

Shire of Wiluna

MINUTES



Ordinary Meeting of Council

Wednesday 27 July 2011

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MINUTES

1. Declaration of Opening and Announcement of Visitors

The Meeting was opened at 10.09 am.

2. Record of Attendance / Apologies and Leave of Absence Previously Approved

John Kyanga	(President)
Graham Harris	(Deputy President)
Jim Quadrio	(Councillor)
Stacey Petterson	(Councillor)
Chris Webb	(Councillor)(Entered Meeting at 10.14 am)

Samantha Tarling	(Chief Executive Officer)
Linda Butterly	(Deputy Chief Executive Officer)
Tony Doust	(Consultant – Project Manager)
Garry Agnew	(Environmental Health Officer/Building Surveyor)

Visitor

Lorraine Thomas (Consultant - Urbis)

3. Response to Previous Public Question Taken on Notice

Nil

4. Public Question Time

Nil

(Lorraine Thomas left the meeting at 10.40 am.)

5. Applications for Leave of Absence

Nil

6. Notations of Interest

6.1. Interest Affecting Impartiality Shire of Wiluna Code of Conduct

Nil

6.2. Financial Interest Local Government Act Section 5.60A

Nil

6.3. Proximity Interest Local Government Act Section 5.60B

Nil

7. Petitions and Deputations

Nil

8. Confirmation of Minutes of Previous Meeting

OCM 72 /11 Council Decision and Officer Recommendation

MOVED Cr Webb

SECONDED Cr Petterson

The Minutes of the Meeting held on 6 July 2011 be accepted as a true record of that meeting.

CARRIED 5/0

9. Announcement Presiding Member without Discussion

Nil

10. Reports of Officers and Committees

10.1. Chief Executive Officer Reports

10.1.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	20 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to provide information to Council of its operations and for Council to receive the report and endorse the Chief Executive Officer's recommendations and actions.

Resignation from Manager of Works

File Ref: Personnel

Laurie Bresland, Manager of Works has resigned his position to take affect Friday, 15 July 2011. Due to personal reasons he was only able to give one week's notice of terminating his employment.

Laurie Bresland will remain consulting to the Shire in the same capacity as a Manager of Works but from Perth. It has been agreed that we do this on a trial basis. The main responsibilities are supervising and advising on the strategic projects that are in progress at this time in Wiluna. He is in daily contact with

myself and the Works Administration Assistant. This is achieving a win/win outcome for both parties at this time.

A recruitment process is being undertaken at this time to fulfil the Manager of Works position. Laurie is assisting in this.

Dominique Allis, Works Administration Assistant has stepped up into supervising the works required at the depot under Laurie's and my instruction and this is working well with the depot staff being supportive of the changes.

CLGF – Regional Funding – 2011-12

File Ref: 00042

Mid West Development Commission (MWDC) have advised they have amalgamated the infrastructure projects identified in the last round of CLGF with the Mid West Investment Plan (MWIP) projects and are organising sub-region workshops to decide on the regional CLGF projects for this round.

The MWDC will commence each session with an overview of the MWIP followed by the CLGF priorities. The workshop will be on the same basis as the one some councillors attended in Mt Magnet last year. A date is to be advised.

Shire of Wiluna Customer Service Charter

File Ref: 00367

A Customer Service Charter has been developed to give direction to staff and the Shire's customers and stakeholders.

The Charter is presented to council for information and endorsement. The Charter is part of the Shire's ongoing continual improvement process.

Shire of Wiluna Customer Service Charter

Mission

The Shire of Wiluna is committed to delivering a quality service to our customers and building long term positive relationships.

Our Customers

- *People who are residents and ratepayers*
- *People who live within the Shire and traditional owners*
- *Elected representatives of our community*
- *People who work within the Shire*
- *People who visit the Shire*
- *People who attend educational institutions in the Shire*
- *People who travel through the Shire*
- *Developers and businesses who invest in the Shire*
- *People who seek products, services or information from the Shire*
- *Other stakeholders including Commonwealth and State governments, local members of parliament, and community agencies that deliver services to our community*
- *Those who will receive a service or use an asset or facility in the future*

We will:

- *Treat everyone with respect, courtesy and fairness*
- *Strive to meet the customer service needs of people with disabilities and those of a culturally and linguistically diverse background*
- *Actively listen to customers and provide timely feedback*
- *Ensure all views are taken into account in decision making*
- *Ensure clear, open, fair and friendly communications*
- *Act within the time frame set in responding to requests.*

Our Customer Service Standards

When customers telephone us, we will:

- *Answer all calls in a courteous and professional manner.*
- *Supply customers with the most accurate information available.*

When customers write to us, we will:

- *Respond to all correspondence, including emails, within 10 days.*

When customers visit us, we will:

- *Acknowledge and attend to customers promptly.*
- *Work with customers to identify a solution for complex issues and requests.*

Our Customers' Concerns and Feedback

We encourage customers to voice their concerns in a respectful and courteous manner by writing, phoning or visiting us. We take our customers' feedback and complaints seriously and as an opportunity to improve the way we do business and to turn an unhappy customer into a satisfied customer. We will work towards increasing their customer satisfaction and continually improving our services by responding to their concerns as efficiently and effectively as possible.

WALGA STAFF EXECUTIVE INVITED TO WILUNA

File Ref: 00088

WALGA Staff Executive Group has been invited to Wiluna to hold their Strategic Planning Day in December 2011.

The group will consist of the CEO, Ricky Burgess and 11 officers who head up each department in the WALGA office. The purpose of the meeting is for WALGA officers to meet with council and senior staff to gain an understanding of our vision for the future of Wiluna and how WALGA can assist the Shire to gain support and direction in achieving the outcomes set down in the Strategic Plan 2009-14 and beyond.

A date is yet to be set. Arrangements are being discussed and it is envisaged the Group will fly into Wiluna in the morning and return home in the afternoon after meeting with council and having lunch and a tour of the highlights of Wiluna.

OCM 73/11 Council Decision and Officer Recommendation
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MOVED Cr Harris

SECONDED Cr Webb

That Council receive this report and endorses the CEO's recommendations and actions.

CARRIED 4/1

Cr Quadrio voted against the motion and identified his objection to the items relating to the works depot management staff.

OCM 74/11 Council Decision and Officer Recommendation

MOVED Cr Quadrio

SECONDED Cr Harris

That Council endorse the following and direct the CEO to carry out the steps required to bring about the following:

1. As a matter of urgency, the position of Works Manager and Works Supervisor (foreman) be advertised and an attractive salary offered to attract the expertise and calibre needed to fill these positions.
2. The previous Works Manager be engaged only on a short term basis until the above positions are filled and these persons are on site and active, and; future consulting be restricted to technical engineering, funding and strategic project issues.

CARRIED 5/0

*(Cr Kyanga left the meeting at 11.45 am and returned at 11.50 am.
Linda Butterly left the meeting at 11.50 am and returned at 11.56 am).*

10.1.2. Subject/Applicant:	Consideration of the Draft Shire of Wiluna Local Planning Strategy and Local Planning Scheme No. 2
File:	00345
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	20 July 2011
Disclosure of Interest:	Nil

Purpose

For Council to:

- I. Receive the draft Local Planning Strategy, and consider the proposed objectives, strategies and actions for future growth of the Shire, provided in the document; (Appendix C)
- II. Receive the draft Local Planning Scheme No.2, and consider the proposed zones, land use permissibilities and development standards, which have been prepared in accordance with the Model Scheme Text;
- III. Forward the draft Local Planning Strategy and Local Planning Scheme No.2 to the Western Australian Planning Commission with a request that

the document be assessed as soon as possible for compliance with the Regulation 12A(3) of the Town Planning Regulations 1967, and Council be permitted to advertise the draft Strategy and Scheme in accordance with the Regulations.

- IV. Forward the draft Local Planning Scheme No.2 to the Environmental Protection Authority (EPA) together with written notice of Council's resolution, to enable the EPA to comply with section 48A of the *Environmental Protection Act 1986*.

Background

The Shire of Wiluna is going through a period of reinvention. A number of potential mining ventures, together with recent State and Federal government investment in community infrastructure, are driving an agenda for progress and positive change. A land use and infrastructure planning strategy, supported by a revised statutory Local Planning Scheme, is required as a blueprint for the town.

In recent years the quality of life in Wiluna has improved through better buildings and services like:

- The new Town Park
- The new Wiluna Remote Community School;
- The new Wiluna Shire Public Pool;
- More sports and recreation activities
- Street signs across the town
- Better Water Treatment Plant
- New housing.

The Local Planning Strategy builds on these achievements and acts as a guide to help Council make decisions about where new development should go, and what it should look like.

Statutory Planning Context

The need to review Town Planning Scheme No.1 and prepare a Local Planning Strategy

The *Planning and Development Act 2005* (the Act) requires local governments to review their planning scheme every five years. In accordance with the Shire's statutory requirements under the Act, the review of the Scheme needs to be informed by a Local Planning Strategy. The new Scheme must align with provisions in planning law (*Planning and Development Act 2005*) and comply with the State Government Model

Scheme Text guideline. The Act and Model Scheme Text requires all new town planning schemes to be renamed “Local Planning Schemes”.

