements**

Simple Majority

**Officers Recommendation / Committee Resolution:**

**Moved: Cr HJ Nichols**

**Seconded: Cr PS Clancy**

**Committee recommend to Council to:**

- 1 accept the Management Orders of Reserve 3135, 6342, 6398 from the Department of Lands for the purpose of “waterway”.**
- 2 request the Chief Executive Officer advise the Department of Lands of Council decision and commence the process to take over the Management Orders.**

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MEETING HELD FRIDAY 20 DECEMBER 2013

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Government of Western Australia  
Department of Lands

State Land Services

Your ref:  
File ref: 02339-1991; Job No: 131832  
Enquiries: Jaimie Eidsvold  
Ph: (08) 6552 4713 Fax: (08) 6552 4417  
Jaimie.eidsvold@lands.wa.gov.au

6<sup>th</sup> of August 2013

Chief Executive Officer  
The Shire of Meekatharra  
PO Box 129  
MEEKATHARRAWA 6642

SHIRE OF MEEKATHARRA	
FILE No	_____
DATE REC'D	- 9 AUG 2013
OFFICER	CEO
Meeting Date	_____

Dear Sir,

**PROPOSED DISPOSITION OF RESERVE 3135 LOT 210 ON DEPOSITED PLAN 193718 "WATERWAYS" SURPLUS TO DEPARTMENT OF WATER REQUIREMENTS - SHIRE OF MEEKATHARRA**

The Department of Water (DoW) has identified Reserve 3135 for the purpose of "Waterway", under Management Order to the DoW, to be surplus to their operational requirements. I have attached a copy of Smartplan and an aerial showing Reserve 3135.

It would be beneficial if the Shire of Meekatharra could advise if the Shire has any use for Reserve 3135 and would like to take on management.

If you have any queries or require further information please do not hesitate to contact me on 6552 4713.

Yours faithfully,

JAIMIE EIDSVOLD  
ASSITANT STATE LAND OFFICER  
MID WEST/GASCOYNE  
REGIONAL AND METROPOLITAN SERVICES

Att: (2)