The Shire’s Town Planning Scheme No.1 (TPS 1) was gazetted in 2004. At its ordinary Meeting held in July 2010, Council resolved to prepare a new Local Planning Scheme No.2 (LPS 2) which is intended to replace TPS 1. The Shire also resolved to prepare a Local Planning Strategy to inform the preparation of LPS 2.

The Western Australian Planning Commission (WAPC) is the ultimate decision maker when it comes to Local Planning Strategies and Schemes, and the Minister for Planning is required to sign off on the final Scheme. The WAPC has acknowledged the Council’s resolution to prepare a new Local Planning Strategy and Scheme.

A Local Planning Strategy is like a “blue print” for the revitalisation, growth and development of the town and the Shire of Wiluna for the next 10 – 15 years.

The Strategy provides guidance on the future growth and development of the Shire for the next 10-15 years. While the Strategy sets the broad ‘strategic direction’, the Local Planning Scheme is the ‘legal tool’ that establishes specific controls for land use and development.

The Local Planning Scheme is the legal tool that sets out the zones, acceptable land uses within each zone and establishes the standards for new development.

The Local Planning Scheme details procedures and processes to be followed in order to complete, lodge and consider an application for development approval, establishes rights of appeal, development advertising processes, compliance requirements, carparking requirements etc.

The Shire has engaged planning consultants Urbis to help prepare the two documents. It is requested that Council consider the draft Local Planning Strategy and Scheme at the July Ordinary Council Meeting. A briefing will be provided by Urbis on both documents prior to the meeting.

Local Planning Strategy

The Local Planning Strategy is required to:

- a) set out the long-term planning directions for the Shire;
- b) apply State and regional planning policies; and
- c) provide the rationale for the zones and other provisions of LPS 2.

It builds on the community’s vision for harmony, culture, country, and opportunity, and forms the foundation of the Shire’s planning framework. The preparation of the Local Planning Strategy and review of TPS 1 were identified as key actions in the Shire’s Strategic Plan 2004 – 2015.

The following actions of the Strategic Plan were also considered in the preparation of the draft Local Planning Strategy:

- Identify priority housing areas where houses are required in the short term;
- Establish a cultural heritage centre promoting Wiluna's mining, pastoral and Indigenous history;
- Work with the community to identify options for a community gathering space;
- Implement the Wiluna Streetscape Renewal Initiative;
- Ensure all Shire roads and streets are maintained and safe;
- Review and update a Local Government Municipal Heritage Inventory;
- Develop scenario plans for the Wiluna Airport and other transport infrastructure to ensure Council can respond strategically to developments in the mining and tourism industries;
- Revitalise the town centre, support tourism and small business, and plan for growth and land development;
- Develop and implement a Town Centre Development Strategy;
- Work with the State Government to release new land for small business;
- Work with neighbouring Councils, GVROC and Mid West Development Commission to identify new initiatives for Wiluna and the region;
- Assess the requirements for deep sewerage resulting from increased land use;
- Develop a Wiluna Tourism Development Plan;
- Construct a self-guided walk trail promoting cultural and historic sites;
- Actively market Wiluna, including Canning Stock Route and the Gunbarrel Highway, through regional and state-wide promotions;
- Encourage new tourism ventures; and
- Reflect the site for the new Wiluna AMS clinic and identify complimentary uses around it.

Key Drivers for the preparation of the Local Planning Strategy and Local Planning Scheme No. 2

The following are the key drivers and issues that were considered in the preparation of the Local Planning Strategy:

- The need to provide a framework for land release in the short term to address current housing shortages, and to identify land for residential expansion should demand from the mining sector necessitate it;
- Provision of adequate short term and temporary accommodation, for both the mining and tourism sectors, including identifying a potential site for an in-town workers camp;
- Managing mining conflicts with townsite expansion, given the proximity of the town to operational mines and the location of gold mineralisation areas within the townsite boundary;
- Addressing the demand for aged care and housing for the elderly;
- Ensuring new housing is designed to be climatically appropriate and in keeping with a Wiluna lifestyle;
- Identifying opportunities and the best use of land located at key gateways/entries to the town (the Old Primary School site and the Roadhouse site);
- Identification of a defined community, recreation and education precinct with a shared and valued outdoor community gathering space;
- Growing a diverse local economy, stimulated by the mining boom in the short to medium term, and fostering opportunities for tourism based on local heritage, culture and the arts;
- Addressing any potential land use conflicts within the identified Light Industry area to the west of Wotton St;
- Strengthening Wotton St as the shopping and business precinct of town;
- Recognising Bondini as a settlement in Local Planning Scheme No.2;
- Identifying utility and community infrastructure needs and priorities; and
- Identifying critical local and regional transport infrastructure, to support the growth of the town and the surrounding mining sector.

The draft Strategy describes these issues and provides an appropriate planning response, which is in line the Shire's overall vision for Wiluna.

The draft Strategy identifies a Land Use Plan for the town of Wiluna, which guides where new buildings and activities such as housing, roads, parks,

shops, industry and infrastructure, can be located. This is provided as Attachment 1. The objectives, strategies and actions for each land use and initiative is provided as Attachment 2.

The following sections describe the key planning issues and the proposals of the Local Planning Strategy and Local Planning Scheme No.2 which respond to these issues.

Key Planning Issues and Proposals

Residential land supply

The growth and retraction of Wiluna from a gold rush town of 9,000 people in the 1930's, to a remote desert service centre of 300 people, has resulted in the layout of the town being spread over a much larger area than might be expected for its small population. This has also resulted in a significant amount of zoned and subdivided land created from the original subdivision that has converted back to Unallocated Crown Land after the population declined. As the land is UCL, it may be subject to Native Title future act processes.

The Department of Regional Development and Lands is currently negotiating a Notice of Intention to Take (NOIT) process for the release of approximately 50 UCL lots that are zoned and serviced. This is being considered to satisfy the anticipated short and medium term housing demand driven by the existing population. However, should there be a significant increase in demand from mining companies, then new residential expansion areas will need to be identified.

Although there is capacity within the existing townsite boundary to accommodate new residential development, some of these areas may require redesign and reconfiguration to provide a more efficient subdivision layout and lot mix.

Proposed Strategy response – Identification of Locations and Priorities for New Housing

The draft Strategy identifies five housing precincts within the town and describes how those precincts may be developed in the future. Vacant land near community facilities such as the school and AMS, that is connected to power and water services determines the priority areas for new housing. Priority areas include 'filling in the gaps' along existing streets to the north east of the town (Residential Precinct 2), new housing near the School, Shire offices, the new AMS facility and along Lennon Street opposite the new Town Park (Residential Precinct 3). The old AMS site may also be redeveloped for housing.

Larger housing lots could be provided to the east of the town, where land maybe constrained by mining activity (Residential Precinct 4), while smaller cottage lots for elderly people or aged care could be provided near the new AMS facility (Residential Precinct 3 and 4).

Should mining companies require new housing for their workers to live in Wiluna, a residential expansion area is identified to the south of the town (Residential Precinct 5). The extension of utility infrastructure would be required in order for this land to be developed.

Proposed Scheme Response – Establishment of Residential Development Zone

The draft LPS 2 proposes the establishment of a Residential Development zone. The purpose of this development zone is to provide a framework for expansion or redevelopment of residential areas. The proposed Residential Development zone for Wiluna will introduce a set of provisions that require the preparation of Local Structure Plans to “map out” how future development will take place from a land use, design and servicing perspective. The southern undeveloped but zoned portion of town has been designated ‘Residential Development’ in the new Scheme map.

Residential Density and Housing Design

The current housing stock in Wiluna is generally considered inappropriate from a climatic perspective. In addition, large outdoor living areas and homes that can accommodate extended families are desired. The key issues to consider in the design of housing in Wiluna are solar access and shading, the use of open space and outdoor living areas, environmental health, privacy and noise. Larger lots have greater capacity to accommodate housing typologies and designs that can respond to these issues.

The existing predominant form of housing in the town is detached suburban style homes built to an average density of R10 (1,000m²). There is some existing higher density housing (mainly triplexes and duplexes) that has been built by the Department of Housing, but many are poorly designed and are not climatically appropriate.

Given the existence of UCL lots of a size equivalent to R10, and the community’s preference for larger lots, it is expected that the low density of housing will remain the case in Wiluna. Smaller lots for the provision of elderly, aged care and special needs housing is required however, and may also be considered where it is necessary to provide an efficient development form that makes best use of available service infrastructure. Higher density development would also need to consider the availability and adequacy of wastewater infrastructure.

Proposed Strategy response – Preparation of Local Planning Policy on Housing Design

The Department of Housing, as the main housing provider in the town has requested the retention of the split R10/30 coding over the Residential Zone, as this creates the opportunity to provide a variety of housing stock to meet future needs. While this principle is generally supported, due to the poor examples of high density housing that have been provided in Wiluna, the Strategy

recommends a more selective and strategic approach to the provision of housing at a density of R30.

It is proposed that housing at this density be provided specifically for the needs of elderly people, or where there is demonstrated demand for this type of housing, and should be located in close proximity to health and community infrastructure such as the AMS facility. R30 should only be provided on lots where the houses can be appropriately orientated to maximise shading on the western wall, and where a street frontage can be provided for all the houses. The Strategy recommends the preparation of a Local Housing Design Policy that outlines the design requirements for new housing that is appropriate to the Wiluna climate and lifestyle.

Proposed Scheme Response – Specification of Residential Zoning R10

So as to avoid an array of residential densities throughout the town, it is proposed that the R10/30 density coding that currently exists be broken down into R10 and R10/30 coding with the higher coding being designated closer to health and community facilities and the lower coding (R10) applying elsewhere, where larger lots are more desirable. Application of the R30 code will be subject to design assessment and consideration of streetscape, amenity, privacy, noise etc. This approach is consistent with current planning practices and specifically the WAPC's Liveable Neighbourhoods documents.

Bondini

The Western Australian Planning Commission requires established communities on Aboriginal Lands Trust (ALT) Reserves to be acknowledged in Local Planning Strategies and identified under a Settlement Zone in Town Planning Schemes, as per State Planning Policy 3.2.

Proposed Scheme Response – Establishment of a Settlement Zone for Bondini

LPS 2 establishes a new Settlement Zone for the identification of communities to be formally incorporated into the town planning framework. This does not affect how the communities are run and managed. The proposed provision of this zone requires the preparation of a Community Layout Plan; and for development to be in accordance with the Plan. The Department of Planning has indicated that the Settlement Zone is likely to only be required for Bondini. The new Scheme makes reference to the Community Layout Plan that already exists for Bondini.

Special Control Areas for Mining

TPS 1 identifies three Special Control Areas (SCA) on the Scheme Map. These areas were chosen based on the presence of gold mineralisation and the potential for these areas to be mined in the future. The purpose of the SCA is to 'protect the designated areas from the development of uses which may conflict with future mining activity'.

The Shire offices, Shire housing and the existing Residential zoned land to the east of the new AMS site and south of the Shire offices are located within a

Special Control Area. They are a major constraint to the southern expansion of the town.

Proposed Strategy response – Prioritisation of urban development within the townsite boundary

Discussions with the Department of Mines and Petroleum (DMP) has indicated that the SCAs represent a notional 250 metre buffer to mineralisation areas. However these buffer areas would not be sufficient, should the areas actually be developed for mining. As the availability of zoned residential land is limited, the Strategy identifies town development as a higher priority than mining for land within the established townsite boundary.

Proposed LPS 2 response – Rationalisation of SCA boundary and maintenance of Council discretion to determine development with SCA

The current Scheme requires planning approval for all development within the SCA, and for development applications to be referred to the DMP for comment. TPS 1 grants Council discretion to refuse or approve any development, with or without conditions, having regard to the recommendations of the DMP. LPS 2 proposes the slight re-alignment of the SCA boundaries so that SCAs to the west of town are contained to the west of the Goldfields Highway. The standard provisions have remained.

Retail and Commercial Development

Retail and commercial development (shops and offices) in the town is spread out along Wotton Street, and there is need for a greater variety of shops and services. While the development of new shops is the responsibility of individual land and business owners, from a town planning perspective there is a need for the creation of a clearly identifiable, functional, compact and vibrant Town Centre precinct that can attract private investment.

Proposed Strategy Response – Identification Wotton Street as the Town Centre

The Strategy reinforces Wotton Street as the place for new shops, offices and community services. Buildings should front Wotton Street, be pedestrian accessible and have an appropriate amount of parking and landscaping in keeping with the Town Centre function. New buildings on prominent corners should be visually attractive. Street trees and footpaths provided by the Shire will make Wotton Street a more pleasant walking environment for residents and visitors to the town.

Wotton Street is the main entrance into Wiluna from the Goldfields Highway, and forms the gateway to the Canning Stock Route (heading north) and the Gunbarrel Highway (from Wells Street). The Strategy proposes that new development at the northern and southern ends of the street incorporates design elements that reflect this gateway function.

Proposed LPS 2 Response – Creation of a Town Centre Zone

LPS 2 proposes the establishment of a Town Centre Zone, with the intention being to define a town core for commercial, retail and community development, provide design parameters and encourage a mix of uses (excluding residential) that enhances and strengthens Wotton Street as a shopping and business precinct.

The zone is limited to Wotton Street, and there is a requirement for the preparation of Design Guidelines. The commercial zone will still remain but will only cater for incidental and small scale commercial development out of the Town Centre.

Attracting Tourists and Providing Additional Short Term Accommodation

Tourism provides the opportunity to diversify the local economy which is currently based on mining and pastoralism. Martu cultural traditions and art, together with the gold rush and pastoral history of the town, provide many opportunities for attracting tourists to Wiluna. However the availability of adequate and good quality tourist accommodation is a limiting factor. Short stay accommodation options are also limited for visiting government and mining employees who come to Wiluna for work purposes.

There is the potential for a temporary workers camp associated with mining operations to be developed in Wiluna. Should this occur, the location of the camp should consider the potential for re-use of the facility for tourist accommodation.

Proposed Strategy Response – Identification of Sites for New Accommodation

The strategy identifies two new sites for tourist accommodation. These are the:

- Old Primary School site, which could accommodate low scale accommodation (caravans and camping); and
- Roadhouse site at the corner of Wotton Street and the Goldfields Highway, which could incorporate some chalet development as part of the Roadhouse.

Development on both these sites will need to be prominent and attractive, so as to entice tourists to Wiluna. In the short term, the sites may be used for workers accommodation for mining companies if they need it.

If a mining camp was to be built on either of these sites, the design and management of the facility will need to consider any potential impacts on the community. The camp will also need to give back to the community some benefits, such as a shop front, publicly accessible dining or mess facilities, or open space. The design of the camp will need to be in keeping with the town and the Shire's vision for Wiluna. Should there be interest in this type of development within the town, then a Local Planning Policy would be required outlining the development standards for the camp.

There is also the potential for a cultural or tourist centre combined with a new art gallery to be built near the new Town Park. This location is highly symbolic

as the juncture of the Canning Stock Route (Wotton St) and Gunbarrel Highway (Wells St). This could be a major drawback for the town, and could complement the Shire's recent efforts in establishing a new Town Park and Heritage Walk.

Proposed LPS 2 Response – Creation of a Tourist Zone

It is proposed that a Tourist Zone be established in LPS 2. This is to ensure tourist development occurs in appropriate locations within the town; that predominantly tourist development occurs within these identified sites; and that tourist development is of a high standard. The zone permits 30% of accommodation to be permanent residential, which can help address any short term housing shortages in a cost effective manner.

General and Light Industry

Future mining activity may generate demand for town based industrial and light industrial development. The sealing of the Goldfields Highway between Wiluna and Meekatharra will open up a key transport corridor between Kalgoorlie and the Pilbara, creating potential opportunities for the transport and logistics industry.

Proposed Strategy Response – Identification of General and Light Industrial Areas

The draft Strategy supports the continued development of General and Light industry at the western end of Thompson Street. Thompson Street provides an alternative entry for heavy vehicles accessing the General and Light Industry precinct from the Goldfields Highway. This minimises the potential for big trucks to use Wotton Street, so that it is safe for pedestrians and small vehicles. A truck layover area for the Roadhouse could be provided off Woodley Street, but this requires confirmation through more detailed investigations.

Proposed Scheme Response – Clarification on the Intent and Preferred Uses within the Light and General Industry Zones

Through the process of preparing LPS 2 it was considered necessary that further clarification be provided as to the intent of both the light industrial and industrial zones in relation to the objectives and preferred land uses within each zone. The new provisions provide better guidance in relation to residential development and caretakers dwellings within these two zones.

Local Roads and Footpaths

Proposed Strategy and Scheme Response – Identification and Construction of New Local Roads and Footpaths

There are a number of roads within the town that are gazetted and shown on the Town Planning Scheme, but are not constructed. These roads were

created in the 1930's when Wiluna was a much bigger town of 9,000 people. In areas identified for new housing, such as to the south of the Primary School, the historic road layout may be amended, or roads closed to facilitate a more effective subdivision layout.

The Strategy and Scheme identify where new roads and footpaths are required to provide a safer local street network, integrate existing residential areas, and clearly show the boundary between public and private land.

The following are proposed:

- Construction of Trenton Street to provide a street frontage to the new AMS development;
- Provision of a new road or at a minimum a formal pedestrian footpath that connects Trenton Street to Hospital Street behind the Shire Offices, to provide frontage access to existing Shire housing, and integrate this area with the rest of town;
- Provision of a pedestrian footpath connecting the western and eastern ends of Jones Street, through the Civic and Recreation Precinct. A network of new footpaths through this precinct is identified in the Town Park plan;
- Construction of the southern end of Lennon Street associated with new housing facing the new Town Park and the proposed carpark; and
- Provision of a public road along the southern boundary of the TAFE and Primary School site, and the construction of Lakeway Avenue south of the Shire offices, to coincide with new housing that is developed in this area.