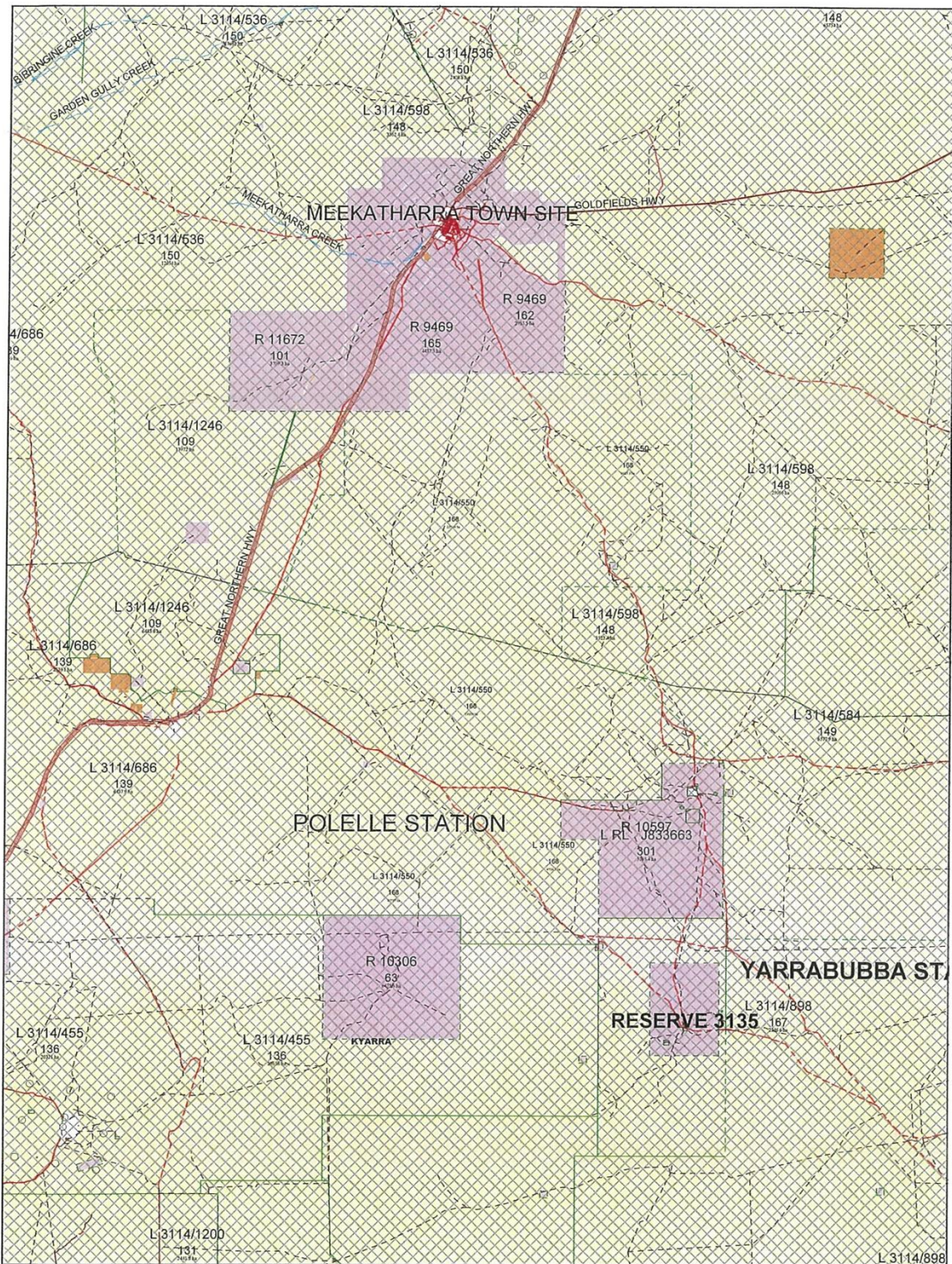
*Burna Cooria Area*

*NA 11/08/13 9-10 am  
11/08/13 9:35 - will send better map*

*MAP - SHOWING LOCATION  
INFRASTRUCTURE - NO*



MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD FRIDAY 20 DECEMBER 2013



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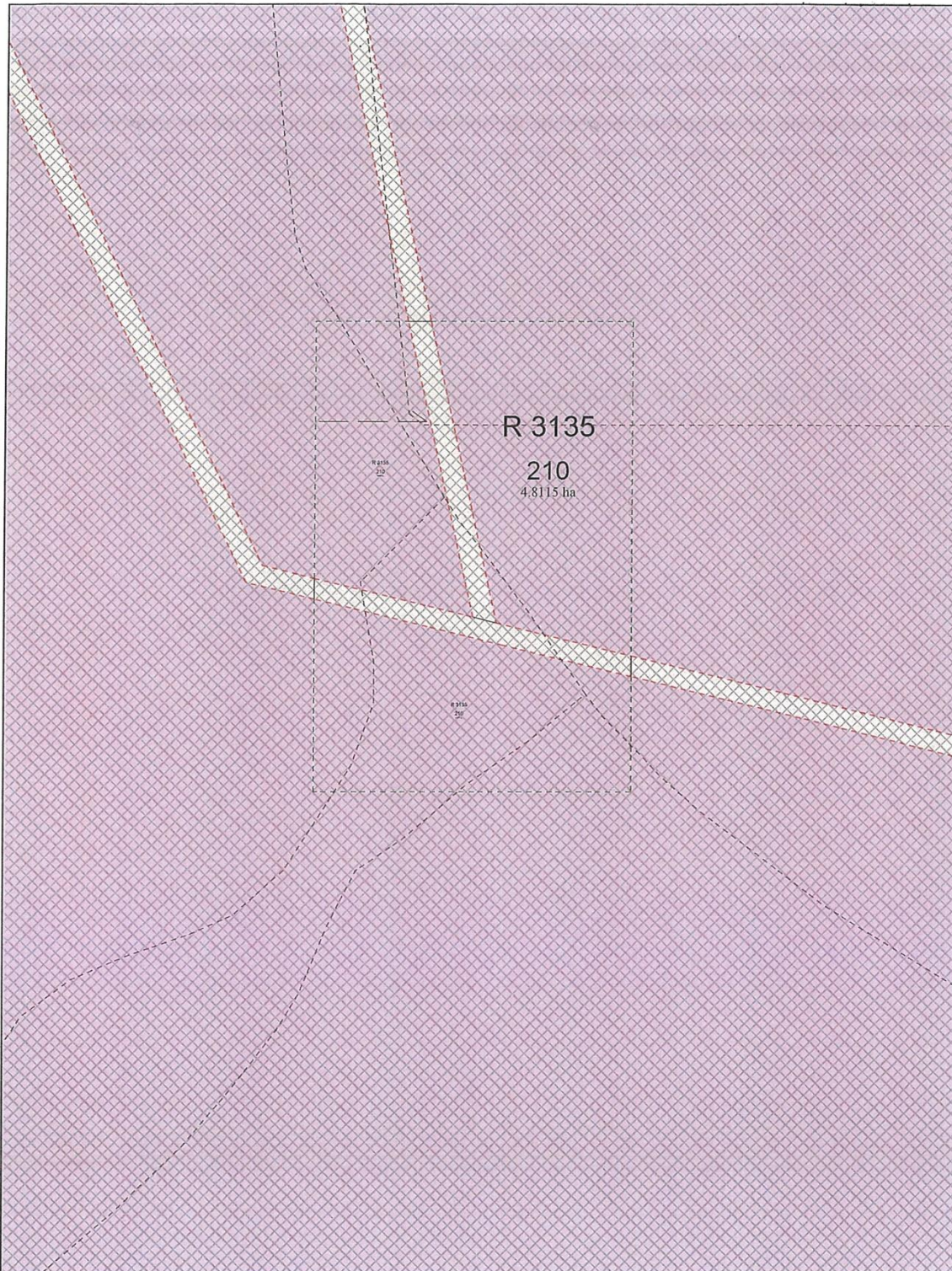
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MEETING HELD FRIDAY 20 DECEMBER 2013