The provision of new footpaths must comply with Crime Prevention Through Environmental Design principles, to improve safety and minimise the potential to attract anti-social behaviour.

Regional Roads

Proposed Strategy Response – Prioritisation for sealing the Goldfields Highway

The draft Strategy reinforces the Shire's priority for the sealing of the Goldfields Highway. It recognises that the Highway will provide a critical link in the strategic transport network that connects resource operations in Wiluna, with rail infrastructure to the Oakajee Port (via a potential rail head at either Jack Hills or Weld Range). The benefits of a sealed road to the community which needs it for safe access to services, friends and family in Meekatharra is also recognised.

The Strategy also acknowledges that a new sealed road from Wiluna to Great Northern Highway via Doolgunna should only be considered if and when the

intermodal facility at Kalgoorlie is built. However, this is acknowledged as a secondary option to the sealing of the Goldfields Highway, which will also provide a good linkage between Kalgoorlie and the southern Pilbara area, and would be sufficient in the interim.

Proposed Strategy Response – Identification of Canning Stock Route and Gunbarrel Highway as Tourist Routes

The draft Strategy recognises the Canning Stock Route and Gunbarrel Highway as tourist routes. Signage to this effect is proposed within the Wiluna townsite, to signal the gateways to these significant, historical tracks.

Environment and Conservation

Proposed Strategy Response – Identification of Conservation Areas

The draft Strategy supports the conversion of the former Lorna Glen, Earraheedy and Kaluwiri Pastoral Leases into Conservation Parks. The former leases are currently Unallocated Crown Land. Based on advice received from the Department of Environment and Conservation, these areas are required for managed conservation, some recreation, scientific research and management of Aboriginal heritage under a joint management agreement with Central Desert Native Title Claimant Group.

General Improvements Contained with Local Planning Scheme 2

Additional Land Use Interpretations

The Use Class Table within TPS 1 has been significantly expanded to provide better variety and a contemporary mix of land uses which would be anticipated in Wiluna. These interpretations include – ancillary accommodation, art gallery, bed and breakfast, camping ground, caravan park, chalet, consulting room, hire service, Laundromat, market garden, medical centre, motel, nursing home, office, private recreation, recreation centre, service station, shop, transient workers accommodation and warehouse.

The intention of including these additional land use interpretations is to provide greater guidance to both Council and applicants on use class permissibility and appropriateness. More definition should result in less ad-hoc planning decisions.

Introduction of new setback requirements for non-residential development provisions

The lack of an established set of setback requirements can result in ad-hoc built form. These new provisions will establish some basic parameters for non-residential development so as to ensure a level of consistency in development.

Introduction of new parking requirements

TPS 1 provides very little guidance on requirements for parking. Again, these parking ratios will provide both applicant and Council with some guidance in relation to the provision of parking and an element of consistency for

development. The proposed ratios are comparatively low given lower car-ownership levels in Wiluna compared with the WA average.

Consultation

The draft Strategy and Scheme have been developed using the information gathered from a range of sources including consultation with government agencies and the Wiluna community. State Government agencies were notified of the Shire's intent to prepare a Local Planning Strategy and review the Scheme, and initial call for comments was requested. These comments have been considered in the preparation of the draft Strategy. Responses were received from:

- Department of Environment and Conservation;
- Department of Indigenous Affairs;
- Department of Housing;
- Department of Water;
- Water Corporation;
- Heritage Council of Western Australia;
- Department of Corrective Services;
- Department of Education; and
- Mid West Development Commission.

A summary of the comments provided by these agencies is provided in Attachment D (peach page).

The preparation of the Strategy has involved significant input and collaboration with a number of local partners, in particular the Wiluna Regional Partnership Agreement (RPA) which includes community, industry and government stakeholders.

Meetings and workshops with the Wiluna RPA and the Shire were held in July and December 2010 to identify planning issues and consider the future direction of the Shire. Consultation with community members and other local stakeholders occurred during December 2010, including advertising of Council's intentions to prepare a local planning strategy in the Shire newsletter and West Australian, and a community barbecue. One-on-one meetings with government and community organisations occurred in from October 2010 through to April 2011.

Residents and other stakeholders will be able to have another say when the draft strategy is released for public comment.

Next Steps

The following steps are required to finalise the Local Planning Strategy and LPS 2:

1. Following endorsement of the draft Strategy and Scheme, Council will need to forward the documents to the WAPC. The WAPC will review the documents and ensure that the documents are consistent with planning and legislative requirements and therefore appropriate for public advertising.
2. The Strategy and Scheme will be publicly advertised, and the community given an opportunity to make a submission.
3. Once Council has considered submissions and made necessary amendments, it will need to adopt the revised Strategy and Scheme and forward the document to the WAPC. The WAPC will need to endorse the documents, and forward the Scheme to the Minister for final sign off.

Conclusion

Preparation of the Strategy has involved: consultation, data collection, background research and issues identification, planning analysis including review of State, regional and local plans and policies; and the preparation of draft strategies and actions.

Financial Implications

There will be costs associated with public advertising of the draft Strategy, including the cost of two newspaper advertisements, and the running of community information sessions.

The Shire has an existing contract with planning consultants Urbis to manage the advertising and submission process, and the finalisation of the Strategy for final adoption.

OCM 75/11 Council Decision and Officer Recommendation
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MOVED Cr Harris

SECONDED Cr Webb

That Council:

1. *Receive the draft Local Planning Strategy, and consider the proposed objectives, strategies and actions for future growth of the Shire, provided in the document;*
2. *Receive the draft Local Planning Scheme No.2, and consider the proposed zones, land use permissibility's, and development standards, which have been prepared in accordance with the Model Scheme Text; and*
3. *Forward the draft Local Planning Strategy and Local Planning Scheme No.2 with the schedule of amendments below to the Western Australian Planning Commission with a request that the document be assessed as soon as possible for compliance with the Regulation 12A(3) of the Town*

Planning Regulations 1967, and Council be permitted to advertise the draft Strategy and Scheme in accordance with the Regulations.

4. *Forward the draft Local Planning Scheme No.2 with the schedule of amendments below to the Environmental Protection Authority (EPA) together with written notice of Council's resolution, to enable the EPA to comply with section 48A of the Environmental Protection Act 1986.*

SCHEDULE OF AMENDMENTS TO DRAFT DOCUMENTS PRESENTED TO COUNCIL 27.7.11

Draft Shire of Wiluna Local Planning Strategy

Section 4.2 Residential Land

- Amend Action no. 2 to include underlined text:
 2. Rezone the existing R10/30 blanket zoning to Residential R10, and retain the split zoning of Residential R10/30 closer to community infrastructure such as NAHS, and where there is adequate wastewater services.
- Delete Actions no. 5, 6 and 7:
 5. ~~Rationalise Special Control Areas that cross Goldfields Hwy such that their boundary coincides with the western boundary of the road.~~
 6. ~~Maintain Council's discretion to determine development within the Special Control Areas.~~
 7. ~~Identify appropriate forms of development that maybe considered by Council within SCA's~~

Insert:

5. In Local Planning Scheme No.2 delete the Special Control Areas identified for Mineral Prospectivity that affect land within the townsite boundary.
- Delete Action no. 4:
 4. ~~Allow the amalgamation of lots to R5 on the area of land north of Wells Street and bounded by Scotia, Thompson, Caledonia and Lawrence Streets, to facilitate large lots that may accommodate culturally appropriate and adaptive housing.~~

Insert:

4. Investigate the possibility of large lot special residential or rural residential (lots greater than 4,000m²) associated with the racecourse, and for the keeping of horses (equine related development).

Section 4.3 Housing and Accommodation

- Amend Action no. 1 to include underlined text:
 1. Prepare a Local Planning Policy that provides design guidelines for climatically and culturally appropriate housing, and requires government agencies to notify/consult with the Shire prior to the provision of new housing and development in the town.
- Delete Action no.3:

- ~~3. Allow some flexibility within tourism zones for the inclusion of Temporary Workers Accommodation.~~

Insert:

3. In Local Planning Scheme No.2 identify Temporary Workers Accommodation as a discretionary use in the Industry zone.
- Insert additional Action no.4:
4. In Local Planning Scheme No.2 insert a provision that requires the Department of Housing and Works to notify Council of any proposed development within the townsite.
- Insert additional Action no.5
5. In Local Planning Scheme No.2 allow 'shop-top' housing for the accommodation of business owners and their staff only, within the Town Centre zone, with provisions that the housing is not permitted on the ground floor and can only be provided from the first floor and above.
- Insert additional Action no. 6
6. In Local Planning Scheme No.2 standalone caretakers dwellings and residential development will not be permitted in the Town Centre zone.

Section 4.4 Town Centre Revitalisation and Public Realm

- Amend Action no. 1 to include underlined text:
1. Prepare a set of Town Centre Design Guidelines to guide suitable forms of development within the Town Centre, which considers issues such as:
 - Mixed use development.
 - Building materials.
 - Building size, height, bulk.
 - Setback and location.
 - Architectural style.
 - Function.
 - Parking and landscaping.

Section 4.11 Movement Network

- Insert additional actions after Action no.4:
5. Provide footpaths on both sides of Wotton Street.
 6. Ensure all residential streets have as a minimum a footpath on one side of the street, and that this footpath could be used for pedestrians and cyclists (dual use).
 7. Prepare a footpath policy that identifies priorities for footpaths, and where they are required on both sides of the street.

Section 4.12 Water Management

- Insert additional action after Action no. 2:
- 3. Explore opportunities for sustainable water use and management and grey water re-use.

Section 4.13 Utilities and Infrastructure

- Insert additional Action:

Explore the opportunity for the extension of the gas pipeline to service Wiluna.

Draft Local Planning Scheme No.2

Table 1

- Add the land use 'Multiple Dwelling' to Table 1.
- List the use 'multiple dwelling' as a discretionary advertised 'A' use in the Residential zone and 'X' use in all other zones.
- Modify the permissibility of Temporary Workers Accommodation so it is a discretionary 'D' use in the Industrial zone, and 'X' use in all other zones.

Town Centre Zone – (Section 5.9.3)

- Delete existing Clause 5.9.3 – Grouped Development in Town Centre Zone and replace with the following clause:

Where the ground floor of a multi-storey building is used for the purposes of shops or offices, the upper floors of such buildings may be used for the purposes of shops, offices or residential accommodation providing that:

- *The residential use is confined to the upper floor.*
- *The residential use is used only by the owner/occupier of the shop or office within the same building.*

Residential Zone – Objectives (Section 5.10.1(b))

- Add in additional clause:

To prepare and implement a Housing Design Policy to guide appropriate forms of housing in Wiluna.

Industrial Zone – Objectives (Section 5.16.1(a))

- Amend clause 5.16.1(a) to include underlined text:

To provide for industrial uses to service the pastoral and mining uses established in the district, and to achieve separation of industries from residential uses, with the exception of Temporary Workers Accommodation.

Part 6 – Special Control Areas

- Delete entire section relating to Mineral Prospectivity Special Control Areas.

Permitted Development (Section 8.2)

- Add in the following clause (e):

Notwithstanding Clause 8.2.1(d), State agencies that are exempt from requiring approvals from local government are to notify the local government in writing, of any intention to construct a building within the Scheme area, a minimum of 21 days prior to commencing works.

CARRIED 4/1

Cr Quadrio voted against the motion

(Samantha Tarling left the meeting at 12.04 pm and returned at 12.06 pm).

(Council adjourned for lunch at 1.00 pm and the meeting resumed at 1.55 pm.)

10.1.3. Subject/Applicant:	Transportable Structures and the Relocation of Buildings within the Shire of Wiluna
File:	00555
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	20 July 2011
Disclosure of Interest:	Nil

Purpose

For Council to consider a Draft Local Planning Policy regarding the use of Transportable Structures and the Relocation of Buildings within the Shire of Wiluna. The Draft Policy is presented to Council for consideration ahead of formal advertising for stakeholder comment.

Background and Context

Local Planning Policies

A Local Planning Policy (LPP) provides guidelines for different development types, to assist local government in making decisions under their Town Planning Scheme (Local Planning Scheme). The aim of a LPP is to provide guidance to Applicants and Shire staff in assessing a development application, to help make decisions on particular planning matters and improve stakeholder confidence and customer service.

It is important to note that although LPP's are not part of a Local Planning Scheme, they must be consistent with, and cannot vary, the intent of the Scheme provisions. Section 9.7 of the Shire's Town Planning Scheme No.1 (TPS1) deals with the procedural requirements of LPP's, as well as their application and revocation.

The introduction of LPP's within the Shire's planning framework is intended to deliver the following positive outcomes:

- Better outcomes on the ground, aligned with the *Shire of Wiluna Strategic Plan 2009-2014*;
- Higher levels of customer service (through clearer requirements and processes);
- Efficiencies for Shire Officers, in handling the applications and associated reduction in workloads; and
- Improved relationships with key stakeholders.

This Draft LPP regarding Transportable Structures and the Relocation of Buildings is the first Local Planning Policy to be presented to the Shire.

Transportable Structures and Relocation of Buildings

Due to the high costs associated with construction within the Shire, it is acknowledged there is the need for alternative forms of development, including transportable structures and the relocation of existing structures. Council does however have an obligation to its residents and ratepayers to maintain an acceptable standard of building construction within the Shire area.

The use of transportable buildings such as sea containers, dongas and prefabricated site offices for storage, residential or office purposes may provide for improved security and be an economical means of providing accommodation. However, the 'industrial' appearance and relatively large size of these types of buildings can be visually unattractive and impact on the amenity of a locality. Further, as these structures are generally without architectural features such as pitched roofs or windows, they can appear to be out of place in a residential setting as they are inconsistent with the general residential housing design.

The period of time in which to comply with building licence conditions is two years. This is considered an unnecessarily long time for an existing building to comply with the conditions and can result in low aesthetic buildings remaining on site and unimproved for the full two year compliance period. It is therefore proposed that a 'Special' Building License, as is permissible under the Building Regulations 1989, be granted that limits the time in which to satisfy the conditions of the building licence to 6 months.

There is a need to achieve a balance between providing for the legitimate needs of Shire residents from a financial perspective, and minimising any adverse impacts on neighbours and the way the town looks. This is particularly important in residential and commercial/town centre areas, where transported buildings have the potential of detracting from the desired streetscape.

This Policy has been prepared in order to provide guidance to Applicants and to ensure that Shire staff can assess the appropriateness of transportable structures and relocated buildings in the Residential zone and within other

important areas such as the Wotton Street Town Centre Precinct and the Community, Recreation and Education Precinct (Appendix E lilac pages):

Discussion

The key objectives of the Draft LPP are as follows:

- *To provide a consistent approach to assessing applications for transportable structures and the relocation of buildings within the Shire of Wiluna; and*
- *To ensure that transportable structures and relocated buildings are constructed and located in such a way as to minimise the impact of the amenity of the locality.*

For the purposes of this Policy, a 'Transportable Structure' is defined as follows:

'A structure that is brought to a property, held in place primarily by its own mass or affixed to the ground and includes, but is not limited to, sea containers, prefabricated transportable buildings, decommissioned railway carriages and transport conveyances'.

The Draft Policy is applicable to any transportable structures in the Residential, Commercial, Special Residential, Rural Residential and Special Use Zones, however excludes structures considered to be in accordance with the provisions of TPS1 (a single dwelling in a Residential zone). In this case, unless the proposal is seeking a variation to the Residential Design Codes or is located within a heritage area, planning approval is not required and therefore this Policy is not applicable.

Section 6.0 of the Draft LPP requires the following issues to be considered and addressed by Applicants in relation to transportable structures:

- Floor area requirements;
- Requirement for consultation with adjoining landowners;
- Impacts on amenity (relating to the size, appearance, location and particulars of the structure and subject site);
- Compliance with the Building Code of Australia (BCA);
- Relationship with the Shire's Town Planning Scheme No.1 (TPS1); and
- Application Requirements (including a scaled site plan, current colour photographs of the structure, details of proposed landscaping, use of structure and length of time it will be on-site); and

Where transportable structures meet all relevant requirements outlined in the Policy, planning approval will be granted by the Chief Building Surveyor or a person appointed by the Chief Executive Officer.

With regard to the relocation of existing buildings, the draft Policy requires a bond to be supplied to the Shire of Wiluna until such time as it can be demonstrated that the building is brought up to an appropriate standard acceptable to the Council, or the specified time period expires.

Draft Local Planning Scheme No.2

A new Local Planning Scheme (LPS) No.2 is currently in the process of being prepared to respond to changes to land use, zoning, environmental or other provisions or practices, and to facilitate best practice growth and development in the area, and is currently in draft form.

The Draft LPS has not yet been formally adopted by Council for public advertising, however Council should be aware that under the new Local Planning Scheme No.2, three (3) new zones propose to be introduced within the Wiluna townsite; a Town Centre zone, Tourism zone and a Residential Development zone. The adoption of this LPS may require this Policy to be updated to reflect these new zonings, and for the inclusion of the Town Centre and Tourism zoned in the application of the Policy.

Public Notification and Advertising of Draft Policy

In accordance with the provisions of Clause 9.7.2(a)(i) of TPS1, Council is required to seek public comment on a draft LPP for a period of not less than 21 days before making a decision to finally adopt a Policy. The provisions of TPS1 require Council to publish a notice once a week for two consecutive weeks in a local newspaper circulating within the District. As the Shire does not distribute a newspaper, Council will be required to publish the notice in the Shire newsletter and the West Australian newspaper.

To ensure that stakeholders have sufficient opportunity to provide comment, in addition to notices being placed in a newsletter, it is recommended that the advertising of the Draft Policy include the following:

- A notice being placed in the Shire's Administration Centre;
- A notice being placed on the Shire's internet website;
- A letter being sent to key landowners which may be affected by the new Policy;
- A letter being sent to relevant state government agencies; and
- A letter being sent to all community groups.