Scale: 1:22,796

**Description**

**Map Projection:** GDA 94 (Lat/Long)

**Datum:** Geocentric Datum of Australia  
1994

1 Midland Square  
Midland WA 6056  
(08) 9273 7341  
customerservice@landgate.wa.gov.au  
www.landgate.wa.gov.au

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**Map Viewer**

Created 6 Aug 2013

27° 03' 31"S

118° 37' 27"E

27° 03' 31"S

118° 40' 14"E

27° 04' 42"S

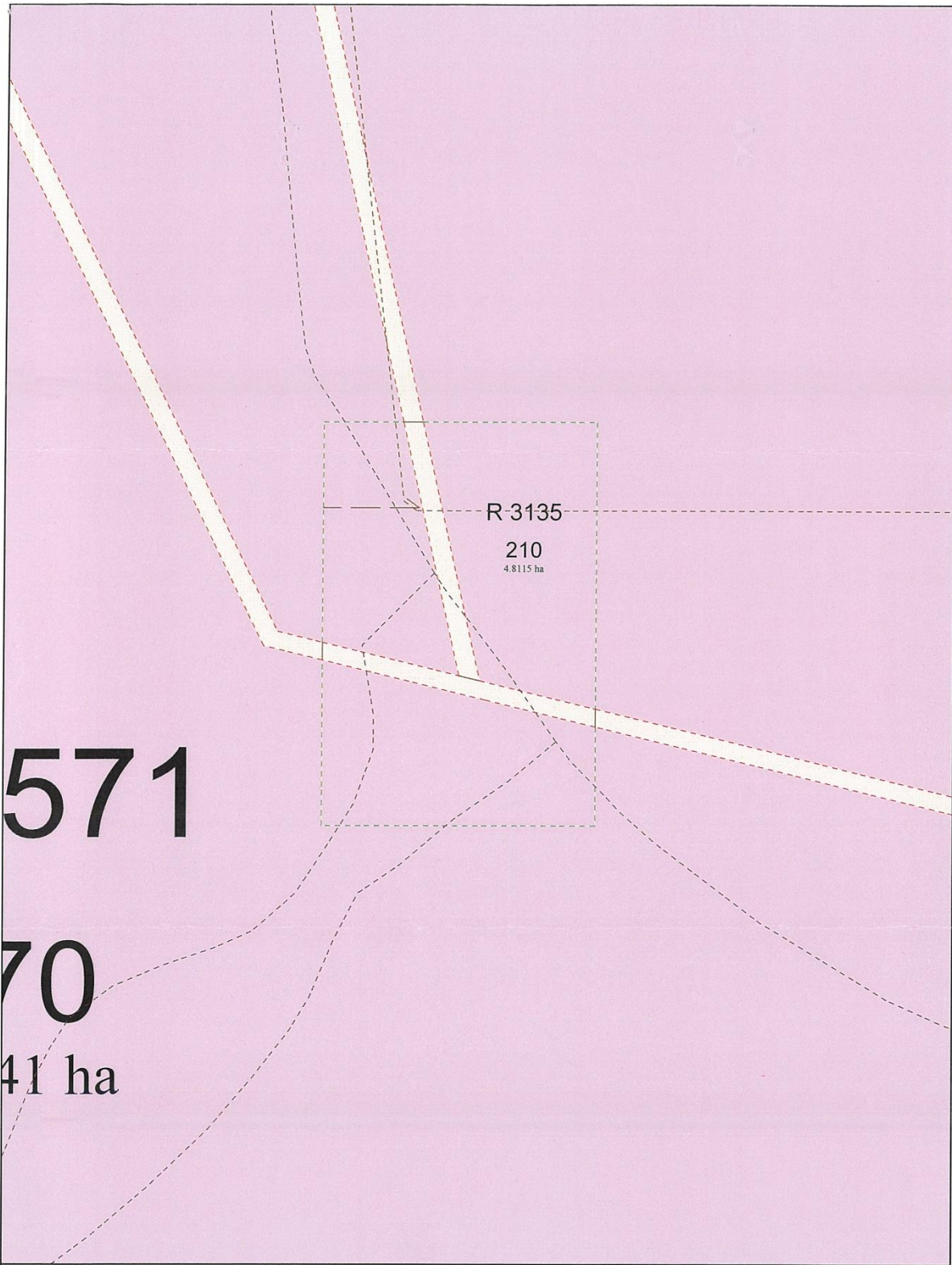
118° 37' 27"E

118° 40' 14"E

27° 04' 42"S



MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD FRIDAY 20 DECEMBER 2013



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MEETING HELD FRIDAY 20 DECEMBER 2013

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Government of **Western Australia**  
Department of **Lands**

**State Land Services**

Your ref:  
File ref: 02339-1991; Job No: 131832  
Enquiries: Jaimie Eidsvold  
Ph: (08) 6552 4708 Fax: (08) 6552 4417  
Jaimie.eidsvold@lands.wa.gov.au

5<sup>th</sup> of August 2013

Chief Executive Officer  
The Shire of Meekatharra  
PO Box 129  
MEEKATHARRAWA 6642

<b>SHIRE OF MEEKATHARRA</b>	
FILE No	_____
DATE REC'D	- 0 AUG 2013
OFFICER	CEO
Meeting Date	_____

Dear Sir,

**PROPOSED DISPOSITION OF RESERVE 6342 "WATERWAYS" SURPLUS TO DEPARTMENT OF WATER REQUIREMENTS – SHIRE OF MEEKATHARRA**

The Department of Water (DoW) has identified Reserve 6342 for the purpose of "Waterways", under Management Order to the DoW, to be surplus to their operational requirements. I have attached a copy of Smartplan and an aerial showing Reserve 6342.

It would be beneficial if the Shire of Meekatharra could advise if the Shire has any use for the Reserve. If the Shire does not require the Reserve can you please provide your comments on the proposed cancellation of Reserve 6342.

If you have any queries or require further information please do not hesitate to contact me on 6552 4713.