After the closure of the advertising period, Council is required to review the draft Policy in light of any submissions made in accordance and shall resolve to either adopt the Policy with or without modification, or not proceed with the draft Policy.

Options

There are three options available to Council in respect of the draft Policy, in accordance with TPS1, as follows:

1. Adopt the Policy for the purposes of advertising;
2. Defer consideration of the Policy; or
3. Resolve to not progress with the Policy at this time and provide reasons accordingly.

Option 1 is recommended.

Advertising Costs

Resources are required for managing advertising requirements as described above.

OCM 76/11 Council Decision and Officer Recommendation
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MOVED Cr Webb

SECONDED Cr Quadrio

Having regard to the objectives of the draft Policy, the issues at hand and the options available to Council, it is recommended that the draft Policy be adopted pursuant to Clause 9.7.2 of Town of Planning Scheme No.1 for the purpose of advertising.

That Council:

1. Endorses the Draft Local Planning Policy regarding the use of Transportable Structures and the Relocation of Buildings with the amendments shown below within the Shire of Wiluna.
2. Approve the formal advertising of the Draft Local Planning Policy.

POLICY – TRANSPORTABLE STRUCTURES AND RELOCATION OF BUILDINGS

Transportable Structures & Relocation of Buildings

1. Purpose

To provide guidance for the assessment and determination of applications for Planning Consent for sea containers, transportable buildings (i.e. dongas) and the relocation of existing permanent buildings within the Residential, Commercial, Special Residential, Rural Residential and Special Use zones.

2. Objectives

- To provide a consistent approach to assessing applications for transportable structures and the relocation of buildings within the Shire of Wiluna.
- To ensure that transportable structures and relocated buildings are constructed and located in such a way as to minimise the impact on the amenity of the locality.

3. Background

Due to the high costs associated with the construction within the Shire, it is acknowledged there is the need for alternative forms of development, including transportable structures and the relocation of existing structures. Council does however have an obligation to its residents and ratepayers to maintain an acceptable standard of building construction within the Shire area.

The use of transportable buildings such as sea containers, dongas and prefabricated site offices for storage, residential or office purposes may provide for a high level of security and be an economical means of providing accommodation. However, the 'industrial' appearance and relatively large size of these types of buildings can detract from the visual amenity of a locality.

Further, as these structures are generally without architectural features such as pitched roofs or windows, they can appear to be out of place in a residential setting as they are inconsistent with the general residential housing design.

This Policy has been prepared in order to provide guidance to applicants and to ensure that Shire staff can assess the appropriateness of transportable structures and relocated buildings in the Residential zone and within the areas defined in Map 1.

4. Definitions

Transportable Structure: For the purposes of this Policy, a 'Transportable Structure' is defined as:

A structure that is brought to a property, held in place primarily by its own mass or affixed to the ground and includes, but is not limited to, sea containers, prefabricated transportable buildings, decommissioned railway carriages and transport conveyances.

The definition of 'Transportable Structure' does not include new prefabricated kit homes over 60m² in floor area. A 'Relocated Building' is a building that has been utilised or occupied previously, and is proposed to be relocated to within the policy area.

5. Application

This policy applies to any transportable structure in the Residential, Commercial, Special Residential, Rural Residential and Special Use zones, the exception being where the transportable structure is considered to be in accordance with the provisions of TPS1, a single dwelling in a residential zone. In this scenario, unless the proposal is seeking to vary the Residential Design Codes or is in a Heritage Area, planning approval is not required and therefore the provisions of this policy do not apply.

General Criteria (applicable to all proposals)

- 6.1 All applications for transportable structures shall be referred to adjoining landowners for comment for a period of not less than 14 days.
- 6.2 Any proposal for a Transportable Structure that does not satisfy one or more of the requirements of Table 1 or this section of the policy, will not be recommended for approval, unless in Council's opinion the size, appearance, location and particulars of the subject site will not have a detrimental impact on the landscape and amenity of the area.
- 6.3 Transportable structures will only be permitted where they are structurally sound (BCA compliant), prior to being relocated to a property.
- 6.4 The floor area of a transportable structure shall be calculated as a contribution to the total floor area of structures in accordance with the Town Planning Scheme or Residential Design Codes.
- 6.5 Applications for the placement of a transportable structure shall be in the form of an Application for Planning Consent and include the following:
 - a) A site plan to scale showing all existing development on the lot, location of existing vegetation, and the proposed location of the transportable building.
 - b) Current colour photographs of the transportable structure from all elevations.
 - c) Details of proposed landscaping to the transportable structure.
 - d) Details of what purpose the transportable structure will be used for and the length of time that the transportable structure will be on-site.
- 6.6 This Policy relates only to the assessment of applications for transportable structures under the Shire's Town Planning Scheme No. 1. The placement of any transportable structures on a property is also subject to the provisions of the Building Code of Australia, and therefore a building licence is required to be obtained in addition to Development Approval.
- 7.0 Relocation of Existing Structures
- 7.1 A "Special" Building Licence, as is permitted under the Building Regulations 1989, will be issued for approved second-hand relocated buildings restricting the time for completion to 6 months.
- 7.2 The cash deposit referred to in Clause 7.4 shall be held by the Council until such time as:-
 - (a) the relocated building is brought to a standard acceptable to the Council; or
 - (b) the specified period expires.
- 7.3 In the event that the owner fails to complete the required works to bring the building to a standard acceptable to the Council within the specified period, then the Council may apply the cash deposit, bond or irrevocable bank guarantee, or such other security to carry out the required work.
- 7.4 The amount of such cash deposit referred to above shall be determined by Council through annual fees and charges.

CARRIED 5/0

10.2. Principal Environmental Health Officer and Building Surveyor Report

10.2.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Garry Agnew - Principal Environmental Health Officer and Building Surveyor Report
Date of Report:	20 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to provide information to Council in relation to Environmental Health and Building and for Council to receive the report and endorse the Officer's actions.

The week 20 to 24 June 2011

Wiluna Post Office

File Ref: 00556

I met with Builder and the owner of the old Ngangganawili Store regarding progress of the construction work for upgrade/refurbishment to the new Post Office and discussed outstanding details. The majority of the heavy work has been carried out and final completion is expected prior to my next visit.

We also discussed proposals of future multi-purpose development that is being considered for the building. Advice was provided on the statutory procedures applicable to obtain prior planning approval for those proposals.

Environmental Protection (Controlled Wastes) Regulations 2004

File Ref:00526

Discussed the legal obligations for the licensing of liquid waste collection carriers, drivers and vehicles and the requirements of the Controlled Waste Tracking System with the Manager of Works with the intention of addressing the matter together during my next visit.

New Shire houses

File Ref: 00526

Building progress inspections were carried out on the three 2 bedroom transportable units at lot 963 Jones Street and the new 3 bedroom transportable house at lot 1487 Jones Street.

All were found to be progressing satisfactory and in accordance with the "Conditions of Approval" for the issue of the Building Licences.

Club Hotel – Health Act Notice (failed sewerage)

File Ref: Lot 55

As you are aware the period for compliance with the Health Act Notice (4 months) expires on the 2 September 2001 and to date no work has commenced on the failed sewerage system – in terms of that -

The following is a copy of an e-mail from Melissa to the CEO and dated the 16 June 2011.

Hi Sam

Ben asked me to email you to let you know, that we are going to fix the septic and that we have contracted Graham to do it, however there is a bit of delay because he has been in hospital. So work will resume as soon as Grahame is ready.

*Kind regards
Melissa*

The following is a copy of the e-mail reply dated the 21 June.

Melissa,

I refer to your e-mail to Sam dated 16 June 2011 and advise that Sam and I have discussed the matter with Sam asking that I respond to you.

Please see attached copy of a letter posted to you today which is self explanatory.

*Regards
Garry*

A copy of the letter referred to in the above e-mail.

*Melissa Reilly & Elias Vlavianos
Club Hotel
Wotton Street
(PO Box 11)
WILUNA WA 6646*

Dear Melissa,

HEALTH ACT 1911 NOTICE DATED 6 MAY 2011 - SEPTIC TREATMENT AND DISPOSAL SYSTEM FAILURE AND SEWAGE OVERFLOW

I acknowledge receipt of a copy of an e-mail from Melissa to our CEO, Samantha Tarling dated 16 June 2011 and advise that Samantha has asked me to respond.

Please understand that service of the above Notice was consequent to the unacceptable maintenance standard of the Club Hotel sewerage system and its subsequent failure in April 2011, causing significant raw sewage escape and overflow that went beyond the Club Hotel property boundary.

For your record, service of the Notice was not a casual action as failure of the out of repair Club Hotel sewerage system constituted an offensive, dangerous and potentially injurious situation for public health. Further, until it is upgraded and brought into compliance as required by the Notice it remains an environmental health risk to the community.

I therefore confirm that full compliance with the Notice within the time-frame specified is not negotiable as adequate time was given for genuine and positive action by you (4 months).

In terms of your reason for the possible delay I remind you that the Notice was served on the owners of the Hotel accordingly that is where statutory accountability was directed and where it finally lies.

*In respect to you contracting an electrician to carry out the required work I strongly encourage you to read the Health Act Notice carefully, with emphasis on the **Notation** that all plumbing is to be carried out by a "Licensed Plumber".*

*Other than power connection, the installation of the visual and audible alarm and the removal of excessive accumulated solid sewage from the septic tanks by an authorised operator, **all** of Item 2 in the Second Schedule of the Notice is work that only a "Licensed Plumber" is authorised to carry out.*

For your information and record, Regulation 3. (1) of the Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000 defines a plumbing fixture as follows –

*“**fixture** includes any apparatus that is designed to collect, pump, receive or retain, and discharge, wastewater or other waste into sanitary or drainage plumbing, for example, a water-closet pan, urinal, bath, sink, basin, trough or pump.”*

Though I understand you and/or Ben have spoken to 2 Licensed Plumbers regarding the matters in the Notice, to date I have not received a formal application nor any other detail on a proposed alternating dual pump system for prior approval, as stipulated in Item 2. (b) of the Second Schedule.

Should you require further clarification or direction towards achieving compliance within the time-frame specified in the Notice do not hesitate to contact me through the Shire of Wiluna Office.

Yours faithfully

*Garry Agnew
Principal
Environmental Health Officer/
Building Surveyor
SHIRE OF WILUNA*

21 June 2011

Consequent to the above, the CEO received 7 more e-mails from Melissa over a 24 hour period. The first expressed concern followed by sarcasm and personal criticism then finally a threat to have the Shire investigated.

I have not nor do I intend responding to or entering into this sort of dialogue with the Hotel owners.

Shire ATU sewage treatment systems

File Ref: 00073

Further to our discussions regarding problems with the Wiluna Shire Administration Buildings sewerage ATU and its required regular maintenance; I have contacted Biomax in this regard.

Biomax are willing to come to Wiluna and service all their ATU's in town and at the same time train any Shire staff or other selected local person/s so that future service of the ATU's can be conducted locally.

I have discussed the matter with Laurie and detailed the prior information Biomax requires for their strategic preparations before leaving Northam.

Biomax needs an e-mailed photo confirming the number and type of each unit so that appropriate and adequate spare parts can be brought up.

Other alternative support is being investigated and will be reported upon in the future.

Ngangganawili Clinic and Medical Centre – Building Licence

File Ref: Lot 5001

Additional assessment has been carried out on the preliminary building plans and specifications with questions on site preparation and Engineering Certification of footings.

For your record the plans received so far are only preliminary plans from the Architect, they do not constitute a formal application for Building Licence as a Registered Builder has not yet been appointed.
The plans will be held in PENDING until a formal Application for Building Licence is received.

OCM 77/11 Council Decision and Officer Recommendation

MOVED Cr Webb

SECONDED Cr Harris

That Council receives this report and endorses the Environmental Health Officer and Building Surveyor's recommendations and actions.

CARRIED 5/0

10.2.2. Subject/Applicant:	Development Application 16 Woodley St
File:	Lot 16
Reporting Officer:	Garry Agnew - Principal Environmental Health Officer and Building Surveyor Report
Date of Report:	22 July 2011
Disclosure of Interest:	Nil

Summary

Council is asked to consider an Application for Planning Approval for a single dwelling development at "Light Industry" zoned Lot 16 Woodley Street Wiluna.

Comment

Formal Application for Planning Approval has been received from the Midwest Employment & Economic Development Aboriginal Corporation (MEEDAC) for the development of a single storey dwelling at Lot 16 Woodley Street Wiluna – see Appendix F (Pink Pages).

The position of the dwelling is proposed to be at the north east corner of Lot 16 Woodley Street – see Appendix G (white Pages).

Note: The original plan showed the proposed dwelling on Lot 15 Woodley Street, however the applicant has since written asking that the plan be mirrored to show it being built on Lot 16 – see Appendix H (grey pages).

According to Shire records Lot 16 Woodley Street Wiluna is currently owned by Meedac Holdings Pty Ltd PO Box 2996 Geraldton WA 6531.

The existing vacant development at Lot 16 Woodley Street consists of:

- an 8mx 8m metal frame, metal clad and concrete floor shed;
- a 6m x 2.5m old transportable sanitary facility;
- two old over-head fuel tanks; and
- a 3m x 7m light metal framed and shade cloth covered shade house.

The existing shed is positioned at the south east rear corner of the lot, the transportable sanitary facility is adjacent to it but towards the rear centre of the

lot, the two overhead fuel tanks are positioned in the centre of the lot with the shade house at the south west front corner.

The proposed dwelling is intended to be positioned towards the north east rear of the Lot where sufficient area is available.

Council will note that the Application for Planning Approval (Appendix 'A') is vague in terms of the proposed use for the development and the purpose for the dwelling.

Enquiry with Adrian Donovan of Meedac provided the following for clarification –

The Midwest Employment & Economical Development Aboriginal Corporation (MEEDAC) is the agency responsible for CDEP Programs in the region.

The 8m x 8m existing shed at lot 16 Woodley Street is proposed to be used for the storage of small tools and trailers and the conduct of CDEP activities such as trade training in areas of horticulture, building and construction and motor mechanics etc.

The dwelling is for accommodation by the person responsible for running the program – Wiluna CDEP Coordinator.

Pursuant to the Shire of Wiluna Town Planning Scheme No.1 Lot 16 Woodley Street is Zoned "Light Industry".

"Industry Light" – means an industry:

- (a) In which the process carried on, the machinery used, and the goods and commodities carried to and from the premise do not cause any injury to or adversely affect the amenity of the locality;*
- (b) The establishment or conduct of which does not, or will not, impose and undue load on any existing or proposed service for the supply or provision of essential services.*

A dwelling (single residence) is not permitted on "Light Industry" zoned land under the Shire of Wiluna TPS No.1 Zoning Table.

Notwithstanding, a "Caretakers Dwelling" is a discretionary use in the "Light Industry" zone and the proposed dwelling at Lot 16 Woodley Street is to be occupied only by the person responsible for running the local CDEP Programs.

"Caretaker Dwelling" is defined under the Shire of Wiluna TPS No.1 to mean – a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant.

The proposed "Caretakers Dwelling" is to be located in the north east corner of the site therefore will not have a direct frontage to Woodley Street. As the site and development requirements for a "Caretakers Dwelling" in a "Light Industry"

zone is at the discretion of Council, after considering the plans submitted as part of the Development Application together with the additional advice from MEEDAC it is the writers view that that the development of a “Caretakers Dwelling” at Lot 16 Woodley is acceptable consequent of limited visibility of structure from Woodley Street and intended restricted use.

Statutory Implications

Shire of Wiluna Town Planning Scheme No.1

Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Voting Requirement

Simple Majority

<i>OCM 78/11 Council Decision and Officer Recommendation</i>

MOVED Cr Webb

SECONDED Cr Petterson

Planning Approval is granted to the Midwest Employment & Economic Development Aboriginal Corporation (MEEDAC) PO Box 2996 Geraldton WA 6531 for the development of a “Caretakers Dwelling” at Lot 16 Woodley Street Wiluna; conditional upon –

1. no building work being commenced until/unless an application for building licence has been submitted to and a Building Licence being issued by the local government;
2. the “Caretakers Dwelling” being occupied only by the person responsible for running CDEP Programs on behalf of MEEDAC; and
3. the activities carried on at Lot 16 Woodley Street are generally confined to the storage of small tools and trailers together with trade training i.e. horticulture, building and construction and motor mechanics.

CARRIED 5/0

10.3. Deputy CEO Reports

10.3.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Deputy CEO
Date of Report:	22 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to receive the Deputy CEO's report and endorse the Deputy CEO's actions.

Blessing of the Highways – Ceremony & Fun Run File Ref: 00557

With the addition of a \$20,000 Dry Season Relief grant from the Department of Agriculture & Food (Rural Business Unit) the Community Development team have conducted various discussions and consultations with members of the Martu people and general community, including Police, Emergency Services and Health about an event that we would like to see planned annually that fundamentally opens the tourist season each year.

The idea behind the grant is that we spend the money locally with the view to supporting small business that may have been affected by the significant dry seasons. It is our goal to spend this grant with local businesses where possible.

The *Blessing of the Highways* ceremony concept is in direct response to the issues relating to loss of life particularly on the Gunbarrel Highway and the Canning Stock Route – of which both locals and visitors utilise. However, in talking with members of the community they have agreed the 'blessing' needs to cover all highways and roads leading into and out of Wiluna.

Staff from the Sport & Recreation Centre have added their suggestion of a Fun Run from the centre of town to the Bondini turnoff and return. The 8.4 km Fun Run will commence after the Blessing ceremony and will also incorporate the opportunity for members of the community to participate in a 4.2km walk – from Bondini turnoff to town oval. The event will be finished off with a community BBQ.

The original date for the event was to be Friday 19 August however due to the Anti-Uranium Mining protest march which has been planned for the same day and weekend we are now looking at moving the event to mid-September. The new date will be confirmed at a meeting of Agencies on Friday 29 July 2011.