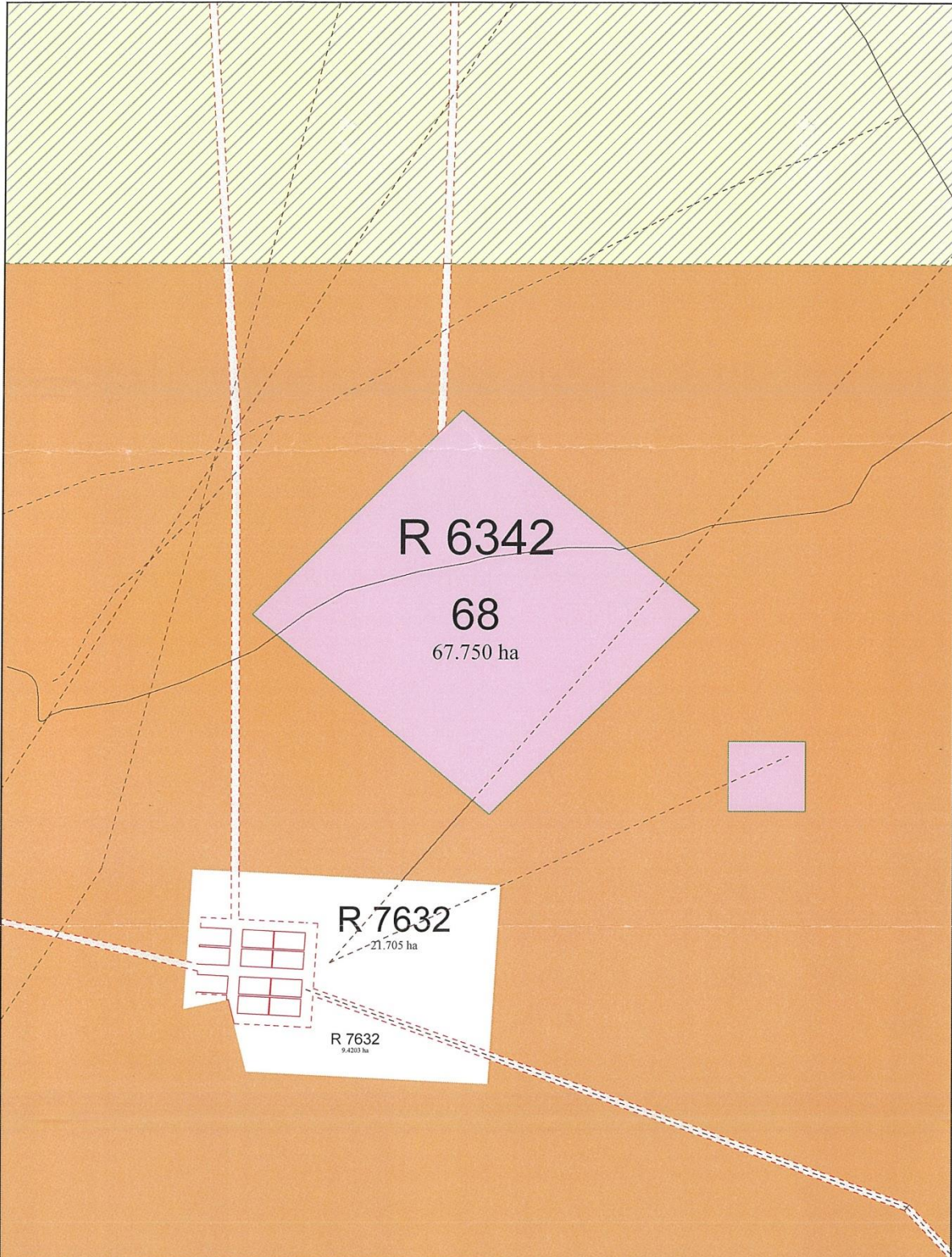
Yours Sincerely,

**JAIMIE EIDSVOLD**  
**ASSITANT STATE LAND OFFICER**  
**MID WEST/GASCOYNE**  
**REGIONAL AND METROPOLITAN SERVICES**

*HORSESHOE ARGA*



MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
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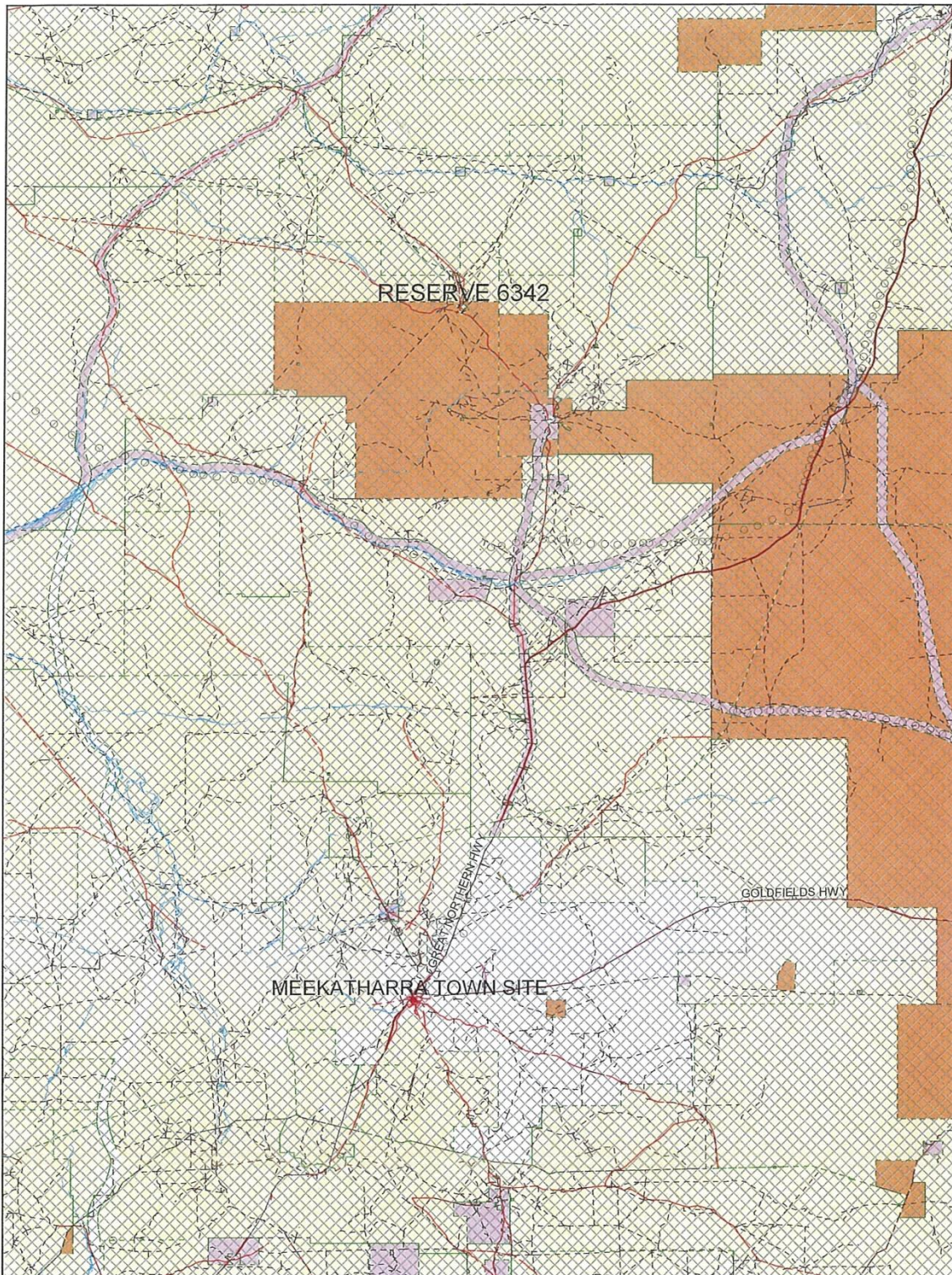