Ceremony

It is anticipated the ceremony will be staged on the corner of Wells & Wotton Streets from around 11am in the morning with Pastor Brown delivering a blessing along with a Martu Smoking Ceremony to offer respect and

remembrance to those past and to send a strong message to all those using the highways and roads to drive safely at all times.

Once the ceremonies have been completed, all those registered to participate in the Fun Run will assemble at the start line and the walkers are to be bussed out to Bondini turnoff. Once the walkers are set to start, officials will start the Fun Run/Walk simultaneously (via phone) with the Shire President cutting a blue ribbon to officially start the event.

Traffic Management

Previous Manager of Works has agreed to assist in completing a Traffic Management Plan and conducting the actual road closure as it will be necessary to close half the road leading out to Bondini turnoff in order to effectively stage the event. The grant will purchase any additional traffic management items (cones etc) and all mining and pastoral companies will be alerted to the timing of the road closure.

Roadwise WA has also agreed to participate at the event and a further \$1000 grant has been applied for under this activity. We are keen to secure the Roadwise trailer and merchandise in order to reinforce the message of safe driving. This will require a trip to Kalgoorlie to pick up and return the trailer.

With a number of activities already being planned we will be seeking support from volunteers on the day to assist in the overall management of the event:

- Presence and promotion of all Emergency Services
- First Aid
- Event Marshalls
- People movers – bus driver's etc.

We look forward to promoting this as a 'whole-of-community' event and welcome involvement and decision-making from the broader community.

OCM 79/11 Council Decision and Officer Recommendation

MOVED Cr Webb

SECONDED Cr Petterson

For Council to receive the Deputy CEO's information report and endorse the Officer's actions.

CARRIED 5/0

10.3.2. Subject/Applicant:	Shire of Wiluna Common Seal
File:	00339
Reporting Officer:	DCEO
Date of Report:	15 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's endorsement on the use of the Shire of Wiluna Common Seal on the Memorandum of Understanding – GVROC 2010-2011.

Date Impressed: 12 November 2010

Memorandum of Understanding – GVROC 2010-2011.

Consultation

CEO

Statutory Environment

The Shire of Wiluna Local Law (Standing Orders) 1999

Financial Implications

Nil

Voting Requirements

Simple Majority

OCM 80/11 Council Decision and Officer Recommendation
--

MOVED Cr Webb

SECONDED Cr Petterson

For Council to endorse the impress of the Shire of Wiluna Common Seal on the Memorandum of Understanding – GVROC 2010-2011.

CARRIED 5/0

(Tony Doust left the meeting at 2.40 pm and returned at 2.45 pm)

10.3.3. Subject/Applicant:	Shire of Wiluna Common Seal
File:	00339
Reporting Officer:	DCEO
Date of Report:	15 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's endorsement on the use of the Shire of Wiluna Common Seal on the CEO 2011-2013 Employment Contract.

Date Impressed: 11 July 2011

Chief Executive Officer's Employment Contract 2011-2013.

Consultation

CEO

Statutory Environment

The Shire of Wiluna Local Law (Standing Orders) 1999

Financial Implications

Nil

Voting Requirements

Simple Majority

OCM 81/11 Council Decision and Officer Recommendation

MOVED Cr Harris

SECONDED Cr Webb

For Council to endorse the impress of the Shire of Wiluna Common Seal on the Chief Executive Officer Employment Contract 2011-2013.

CARRIED 5/0

10.4. Manager Finance & Administration Reports

10.4.1. Subject/Applicant:	Accounts Paid by Authority
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
Date of Report:	19 July 2011
Disclosure of Interest:	Nil

Purpose

In accordance with the Financial Management Regulations a list of accounts paid by the Chief Executive Officer is presented to Council to be adopted.

Background

The list of accounts for the period ending 30 June 2011 are listed as Appendix A – Blue pages

Consultation

Nil

Statutory Environment

Local Government (Financial Management) Regulations 1996 – Regulations 13. (*Reprint 2: The regulations as at 17 February 2006*)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirement

Simple majority

OCM 82/11 Council Decision and Officer Recommendation

MOVED Cr Harris

SECONDED Cr Webb

That the accounts paid by authority for the period ended 30 June 2011 totalling \$903,078.85 be received, endorsed and incorporated in the Minutes of the meeting.

CARRIED 5/0

10.4.2. Subject/Applicant:	Financial Report
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	19 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's adoption of the Financial Reports for the period ending 30 June 2011.

Background

Section 6.4 of the Local Government Act 1995 requires the CEO to prepare monthly/quarterly financial reports in accordance with the provisions of regulation 34 and 35 of the Local Government Act (Financial Management) Regulations 1996.

The reports for the period ending 30 June 2011 are listed as Appendix B (green pages).

Comment

Nil

Consultation

Nil

Statutory Environment

Local Government Financial Management Regulations 1996 – Regulations 34-35.

Voting Requirement

Simple majority

OCM 83/11 Council Decision and Officer Recommendation
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MOVED Cr Petterson

SECONDED Cr Harris

That Council adopt the Financial Reports for the period ending 30 June 2011 as presented.

CARRIED 5/0

10.5. Manager of Works Report

Nil

10.6. Committee Report

Nil

10.7. Council Information Bulletin

10.7.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Heather Charlton, Art Gallery Manager
Date of Report:	14 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to be advised of operation in the Art Gallery.

Jundee Exhibition

File Ref: 00463

An Exhibition and Sale planned for the Jundee minesite this month was cancelled by the mine, due to unforeseen circumstances.

Art Gallery Manager

File Ref: Personnel

My resignation from the position of Art Gallery Manager, will take effect from 21 July 2011.

My time with Tjukurba has proven fruitful with the development of a number of initiatives, the benefits of which I hope will flow on in the future. The Artists have been exposed to new mediums, the Artstart children's painting group

has proved to be a popular and worthwhile program, and the development of a range of the Headsox brand of wearable art should afford the artists an ongoing income stream.

My departure coincides with a reduction in sales which have been affected by a variety of circumstances, largely the result of reduced consumer confidence and a lack of artist participation. In recognising the need for change, I welcome the Shire's measures in its current review of the gallery's operation with a view to its possible re-structure.

Sales for the end of the financial year 2010 -2011 amounted to \$130,496, with smaller artworks in a low price range forming the largest number of sales.

In an effort to reverse this trend, works have been consigned to galleries in capital cities and regional areas.

10.7.2. Subject/Applicant:	Status Report
File:	00178
Reporting Officer:	Anton Knezevich, Sport and Recreation Manager
Date of Report:	21 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to be informed of the operations in the Sports and Recreation Department.

Healthy Safe Fun Wiluna

June 7 Touch Rugby Wiluna vs. Jundee (Newmont won)
June14 AFL Wiluna vs. Jundee (Wiluna won)
June18 Girls Pampering Night
June 25 Ladies Night
July 2 Quiz Night
July 9 Movie Night Double Feature outside
July 10- 15 Dwellingup's Adventure Camp for girls

Quiz night - 50 people attended. The Shire table won the night.

Stormco have partnered with the Shire on their annual visit to Wiluna. They have delivered an amazing school holiday program at the Rec Centre. The kids have enjoyed their story telling, face painting, and Clown shows.

Girls Camp at Dwellingup

Sport and Rec staff took 9 Wiluna girls on a camp in the first week of the school holidays. The camp was a huge success. Many attempted and succeeded on challenges that were their first experiences, for example, first

time on a plane, rock climbing, abseiling, canoeing etc and they overcame their fears to participate.

Facilitate participation in State level games for Wiluna sports teams and players.

Regular fortnight Touch Rugby games between Wiluna and Mine sites
Annual AFL games between mine sites and other Communities

Facilitate accredited and professional development training opportunities for staff

June 21- 22 The Week 8 program is arriving to mentor the teacher's and Sports Rec Staff with sports activities and drills.

10.7.3. Subject/Applicant:	Status Report
File:	00087
Reporting Officer:	Debra McNeill, Tourism Officer
Date of Report:	21 July 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to inform Council of the progress on the installation of the windmill in the Information Bay and provide an update on the installation of the Information Bay and Town Park shelters.

The windmill has been installed this week and is a landmark. The windmill will have temporary sides put on it to prevent the children climbing up the windmill. Further discussion on the dressing up of the windmill is also anticipated when the Tourism Officer returns from leave. A drinking trough to complete the 'pastoralist representation' in the Information bay is still being sought.

The preparation of the Information Bay and Town Park shelter pads are running a month behind schedule and will commence the week commencing 25 July 2011 and be completed the following week.

OCM 84/11 Council Decision and Officer Recommendation

MOVED Cr Webb

SECONDED Cr Harris

For Council to receive the Council Information Bulletin reports.

CARRIED 5/0

11. Elected Members Motion of Which Previous Notice Has Been Given

Nil

12. Urgent Business Approved by the Person Presiding or by Decision of Council

Nil

13. Public Question Time

Nil

14. Matters Behind Closed Doors – Confidential Item

Nil

15. Closure

The meeting closed at 2.57 pm.