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MEETING HELD FRIDAY 20 DECEMBER 2013



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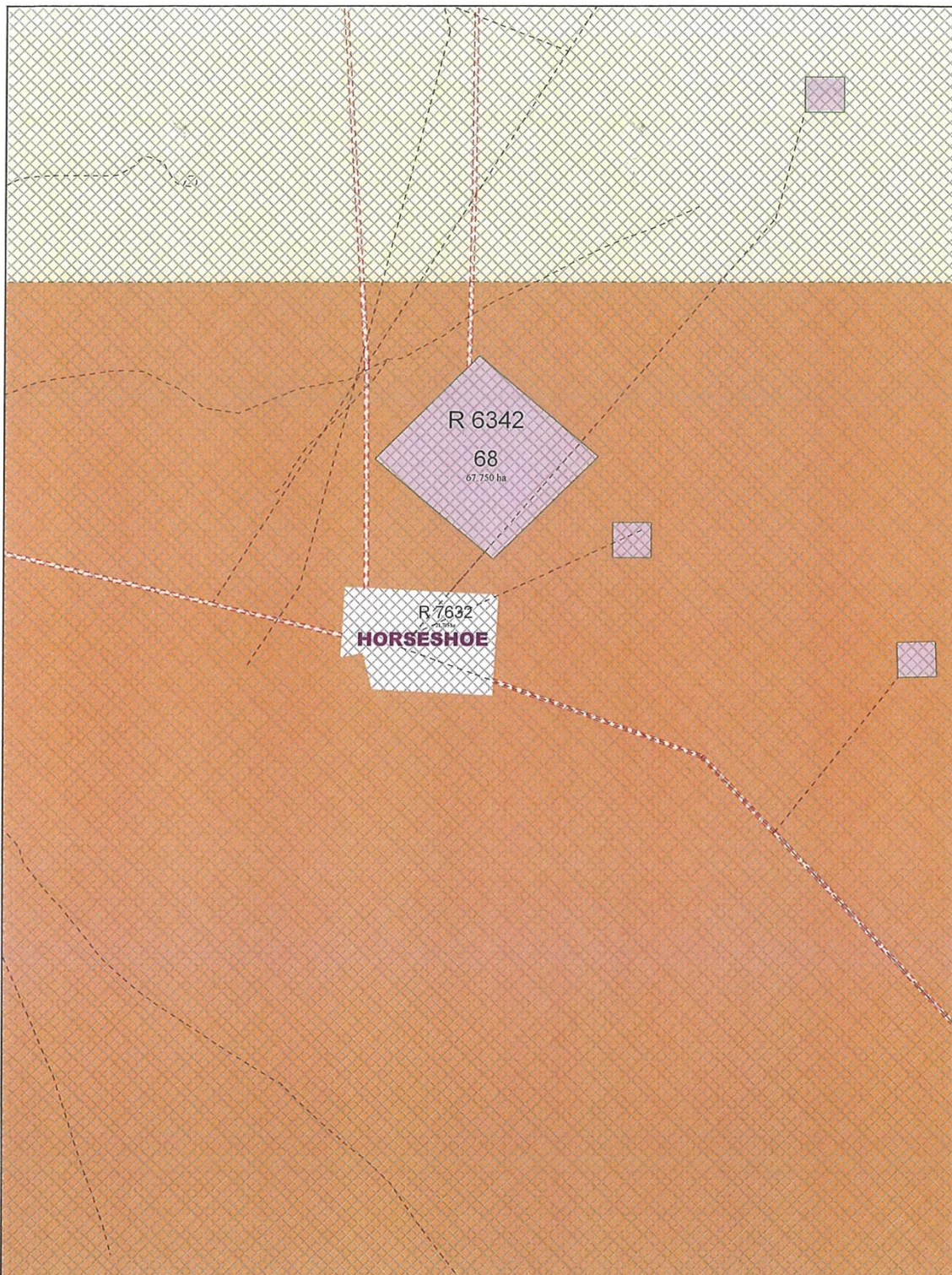
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MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD FRIDAY 20 DECEMBER 2013

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MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD FRIDAY 20 DECEMBER 2013

Scale: 1:49,892

**Description**

**Map Projection:** GDA 94 (Lat/Long)

**Datum:** Geocentric Datum of Australia  
1994

1 Midland Square  
Midland WA 6056  
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customerservice@landgate.wa.gov.au  
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**Map Viewer**

Created 5 Aug 2013

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MEETING HELD FRIDAY 20 DECEMBER 2013

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Government of **Western Australia**  
Department of **Lands**

**State Land Services**

Your ref:  
File ref: 02339-1991; Job No: 131832  
Enquiries: Jaimie Eidsvold  
Ph: (08) 6552 4713 Fax: (08) 6552 4417  
Jaimie.eidsvold@lands.wa.gov.au

6<sup>th</sup> of August 2013

Chief Executive Officer  
The Shire of Meekatharra  
PO Box 129  
MEEKATHARRAWA 6642

<b>SHIRE OF MEEKATHARRA</b>	
FILE No	
DATE REC'D	- 9 AUG 2013
OFFICER	CEO
Meeting Date	

Dear Sir,

**PROPOSED DISPOSITION OF RESERVE 6398 LOT 62 ON DEPOSITED PLAN  
107660 "WATERWAY" SURPLUS TO DEPARTMENT OF WATER REQUIREMENTS  
- SHIRE OF MEEKATHARRA**

The Department of Water (DoW) has identified Reserve <sup>6398</sup> 3185 Lot 62 on DP 107660 for the purpose of "Waterway", under Management Order to the DoW, to be surplus to their operational requirements. I have attached a copy of Smartplan and an aerial showing Reserve 6398.

It would be beneficial if the Shire of Meekatharra could advise if the Shire has any use for Reserve 6398 and would like to take on management.

If you have any queries or require further information please do not hesitate to contact me on 6552 4713.

Yours faithfully,

**JAIMIE EIDSVOLD**  
**ASSITANT STATE LAND OFFICER**  
**MID WEST/GASCOYNE**  
**REGIONAL AND METROPOLITAN SERVICES**

Att: (2)

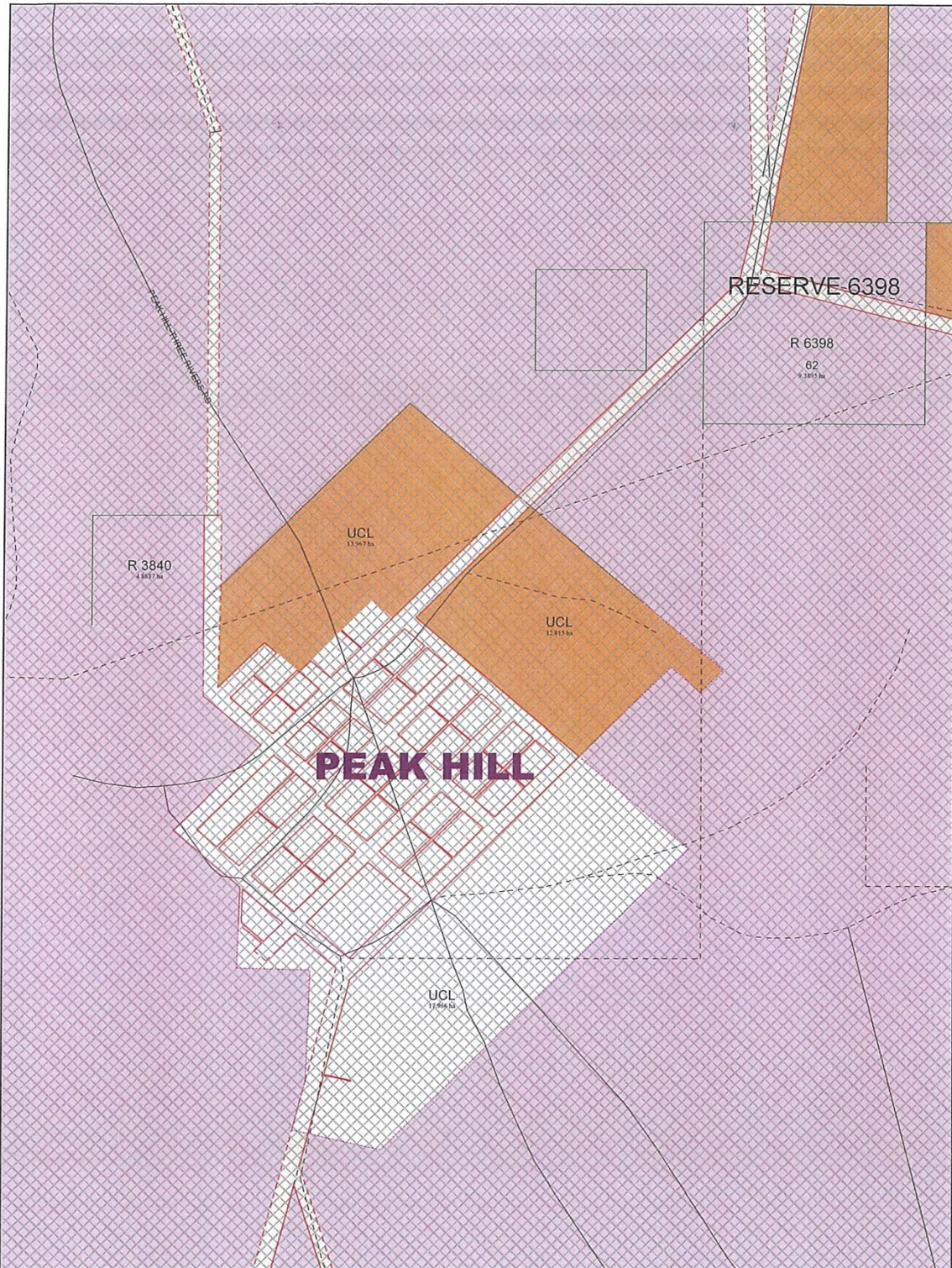
*SOUTH MEAK HILL AREA*







MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD FRIDAY 20 DECEMBER 2013



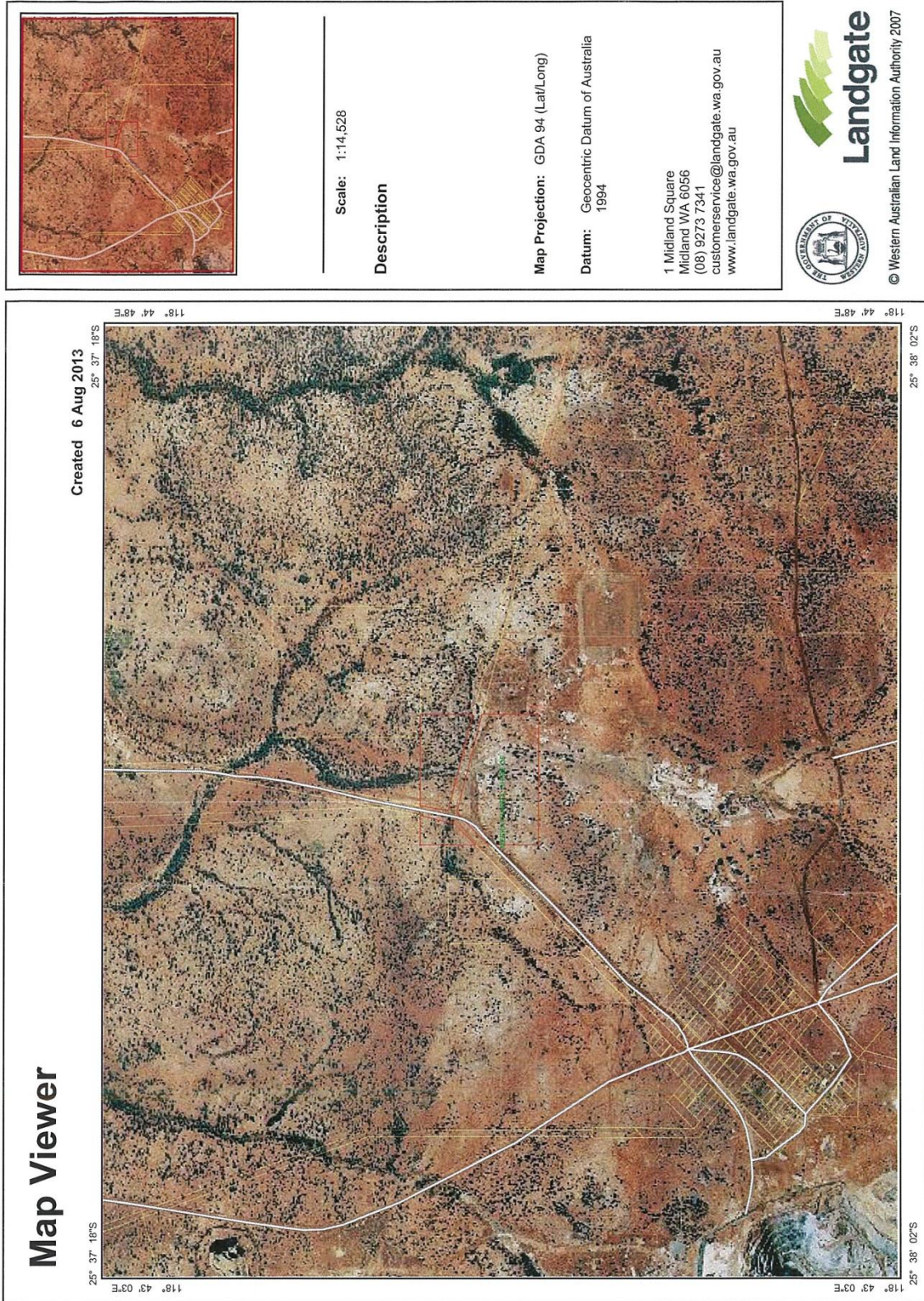
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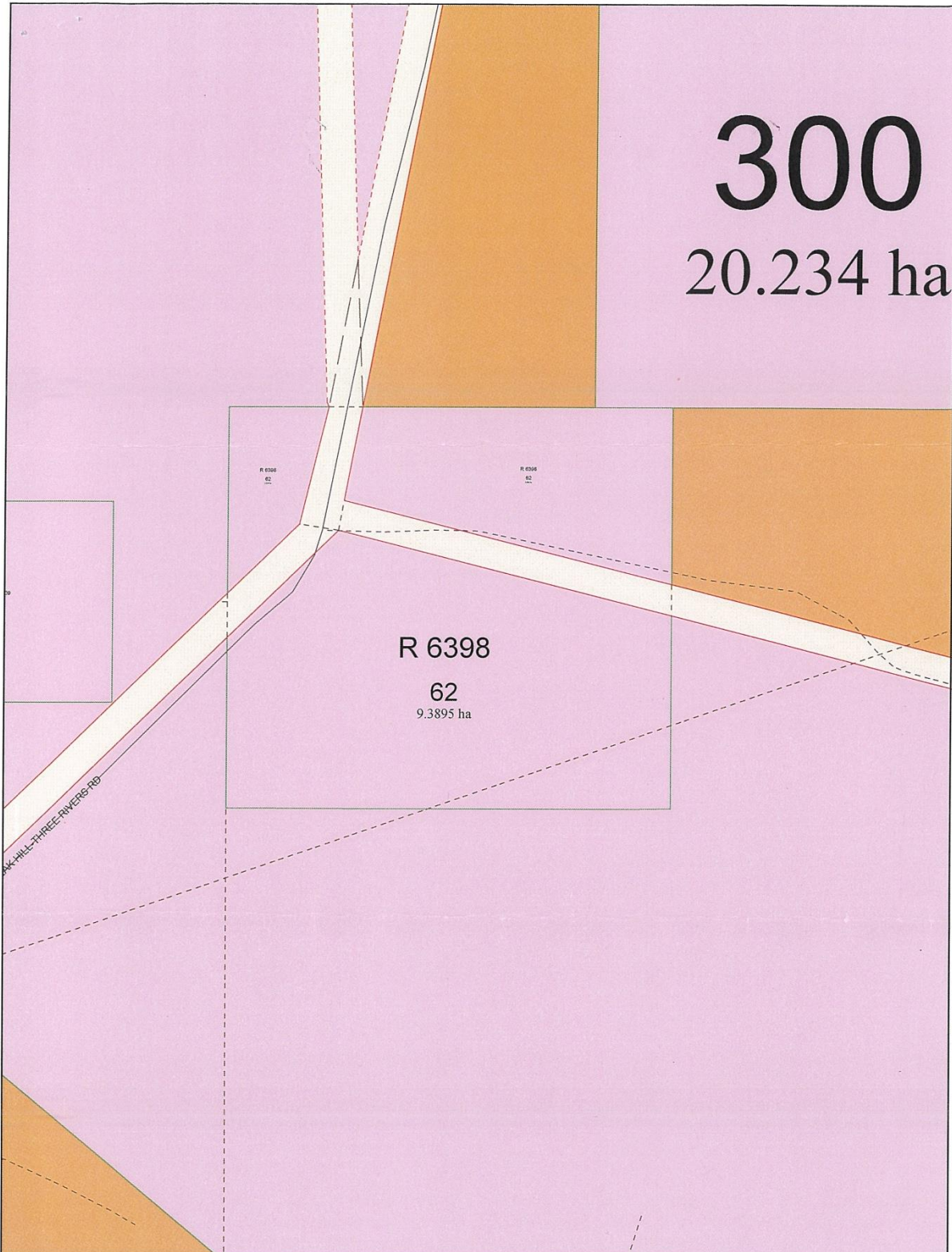


MINUTES OF THE HEALTH, BUILDING AND TOWN PLANNING COMMITTEE  
MEETING HELD FRIDAY 20 DECEMBER 2013





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Scale : 1:4343 (Geographical)  
MGA : SW=673575.9E,7163816.2N Zone 50 / NE=674451.4E,7165063.9N Zone 50  
Lat/Long : 118°43'44.080", -25°37'59.083" / 118°44'14.872", -25°37'18.166" H 263mm by W 198mm

Printed : 10:07 Tue 6/Aug/2013  
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**10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING.**

**Moved:** Cr PS Clancy  
**Seconded:** Cr AJ Binsiar

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

**CARRIED 4/0**

**10.1 CANCELLATION OF JANUARY 2014 HEALTH, BUILDING & TOWN PLANNING COMMITTEE MEETING**

**Moved:**

**Cr PS Clancy**  
**Seconded:** Cr AJ Binsiar

**Recommend to Council to endorse the cancellation of the January 2014 Health, Building & Town Planning Committee Meeting and advertise in accordance with the Local Government Act 1995.**

**CARRIED 4/0**

**10.2 PROPOSED DATE CHANGE OF HEALTH, BUILDING & TOWN PLANNING COMMITTEE MEETING – APRIL 2014 MEETING**

**Moved:** Cr HJ Nichols  
**Seconded:** Cr PS Clancy

**That the date change be referred to full Council for consideration.**

**CARRIED 4/0**

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

Nil

**12. CLOSURE OF MEETING**

The Chairman, Cr NL Trenfield, declared the meeting closed at 1.41pm.